

# **New Forest National Park Partnership Plan 2021-2026**

## **Draft Habitats Regulations Screening Report – Revised Draft Consultation Stage**

June 2021

## **Contents**

### **1. Introduction and background**

**1.1 Introduction – Status of Draft HRA Screening – Consultation Stage version**

**1.2 The New Forest National Park Partnership Plan**

**1.3 The requirement for assessment**

**1.4 Methodology**

### **2. Scoping the assessment**

**2.1 Identifying relevant sites in and around the Partnership Plan area**

**2.2 Conservation objectives of site and impact pathways**

**2.3 Technical scope**

**2.4 In-combination scope**

### **3. Interim Habitats Regulations Assessment of New Forest National Park Partnership Plan draft objectives (without mitigation)**

### **4. HRA Screening Assessment results**

### **5. Appropriate Assessment**

### **6. Conclusions**

# **1. Introduction and background**

## **1.1 Introduction – Status of Draft HRA Screening – Consultation Stage version**

This Draft Habitats Regulations Assessment Screening report is based upon the draft Partnership Plan 2021-2026 being produced for formal public consultation in Summer 2021 following various informal consultation activities with partners during a period of over a year. It is intended to act as a draft to inform decision makers as well as providing evidence for comment by consultees during the formal consultation period.

The document forms the draft final assessment of the content of the Plan and provides explanation of the need for assessment, the scope, impact pathways and views of where plans for action may lead to significant effects. These will be subject to consultation with statutory consultees and wider stakeholders during the consultation period. A final HRA will then be drafted in the light of any comments received and any further changes to inform formal adoption.

## **1.2 The New Forest National Park Partnership Plan**

Section 66 (1) of the Environment Act 1995 establishes that National Parks should produce and publish a plan which formulates its policy for the management of the relevant Park and for the carrying out of its functions.

The 2021-2026 New Forest National Park Partnership Plan is a continuation of the previous Management / Partnership Plans. Many objectives and challenges from the previous Plans are still relevant, which has been reflected by the fact that the Vision has been kept largely the same.

The previous Partnership Plan 2015-2020 included several priority actions of which most were completed. Some actions remain important, and this has been reflected in the updated objectives. However, the Partnership Plan 2021-2026 mainly proposes new themes and objectives for the next five years. These mainly consist of new ideas and initiatives. The objectives included in the Plan will be underpinned and further defined in annual work plans with more detail regarding partners, timelines and resources.

The proposed themes and objectives were chosen because:

- They are directly relevant to the national park purposes and duty and to the special qualities as set out in the 2010 Management Plan (listed in Annex X).
- In general, they relate to newly proposed or recently started initiatives, although many objectives from the previous Partnership Plan are still important and have been picked up through slightly updated objectives in the new Plan.
- The objectives are strategic and will be defined by more precise and specific actions in the subsequent annual action plans.

- They are felt to be a priority by the partner organisations and resources are therefore likely to be found to take them forward.

Although mainly focussed on the National Park area the geographical scope of the actions is not necessarily limited to the Park itself, for example actions may support provision of green infrastructure to provide stepping stones into and out of the Park or help mitigate visitor impacts, for example regarding the Waterside developments.

### 1.3 The requirement for assessment

Article 6(3) of the European Habitats Directive<sup>1</sup> requires that, in the event that a plan or project will result in likely significant effects upon sites under the provision of the Directive responsible bodies should undertake an 'Appropriate Assessment' of their impact upon the integrity of European nature conservation sites. This requirement is still applicable under UK law. Further details on the Habitats Regulations Assessment process and the several distinct stages which must be undertaken in accordance with the Conservation of Habitats and Species Regulations 2017 (as amended) are available in the Government's NPPG resource on ['Appropriate Assessment'](#).

Although Ramsar sites (sites designated in accordance with the Ramsar Convention on wetlands) are not part of this European habitat network, as a matter of government policy and guidance, the same assessment processes are applied to such sites.

Implicit within the wording of the Habitats Directive is the precautionary principle, whereby if an effect upon a designated site is inconclusive or uncertain, a full assessment should still be made. Only where it can be stated conclusively and beyond reasonable scientific doubt that there will be no likely significant adverse effects on designated sites, will it be deemed unnecessary to undertake a full assessment. The NPPG resource on 'Appropriate Assessment' confirms, "*A significant effect should be considered likely if it cannot be excluded on the basis of objective information and it might undermine a site's conservation objectives. A risk or a possibility of such an effect is enough to warrant the need for an appropriate assessment.*" (paragraph 002, reference ID: 65-002-20190722, revised July 2019)

Article 6(3) and the Directive from which it derives does not include a definition of a 'plan'. Subsequent guidance<sup>2</sup> suggests the word 'plan' has a potentially very broad meaning. The New Forest National Park Partnership Plan is not in itself a land-use plan that permits a particular form of development. It could also be argued that it is in part a policy document that establishes an indication of general political will and intention of the Authority and its partners. Guidance<sup>3</sup> suggests that it can be argued that it is not appropriate to consider such documents to constitute 'plans' for the purpose of Article 6(3), particularly if any initiatives deriving from such policy statements must pass through the intermediary of a land-use or sectoral plan.

