

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:	30/11/2023
HRA completion date:	30/11/2023
Application reference:	RM/23/94858
Application address:	CHALCROFT BUSINESS PARK, BURNETTS LANE, WEST END
Application description:	Approval of Reserved Matters pursuant to hybrid planning permission F/18/83945 giving details of the: a) layout; b) scale; c) appearance; d) landscaping. For a scheme of 6,419 sqm of commercial floor space formed in 3no. buildings. (DUPLICATE APPLICATION 1)
Lead Planning Officer:	Nicholas Parker
Case Officer:	Rachael Morris
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:	Solent and Southampton Special Protection Area (SPA) and Ramsar site. Solent Maritime Special Area of Conservation (SAC). New Forest Special Protection Area SPA, SAC and Ramsar sites.
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 implementation of the Reserved Matters for commercial floorspace, 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)?	It is considered that due to the type and location of the development the proposal could, without mitigation, have a likely significant effect on the River Itchen SAC.

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.

The proposed development has the potential to impact the River Itchen SAC. This comprises of chalk stream and river, fen meadow, flood pasture and swamp habitats and is designated for its habitat and species including the Southern Damselfly, Otter and White-clawed crayfish.

Water Quality

Potential impacts could include:

- a) Contaminants carried to the River Itchen SAC by surface water drainage and surface runoff, including sediment, and oil, salt and heavy metals could have an adverse impact.
- b) Construction which impacts on the watercourse itself, for example through changes to the banks of the Itchen, or to watercourses which feed into the Itchen can have negative impacts on flow rates.

These contaminants may have a negative impact on the life cycles of flora and fauna of the River Itchen SAC. Decrease in flow velocities and increase in siltation oil, salt and heavy metals can result in negative impacts on a variety of species including cover of macrophyte, in particular Water Crowfoot for which the River Itchen is designated.

Potential adverse water quality effects during construction should be addressed by adherence to a construction environment management plan. Details should be included relating to:

- Storage of fuels and chemicals in non-permeable areas
- Safety procedures and mechanisms to ensure no fuel spill during construction
- Diagrammatic and written details of a temporary drainage system with three forms of filtration

Potential adverse water quality effects during operation should be addressed by careful design of a sustainable Urban Drainage System containing three forms of naturalised filtration within the treatment train. The altering of natural watercourses should not be permitted except in exceptional conditions. Positive enhancement of watercourses such as in channel works and creation of meanders should be considered but only after ensuring any impact on the otter population and the EA and NE have been consulted on the scheme. Culverted and canalised waterways should be naturalised whenever it is possible and safe to do so. All waterways within the Itchen catchment should be buffered by 20m from the top of each bank. Headwaters and headwater streams connected to the Itchen or tributaries of the Itchen should be identified within the site and buffered by 20m.

Hydrology

Impacts may occur as a result of changes in hydrology and increases or decreases of the water flow into the Itchen. Degradation of the flora and fauna communities and associated riparian habitats due to significant increases or decreases in water flows or abstraction levels.

Hydrological survey to ascertain water flows throughout the site. Safeguards to ensure natural drainage pathways are mirrored within the development. Changes in water flow could be addressed by ensuring that the development does not exceed existing greenfield sites runoff levels.

Would the proposal lead to a likely significant effect on European site integrity? YES

(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.

Assessment

Condition 8, 10, 11, 13, 14, 24, and 25 from the original permission F/18/83945 ensure that appropriate construction management and ecological management is in place, as well as surface water drainage. As well as conditions, there is a Section 106 legal agreement for obligations including for a SINC Management Plan, which has already been provided.

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, the application will have a likely significant effect on the European protected Solent SPA, SAC and Ramsar sites in the absence of avoidance and mitigation measures. The authority has concluded that the adverse effects arising from the proposal can be mitigated through construction and environmental management plans. It can therefore be concluded that there will be no adverse effect on the integrity of the designated sites identified above. This represents the authorities Appropriate Assessment as Competent Authority in accordance with 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 (Sept 2023).