



Submitted to
Crandall Parish Council

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Appropriate Assessment: Crondall Parish Neighbourhood Plan (2017 – 2032)

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1 Introduction

1.1 Background to the Project

- 1.1.1 AECOM was appointed via Locality and the Ministry of Housing, Communities and Local Government by Crondall Parish Council to assist the parish in undertaking an Appropriate Assessment of the Crondall Parish Neighbourhood Plan (Pre Submission Consultation Draft) July 2018 (henceforth referred to as the Neighbourhood Plan or the 'Plan'). The objective of the assessment was to:
- identify any aspects of the Neighbourhood Plan that would cause an adverse effect on the integrity of Natura 2000 sites, otherwise known as European sites (Special Areas of Conservation (SACs), Special Protection Areas (SPAs) and, as a matter of Government policy, Ramsar sites), either in isolation or in combination with other plans and projects; and'
 - to advise on appropriate policy mechanisms for delivering mitigation where such effects were identified.
- 1.1.2 Hart District Council undertook an initial screening of the Neighbourhood Plan in June 2018 to determine if the Plan would lead to Likely Significant Effects in accordance with Article 6(3) and (4) of the EU Habitats Directive and with the Conservation of Habitats and Species Regulations 2017. This view was explicitly taken within the context of a recent European Court of Justice ruling that mitigation measures cannot be taken into account when forming a judgment of likely significant effects (i.e. the risk of an effect). Mitigation can only be taken into account when determining if an adverse effect on integrity will actually arise. This second stage of the process is known as appropriate assessment. Hart District Council concluded that since the growth within Crondall Parish lies within 5km of the Thames Basin Heaths SPA, for which there is an adopted avoidance strategy, it was by definition impossible to conclude no likely significant effect (i.e. no risk of an effect). The result of this decision was a request to Crondall Parish Council to undertake an appropriate assessment.
- 1.1.3 Appropriate Assessment is not a technical term; it simply means whatever level of further assessment is appropriate once one has determined that a significant effect cannot be deemed inherently unlikely. In this case there is an accepted, tested and adopted mitigation strategy for the Thames Basin Heaths SPA that applies to all net new housing within 5km of the SPA. The principal purpose of this document is therefore to confirm whether the development in Crondall Parish could comply with that strategy.
- 1.1.4 Before considering the role of mitigation, however, it is necessary to consider every policy within the Neighbourhood Plan to determine which would result in likely significant effects and then to discuss the potential for adverse effects on the integrity of the Thames Basin Heaths SPA in the absence of mitigation.
- 1.1.5 It is also important to take into account the development context set by the Hart Local Plan. Hart District Council submitted their Local Plan to central government in June 2018. The policies within a Local Plan are 'material considerations' in determining planning applications and the Neighbourhood Plan must take due consideration of them, even when the Local Plan is not yet adopted. The over-arching strategic Local Plan includes a series of policies facilitating strategic district-wide protection of internationally important wildlife sites such as the Thames Basin Heaths Special Protected Area. The HRA of this Neighbourhood Plan has been undertaken with this fact and overarching policies as a key consideration.

1.2 Legislation

- 1.2.1 The need for Habitats Regulations Assessment is set out within Article 6 of the EC Habitats Directive 1992, and interpreted into British law by the Conservation of Habitats and Species Regulations 2017. The ultimate aim of the Directive is to "*maintain or restore, at favourable conservation status, natural habitats and species of wild fauna and flora of Community interest*" (Habitats Directive, Article 2(2)). This aim relates to habitats and species, not the European sites themselves, although the sites have a significant role in delivering favourable conservation status.
- 1.2.2 The Habitats Directive applies the precautionary principle to European sites. Plans and projects can only be permitted having ascertained that there will be no adverse effect on the integrity of the site(s) in question. Plans and projects with predicted adverse impacts on European sites may still be permitted if there are no alternatives to them and there are Imperative Reasons of Overriding Public Interest (IROPI) as to why they should go ahead. In such cases, compensation would be necessary to ensure

the overall integrity of the site network.

- 1.2.3 In order to ascertain whether or not site integrity will be affected, a Habitats Regulations Assessment should be undertaken of the plan or project in question:

Box 1: The legislative basis for Appropriate Assessment

Habitats Directive 1992

Article 6 (3) states that:

“Any plan or project not directly connected with or necessary to the management of the site but likely to have a significant effect thereon, either individually or in combination with other plans or projects, shall be subject to appropriate assessment of its implications for the site in view of the site’s conservation objectives.”

Conservation of Habitats and Species Regulations 2017

The Regulations state that:

“A competent authority, before deciding to ... give any consent for a plan or project which is likely to have a significant effect on a European site ... shall make an appropriate assessment of the implications for the site in view of that sites conservation objectives... The authority shall agree to the plan or project only after having ascertained that it will not adversely affect the integrity of the European site”.

- 1.2.4 Over the years the phrase ‘Habitats Regulations Assessment’ has come into wide currency to describe the overall process set out in the Conservation of Habitats and Species Regulations from screening through to IROPI. This has arisen in order to distinguish the process from the individual stage described in the law as an ‘appropriate assessment’. Throughout this report we use the term Habitats Regulations Assessment for the overall process.

1.3 This Report

- 1.3.1 Chapter 2 of this report explains the process by which the appropriate assessment has been carried out. Chapter 3 details the features for which the Thames Basin Heaths SPA is designated and identifies potential environmental vulnerabilities. Chapter 4 is an initial appropriate assessment of the policies within the Neighbourhood Plan, and identifies policies that have been identified for further consideration in the body of the report. Impact pathways and adverse effects on integrity resulting from the Neighbourhood Plan are discussed in Chapter 5, including recommended changes. In-combination assessment is undertaken in Chapter 6, with key findings of the original HRA summarised in Chapter 7: Conclusions.

