# Ashurst Centre, New Forest

## Report to Inform Habitats Regulations Assessment Stage 2

## NHS Property Services

## February 2019

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# Glossary

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|---|---|
| ACIEEM | Associate Member of Chartered Institute of Ecology & Environmental Management |
| ALSE | Assessment of Likely Significant Effects |
| CEMP | Construction Environment Management Plan |
| CEnv | Chartered Environmentalist |
| CIEEM | Chartered Institute of Ecology & Environmental Management |
| CIRIA | Construction Industry Research and Information Association |
| Habitats Regulations | Conservation of Habitats and Species Regulations 2018 |
| HRA | Habitats Regulations Assessment |
| IAQM | Institute of Air Quality Management |
| IROPI | Imperative Reasons of Overriding Public Interest |
| IWMS | Integrated Water Management Study |
| JNCC | Joint Nature Conservation Committee |
| MCIEEM | Member of Chartered Institute of Ecology & Environmental Management |
| Natura 2000 site | A European site designated for its nature conservation value |
| PPG | Pollution Prevention Guidelines |
| PUSH | Partnership for Urban South Hampshire |
| SAC | Special Area of Conservation |
| SPA | Special Protection Area |
| SPD | Supplementary Planning Document |

# 1.0 Introduction

## 1.1 Background

WYG was commissioned by NHS Property Services to prepare a report to inform Stage 2: Appropriate Assessment of a Habitats Regulations Assessment (HRA) to help support the allocation of the Ashurst Centre Site within the New Forest National Park Local Plan 2016-2036.

The HRA seeks to provide information to help determine whether redevelopment of the Ashurst Centre site could result in Likely Significant Effects (LSE) on qualifying features of any European site, and ultimately affect site integrity. This reports follows on from the Stage 1: Screening Report (WYG, 2018), and publication of an addendum to the Habitats Regulations Assessment of the New Forest National Park Local Plan 2016-2036 (Land Use Consultants (LUC), 2018) relating to the potential allocation of the Ashurst Hospital site (LUC, 2019).

The sites where LSE were identified as requiring Appropriate Assessment in the Stage 1: Screening report are listed below, with their qualifying features given in Appendix A:

- New Forest Ramsar (adjacent to eastern and southern boundary of the site);
- New Forest SAC (adjacent to eastern and southern boundary of the site);
- New Forest SPA (adjacent to eastern and southern boundary of the site);
- Solent Maritime SAC (3.2km northeast);
- Solent and Southampton Water Ramsar (3.2km northeast); and
- Solent and Southampton Water SPA (3.2km northeast).

This report has been prepared by WYG Principal Ecologist Jonathan Jackson MCIEEM.

## 1.2 Site Location

The Ashurst Centre is also known as the New Forest Birthing Centre and is located off Lyndhurst Road in Ashurst, Hampshire, centred at Ordnance Survey National Grid Reference SU 33667 10242. The area with the potential to be redeveloped is shown on Figure 1, and is hereafter referred to as the 'site'.

The Birthing Centre comprises a complex of several building (some of which are not currently occupied) alongside associated landscaping and hardstanding. The Centre and associated buildings are confined to the north western section of the site. The predominant habitat in the remainder of the site is tussocky neutral semi-improved grassland surrounded by lines of trees, tall ruderal vegetation and scrub. The grassland is punctuated by stands of dense scrub and scattered trees with a large expanse of tall ruderal vegetation encompassing the area in the south west. Felling of scattered trees has occurred within the grassland creating areas of tree stumps and woodchip.

## 1.3 Development Proposals

The proposed allocation will comprise the demolition of existing buildings and construction of new buildings to provide 33 residential units in the form of 18 houses and 15 flats within the 'new built environment' shown on Figure 1. The area to the south of the new built environment would be

retained and would be managed for the purposes of supporting biodiversity. In this report this area is called the 'enhanced greenspace'. This area currently supports shrub, rank grassland and rush pasture (WYG, 2017). The management prescription for this site is to be determined, but may include the creation of drier areas of heath, ponds and areas of gorse rich scrub.

It should be noted that the HRA Addendum for the Ashurst project (LUC, 2019) referred to throughout this report, was based on the masterplan shown in Appendix B, and was not therefore based on the up-to-date iteration shown in Appendix C. The HRA Addendum therefore did not include any assessment of the impact of the inclusion of greenspace and had the boundary of the new built environment tight against the boundary of the New Forest. Where this has the potential to alter the LUCs conclusions, it is highlighted in this report.

## 1.4 Requirements for the HRA

The requirement for an HRA is established through Council Directive 92/43/EEC on the Conservation of natural habitats and of wild fauna and flora, hereby referred to as the 'Habitats Directive', in Articles 6(3) and 6(4). The Habitats Directive is transposed into national legislation by the Conservation of Habitats and Species Regulations 2018. These are hereafter referred to as the 'Habitats Regulations'.

Under Regulation 63, any project which is likely to have a significant effect on a European site (either alone or in-combination with other projects) and is not directly connected with, or necessary for the management of the site, must be subject to an HRA to determine the implications for the site in view of its conservation objectives. This is determined during the Stage 1: Screening Assessment of an HRA (see below).

Under Regulation 63, a Stage 2: Appropriate Assessment then needs to be carried out in respect of any plan or project which:

- either alone or in combination with other plans or projects would be likely to have a significant effect on a site designated within the European network; and
- is not directly connected with the management of the site for nature conservation.

The term European site is defined fully in Regulation 8 of the Habitats Regulations and include:

- Special Areas of Conservation (SACs);
- candidate and proposed SACs;
- Special Protection Areas (SPAs);
- potential SPAs;
- proposed Wetlands of International Importance designated or proposed for their wetland features under the auspices of the Convention of Wetlands of International Importance (commonly referred to as 'Ramsar sites'); and
- sites identified for Natura 2000 compensatory measures.

The final two categories are afforded the same level of protection as SACs and SPAs as a matter of Government policy, and the assessment provisions of the Habitats Regulations are applied to them (Natural England, 2017).

## 1.5 Requirement for Stage 2 assessment at Ashurst

This report assesses both the pathways to LSE identified in in the Stage 1: Screening Report, and those from the Local Plan HRA Addendum. These are presented in Table 1and show that eight pathways have been identified. This report does not repeat the reasons for screening out sites or pathways to LSE previously identified in the Stage 1 Screening Report.

