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Habitats Regulations Assessment of New Forest National Park Local Plan 2016-2036

HRA Addendum for the draft Ashurst Hospital site allocation

Prepared by LUC
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1 Introduction

Background

1.1 This addendum report has been prepared in response to a request from New Forest National Park Authority (NFNPA) that LUC undertakes additional Habitat Regulations Assessment (HRA) work in relation to the potential allocation for development of a site at Ashurst Hospital by the New Forest National Park Local Plan 2016-2036.

1.2 The requirement for this HRA Addendum follows a letter from the Local Plan Inspectors to the NFNPA on 29 November 2018 stating:

"Evidence put to the examination indicates that significant parts of the site will be available for redevelopment during the plan period. It would seem that the key issue is the effect on the adjacent New Forest Special Protection Area (SPA). In considering this matter, we have taken account of the fact that the Ashurst Hospital site is previously developed and the nature of existing and lawful uses on the site...Of particular significance is that the submitted Local Plan proposes to allocate the site of the former Lyndhurst Park Hotel for residential use despite it being adjacent to the SPA."

"It is our understanding that the concern over the proximity of new residential development to the SPA (within 400m) relates primarily to urban edge effects (such as cat predation or fly-tipping) given that recreational use impacts can be mitigated. We note that Policy SP23 [Lyndhurst Park Hotel] includes a criterion requiring measures to mitigate potential significant urban edge impacts."

"It is not sufficiently clear, on the basis of evidence currently before us, that the situation with the Ashurst Hospital site would be significantly different to the Lyndhurst Park Hotel site in terms of the increase in urban edge effects given the existing/lawful use. We would therefore like the Authority to give further consideration to the opportunity for residential development on the Ashurst Hospital site and the potential for the Local Plan to allocate the site or extend the settlement boundary to allow development to come forward as a windfall."

"Clearly, for these options to be pursued there would be a need for additional work to be undertaken, not least in terms of HRA/Appropriate Assessment and liaison with Natural England. We would appreciate your views as to the work required and the timescale involved. If it is the Authority's view that the situation with the former Lyndhurst Park Hotel and Ashurst Hospital sites is significantly different in terms of urban edge effects, we would be grateful if you would set this out in detail."

1.3 The approach taken to the former Lyndhurst Park Hotel site (Policy SP23) in the HRA work to date suggests that there may, in principle, be controls and policy wording that could be put in place to prevent impacts on the integrity of the adjacent New Forest SAC, SPA and Ramsar site. This could include a restriction on the form of any residential development (for example to C2 use).

1.4 In light of the above NFNPA, as the competent authority, has asked LUC to assess on its behalf whether allocation in the Local Plan of the Ashurst Hospital site for some form of residential development would lead to adverse effects on the integrity of the European Sites, particularly the New Forest SAC, SPA and Ramsar site, and whether there are any avoidance and mitigation measures which would enable development at the site without resulting in adverse effects on site integrity. Particular attention is given to the potential for urban edge effects and how these differ between the Lyndhurst Park Hotel and Ashurst Hospital sites as this is the focus of the Inspectors' request for further HRA.

HRA work undertaken to date for the New Forest NPA Local Plan 2016-2036

- 1.5 The HRA process for the New Forest NPA Local Plan began with the production in April 2016 by LUC of a non-statutory HRA Scoping Report, which was jointly prepared with New Forest District Council (NFDC) to inform the approach to HRA of both the NFNPA Local Plan and the NFDC Local Plan Part 1. The proposed approach to HRA set out in this joint scoping document was subject to consultation with Natural England, the Royal Society for the Protection of Birds (RSPB), Hampshire and Isle of Wight Wildlife Trust (HIWWT), Dorset Wildlife Trust, Wiltshire Wildlife Trust, and NFDC during April-May 2016.
- 1.6 In August 2016 LUC then prepared an HRA Discussion Document that responded to consultation comments on the HRA Scoping Report and provided initial observations on the potential for development proposals in NFNPA's Draft Local Plan to have adverse effects on European sites, as well as commenting on mitigation available from the emerging Local Plan and from NFNPA's existing habitat mitigation strategy. This supported further informal consultation with Natural England.
- 1.7 In January 2018, an HRA report was produced by LUC to accompany consultation on the Submission draft of the Local Plan. An air quality assessment¹ and linked ecological assessment² carried out by third party consultants and reported on separately also formed part of the HRA, providing the Appropriate Assessment of air quality effects for both the New Forest National Park and New Forest District Local Plans.
- 1.8 In May 2018, LUC prepared an addendum to the HRA of the Submission draft Local Plan to provide:
 - an assessment of the implications for the HRA of the modifications to the Submission draft Local Plan being proposed by the Authority prior to Examination; and
 - responses to representations received by the Authority from Natural England relating to the HRA of the Submission draft Local Plan.
- 1.9 In July 2018 LUC completed an HRA Addendum in light of the 12 April 2018 Court of Justice of the European Union (CJEU) judgment in the case of People over Wind and Peter Sweetman v Coillte Teoranta³. This was in response to a request by the Examiners of the Local Plan that the National Park Authority carry out such a review.

Natural England position statement

- 1.10 Following the Local Plan Examination hearing sessions, Natural England submitted a position statement regarding urban edge and recreational impacts from development within 400 m of heathland interest features of European sites in general and those of the New Forest in particular⁴.
- 1.11 The statement confirms Natural England's view that urban edge and recreational effects are likely to be most marked for residential development within 400 m of heathland.
- 1.12 Page 2 of the position statement highlights that a 400 m zone is widely adopted for the protection of international heathlands from urban edge effects. In the Dorset Heaths and Thames Basin Heaths the difficulty in demonstrating that urban edge and recreational effects can be avoided on the SPA has led to policies that exclude additional residential development, other than certain types of C2 residential development, within 400 m of the heaths.
- 1.13 However, the position statement notes that the New Forest international heathlands are relatively more resilient to urban edge effects than the Dorset Heaths and Thames Basin Heaths

¹ Air Quality Consultants (2017) Air quality input for Habitats Regulations Assessment: New Forest – Draft Report provided 21 December 2017

² BSG Ecology (2018) Ecological Consultancy Advice on Air Quality Risks – Draft Report provided 3 January 2018

³ Available from <http://curia.europa.eu/juris/document/document.jsf?docid=200970&doclang=EN>

⁴ Submission to the NFNPA Local Plan 2016-2036 inquiry dated 20 November 2018

international heathlands due to the less fragmented heathland blocks, more developed system of habitat and visitor management, and relatively low level of existing development within 400 m. While Natural England accepts that this justifies the approach to new residential development within 400 m of the New Forest European designations set out in the HRA of the Submission draft Local Plan, page 3 of the position statement emphasises:

"...that urban edge effects are cumulative and therefore the scope for continuing to increase residential development within 400m is limited...Allocations that do not benefit from a previous residential use within the 400m zone are likely to be particularly problematic in terms of demonstrating through an appropriate assessment that there will be no adverse effect on integrity on the international heathlands."

- 1.14 Natural England notes that although the former Lyndhurst Park Hotel site (Policy SP23) is within 400 m of the international heathlands, the site benefits from its former use as a hotel which limits the scope for a proposal to increase pressure on the adjacent heathlands or result in the degradation or loss of ecologically supportive habitats. Natural England supports the conclusions of the Local Plan HRA to date and the policy wording that additional urban edge effects will need to be avoided through the use of legal covenants and arrangements for grounds maintenance, as well as the requirement for project level appropriate assessment of specific proposals.
- 1.15 Natural England notes that the overall HRA conclusion that windfall development will not give rise to adverse effects on site integrity is based on the expectation that windfall sites will be: (a) small scale; and (b) widely distributed. Draft Policy SP5 of the Local Plan, as modified by MIN-10, acknowledges that avoidance or mitigation may not be possible in some cases due to the impacts, scale, type or proximity of the proposed development in relation to the designated site, and Natural England's view is that this caveat would need to apply for any windfall residential development proposed in a particularly sensitive locality.

Description of the draft Ashurst Hospital site allocation

Indicative proposal by NHS Property Services

- 1.16 On 13 November 2018 NHS Property Services submitted the indicative site layout reproduced in Figure 1.1. This illustrates a 60-bed care home in the southern part of the site and a further 32 dwellings, covering the vast majority of the existing Ashurst Hospital site. The layout does not indicate that there would be any new building for healthcare purposes. This initial, indicative layout formed the basis for discussions between the National Park Authority, Natural England and NHS Property Services in late 2018.

Figure 1.1 Indicative site layout



1.17 While acknowledging that the indicative layout was submitted with the aim of demonstrating to the Inspectors how the site could be redeveloped, NFNPA considered that it also raised a number of concerns. For example:

- The layout would result in built development extending well beyond the existing footprint of the Ashurst Hospital buildings. The current buildings are set back circa 100 metres from the site boundary with the adjacent New Forest SPA, SAC and Ramsar designations to the south, compared to the indicative layout above which illustrates residential dwellings less than 20 metres from the internationally protected habitats.
- The layout also illustrates an access at the south of the site marked 'maintenance access to ditch'. There is a concern that this could also be used as an access route for future residents to access the adjacent New Forest SPA, SAC and Ramsar site.

1.18 In their Examination written statement, NHS Property Services stated that, "*The impact of any redevelopment on the adjoining protected habitats will need to be considered and discussed with Natural England. It is, however, important to note that the site is brownfield land and already has an existing impact on nearby protected habitats. A range of mitigation options are available including a combination of the below:*

- *Access and Visitor Management;*
- *Appropriate landscaping and boundary treatments;*
- *Future site management options; and*
- *Financial contributions towards the conservation and mitigation of the New Forest SAC/SPA/RAMSAR sites."*

Draft site allocation policy

- 1.19 Following discussions with NHS Property Services and Natural England, NFNPA has drafted a Local Plan allocation policy for development at the Ashurst Hospital site. This policy, reproduced in the boxed text below, the accompanying Figure 1.2, and the draft supporting text (relevant extract reproduced below) form the basis of the additional HRA work. The use classes referred to in the draft policy are C2 Residential institutions⁵ and C3 Dwelling houses⁶.

Policy XX - Land at Ashurst Hospital

Land at Ashurst Hospital is allocated for a mixed-use development comprising:

- Retained (and potentially extended) healthcare provision in the western part of the site (focused on the Snowden Building) – illustrated in blue on the map below; and
- Around 30 residential units on the remaining previously developed part of the site.

Detailed proposals for the site that meet the following site-specific requirements will be permitted:

- a) The site must be redeveloped in a comprehensive manner and detailed proposals for residential development will need to ensure the retained healthcare uses on the site can operate efficiently;
- b) Built development will be confined to the previously developed land to ensure the existing green buffer remains to the south of the site and the New Forest's protected habitats.
- c) The Victorian Chapel will be retained as part of the redevelopment. A detailed heritage assessment and structural survey will be required to justify the loss of the former workhouse buildings;
- d) Redevelopment proposals must retain the protected trees on the site;
- e) Proposals for C3 residential use must provide on-site affordable housing for local people in housing need as close to the Authority's target of 50% affordable housing as is viable. Viability will be demonstrated through an open book approach;
- f) Proposals for C2 use must be accompanied by a legal agreement requiring the occupancy to be limited to those with a local connection;
- g) All of the dwellings on site will be limited to a maximum total internal floor area of 100 square metres; and
- h) Development proposals must incorporate measures to mitigate potential significant urban edge impacts on adjacent protected habitats. The existing southern boundary between the site and the adjacent protected habitats should be retained and strengthened with the planting of native species. Proposals should seek to enhance both its role in buffering the designated sites and supporting species of principal importance for biodiversity. A detailed application for the site will be subject to a full appropriate assessment.