2 Methodology

2.1 Introduction

2.1.1 The HRA has been carried out in the continuing absence of formal central Government guidance, although general EC guidance on HRA does exist¹. The Department for Communities and Local Government released a consultation paper on the Appropriate Assessment of Plans in 2006². As yet, no further formal guidance has emerged. However, Natural England has produced its own internal guidance³ as has the RSPB⁴. Both of these have been referred to alongside the guidance outlined in section 1.2 in undertaking this HRA. Figure 1 below outlines the stages of HRA according to current draft CLG guidance. The stages are essentially iterative, being revisited as necessary in response to more detailed information, recommendations and any relevant changes to the plan until no significant adverse effects remain.

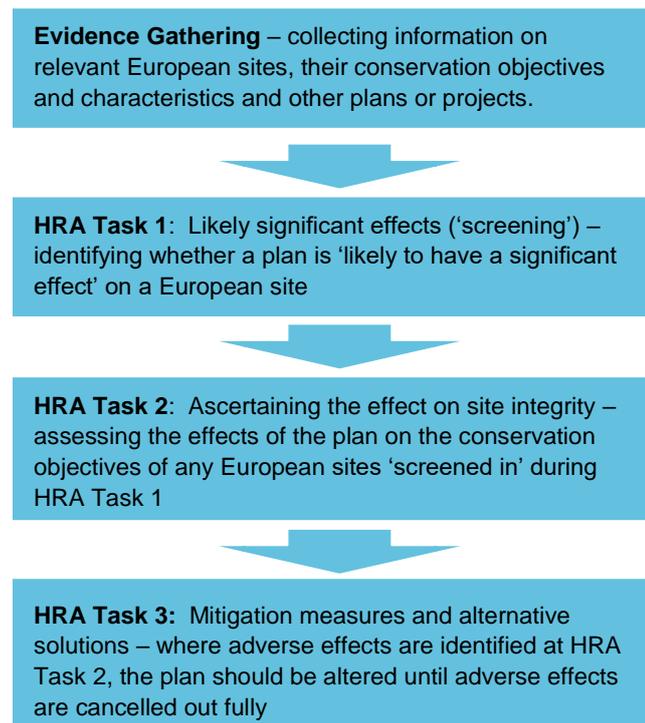


Figure 1: Four Stage Approach to Habitats Regulations Assessment. Source CLG, 2006.

¹ European Commission (2001): Assessment of plans and projects significantly affecting Natura 2000 Sites: Methodological Guidance on the Provisions of Article 6(3) and 6(4) of the Habitats Directive.

² CLG (2006) Planning for the Protection of European Sites, Consultation Paper

³ http://www.ukmpas.org/pdf/practical_guidance/HRGN1.pdf

⁴ Dodd A.M., Cleary B.E., Dawkins J.S., Byron H.J., Palframan L.J. and Williams G.M. (2007) *The Appropriate Assessment of Spatial Plans in England: a guide to why, when and how to do it*. The RSPB, Sandy.

2.2 HRA Task 1 - Likely Significant Effects (LSE)

2.2.1 Following evidence gathering, the first stage of any Habitats Regulations Assessment is a Likely Significant Effect (LSE) test - essentially a risk assessment to decide whether the full subsequent stage known as Appropriate Assessment is required. The essential question is:

"Is the Plan, either alone or in combination with other relevant projects and plans, likely to result in a significant effect upon European sites?"

2.2.2 The objective is to 'screen out' those plans and projects that can, without any detailed appraisal, be said to be unlikely to result in significant adverse effects upon European sites, usually because there is no mechanism for an adverse interaction with European sites.

2.2.3 In this case, Hart District Council has already determined that appropriate assessment is required, focused explicitly on recreational pressure at Thames Basin Heaths SPA. However, it is still necessary to go through every policy in the Neighbourhood Plan to determine which policy will cause this likely significant effect.

2.3 HRA Task 2 – Appropriate Assessment

2.3.1 Where it is determined that a conclusion of 'no likely significant effect' cannot be drawn, the analysis proceeds to the next stage of HRA known as Appropriate Assessment. Case law has clarified that 'Appropriate Assessment' is not a technical term. In other words, there are no particular technical analyses, or level of technical analysis, that are classified by law as belonging to appropriate assessment effects. This is a judgment to be made in each case although there is an implication that appropriate assessment should consider the issues in more detail than at the likely significant effects stage and recent case law has confirmed that mitigation measures can only be taken into account during appropriate assessment.

2.3.2 The level of detail in land use plans concerning developments that will be permitted under the plans will never be sufficient to make a detailed quantification of adverse effects. Therefore, we have again taken a precautionary approach (in the absence of more precise data) assuming as the default position that if an adverse effect cannot be confidently ruled out, avoidance or mitigation measures must be provided. This is in line with the Department for Communities and Local Government guidance that the level of detail of the assessment, whilst meeting the relevant requirements of the Habitats Regulations, should be 'appropriate' to the level of plan or project that it addresses (see Appendix A for a summary of this 'tiering' of assessment).

2.3.3 In this case, the core of the appropriate assessment consists of determining the extent to which growth in Crondall Parish will be able to comply with Hart District Council's adopted Thames Basin Heaths Avoidance Strategy⁵ and the associated policies in the submitted Hart Local Plan (notably Policy NBE4 Thames Basin Heaths Special Protection Area).

2.4 Other Plans and Projects That May Act In Combination

2.4.1 It is a requirement of the Regulations that the impacts of any land use plan being assessed are not considered in isolation but in combination with other plans and projects that may also be affecting the European site(s) in question.