**Table 1 Pathways assessed in this report**

| Pathway assessed (using merged terminology where appropriate) | Stage 1 Screening | | Local Plan HRA Addendum | |
|---|---|---|---|---|
| | New Forest Ramsar, SAC and SPA | Solent and Southampton Water Ramsar and SPA | New Forest Ramsar, SAC and SPA | Solent and Southampton Water Ramsar and SPA |
| Public access / disturbance / Recreation pressure | Yes | Yes | Yes | Yes |
| Hydrological changes / Changes in water quantity and quality | Yes | - | Yes | - |
| Invasive species | Yes | - | - | - |
| Air pollution / Changes in air quality | Yes | - | Yes | - |
| Changes in species distribution via habitat loss / Loss or damage to offsite supporting habitat | Yes | - | Yes | - |
| Direct loss or physical damage to European sites | - | Yes | - | Yes |
| Vehicles / Traffic collision risk | Yes | - | Yes | - |
| Urban edge effects | - | - | Yes | - |

## 1.6 Consultation

A meeting was held on 13 December 2018 to discuss the development proposals and potential inclusion within the local plan. In attendance were:

- New Forest Policy Manager – David Ilsley
- Natural England Planning and Conservation Senior Advisor – John Stobart
- WYG Director of Planning – Julian Bolitho
- WYG Principal Ecologist – Jonathan Jackson
- WYG Project Ecologist – Ben Cooke

Key point and outcomes form the meeting are presented in Table 2.

**Table 2 Key outcomes of consultation meeting relating to ecology**

| Key point | Issue | Outcome |
|---|---|---|
| The results from ecological baseline | WYG intended to base the HRA on the results from surveys which do not include any evidence use of use by Dartford warbler, nightjar or woodlark. This was not accepted by Natural England who consider all adjacent habitat to be supporting habitat. | Any assessments made will consider the enhanced greenspace to the south of the existing buildings as habitats of value to SPA birds. |
| The location of the boundary of the built area | It was considered by Natural England that it would be inappropriate for the boundary of the new built environment area to be adjacent to the New Forest due to the increased risk of any deleterious impacts being significant. | The boundary of the new built environment was moved to be within the boundary of existing buildings and hardstanding only, as far as possible. |
| The appropriateness of the development | It was agreed by Natural England that some redevelopment of this site could be achieved without affecting the integrity of European Sites. | The potential for redevelopment was established. |

# 2.0 Assessment Methodology

## 2.1 Assessment Guidance

The Habitats Directive and Regulations do not specify how assessment should be undertaken. In undertaking this HRA, the process we have adopted is that recommended in official EC guidance (EC, 2001).

- **Stage 1: Screening** – the process which identifies the likely impacts upon a Natura 2000 site of a project or plan, either alone or in combination with other projects or plans, and considers whether these impacts are likely to be significant. This is also known as an 'assessment of likely significant affects (ALSE)';
- **Stage 2: Appropriate assessment** – the consideration of the impact on the integrity of the Natura 2000 site of the project or plan, either alone or in-combination with other projects or plans, with respect to the site's structure and function and its conservation objectives. Additionally, where there are adverse impacts, an assessment of the potential mitigation of those impacts (in accordance with guidance following the recent decision by the Court of Justice of the European Union (CJEU) People Over Wind and Sweetman v Coillte Teoranta (C-323/17) regarding application of embedded mitigation at Stage 1 or Stage 2 of an HRA (Freeths, 2018);
- **Stage 3: Assessment of alternative solutions** – the process which examines alternative ways of achieving the objectives of the project or plan that avoid adverse impacts on the integrity of the Natura 2000 site; and
- **Stage 4: Assessment where no alternative solutions exist and where adverse impacts remain** – an assessment of compensatory measures where, in the light of an assessment of Imperative Reasons of Over-riding Public Interest (IROPI), it is deemed that the project or plan should proceed (it is important to note that this guidance does not deal with the assessment of IROPI).

It is Stage 2: Appropriate Assessment that is the focus of this report.

# 3.0 Stage 2: Appropriate Assessment

The following sections present an assessment of the pathways listed in Table 1 based on the adjusted outline plan for the site given in Appendix C and Figure 1, and taking into account potential avoidance or mitigation measures which could be included within a site allocation policy or development framework plan.

## 3.1 Public access / Disturbance / Recreation pressure

### 3.1.1 Pathway description

There is the potential for areas outside of the boundary of the site to be affected by an increase in usage for the purposes of recreation. There is access into adjacent habitats into the cricket ground and Churchplace Inclosure to the east.

Disturbance of qualifying features of the New Forest SPA could include affecting nesting bird behaviour at the nest, foraging or predator avoidance. Walking dogs within habitats used by mobile qualifying species can also have the impact of increasing predator numbers. For example, corvids that can rob bird nests also feed on dog faeces and litter that has not been disposed of, meaning that they may be attracted to the area.

For the Solent and Southampton Water Ramsar and SPA, any increase in the number of residential units within 5.6km of the site has been identified as being likely to result in increased visitor usage. This is following the outcomes of visitor surveys used to inform the Solent Recreation Mitigation Strategy (Bird Aware Solent, 2017). This has the potential to result in flushing of wading birds either when foraging or roosting. This can have an energetic cost on birds and could therefore affect populations sizes and distribution, and therefore the conservation objectives of these sites.

### 3.1.2 Proposed mitigation

*New Forest SPA*

In the Stage 1: Screening Report (WYG, 2018), a description was provided of New Forest District Council's approach to mitigating the threat of recreation pressure from residential development. This was to prepare and adopt a Supplementary Planning Document (SPD) (New Forest District Council, 2014a). However, the SPD was not used in the preparation of the Local Plan HRA Addendum for the Ashurst site (LUC, 2019) as a means to describe mitigation. Instead the Local Plan HRA Addendum references The New Forest National Park Draft Habitat Mitigation Scheme 2018 (New Forest National Park, 2018). It is therefore the measures in The New Forest National Park Draft Habitat Mitigation Scheme that are now referred to in this report.

The New Forest National Park Draft Habitat Mitigation Scheme is focussed on alleviating the potential alone and 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.