<sup>1</sup> Directive 92/43/EEC - The Conservation of Natural Habitats and of Wild Fauna and Flora (Habitats Directive)

<sup>2</sup> Managing Natura 2000 Sites: The provisions of Article 6 of the 'Habitats' Directive 92/43/CEE

<sup>3</sup> Para 4.3.2 Managing Natura 2000 Sites: The provisions of Article 6 of the 'Habitats' Directive 92/43/CEE

However, as the National Park Partnership Plan does contain objectives that provide a strategy for implementation through subsequent, more specific projects in the annual action plans, it is considered appropriate to treat the plan as falling within the definition of Article 6(3). Further, it is considered the approach of assessment has merit in forming a tool to highlight ways in which policies and actions can be improved to reflect the first purpose of the National Park during the drafting of the Plan. The screening process also provides an early indication of objectives that may require further assessment at more detailed stages, enabling more streamlined decision making and project planning.

## 1.4 Methodology

The objective of this Habitats Regulations Screening is to ‘screen out’ those plans and projects that could, without any highly detailed appraisal, be said to be unlikely to result in significant adverse effects upon European sites, either alone or in combination with other plans and projects. This allows those remaining policies or actions with likely significant effects to be highlighted for decision makers with the intention that action can be taken during policy formulation to amend policies and avoid effects.

The Partnership Plan 2021-2026 is based upon the vision and strategic actions within the 2010 Management Plan which was subject to successful Habitats Regulations Screening<sup>4</sup>. The vision remains largely unchanged and the special qualities are the same, which underpins the new Plan and therefore form part of its content. The approaches used in the 2010 Management Plan and 2015 Partnership Plan screening have therefore been adopted, rather than repeating the details of full scoping and analysis within this interim report.

Sections 2.1-2.3 of this report provide an overview of how the approach has been applied and highlights any key departures.

All relevant, final reports are available on the National Park’s website:

<https://www.newforestnpa.gov.uk/conservation/partnership-plan/partnership-plan-2015-2020/>

At the time of the interim screening, the timetable for consultation and adoption of the Partnership Plan objectives was anticipated to be as shown below.

<b>Anticipated timetable</b>	
▪ ‘Call for views’ by members, partners and staff	9 <sup>th</sup> February to 31 <sup>st</sup> May 2021
▪ Revisions to the update	June 2021
▪ Public consultation on a revised draft	June to end of August 2021
▪ Further amendments and final version	Autumn 2021

The Plan is now at the third stage, public consultation on a revised draft. This is now due to take place in June 2021. Once comments have been received and any further amendments

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<sup>4</sup> New Forest National Park Authority Park Management Plan HRA Habitat Regulations Assessment January 2010 Scott Wilson

made to the Plan, a final Habitats Screening Assessment will be undertaken to inform objectives formulation and formal adoption.

## **2.0 Scoping the assessment**

### **2.1 Identifying relevant sites in and around the Partnership Plan area**

Best practice guidance<sup>5</sup> on Habitats Regulations Assessment suggests that all European sites within the area of coverage of a plan, together with all those within a 10km buffer zone should be considered as potential receptors for negative effects. In addition to these, other European sites further than 10km from the area of coverage of a plan may also be affected. This is particularly the case where there is potential for developments resulting from the plan to generate water-borne pollutants, or where there are particularly high demands for water resources.

Sites identified within this area relevant to the New Forest National Park Partnership Plan comprised:

- River Avon SAC
- Avon Valley SPA
- Avon Valley Ramsar
- Dorset Heathlands SAC
- Dorset Heathlands SPA
- Dorset Heathlands Ramsar
- The New Forest SAC
- New Forest SPA
- The New Forest Ramsar
- River Itchen SAC
- Solent and Dorset Coast SPA
- Solent and Isle of Wight Lagoons SAC
- Solent Maritime SAC
- Solent and Southampton Water SPA
- Solent and Southampton Water Ramsar

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<sup>5</sup> David Tyldesley and Associates (for English Nature, 2006): *Draft Guidance: The Assessment of Regional Spatial Strategies and Sub-Regional Strategies under the Provisions of the Habitats Regulations.*

## 2.2 Conservation objectives of site and impact pathways

Natural England advises on the Conservation Objectives for designated European Sites (SPAs and SACs). These published objectives help public bodies comply with the law and protect these special wildlife sites. Details of the conservation objectives for the sites identified above can be found at [Natural England Access to Evidence - Conservation Objectives for European Sites](#). The JNCC also publish Information Sheets for Ramsar Wetlands.

