# Habitats Regulations Assessment (HRA)

Application reference:	15/02401/FUL	
Application address:	536-540 Portswood Road, Southampton	
Application description:	Redevelopment of the site. Demolition of the existing buildings and erection of two linked buildings of 5 and 6 storeys above basement to provide 199 units of student residential accommodation with associated communal living spaces, landscaping and parking.	
HRA completion date:	22/03/2016	

HRA completed by:	
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#### Summary

The project being assessed would lead to the provision of student halls of residence with a total of 199 bedspaces located approximately 1.8km from the Solent and Southampton Water Special Protection Area (SPA)/Ramsar site and approximately 8.5km from the New Forest SPA/Ramsar site.

The site is currently used as a showroom and storage site by a company selling bathrooms, showers, swimming pools and hot tubs. It is located a significant distance from the European sites and as such construction stage impacts will not occur. Concern has been raised however, that the proposed development, in-combination with other residential developments across south Hampshire, could result in recreational disturbance to the features of interest of the New Forest SPA/Ramsar site and the Solent and Southampton Water SPA/Ramsar site.

The findings of the initial assessment concluded that a significant effect was possible. A detailed appropriate assessment was therefore conducted on the proposed development. Following consideration of a number of avoidance and 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.** 

Section 1 - details of the plan or project				
European sites potentially impacted by plan or project: European Site descriptions are available in Appendix I of the City Centre Action Plan's Habitats Regulations Assessment Baseline Evidence Review Report, which is on the city council's website at	<ul> <li>New Forest Special Protection Area (SPA)</li> <li>New Forest Ramsar site</li> <li>Solent and Southampton Water SPA</li> <li>Solent and Southampton Water Ramsar Site</li> </ul>			
Is the project or plan directly connected	No – the development consists of new student			

with or necessary to the management of the site (provide details)?	accommodation which is neither connected to, nor necessary for, the management of any European site.
Are there any other projects or plans that together with the project or plan being assessed could affect the site (provide details)?	<ul> <li>Southampton Core Strategy (amended 2015) (http://www.southampton.gov.uk/policies/Amend ed-Core-Strategy-inc-CSPR-%20Final-13-03- 2015.pdf</li> <li>City Centre Action Plan (http://www.southampton.gov.uk/planning/planni ng-policy/adopted-plans/city-centre-action- plan.aspx</li> <li>South Hampshire Strategy (http://www.push.gov.uk/work/housing-and- planning/south_hampshire_strategy.htm)</li> <li>The South Hampshire Strategy plans for 55,200 new homes, 580,000m<sup>2</sup> of office development and 550,000m<sup>2</sup> of manufacturing or distribution floorspace across the South Hampshire area between 2011 and 2026.</li> <li>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.</li> <li>Whilst the dates of the two plans do not align, it is clear that the proposed development of 536-540 Portswood Road is part of a far wider reaching development strategy for the South Hampshire sub- region which will result in a sizeable increase in population and economic activity.</li> </ul>

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 1.8km to the north east of a section of the Solent and Southampton Water SPA and Solent and Southampton Water Ramsar Site whilst the New Forest SPA and New Forest Ramsar site are approximately 8.5km to the south.

A full list of the qualifying features for each site is provided at the end of this report. The

development could have implications for these sites which could be permanent arising from the operational phase of the development.

The ecology report, 'Preliminary Ecological Appraisal' ECOSA (Dec 2015) submitted in support of the planning application acknowledged the potential for recreational impacts upon the Solent and Southampton Water SPA/Ramsar site but did not consider impacts on the New Forest sites. Subsequent to this, further information supplied by the applicant and detailed in a briefing note, 'Further Information In Relation to New Forest Sites' ECOSA (Feb 2016), addressed potential recreational impacts upon the New Forest sites.

The following mitigation measures, which are set out in the briefing note, have been proposed as part of the development:

- Information on public transport plus pedestrian and cycle route maps will be provided;
- The development will incorporate 100 secure cycle parking spaces;
- A restrictive tenancy barring students from bringing their own cars will be used. Breaching this clause will result in termination of the tenancy.
- A restrictive tenancy barring students from keeping dogs
- A contribution to the Solent Recreation Mitigation Partnership of £3671

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 the provision of a total of 199 bedspaces for students located approximately 1.8km from Solent and Southampton SPA/Ramsar site and 8.5km from the New Forest SPA/Ramsar site.