2.4.2 It is neither practical nor necessary to assess the 'in combination' effects of the Neighbourhood Plan within the context of all other plans and projects within North East Hampshire (within which the Crondall Parish Neighbourhood Plan area is located) and the surrounding authorities. For the purposes of this assessment, we have determined that, due to the nature of the identified impacts, the key other plans and projects with potential for in combination likely significant effects are those schemes that can result in further development pressures upon the Thames Basin Heaths SPA. For the purpose of this

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https://www.hart.gov.uk/sites/default/files/4_The_Council/Policies_and_published_documents/Planning_policy/Interim_Avoidance_Strategy_for_TBHSPA%20-%20November_2010.pdf

assessment, the following documents will be considered in combination with the Neighbourhood Plan as these provide for strategic levels of development within the Thames Basin Heaths SPA catchment:

- Hart Local Plan: Proposed Submission version 2016-2032
- Waverley Local Plan Part 1 : Strategic Policies and Sites (adopted February 2018)⁶;
- Wokingham Borough Local Development Framework Adopted Core Strategy Development Plan Document (adopted January 2010)⁷;
- Draft Bracknell Forest Council Local Plan (February 2018)⁸;
- Bracknell Forest Council Core Strategy (adopted 2008)⁹;
- Bracknell Forest Council Site Allocation Local Plan (adopted 2013)¹⁰;
- Rushmoor Core Strategy (adopted 2011)¹¹;
- Rushmoor Proposed Submission Local Plan (June 2017)¹²;
- Guildford Borough Proposed Submission Local Plan (2017)¹³;
- Surrey Heath Core Strategy & Development Management Policies 2011- 2028. Adopted 2012¹⁴;
- Surrey Heath Draft Local Plan 2016 to 2032 Issues Options and Preferred Options (June 2018)¹⁵
- Elmbridge Core Strategy July 2011¹⁶;
- Elmbridge Development management Plan (adopted 2015)¹⁷
- Woking Borough Local Development Document Woking Core Strategy (adopted October 2012)¹⁸

2.4.3 When undertaking this part of the assessment it is essential to bear in mind the principal intention behind the legislation i.e. to ensure that those projects or plans which in themselves have minor impacts are not simply dismissed on that basis, but are evaluated for any cumulative contribution they may make to an overall significant effect. In practice, in combination assessment is therefore of greatest relevance when the plan would otherwise be screened out because its individual contribution is inconsequential.

⁶ http://www.waverley.gov.uk/info/1004/planning_policy/247/local_plan_part_1_strategic_policies_and_sites/1 [accessed 06/06/2018]

⁷ <http://www.wokingham.gov.uk/planning/planning-policy/local-plan-and-planning-policies/> [accessed 06/06/2018]

⁸ <http://consult.bracknell-forest.gov.uk/file/4868307> [accessed 06/06/2018]

⁹ <https://www.bracknell-forest.gov.uk/planning-and-building-control/planning/planning-policy/development-plan/core-strategy> [accessed 06/06/2018]

¹⁰ <https://www.bracknell-forest.gov.uk/planning-and-building-control/planning/planning-policy/development-plan/site-allocations-local-plan> [accessed 06/06/2018]

¹¹ <https://www.rushmoor.gov.uk/CHttpHandler.ashx?id=5447&p=0> [accessed 06/06/2018]

¹² <http://consult.rushmoor.gov.uk/file/4566116> [accessed 06/06/2018]

¹³ <http://www.guildford.gov.uk/newlocalplan/proposedsubmission> [accessed 06/06/2018]

¹⁴ <http://www.surreyheath.gov.uk/residents/planning/planning-policy/surrey-heath-local-plan/core-strategy-and-development-management> [accessed 06/06/2018]

¹⁵ <https://consult.surreyheath.gov.uk/consult.ti/LPIO2018/viewCompoundDoc?docid=9916468> [accessed 06/06/2018]

¹⁶ <http://www.elmbridge.gov.uk/EasySiteWeb/GatewayLink.aspx?allId=736> [accessed 06/06/2018]

¹⁷ <http://www.elmbridge.gov.uk/EasySiteWeb/GatewayLink.aspx?allId=822> [accessed 06/06/2018]

¹⁸ <http://www.woking2027.info/corestrategy/adoptedcorestrategy> [accessed 06/06/2018]

3 Thames Basin Heaths SPA

3.1 Introduction

- 3.1.1 Thames Basin Heaths Special Protection Area (SPA) consists of a number of fragments of lowland heathland scattered across Surrey, Hampshire and Berkshire. It is predominantly dry and wet heath but also includes areas of deciduous woodland, gorse scrub, acid grassland and mire, as well as associated conifer plantations. Around 75% of the SPA has open public access being either common land or designated as open country under the Countryside and Rights of Way Act 2000. The SPA consists of 13 Sites of Special Scientific Interest. Three of the SSSIs are also designated as part of the Thursley, Ash, Pirbright and Chobham Special Area of Conservation (which is located more than 5km from Hart District boundary).
- 3.1.2 Bramshill SSSI and Hazeley Heath SSSI both lie within Hart District, along with the majority of Castle Bottom to Yateley and Hawley Commons SSSI and the western part of Bourley and Long Valley SSSI.
- 3.1.3 The location of the Thames Basin Heaths has resulted in the designated site being subject to high development pressure. English Nature (now Natural England) published a Draft Delivery Plan for the Thames Basin Heaths SPA in May 2006, partly in response to the European Court of Justice ruling of October 2005. This is updated by the 'Thames Basin Heaths Special Protection Delivery Framework' published by the Thames Basin Heaths Joint Strategic Partnership Board in January 2009. These documents aim to allow a strategic approach to accommodating development by providing a method through which local authorities can meet the requirements of the Habitats Regulations through avoidance and mitigation measures.
- 3.1.4 In addition Hart District Council has produced an 'Interim Avoidance Strategy for the Thames Basin Heaths Special Protection Area'.

3.2 Reasons for designation

- 3.2.1 Thames Basin Heaths SPA qualifies under Article 4.1 of the Birds Directive (79/409/EEC) by supporting populations of European importance of the following species listed on Annex I of the Directive:
- 3.2.2 During the breeding season:
- Nightjar *Caprimulgus europaeus*
 - Woodlark *Lullula arborea*
 - Dartford Warbler *Sylvia undata*
- 3.2.3 These species nest on or near the ground and as a result are susceptible to predation and disturbance.

