

Draft Habitats Regulations Assessment (HRA)

Application reference:	15/00340/OUT
Application address:	Former Oaklands School (Oasis Academy Lordshill) Fairisle Road Southampton SO16 8BY
Application description:	Redevelopment of the site to provide 103 dwellings in two and three storey buildings (41 flats, 62 houses) with associated access, parking and landscaping (involves diversion of existing cycleway and footway - outline application seeking approval for access, layout, scale and landscaping)
HRA completion date:	15 th September, 2015

HRA completed by:
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Summary
<p>The project being assessed would lead to the construction of 103 dwellings with associated access, parking and landscaping within 2km of the Solent and Southampton Water SPA/Ramsar site and Solent Maritime SAC and 8km of the New Forest SAC, SPA and Ramsar site.</p> <p>The application site is a former school within the centre of Lordshill. The distance between the designated sites and the application site mean that temporary construction phase impacts will not occur. There is a risk however, that during the operational phase, recreation activity, in-combination with recreational activity arising from other residential developments in south Hampshire could adversely affected the designated birds and habitats.</p> <p>The findings of the initial assessment concluded that a significant effect was likely through one impact pathway. A detailed appropriate assessment was therefore conducted on the proposed development. Following consideration of mitigation measures designed to remove any risk of a significant effect on the identified European sites, it has been concluded that the significant effects which are likely in association with the proposed development can be overcome.</p>

Section 1 - details of the plan or project	
<p>European sites potentially impacted by plan or project:</p> <p>European Site descriptions are available in Appendix I of the City Centre Action Plan's Habitats Regulations</p>	<ul style="list-style-type: none"> ▪ New Forest Special Protection Area ▪ New Forest Ramsar site ▪ Solent Maritime Special Area of Conservation

<p>Assessment Baseline Evidence Review Report, which is on the city council's website at</p>	<p>(SAC)</p> <ul style="list-style-type: none"> ▪ Solent and Southampton Water Special Protection Area (SPA) ▪ Solent and Southampton Water Ramsar Site ▪ The New Forest Special Area of Conservation (SAC)
<p>Is the project or plan directly connected with or necessary to the management of the site (provide details)?</p>	<p>No – the development consists of an increase in residential dwellings which are neither connected to, nor necessary for, the management of any European site.</p>
<p>Are there any other projects or plans that together with the project or plan being assessed could affect the site (provide details)?</p>	<ul style="list-style-type: none"> ▪ Southampton Core Strategy (amended 2015) (http://www.southampton.gov.uk/policies/Amended-Core-Strategy-inc-CSPR-%20Final-13-03-2015.pdf) ▪ City Centre Action Plan (http://www.southampton.gov.uk/planning/planning-policy/adopted-plans/city-centre-action-plan.aspx) ▪ South Hampshire Strategy (http://www.push.gov.uk/work/housing-and-planning/south_hampshire_strategy.htm) <p>The South Hampshire Strategy plans for 55,200 new homes, 580,000m² of office development and 550,000m² of manufacturing or distribution floor space across the South Hampshire area between 2011 and 2026.</p> <p>Southampton aims to provide a total of 16,300 net additional dwellings across the city between 2006 and 2026 as set out in the Amended Core Strategy.</p> <p>Whilst the dates of the two plans do not align, it is clear that the proposed housing is part of a far wider reaching development strategy for the South Hampshire sub-region which will result in a sizeable increase in population.</p>

Regulation 68 of the Conservation of Habitats and Species Regulations 2010 (as amended) (the Habitats Regulations) is clear that the assessment provisions, i.e. Regulation 61 of the same regulations, apply in relation to granting planning permission on an application under Part 3 of the TCPA 1990. The assessment below constitutes the city council's assessment of the implications of the development described above on the identified European sites, which is set out in Regulation 61 of the Habitats Regulations.

Section 2 - Assessment of implications for European sites

Test 1: the likelihood of a significant effect

This test is to determine whether or not any possible effect could constitute a significant effect on a European site as set out in Regulation 61(1) (a) of the Habitats Regulations.