The site is currently used as a showroom and storage site by a company selling bathrooms, showers, swimming pools and hot tubs. It is located a significant distance from the European sites and as such construction stage impacts will not occur. Concern has been raised however, that the proposed development, in-combination with other residential developments across south Hampshire, could result in recreational disturbance to the features of interest of the New Forest SPA/Ramsar site.

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 for 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

The identified potential effects are examined below to determine the implications for the identified European sites in line with their conservation objectives and to assess whether the proposed avoidance and mitigation measures are sufficient to remove any potential impact.

In order to make a full and complete assessment it is necessary to consider the relevant conservation objectives. These are available on Natural England's web pages at

### http://publications.naturalengland.org.uk/category/6528471664689152 .

The conservation objective for Special Protection Areas is to, "Avoid the deterioration of the habitats of the qualifying features, and the significant disturbance of the qualifying features, ensuring the integrity of the site is maintained and the site makes a full contribution to achieving the aims of the Birds Directive."

Ramsar sites do not have a specific conservation objective however, under the National Planning Policy Framework (NPPF), they are considered to have the same status as European sites.

### **TEMPORARY, CONSTRUCTION PHASE EFFECTS**

The designated sites are all located a substantial distance away from the development site and are therefore outside the zone of influence of construction activities. As a consequence, there will be no temporary, construction phase effects.

### PERMANENT, OPERATIONAL EFFECTS.

#### New Forest 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 8.5km from the nearest part of the New Forest SPA and Ramsar site in terms of linear distance and as such, students resident in the proposed development would fall into the category of non-local day visitors.

### Characteristics of visitors to the New Forest

In addition to visitor numbers, the report, "Changing patterns of visitor numbers within the New Forest National Park", 2008 also showed that:

- 85% of visitors to the New Forest arrive by car.
- 23% of the visitors travelling more than 5 miles come from the Southampton/Eastleigh area (see para 2.1.1).
- One of the main reasons for visiting the National Park given in the 2005 Visitor Survey was dog walking (24% of visitors Source New Forest National Park Visitor survey 2005).
- Approximately 68% of visitors to UK National Parks are families. (Source:www.nationalparks.gov.uk).

The majority of the visitors to New Forest locations arriving from Southampton could therefore be characterised as day visitors, car-owners, in family groups and many with dogs. Whilst students may fall within the first two of the above bullet points they are unlikely to have dogs or visit as part

### of a family group.

# Occurrence of students

The peak period for visitor numbers in the New Forest National Park is the summer, Sharp, J., Lowen, J. and Liley, D. (2008), which also coincides with the critical breeding period of woodlark, nightjar and Dartford Warbler which are features of interest of the New Forest SPA. Although students would be able to remain in occupation within their accommodation throughout the year (tenancies would be for a complete year) many, particularly undergraduates, will vacate their accommodation and return home over the summer period.

There is no direct evidence of the extent to which students contribute to visitor numbers to the New Forest National Park. However, the characteristics of typical visitors to the New Forest are consistent with an analysis of visitors to the North York Moors National Park in 2002 which showed that skilled manual workers, poor retired couples, young single parents and students were more likely to use the local Moorsbus Network but were poorly represented in surveys at car parks (Countryside Recreation News April 2002, "Missing Persons - who doesn't visit the people's parks". Bill Breaker).

It would therefore be reasonable to conclude that there are likely to be very low numbers of students visiting the New Forest, particularly during the sensitive summer period.

### Car ownership and accessibility

Data gathered as part of the visitor survey undertaken by Footprint Ecology in 2008 clearly indicated that the majority of visitors travel to the New Forest by car. The proposed development will have just 17 parking places which include two disabled places and three for staff use. The remaining 12 will be available for students to rent. In addition, there is very limited uncontrolled parking available within the vicinity of the site with all suitable parking areas being residential permitted schemes. A restrictive tenancy would be used to prevent any parties other than those renting a space from being able to bring any vehicle other than a cycle on to site. On this basis the development can reasonably be described as virtually car free.

Car parking on the campuses of both universities is very limited. Southampton Solent University (SSU) does not have any on campus parking whilst the University of Southampton (UoS) is seeking to further reduce levels of car use from the current 4.6% down to 4.2% by 2015 (UoS Travel Plan)

Students will therefore be expected to travel around Southampton on foot, bicycle and public transport. To support this the development will provide:

- A Travel Plan Coordinator;
- Pedestrian route information, cycle route maps and public transport information;
- 100 cycle parking spaces
- A restrictive tenancy barring students from bringing their own cars. Breaching this clause will result in termination of the tenancy.