3.3 Potential environmental vulnerabilities

- Appropriate Management
- Management of disturbance during the breeding season (March to July)
- Minimal air pollution
- Absence or control of urbanisation effects, such as fires and introduction of invasive non-native

species

- Maintenance of appropriate water levels
- Maintenance of water quality

3.4 Conservation Objectives¹⁹

- 3.4.1 With regard to the SPA and the individual species and/or assemblage of species for which the site has been classified (the 'Qualifying Features' listed below), and subject to natural change;
- 3.4.2 Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the Favourable Conservation Status of its Qualifying Features, by maintaining or restoring;
- The extent and disturbance of the habitats of the qualifying features
 - The structure and function of the habitats of the qualifying features
 - The supporting processes on which the habitats of the qualifying features rely
 - The population of each of the qualifying features, and,
 - The distribution of the qualifying features within the site.

¹⁹ Natural England (2014) European Site Conservation Objectives for River Mease Special Area of Conservation Site Code: UK0030258

4 Likely Significant Effects of the Crondall Parish Neighbourhood Plan

- 4.1.1 This section represents an initial assessment of each policy in the Neighbourhood Plan which is intended to identify those policies on which the remainder of the report must focus. Green shading in the final column (HRA implications) indicates that the policy has been deemed not to lead to adverse effects on integrity of any European sites due to the absence of any mechanism for an adverse effect.

Orange shading indicates that a pathway of impact potentially exists and further discussion is therefore required.

Table 1: Analysis of Neighbourhood Plan Policies

Policy

Brief summary

Screening outcome and HRA implications

Chapter 1: Planning Crondall’s Future

POLICY 1: SPATIAL PLAN

This policy sets out a list of objectives to protect the local countryside, landscapes and wildlife by supporting developments within the Crondall’s defined settlement boundaries. These boundaries are to also ensure that Crondall and Mill Lane remain separate entities.

No likely significant effect
This policy aims to encourage developments to take place within the settlement boundaries. In doing so the impact of development upon local conservation areas are therefore reduced. The policy supports priorities that protect and enhance the countryside from inappropriate development. For example, brownfield site developments would be supported by the parish. This policy does not identify any quantum, location of types of development. As such there are no impact pathways present upon both Crondall’s local environment and the Thames Basin Heath SPA.

POLICY 2: HOUSING SITE SELECTION

This policy sets out the number of houses the parish plans to provide and identifies specific sites that will meet local housing needs and requirements. These specific sites are as follows:

- Policy 2A: CRON 27 St Cross Road
- Policy 2B: Mill Lane
- Policy 2C: CRON 21 The Bungalow
- Policy 2D: CRON 08 Phantom Motors
- Policy 2E: CRON 22 Windamoor Farm

Likely significant effect
This policy aims to provide 40 to 45 new houses within Crondall during the period of 2017-2032. The parish has located sites upon which these houses may be allocated. These are explained in further detail by policies 2A to 2E.
These sites range in size from 0.020 ha – 1.34 ha with the majority of sites being relatively small that can only support between 2 – 6 dwellings.
Each of these sites has set criteria to ensure that any new developments embody the character of Crondall and the surrounding natural landscape. The criteria for each of the proposed sites are similar, such as:

- Explain with supporting evidence how the development complies with the policies of the Crondall Parish Neighbourhood Plan.
- All developments must provide safe access to the site.
- All developments must keep to the current ridge height of surrounding buildings.
- Off street-parking and green spaces must be provided.

All the sites selected by Crondall Parish council are within the 5km SPA zone of influence from the Thames Basin Heaths SPA. It is long standing knowledge that the Thames Basin Heaths SPA has been operating at full visitor capacity for some time. As such, there are significant problems associated with recreational pressures and the health of the sites local biodiversity. In order to prevent additional pressure upon the Thames Basin Heaths SPA additional Suitable Alternative Natural Greenspaces (SANG) would be required for any developments within the Village of Crondall.

Policy	Brief summary	Screening outcome and HRA implications
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Chapter 1: Planning Crondall's Future

POLICY 3: HOUSING DESIGN	This policy describes that any new developments, which includes new and existing buildings, should reflect the historic character of Crondall. The mode of maintaining local character may be through the sourcing of local materials, using template colours for housing, controlling building ridge heights and maintain/ enhance current hedgerows, trees and landscape for the benefit of local biodiversity.	<p>No likely significant effect</p> <p>This policy is positive by promoting the sourcing of local materials, maintaining village character and retains exiting hedges and trees. Maintaining local heritage is an important aspect of the majority of Crondall Parish Council's policy criteria. This can not only be achieved through the design of buildings but also via the maintenance and improvement of the local environment and biodiversity. Also included with the policy is the support for renewable energy that has the potential to reduce local contribution of atmospheric pollution.</p>
POLICY 4: LOCAL GAPS	This policy describes the Parish's desire to keep Crondall Village and Bowling Alley as two separate settlements. A large stretch of countryside currently exists between the two villages and any proposed developments situated within this land would not be supported by the Parish.	<p>No likely significant effect</p> <p>This policy provides for the persistence of a large band of countryside to the north of Crondall. This policy does not provide for development opportunities works within the 'local gaps'. The policy therefore has an overall neutral effect over the local environment and European Site.</p>
POLICY 5: LOCAL GREEN SPACES	This policy describes the designation of certain sites that would not be supported during development proposals. This policy ensures that the village of Crondall remains historic and rural, as well as, providing open green spaces to all of its occupants.	<p>No likely significant effect</p> <p>This policy provides a certain degree of protection to the open green spaces within Crondall. The Parish of Crondall has the aim to provide open green spaces to all in conjunction with the prospect to maintain and protect the views across Crondall's rural landscape. The policy therefore has an overall neutral effect over the local environment and European Site.</p>
POLICY 6: THE NATURAL ENVIRONMENT	This policy sets out development proposals would be supported provided they protect and enhance biodiversity, they protect footpaths and public rights of ways, they contain measures that mitigate the impact of climate change and include sustainable drainage design.	<p>No likely significant effect</p> <p>This policy is designed to maintain and enhance, where possible, the natural environment. This is also supported by other statutory and local plans (i.e. Hart Local Plan 2016-2032). This policy is not likely to have an effect upon the local environment and European site since any development proposals may be obliged to build in such a way that there are no adverse effects upon the natural environment.</p>
POLICY 7: CONSERVATION	This policy sets out that, any development proposals within catchment of a designated conservation area should preserve and enhance its character. Any proposals that are thought to have a detrimental impact upon local biodiversity, historic sites and listed buildings would not be supported.	<p>No likely significant effect</p> <p>This policy is positive by preventing the development of local conservation areas and historical sites. This could be through different scales such as the protection of conservation sites or through the protection of individual mature trees. Overall, this policy is likely to benefit the natural environment surrounding Crondall and is also likely to the little effect upon the Thames Basin Heaths SPA.</p>
POLICY 8: COMMUNITY FACILITIES	This policy describes that the development of community facilities would only be eligible if the replacement site was sufficient and that it would be economically viable to do so. Community facilities and service, such as local schools, doctors surgery and the village shop are an important part of the local community.	<p>No likely significant effect</p> <p>This policy ensures that community facilities are only developed when sufficient criteria is meet and upheld. Crondall Parish may support the development of local facilities if there is an alternative site is provided. However, any developments considered are required to be positioned within the village boundary. This therefore would have limited effects upon the Thames Basin Heaths SPA.</p>