Elements of these measures could be included within conditions of allocation (or planning consent) to the extent that the impact of recreational pressure could be reduced. The potential application of these measures to the Ashurst site is described in greater detail in Table 3.

**Table 3 Potential outline measures in The New Forest National Park Draft Habitat Mitigation Scheme**

| Measure | Description | Likely application at Ashurst |
|---|---|---|
| Access management within the New Forest European designations | The southern boundary of the site and the southern boundary of the new built environment will both be made impassable by pedestrians to prevent informal paths forming through to the Forest. This could be achieved using fencing or planting. | Yes |
| Education, awareness and promotion | Within the new built environment, there is the potential for interpretive signage within the new estate to educate users of the New Forest about the species it supports. It may also be possible for new residents to receive home owner packs. | Yes |
| Monitoring and research | The management plan for the enhanced greenspace described in Section 3.5 will include monitoring to determine the quality of habitats for the ecological features it is intended to support. This could be provided to the New Forest District Council and used to supplement the information they use to inform management of adjacent habitats. | Yes |
| Alternative recreation sites and routes outside the designated sites | There is the potential for a proportion of the enhanced greenspace to the south of the developed areas to be managed for the benefit of new residents and their recreation. However, this would clash with the intended use of the area for the benefit of biodiversity including those for which the New Forest is designated (see Section 3.5). This is therefore considered to be inappropriate and public access to this area would not be provided. | No |
| In-perpetuity funding | No funding is proposed, other than to provided funds for management and monitoring of the enhanced greenspace to the south of the developed area. | No |

*Solent and Southampton Water Ramsar and SPA*

Regarding the Solent and Southampton Water Ramsar and SPA, a per-unit financial contribution will be made in accordance with the Solent Recreation Mitigation Strategy (Bird Aware Solent, 2017) in order to mitigate for potential alone and in-combination recreational impacts upon the species they support.

### 3.1.3 Assessment

This assessment identifies that there are measures which could be employed to minimise the level of recreational pressure on The New Forest from having new properties in close proximity to its boundary. It is also relevant that the Local Plan HRA Addendum (LUC, 2019) concludes that:

> "*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 development, 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.*"

This conclusion is supported by this assessment, and combined with the measures to minimise the impacts that could occur for the New Forest and the Solent coast European sites, **public access / disturbance 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.**

## 3.2 Hydrological changes / Changes in water quantity and quality

### 3.2.1 Pathway description

During construction there is the potential for localised pollution events via run-off into neighbouring habitats that are part of the New Forest SAC, SPA and Ramsar. This could be via contaminated surface water run-off containing silt and / or other pollutants caused by inappropriate storage of fuel, or protection during refuelling operations. This would be short term but does have the potential to results in LSE.

During operation there is also the potential for increased volumes of treated wastewater, overloading of combined sewer networks during storm events and contaminated surface runoff from urban surface and road. The addendum to the Habitats Regulations Assessment of the New Forest National Park Local Plan 2016-2036 (LUC, 2018) found that the scale of this development was too small to effect integrity alone, but could contribute to in-combination effects on Solent and Southampton Water European Sites.

The addendum to the Habitats Regulations Assessment of the New Forest National Park Local Plan 2016-2036 (LUC, 2018) goes on to conclude that operational water quality and quantity changes do not have the potential to affect integrity. This is based on the findings of the Integrated Water Management Study (IWMS) commissioned by the Partnership for Urban South Hampshire (PUSH) (Amec Foster Wheeler Environment & Infrastructure UK Limited, 2018). This study secures the commitment to Policy DP8 to formulate a strategic solution to preventing deleterious impacts from nitrogen inputs from 20,000 homes in the PUSH region. These development proposals would contribute a negligible amount to these values, if included, and therefore the pathway is not taken further in the assessment.

### 3.2.2 Proposed mitigation

The control of environmental changes during construction are commonly controlled by the implementation of measures contained within a Construction Environment Management Plan (CEMP).

A CEMP will be prepared for this project and will detail how best practise and standard industry behaviours will be adhered to during construction works.

The CEMP will describe how hydrological changes from run-off and pollution will be preventable. This will include principles taken from the Pollution Prevention Guidelines (PPGs) available from The National Archives such as *PPG 1 – Understanding your environmental responsibilities*, *PPG 5 – Works and maintenance in or near water* and *PPG 21 – Incident response planning* (The National Archives, 2014). Whilst these guidance documents have been withdrawn, they are still considered to contain useful information in the absence of published replacements. The measures relating to hydrological changes in the CEMP will include measures such as:

- Appropriate storage of fuels and chemicals on site;
- An emergency incident plan;
- Method statements for refuelling operations;
- Control of run-off via silt fencing; and
- Appropriate storage of friable materials.

During operation, a drainage strategy would need to implemented that would demonstrate how changes in surface water would be managed in perpetuity. This may include the use of methods outlined in The Sustainable Urban Drainage System (SuDS) Manual (Construction Industry Research and Information Association (CIRIA), 2015).

### 3.2.3 Assessment

With the application of the measures described above, **hydrological changes / Changes in water quantity and quality 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.**

## 3.3 Invasive species

### 3.3.1 Pathway description

This pathways related to the introduction or spread of invasive plant species. Aspects of this pathway relating to animals are not considered to be applicable to this development proposal and are not discussed further. For the purposes of this HRA, invasive species are those listed on Schedule 9 of the Wildlife and Countryside Act 1981 (as amended) (GB non-native species secretariat, 2018) e.g. giant hogweed *Heracleum mantegazzianum*, Himalayan balsam *Impatiens glandulifera*, Japanese knotweed *Fallopia japonica*, some rhododendron species and wall cotoneaster *Cotoneaster horizontalis*.

The potential for this pathway to result in LSE is assessed as being limited to the construction phase. This is based surveys not having ever found invasive species of plant on the site (WYG, 2017) and on the assumption that the development proposals would not include the planting of any invasive plant species within the operational scheme design. There is therefore no potential for spread from within the site to adjacent protected habitats in the SAC, SPA and Ramsar during the operational phase.