The proposed development is located 1950m to the north east of a unit of the Solent and Southampton Water SPA/Ramsar site and Solent Maritime SAC. It is also approximately 7.3km from The New Forest SAC, SPA and Ramsar site.

A full list of the qualifying features for each site is provided in appendix 1 at the end of this report. The development could have implications for these sites which could be permanent arising from the on-going impact of the development when built.

The development is located a significant distance from all of the listed European sites. As a consequence, there is a negligible risk of adverse impacts from the construction phase.

During the operational phase there is a risk that, in-combination with other residential developments, recreational disturbance could occur.

A number of avoidance and mitigation measures are set out in the planning application and the Former Oaklands School Fairisle Road - Planning Application, Statement to Inform (Amenity & Recreation), Updated 18 August 2015, and are as follows:

- The creation of 0.75ha of private amenity space and 0.19 of public open space.
- Contribution of £17,716 (£172 x 103) to the Solent Recreation Mitigation Project;
- Improved signage directing new residents to a range of different areas of public open space within 20 minutes walk of the development.
- Production of an online map showing the location of local parks and open spaces
- Provision of a welcome pack to new residents illustrating local walking and cycling routes.

Conclusions regarding the likelihood of a significant effect

This is to summarise whether or not there is a likelihood of a significant effect on a European site as set out in Regulation 61(1)(a) of the Habitats Regulations.

The project being assessed would lead to up to 103 additional dwellings within a short travel distance of the Solent and Southampton SPA/Ramsar site and the New Forest SAC/SPA/Ramsar site.

The site is currently vacant and the buildings have been demolished. The previous use as a school would have generated significant levels of noise, traffic and water demand but very little recreational activity beyond the immediate vicinity. The proposed development is likely to lead to new permanent impacts as a result of an increase in recreational pressure and as such the precautionary principle applies.

The applicant has provided details of several avoidance and mitigation measures which are intended to reduce the identified impacts. However, without more detailed analysis, it is not possible to determine whether the proposed measures are sufficient to reduce the identified impacts to a level where they could be considered not to result in a significant effect on the identified European sites. Overall, there is the potential presence of permanent impacts which could be at a sufficient level to be considered significant. As such, a full appropriate assessment

of the implications for the identified European sites is required before the scheme can be authorised.

Test 2: an appropriate assessment of the implications of the development for the identified European sites in view of those sites' conservation objectives

The analysis below constitutes the city council's assessment under Regulation 61(1) of the Habitats Regulations

TEMPORARY, CONSTRUCTION BASED EFFECTS

There will be no construction phase impacts due to the distance between the application site and the European sites.

PERMANENT, OPERATIONAL PHASE IMPACTS

Recreational disturbance

Solent and Southampton Water SPA/Ramsar site

Research undertaken through the Solent Disturbance and Mitigation Project (SDMP) indicated that increases in recreational activity at SPA locations have the potential to result in mortality in the SPA bird populations due to increased disturbance. For a review of the in-depth analysis which has taken place on this issue at the Solent, please see the Solent Disturbance and Mitigation Project:

(http://www.solentforum.org/forum/sub_groups/Natural_Environment_Group/Disturbance_and_Mitigation_Project/). A key outcome of the research was that residential development occurring within 5.6km of the Solent and Southampton Water SPA/Ramsar site (the distance within which 75% of visits originate) could lead to a likely significant effect as a consequence of disturbance from recreation.

At 1.95km the development site is clearly within the 5.6km buffer zone. It can therefore be concluded that the population increase which will occur as a consequence of the proposed development is likely to lead to an increase in recreational activity at SPA locations.

The development includes the creation of an area of public open space however, it is not designed to avoid a recreational impact on the SPAs. There remains therefore, an effect when considered in combination with other development in the area.