Policy

Brief summary

Screening outcome and HRA implications

Chapter 1: Planning Crondall's Future

POLICY 9: RECREATIONAL AREAS This policy sets out how proposals for developing upon recreational areas would be limited. However, proposals to provide new recreational area or enhance current areas would be supported by Crondall Parish.

No likely significant effect

This policy aims to prevent the development of recreational areas within Crondall. The parish aims to create a community where all members have the ability to thrive through the use of a diverse range of recreational spaces. Development of recreational areas could prove to have negative implications on the Thames Basin Heaths SPA since the removal of open recreational/ green spaces may encourage additional visitors (excluding new visitors produced from new development) to Thames Basin Heaths SPA.

4.1.2 Given the assessment above, Policy 2 (Housing Site Selection) is the focus of the appropriate assessment, discussed in more detail in the following chapter.

5 Appropriate Assessment for Thames Basin Heaths SPA

5.1 Urbanisation

5.1.1 Urbanisation impacts result from increased populations within close proximity to sensitive European sites. The detail of the impacts is distinct from the trampling, disturbance and dog-fouling that results specifically from recreational activity (considered in the subsequent section relating to Recreational Pressure and Disturbance). The list of urbanisation impacts can be extensive, but core impacts can be singled out:

- Increased fly-tipping
- Cat predation
- Uncontrolled fires

5.1.2 After extensive research, Natural England and its partners produced the Thames Basin Heaths Special Protection Area Delivery Framework which made recommendations for accommodating development while also protecting the interest features of the European site. This included the recommendation of implementing a series of zones within which varying constraints would be placed upon development. This strategic requirement was included within Policy NRM6 of the South East Plan saved overarching policy and the Thames Basin Heaths Special Protection Area Delivery Framework agreed by all the affected local authorities and Natural England. It is also reflected in policy NBE4 of the emerging Hart Local Plan. These set out the principles of avoidance and mitigation to avoid harm to the TBHSPA arising from new housing development. These measures include:

- Directing development to those areas where potential adverse effects can be avoided without the need for mitigation measures;
- The establishment of a 400 metre buffer zone around the TBHSPA within which no net new housing development will be supported;
- The provision of Suitable Alternative Natural Greenspace (SANG);
- Contributions towards Strategic Access Management and Monitoring (SAMM) measures.

5.1.3 Concerning aspects of urbanisation (particularly predation of the chicks of ground-nesting birds by domestic cats) was determined at 400m from the SPA boundary. The delivery plan concluded that the adverse effects of any residential development located within 400m of the SPA boundary could not be mitigated in part because this was the range over which cats and people could be expected to roam as a matter of routine and there was no realistic way of restricting their movements, and as such, no new housing should be located within this zone.

5.1.4 Hart Local Plan Policy NBE4: Thames Basin Heaths Special Protection Area states:

'a) there is an 'exclusion zone' set at 400m linear distance from the TBHSPA boundary. Permission will not be granted for development that results in a net increase in residential units within this zone unless it can be demonstrated through an Appropriate Assessment that there will be no adverse effect on the integrity of the TBHSPA'

5.1.5 The Local Plan provides for a single residential site allocation (SS2: Hartland Village), which partially lies within 400m of the Thames Basin Heaths SPA. However, none of the sites allocated under Policy 2 of the Crondall Neighbourhood Plan lie within 400m of the SPA. The Neighbourhood Plan therefore complies with the prohibition on net new housing development within 400m of the SPA and that issue does not require further discussion.