During the construction phase of developments, there is the potential for viable propagules of invasive species of plant to be accidentally imported in material imported onto the site, or on plant machinery e.g. in excavator tracks. Invasive species can then become established and could spread

into neighbouring habitats. Based on the geography of this this site and proximity to designated habitats, this does have the potential to result in LSE. Whilst this has been reduced by the increased distance (approximately 60m) between the boundary of construction works and the New Forest, vehicles from site could potentially still drive on roads adjacent to protected habitats and introduce invasive species in the manner described above.

The potential for invasive species to become introduced to the New Forest SAC was also established as part of the draft site allocation HRA (LUC, 2019). However, this was in the context of being an 'urban edge' effect relating to increased instances of fly-tipping during occupation. As such, this has been considered separately in Section 3.8.

### 3.3.2 Proposed mitigation

To protect against invasive species being introduced to a site during construction, the CEMP will include a section on biosecurity. This would detail measures that could be used to reduce the risk of introduction to negligible levels. These could include, but would not be limited to:

- Monitoring of the site;
- Display of interpretation boards in site offices regarding invasive species;
- Wheel washing facilities when entering and exiting sites; and
- Checking origins of all imported materials.

### 3.3.3 ALSE

With the application of the measures described above, **invasive species 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.**

## 3.4 Air pollution / Changes in air quality

### 3.4.1 Pathway description

During construction activity, there is the potential for releases of fugitive dust to result in deleterious impacts on plant growth in habitats up to 50m from the source. This distance is based on guidance from the Institute of Air Quality Management (IAQM) (2014). Whilst the site is small in the context of the wider New Forest, the potential for LSE is considered to exist and avoidance / mitigation would be required. This pathways is therefore considered to require Appropriate Assessment at Stage 2.

During operation there are no potential sources of fugitive dust and so this pathways is assessed as not having the potential to result in LSE.

Air quality changes can occur as a result of deposition of nitrogen and acid in the form of oxides of nitrogen and sulphur respectively. These gases are principally released by exhausts from internal combustion engines. During construction, workers vehicles, plant machinery and generators are all potential sources of exhaust gases. During operation / occupation of a site, it is principally vehicles belonging to workers or residents that cause acid and nitrogen deposition.

The deposition of nitrogen and acid during operation identified above was also identified in the Local Plan HRA Addendum (LUC, 2019) as a potential pathway to LSE. However, the pathway was not

screened in as having the potential to result in LSE. It therefore follows that because there would be a negligible contribution from this small scale development to the quantity of housing assessed in the Local Plan HRA, effects would also not have the potential to results in LSE.

Based on these conclusions, LSE via nitrogen and acid deposition during operation have not been taken forward to Appropriate Assessment.

### 3.4.2 Proposed mitigation

During construction, measures to control releases of fugitive dust will be incorporated within a CEMP. These will include but would not be limited to:

- Damping of haul routes;
- Use of dust suppression devices on cutting machinery;
- Covering of friable materials; and
- Seeding of topsoil bunds where storage is required for medium to long-term periods.

### 3.4.3 ALSE

With the application of the measures described above, **Air pollution / Changes in air quality 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.**

## 3.5 Changes in species distribution via loss or damage to offsite supporting habitat

### 3.5.1 Pathway description

The potential for the habitats within the site to support qualifying species was identified during the Ecological Appraisal (WYG, 2017). This was followed up with four breeding bird surveys that were completed between April and June 2018 (WYG, 2018c). These did not record any qualifying species of the New Forest SPA. While no nocturnal species were completed for nightjar, the potential for the site to support nightjar was considered to be negligible due to the suboptimal habitats present. However, the enhanced greenspace is adjacent to the SPA and it is considered extremely unlikely that SPA qualifying species never visit this area, and is impossible to prove. Therefore, as a minimum it is considered that the site is likely to support invertebrates that could potentially be preyed upon by SPA qualifying birds. Therefore if enhanced greenspace is lost, there is the potential for fewer prey items to be in the adjacent habitats of the SPA. Consequently birds for which it is designated will use it less.

### 3.5.2 Proposed mitigation

The proposed avoidance will be to restrict the new built environment to the curtilage of existing buildings and hardstanding as show in Appendix C and Figure 1, which retains a buffer of approximately 60m. It is also proposed that the retained habitats within the enhanced greenspace are enhanced for SPA birds. This would provide a buffer for SPA birds between the boundary of the New Forest and the development proposals.

Within the boundary of the new built environment, enhanced greenspace could be included with the intention of attracting invertebrate prey for the benefit of all bird species that feed on the group, including Dartford warbler, nightjar and woodlark.

The enhanced greenspace between the development and the New Forest SA would be managed in such a way to encourage occupation by invertebrate prey and by qualifying species. The details of this are yet to be determined but this would aim to expand the foraging range of Dartford warbler, nightjar and woodlark. This would include habitat creation of heath, gorse-rich scrub and areas of shorter turf. This may necessitate the drainage and creation of ponds within the habitat area, that would improve habitat heterogeneity overall within the 400m zone of influence of the edge effect pathway.

### 3.5.3 ALSE

It is therefore intended that habitat creation and management occurs for the benefit of foraging birds, including Dartford warbler, nightjar and woodlark. The management would also benefit foraging outside of the boundary of this area by creating a sink from which prey species e.g. moths might disperse. This would be supported by including a planting scheme of value to invertebrate within the development proposals themselves.

With the application of the measures described above, **Changes in species distribution via loss or damage to offsite supporting 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.**

## 3.6 Direct loss or physical damage to European sites

### 3.6.1 Pathway description

The potential for there to be direct loss or physical damage to European sites was identified in both the Stage 1 Screening report and the Local Plan HRA Addendum. However, this was based on the plan shown in Appendix B, whereby the boundary of the new built environment was adjacent to the New Forest.

Based on the revised layout, shown in Appendix C and Figure 1, there is now a complete lack of overlap between the developed area of the site and any European site. Therefore, adverse effects on integrity due to direct loss or physical damage to European sites from development of the Ashurst Hospital site can be ruled out, both alone and in combination with other plans and projects.

### 3.6.2 Proposed mitigation

The mitigation would be by avoidance, as secured within the site allocation policy.