Natural England has also produced accompanying Supplementary Advice setting out more detailed advice and information which enables the application and achievement of the Conservation Objectives. The Conservation Objectives and the supporting Supplementary Advice together provide a framework to inform the 'Habitats Regulations Assessments' (which may include an Appropriate Assessment) process undertaken by the competent authority.

Fifteen European sites were included within the scope of this interim screening and of these likely significant effects on one group of designations were screened out, since there was no potential pathway to connect the Plan with those sites. The site screened out was the Dorset Heathlands SAC, SPA and Ramsar: screening concluded that the focus of actions and associated development within the New Forest will mean that impacts upon these sites are unlikely.

The previous National Park Partnership / Management Plan Habitats Regulations Assessment (HRA) work established impact pathways for plan policies and objectives. These were identified with reference to the conservation objectives and evidence base and are considered still to be appropriate for the purposes of assessment. For example, the relevant Site Improvement Plans and conservation objectives for the New Forest, River Avon and Solent designations remain as published at the time of the previous Partnership Plan HRA work. Regard has also been given to subsequent European legal caselaw that has affected the interpretation of the Habitats Regulations Assessment process. This includes: (i) [case C-323/17 People Over Wind & Peter Sweetman v Coillte Teoranta \('People over Wind'\)](#), which clarified that when making screening decisions for the purposes of deciding whether an appropriate assessment is required, competent authorities cannot take into account any mitigation measures; and (ii) case 293/17 Cooperation Mobilisation for the Environment v Verenigin Leefmilieu (Dutch Nitrogen), relating to the impact on the quality of designated water bodies from discharges from certain projects and developments. In addition, the evidence base relating to potential impacts on site integrity for the Solent, New Forest and River Avon designations has also evolved since the previous Partnership Plan HRA work was undertaken. The pathways identified are:

- Urbanisation
- Water resource/quality
- Air quality
- Coastal squeeze (loss or deterioration of habitat extent due to sea level rise acting in combination with coastal defences)
- Recreational disturbance.

## 2.3 Technical scope

Sources of evidence that have been accessed for this appropriate assessment include:

- Solent Disturbance and Mitigation Project Phase II: Predicting the impact of human disturbance on overwintering birds in the Solent. Report to the Solent Forum. Stillman, R. A., West, A. D., Clarke, R. T. & Liley, D. (2012)
- Natura 2000 site Conservation Objectives and Site Improvement Plans, Natural England ;
- Sharp, J., Lowen, J. & Liley, D. (2008) '*Recreational pressure on the New Forest National Park, with particular reference to the New Forest SPA*';
- New Forest National Park Recreation Management Strategy (2010-2030)
- MAGIC mapping and its links to SSSI citations; and the JNCC website for information on Ramsar designations
- (<http://www.magic.gov.uk/>).
- Natural England's 'Advice on achieving nutrient neutrality for new development in the Solent region', June 2020
- Research into recreational use of the New Forest SAC/SPA/Ramsar – Footprint Ecology, 2020
- Discussion and analysis relating to the New Forest SAC/SPA/Ramsar and a zone of influence for recreation' – Footprint Ecology, 2021
- New Forest National Park Authority Local Plan Habitats Regulations Assessments, Land Use Consultants, 2018 and 2019
- Solent Recreation Mitigation Strategy, Bird Aware Solent, 2017
- Memorandum of Understanding River Avon Special Area of Conservation Phosphate Neutral Development - Interim Mitigation, 2018

## 2.4 In-combination scope

For the purposes of this assessment, it was determined that, due to the nature of the identified impacts, the key other plans and projects relevant for in-combination effects relate to the additional housing, transportation, recreational access, flooding and coastal protection and commercial/industrial allocations proposed over the lifetime of the Plan.

The following plans and projects are currently identified for consideration 'in combination' at the screening stage. The review of other plans focussed on land use development plans for local planning authorities adjacent to New Forest National Park in Hampshire, Dorset and Wiltshire; Minerals & Waste development plans; Local Transport Plans; and the findings of any associated HRA work for those plans was also reviewed.