- 1.20 Proposed supporting text to the draft Ashurst Hospital site allocation policy includes the following of particular relevance to the HRA:

"The site allocation policy highlights the natural and built environment constraints and opportunities on the Ashurst Hospital site. The site lies adjacent to the New Forest SSSI, SAC, SPA and Ramsar sites and the Habitats Regulations Assessment for the Local Plan identifies the potential for a range of possible effects from development on these protected sites, including recreation pressure, urban edge effects including cat predation and the loss or damage to off-site supporting habitats.

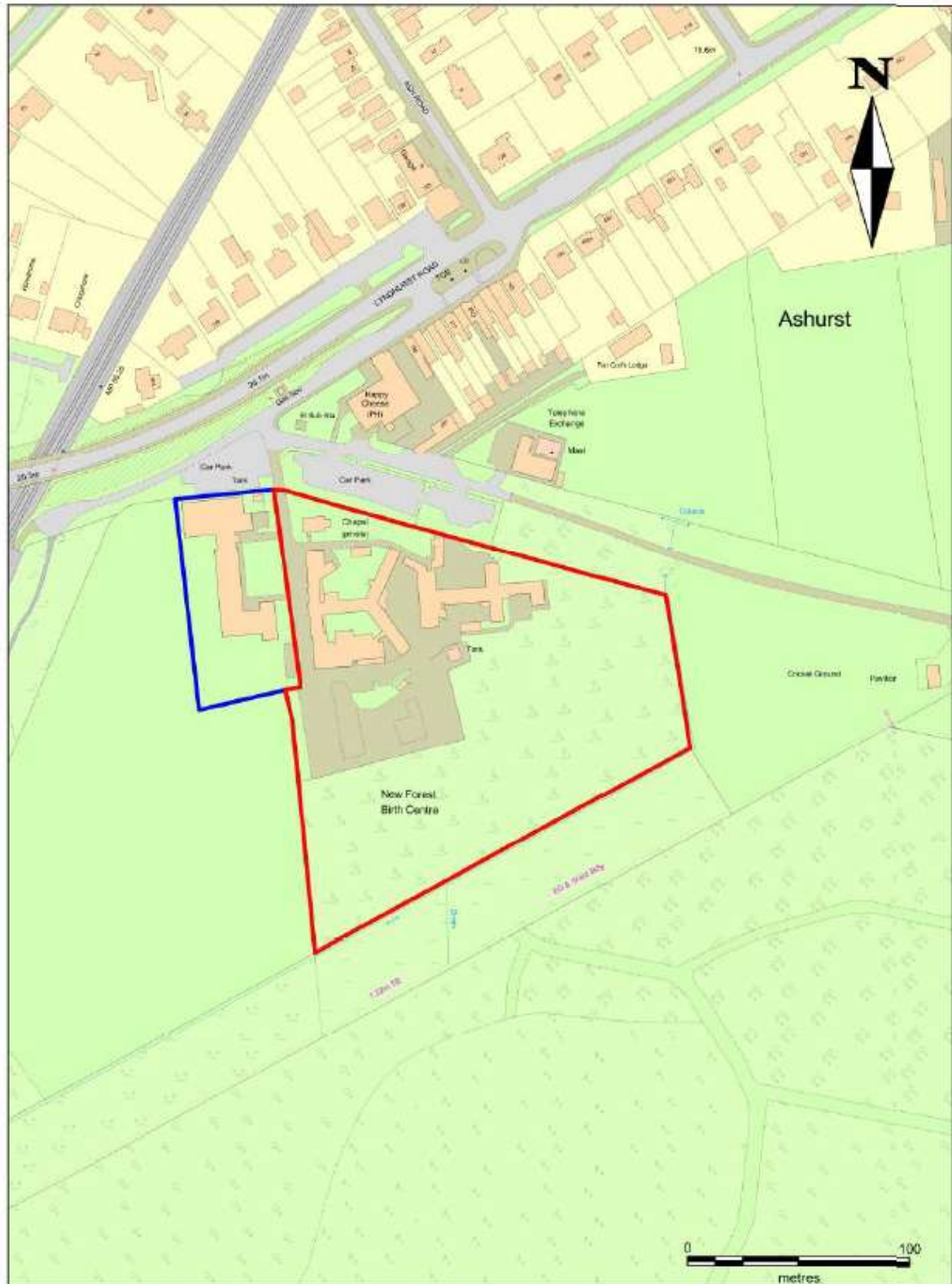
Policy XX therefore requires development to be confined to the previously developed land to the north of the site and the strengthening of the planted boundary to the adjacent Natura 2000 site designations. Mitigation measures for potential urban edge effects could include the use of legal covenants (e.g. preventing cat or dog ownership) and arrangements for grounds maintenance.

⁵ Residential accommodation and care to people in need of care, residential schools, colleges or training centres, hospitals, nursing homes

⁶ Use as a dwellinghouse (whether or not a main residence) by: A single person or by people to be regarded as forming a single household; Not more than six residents living together as a single household where care is provided for residents; or Not more than six residents living together as a single household where no care is provided to residents (other than use within Class C4 Houses in multiple occupation)

The requirement to ensure no adverse impact on the adjacent national and internationally protected habitats will also influence the form of residential development on site.”

Figure 1.2: Boundary and location of Ashurst Hospital site allocation



Approach to the additional HRA

- 1.21 The approach to undertaking the additional HRA set out in this addendum is in accordance with the method set out in the main HRA report which accompanied the Submission draft of the Local Plan, and the subsequent addendums, as listed above.

- 1.22 The additional HRA work has also been carried in accordance with recent case law, including most notably the 2018 'People over Wind' and 'Holohan' judgments from the Court of Justice for the European Union (CJEU).
- 1.23 The judgment in 'People over Wind, Peter Sweetman v Coillte Teoranta' ruled that Article 6(3) of the Habitats Directive should be interpreted as meaning that mitigation measures should be assessed as part of an Appropriate Assessment, and should not be taken into account at the screening stage. As such, the additional HRA screening has not taken into account mitigation measures in determining the need to proceed to Appropriate Assessment.
- 1.24 The judgment in 'Holohan v An Bord Pleanala' stated that:
- "Article 6(3) of Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora must be interpreted as meaning that an 'appropriate assessment' must, on the one hand, catalogue the entirety of habitat types and species for which a site is protected, and, on the other, identify and examine both the implications of the proposed project for the species present on that site, and for which that site has not been listed, and the implications for habitat types and species to be found outside the boundaries of that site, provided that those implications are liable to affect the conservation objectives of the site.*
- Article 6(3) of Directive 92/43 must be interpreted as meaning that the competent authority is permitted to grant to a plan or project consent which leaves the developer free to determine subsequently certain parameters relating to the construction phase, such as the location of the construction compound and haul routes, only if that authority is certain that the development consent granted establishes conditions that are strict enough to guarantee that those parameters will not adversely affect the integrity of the site.*
- Article 6(3) of Directive 92/43 must be interpreted as meaning that, where the competent authority rejects the findings in a scientific expert opinion recommending that additional information be obtained, the 'appropriate assessment' must include an explicit and detailed statement of reasons capable of dispelling all reasonable scientific doubt concerning the effects of the work envisaged on the site concerned."*
- 1.25 In undertaking the additional HRA, LUC has considered the potential for effects on species and habitats, including those not listed as qualifying features, to result in secondary effects on the qualifying features of European sites, including the potential for complex interactions and inter-dependencies which may affect the qualifying features. In addition, the potential for offsite impacts, such as through impacts to functionally linked land, and or species and habitats located beyond the boundaries of European site, but which may be important in supporting the ecological processes of the qualifying features or habitats and species upon which they depend, has also been considered.