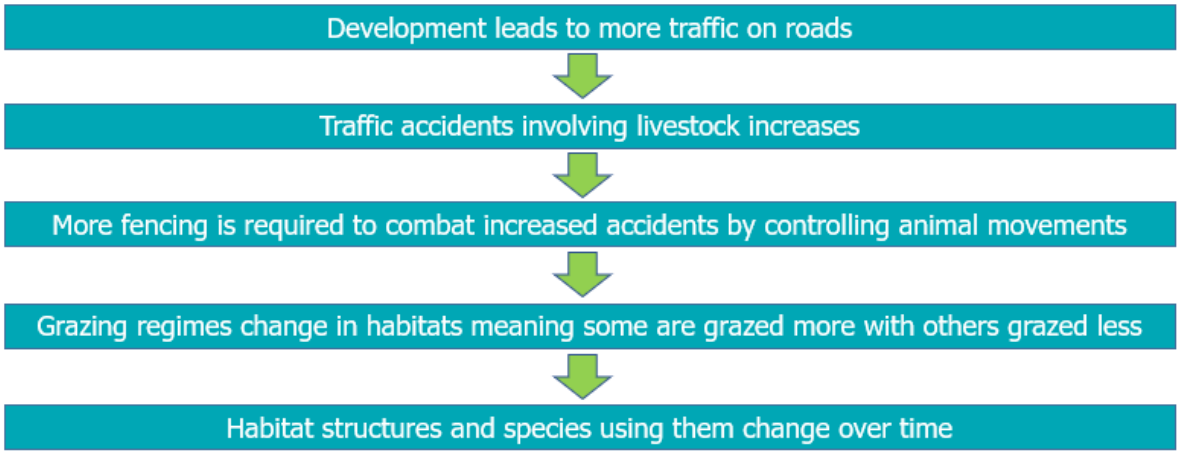
### 3.6.3 ALSE

With the application of the measures described above, **Direct loss or physical damage to European sites 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.**

## 3.7 Vehicles / Traffic collision risk

### 3.7.1 Pathway description

The potential for there to be direct loss or physical damage to European sites was identified in the Local Plan HRA Addendum only. This report suggests that a pathway exists whereby increased traffic movements arising from development could indirectly affect habitats within the New Forest, as shown in the schematic below:




The pathway therefore ultimately relates to grazing which is identified in *The New Forest SAC – Standard Data Form* (JNCC, 2015). Furthermore the impact of deer (and associated grazing) is described in *The New Forest SPA – Site Improvement Plan* (JNCC, 2014).

Whilst this was identified in the Local Plan HRA Addendum, the same document goes on to conclude that 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 Local Plan.

### 3.7.2 Proposed mitigation

There is no mitigation proposed as Vehicles / Traffic collision risk is not predicted to result in LSE.

### 3.7.3 ALSE

**<u>Vehicles / Traffic collision risk</u> 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.**

## 3.8 Urban edge effects

The potential for Urban edge effects to result in LSE and affect the integrity of the New Forest SAC, SPA and Ramsar was not identified as part of the Stage 1 Screening. However, LUC use this term to apply to two effect pathways in their draft HRA of the Ashurst site:

- Increased fly-tipping – particularly risk of introduction of invasive alien species from garden waste (particularly relevant to New Forest SAC); and
- 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).

These effects are discussed separately in the following sections.

It should be noted that the Local Plan HRA (LUC, 2018), urban edge effects on windfall developments within 400m of the New Forest were screened out, on the basis that they are not clustered. The windfall allocation comprises of 400 dwellings, with developments ranging in size up to 30 houses. Whilst it is therefore possible to argue that urban edge effects for the Ashurst site could be screened out, these pathways have been considered in this assessment on a precautionary basis.

### 3.8.1 Increased fly tipping

The Local Plan HRA Addendum for the Ashurst site was based on a masterplan with property boundaries immediately adjacent to sensitive habitats of the New Forest (see Appendix B). The masterplan on which this assessment is made, is based on the curtilage of new buildings being largely limited to areas that are already built on (see Appendix C and Figure 1). There would therefore be an intervening enhanced greenspace buffer zone of approximately 60m between the boundary of the development and the New Forest. This would therefore prevent green waste potentially containing viable propagules of invasive plants from being easily dumped into SAC habitats. This would also prevent spreading Schedule 9 plants from accidentally escaping and colonising e.g. variegated yellow archangel *Lamiastrum galeobdolon subsp. Argentatum*, which commonly spread along road verges from gardens.

The presence of buffer zones separating potential development sites from sensitive habitats is also identified in the HRA Addendum for the Ashurst project (LUC, 2019). This is regarding the Lyndhurst Park Hotel site, where the presence of short horse / pony grazed lawns, car parks, a cricket pitch, cricket pavilion, graveyard and the famous 'Bolton's Bench', are considered to act as buffers from the impacts of urban edge effects. This is used by LUC to conclude that the susceptibility the New Forest SAC and SPA to urban edge effects is reduced. This same approach and conclusion is drawn in this assessment for the Ashurst Hospital site.

The alternative pathway for invasive species to take hold would be via deliberate fly-tipping from people transporting waste. This could be via the use of informal paths leading from properties into the New Forest, or by car. The former is not considered likely as access from gardens into the managed green space will not be provided. It is also proposed that the southern boundary between the enhanced greenspace and the New Forest would be strengthened to make it impassable for pedestrians. The latter therefore remains, but is not site specific as it applied to all potential properties allowable under the Local Plan allocations. On this basis, the Ashurst site would not differ from what has been allocated under the Lyndhurst Park Hotel Site, whereby any increase in the number of properties has the potential to result in increased instances of fly-tipping. It is therefore concluded that the HRA mitigation measures for the Lyndhurst Park Hotel Site would also be applicable e.g. arrangements for ground maintenance, whereby no effect on integrity is predicted, and this potential pathway to LSE is not discussed further.

### 3.8.2 Cat predation

There exists the potential for cats belonging to new homeowners to find and predate on the nests of qualifying species of the New Forest SPA as these are ground nesting. While predation of these birds when foraging is a possibility, the likelihood of Dartford warbler, nightjar and woodlark being caught and killed is remote. This is based on their relative rarity compared to common and garden species. As described in the Habitats Regulations Assessment of New Forest National Park Local Plan 2016-2036 (LUC, 2018), this pathway has been identified has having the potential to result in LSE where there is any new residential development within 400m of the New Forest. This distance was informed by work underpinning The Dorset Heathlands Planning Framework 2015-2020: Supplementary Planning Document (SPD) (Borough of Poole *et al.*, 2015). Natural England agreed with the assessment of 400m in the Dorset Heathlands SPD, and approved its use for the New Forest Local Plan at a New Forest HRA stakeholder meeting on 9 August 2016.

