

Habitat Regulation Assessment (HRA)

Screening Matrix and Appropriate Assessment Statement

PLEASE NOTE: Undertaking the HRA process is the responsibility of the decision maker as the Competent Authority for the purpose of the Habitats Regulations. However, it is the responsibility of the applicant to provide the Competent Authority with the information that they require for this purpose.

HRA drafting date:	06/06/2023
HRA completion date:	28/06/2023
Application reference:	F/23/94668
Application address:	Land east of Knowle Lane, Fair Oak, SO50 7DZ
Application description:	Construction of 5no. general industrial buildings (Use Class B2) containing 15 separate units, including landscaping, parking and associated works.
Lead Planning Officer:	Andy Grandfield
Case Officer:	Rebecca Altman
Please note that all references in this assessment to the 'Habitats Regulations' refer to The Conservation of Habitats and Species Regulations 2017.	

Stage 1 - details of the plan or project	
European site potentially impacted by planning application, plan or project:	River Hamble / Solent Maritime Special Area of Conservation; Solent and Southampton Water Special Protection Area and Ramsar.
Is the planning application directly connected with or necessary to the management of the site (if yes, Applicant should have provided details)?	No. The development consists of the creation of industrial units, which is neither connected to nor necessary to the management of any European site.
Are there any other projects or plans that together with the planning application being assessed could affect the site (Applicant to provide details to allow an 'in combination' effect to be assessed)?	Yes. There have been other recent applications permitted in the locality. All schemes have mitigation measures secured to protect the integrity of the protected areas, and with these mitigation measures in place for all approved schemes, there is not considered to be any likely significant in-combination impact.

Stage 2 - HRA screening assessment
Screening under Regulation 63(1)(a) of the Habitats Regulations – The Applicant to provide evidence so that a judgement can be made as to whether there could be any potential significant impacts of the development on the integrity of the SPA/SAC/Ramsar.
<u>Hydrological impacts – during construction and operation</u>

To the east of the site is a tributary of the River Hamble, which runs into the Solent Maritime Special Area of Conservation; Solent and Southampton Water Special Protection Area and Ramsar. Increased surface water run-off as a result of the development (during construction and operation) would have the potential to increase pollutants into the protected waters of the River Hamble if not properly filtered. This could in turn impact on the conservation objectives of the SAC, SPA and Ramsar sites.

Would the proposal lead to a likely significant effect on European site integrity? YES if no mitigation in place.

(If yes, continue to Stage 3).

Stage 3 - Appropriate Assessment

Appropriate Assessment under Regulation 63(1) - if there are any potential significant impacts, the applicant must provide evidence showing avoidance and/or mitigation measures to allow an Assessment to be made. The Applicant must also provide details which demonstrate any long term management, maintenance and funding of any solution.

The application is supported by a Drainage Assessment Report and Drainage Plans, and an Ecological Statement.

Hydrological impacts – construction and operation phase

The submitted Drainage Assessment Report confirms that surface water would be discharged through a treatment train comprising permeable pavement, swale/vertical filter bed and ponds. The Council's Ecologist has reviewed the drainage proposals and considers that, subject to full details being secured by condition, the proposed drainage system would be acceptable to prevent pollution of the protected waters. Long term management and maintenance would also be secured by condition.

The Environment Agency has also highlighted the risk of pollution from the site entering watercourses during construction, due to a former use of the site as landfill. Much of the site has previously been subject to detailed contaminated land assessments and mitigation, and any required updates to the remedial scheme would be secured by condition. A Construction Environmental Management Plan (CEMP) would also be secured by condition, which would include a requirement to confirm measures for managing surface water pollution during the construction phase.

Therefore, based on the details provided with the application, the Council's Ecologist is satisfied that the approach to surface water drainage would be satisfactory to prevent an adverse impact on the integrity of the protected areas during construction and operation.

Stage 4 – Summary of the Appropriate Assessment (To be carried out by the Competent Authority (the local planning authority) in liaison with Natural England

In conclusion, subject to the imposition of conditions including full details and maintenance of the drainage system and a Construction Environmental Management Plan, the proposal will not have a likely significant effect on protected areas.

This represents the authority's Appropriate Assessment as Competent Authority in accordance with the requirements under Regulation 63 of the Conservation of Habitats and Species Regulations 2017, Article 6 (3) of the Habitats Directive and having due regard to its duties under Section 40(1) of the NERC Act 2006 to the purpose of conserving biodiversity. Consideration of the Ramsar site/s is a matter of government policy set out in the National Planning Policy Framework.