5.2 Air Quality

5.2.1 In the advice from Hart District Council to Crondall Parish Council air quality was not specifically mentioned as an issue for appropriate assessment. Nonetheless, it is addressed here for completeness. Traffic-related air quality effects on the Thames Basin Heaths SPA were considered for all expected growth across Hart District in the HRA of the submitted Hart Local Plan. The HRA concluded that there would be no adverse effect on the SPA from traffic growth across Hart District, even 'in combination' with growth in surrounding authorities. The conclusions of that HRA can be carried forward to the small amount of growth in the Crondall Neighbourhood Plan. I assumed you had screened out air quality for the same reasons as for the Local Plan. Very small changes to 24hr AADT flows (e.g. single figure

AADT such is likely from this Neighbourhood Plan) would not materially alter the Local Plan air quality modelling results (and thus ecological effects), and would thus be essentially nugatory, for two reasons:

- Firstly, daily traffic flows are not fixed numerals but fluctuate from day to day. The AADT for a given road is an annual average (specifically, the total volume of traffic for a year, divided by 365 days). It is this average number that is used in air quality modelling, but the 'true' flows on a given day will vary around this average figure. Small changes in average flow will lie well within the normal variation (known as the standard deviation or variance) and would not make a statistically significant difference in the total AADT; and
- Secondly, when converted into NO_x concentrations, ammonia concentrations or nitrogen deposition rates, our experience is that very small changes in AADT (tens of AADT) would only affect the third decimal place. The third decimal place is never reported in air quality modelling to avoid false precision. For this reason, pollution is generally not reported to more than 2 decimal places (0.01). Anything smaller is simply reported as less than 0.01 (< 0.01) i.e. probably more than zero but too small to model with precision.

5.2.2 Air quality is therefore not discussed further in this report.

5.3 Recreational Pressure and Disturbance

5.3.1 Recreational use of a European site has the potential to:

- Prevent appropriate management or exacerbate existing management difficulties;
- Cause damage through erosion and fragmentation;
- Cause eutrophication as a result of dog fouling; and
- Cause disturbance to sensitive species, particularly ground-nesting birds and (where relevant) wintering wildfowl.

5.3.2 Different types of European sites are subject to different types of recreational pressures and have different vulnerabilities. Studies across a range of species have shown that the effects from recreation can be complex. The Thames Basin Heaths SPA is an important recreational site for a variety of different major settlements within the SPA 5km influence zone, these include: Farnham, Farnborough, Fleet, Hartley Wintney and parts of Yateley.

5.3.3 It should be emphasised that recreational use is not inevitably a problem. Many European sites also contain nature reserves managed for conservation and public appreciation of nature. Parts of the Wealden Heaths Phase II SPA, for example, are managed by the National Trust. At these sites, access is encouraged and resources are available to ensure that recreational use is managed appropriately.

5.4 Mechanical/Abrasive Damage and Nutrient Enrichment

5.4.1 Most types of terrestrial European site can be affected by soil compaction and erosion, which can arise as a result of visits by walkers, cyclists, horse-riders and users of off-road vehicles. Walkers with dogs contribute to pressure on sites through nutrient enrichment via dog fouling and also have potential to cause greater disturbance to fauna as dogs are less likely to keep to marked footpaths and move more erratically. Motorcycle scrambling and off-road vehicle use can cause serious erosion, as well as disturbance to sensitive species.

5.4.2 The Thames Basin Heaths SPA within the Hart District is internationally designated site for species that could be adversely affected by the impacts of excessive trampling and erosion to their supporting habitats. Additionally, visitors from Hart District (including the village of Crondall) may choose to visit internationally designated sites outside of Hart that may also be sensitive to such impacts. Direct mechanical trampling and nutrient enrichment are both more subtle and reversible effects than disturbance of nesting bird populations.

5.5 Disturbance

- 5.5.1 Concern regarding the effects of disturbance on birds stems from the fact that they are expending energy unnecessarily and the time they spend responding to disturbance is time that is not spent feeding. Disturbance therefore risks increasing energetic output while reducing energetic input, which can adversely affect the 'condition' and ultimately survival of the birds. In addition, displacement of birds from one feeding site to others can increase the pressure on the resources available within the remaining sites, as they have to sustain a greater number of birds.
- 5.5.2 Human activity can affect birds either directly (e.g. through causing them to flee) or indirectly (e.g. through damaging their habitat). The most obvious direct effect is that of immediate mortality such as death by shooting, but human activity can also lead to behavioural changes (e.g. alterations in feeding behaviour, nest abandonment, avoidance of certain areas etc.) and physiological changes (e.g. an increase in heart rate) that, although less noticeable, may ultimately result in major population-level effects by altering the balance between immigration/birth and emigration/death.
- 5.5.3 The factors that influence a species response to a disturbance are numerous, but the three key factors are species sensitivity, proximity of disturbance sources and timing/duration of the potentially disturbing activity. The most detailed consideration of the link between relative recreational pressure on European sites and damage to interest features has been carried out with regard to the Thames Basin Heaths SPA.
- 5.5.4 After extensive research, Natural England and its partners produced the Thames Basin Heaths Special Protection Area Delivery Framework which made recommendations for accommodating development while also protecting the interest features of the European site. This included the recommendation of implementing a series of zones within which varying constraints would be placed upon development (see South East Plan Policy NRM6). The zones relating to recreational pressure extended to 5km (as this was determined from visitor surveys to be the principal recreational catchment for this European site). At distances from the SPA of 400m-5km the Delivery Framework advises that development projects should be required to contribute toward provision of Suitable Alternative Natural Greenspace (SANG) and toward access management to the SPA. Additionally Hart District Council's Interim Avoidance Strategy for the Thames Basin Heaths Special Protection Area details that large site allocations of more than 50 dwellings located between 5km and 7km of the Thames Basin Heaths SPA 'will be assessed on an individual basis'.
- 5.5.5 Where increased recreational use is predicted to cause adverse impacts on a site, avoidance and mitigation should be considered. Avoidance of recreational impacts at European sites involves location of new development away from such sites; Local Development Frameworks (and other strategic plans) provide the mechanism for this. Where avoidance is not possible, mitigation will usually involve a mix of access management, habitat management and provision of alternative recreational space.
- 5.5.6 Crondall Neighbourhood Plan Policy 2 only intends to deliver 40-45 new dwellings in the parish over the plan period and the closest allocation to the Thames Basin Heaths SPA is over 2km distant. Given this, it is clear that the Neighbourhood Plan would not result in adverse effects on integrity of the Thames Basin Heaths SPA. At an average occupancy rate of 2.4 people per dwelling, even if all 45 dwellings were occupied by people who do not currently live within 5km of the SPA this would be c. 108 new residents and not all of those new residents would visit the SPA regularly given the distance and the large amount of alternative available natural recreational greenspace around Crondall parish.
- 5.5.7 However, the Conservation of Habitats and Species Regulations 2017 specifically requires an appropriate assessment to also consider impacts 'in combination' with other projects and plans. This is because an individual plan may only result in a small impact but when it is combined with the large number of other plans which propose to deliver housing within 5km of the SPA over the same time period a large 'in combination' effect would still arise. The following section thus discusses Crondall Neighbourhood Plan's contribution to this 'in combination' effect.