The Dorset Heathlands SPD prohibits all building of new residential property within 400m of the heathland. This is not considered appropriate for the New Forest as it is less fragmented and is more than three-times the size. This means that the edge to area ratio is much lower and therefore urban edge effects would be likely to be much less pronounced. This means that a total ban on new property would not be proportionate to the risks of impacts on integrity, and therefore while pathways such as cat predation exist, they may be mitigated.

Aerial imagery shows that 29.07ha of the SPA is within 400m of the boundary of the site, as shown in Appendix C and Figure 1. Currently none of this habitat has the potential to support ground nesting birds (WYG, 2017), including those for which the New Forest SPA is designated. However, as is highlighted in the HRA Addendum for the Ashurst project (LUC, 2019), when the plantation woodland to the south of the site is cropped it would create 3.97ha of optimal nesting habitat for woodlark for five years and nightjar for 15 years. This limits the potential window for predation within the lifespan of the occupational phase of the development. In this area it is estimated that no more than one pair of any of the three qualifying species could be supported by an area this size, further reducing the significance of any predation events.

There is also the potential for cat predation to result in a reduction in range of qualifying species, when habitats are in suitable condition. However, in the context of the whole New Forest where the total area of suitable habitat at any one time is influenced by so many factors, e.g. grazing patterns, numbers of grazers, burning, scraping, woodland thinning etc.. Therefore the area affected by possible predation arising from this proposed development would be immeasurably small, and would not have the potenital to affect integrity.

### 3.8.3 Proposed mitigation

The outline measures to mitigate for the effects of cat predation are provided below.

- The boundary of the new built environment has been moved away from the boundary of the SPA by 60m. This will reduce cat predation events as the cats will have to travel further to reach SPA habitats.
- It is also likely that a proportion of the new housing will need to be affordable and would be managed by a housing association. In this scenario, it would be possible to enforce legal covenants preventing cat ownership. These properties could also be positioned towards the

southern boundary of the development, again increasing the distance that cats would need to travel to reach habitats within the SPA. Such covenants have been included within Policy SP23 for the Lyndhurst Hotel Site.

- A proportion of the buildings on the site might be brought for C3 use as care homes. In this scenario, pet ownership would be prevented and no predation by cats in the SPA could therefore occur.
- Within the development, the southern boundary would also be strengthened to prevent informal pathways into the New Forest from forming. Whilst this would not prevent cats from climbing barriers such as garden fences, it would ensure that access was not made easier.

### 3.8.4 Assessment

It is considered that there is no potential for increased rates of fly-tipping as a result of the development proposals.

The Appropriate Assessment finds the pathways for LSE exists where there is the potential for the nests of Dartford warbler, nightjar and woodlark to be predated. However, there is currently no habitat with the potential to support such nests within 400m of the development proposals. This is likely to change in the future, when the 3.97ha of plantation is cropped, leaving habitats that could be used by all three species, but only for a limited time window. In the context of the numbers of pairs of each species this area could support (a maximum of one), predation from this newly expanded range would not have the potential to affect the integrity of the SPA.

It is proposed that the development proposals are compliant with the National Planning Policy Framework (Ministry of Housing Communities and Local Government, 2018). This requires new development to deliver net gain for biodiversity. For these development proposals, the boundary has been moved to retain the enhanced greenspace to the south.

When considered together, **urban edge effects 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.**

# 4.0 Summary

This assessment finds that there are no pathways to LSE that are assessed as having the potential to affect integrity of European sites should this site be allocated. This is on the basis that the allocation proceeds according to the boundary of the new built environment shown in Appendix C and Figure 1. This is with the application of mitigation, as summarised in Table 34.

**Table 4 Summary of Stage 2 Appropriate Assessment**

| Effect pathway | Phase | Mitigation | ALSE |
|---|---|---|---|
| Public access / disturbance / Recreation pressure | Occupation | Strengthening of boundary fencing.<br>Interpretive signage.<br>Monitoring and research. | No adverse effects on integrity predicted. |
| Hydrological changes / Changes in water quantity and quantity | Construction | Measures secured in a CEMP. | No adverse effects on integrity predicted. |
| Invasive species | Construction | Measures secured in a CEMP. | No adverse effects on integrity predicted. |
| Air pollution / Changes in air quality | Construction | Measures secured in a CEMP. | No adverse effects on integrity predicted. |
| Changes in species distribution via habitat loss / Loss or damage to offsite supporting habitat | Construction and Occupation | The boundary of the new built environment has been moved to only include the curtilage of existing buildings and hardstanding. | No adverse effects on integrity predicted. |
| Direct loss or physical damage to European sites | Construction and Occupation | The boundary of the new built environment has been moved to only include the curtilage of existing buildings and hardstanding. | No adverse effects on integrity predicted. |
| Urban edge effects | Occupation | The boundary of the new built environment has been moved to only include the curtilage of existing buildings and hardstanding.<br>Covenant preventing cat ownership in affordable housing stock.<br>Use of some buildings for C3.<br>Strengthening of boundary fencing.<br>Interpretive signage.<br>Enhanced greenspace. | No adverse effects on integrity predicted. |

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# Figures

| Rev | Date | Notes |
|---|---|---|
| A | 07/02/19 | Initial map production |

**Legend**

- New built environment
- 400m buffer
- 400m buffer within SPA
- Plantation woodland
- Enhanced greenspace
- Special Protection Area (SPA)

0 50 100 200 Metres

N

wyg

**Site Location Plan**

**Ashurst Centre, New Forest NHS**

| Scale at A3: | Project No: | Drawing No: | Revision: |
|---|---|---|---|
| 1:3,500 | A105557-1 | Figure 1 | A |

| Drawn by: | Drawn date: | Approved by: |
|---|---|---|
| Ben Blowers | 07/02/2019 | Jonathan Jackson |



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# Appendix A: Qualifying features of European sites for which LSE were identified

### New Forest Ramsar

There are three Ramsar criteria for which the Dorset Heathlands Ramsar is designated (JNCC, 1993).