The SDMP identified a number of costed mitigation measures to reduce recreational disturbance arising from increased levels of recreational activity. A figure of £172 per residential unit was agreed by planning authorities across south Hampshire, and adopted by Southampton City Council, to enable delivery of the mitigation measures. The applicant intends to make a payment of £17,716 (172 x 103) to the Solent Recreation Mitigation Partnership (successor to the SDMP), secured through an appropriate legal agreement, which will ensure that potential adverse effects arising from recreational development can be avoided.

Providing the proposed mitigation can be secured there are no implications from increased recreation on the SPA designations, even accounting for other plans and projects.

Solent Maritime SAC

There are no anticipated adverse impacts on this site arising as a consequence of the proposed development.

New Forest SAC/SPA/Ramsar site

The New Forest National Park attracts a high number of visitors (13.3 million annually), and is notable in terms of its catchment, attracting a far higher proportion of tourists and non-local visitors than similar areas such as the Thames Basin and Dorset Heaths. Research undertaken by Footprint Ecology, (Sharp, J., Lowen, J. and Liley, D. (2008) Changing patterns of visitor numbers within the New Forest National Park, with particular reference to the New Forest SPA. Footprint Ecology.), indicates that 40% of visitors to the area are staying tourists, whilst 25% of visitors come from more than 5 miles (8km) away. The remaining 35% of visitors are local day visitors originating from within 5 miles (8km) of the boundary.

The report states that the estimated number of current annual visits to the New Forest is predicted to increase by 1.05 million annual visits by 2026 based on projections of housing development within 50km of the Forest, with around three quarters (764,000) of this total increase originating from within 10km of the boundary (which includes Southampton).

The application site is located 7.3km from the nearest part of the New Forest SAC, SPA and Ramsar site in terms of linear distance and, as such, residents of the proposed development are likely to be local day visitors. The Footprint Ecology research indicates that visitors within this group make an average of 45 visits per year to the New Forest. Recreational pressure arising from the development on its own therefore is unlikely to be significant. However, bearing in mind the high level of new housing planned across South Hampshire there is potential for it to be significant in-combination with other residential developments.

Provision of alternative green space.

Recreational pressure such as that arising from the urban areas of south Hampshire is not unique. The Thames Basin Heaths (TBH) SPA is an extensive network of heathlands, straddling Hampshire, Surrey and Berkshire, which is surrounded by existing urban development with a growing population.

Concerns were raised by English Nature, now Natural England, that recreational activity on the TBH heathlands could lead to a decline in population levels of the breeding bird species for which the SPA was designated. This led to the development of a series of mitigation measures which were brought together into a delivery framework. This framework was endorsed by the Thames Basin Heaths Joint Strategic Partnership Board, which includes Natural England, and adopted by the affected Local Authorities.

A key measure within this framework is the provision of Suitable Alternative Natural Green Space (SANGS) which provides new residents with recreation space of similar type, i.e. countryside, but lower ecological sensitivity than the designated sites. The framework indicated that SANGS could be new or existing open space and that there should be a minimum of 2ha within 2km of the new development.

The Thames Basin Heaths support similar habitats and breeding bird species to those found in the New Forest SPA/Ramsar site. It would therefore be reasonable to conclude that the provision of SANGS would provide appropriate mitigation for recreational impacts arising from the proposed development at the former Oaklands School site.

SANGS within Lordshill

The proposed development includes 0.19ha of public open space however, this is only expected to provide opportunities for children to play close to their homes. Further measures to meet more general recreation demand will therefore be required.

The Lordshill area of Southampton, in which the development site is located, is fortunate in possessing a range of existing open space with features typical of SANGS, namely woodland,

meadows, ponds, streams and non-tarmac footpaths. There is scope therefore to encourage new residents to make use of these existing public open spaces to meet much of their recreation needs.

A postal survey conducted as part of an Open Space Study (unpublished) in support of the current review of the Southampton Local Plan indicated that 88% of visits made by Southampton residents to the New Forest were made by car with only 6% by bicycle and 1% by bus. This suggests that if the new residents at the development site were to make visits to the countryside by foot or bicycle the New Forest is unlikely to be the destination.

