

Neighbourhood Plans - 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 Qualifying Body to provide the Competent Authority with the information that they require for this purpose.**

Stage 1 - Details of the plan or project	
Neighbourhood Plan:	Southbourne Modified Neighbourhood Plan Submission Modified Plan 2014-2029 (January 2023)
No of houses indicated by Chichester Local Plan for the Neighbourhood Plan Area:	<p>The adopted Chichester Local Plan: Key Policies 2014-2029 identified in Policy 20 a strategic level of development for Southbourne of 300 homes; in addition, Policy 5 identified a parish housing figure (excluding Southbourne village) of 50. These figures have subsequently been met.</p> <p>The Southbourne Modified Neighbourhood Plan Submission Modified Plan 2014-2029 (January 2023) is being considered against the adopted Local Plan.</p> <p>The new Local Plan has been published for consultation under regulation 19 and includes a Broad Location of Development for Southbourne for 1,050 homes as part of a mixed use development. Subject to the Local Plan examination, sites will then be identified either by way of a Site Allocations DPD or a review of the neighbourhood plan.</p>
No of houses proposed by the Neighbourhood Plan:	The Southbourne Modified Neighbourhood Plan Submission Modified Plan 2014-2029 (January 2023) Policy SB2 allocates land at Cooks Lane for a residential scheme of 199 homes. Planning permission was granted on appeal on this site in March 2020 with reserved matters approved in August 2022.
Will the Neighbourhood Plan result in a net increase in residential development?	See explanation above
Other than residential development, what other key policy areas does the plan cover?	<p>Policy SB12 Land for Expanding Education &amp; Recreational Use allocates land to the west of Bourne Community College for outdoor recreational uses, and for any ancillary buildings related to the recreation use subject to a number of criteria.</p> <p>The draft plan also includes policies for protecting and supporting community facilities, managing design and heritage in key areas of the parish, green and blue infrastructure, local green spaces, biodiversity, trees, woodland and hedgerows, achieving dark skies as well as</p>

	policies for mitigating climate change and reducing the impact of development on the environment.
Status of Neighbourhood Plan:	Draft submission documents submitted and accepted by Chichester District Council.  Regulation 16 CDC public consultation 2 March to 14 April 2023.
European site potentially impacted - Is the plan area within:	
<ul style="list-style-type: none"> <li>• 5.6km radius of a Chichester and Langstone Harbours SPA</li> <li>• 3.5km of Pagham Harbour SPA</li> <li>• 6.5km or 12km of Ebernoe Common SAC / The Mens SAC / Singleton and Cocking Tunnels SAC</li> <li>• 400m or 5km of Wealden Heaths Phase 2 SPA</li> <li>• The Chichester Harbour Fluvial Catchment</li> <li>• An area served by a Wastewater Treatment Plant that discharges to Chichester Harbour</li> </ul>	<p>Yes</p> <p>No</p> <p>Yes – a small part of the parish lies within 12km of Singleton and Cocking Tunnels SAC</p> <p>No</p> <p>Yes</p> <p>Yes (Thornham WwTW)</p>
Are any allocations within any of the above zones of influence?	The modified plan does not make any new allocations above those in the local plan or that have planning permission already. Any windfall development will have an impact through recreational disturbance and nutrient neutrality and mitigation will have to be provided. Such development may have an impact on SAC bats depending on location (12km zone) and whether the designated bat species are present on or near the site.
Are there any other projects or plans that together with the plan being assessed could affect the site?	Yes – all other NPs within the Chichester Harbour fluvial catchment (nutrients) and the 5.6km zone of influence (recreation disturbance). This includes those in Havant Borough and in South Downs National Park.
Lead Planning Officer: Valerie Dobson (Principal Planning Policy Officer)	

## Stage 2 - HRA screening assessment

**Test 1: The Significance Test** – The Qualifying Body 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 location of the Parish on Chichester and Langstone Harbour SPA / Ramsar site means that mitigation will be required for all new residential development both for recreational disturbance and for nutrient neutrality. The suitability of this mitigation cannot be assessed at this stage

therefore the Modified NP will need to progress to an Appropriate Assessment. The impact on SAC bats is so site specific that mitigation is only needed where site surveys show that Barbastelle and /or Bechstein's bats are present on or near to any windfall development, and then only in the small part of the Parish within the 12km zone.

**Stage 2 Conclusion** - Would the proposal (without mitigation) lead to likely significant effects on the integrity of a European Site? **YES.**

The initial scoping of impact pathways and relevant European sites identified that the following issues require consideration in the HRA:

Recreational Pressure

- Chichester and Langstone Harbours SPA / Ramsar
- Solent Maritime SAC

Water Quality

- Chichester and Langstone Harbours SPA / Ramsar
- Solent Maritime SAC

Water Level

- Chichester and Langstone Harbours SPA / Ramsar
- Solent Maritime SAC

Loss of Functionally Linked Habitat

- Chichester and Langstone Harbours SPA / Ramsar

Atmospheric Pollution

- Chichester and Langstone Harbours SPA / Ramsar
- Solent Maritime SAC

Likely significant effects on Singleton and Cocking Tunnels SAC can be screened out at this stage due to the small area of the Parish within the very edge of the 12km zone.

This screening assessment concludes that the information required for an Appropriate Assessment of the Southbourne Modified Neighbourhood Plan 2014-2029 will be required from the qualifying body (Southbourne Parish Council) before Chichester District Council as the competent authority can complete the Appropriate Assessment of the Southbourne Modified Neighbourhood Plan Submission Modified Plan 2014-2029. This is supplied through the report "Habitats Regulations Assessment of the Southbourne Neighbourhood Plan Review" prepared by AECOM on behalf of Southbourne Parish Council and dated July 2022.