The Framework Travel Plan indicates that there are 3 bus services passing within 150 metres of the site, including Uni-link buses, which enable easy travel to both universities. The site is therefore highly accessible to residing students.

The high level of accessibility and the restrictive tenancies therefore mean that it is very unlikely that the residents have access to cars.

# Dogs

One of the primary issues associated with ground nesting bird disturbance and recreation is dog walking. The residents at the site will not be permitted to keep pets and therefore, there will be no increase in the disturbance to nesting birds due to dog walking as a result of the development.

# **Recreation options for students**

Students at both universities have extensive opportunities to access sports and recreational facilities and are positively encouraged to make use of these. Details of the University of Southampton facilities can be found at the following web address:

http://www.southampton.ac.uk/assets/imported/transforms/content-

block/UsefulDownloads\_Download/67A7C84E3D424F08B28A6E76CADD46E5/2015-16%20Sport%20and%20Wellbeing%20Brochure.pdf . Southampton Solent University has two major sports centres in the city centre, extensive playing fields at Test Park Sportsground, Fitness Centres and access to a range of local sports clubs and recreational facilities (details available on SSU) website http://www.solent.ac.uk/sport/facilities/facilities-home.aspx ).

In addition, Southampton benefits from an extensive network of common land, green corridors, city and district parks and local green spaces, which provide opportunities for quiet recreation of the type available to visitors to the New Forest. In particular, there are three semi-natural open spaces within easy walking distance (<2km) and two within cycling distance (<4km) of the development site:

Riverside Park	650m
Daisy Dip	1km
Southampton Common	1.3km
Itchen Valley County Park	3.9km
Lakeside Country Park	2.75km

Southampton Common, a 125 hectare natural green space in the heart of the city, is only 20 minutes walking distance from the application site. Just to the north of the Common lie the Outdoor Sports Centre, Southampton City Golf Course, and the Alpine Snow Centre which provide opportunities for organised and informal recreation activities. Outside the city centre are the Greenways, a series wooded stream corridors which connect a number of open spaces. The four most significant of these, Lordswood, Lordsdale, Shoreburs and Weston, are within easy cycling distance of the development site and provide extended opportunities for walking and connections into the wider countryside.

The waterfront of the River Itchen is a 10 minute walk to the north east of the site and allows access to the Itchen Way which runs in a northerly direction along the Itchen Navigation to Winchester. The general accessibility of the site to a wide range of services gives residents the opportunity to walk on a regular basis.

The road network close to the application site is suitable for cycling. The Southampton Cycle Map indicates that there are quiet routes on the western site of Portswood Road providing access to the University of Southampton's Highfield campus whilst Portswood Road is a medium traffic

route that provides access to the Southampton Solent University's city centre sites. These routes link the development site with Southampton Common (10 min) and the National Cycle Route 23 which passes through Southampton. It is reasonable to expect that students will make use of the many leisure activities and commercial centres of Southampton.

The availability of good quality and accessible open space described above, combined with sport and recreation facilities at both universities, reduces the likelihood that students would travel to the New Forest for recreational purposes.

#### Visiting the New Forest National Park using public transport

The linear distance to New Forest SPA/Ramsar site is approximately 8.5km however, by road the distance is somewhat longer. The shortest route, using the Hythe Ferry, is 11.2km whilst the closest section when travelling purely by road is approximately 13km. It is unlikely, therefore, that visits made on foot or by bicycle will a frequent occurrence.

Should students choose to visit the National Park using public transport they are unlikely to find it a straight forward proposition. Direct travel from the development site is not possible. The first stage of a visit requires a journey to Southampton Central Station or the bus interchange in the city centre. Bus services into the city centre are frequent however, train travel requires a 10min walk to Swaythling or St Denys station from where there are just two direct trains an hour.

Travelling onward from Southampton city centre, the destinations for train and bus services are the urban centres which, aside from Beaulieu Road, lie outside the New Forest SPA/Ramsar site. Once at these locations further travel is required to reach the designated site. Table 1 below provides details of the train services available from Southampton Central Railway Station.

Destination	Service frequency	Journey time
	(outside of peak hours)	
Ashurst	1 service per hour	10 mins
Beaulieu Road	6 services between 0900- 1800	14 mins
Lyndhurst	No service	
Brockenhurst	4 services per hour	16 mins
Lymington	2 services per hour (change at	20 mins
	Brockenhurst)	
Burley	No service	

Table 1 Train services from Southampton Central to New Forest Locations

The only direct bus service from Southampton to the locations in the New Forest identified above is the Bluestar 6 service which runs hourly from the city centre (during the day) to Lyndhurst, Brockenhurst and Lymington taking 30-40 minutes. Other services are available throughout the National Park from those locations.