The opportunity to persuade new residents to walk or cycle to SANGS is high with the development site lying within 20 minutes walking distance of five areas of public open space. These open spaces offer a variety of recreation opportunities ranging from organised sports to 'countryside' visits. Details of each site are contained within the following table:

Site	Type of Open Space	Area	Distance
Bakers Drove	Natural green space	5.8ha	140m
Bakers Drove comprises an open meadow with a small area of woodland and a pond. It has a relatively a rural feel and is located just four minutes walk from the development site.			
Lordshill Recreation Ground	Sports pitches and informal recreation	17.5ha	250m
Lordshill Recreation Ground is a sports ground catering for a mix of different sports located within a 6 minute walk from the development site. Whilst the majority of the recreation ground is laid to formal pitches, informal recreation such as dog walking and walking generally are also possible.			
Lordswood Greenway	Natural green space	30.8ha	615m
<p>The Lordswood Greenway contains a range of different habitats including woodland, meadows, streams and ponds. There is an existing a network of paths which includes a public bridleway. This open space, which is a 10 walk minute from the development site, provides a genuine countryside experience.</p> <p>The northern section of the greenway lies within an area of woodland that has been included in a proposed Forest Park. Although there is currently no defined timeframe, once fully implemented the Forest Park will provide residents with access to an extensive area of woodland for informal recreation.</p>			
Nursling Plantation	Natural green space and formal recreation ground	4ha	750m
Nursling Plantation provides formal play opportunities for children together with picnic and general recreational areas. In addition, there is an area of woodland suitable for informal recreation such as walking. The site is a 13 minute walk away from the Former Oaklands site or a 7 minute cycle journey. The route is along formal cycle paths making access easy and safe.			
Lordsdale Greenway	Natural green space	22.5ha	1400m
The Lordsdale Greenway provides a mix of woodland with meadow, stream and wetland areas. More enclosed than the Lordswood Greenway, it nevertheless provides a similar countryside type experience. The greenway is within a 20 minute walk of the development site.			

A map showing the locations of these five open spaces, which are all within the ownership of

Southampton City Council, is contained in Appendix 2. Public ownership will guarantee access and enable enhancements to be delivered without delay.

Access from the development site.

Unsurprisingly, as a former school, the development site is already well connected to cycling and walking routes, see map 2 in appendix 3. Journey times, which are detailed in the earlier table, are no more than 20 minutes for the most distance site. In addition, map 3, in appendix 4, shows that the routes to the open spaces are predominately along landscaped and/or quiet paths making them more attractive for walkers and cyclists.

Raising awareness of local recreation opportunities

The locations of the open spaces are not immediately obvious from the development site. It is therefore proposed to install signage within the development indicating the direction and distance of each open space. Similarly, at each open space there will be further signs indicating the location of specific features and the direction back to the development.

To raise awareness of the open spaces and the facilities they have available a leaflet will be produced. This leaflet will include a map showing locations and safe routes to each open space and will include information about the wildlife, landscape and heritage features of the sites. It will also highlight opportunities for dog walking, play and formal sports. The leaflet will be provided to new residents as part of a welcome pack and will also be made available to existing residents via the City Council's website.

Cost of the signage

The cost of the signage is follows:

Development site: 1 large sign:	£3000
Each open space: 2 per site, (10 in total)	£2000
Leaflet: design and small print run	£1000
Total costs of signage - £24,000 + VAT.	

Financial contributions necessary to fund the cost of signage will be secured through an appropriate legal agreement,

With the new signage in position the recreational opportunities available at the Lordshill open spaces will be clearly evident to new and existing residents thus helping to divert recreational activity away from the New Forest. This will ensure that potential adverse impacts on the designated sites, arising from increased recreational demand as a consequence of the development, can be avoided.