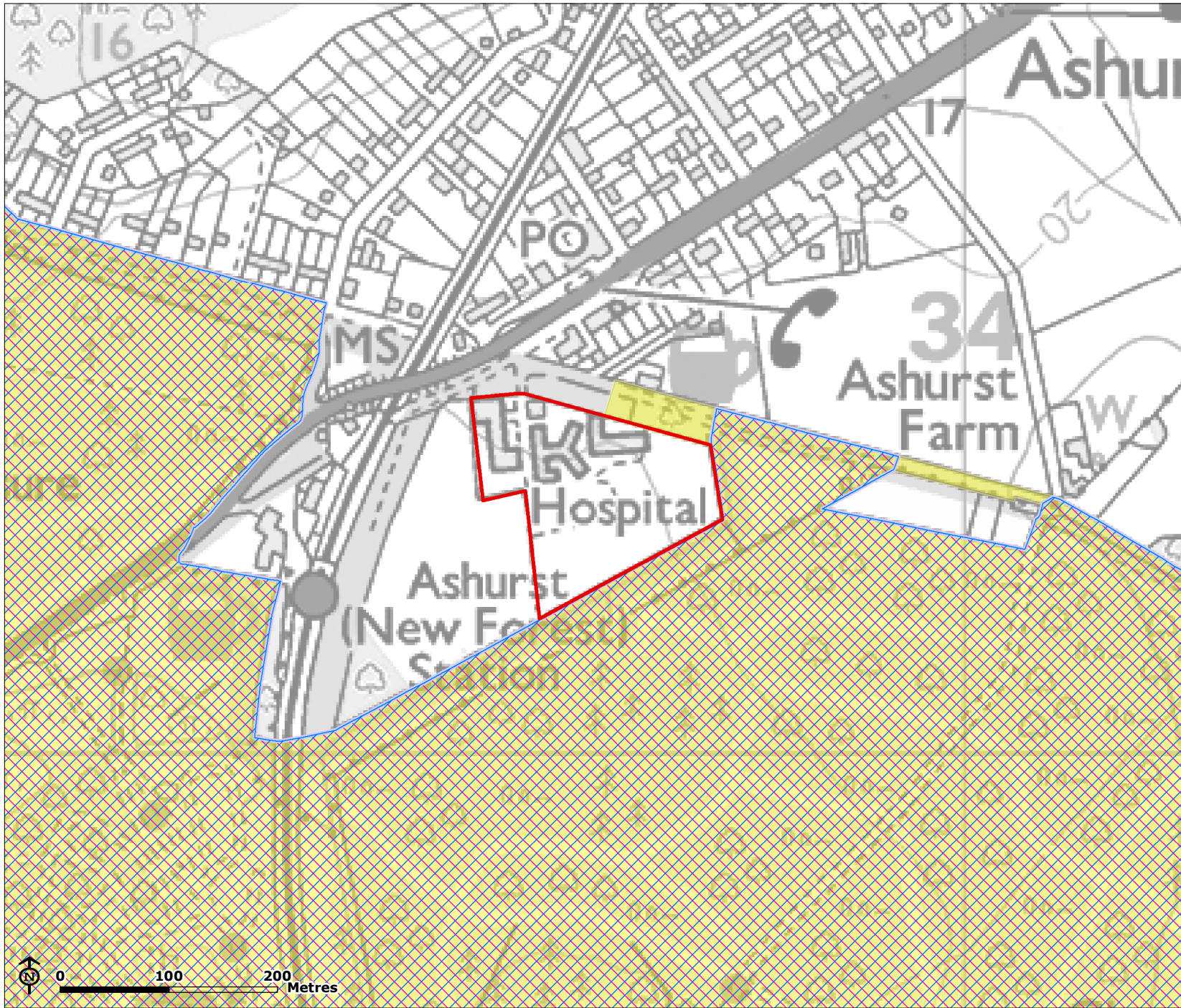
2 HRA screening

- 2.1 Based on the types of development being proposed by the Local Plan and the conditions required to support the qualifying features of the scoped in European sites, the HRA of the Local Plan to date has identified the need to consider the following range of possible types of effects on European sites from development provided for by the Plan:
- direct loss or physical damage to European sites;
 - loss or damage to off-site supporting habitat;
 - urban edge effects;
 - changes in air quality;
 - traffic collision risk;
 - recreation pressure;
 - changes in water quantity; and
 - changes in water quality.
- 2.2 This latest HRA Addendum similarly considers the potential for each of these types of effect from allocation of the Ashurst Hospital site for residential development either alone or in combination with other plans and projects (including the development already provided for by the Submission draft Local Plan).
- 2.3 As is apparent from Figure 2.1, the Ashurst Hospital site is located immediately adjacent to the New Forest SAC, SPA and Ramsar site. Based on this proximity, the fact that mitigation cannot be taken into account in HRA Screening, and the inability of prior HRA work to rule out likely significant effects from similar development allocations, an Appropriate Assessment of the draft site allocation was judged to be necessary. This is presented in the following chapter in relation to all of the types of potential effect listed above.

Figure 2.1: Ashurst hospital site in relation to European sites

-  Local Plan allocation site
-  New Forest National Park Authority boundary
-  Special Areas of Conservation (SAC)
-  Ramsar sites
-  Special Protection Areas (SPA)

Source: Natural England, JNCC, NFNPA
Map Scale @ A4: 1:5,000



3 Appropriate Assessment

- 3.1 The HRA screening in Chapter 2 identified the need for Appropriate Assessment of the draft Ashurst Hospital site allocation in relation to a number of types of effect. This is presented below.

Direct loss or physical damage to European sites

- 3.2 As shown in Figure 2.1 the Ashurst Hospital site does not overlap with any European site and therefore no pathway exists for direct loss or physical damage. Therefore, **adverse effects on integrity due to direct loss or physical damage to European sites from the draft Ashurst Hospital site allocation can be ruled out, both alone and in combination with other plans and projects.**

Loss or damage to offsite supporting habitat

Background

- 3.3 The Ashurst Hospital site has the potential to be of importance in supporting qualifying bird populations which may make use of offsite habitat for foraging, roosting and loafing. The potential exists for likely significant effects on the Avon Valley SPA and Ramsar site, Dorset Heathlands SPA, New Forest SPA, and Solent and Southampton Water SPA and Ramsar site, as a result of the loss of offsite habitat. As a result, Appropriate Assessment was undertaken, as detailed below, to determine whether the loss of offsite habitat would result in adverse effects on the integrity of any of these European sites.

Approach to the Local Plan HRA

- 3.4 In response to comments provided by Natural England and HIWWT during the consultation process, the Appropriate Assessment commenced with a detailed desk-based study to identify potential impacts from proposed site allocations on offsite habitat used by the qualifying bird species of the European sites. For each of the proposed development allocations, sites were reviewed using aerial imagery to determine their potential suitability for supporting SPA species. This included identifying broad habitat types present, current land usage, shape and size of site, degree of openness, and information regarding the context of the site within the wider landscape, including in terms of habitat connectivity and proximity to habitats of known importance for SPA birds. This review also considered the presence of potential adverse factors such as proximity of sources of disturbance and/or habitat features likely to reduce the potential for SPA bird species, such as the effect of prominent edge features in reducing the openness typically preferred by foraging waders and wildfowl.
- 3.5 Hampshire Biodiversity Information Centre (HBIC) Desk Study Reports were then reviewed, if required, to identify whether records of relevant bird species have been recorded in close proximity. Where necessary, the habitat types affected were cross-checked against the habitat preferences identified for specific bird species. Where habitats of potential importance for specific bird species are likely to be affected, a more detailed assessment was undertaken which used the following additional information sources to identify whether such habitats are likely to be important for the bird species:
- Brent goose/wader strategy data for the Solent (available from Solent Forum);
 - various Natural England/New Forest Authority Bird Survey reports (e.g. for nightjar);
 - HBIC bird records and GIS files.

Assessment of importance of Ashurst Hospital site for SPA/Ramsar birds

- 3.6 To determine the potential importance of the site allocation to provide supporting offsite habitat it was necessary to establish which habitat types have the potential to be of importance for each of the bird species for which the SPA and Ramsar sites are designated. Known habitat preferences for each species, as set out in Table 3.1, were taken from *Birds of the Western Palearctic* (British Trust for Ornithology). These were further refined in light of information on preferences in the New Forest area received from consultation with Natural England officers and HIWWT during earlier stages of the HRA of the Local Plan.
- 3.7 Bird habitat preferences were then cross referenced against the habitat types present within the site (taking into account any of the factors listed above) to determine the suitability of the site for SPA and Ramsar bird species.
- 3.8 The northwest half of the Ashurst Hospital site is broadly characterised by buildings and hardstanding of negligible suitability for supporting SPA birds. The southern and eastern part of the site supports a mosaic of tall ruderal and tall grassland, scrub and scattered trees with a mature broadleaved tree line enclosing the site periphery. The suitability of the habitats present for supporting SPA and Ramsar qualifying bird species is detailed in Table 3.1.

Table 3.1: Assessment of the suitability of the Ashurst Hospital Site by species

| Bird species | Season to which qualifying species ⁷ relate | Broad habitat types of potential importance | Potential for reliance on habitats within the Ashurst Hospital site allocation |
|--------------------------------|--|---|--|
| Avon Valley SPA | | | |
| Bewick's swan | Winter | Arable; grazed pasture | No – key habitat types not present within, or affected by site allocations |
| Gadwall | Winter | Riparian; open water | No – key habitat types not affected |
| Avon Valley Ramsar site | | | |
| Northern pintail | Winter | Open water; coastal wetlands | No – key habitat types not affected |
| Black-tailed godwit | Winter | Coastal wetlands; wet grasslands; grazed pasture; arable. Grasslands managed as meadows, especially when grazed and hay-cut and flooded in winter are also favoured. Outside the breeding season, favoured habitats include sewage farms, lake margins, tidal marshes, mudflats and sheltered coastal inlets. | No – key habitat types not affected |
| Lesser black-backed gull | Spring/autumn passage | Open water; coastal wetlands; riparian; arable; grazed pasture | No – key habitat types not affected |
| Little grebe | Winter | Riparian; open water | No – key habitat types not affected |
| Little egret | Winter | Riparian; open water | No – key habitat types not affected |
| Greater white-fronted goose | Winter | Arable; grazed pasture | No – key habitat types not affected |
| Northern shoveler | Winter | Open water | No – key habitat types not affected |
| Dorset Heathlands SPA | | | |
| Dartford warbler | Summer (breeding) | Heathland, open scrub habitats, occasionally reed bed. | No - the site supports areas of dense scrub which, given the small extent and proximity of |

⁷ Emails to LUC during August 2016

| Bird species | Season to which qualifying species ⁷ relate | Broad habitat types of potential importance | Potential for reliance on habitats within the Ashurst Hospital site allocation |
|--|--|--|--|
| | | | peripheral trees, are unsuitable for nesting. The mosaic of scrub and grassland may provide suitable offsite foraging habitat for this species. However, the Dorset heathlands SPA is located over 20km from the site, and therefore the SPA population of this species is unlikely to depend upon the Ashurst Hospital site allocation. |
| Nightjar | Summer (breeding) | Heathland and open woodlands Foraging habitats additionally include tree lines; hedgerows; grazed pasture; meadows | No - Nightjar will forage several km from their heathland nest sites, typically utilising woodland edges, linear habitats and invertebrate rich grasslands. The scrub, grassland and treelines within the site provide suitable foraging and movement habitat for this species. However, the Dorset heathlands SPA is located over 20km from the site, and therefore the SPA population of this species is unlikely to depend upon the Ashurst Hospital site allocation. |
| Woodlark | Summer (breeding) | Heathland; grasslands, open woodlands; arable (winter) | No – Woodlark will utilise woodland edges grasslands for foraging. The scrub, grassland and treelines within the site provide suitable (albeit sub-optimal) habitat for foraging and movement for this species. However, the Dorset heathlands SPA is located over 20km from the site, and therefore the SPA population of this species is unlikely to depend upon the Ashurst Hospital site allocation |
| Hen harrier | Winter | In winter, often on arable farmland or rough pastures, or on heathland, coastal sand-dunes, and marshy areas. Habitat selection largely governed by availability of preferred prey species which can be seized in the open; otherwise, not discriminating but choosing spacious, relatively undisturbed landscapes rather than areas in intensive human use. | No – key habitat types not affected |
| Merlin | Winter | Various open habitats including heathland; coastal wetlands; arable; grasslands | No – key habitat types not affected |
| Dorset Heathlands Ramsar site | | | |
| As per SPA above (Dartford warbler, hen harrier and merlin only) | As above | As per Dorset Heathlands SPA above | As per SPA - See above |
| New Forest SPA | | | |
| Dartford | Summer | See Dorset Heathlands SPA above | Yes - the site supports areas of |

| Bird species | Season to which qualifying species ⁷ relate | Broad habitat types of potential importance | Potential for reliance on habitats within the Ashurst Hospital site allocation |
|---|--|---|--|
| warbler | (breeding) | | dense scrub which, given the small extent and proximity of peripheral trees, are unsuitable for nesting. However, the mosaic of scrub and grassland is located immediately adjacent to the SPA with continuous functional connectivity and may provide suitable offsite foraging habitat for this species, which in-combination with other such habitats outside the SPA boundary are likely to be important in maintaining the SPA population of this species. |
| Nightjar | (summer breeding) | Heathland and open woodlands. Foraging habitats additionally include tree lines; hedgerows; grazed pasture; meadows | Yes - Nightjar will forage several km from their heathland nest sites, typically utilising woodland edges, linear habitats and invertebrate rich grasslands. The scrub, grassland and treelines within the site are located immediately adjacent to the SPA with continuous functional connectivity and provide suitable foraging and commuting habitat for this species and the site is likely to contribute in-combination to maintaining the foraging and commuting resource for the SPA population of this species. |
| Woodlark | (summer breeding) | Heathland; grasslands, open woodlands; arable (winter) | Yes - Woodlark will utilise woodland edges grasslands for foraging. The scrub, grassland and treelines within the site are located immediately adjacent to the SPA with continuous functional connectivity. They provide suitable (albeit sub-optimal) habitat for foraging and movement for this species, and therefore the site may contribute in-combination to maintaining the foraging and commuting resource for the SPA population of this species. |
| Honey buzzard | Summer (breeding) | Woodland and associated heathland | No - key habitat types not affected |
| Hen harrier | Winter | Heathland; coastal wetlands; reedbed; rough grassland; arable | No - key habitat types not affected |
| Solent and Southampton Water SPA | | | |
| Common tern | Summer (breeding) | Open water; riparian; coastal wetland | No - key habitat types not affected |
| Little tern | Summer (breeding) | Open water; coastal wetland | No - key habitat types not affected |
| Mediterranean | Summer | Open water; coastal wetland | No - key habitat types not |

