

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:	03/04/2024
HRA completion date:	17/04/2024
Application reference:	O/23/96467
Application address:	Land adjoining Chalcroft Business Park, Burnetts Lane, West End, SO30 2HH
Application description:	Outline application for up to 3,410m ² of commercial floorspace (Use Classes E(g)(ii), E(g)(iii) and B8) to include farm shop (Use Class E(a)) of up to 325m ² , parking and yard areas (including accessible spaces), landscape buffers and acoustic mitigation. Formation of vehicular and pedestrian access to estate road. Access considered only.
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:	River Itchen SAC, Solent and Southampton Special Protection Area (SPA) and Ramsar site. Solent Maritime Special Area of Conservation (SAC).
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 involves the erection of a business/industrial park, 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. 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.

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

Construction

Otter, white clawed crayfish and fish (particularly salmon) have been identified as sensitive receptors for the SAC which could be affected by construction activities through increased sedimentation or pollution/spillage events.

Excavation and disturbance of the ground during construction present risks of fine particle sediment mobilisation and run off, and other construction related activities such as the temporary stockpiling of topsoil and subsoil which could also wash away if unconsolidated and unprotected and wheel washing facilities for plant and vehicles leaving the construction site.

A Construction Environmental Management Plan (CEMP) to include protection from surface water drainage, sediments and other water pollution shall be conditioned. This will reduce potential for indirect run-off into the River Itchen SAC.

Measures detailed in the CEMP will include (but not be limited to):

- Installing physical barriers around earthwork areas This will be undertaken by creating silt traps and with the installation of silt fencing, designed to slow overland flow, ensure sediments cannot enter the water course, and to protect retained habitat as much as possible.
- Ensuring any areas of surface water ponding/pooling within work compounds/enclosures must be contained and not allowed to spill over into surface water features or the culverted area in the north of the site.
- Ensuring earthworks do not take place on days with heavy rainfall forecasted or very dry days that would emit significant dust from the site.

The CEMP scope and measures will be agreed with EBC ecologists before the condition is discharged.

Operational

A Sustainable Urban Drainage System is proposed on site. Hampshire County Council, acting as the lead local flood authority, have suggested a condition requiring details on the surface water drainage, in line with the submitted Flood Risk Assessment, which would include sufficient water quality measures to satisfy the methodology in CIRIA SuDS Manual S753. In addition, a condition requiring detail on long term maintenance is suggested. Both of these suggested conditions will be imposed.

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. Appropriate mitigation for construction will be conditioned. 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 (Dec 2023).