### 3. Interim Habitats Regulations Assessment of New Forest National Park Partnership Plan draft objectives (without mitigation)

<b>Partnership Plan Agendas for actions</b>	<b>New Forest designations</b>	<b>Solent designations</b>	<b>River Avon SAC</b>
1.1 Make more space for nature	Overall no likely significant effect. The current lack of spatial information and project level detail means there is some degree of uncertainty in relation to significance of effects. However, these are considered to be unlikely given the overall intention of the approach in 1.1. HRA and AA is best applied at a project level.	Overall no likely significant effect. The current lack of spatial information and project level detail means there is some degree of uncertainty in relation to significance of effects. However, these are considered to be unlikely given the overall intention of the approach in 1.1. HRA and AA is best applied at a project level	Overall no likely significant effect. The current lack of spatial information and project level detail means there is some degree of uncertainty in relation to significance of effects. However, these are considered to be unlikely given the overall intention of the approach in 1.1. HRA and AA is best applied at a project level
1.2 Enhance natural capital	No likely significant effect. Recommend that the more detailed Partnership Plan actions refer to the strategic opportunity to support management of the designated sites.	No likely significant effect. Recommend that the more detailed Partnership Plan actions refer to the strategic opportunity to support management of the designated sites.	No likely significant effect. Recommend that the more detailed Partnership Plan actions refer to the strategic opportunity to support management of the designated sites.
1.3 Support nature recovery through the new Environmental Land Management Scheme (ELMS)	No likely significant effect. Recommend that the more detailed Partnership Plan actions deliver on the 25 Year Environment Plan's ambition of 'public money for public goods' and supports the National Site Network.	No likely significant effect. Recommend that the more detailed Partnership Plan actions deliver on the 25 Year Environment Plan's ambition of 'public money for public goods' and supports the National Site Network.	No likely significant effect. Recommend that the more detailed Partnership Plan actions deliver on the 25 Year Environment Plan's ambition of 'public money for public goods' and supports the National Site Network.
1.4 Ensure developers deliver a wider range of environmental benefits over and above the full environmental impact of the	No likely significant effect.	No likely significant effect.	No likely significant effect.



proposed development			
1.5 Mitigate recreational pressures	Overall no likely significant effect. The aim of action 1.5 is to protect the integrity of the designated sites from recreational pressures. Within this positive aim, it is acknowledged that some detailed actions could have impacts (depending on their design, spatial aspects and capacity) and therefore site level appropriate assessments are likely to be required.	Overall no likely significant effect. The aim of action 1.5 is to protect the integrity of the designated sites from recreational pressures. Within this positive aim, it is acknowledged that some detailed actions could have impacts (depending on their design, spatial aspects and capacity) and therefore site level appropriate assessments are likely to be required.	Overall no likely significant effect. The aim of action 1.5 is to protect the integrity of the designated sites from recreational pressures. Within this positive aim, it is acknowledged that some detailed actions could have impacts (depending on their design, spatial aspects and capacity) and therefore site level appropriate assessments are likely to be required.
2.1 Establish baseline data and evidence	n/a	n/a	n/a
2.2 Promote nature-based solutions	No likely significant effects.	No likely significant effects.	No likely significant effects.
2.3 Build a New Forest coalition for a Net Zero economy	No likely significant effect.	No likely significant effect.	No likely significant effect.
2.4 Activate communities	No likely significant effect.	No likely significant effect.	No likely significant effect.
2.5 Increase sustainable travel	The overall aim of action 2.5 is to support sustainable travel, rather than increase visitor numbers. However, plans for cycle and walking routes have the potential for physical	The overall aim of action 2.5 is to support sustainable travel, rather than increase visitor numbers. However, plans for cycle and walking routes have the potential for physical	No likely significant effect.

	loss of designated sites and/or increased recreational pressures. Scheme development would need to carefully consider HRA issues in their own project level assessment	loss of designated sites and/or increased recreational pressures. Scheme development would need to carefully consider HRA issues in their own project level assessment	
3.1 Increase green skills and jobs	No likely significant effect.	No likely significant effect.	No likely significant effect.
3.2 Support sustainable land management	No likely significant effect. Recommend that the more detailed actions that follow under 3.2 could include specific reference to enhancing the designated sites.	No likely significant effect. Recommend that the more detailed actions that follow under 3.2 could include specific reference to enhancing the designated sites.	No likely significant effect. Recommend that the more detailed actions that follow under 3.2 could include specific reference to enhancing the designated sites.
3.3 Champion the future of New Forest commoning	No likely significant effect. Recommend that the more detailed actions that follow under 3.3 could include specific reference to enhancing the designated sites.	No likely significant effect. Recommend that the more detailed actions that follow under 3.3 could include specific reference to enhancing the designated sites.	No likely significant effect. Recommend that the more detailed actions that follow under 3.3 could include specific reference to enhancing the designated sites.
3.4 Support New Forest business and green tourism	Likely significant effects unclear. Increased visitor numbers could have negative effects relating to recreational pressures that would need to be addressed separately.	Likely significant effects unclear. Increased visitor numbers and overnight stays could have negative effects relating to recreational and water quality impacts that would need to be addressed separately.	Likely significant effects unclear. Increased phosphate levels associated with new overnight stays could have negative effects on water quality that would need to be addressed separately.
3.5 Increase the availability of affordable housing	Likely effects from recreational disturbance that will require mitigation through relevant schemes. Project level HRA will be required.	Likely effects from recreational disturbance and impacts on water quality that will require mitigation through relevant schemes. Project level HRA will be required.	Likely effects from impacts on water quality that will require mitigation through relevant schemes. Project level HRA will be required.
4.1 Promote health and wellbeing	Increased uptake in cycling and walking (4.1.3) could lead to potential impacts on designated sites.	Increased uptake in cycling and walking (4.1.3) could lead to potential impacts on designated sites.	No likely significant effect.
4.2 Connect people with nature and landscape	Removing barriers to access (4.2.1) could lead to potential recreational impacts on protected sites. Some detailed actions could have impacts (depending on their design, spatial aspects and capacity) and therefore	Removing barriers to access (4.2.1) could lead to potential recreational impacts on protected sites. Some detailed actions could have impacts (depending on their design, spatial aspects and capacity) and therefore	No likely significant effect.