6 In Combination Assessment

- 6.1.1 Impact pathways that have potential to link to the Neighbourhood Plan and to act in-combination with other projects or plans are as follows:
- Recreational Pressure to the Thames Basin Heaths SPA
- 6.1.2 The Thames Basin Heaths SPA 5km zone affects a large number of authorities: Hart, Waverley, Wokingham, Bracknell Forest, Rushmoor, Runnymede, Guildford, Surrey Heath, Elmbridge and Woking. In total approximately 30,000 new dwellings are planned for delivery within 5km of the Thames Basin Heaths SPA over the Neighbourhood Plan period.
- 6.1.3 In particular, the Hart Local Plan identifies a total housing requirement of 6,208 new dwellings in the district over the period 2016-2032. At the time the Hart Local Plan HRA was completed (October 2017) 3,846 of these dwellings had planning permission or were completed. Of the remainder, only one was a specific allocation within the Local Plan (Policy SS2: Hartland Village) and all 1,428 dwellings at that allocation are located within 5km of the SPA. There is also a windfall allowance of 275 dwellings and housing to be allocated in the Hook, Fleet and Odiham Neighbourhood Plans (the latter is actually more than 5km from the SPA but several of the housing sites are greater than 50 dwellings such that they still require SANG in accordance with Local Plan Policy NBE4).
- 6.1.4 The Hart Local Plan was subject to HRA in 2017 and 2018. The HRA plan identified that there are considerable threats to the Thames Basin Heaths SPA within the Hart District from recreational pressure 'in combination' without mitigation. The Local Plan addresses key issues highlighted by the Thames Basin Heaths Delivery Framework. These include, a 400m buffer surrounding the heathlands whereby no new development is permitted to take place (Policy SS2 and NBE4) and devised mitigation strategies for any new developments within the 5km zone of influence (Policy NBE4: Thames Basin Heaths SPA).
- 6.1.5 The village of Crondall is within the 5km catchment of influence for the Thames Basin Heaths SPA. As such the proposed development of 40 to 45 new developments within Crondall could have a direct negative impact to the threatened heathlands when considered in combination with the remaining growth in Hart District and elsewhere within 5km of the Thames Basin Heaths SPA.

6.2 SANG Capacity

- 6.2.1 The proposed developments within Crondall of 40 to 45 new dwellings could cumulatively increase visitor numbers to the Thames Basin Heaths SPA. Additional visitors to the areas would result in further disturbance and potential damage to the heathlands and the local biodiversity.
- 6.2.2 In order to alleviate additional recreational pressures faced by the Thames Basin Heaths SPA future developments within Crondall are required to provide avoidance measures (as per Hart's Thames Basin Heaths Avoidance Strategy and Policy NBE4).
- 6.2.3 The provision of a Suitable Alternative Natural Greenspace (SANG) to draw new residents away from the European Site is an important measure set out by the Delivery Framework. Individual developments can provide their own SANG but the minimum requirement for SANG are relatively arduous: an area of attractive natural greenspace, not already heavily used for recreation, which is at least 8-10ha in size (necessary to be able to accommodate a 2.4km circular walk) and which meets an overall standard of provision of at least 8ha/1000 population. As a result, it is often the case that only very large developments can provide their own SANG. While that option is open to developers seeking to deliver the 45 dwellings identified in Policy 2 of the Crondall Neighbourhood Plan, this appropriate assessment makes the precautionary assumption that some or all of the 45 dwellings may have to rely on one of the strategic SANG provided by Hart District Council or a third party.
- 6.2.4 It is therefore necessary to identify whether there is a strategic SANG with residual capacity located close enough to Crondall to serve that settlement and parish.
- 6.2.5 Albany Park South is situated 1.9km north of Crondall village; as such the parish lies well within its catchment²⁰. The habitat of the park is predominantly heathland with a thin scattering of trees and two

²⁰ Indicated by the map at:

https://www.hart.gov.uk/sites/default/files/4_The_Council/Policies_and_published_documents/Planning_policy/SANGs%20and%20catchments.pdf

ponds located towards the north of the site. Surrounding the site are woodlands and playing fields from a neighbouring school. Located towards the north of the site is Albany Farm and Basingstoke Canal. The site is of similar landscape to that of the Thames Basin Heaths SPA and is therefore a fitting SANG site.