**Ramsar criterion 1**

Valley mires and wet heaths are found throughout the site and are of outstanding scientific interest. The mires and heaths are within catchments whose uncultivated and undeveloped state buffer the mires against adverse ecological change. This is the largest concentration of intact valley mires of their type in Britain.

**Ramsar criterion 2**

The site supports a diverse assemblage of wetland plants and animals including several nationally rare species. Seven species of nationally rare plant are found on the site, as are at least 65 British Red Data Book species of invertebrate.

**Ramsar criterion 3**

The mire habitats are of high ecological quality and diversity and have undisturbed transition zones. The invertebrate fauna of the site is important due to the concentration of rare and scare wetland species. The whole site complex, with its examples of semi-natural habitats is essential to the genetic and ecological diversity of southern England.

### The New Forest SAC Qualifying Features

There are 11 Annex I habitats present that are a primary reason for selection of this site (JNCC, 2015):

- **3110** Oligotrophic waters containing very few minerals of sandy plains (Littorelletalia uniflorae);
- **3130** Oligotrophic to mesotrophic standing waters with vegetation of the Littorelletea uniflorae and/or of the Isoëto-Nanojuncetea;
- **4010** Northern Atlantic wet heaths with *Erica tetralix*;
- **4030** European dry heaths;
- **6410** Molinia meadows on calcareous, peaty or clayey-silt-laden soils (Molinion caeruleae);
- **7150** Depressions on peat substrates of the Rhynchosporion;
- **9120** Atlantic acidophilous beech forests with Ilex and sometimes also Taxus in the shrublayer (Quercion robori-petraeae or Ilici-Fagenion);
- **9130** Asperulo-Fagetum beech forests;
- **9190** Old acidophilous oak woods with *Quercus robur* on sandy plains;
- **91D0** Bog woodland; and
- **91E0** Alluvial forests with *Alnus glutinosa* and *Fraxinus excelsior* (Alno-Padion, Alnion incanae, Salicion albae).

There are two Annex I habitats present as a qualifying feature, but not a primary reason for selection of this site (JNCC, undated):

- **7140** Transition mires and quaking bogs
- **7230** Alkaline fens

There are two Annex II species that are primary reasons for selection of this site (JNCC, 2015):

- **1044** Southern damselfly (*Coenagrion mercurial*); and
- **1083** Stag beetle (*Lucanus cervus*).

There is on Annex II species present as a qualifying feature, but not a primary reason for site selection (JNCC, undated):

- **1166** Great crested newt (GCN) (*Triturus cristatus*)

### The New Forest SPA

There are four Annex I species present during the breeding season that are qualifying species for selection of this site (JNCC, 2001):

- Dartford warbler, 538 pairs representing at least 33.6% of the breeding population in Great Britain;
- Honey buzzard (*Pernis apivorus*), two pairs representing at least 10.0% of the breeding population in Great Britain;
- Nightjar, 300 pairs representing at least 8.8% of the breeding population in Great Britain; and
- Woodlark, 184 pairs representing at least 12.3% of the breeding population in Great Britain (Count as at 1997).

There is one Annex I species present during the over-wintering season that is a qualifying species for selection of this site (JNCC, 2001):

- Hen harrier, 15 individuals representing at least 2.0% of the wintering population in Great Britain.

### Solent and Southampton Water Ramsar Criteria

The Ramsar Criteria for the Solent and Southampton Water Ramsar are provided below and are available from the JNCC (1998).

**Ramsar Criterion 1**

The site is one of the few major sheltered channels between a substantial island and mainland in European waters, exhibiting an unusual strong double tidal flow and has long periods of slack water at high and low tide. It includes many wetland habitats characteristic of the biogeographic region: saline lagoons, saltmarshes, estuaries, intertidal flats, shallow coastal waters, grazing marshes, reedbeds, coastal woodland and rocky boulder reefs.

**Ramsar Criterion 2**

The site supports an important assemblage of rare plants and invertebrates. At least 33 British Red Data Book invertebrates and at least eight British Red Data Book plants are represented on site.

**Ramsar Criterion 5**

Assemblages of international importance:

- Species with peak counts in winter: 51343 waterfowl (5 year peak mean 1998/99-2002/2003).

**Ramsar Criterion 6**

Species/populations occurring at levels of international importance.

Qualifying Species/populations (as identified at designation):

- Species with peak counts in spring/autumn:
  - Ringed plover, Europe/Northwest Africa, 397 individuals, representing an average of 1.2% of the GB population (5 year peak mean 1998/9-2002/3).
- Species with peak counts in winter:
  - Dark-bellied brent goose, 6456 individuals, representing an average of 3% of the population (5 year peak mean 1998/9-2002/3);
  - Eurasian teal, NW Europe, 5514 individuals, representing an average of 1.3% of the population (5 year peak mean 1998/9-2002/3); and
- Black-tailed godwit, Iceland/W Europe, 1240 individuals, representing an average of 3.5% of the population (5 year peak mean 1998/9-2002/3).

### Solent and Southampton Water SPA Qualifying Features

The qualifying features are provided below, as provided by the Joint Nature Conservation Committee (JNCC) (JNCC, 2001b).

This site qualifies under Article 4.1 of the Directive (79/409/EEC) by supporting populations of European importance of the following species listed on Annex I of the Directive:

- During the breeding season;
  - Common tern (*Sterna hirundo*), 267 pairs representing at least 2.2% of the breeding population in Great Britain (5 year peak mean, 1993-1997);
  - Little tern (*Sterna albifrons*), 49 pairs representing at least 2.0% of the breeding population in Great Britain (5 year peak mean, 1993-1997);
  - Mediterranean gull (*Larus melanocephalus*), 2 pairs representing at least 20.0% of the breeding population in Great Britain (5 year peak mean, 1994-1998);
  - Roseate tern (*Sterna dougallii*), 2 pairs representing at least 3.3% of the breeding population in Great Britain (5 year peak mean, 1993-1997); and
  - Sandwich tern (*Sterna sandvicensis*), 231 pairs representing at least 1.7% of the breeding population in Great Britain (5 year peak mean, 1993-1997).