| Bird species | Season to which qualifying species relate | Broad habitat types of potential importance | Potential for reliance on habitats within the Ashurst Hospital site allocation |
|---|---|--|--|
| gull | (breeding) | | affected |
| Roseate tern | Summer (breeding) | Open water; coastal wetland | No – key habitat types not affected |
| Sandwich tern | Summer (breeding) | Open water; coastal wetland | No – key habitat types not affected |
| Black-tailed godwit | Winter | See above | No – see above |
| Dark-bellied brent goose | Winter | On leaving breeding quarters, resorts to shallow sea coasts and estuaries, especially with extensive mudflats rich in sea grass. Strongly attached to intertidal feeding zones, but in Britain since 1970's increasing numbers have moved inland to feed on grass and cultivated crops. When not feeding, prefers to rest or sleep on sea surface. | No – key habitat types not affected |
| Ringed plover | Winter | A bird of sea coasts. Secondly occupies adjoining hinterlands up to substantial distance inland, where estuaries, rivers, lakes, tundra, gravel beds, sand bars, grasslands of spare and low growth, or other suitable well-drained terrain exists. Whether breeding, migrating or wintering, tends to be most numerous and concentrated on wide sandy or shingle tidal beaches, with access to suitable resting or nesting places above high-water mark. | No – key habitat types not affected |
| Teal | Winter | On passage or in winter will frequent open habitats such as shallow tidal coasts, large estuaries, salt-marshes, and lagoons, brackish or saline, flooded fields, and artificial waters such as reservoirs devoid of vegetation. | No – key habitat types not affected |
| Bird assemblage (species listed above plus great crested grebe, cormorant, wigeon, redshank, red breasted merganser, grey plover, lapwing, dunlin, curlew and shelduck) | Winter | As above Lapwing - Requires ready access to soil carrying appreciable biomass of surface or subsurface organisms, not arid and preferably moist or near saturation. Invariably chooses unenclosed terrain affording unbroken all-round views. Throughout historical times, natural habitat has been encroached with suitable substitutes created through farming, with a shift from natural to agricultural land. Grey plover - After breeding, some use of inland staging points, often by lakes on sand bars, mudflats, pools, and moist places, including short grassy fields and floodlands. Curlew - After breeding season, shifts mainly to marine coastal habitat, especially mudflats and sands extensively exposed at low tide, resting on adjoin saltmarshes, foreshores, and floodlands. Rocky beaches with many pools, muddy estuaries and comparable | No – key habitat types not affected |

| Bird species | Season to which qualifying species ⁷ relate | Broad habitat types of potential importance | Potential for reliance on habitats within the Ashurst Hospital site allocation |
|---|--|--|--|
| | | habitats beside large inland waters, including riverside and swamp edges are also favoured. This species is known to regularly utilise coastal grasslands and arable fields within search area. Wigeon - Winter habitat lowland and largely maritime, especially along coasts where shallow, fairly sheltered waters and extensive tracts of mud, sand, or salt marsh offer sustenance and security for gatherings. Freshwater and brackish lagoons and tracts of flooded grassland also attractive, and may be used in preference to coastal waters. | |
| Solent and Southampton Water Ramsar site (species in addition to SPA of same name) | | | |
| Black headed gull | Summer (breeding) | Coastal wetland; open water; riparian; grazed pasture; arable | No – key habitat types not affected |
| Little egret | Spring/autumn | Riparian; open water | No – key habitat types not affected |
| Spotted redshank | Spring/autumn | Coastal wetland | No – key habitat types not affected |
| Greenshank | Spring/autumn | On leaving breeding grounds, continental birds, especially, pause at inland flooded meadows, dried up lakes, sandy bars, and marshes on the way to winter resorts. These are varied including seashores which are not too rocky or dominated by cliffs, salt marshes, pools on tidal reefs, estuaries and muddy or sandy tidal inlets, lagoons, inland rivers, lakes, reservoirs, pools, ponds, sewage farms, sand banks, and mudspits. | No – key habitat types not affected |
| Slavonian grebe | Winter | Coastal wetland; open water | No – key habitat types not affected |
| Black necked grebe | Winter | Coastal wetland; open water | No – key habitat types not affected |
| Cormorant | Winter | Coastal wetland; open water; riparian | No – key habitat types not affected |
| Water rail | Winter | Wetland; riparian; reedbed (densely vegetated) | No – key habitat types not affected |

- 3.9 The potential for populations of qualifying bird species to rely upon offsite habitat within the Ashurst Hospital site is limited to the New Forest SPA populations of Dartford warbler, nightjar and woodlark.

Mitigation requirements and conclusion

- 3.10 The greenfield part of the Ashurst Hospital site allocation is likely to contribute to maintaining the foraging resource and habitat connectivity upon which populations of nightjar, woodlark and Dartford warbler of the New Forest SPA depend. As a result, it is recommended that any policy allocation for the Ashurst Hospital Site includes a commitment to retain and protect the greenfield part of this site to ensure adverse effects on integrity associated with the loss of offsite functionally linked habitat are avoided. The draft allocation policy and supporting text are consistent with this recommendation as follows.

- 3.11 Section (b) of the draft allocation policy states that: *"Built development will be confined to the previously developed land to ensure the existing green buffer remains to the south of the site and the New Forest's protected habitats"*.
- 3.12 Section (h) of the draft allocation policy states that: *"The existing southern boundary between the site and the adjacent protected habitats should be retained and strengthened with the planting of native species. Proposals should seek to enhance both its role in buffering the designated sites and supporting species of principal importance for biodiversity."*
- 3.13 Draft supporting text to the allocation policy reiterates that: *"Policy XX therefore requires development to be confined to the previously developed land to the north of the site and the strengthening of the planted boundary to the adjacent Natura 2000 site designations."*
- 3.14 The Ashurst Hospital site allocation is unlikely to be of importance in maintaining populations of the qualifying features of other European Sites and therefore the loss of offsite habitat would not result in adverse effects on the integrity of Solent and Southampton Water SPA and Ramsar, Dorset Heathlands SPA and Ramsar, or the Avon Valley SPA and Ramsar.
- 3.15 **In conclusion, in light of the draft allocation policy commitment to restricting development to the existing built area and protecting, and strengthening the greenfield part of the site, the loss of offsite habitat would not be expected to result in adverse effects on the integrity of any European site, either alone or in combination with other plans and projects.**

Urban edge effects

- 3.16 A variety of different types of effect are associated with increased human populations close to sensitive European sites (e.g. noise pollution, light pollution, increased numbers of predators such as foxes and crows, increased incidence of fires, etc.). This HRA topic considers the potential for the draft Ashurst Hospital site allocation to result in these 'urban edge effects'.

HRA assumptions

- 3.17 The prior HRA identified, in discussion with Natural England, that amongst the wide range of potential urban edge effects (including the examples above) with the potential to adversely affect the New Forest SAC and SPA, the most important types are likely to be:
- Cat predation - hunting by domestic cats (particularly relevant to the qualifying bird species of New Forest SPA that nest on or close to the ground such as Dartford warbler, nightjar and woodlark);
 - Increased fly-tipping - particularly risk of introduction of invasive alien species from garden waste (particularly relevant to New Forest SAC).
- 3.18 It was therefore assumed that the potential for urban edge effects to adversely affect integrity only exists for residential development. The HRA of the New Forest NPA Local Plan assumes that, prior to mitigation, a potential for adverse effects on integrity exists if residential development⁸ will occur within 400 m of European sites with qualifying features sensitive to these types of effect. Based on their designated features and the pressures and threats facing them these are judged to be:
- The New Forest SAC and New Forest SPA.
- 3.19 A distance of 400 m was chosen because:
- The New Forest European designations are located within New Forest National Park and Policy CP1 of the adopted Core Strategy for New Forest NPA, which was agreed with Natural England, states that:
"...any housing that is proposed to be located within 400 metres of the boundary of the New Forest Special Protection Area (SPA) will be required to demonstrate that adequate measures

⁸ Including gypsy and traveller sites and rural exception sites but excluding visitor accommodation/ tourism use as it is unlikely that these will be associated with cats on the premises or domestic garden waste.

are put in place to avoid or mitigate any potential adverse effects on the ecological integrity of the SPA.”

- Natural England’s view, documented in The Dorset Heathlands Planning Framework 2015-2020⁹ and reiterated by the similar Thames Basin Heaths Delivery Framework¹⁰, is that residential development within 400 m of the Dorset Heathlands European designations is likely to have an adverse effect on integrity, either alone or in combination with other developments, due to a variety of ‘urban effects’ (e.g. cat predation of ground nesting birds).
- Natural England confirmed at a New Forest HRA stakeholder meeting on 9/8/16 that it is happy with the use of a 400 m distance when assessing potential ‘urban edge effects from construction or occupation of buildings’ on heathland sites and re-confirmed this in the position statement summarised in chapter 1.

3.20 It should be noted that while the Dorset Heathlands SPA and Thames Basin Heaths SPA have similar designated features to New Forest SPA, New Forest SPA is considered to be more resilient and hence less likely to suffer adverse effects on its integrity as a result of the potential harmful effects of housing within 400 m of its boundary. This is because New Forest SPA provides a larger (more than three times the area of Dorset Heathlands SPA) and less fragmented area of habitat than the Dorset Heathlands SPA and Thames Basin Heaths SPA, and therefore has a much lower edge to area ratio, so that urban edge effects are likely to be much less pronounced. As a National Park the New Forest National Park also has a more developed system of habitat and visitor management than Dorset Heathlands SPA. These important differences mean that a different approach to urban edge effects is justifiable in the New Forest compared to the virtual ban on housing development within 400 m of Dorset Heathlands SPA imposed by the Dorset Heathlands Planning Framework.