Clearly, whilst it is possible to reach the designated site from the proposed halls of residence the process is complicated and likely to be costly. It is therefore reasonable to conclude that there are only likely to be a very small number of visits as a consequence.

### Conclusions

The evidence provided suggests that students comprise a small proportion of visitor to the New

Forest and that, as a visitor destination, the New Forest is most attractive to dog walkers and/or families that have access to a car.

Students resident within the new accommodation will not be permitted to keep dogs and will not be present with their families. In addition, the development will be designed in such a way as to stop students bringing their cars with them. Finally, the wide range of recreation and sports facilities available to students are closer to the development and easier and cheaper to access than the New Forest. As a consequence, it is very unlikely that students will make trips to the New Forest designated sites and will not therefore contribute to increased recreational disturbance,

### Solent and Southampton Water SPA/Ramsar site

In 2008 the Council adopted the Solent Disturbance Mitigation Project in collaboration with other Councils within the Partnership for Urban South Hampshire in order to mitigate the effects of new residential development on the Solent and Southampton Water SPA. This enables financial contributions to be made by developers to fund appropriate mitigation measures.

The proposed student accommodation will result in a net increase in the population of the city and thus lead to significant impacts on the Solent and Southampton Water SPA. However, due the characteristics to this type of residential development, specifically the absence of car parking and the inability of those living in purpose built student accommodation to have pets, the level of disturbance created, and thus the increase in bird mortality, will be less than C3 housing. The SDMP research showed that 47% of activity which resulted in major flight events was specifically caused by dogs off of a lead<sup>1</sup>. As such, it is considered that the level of impact from purpose built student accommodation would be half that of C3 housing and thus the scale of the mitigation package should also be half that of C3 housing.

Assuming a typical 3 bedroomed house can accommodate 5 students, for the purposes of providing SPA mitigation, five study bedrooms will therefore be considered a unit of residential accommodation.

The calculation to establish the level of the mitigation package required is as follows:

 $\frac{S}{5} \qquad \times \frac{174}{2}$ 

S = number of study bedrooms

In this development 12 parking spaces will be available to students to rent therefore 12 of the rooms will incur the full charge whilst the remaining 187 incur 50% of the charge as follows:

$$\frac{12}{5} \times \frac{174}{2} = 2.4 \times 174 = \pounds 417.6$$

$$\frac{187}{5} \times \frac{174}{2} = 37.4 \times 87 = \pounds 3253.8$$
The total contribution is £417.6 + £3253.8 = £3671.4

It is considered that, subject to a level of mitigation, which has been calculated as £3671, being secured through a legal agreement, appropriate and effective mitigation measures will have been secured to ensure that effects associated with disturbance can be satisfactorily removed. The applicant has agreed to enter into a legal agreement to this effect.

<sup>1</sup> See paragraph 3.15 of the Solent Disturbance and Mitigation Project Phase II bird disturbance fieldwork

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

#### Conclusions

The following conclusions can be drawn from the evidence provided:

- Residents of the new accommodation will not have access to cars.
- The availability of open space, sport and recreation facilities at both universities reduces the likelihood that students would travel to the New Forest for recreational purposes.
- Evidence suggests that low car and dog ownership amongst students contributes to the relatively low proportion of students in the make-up of visitor numbers to the New Forest.
- Access to New Forest locations by students living at the proposed development would be complicated and costly especially when compared to the availability of alternative recreational activities.

The following mitigation measures have been proposed as part of the development:

- 17 parking spaces, including 2 for disabled persons and 3 for staff, will be provided within the proposed development;
- Information on public transport plus pedestrian and cycle route maps will be provided;
- The development will incorporate 100 secure cycle parking spaces;
- A restrictive tenancy barring students from bringing their own cars will be used. Breaching this clause will result in termination of the tenancy.
- A restrictive tenancy barring students from keeping dogs
- A contribution to the Solent Recreation Mitigation Partnership of £3671

As such, visitor pressure on European and other protected sites in the New Forest arising from the proposed development is likely to be extremely low and it can therefore be concluded that, subject to the implementation of the identified mitigation measures, **significant effects arising from recreational disturbance will not occur.** 

### European Site Qualifying Features

### 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 scare wetland species. The whole site complex, with its examples of semi-natural habitats is essential to the genetic and ecological diversity of southern England.

### 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 alpine
- 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.