This site also qualifies under Article 4.2 of the Directive (79/409/EEC) by supporting populations of European importance of the following migratory species:

- Over winter;
  - Black-tailed godwit (*Limosa limosa islandica*), 1,125 individuals representing at least 1.6% of the wintering Iceland - breeding population (5 year peak mean, 1992/3-1996/7);
  - Dark-bellied brent goose (*Branta bernicla bernicla*), 7,506 individuals representing at least 2.5% of the wintering Western Siberia/Western Europe population (5 year peak mean, 1992/3-1996/7);

- Ringed plover (*Charadrius hiaticula*), 552 individuals representing at least 1.1% of the wintering Europe/Northern Africa - wintering population (5 year peak mean, 1992/3-1996/7); and
- Teal (*Anas crecca*), 4,400 individuals representing at least 1.1% of the wintering Northwestern Europe population (5 year peak mean, 1992/3-1996/7).

The area also qualifies under Article 4.2 of the Directive (79/409/EEC) by regularly supporting at least 20,000 waterfowl:

Over winter, the area regularly supports 53,948 individual waterfowl (5 year peak mean 1991/2 - 1995/6) including: gadwall (*Anas Strepera*), teal, ringed plover, black-tailed godwit, little grebe (*Tachybaptus ruficollis*), great crested grebe (*Podiceps cristatus*), cormorant (*Phalacrocorax carbo*), dark-bellied brent goose, wigeon (*Anas Penelope*), redshank (*Tringa tetanus*), pintail (*Anas acuta*), shoveler (*Anas clypeata*), red-breasted merganser (*Mergus serratori*), grey plover (*Pluvialis squatarola*), lapwing (*Vanellus vanellus*), dunlin (*Calidris alpina alpine*), curlew (*Numenius arquata*) and shelduck (*Tadorna tadorna*).

# Appendix B: Indicative site layout used to inform the Local Plan HRA Addendum


Circa 60 Bed Care Unit
9 Flats
23 Houses

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client NHS Property Services

project Ashurst Hospital
Development of surplus land

title Proposed Indicative Site Layout

| date | scale | paper | drawn | checked |
|---|---|---|---|---|
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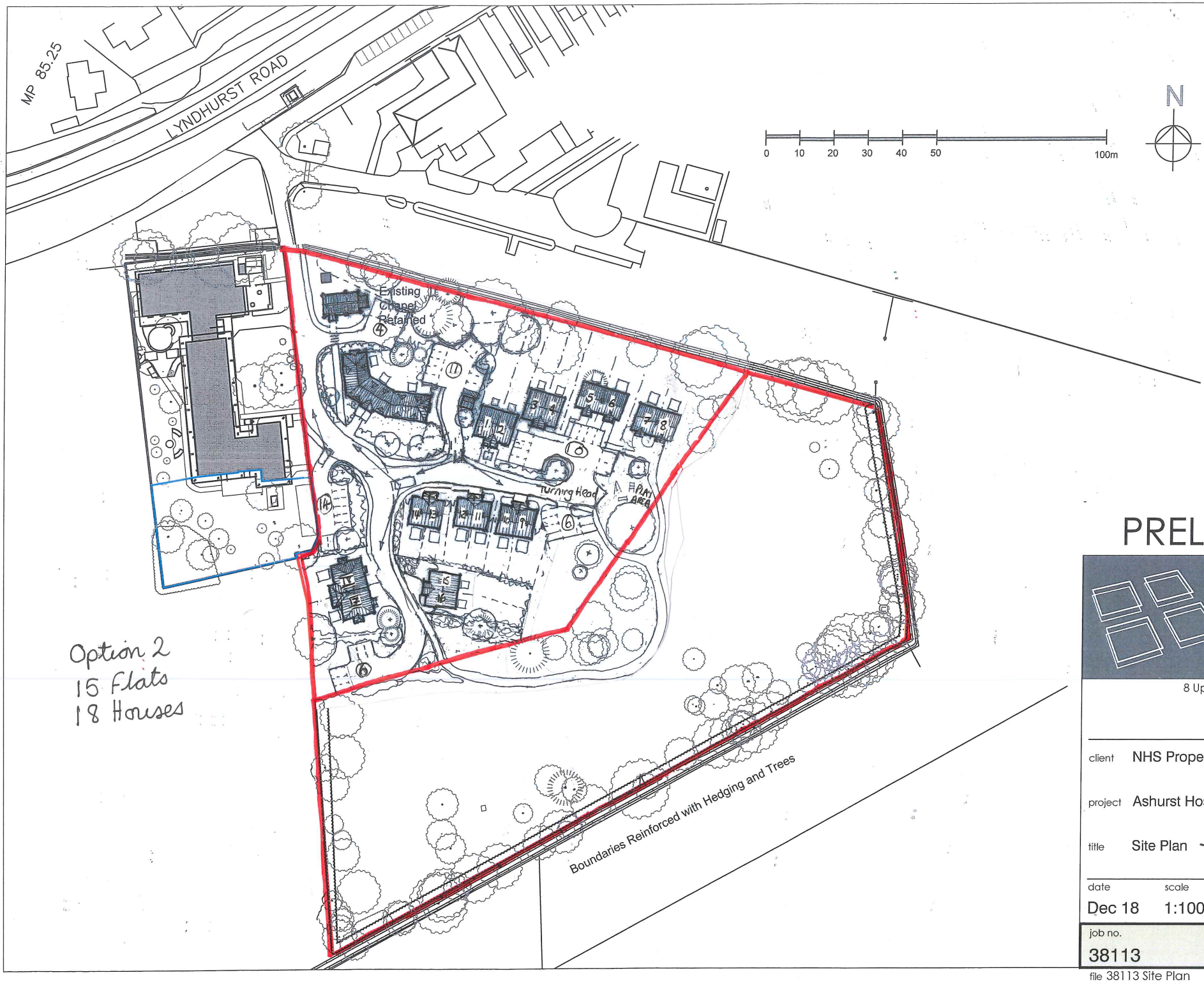
# Appendix C: Indicative site layout used to inform this HRA




Option 2
15 Flats
18 Houses

by checked

# PRELIMINARY

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project Ashurst Hospital Surplus Land

title Site Plan – Option 2

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| Dec 18 | 1:1000 | A3 | - | - |

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