Potential for adverse effects on integrity from the Local Plan prior to mitigation (findings of the main HRA report for context and consideration of in-combination effects)

- 3.21 As specified in the main HRA, in total, the Draft Local Plan (Policy 18) provides for 800 new dwellings to be delivered in the National Park between 2016 and 2036, comprising 300 dwellings on allocated sites, 100 dwellings from the implementation of extant planning permissions, and 400 dwellings from windfall development (unidentified or unallocated sites).
- 3.22 The HRA of the Submission Local Plan identified the following residential or mixed-use allocations located within the 400 m zone of influence for urban edge effects on New Forest SAC and SPA, and therefore with the potential for adverse effects on the integrity of those European sites:
- Land at the former Lyndhurst Park Hotel, Lyndhurst (Policy SP23) – wholly within 400 m of New Forest SAC and SPA;
 - Land south of Church Lane, Sway (Policy SP24) – strip of land along north eastern edge of site is within 400 m of New Forest SAC and SPA ; and
 - Gypsies, Travellers and Travelling Showpeople (Policy SP33) – existing gypsy site at Forest View, Landford is adjacent to the New Forest SAC but more than 400 m from New Forest SPA.
- 3.23 Proposals with extant planning permissions will have been subject to project level HRA, if required, and will have been subject to the adopted Core Strategy Policy CP1 which requires that adequate measures are put in place to avoid or mitigate any potential adverse effects on the ecological integrity of the SAC and SPA so it is assumed that this development will not give rise to likely significant effects.
- 3.24 In addition to Local Plan allocations, some of the 400 dwellings estimated to come forwards within the plan period as windfall development are likely to be within the 400 m zone of influence for urban edge effects on New Forest SAC and SPA. This is particularly likely since *Policy SP4: Spatial Strategy* prioritises development in the four Defined Villages (Ashurst, Brockenhurst, Lyndhurst, and Sway), all of which are partially within the 400 m zone of influence. The housing provision to

⁹ The Dorset Heathlands Planning Framework 2015-2020 Supplementary Planning Document: An implementation plan to mitigate the impact of new housing development upon the Dorset Heaths Special Protection Area, 2016.

¹⁰ Thames Basin Heaths Special Protection Area Delivery Framework, Thames Basin Heaths Joint Strategic Partnership Board, 2009

be met by windfalls equates to an average of 20 new dwellings per annum and individual windfall development proposals are therefore likely to be substantially smaller. In contrast, Local Plan allocations are used to bring forward larger scale developments with site allocations ranging in size from 30 dwellings to 120 dwellings.

- 3.25 Due to the expected small scale and wide distribution of individual windfall developments, the HRA of the Submission draft Local Plan judged that these are not likely to give rise to adverse effects on the integrity of New Forest SAC or SPA, either individually or in combination with other windfall developments within 400 m of the New Forest SAC and SPA. This approach is also broadly consistent with the approach to 'Urbanisation' effects that was previously found to be acceptable in the HRA of the adopted NFNPA Core Strategy. In the event that a larger number of windfall dwellings were to come forward on a single site or closely related cluster of sites within 400 m of the New Forest SAC and SPA, reliance can be placed on the Habitats Regulations' requirement for individual projects to also be subject to HRA.

Mitigation available in the Local Plan

- 3.26 It is not considered appropriate for the HRA to rely solely on the generic protection for European sites offered by *Policy SP5: Nature Conservation Sites of International Importance*. It is nonetheless relevant to note that the policy states that avoidance or mitigation may not be possible in some cases due to the scale, type, or proximity of the proposed development in relation to European sites and that each case will therefore be assessed on its merits. Supporting text notes that if a larger number of windfall dwellings were to come forward on a single site or closely related cluster of sites within 400 m of the New Forest SAC and SPA, then the Authority will require the applicant to supply sufficient evidence for an Appropriate Assessment of the urban edge effects.
- 3.27 Policy SP5 highlights the opportunity for proposals to avoid or fully mitigate any adverse effects on European sites by putting in place sufficient and effective measures and to secure mitigation via contributions to the Authority's Habitat Mitigation Scheme. NFNPA's revised Habitat Mitigation Scheme¹¹ is, however, focussed on alleviating the potential in combination effects of recreation pressure on New Forest SAC, SPA and Ramsar site (which could arise from residential development or visitor accommodation anywhere in the Plan area) rather than urban edge effects (which could arise from residential development within 400 m of the New Forest SAC and SPA). The key elements of the revised scheme are: access management within the New Forest European designations; alternative recreation sites and routes outside the designated sites; education, awareness and promotion; monitoring and research; and in-perpetuity funding.
- 3.28 In LUC's view, it is not possible to rule out the potential for urban edge effects such as cat predation or fly-tipping from residential allocations within 400 m of New Forest SAC or SPA by reliance on contributions to NFNPA's Habitat Mitigation Scheme since this is designed to only mitigate the recreational impacts of development. The site-specific allocation policies for the three allocated sites within the 400 m zone of influence for urban edge effects provide examples of more specific and effective mitigation for residential or mixed-use development within this zone which allowed adverse urban edge effects on integrity to be ruled out in the HRA of the Submission draft Local Plan, as described below.
- 3.29 *Policy SP23: Land at the former Lyndhurst Park Hotel, Lyndhurst* requires that development proposals incorporate measures to mitigate potential significant urban edge impacts on the adjacent protected habitats; supporting text notes that urban edge impacts to be considered include cat predation and the introduction of invasive species from fly-tipping of garden waste and that mitigation measures in relation to these could include the use of legal covenants and arrangements for grounds maintenance. As discussed in the following section, while the area of New Forest SAC and SPA within the zone of influence of urban edge effects from the Lyndhurst Park Hotel site is significantly less sensitive than that within the zone of influence of the Ashurst Hospital site, these policy measures are nevertheless required at Lyndhurst to avoid in-combination urban edge effects.

¹¹ This mitigation scheme was previously set out in the adopted Development Standards SPD but reference here is to the Revised Habitat Mitigation Scheme currently in draft

- 3.30 *Policy SP24: Land south of Church Lane, Sway* requires that residential development be limited to that part of the allocated site that lies outside the 400 zone of influence for urban edge effects on New Forest SAC and SPA, instead supporting use of this part of the site for informal greenspace. This avoids the potential for adverse effects on integrity due to urban edge effects on the qualifying New Forest SAC habitats and qualifying New Forest SPA bird species.
- 3.31 *Policy SP33: Gypsies, Travellers and Travelling Showpeople* requires that measures be put in place to adequately mitigate the potential for the introduction of invasive species from fly tipping of garden waste. These measures adequately mitigate the potential for adverse effects on integrity due to urban edge effects on the qualifying New Forest SAC habitats; New Forest SPA is more than 400 m from the allocated site.
- 3.32 The draft allocation policy for Ashurst Hospital restricts development to the previously developed land in the north of the site but the entirety of the site is within 400 m of New Forest SAC and SPA. It also contains a similar requirement to that in allocation policy SP23 for development proposals to incorporate measures to mitigate potential significant urban edge impacts on adjacent protected habitats and a similar note in supporting text that mitigation measures for potential urban edge effects could include the use of legal covenants (e.g. preventing cat or dog ownership) and arrangements for grounds maintenance. Other mitigation is provided by the draft policy requirement to retain and strengthen planting along the southern boundary of the site and a note in supporting text that the requirement to ensure no adverse impact on the adjacent national and internationally protected habitats will also influence the form of residential development on site.

Potential for Ashurst Site Allocation to result in Adverse Effects on Integrity (comparison between the Ashurst Hospital Site and the former Lyndhurst Park Hotel site)

- 3.33 The letter from the Local Plan Inspectors summarised at 1.2 above requested clarification, in particular, of whether "*the situation with the former Lyndhurst Park Hotel and Ashurst Hospital sites is significantly different in terms of urban edge effects*". A comparison between the Ashurst Hospital Site and the former Lyndhurst Park Hotel is therefore provided below to determine whether the application of similar mitigation to that considered effective for the Lyndhurst Park Hotel site would be appropriate and feasible for the Ashurst Hospital site, and whether it would enable a conclusion of no adverse effect on integrity either alone or in-combination, as a result of urban edge effects.
- 3.34 The Lyndhurst Park Hotel site is located close to the busy Lyndhurst High Street and adjacent to a well-known New Forest visitor honeypot at Bolton's Bench with unrestricted open public access. Indeed, the area of SAC and SPA located immediately adjacent to the Lyndhurst Park Hotel site comprises short horse/pony grazed lawns interspersed with several roads, car parks, a cricket pitch and pavilion, a graveyard and the famous 'Bolton's Bench'. These factors combine to result in a lower potential for the part of the SPA within 400 m of the Lyndhurst Park Hotel site to support qualifying SPA birds, including nightjar, woodlark and Dartford warbler. Susceptibility of the New Forest SAC and SPA to urban edge effects from the Lyndhurst Park Hotel site is therefore reduced, albeit that it remains an important HRA issue and one reflected in the proposed site allocation policy wording (SP23).
- 3.35 In addition, the above features in proximity to the Lyndhurst Park Hotel site act as a barrier to or reduce the potential severity of some types of urban edge effects at this location. For example, these features would act as effective barriers to the spread of invasive species arising from the Lyndhurst Park Hotel site, and would also reduce the potential for the dumping of garden waste which would be unlikely to go unnoticed at such a well-used location in central Lyndhurst.
- 3.36 By contrast, the Ashurst Hospital site is immediately adjacent to relatively undisturbed sections of the New Forest SAC and SPA with an absence of features that could act as barriers to urban edge effects. The adjacent areas of New Forest SAC and SPA support a mix of broadleaved and rotational plantation woodland. As such, the area adjacent to the Ashurst Hospital site is likely to be capable of supporting several pairs of SPA birds in the future when woodland management results in periods of optimal habitat. For example, when plantation woodlands are felled, they can typically support optimal woodlark breeding habitat for up to 5 years and optimal nightjar habitat for up to 15 years. As a result, the potential susceptibility of New Forest SAC and SPA to urban

edge effects associated with the Ashurst Hospital site is higher than for the Lyndhurst Park Hotel site.

- 3.37 The support in Natural England's position statement¹² for the HRA conclusion of no adverse effects on integrity in relation to urban edge effects from the Lyndhurst Park Hotel allocation notes that the existing permitted use (as a hotel) limits the potential for the allocation to increase pressure on the surrounding heathlands. In contrast, the existing healthcare use of the Ashurst Hospital site is unlikely to give rise to urban edge effects such as cat predation and garden waste tipping so that its allocation for residential use would be much more likely to result in an increase in such effects.
- 3.38 The area of New Forest SPA within 400 m of the Ashurst Hospital site could, depending on future habitat management, be capable of supporting several pairs of SPA birds which would equate to over 1% of the New Forest SPA population. In such circumstances, urban edge effects such as cat predation could be sufficient to adversely affect the integrity of the SPA by moving the site further away from meeting its conservation objectives, either alone or in-combination with urban edge effects from any windfall residential development at Ashurst within 400 m of the same area of New Forest SPA.
- 3.39 Given the proximity and nature of the New Forest SAC and SPA to the Ashurst Hospital Site, avoidance and mitigation measures such as cat fencing, barriers to movement, and restrictive covenants are unlikely to be effective at ensuring adverse effects on integrity are avoided. For example, cat fencing is well known to be of limited effectiveness because cats will utilise weaknesses such as gaps in the fence, or given the proximity of the Site to the SAC and SPA, simply travel around the ends of the fence. Similarly a cat covenant within standalone private residences is likely to be impossible to implement or enforce. Furthermore, private residential dwelling adjacent to the SAC and SPA is likely to result in the establishment of informal access routes leading directly into the SAC and SPA, thereby increasing the potential for dumping of garden waste. In light of this, it is not possible to conclude with sufficient certainty that the mitigation measures suggested by the draft policy and supporting text would be effective.