	site level appropriate assessments are likely to be required.	site level appropriate assessments are likely to be required.	
4.3 Lead inclusive place making, celebrate beauty and safeguard our cultural heritage	No likely significant effect.	No likely significant effect.	No likely significant effect.
5.1 Seek to work with a wide range of people in our community and beyond	n/a	n/a	n/a
5.2 Establish strong partnerships and relationships within and beyond boundaries	n/a	n/a	n/a
5.3 Lead the green agenda; seeking to influence, shape and innovate	No likely significant effect	No likely significant effect	No likely significant effect
5.4 Develop a reputation as a 'Centre of Excellence' in our work together for the National Park and wider area	n/a	n/a	n/a

## 4. HRA Screening Assessment results

The HRA screening assessment undertaken in Section 3 confirms that for the majority of the draft Partnership Plan's 'agendas for action' potential impacts on the integrity of the designated sites in and around the New Forest can be screened out. This conclusion is due to the fact that either:

- a) the draft agenda for action would have no impact, or clear 'pathway' to impact, on the designated sites – for example 2.1 - *establish baseline data and evidence*; or
- b) The draft agenda for action is likely to have a beneficial impact on the integrity of the designated sites – for example 1.1 - *making more space for nature*, or 2.2 - *promoting nature-based solutions*.

However, the HRA screening assessment was unable to rule out all potential impacts on the integrity of European sites and therefore an 'appropriate assessment' is required. In accordance with the European legal judgement in *People Over Wind and Sweetman vs Coillte Teoranta* case, the HRA screening undertaken in Section 3 did not factor in potential mitigation measures. The legal judgement concluded that reliance on mitigation measures is not appropriate at the HRA screening stage. The following potential impacts from the Partnership Plan's high level 'agendas for action' have therefore been identified prior to mitigation.

- **New Forest designations** – unable to 'screen out' possible impact pathways on site integrity from recreational impacts. This relates to the Partnership Plan's draft 'agendas for action' relating to increasing sustainable travel (2.5), supporting New Forest business and green tourism (3.4), increasing the availability of affordable housing (3.5), promoting health and well-being (4.1); and connecting people with landscape and nature (4.2).
- **Solent designations** – unable to 'screen out' possible impact pathways on site integrity from recreational impacts and water quality. For recreational impacts this relates to the Partnership Plan's draft 'agendas for action' relating to increasing sustainable travel (2.5); supporting New Forest business and green tourism (3.4); increasing the availability of affordable housing (3.5); promoting health and well-being (4.1); and connecting people with landscape and nature (4.2). In terms of potential impacts pathways on water quality in the Solent designations, the assessment could not screen out potential impacts from the 'agendas for action' relating to supporting New Forest business and green tourism (3.4) and increasing the availability of affordable housing (3.5).
- **River Avon SAC** – unable to 'screen out' possible impacts pathways on site integrity relating to water quality. This relates to the Partnership Plan's draft 'agendas for action' regarding supporting New Forest business and green tourism (3.4) and increasing the availability of affordable housing (3.5).

## 5. Appropriate Assessment

As the HRA screening assessment was unable to screen out all possible impact pathways from the draft Partnership Plan's 'agendas for action', an appropriate assessment is required in relation to a number of types of effect. This assessment is set out below and the right-hand column sets out the mitigation measures available that can be considered in the appropriate assessment process.