Conclusions regarding the implications of the development for the identified European sites in view of those sites' conservation objectives

This report has assessed the available evidence regarding the potential impact pathways on the identified European sites. It has also considered the effectiveness of the proposed mitigation measures. It has been shown that, provided that the proposed mitigation measures are implemented, **the significant effects which are likely in association with the proposed development can be overcome**. The proposed mitigation measures, which are summarised below, should be secured through a legal agreement or planning conditions:

- A financial contribution to the SRMP
- Provision of signage within the development and at 5 local open spaces

- Development of a leaflet providing information on local open spaces and routes to them.

As a result, there should not be any implications as a result of this development in relation to either the conservation objective of the SPAs to "avoid the deterioration habitats of the qualifying features, and the significant disturbance of the qualifying features, ensuring that the site is maintained and the site makes a full contribution to achieving the aims of the Birds Directive" or to the conservation objective of the SACs to, "Avoid the deterioration of the qualifying natural habitats and the habitats of qualifying species, and the significant disturbance of those qualifying species, ensuring the integrity of the site is maintained and the site makes a full contribution to achieving Favourable Conservation Status of each of the qualifying features."

Appendix 1

European Site Qualifying Features

Solent and Southampton Water SPA

Solent and Southampton Water SPA qualifies under Article 4.1 of the Birds Directive by supporting breeding populations of European importance of the following Annex I species:

- Common Tern *Sterna hirundo*
- Little Tern *Sterna albifrons*
- Mediterranean Gull *Larus melanocephalus*
- Roseate Tern *Sterna dougallii*
- Sandwich Tern *Sterna sandvicensis*

The SPA qualifies under Article 4.2 of the Birds Directive by supporting overwintering populations of European importance of the following migratory species:

- Black-tailed Godwit *Limosa limosa islandica*
- Dark-bellied Brent Goose *Branta bernicla bernicla*
- Ringed Plover *Charadrius hiaticula*
- Teal *Anas crecca*

The SPA also qualifies under Article 4.2 of the Birds Directive by regularly supporting at least 20,000 waterfowl, including the following species:

- Gadwall *Anas strepera*
- Teal *Anas crecca*
- Ringed Plover *Charadrius hiaticula*
- Black-tailed Godwit *Limosa limosa islandica*
- Little Grebe *Tachybaptus ruficollis*
- Great Crested Grebe *Podiceps cristatus*
- Cormorant *Phalacrocorax carbo*
- Dark-bellied Brent Goose *Branta bernicla bernicla*
- Wigeon *Anas penelope*
- Redshank *Tringa tetanus*
- Pintail *Anas acuta*
- Shoveler *Anas clypeata*
- Red-breasted Merganser *Mergus serrator*
- Grey Plover *Pluvialis squatarola*
- Lapwing *Vanellus vanellus*
- Dunlin *Calidris alpina alpina*
- Curlew *Numenius arquata*

- Shelduck *Tadorna tadorna*

Solent and Southampton Water Ramsar Site

The Solent and Southampton Water Ramsar site qualifies under the following Ramsar criteria:

- Ramsar criterion 1: The site is one of the few major sheltered channels between a substantial island and mainland in European waters, exhibiting an unusual strong double tidal flow and has long periods of slack water at high and low tide. It includes many wetland habitats characteristic of the biogeographic region: saline lagoons, saltmarshes, estuaries, intertidal flats, shallow coastal waters, grazing marshes, reedbeds, coastal woodland and rocky boulder reefs.
- Ramsar criterion 2: The site supports an important assemblage of rare plants and invertebrates. At least 33 British Red Data Book invertebrates and at least eight British Red Data Book plants are represented on site.
- Ramsar criterion 5: A mean peak count of waterfowl for the 5 year period of 1998/99 – 2002/2003 of 51,343
- Ramsar criterion 6: The site regularly supports more than 1% of the individuals in a population for the following species: Ringed Plover *Charadrius hiaticula*, Dark-bellied Brent Goose *Branta bernicla bernicla*, Eurasian Teal *Anas crecca* and Black-tailed Godwit *Limosa limosa islandica*.