Conclusions and recommendations

- 3.40 The HRA of the Submission draft Local Plan concluded that potential urban edge effects from the residential allocation at the Lyndhurst Park Hotel site were adequately mitigated by the specific safeguards provided by allocation policy SP23 and supporting text (described above) and that adverse effects on integrity could therefore be ruled out. Natural England's position statement¹³ supports this conclusion, also noting that specific proposals for the site will need to be supported by an Appropriate Assessment.
- 3.41 As discussed above, the Ashurst Hospital site is considered to be significantly different to the Lyndhurst Park Hotel site in terms of a greater susceptibility of adjacent areas of the New Forest SAC and SPA to urban edge effects and a greater potential severity of such effects. In light of this, the mitigation proposed by the draft Ashurst Hospital allocation policy and supporting text set out at paragraphs 1.19-1.20 above (similar to that provided by allocation policy SP23 and supporting text for Lyndhurst Hospital) is judged to provide insufficient certainty that adverse effects on integrity can be avoided.
- 3.42 In conclusion, **adverse effects on the integrity of the New Forest SAC and SPA due to urban edge effects from the draft Ashurst Hospital site allocation cannot be ruled out either alone, or in combination with other plans and projects.**
- 3.43 It is therefore **recommended** that if the allocation policy is included within the Local Plan, any residential development at the site is restricted by an explicit requirement in the allocation policy to types of residential development from which the severity of urban edge effects is likely to be less and where there is potential to prevent adverse effects on integrity by the provision and effective implementation of mitigation measures. Such development may include some types of C2 residential development such as assisted care living where there is no potential for cat ownership and mitigation measures can be effectively enforced. Alternatively, it may be possible

¹² Submission to the NFNP Local Plan 2016-2036 inquiry dated 20 November 2018

¹³ Submission to the NFNP Local Plan 2016-2036 inquiry dated 20 November 2018

to avoid urban edge effects by development for non-residential uses such as an educational facility or medical facility. Any such development would require bespoke design to ensure urban edge effects can be avoided or reduced to suitable levels, and this would need to be demonstrated by a project level Appropriate Assessment.

Changes in air quality

- 3.44 The HRA of the Submission draft Local Plan recognises the potential for development proposed by the plan to contribute to likely significant air quality effects on the New Forest SAC, SPA and Ramsar site in-combination with growth proposed in neighbouring districts. It refers to separate air quality assessment and linked ecological assessment which together constitute the HRA of air quality effects for both the New Forest National Park and New Forest District Local Plans.
- 3.45 The Submission draft Local Plan (para. 5.73) acknowledges the potential for in-combination air quality effects from road traffic growth and uncertainty regarding the impact of ammonia and acid deposition on European sites. It therefore commits to working with surrounding local authorities and other partners to monitor the in-combination impacts on the protected habitats during the life of the Local Plan and to support other authorities in devising an appropriate strategic mitigation strategy if a significant effect on the designated sites is likely. The existence of this partnership work is also recognised in the Statement of Common Ground (SoCG) between NFNPA and NFDC¹⁴.
- 3.46 The scale of development envisaged by the draft allocation policy for the Ashurst Hospital site is judged to be negligible in relation to the total amount of housing development reflected in the traffic and air quality modelling¹⁵.
- 3.47 The previously reported HRA findings are therefore unaffected so that reliance can continue to be placed on partnership work to address current uncertainty about the potential for in-combination air pollution effects to adversely affect the integrity of the New Forest designated sites and the fact that effective solutions are available, should further evidence identify the need to take action to avoid such effects. On this basis, **adverse effects on the integrity of The New Forest SAC, SPA and Ramsar site in relation to air quality effects from the draft Ashurst Hospital site allocation can be ruled out, both alone and in combination with other plans and projects.**

Traffic collision risk

- 3.48 During consultation on earlier stages of the HRA, Natural England raised a concern that development could result in an increase in traffic across the New Forest, making roads unsafe for grazing animals and necessitating fencing along the roadsides. If fencing is needed to protect animals, changes to the grazing pattern in the New Forest could, without mitigation, lead to loss of open habitats for which New Forest SAC and Ramsar site is designated, with knock-on effects on New Forest SPA designated bird species and New Forest Ramsar site fauna reliant on those habitats. While the amount of traffic growth associated with the small scale of development proposed by the NFNPA Local Plan alone is unlikely to be significant, when this is combined with commuter and visitor traffic growth from neighbouring areas, roads within and close to the New Forest could experience a significant increase in road traffic.
- 3.49 The scale of development envisaged by the draft allocation policy for the Ashurst Hospital site is judged to be negligible in relation to the total amount of housing development reflected in the traffic modelling¹⁶.
- 3.50 The previously reported HRA findings are therefore unaffected so that reliance can continue to be placed on the suite of measures being actively employed by NFNPA and other stakeholder

¹⁴ Statement of Common Ground between the New Forest National Park Authority and New Forest District Council, May 2018

¹⁵ 10,602 homes across New Forest District and New Forest National Park, plus background growth for the wider area based on TEMPro, adjusted to include an additional 500 homes from a Christchurch urban extension

¹⁶ 10,602 homes across New Forest District and New Forest National Park, plus background growth for the wider area based on TEMPro, adjusted to include an additional 500 homes from a Christchurch urban extension

organisations to successfully manage the risk of road traffic collisions with grazing stock in the New Forest, resulting in a declining trend in the risk of animal accidents. Since the roads presenting the highest collision risk have already been fenced and there is a broad range of other measures available with the potential to successfully manage risk, it should be possible to address such a reversal without additional fencing. In addition, any new fencing next to a highway, if over 1 metre in height, would require planning permission, providing an opportunity for project level HRA to assess potential effects on the New Forest European sites.

- 3.51 In light of the information above **adverse effects on the integrity of New Forest European sites as a result of traffic collision risk from the draft Ashurst Hospital site allocation can be ruled out, both alone and in combination with other plans and projects.**

Recreation pressure

- 3.52 This HRA topic considers the potential effects of the draft Ashurst Hospital site allocation in terms of:
- *Mortality or disturbance of qualifying species or changes to populations of species upon which the qualifying species depend:* direct mortality of ground nesting birds' eggs or young by visitor trampling, dogs off leads or displacement increasing the risk of mortality from predation (e.g. from corvids); disturbance of ground nesting birds by recreational visitors and their dogs; mortality due to increased incidence of fires; mortality due to tipping/littering.
 - *Designated habitats loss or damage:* path erosion or soil compaction by walkers, cyclists, horse riders etc.; eutrophication of soils by dog faeces; increased incidence of fires; tipping/littering.

HRA assumptions

- 3.53 European sites scoped into this HRA Addendum which are judged to be vulnerable to recreation pressure from the draft Ashurst Hospital site allocation, based on their designated features and the pressures and threats facing them are:
- Avon Valley SPA;
 - Avon Valley Ramsar site;
 - Dorset Heaths SAC;
 - Dorset Heathlands SPA;
 - New Forest SAC;
 - New Forest SPA;
 - Solent Maritime SAC;
 - Solent and Southampton Water SPA;
 - Solent and Southampton Water Ramsar site.
- 3.54 The HRA Addendum therefore considered the potential for the draft Ashurst Hospital site allocation to result in increased recreation pressure on these sites as follows.

Avon Valley SPA and Ramsar site

- 3.55 Dog walkers disturbing the designated population of Bewick's Swan in areas outside public rights of way are identified by the Site Improvement Plan as a concern. It is understood that Natural England has not previously been concerned about recreational pressure on this site arising from development in the New Forest, due in part to very limited public access. The Gadwall population for which the SPA is also designated is focussed on Blashford Lakes Gravel Pits which is managed as a nature reserve so access is controlled. It also seems likely that the extensive outdoor recreation opportunities within the New Forest National Park and Solent Coast European sites exert a stronger pull on many residents of the New Forest National Park than the Avon Valley.

- 3.56 The HRA therefore assumed that recreational users of the Avon Valley are overwhelmingly local and that a potential for a contribution to in combination recreational pressure on the Bewick's Swan population only exists for any residential development or visitor accommodation within 1.0 km of Avon Valley SPA and Ramsar site.

Dorset Heaths SAC and SPA

- 3.57 Based on research into the behaviour of visitors to the Dorset Heaths^{17,18} and Natural England's views documented in The Dorset Heathlands Planning Framework 2015-2020¹⁹, the HRA assumed that prior to consideration of mitigation, all residential development or visitor accommodation within 5 km of Dorset Heaths SAC or Dorset Heathlands SPA has the potential to have adverse effects on integrity, in combination.

New Forest SAC and SPA

- 3.58 Prior HRA work for the NFDC Local Plan Part 2²⁰ which is also relevant to the HRA of the NFNPA Local Plan provides a detailed review of evidence on recreation pressure on New Forest SAC and SPA; key elements of this are reproduced in Appendix 2 of the HRA of the Submission draft Local Plan. The HRA of the NFDC Local Plan Part 2 concludes that whilst the best available evidence is inconclusive, application of the precautionary principle means that the risk of residential development in New Forest District leading to increased visitor pressure on the New Forest European sites cannot be ruled out for development anywhere within New Forest District. Given that the National Park is surrounded by New Forest District, it is consistent to assume that such effects cannot be ruled out for development anywhere within New Forest National Park. This evidence remains valid and the HRA of the Local Plan therefore assumed that prior to mitigation, the potential for adverse in combination effects on the integrity of New Forest SAC and SPA cannot be ruled out for any residential development or visitor accommodation within New Forest National Park.

Solent Maritime SAC, Solent and Southampton Water SPA and Ramsar site

- 3.59 The Solent Disturbance and Mitigation Project (SDMP) has established that 75% of visitors to the Solent European sites come from within 5.6 km (as the crow flies) of Solent and Southampton Water SPA and recommends that avoidance and mitigation measures be sought for residential development within this zone of impact²¹. This HRA addendum has therefore assumed that prior to mitigation, the potential exists for adverse in combination effects on the integrity of Solent Maritime SAC and Solent and Southampton Water SPA and Ramsar site from residential development or visitor accommodation within this zone.

Potential for adverse effects on integrity prior to mitigation

Avon Valley SPA and Ramsar site

- 3.60 In line with the methodology described above, the Ashurst Hospital site will not contribute to in combination recreation pressure on the Bewick's Swan population of Avon Valley SPA and Ramsar site as it is more than 1.0 km from these European sites.

Dorset Heaths SAC and SPA

- 3.61 In line with the methodology described above, the Ashurst Hospital site will not contribute to in combination recreation pressure on the Dorset Heaths SAC or SPA as it is more than 5.0 km from these European sites.

New Forest SAC and SPA

- 3.62 In line with the approach described above it is assumed that, prior to mitigation, the potential exists for in combination adverse effects on integrity from recreation pressure as a result of any

¹⁷ R. T. Clarke, J. Sharp and L. D, "Access Patterns in South-east Dorset. The Dorset Household Survey: Consequences for Future Housing and Greenspace Provision," Footprint Ecology, Unpublished report, 2008.

¹⁸ D. Liley, J. Sharp and C. R. T, "Access Patterns in South-east Dorset. Dorset Household Survey and Predictions of Visitor Use of Potential Greenspace Sites," Footprint Ecology, Unpublished report, 2008.

¹⁹ The Dorset Heathlands Planning Framework 2015-2020 Supplementary Planning Document: An implementation plan to mitigate the impact of new housing development upon the Dorset Heaths Special Protection Area, 2016.