### New Forest designations (SAC, SPA, Ramsar)

<b>Partnership Plan agenda for action</b>	<b>Potential Impact pathway prior to mitigation</b>	<b>Mitigation available under appropriate assessment</b>
<i>2.5 Increase sustainable travel</i>	<u>Recreational pressures:</u> The enhancement of recreational routes (e.g. walking and cycling) and/or provision of new routes may increase access to parts of the New Forest's designated sites.	In accordance with the requirements of the Habitats Regulations, a project level HRA and appropriate assessment would be required for schemes that could impact on site integrity and this would factor in site-specific issues and potential mitigation measures. Schemes should have regard to the need to protect the integrity of the designated sites at an early stage in the process and be designed to avoid impacts at source wherever possible.
<i>3.4 Support New Forest business and green tourism</i>	<u>Recreational pressures:</u> Agenda for action 3.4 focuses on green investment and the New Forest Marque and so impacts on site integrity are considered unlikely. However, under the wider agenda of supporting green tourism and the visitor economy there is the potential to increase recreational pressures on the designated sites, for example through increased overnight stays.	The adopted habitat mitigation schemes for both the National Park (2020) and New Forest District (2021) administrative areas require new visitor accommodation to contribute to measures focused on mitigating recreational impacts on the designated sites. In terms of the majority of recreational impacts that do not trigger the need for planning permission, the wider New Forest Recreation

		<p>Management Strategy work seeks to address these.</p> <p>In addition, relevant projects beyond the scope of the planning system must still meet the requirements of the Habitats Regulations and undergo an 'appropriate assessment' at the detailed project stage where appropriate.</p>
<p><i>3.5 Increase the availability of affordable housing</i></p>	<p><u>Recreational pressures:</u> New residential development anywhere in the New Forest National Park has the potential to increase recreational pressures on the designated sites. There are also other potential impacts associated with new housing development, such as urban edge effects.</p>	<p>The adopted habitat mitigation schemes for the National Park (2020) and New Forest District (2021) administrative areas require new housing development (including affordable housing) to contribute to measures focused on mitigating recreational impacts on designated sites.</p> <p>Urban edge effects are primarily addressed through the planning process and decisions on the location of new development, with a tighter approach adopted for new housing development within close proximity to the New Forest's designated sites. Proposals for new housing are required to go through an appropriate assessment at the planning application stage, which allows site specific issues and mitigation to be considered.</p>
<p><i>4.2 Connect people with nature and landscape</i></p>	<p><u>Recreational pressures:</u> This agenda for action seeks to remove barriers to participation and access (physical and perceived), has the potential to</p>	<p>The agenda for action is based on the second National Park purpose of 'understanding' the special qualities of the Forest. The</p>

	<p>increase recreational pressures on the New Forest's designated sites. As part of the next iteration of the Partnership Plan, it would be beneficial to further clarify the focus of this agenda for action. Connecting people with nature and landscape potentially ranges from increased access to the designated sites, to the provision of wildplay areas in more robust locations, and improving rights of way outside designated sites. Some of these would benefit site integrity, while some could potentially negatively impact on it.</p>	<p>Sandford Principle states that where irreconcilable conflicts exist between conservation and public enjoyment in National Parks (i.e. the first and second purpose), then conservation interest should take priority.</p> <p>In line with Government policy and case law, projects coming forward under agenda for action 4.2 should avoid impacts on designated sites through the design and location. A project level HRA and appropriate assessment may also be required for specific schemes.</p>
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### Solent Coast designations (SAC, SPA and Ramsar)

<b>Partnership Plan agenda for action</b>	<b>Potential Impact pathway prior to mitigation</b>	<b>Mitigation available under appropriate assessment</b>
<i>2.5 Increase sustainable travel</i>	<p><u>Recreational pressures:</u> The enhancement of recreational routes (e.g. walking and cycling) may increase access to parts of the Solent Coast's designated sites.</p>	<p>In line with Government policy and case law relating to the avoidance and mitigation hierarchy, projects coming forward under agenda for action 2.5 should avoid impacts on designated sites through the design and location. There may be opportunities to development schemes under action 2.5 that manage pressures by providing alternatives to accessing the designated site. In accordance with the requirements of the Habitats Regulations, a project level HRA and appropriate assessment may also be required for specific schemes.</p>

