

## 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.**

Neighbourhood Plan:	Plaistow and Ifold Neighbourhood Plan
No houses indicated by Local Plan for Neighbourhood Plan Area:	10
No houses proposed by the Neighbourhood Plan:	11
Will the Neighbourhood Plan result in a net increase in residential development?	<b>YES</b>
Status of Neighbourhood Plan:	Pre-Submission (pre Regulation 15)
Is the plan area within 5.6km radius of a Chichester Harbour SPA or 3.5km of Pagham Harbour SPA?	<b>NO</b>
Are any allocations within the Plan Area, within either of the above zones of influence for a SPA/SAC/Ramsar site?	<b>NO</b>
Lead Planning Officer: Lucy Hill, Neighbourhood Planning Officer	

Stage 1 - details of the plan or project	
Is an European site potentially impacted by the plan:	<b>NO</b>
Other than for allocations / policies where recreational disturbance is the only mechanism of impact (where the impact is always in combination with other residential developments), are there any other plans that together with the neighbourhood plan being assessed could affect the site? (Qualifying Body to provide details to allow an 'in combination' effect to be assessed)	<b>NO</b>

## 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.

Following the recent CJEU “Sweetman II” ruling, we can no longer take into account any avoidance and mitigation measures as part of the neighbourhood plan at this stage of HRA. For plans where recreational disturbance is the only mechanism of impact, Natural England’s advice is that such plans without mitigation will have a likely significant effect on the SPAs in combination with other residential development in the zones of influence. Therefore such plans, even where compliance with Local Plan policies 50 and 51 will ensure mitigation is delivered, will progress to Stage 3.

For other potential mechanisms of impact (e.g. direct loss of habitat, water runoff etc.) does the evidence submitted show a likely significant effect, without mitigation measures (either alone or in combination with other plans or projects) **NO**

(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.

The likely effectiveness and long-term financial robustness of both Bird Aware Solent and the Joint Pagham Scheme of Mitigation have already been examined by Natural England, so the neighbourhood plan does not need to provide any additional evidence on these aspects. Instead evidence should be submitted that mitigation contribution payments will be made as set out in local plan policies:

Also, to ensure that evidence is provided demonstrating:

- any potential pathways for likely significant effects to occur as a result of a neighbourhood plan allocation or policies; and/or
- any increase in visitor numbers to the Pagham Harbour and Chichester and Langstone Harbours SPAs which would increase the likelihood of significant effects.

And, the possible mitigation measures (such as provisions of policies 50 and 51) to ensure that the overall integrity of the site(s) is not adversely affected.

What are the direct and indirect effects? (E.g. recreational impact is indirect, surface water drainage is direct). These are likely to be addressed at planning application stage.

[The suggested text below to be used only for those neighbourhood plans where mitigation of recreational disturbance is the sole issue and that mitigation is proposed through one or other of the existing local authority managed schemes]

**[DELETE AS APPROPRIATE] – Where none, state none.**

[Section 1: supporting text]

Conservation objectives for the site

**NONE**

[Section 2; Assessment Matrix (Chichester and Langstone Harbours SPA)]

Identification of the potential effects and their impacts on the Conservation Objectives

Potential Effect	Site Conservation Objective(s)	Qualifying features	Potential for Impact?	Relevant Mitigation Measures
Decrease in survival rates and populations of over-wintering birds due to increase in disturbance, caused by increasing human population ( in combination with other plans and projects)	Maintain or restore the population of each of the qualifying features.  Maintain or restore the distribution of the qualifying feature within the site.	All for Chichester and Langstone Harbours SPA.	No.	N/A
Direct loss of habitat	Maintain or restore the extent and distribution of the habitats of the qualifying features.	All for Chichester and Langstone Harbours SPA.	No.	N/A.

[Section 2; Assessment Matrix (Pagham Harbour SPA and Medmerry Compensatory Habitat)]

Potential Effect	Site Conservation Objective(s)	Qualifying features	Potential for Impact?	Relevant Mitigation Measures
Decrease in survival rates and populations of over-wintering and breeding birds due to increase in disturbance, caused by increasing human population ( in combination with other plans and projects)	Maintain or restore the population of each of the qualifying features.  Maintain or restore the distribution of the qualifying feature within the site.	All for Pagham Harbour SPA	No.	N/A
Direct loss of habitat	Maintain or restore the extent and	All for Pagham Harbour SPA and all habitats	No.	N/A.

	distribution of the habitats of the qualifying features.	at Medmerry		
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#### 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

Chichester District Council concludes that although the neighbourhood plan proposes more housing than indicated for the Parish by the Chichester Local Plan, due to the location of the Plaistow and Ifold neighbourhood plan area, exceeding 5.6km from the Chichester and Langstone Harbours and Pagham Harbour SPAs, the neighbourhood plan will not have an Adverse Effect on the Integrity of the European protected site(s), by way of direct impact or by way of recreational impact.

Having made this appropriate assessment of the implications of the Plaistow and Ifold neighbourhood plan for the site(s) in view of that (those) site(s)'s conservation objectives, and having consulted Natural England and fully considered any representation received (see below), the authority may now agree to the neighbourhood plan under regulation 105 of the Conservation of Habitats and Species Regulations 2017.

Natural England Officer:

Summary of Natural England's comments:

Natural England agrees with the conclusion of the assessment undertaken by Chichester District Council. The Plaistow and Ifold Neighbourhood Plan is not likely to adversely affect any European site.

Alison Giacomelli  
Lead Adviser, Sussex and Kent Area Team  
17 July 2018

Does the Plaistow and Ifold neighbourhood plan require amending as a result of Natural England's comments?

**YES/NO**

If 'YES', what needs to change?