²⁰ See Appendix 1 of Local Plan (Part 2) Sites and Development Management Habitats Regulations Assessment of Submission Document and Main Modifications, NFDC, 2013.

²¹ Solent Disturbance and Mitigation Project (SDMP) Briefing Note, Solent Forum / SDMP Project Group, 2013.

residential or visitor accommodation development within New Forest National Park. The draft Ashurst Hospital site allocation is therefore likely to contribute to increased recreation pressure on New Forest SAC and SPA both alone, and in-combination with all of the dwellings and visitor accommodation provided for by the Local Plan.

Solent Maritime SAC, Solent and Southampton Water SPA and Ramsar site

- 3.63 In line with the approach described above it is assumed that, prior to mitigation, the potential exists for in combination adverse effects on integrity from recreation pressure as a result of any residential or visitor accommodation development within 5.6 km of Solent Maritime SAC, Solent and Southampton Water SPA, and Solent and Southampton Water Ramsar site.
- 3.64 The draft Ashurst Hospital site allocation is within 5.6 km of the Solent designations, and all forms of development within the Local Plan, including housing are directed to 'Defined Villages' which includes Ashurst, Sway and Brockenhurst (as well as to Lyndhurst, which is outside the 5.6 km zone) by *Policy SP4: Spatial Strategy*, making it likely that a significant proportion of the 400 windfall dwellings will be developed at these settlements. As a result, the draft Ashurst Hospital site allocation is therefore likely to contribute to increased recreation pressure on the Solent European sites both alone, and in-combination with dwellings and visitor accommodation provided for by the Local Plan within the 5.6 km zone of influence which includes the following:
- Policy SP22 - Land at Whartons Lane, Ashurst (60 dwellings);
 - Policy SP24 - Land south of Church Lane, Sway (40 dwellings);
 - Policy SP25 - Land adjacent to the former Fawley Power Station (120 dwellings);
 - Policy SP26 - Land at Calshot Village (30 dwellings).

Mitigation available in the Local Plan

- 3.65 No specific reliance is placed by the HRA on the generic protection for European sites offered by *Policy SP5: Nature Conservation Sites of International Importance*. However, Policy SP5 also refers to more specific mitigation, noting the opportunity for developers to avoid or fully mitigate any adverse effects on European sites by putting in place sufficient and effective measures, as well as the opportunity to secure mitigation via contributions to the Authority's Habitat Mitigation Scheme and/or the Solent Recreation Mitigation Partnership's Scheme.
- 3.66 NFNPA's draft revised Habitat Mitigation Scheme is described in the Authority's Habitat Mitigation Guidance Note²². The scheme is focussed on alleviating the potential in combination effects of recreation pressure on New Forest SAC, SPA and Ramsar site. The key elements of the revised scheme are access management within the New Forest European designations; alternative recreation sites and routes outside the designated sites; education, awareness and promotion; monitoring and research; and in-perpetuity funding. This draft revised scheme has been developed in discussion with the Authority's Habitat Mitigation Steering Group, which includes representatives from Natural England, HIWWT and the RSPB.
- 3.67 The Authority's Solent Recreation Mitigation Project Explanatory Note²³ explains that the Solent Scheme is based on evidence that residential development within 5.6 km of the Solent Maritime SAC, Solent and Southampton Water SPA, or Solent and Southampton Water Ramsar site will require mitigation. The Strategy²⁴ proposes:
- a team of 5-7 coastal rangers to advise people on how to avoid bird disturbance, liaise with landowners, host school visits, etc.;
 - communications, marketing and education initiatives and an officer to implement them;
 - initiatives to encourage responsible dog walking and an officer to implement them;
 - preparation of codes of conduct for a variety of coastal activities;

²² This mitigation scheme was previously set out in the adopted Development Standards SPD but reference here is to the Revised Habitat Mitigation Scheme currently in draft

²³ Solent Recreation Mitigation Partnership - Mitigating impacts on designated nature conservation sites in the Solent, Explanatory Note, May 2015, New Forest National Park Authority

²⁴ Solent Recreation Mitigation Strategy, Solent Recreation Mitigation Partnership, December 2017.

- site-specific projects to better manage visitors and provide secure habitats for the birds;
 - providing new/enhanced greenspaces as an alternative to visiting the coast;
 - a partnership manager to coordinate and manage all the above.
- 3.68 The supporting text to Policy SP5 also notes that mitigation may not be possible in all cases and that applicants are not precluded from assessing the potential impact of their proposal on the designated sites and devising their own appropriate mitigation measures rather than contributing to the Authority's Habitat Mitigation Scheme and/or the Solent Recreation Mitigation Partnership's Scheme.
- 3.69 *Policy SP9: Green Infrastructure* supports creation and enhancement of green infrastructure, particularly where it increases habitat connectivity or relieves recreational pressure on internationally important nature conservation sites. It also creates a presumption against the provision of new Suitable Alternative Natural Green space (SANG) within the protected landscape of the National Park to mitigate the impacts of development outside the National Park, other than in exceptional circumstances. In addition, it commits NFNPA to working with adjoining authorities and other partners to develop green infrastructure and supporting text states that the Authority will work with Natural England and other local authorities, as well as a range of relevant stakeholders, to develop a strategic approach to prevent adverse effects on internationally designated nature conservation sites in the New Forest.

Potential for draft Ashurst Hospital site allocation to result in adverse effects on integrity

- 3.70 As described above under urban edge effects, the area of New Forest SAC and SPA immediately adjacent to the Ashurst Hospital site supports a mix of broadleaved and rotational plantation woodland and is likely to be capable of supporting several pairs of SPA birds in the future when woodland management results in periods of optimal habitat. This contrasts to the area of New Forest SAC and SPA immediately adjacent to the Lyndhurst Park Hotel site which, whilst likely to support foraging and movements by SPA birds, has lower potential to support nesting when these species are particularly susceptible to recreational disturbance. .
- 3.71 In addition, the Lyndhurst Park Hotel's existing permitted use as a hotel site has historically contributed to recreation pressure, limiting the potential for its allocation for residential use to increase recreation pressure. In contrast, the existing healthcare use of the Ashurst Hospital site is unlikely to give rise to recreation pressure so that its allocation for residential use would be much more likely to result in an increase in such effects.
- 3.72 Access from the Ashurst Hospital site into the adjacent New Forest SAC and SPA is currently more limited than is the case at the Lyndhurst Park Hotel site, being via a private gated track in the northeast corner of the site. However, there is a high probability that residential development at the Ashurst Hospital site would lead to the creation of additional informal access routes into the SAC and SPA, for example along the southern boundary, notwithstanding the strengthening of this boundary suggested by clause (h) of the draft allocation policy. There is therefore limited difference between the two site allocations in terms of accessibility.
- 3.73 As described in the HRA work to date for the Local Plan and summarised under 'HRA assumptions' above, recreation pressure operates over much longer distances than the 400 m zone of influence for urban edge effects. This means that prior to consideration of mitigation, potential recreation pressure effects exist both on the New Forest and Solent European sites from residential or visitor accommodation development across the Plan area (or in surrounding New Forest District). It also means that the potential for these effects to combine to have adverse effects on the integrity of these European sites is more amendable to the strategic approaches to mitigation described in the preceding section.

Conclusions and recommendations

- 3.74 As described above, the draft Ashurst Hospital site allocation is judged more likely to result in recreation pressure on the immediately adjacent area of New Forest SAC and SPA than the equivalent local recreation effects from the Lyndhurst Park Hotel site. However, the additional recreation pressure on this adjacent area of New Forest SAC and SPA from the scale of development proposed by the draft Ashurst Hospital allocation, alone or in combination with any

windfall development²⁵, is judged unlikely to be sufficient to have an adverse effect on site integrity, particularly as a proportion of the incremental recreation activity by new residents is likely to involve travel by car and be spread over a wide area.

- 3.75 Prior to consideration of mitigation, development from the draft Ashurst Hospital site allocation would, however, contribute to more widely distributed recreation pressure that could adversely affect the integrity of New Forest SAC; New Forest SPA; Solent Maritime SAC; Solent and Southampton Water SPA; and Solent and Southampton Water Ramsar site, in combination with other residential and visitor accommodation development provided for by the Local Plan and by other plans and projects, including the New Forest District Local Plan.
- 3.76 LUC believes that it is not a realistic prospect to create new accessible natural greenspace of a scale and character that would effectively deflect all potential additional visits from the residents of new housing development away from the New Forest or Solent coast European designations, as new greenspace could not recreate the vast open character and visitor experience of the New Forest or an alternative coastal experience which draws people from such a large area. We therefore support use of the more diverse packages of measures set out in NFNPA's draft revised Habitat Mitigation Scheme and in the Solent Recreation Mitigation Partnership's scheme and believe that these are capable of providing effective mitigation of the recreation pressure that might otherwise occur as a result of the development proposed in the Local Plan in combination with that provided in New Forest District and other neighbouring authorities.
- 3.77 In light of the above, it is concluded that reliance can be placed on Local Plan Policies SP5 and SP9 and on the NFNPA and Solent schemes to adequately mitigate potential recreation pressure from development within the New Forest National Park and that **adverse effects on integrity on any European site due to recreation pressure from the draft Ashurst Hospital site allocation can be ruled out, both alone and in combination.**

Changes in water quantity

- 3.78 The Local Plan HRA work to date considers the potential likely significant effects of the Local Plan in terms of water abstraction to supply new development resulting in harmful changes to water levels or flows at European sites.
- 3.79 Water companies have a statutory duty to service planned development in their area; the eastern part of the New Forest lies within Southern Water's supply area whilst the western part lies within Sembcorp Bournemouth Water's (SBW) supply area. Water Resources Management Plans (WRMPs) set out how these water companies intend to secure their water supplies over a 25 year plan period to ensure that a balance between supply availability and forecast water demand is maintained.
- 3.80 The Local Plan HRA work to date ruled out adverse effects on integrity in relation to water quantity by reliance on the HRAs of these WRMPs and provisions within the Local Plan (Policy DP8 plus proposed modification MIN-19) to require the higher standard of water efficiency allowed by national planning policy for all new residential development.
- 3.81 The Ashurst Hospital site is located within the Southern Water supply area. Water demand in the corresponding WRMP is based on Office for National Statistics (ONS) population projections rather than local authority housing provision targets and was subject to sensitivity testing, including of population and household projections. As such, the development envisaged by the draft allocation policy for the Ashurst Hospital site would be unlikely to affect the water demand calculated by WRMP, even if it was larger in scale than the 30 dwelling provision in the draft policy. In addition, any proposal will be subject to the water efficiency requirements of Policy DP8 (as modified).

²⁵ Based on the expectation stated in the HRA of the Submission draft Local Plan that windfall development will be limited to 400 new residential units during the plan period, individual windfall developments are likely to be small scale with a wide distribution, and all such development will be subject to the Policy SP5 caveat that all development must comply with the Habitats Regulations and that while sufficient avoidance or mitigation measures may sometimes be possible, they "may not be possible in some cases due to the scale, type, or proximity of the proposed development in relation to the designated site, and so the Authority will assess each case on its merits".