<p><i>3.4 Support New Forest business and green tourism</i></p>	<p><u>Recreational pressures:</u> Tourism and the visitor economy has the potential to increase recreational pressures on the Solent's designated sites, for example through increased overnight stays.</p> <p><u>Water Quality:</u> Tourism and the visitor economy has the potential to impact on water quality in the Solent, for example through increased overnight stays.</p>	<p><u>Recreational pressures:</u> The adopted habitat mitigation schemes for both the National Park (2020) and New Forest District (2021) administrative areas require new visitor accommodation to contribute to measures focused on mitigating recreational impacts on the designated sites. In addition, relevant projects beyond the scope of the planning system must still meet the requirements of the Habitats Regulations and undergo an 'appropriate assessment' at the detailed project stage where appropriate.</p> <p><u>Water Quality:</u> New overnight accommodation in the Solent catchment is required to demonstrate 'nutrient neutrality' to protect the water quality of the designated sites. Natural England's June 2020 guidance demonstrates how this can be achieved.</p>
<p><i>3.5 Increase the availability of affordable housing</i></p>	<p><u>Recreational pressures:</u> New residential development within 5.6km of the Solent Coast has the potential to increase recreational pressures on the designated sites.</p> <p><u>Water Quality:</u> New residential development in the Solent catchment has an impact pathway to water quality in the designated coastal sites.</p>	<p><u>Recreational pressures:</u> The adopted habitat mitigation schemes for both the National Park (2020) and New Forest District (2021) administrative areas require new housing development (including affordable housing) to contribute to measures focused on mitigating recreational impacts on the designated sites (through the Solent Bird Aware mitigation scheme). Proposals for new housing are also required to go through an appropriate</p>



		<p>assessment at the planning application stage, which allows site specific issues and mitigation to be considered.</p> <p><u>Water Quality</u>: New housing development in the Solent catchment is required to demonstrate 'nutrient neutrality' to protect the water quality of the designated sites. Natural England's June 2020 guidance demonstrates how this can be achieved.</p>
<p><i>4.2 Connect people with nature and landscape</i></p>	<p><u>Recreational pressures</u>: This agenda for action seeks to remove barriers to participation and access (physical and perceived), has the potential to increase recreational pressures on the Solent's designated sites.</p> <p>As part of the next iteration of the Partnership Plan, it would be beneficial to further clarify the focus of this agenda for action. Connecting people with nature and landscape potentially ranges from increased access to the designated sites, to the provision of wildplay areas in more robust locations, and improving rights of way outside designated sites. Some of these would benefit site integrity for the Solent sites, while some could potentially negatively impact on it.</p>	<p>The agenda for action is based on the second National Park purpose of 'understanding' the special qualities of the Forest - including its 26 miles of coastline. The Sandford Principle states that where irreconcilable conflicts exist between conservation and public enjoyment in National Parks (i.e. the first and second purpose), then conservation interest should take priority.</p> <p>In line with Government policy and case law, projects coming forward under agenda for action 4.2 should avoid impacts on the Solent's designated sites through the design and location. A project level HRA and appropriate assessment may also be required for specific schemes.</p>

## River Avon SAC

Partnership Plan agenda for action	Potential Impact pathway prior to mitigation	Mitigation available under appropriate assessment
<i>3.4 Support New Forest business and green tourism</i>	<u>Water Quality</u> : Tourism and the visitor economy has the potential to impact on water quality in the River Avon catchment in relation to increased phosphates, for example through increased overnight stays.	New overnight accommodation in the River Avon catchment is required to demonstrate 'phosphate neutrality' to protect the water quality of the designated site.
<i>3.5 Increase the availability of affordable housing</i>	<u>Water Quality</u> : New residential development in the River Avon catchment has an impact pathway to water quality in the designated sites in relation to increased levels of phosphates.	<u>Water Quality</u> : New housing development in the River Avon catchment is required to demonstrate 'phosphate neutrality' to protect the water quality of the designated site. Proposals for new housing are required to go through an appropriate assessment at the planning application stage, which allows site specific issues and mitigation to be considered.

## 6. Conclusions

This Habitats Regulations Assessment ‘screening’ and subsequent ‘appropriate assessment’ provide a high-level assessment of the draft New Forest National Park Partnership’s Plan’s ‘agendas for action’. It is recognised that the Partnership Plan itself does not authorise or permit development, proposals or projects; and that site-specific proposals would most likely be the subject of an assessment at an appropriate point in the consenting process if there is a risk that they may impact on site integrity. However, by identifying potential impact pathways and ways to avoid or mitigate harmful effects early in the decision-making process, nature recovery can be aided and statutory duties addressed in a timely fashion which allows resources to be targeted at more feasible solutions to objectives

Given the wealth of nature conservation designations in the New Forest National Park and surrounding area, a high-level assessment is considered a proportionate response. This assessment has considered the most up to date information on potential impact pathways on the designated sites and is also consistent with legal case law on the Habitats Regulations Assessment process.

The initial screening assessment – Section 3 of this report - was able to screen out potential impacts from the majority of the draft Partnership Plan agendas for action on the majority of designated sites in and around the New Forest. This is by virtue of the lack of clear potential impact pathways and/or the fact that the agendas for action are likely to result in positive impacts on the integrity of the designated sites. For some matters and potential pathways (such as urban edge effects or air quality) no effects appear likely at this stage, but these issues would need to be considered at the detailed project planning stage.

