

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:	31/10/2023
HRA completion date:	31/10/2023
Application reference:	F/23/95753
Application address:	5-7 ALLINGTON LANE, FAIR OAK, EASTLEIGH, SO50 7DA
Application description:	Erection of 1.no 3-bedroom bungalow with associated parking following the demolition of existing garages and severing of land
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 a net increase of 1no. residential dwellings, 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. All new housing development within 5.6km of the Solent SPAs is considered to contribute towards an impact on site integrity as a result of increased recreational disturbance in combination with other development in the Solent area. There have been other recent applications permitted in the locality. All schemes have mitigation measures secured, and with these mitigation measures in place for all approved schemes, there is not considered to be any likely significant in-combination impact. The PUSH Spatial Position Statement (https://www.push.gov.uk/work/planning-and-infrastructure/push-position-statement/) sets out the scale and distribution of housebuilding which is being planned for across South Hampshire up to 2034.

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.

Recreational disturbance:

The proposed development is outside of the 13.8km catchment zone for the New Forest National Park measured across Southampton Water but is within the screening zone.

The proposed development is outside 5.6km of the collectively known European designated areas Solent SPAs/Ramsar sites.

Nutrient neutrality:

There is existing evidence of high levels of nitrogen and phosphorus input into the Solent complex and that these nutrients are causing eutrophication at these designated sites. Natural England, through their published document '*Advice on achieving nutrient neutrality for new development in the Solent region for local planning authorities*', have advised that the resulting effects arising from this eutrophication cause dense green mats of algae which are impacting on the Solent's protected habitats and bird species and that wastewater from housing development has been identified as contributing to these nutrient inputs.

There is the potential for future housing developments (which involve a net increase in dwellings) across the Solent region to further exacerbate these impacts and thereby create a risk to the potential future conservation status of the Solent Complex and the features for which it is designated, therefore acting against the stated conservation objectives of the European sites.

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.

Recreational disturbance on the New Forest designated sites:

The project being assessed would result in an increase of 1 dwelling within approximately 18km (11.2 miles) drive of the edge of the New Forest National Park via the M27. The site is also approx. 10km of the new Windhover Meadows Country Park currently under construction and being created as New Forest mitigation SANGS, as well as 12km from Manor Farm Country Park and 4.5km from Itchen Valley Country Park. These destinations will be more convenient for dog walkers and walkers and provide a good range of experiences, thereby providing an attractive alternative to driving to the New Forest.

The proposed development is outside of the 13.8km catchment zone for the New Forest National Park, measured across Southampton Water, but is within the screening zone. As this is a

development for only 1.no dwelling, it is not considered this would create unacceptable recreational harm to the New Forest National Park that requires mitigation.

Nutrient neutrality:

The project being assessed would result in a net increase of 1no. dwellings which would be served by the Chickenhall Wastewater Treatment Works which ultimately feed into the Solent. A nutrient budget for the scheme has been produced in line with Natural England's published guidance with this demonstrating a net change in nitrogen load from the development of an additional 3.16kg/TN/year and phosphorus of an additional 0.07kg/TN/year. This calculation is on the basis of 110 litres of water use per person per day which would be secured by way of a planning condition applied to new residential development by the local planning authority.

The impacts of this increase in nitrogen and phosphorous load are such that the development would have a likely significant effect on the Solent designated sites due to the increase in wastewater. In order to be lawfully permitted, therefore, a package of avoidance and mitigation measures are required.

The mitigation for this development will be through the applicant purchasing nitrate credits from the Eastleigh Borough Council nitrates mitigation scheme. Eastleigh Borough Council has 3773 spare credits (1 credit = 1 kilogram of nitrates per year), which are provided across 238 hectares of council-owned land. To date the nitrate credits being made available by Eastleigh Borough Council are all through the cessation of farming practices, although in future further credits may be generated from proactive interventions such as creation of wetland, planting of woodland, installation of nitrate retaining SUDs features, or similar. In addition, the Council also has a limited number of phosphate credits (147) available for purchase within the Itchen catchment, at a cost of £50,000 per credit plus VAT.

Upon purchasing the credits, the applicant will receive a vesting certificate that will identify the nitrate credits, which have been assigned to the development and a record of this investment is retained by the Council. The purchase of credits is then secured by condition.

Where the Council proposes to use its own land holdings to offset development as mitigation with appropriate land management, the Council commits to the land being secured in perpetuity (i.e. 80 years). For those offsetting sites that are ultimately intended for development, the Council will ensure these will not be developed until equivalent mitigation that has been agreed with Natural England is provided and secured.

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 a contribution towards the Solent Recreation Mitigation Strategy (SRMS) and the offsetting of the additional nitrogen loading and New Forest Recreation impacts from the new development against land elsewhere within the Borough which is within the control and ownership of the Council and will be secured in perpetuity as open space and by the approved interim strategy which secures contributions. 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 (September 2023).