Solent Maritime SAC

The Solent Maritime SAC qualifies under Article 3 of the Habitats Directive by supporting the following Annex I habitats:

- Estuaries (primary reason for selection)
- *Spartina* swards (*Spartinion maritimae*) (primary reason for selection)
- Atlantic salt meadows (*Glauco-Puccinellietalia maritimae*) (primary reason for selection)
- Sandbanks which are slightly covered by sea water all the time
- Mudflats and sandflats not covered by seawater at low tide
- Coastal lagoons
- Annual vegetation of drift lines
- Perennial vegetation of stony banks
- *Salicornia* and other annuals colonising mud and sand
- Shifting dunes along the shoreline with *Ammophila arenaria* (“white dunes”)

Solent Maritime SAC qualifies under Article 3 of the Habitats Directive by supporting the following Annex II species:

- Desmoulin's whorl snail *Vertigo moulinsiana*

The New Forest SAC

The New Forest SAC qualifies under Article 3 of the Habitats Directive by supporting the following Annex I habitats:

- Oligotrophic waters containing very few minerals of sandy plains (*Littorelletalia uniflorae*) (primary reason for selection)
- Oligotrophic to mesotrophic standing waters with vegetation of the *Littorelletea uniflorae* and/or of the *Isoëto-Nanojuncetea* (primary reason for selection)
- Northern Atlantic wet heaths with *Erica tetralix* (primary reason for selection)
- European dry heaths (primary reason for selection)
- *Molinia* meadows on calcareous, peaty or clayey-silt laden soils (*Molinion caeruleae*) (primary reason for selection)
- Depressions on peat substrates of the *Rhynchosporion* (primary reason for selection)
- Atlantic acidophilous beech forests with *Ilex* and sometimes also *Taxus* in the shrublayer

- (Quercion robori-petraeae or Ilici-Fagenion) (primary reason for selection)
- Asperulo-Fagetum beech forests (primary reason for selection)
- Old acidophilous oak woods with Quercus robur on sandy plains (primary reason for selection)
- Bog woodland (primary reason for selection)
- Alluvial forests with Alnus glutinosa and Fraxinus excelsior (Alno-Padion, Alnion incanae, Salicion albae) (primary reason for selection)
- Transition mires and quaking bogs
- Alkaline fens

The New Forest SAC qualifies under Article 3 of the Habitats Directive by supporting the following Annex II species:

- Southern Damselfly Coenagrion mercurial (primary reason for selection)
- Stag Beetle Lucanus cervus (primary reason for selection)
- Great Crested Newt Triturus cristatus

The New Forest SPA

The New Forest SPA qualifies under Article 4.1 of the Birds Directive by supporting breeding populations of European importance of the following Annex I species:

- Dartford Warbler Sylvia undata
- Honey Buzzard Pernis apivorus
- Nightjar Caprimulgus europaeus
- Woodlark Lullula arborea

The SPA qualifies under Article 4.2 of the Birds Directive by supporting overwintering populations of European importance of the following migratory species:

- Hen Harrier Circus cyaneus

New Forest Ramsar Site

The New Forest Ramsar site qualifies under the following Ramsar criteria:

- Ramsar criterion 1: Valley mires and wet heaths are found throughout the site and are of outstanding scientific interest. The mires and heaths are within catchments whose uncultivated and undeveloped state buffer the mires against adverse ecological change. This is the largest concentration of intact valley mires of their type in Britain.
- Ramsar criterion 2: The site supports a diverse assemblage of wetland plants and animals including several nationally rare species. Seven species of nationally rare plant are found on the site, as are at least 65 British Red Data Book species of invertebrate.
- Ramsar criterion 3: The mire habitats are of high ecological quality and diversity and have undisturbed transition zones. The invertebrate fauna of the site is important due to the concentration of rare and scarce wetland species. The whole site complex, with its examples of semi-natural habitats is essential to the genetic and ecological diversity of southern England.