As highlighted in sections 3 and 4 of this report, it was not possible to screen out all potential impacts on the designated sites prior to mitigation. Therefore for a number of designated sites it was necessary to review potential impact pathways through a proportionate ‘appropriate assessment’. This is set out in Section 5 of this report and it is at this stage of the process that any available mitigation can be factored in. The main conclusions of this appropriate assessment are summarised below.

### **Recreational pressures**

Established mitigation schemes focusing on addressing recreational pressures from new development are in place for the National Park area and the surrounding area of New Forest District. In addition to these adopted, wider recreation management is undertaken by a range of statutory bodies in the New Forest including Forestry England, the National Park Authority, the National Trust and Hampshire County Council. This wider work includes access management within the designated sites, the promotion of alternative recreational areas outside the designated sites, education and awareness raising, monitoring and research. Given that the majority of recreational pressures on the designated sites (Solent

and New Forest) arise from existing visitors (rather than planned new development, which it is estimated will result in an 11% increase in visitor numbers to the New Forest's designated sites by 2036), it is important that this wider recreation management work is sufficiently resourced. Agenda for action 1.5 seeks to mitigate recreational pressures through the development of a spatial plan for recreation and an increase in funding available. The delivery of actions under 1.5 will be essential in managing recreational pressures.

Recreational impacts on the Solent designations arising from new development are addressed through the Solent Bird Aware mitigation strategy. This includes a team of 5 - 7 coastal rangers, communications, marketing and education initiatives; initiatives to encourage responsible dog walking; the provision of new or enhanced greenspaces to divert pressure from the Solent Coast; and site-specific projects to better manage visitors and provide secure habitats for the birds. Wider recreational pressures on the Solent Coast's designated sites are managed by a range of statutory bodies with responsibility for the area, including the National Park Authority, Hampshire County Council and the Hampshire & Isle of Wight Wildlife Trust. As with the New Forest's designated sites, projects delivered under agenda for action 1.5 to mitigate recreational pressures (supported by an increase in funding) will be essential in managing recreational pressures.

*Once these New Forest and Solent mitigation schemes are factored into the appropriate assessment, allied to the wider recreation management work underway, it is concluded that potential recreational pressures arising from the draft Partnership Plan's 'agendas for action' on the integrity of the designated sites can be ruled out, both alone and in combination. The majority of recreational pressures on the designated sites arise from existing visitors (rather than new development) and therefore the wider recreational management partnership work undertaken by statutory bodies in the National Park will be essential in managing pressures. As set out in agenda for action 1.5, it is important that recreational management work is supported by increased funding to ensure it is sufficient to protect the designated sites.*

## **Water Quality Impacts**

The HRA screening and following appropriate assessment highlight a potential impact pathway from the draft Partnership Plan agendas for action supporting tourism and new affordable housing on the water quality of the Solent designations and the River Avon SAC.

Natural England's guidance on achieving nitrate neutrality in the Solent region (June 2020) sets out the methodology for calculating a nitrate budget for proposals, as well as providing details of potential mitigation measures. Development in the River Avon catchment to the west of the New Forest is similarly affected by water quality issues and is required to demonstrate it is 'phosphate neutral'. Competent authorities from across the Solent and River Avon catchments are also working together to address these issues.

These nutrient neutrality schemes address the impacts of new housing and visitor accommodation development on the water quality of the Solent and River Avon designated sites. The evidence base is unclear what impacts increased activity and existing visitors have on water quality in the designated sites. Wider water quality impacts are being addressed through the work of the relevant catchment partnerships (see [New Forest](#)

[Catchment Partnership - Freshwater Habitats Trust](#)[Freshwater Habitats Trust](#); and [Home](#) ([hampshireavoncatchmentpartnership.org.uk](#)). The Environment Agency has also recently announced a planned review of the consent limits at wastewater treatment works in the Solent area. Wider work on reducing nutrients derived from agriculture is being delivered through advice to land managers and also the review of agri-environment schemes.

*Subject to new development proposals meeting the requirement to be 'nutrient neutral' across the Solent and River Avon water catchments; allied to the wider work on land management advice and agri-environment schemes it is concluded that potential impacts on water quality arising from the draft Partnership Plan's 'agendas for action' on the integrity of the designated sites can be ruled out, both alone and in combination.*

It is recognised that the draft Partnership Plan 'agendas for action' are generally strategic and high level. Project-level assessments are therefore likely to be required to assess impact pathways as the annual work programmes are prepared and projects come forward to the detailed design stage, more spatially focused onto specific locations of the New Forest. This assessment also highlights a number of areas where the agendas for action could be strengthened in the next iteration of the Partnership Plan.

**The overall conclusion of the HRA and appropriate assessment of the draft New Forest National Park Partnership Plan is that it will have no adverse impact on the integrity of any European site, either alone or in combination with other plans and projects.**