- 6.2.6 The Hart Local Plan HRA presents a summary of the amount of each strategic SANG that has been allocated to development already and the amount of spare capacity that is left. For Albany Park South the HRA identifies that the SANG has a total capacity of 565 units. Hart District Council will require 134 units to accommodate the Fleet Neighbourhood Plan. This will leave a considerable spare capacity of 431 units. This is therefore more than enough to accommodate the planned growth in Crondall. After the allocation of housing provided by Crondall Neighbourhood Plan there would be a remaining capacity of 386 units, and that is assuming that none of the development in Crondall will deliver its own SANG.
- 6.2.7 It is noted that Albany Park South SANG is expected to be operational in 2019/2020, which would mean it would be available to serve the housing in the Crondall Neighbourhood Plan. Housing with sites that are to provide SANG should not be occupied until the SANG sites are operational. Policy SS1 (Hart Local Plan 2016-2030): Spatial Strategy and Distribution of Growth already identifies this requirement with the following text: *'Subject to the availability of deliverable [emphasis added] avoidance and mitigation measures in respect of the Thames Basin Heaths Special Protection Area'*. Additionally, the supporting text of Policy NBE4 (Hart Local Plan 2016-2030): Thames Basin Heaths Special Protection Area identified that *'No new housing can be inhabited until the SANG to which it has been allocated is functional to ensure that recreational pressure is diverted from the Thames Basin Heaths SPA.'*
- 6.2.8 Any net new dwellings allocated within the Neighbourhood Plan which will need to rely on Albany Park South SANG will need to make a financial contribution to the delivery of that SANG and its management in perpetuity as per submitted Local Plan policy NBE4, the Hart Thames Basin Heaths Avoidance Strategy and the tariffs provided on the Hart District Council website²¹.
- 6.2.9 **At the moment the Crondall Neighbourhood Plan does not mention the need for net new dwellings identified in policies 2A to 2E to provide SANG or to make a financial contribution to a strategic SANG such as Albany Park South. It is therefore recommended that the Neighbourhood Plan is updated to include:**
- **Reference to the constraint imposed by the Thames Basin Heaths and the mitigation strategy set out in the Hart Thames Basin Heaths Avoidance Strategy and Hart Local Plan Policy NBE4;**
 - **Reference to the fact that all net new housing development within Crondall Parish will either need to:**
 - **Provide its own Suitable Alternative Natural Greenspace (SANG) at a rate of 8ha/1000 population but also compliant with the other SANG provision criteria developed by Natural England; or**
 - **Make a financial contribution to Hart District Council to enable it to be assigned to an appropriate strategic SANG, most likely Albany Park South.**
- 6.2.10 It is recommended that the text regarding SANG and SAMM (see paragraph 6.3 below) should mirror that in Hart Local Plan policy NBE4.

6.3 Strategic Access Management and Monitoring Contributions

- 6.3.1 In addition to SANG provision, it must be noted that all net new residential dwellings within 5km of the Thames Basin Heaths SPA must also provide an appropriate Strategic Access Management and Monitoring (SAMM) contribution in line with the Hart Thames Basin Heaths Avoidance Strategy and Policy NBE4 of the submitted Hart Local Plan (and retained policy NRM6 of the South East Plan).
- 6.3.2 **At the moment the Crondall Neighbourhood Plan does not mention the need for net new dwellings to make a financial contribution to the Thames Basin Heaths SAMM strategy. It is therefore recommended that the Neighbourhood Plan is updated to include such a reference, alongside that for provision of SANG contributions. It is recommended that the text regarding SANG and SAMM should mirror that in Hart Local Plan policy NBE4.**

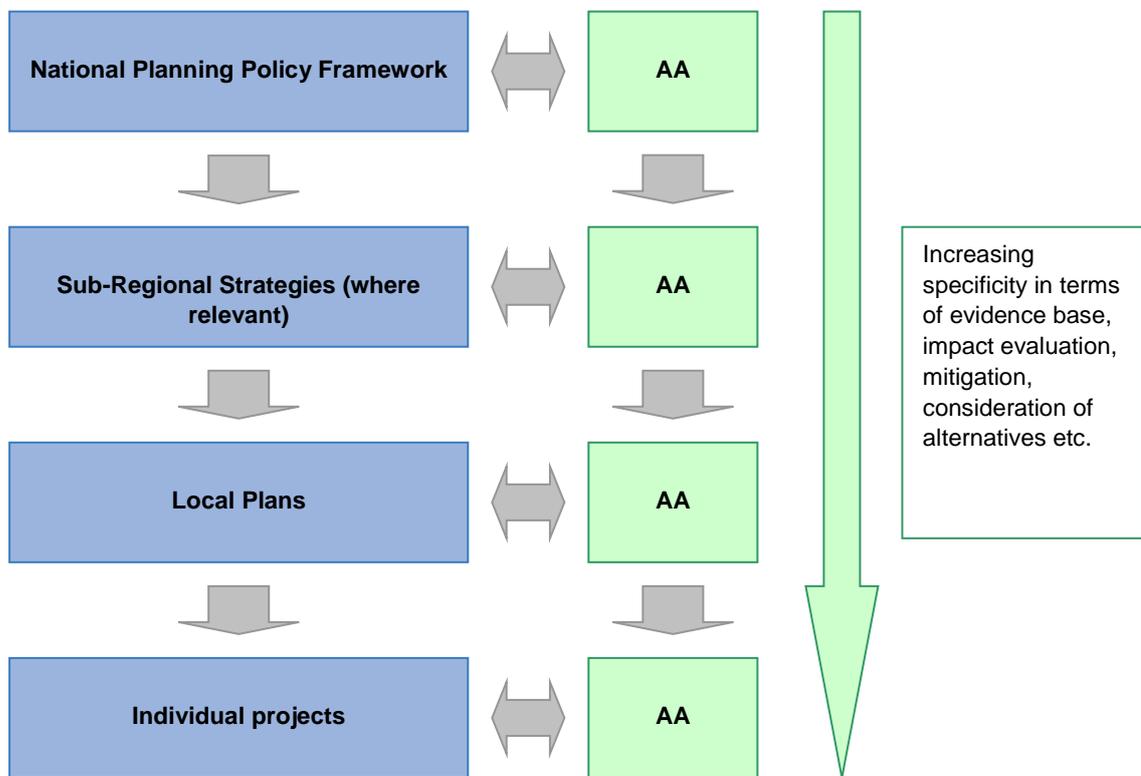
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https://www.hart.gov.uk/sites/default/files/4_The_Council/Policies_and_published_documents/Planning_policy/Hart%20SANG%20criteria%20-%20FINAL%20October%202017.pdf

7 Conclusion

- 7.1.1 Once the recommendations identified above in bold are included in the Neighbourhood Plan it is considered that an adequate policy framework will be in place to ensure no adverse effects on the integrity of the Thames Basin Heaths SPA.

Appendix A. 'Tiering' in Habitats Regulations Assessment



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