(If yes, continue to Stage 3)

### Stage 3 - HRA – Appropriate Assessment

**Test 2: The Integrity Test** – If there are any potential significant impacts, the competent authority must be satisfied that adequate mitigation is in place to allow the AA to be carried out. Other than for Bird Aware Solent and the Joint Pagham Scheme of Mitigation, the competent authority must also be satisfied that all details which demonstrate any long term management, maintenance and funding of any solution have been provided.

Note: Throughout this appropriate assessment reference should be made to the report "Habitats Regulations Assessment of the Southbourne Neighbourhood Plan Review" prepared by AECOM on behalf of Southbourne Parish Council and dated July 2022. This provides more detailed information that informs this AA, including the full listing of the qualifying features of the sites.

That document concludes:

“7.1 This report to inform the HRA assessed the potential of the SNP to result in LSEs and, where applicable, adverse effects on the integrity of the Solent Maritime SAC and Chichester and Langstone Harbours SPA / Ramsar. It considered the impact pathways recreational pressure, water quality, water quantity, level and flow, loss of functionally linked habitat and atmospheric pollution. LSEs of Policy SB2 (Land North of Cooks Lane, Southbourne) regarding recreational pressure and atmospheric pollution were excluded on the basis that the allocation has received outline planning consent and the accompanying HRA would have had to address these threats. However, an analysis to inform the Appropriate Assessment in relation to the impact pathways water quality, water level and loss of functionally linked habitat was undertaken. The following paragraphs summarise the main findings and conclusions of this assessment.

7.2 Natural England has identified that the European sites in the Solent are under threat from excessive macroalgal growth and associated eutrophication. Therefore, all strategic development plans in the catchment of the wider Solent area are required to achieve nitrogen neutrality. The 199 dwellings allocated under Policy SB2 (Land North of Cooks Lane, Southbourne) will increase the volume of treated sewage effluent discharged from Thornham WwTW, with the potential for negative impacts on the Solent Maritime SAC and Chichester & Langstone Harbours SPA / Ramsar 'alone'. Notwithstanding this, the nutrient calculation for the allocation shows that it will result in a deficit of 19.39 kg TN/ha/yr, primarily due to the conversion of cereal cropping to urban residential land use. Overall, it is concluded that mitigation measures are not required and the SNP will not result in adverse effects on the integrity of Solent's European sites.

7.3 The only element of the SNP with the potential to impact the water quantity, level and flow in the Solent is the land allocated under Policy SB11 for educational and recreational uses, including ancillary buildings. This policy is likely to increase the coverage of impermeable surfaces in the parish, increasing the volume and velocity of surface water runoff into the Solent. However, a potential for adverse effects on site integrity was excluded based on the small additional volume of surface runoff likely to be generated, the relatively long distance to the SAC and SPA / Ramsar (approx. 1.2km) and the protective policy framework contained in the CDLP (Policies 40 and 42).

7.4 Policy SB11 (Land for Expanding Education & Recreational Uses) allocates a greenfield site to the west of Bourne Community College for various outdoor uses. A review of the SWBGS mapping data indicates that this habitat comprises part of a Secondary Support Areas (C45) for Solent's wader and brent geese populations, which is especially important in years where qualifying species are more abundant or the number of juveniles is higher. The SWBGS stipulates that the loss of or damage to SSAs should be avoided and on-site mitigation provided where possible. However, the assessment concludes that the importance of C45 to overwintering populations is relatively low (compared to Core Areas and Primary Support Areas), and that supporting habitat loss would be relatively small (approx. 5.1ha of the total area of C45 of 63.45ha) and intermittent (foraging use could resume between use of pitches by sports clubs). Overall, adverse effects of the SNP on the Chichester and Langstone Harbours SPA / Ramsar regarding the loss of functionally linked habitat were excluded”

Chichester District Council concurs with and adopts the conclusions of the HRA report submitted by the qualifying body.

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

**Conclusion**

Having considered the proposed mitigation and avoidance measures to be provided in-perpetuity through:

- Contributions to Bird Aware Solent to deliver mitigation for recreational disturbance
- A nutrient budget assessment of Site SB2 demonstrating that mitigation is not required
- Provision of Green Infrastructure “the Green Ring”
- Provision of SUDS for new Development
- The continues accessibility to Brent Geese and Waders of the site allocated by Policy SB11 for outdoor leisure and sport uses

Chichester District Council concludes that with mitigation the plan will not have an Adverse Effect on the Integrity of the European protected sites.

Having made this appropriate assessment of the implications of the plan for the sites in view of those sites’ conservation objectives, and having consulted Natural England and fully considered any representation received (see below), the authority may now give effect to the land use plan under regulation 105 of the Conservation of Habitats and Species Regulations 2017.

**Natural England Officer:**

Summary of Natural England’s comments:

Natural England concur with Chichester District Council’s conclusions. The Neighbourhood Plan itself clearly states that it makes no provision for new housing although policy SB2 allocates land at Cooks Lane for 199 dwellings. However, both outline and reserved matters permissions have already been granted for this development so any Habitats Regulations issues should have been picked up at the project level.

While the submission (Reg 19) version of the overarching Chichester Local Plan allocates 1,050 homes for Southbourne as a ‘broad location for development’ this Neighbourhood Plan does not provide any further detail on this which will come via either a Site Allocations DPD or Neighbourhood Plan review.

Date: 12 April 2023

Does the submission version Southbourne Modified Neighbourhood Plan Submission Modified Plan 2014-2029 (January 2023) require amending as a result of Natural England’s comments?

YES/NO

The Neighbourhood Plan does not does require any alterations.

If ‘YES’, what needs to change?