- 3.82 It is also noted that NFNPA consulted Southern Water as part of the (non-statutory) 6-week public consultation held on 'Potential Alternative Housing Sites' in Summer 2017. This consultation invited feedback on a number of potential housing sites, including the Ashurst Hospital site. Southern Water were consulted, but made no specific comments regarding the Ashurst Hospital site.
- 3.83 In light of the information above, **adverse effects on the integrity of European due to changes in water quantity from the draft Ashurst Hospital site allocation can be ruled out, both alone and in combination with other plans and projects.**

Changes in water quality

- 3.84 The Local Plan HRA work to date considers the potential likely significant effects of the Local Plan in terms of development leading to:
- increased volumes of treated wastewater discharges, resulting in nutrient enrichment of water and potential lowering of dissolved oxygen as well as increased water velocities and levels downstream of outfalls of wastewater treatment works (WwTW) or off-sewerage-network private septic tanks and small 'packaged' sewage treatment systems;
 - overloading of combined sewer networks during storm events, resulting in overflows and contamination of water bodies;
 - contaminated surface runoff from urban surfaces and roads.

Treated wastewater discharges from wastewater treatment works

- 3.85 The HRA of the Submission draft Local Plan identified a potential for the housing growth proposed by the Local Plan to have an adverse effect on integrity due to treated wastewater discharges in combination with development proposed by New Forest District Council and the other PUSH authorities. The European sites potentially affected are Solent and Isle of Wight Lagoons SAC, Solent Maritime SAC, Solent and Dorset Coast pSPA, Solent and Southampton Water SPA, and Solent and Southampton Water Ramsar site.
- 3.86 The HRA of the Submission draft Local Plan also considered the potential for effects from treated wastewater discharges on the River Avon SAC but the Ashurst Hospital site is not located within the catchment of that European so no pathway for effects exists. The scale of development envisaged by the draft Ashurst Hospital site allocation is judged too small in scale to be capable of adverse effects on integrity alone but could contribute to in-combination water quality effects on the Solent and Southampton Water European sites listed above.
- 3.87 The HRA work to date for the Local Plan has been able to rule out adverse effects on integrity by reference to the emerging findings of an Integrated Water Management Study (IWMS) commissioned by the Partnership for Urban South Hampshire (PUSH), the fact that the scale of growth proposed in New Forest National Park over the 20 year Local Plan period is very small (40 dwellings per annum) relative to the total growth planned in the PUSH area (approximately 20,000 dwellings per annum), and a commitment in the supporting text to Policy DP8 for the Authority to support the Environment Agency, Southern Water and Natural England in the development of any strategic solution to reducing nutrient inputs to the Solent from wastewater discharges, should future evidence confirm the need to take action to avoid in-combination water quality effects on the Solent designated sites from development in the PUSH area and the New Forest.
- 3.88 These HRA findings remain valid with the potential addition of the Ashurst Hospital site allocation and **adverse water quality effects on the integrity of the Solent European sites due to treated wastewater discharges from the draft Ashurst Hospital site allocation can be ruled out, both alone and in combination with other plans and projects.**

Discharges from private septic tanks or small sewage treatment plants

- 3.89 It is likely that development of the scale and location envisaged by the draft Ashurst Hospital allocation policy would be connected to the main sewer network. If this were not the case there is a potential risk of contamination of the adjacent New Forest SAC, SPA and Ramsar designations

from discharges from a private septic tanks or small sewage treatment plant. However, any new discharge to the ground from a septic tank or small sewage treatment plant within 50 m of a European site requires a permit from the Environment Agency²⁶ and the permitting process would ensure that such potential effects were avoided. **Adverse water quality effects on the integrity of European sites due to discharges from private septic tanks or small sewage treatment plants serving the Ashurst Hospital allocation can therefore be ruled out, both alone and in combination with other plans and projects.**

Sewer overflows

- 3.90 NFNPA's consultation with Southern Water identified capacity issues in the closest part of the sewerage network to Local Plan development allocations at Wharton's Lane, Ashurst. This is assumed to also apply to the Ashurst Hospital site, creating the potential for development at that location to result in overloading of the sewer network and contamination of European sites such as the adjacent New Forest SAC, SPA and Ramsar site or of nearby tributary streams of the Beaulieu River draining to the Solent European designations.
- 3.91 Policy SP38: Infrastructure Provision and Developer Contributions requires development proposals to make provision for the infrastructure necessary to ensure that the development is acceptable in planning terms. However, in light of the known sewer network capacity issues in the Ashurst area, this generic requirement does not provide sufficient certainty that the draft Ashurst Hospital site allocation would not result in sewer overflows.
- 3.92 In conclusion, **adverse effects on the integrity of the New Forest SAC, SPA and Ramsar site and on the Solent European designations due to adverse water quality effects of sewer overflows from the draft Ashurst Hospital site allocation cannot be ruled out either alone, or in combination with other plans and projects.**
- 3.93 It is therefore **recommended** that if the allocation policy is included within the Local Plan it includes a requirement similar to that in allocation policy SP22 for the Wharton's Lane, Ashurst site requiring development proposals to provide a connection to the nearest point of adequate capacity in the sewerage network, as advised by the service provider.

Contaminated surface water runoff

- 3.94 The Local Plan HRA work to date assumes that a potential for adverse effects on European sites due to contaminated surface runoff exists where development would occur within 30 m of a European site or of a watercourse draining to a European site.
- 3.95 While the Ashurst Hospital site is located more than 30 m from tributary streams of the Beaulieu River that drain to the Solent European designations it is directly adjacent to the New Forest SAC and Ramsar site and overlaps the New Forest SPA along its southern boundary.
- 3.96 The draft site allocation policy provides mitigation in that it requires that "*Built development will be confined to the previously developed land to ensure the existing green buffer remains to the south of the site and the New Forest's protected habitats.*" As illustrated by Figure 1.2 and confirmed by review of aerial imagery, the previously developed part of the site is approximately 40 m from the SPA boundary at its closest point. In addition, generic protection for water quality is provided by Policy DP8.
- 3.97 In light of the above, **adverse effects on the integrity of European sites due to adverse water quality effects of contaminated surface runoff from the draft Ashurst Hospital site allocation can be ruled out, both alone and in combination with other plans and projects.**

²⁶ Environment Agency. (2015) *General binding rules: small sewage discharge to the ground*. [Online] Available from: <https://www.gov.uk/guidance/general-binding-rules-small-sewage-discharge-to-the-ground>

4 Conclusion

- 4.1 The HRA work to date for the NFNPA Local Plan 2016-2036 has concluded that the Plan would not result in adverse effects on the integrity of any European site. This HRA Addendum has considered whether those HRA findings would be altered if the draft Ashurst Hospital site allocation policy was added to the Plan.
- 4.2 For most of the potential types of effect considered by the HRA, adverse effects on the integrity of European sites could continue to be ruled out for a Local Plan that incorporated the draft Ashurst Hospital site allocation policy. For loss of offsite habitat, urban edge effects and for changes in water quality due to sewer overflows, however, adverse effects on integrity cannot be ruled out if the draft allocation policy is incorporated in its current form, as set out at paragraph 1.19 of this report. The reasons for these findings and recommendations for avoidance or mitigation of the effects of concern are summarised below.

Loss of offsite supporting habitat

- 4.3 The greenfield part of the Ashurst Hospital site allocation, which shares direct functional connectivity with the New Forest SPA, is likely to contribute to maintaining the foraging resource and habitat connectivity upon which populations of nightjar, woodlark and Dartford warbler of the SPA depend. As a result, it is recommended that any policy allocation for the Ashurst Hospital site includes a commitment to retain and protect the greenfield part of this site to ensure adverse effects on integrity associated with the loss of offsite functionally linked habitat are avoided. The draft allocation policy and supporting text are consistent with this recommendation, requiring development to be confined to the previously developed land to the north of the site.
- 4.4 In conclusion, in light of the draft policy commitment to protecting and retaining the greenfield part of the site, which provides suitable habitat for foraging and commuting nightjar, Dartford warbler and woodlark populations of the New Forest SPA, the loss of offsite habitat comprising the existing non-greenfield part of the site would not be expected to result in adverse effects on the integrity of the New Forest SPA or any other European site, either alone or in combination with other plans and projects.

Urban edge effects

- 4.5 The Ashurst Hospital site is considered to be significantly different to the Lyndhurst Park Hotel site in terms of the susceptibility of adjacent areas of the New Forest SAC and SPA to urban edge effects and the potential severity of such effects
- 4.6 The Lyndhurst Park Hotel site is located adjacent to a well-known New Forest visitor honeypot at Bolton's Bench with unrestricted open public access which comprises short horse/pony grazed lawns interspersed with several roads, car parks, a cricket pitch and pavilion, a graveyard and the famous 'Bolton's Bench'. These factors combine to result in a lower potential for the part of the SPA within 400 m of the Lyndhurst Park Hotel site to support qualifying SPA birds, including nightjar, woodlark and Dartford warbler. In addition, features in proximity to the Lyndhurst Park Hotel site act as a barrier to or reduce the potential severity of some types of urban edge effects at this location.
- 4.7 By contrast, the Ashurst Hospital Site is located immediately adjacent to a continuous block of New Forest SPA and SAC which supports, or is capable of supporting, the qualifying features and there is an absence of features that act as a barrier to or reduce the potential severity of some types of urban edge effect. In particular, the adjacent area of New Forest SPA is capable of

supporting several pairs of SPA birds including woodlark and nightjar which will rapidly colonise cleared areas following woodland felling and harvesting of timber.

- 4.8 The impacts associated with C3 residential development at the former Ashurst Hospital site are unlikely to be capable of being successfully avoided or mitigated and therefore there is no certainty that such development at the site would be capable of being implemented in perpetuity without adverse effects on the integrity of New Forest SAC or SPA, either alone or in-combination.
- 4.9 It is therefore recommended that if the allocation policy is included within the Local Plan, any residential development at the site is restricted by an explicit requirement in the allocation policy to types of residential development from which the severity of urban edge effects is likely to be less and where there is potential to prevent adverse effects on integrity by the provision and effective implementation of mitigation measures. Such development may include some types of C2 residential development such as assisted care living where there is no potential for cat ownership and mitigation measures can be effectively enforced. Alternatively, it may be possible to avoid urban edge effects by development for non-residential uses such as an educational facility or medical facility. Any such development would require bespoke design to ensure urban edge effects can be avoided or reduced to suitable levels, and this would need to be demonstrated by a project level Appropriate Assessment.

Changes in water quality due to sewer overflows

- 4.10 NFNPA's consultation with Southern Water identified capacity issues in the closest part of the sewerage network to Local Plan development allocations at Wharton's Lane, Ashurst. This is assumed to also apply to the Ashurst Hospital site, creating the potential for development at that location to result in overloading of the sewer network and contamination of European sites such as the adjacent New Forest SAC, SPA and Ramsar site or of nearby tributary streams of the Beaulieu River draining to the Solent European designations.
- 4.11 It is therefore recommended that if the allocation policy is included within the Local Plan it includes a requirement similar to that in allocation policy SP22 for the Wharton's Lane, Ashurst site requiring development proposals to provide a connection to the nearest point of adequate capacity in the sewerage network, as advised by the service provider.

LUC

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