



# Habitats Regulations Assessment of the Mid Sussex Site Allocations Development Plan Document at Draft Plan Stage – Non-Technical Summary

September 2019

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## Non-Technical Summary

This report is the Non-Technical Summary of the Habitats Regulations Assessment (HRA) of the Mid Sussex Site Allocations Development Plan Document (DPD) at Regulation 18 stage. This HRA report has been prepared by Footprint Ecology, on behalf of Mid Sussex District Council. HRA is the step by step process of ensuring that a plan or project being undertaken by, or permitted by a public body, will not adversely affect the ecological integrity of a European wildlife site. European sites include Special Protection Areas (SPAs), which are classified for their bird populations of European interest, and Special Areas of Conservation (SACs), which are designated for habitats and species of European interest. The legislation sets out a clear step by step approach for decision makers considering any plan or project.

The Site Allocations DPD is part of the Mid Sussex Development Plan, with the District Plan having already been adopted in 2018. The Site Allocations DPD provides the sites necessary to deliver the growth set out within the District Plan, alongside the strategic allocations in the adopted District Plan, which has similarly been through the HRA process.

## HRA Process

Due to the close proximity, known potential risks, and current development of measures to mitigate for potential impacts, Ashdown Forest Special Area of Conservation (SAC) and Special Protection Area (SPA) is the primary focus of the HRA work. The first stage is a screening stage, whereby each aspect of the plan is checked to establish whether there are any risks to the European sites. The HRA identifies 'impact pathways' i.e. any means by which there might be an impact on the European site from the plan content and its future implementation. Any identified likely significant effects, or where there is uncertainty, leads to the appropriate assessment stage. This is a more detailed analysis of the nature of the potential risks and what the consequences may be for the habitats and/or species that are interest features of the European sites. The key impact pathways are discussed below, with recreation impacts primarily relating to risks to SPA features, and air quality impacts primarily relating to risks to SAC features.

## Recreation

Mid Sussex District Council is currently working with neighbouring local planning authorities on a collaborative approach to assessing and mitigating for recreation impacts on Ashdown Forest. Additional residential development can bring more access pressure to Ashdown Forest, bringing disturbance to species and damage to habitats through trampling, erosion or nutrient enrichment, and the previous HRA work has highlighted the need to take a strategic approach to managing additional access.

Evidence has been used to establish a zone of influence for recreation pressure (a zone within which it is deemed from available evidence that new development will contribute towards adverse effects on the protected site in the absence of mitigation). This zone extends into Mid Sussex District, and is used by the local planning authorities to determine the area where additional growth that brings further recreation pressure to Ashdown Forest will need to be mitigated. The strategic approach has been developed with available evidence and is supported by Natural England as the statutory nature conservation body.

This HRA of the Site Allocations DPD assesses the current progress of strategic mitigation and whether the mitigation approach can contribute to supporting the forthcoming site allocations.

A package of mitigation measures, to manage recreation is primarily provided for through developer contributions funding as new development comes forward. This money is used to provide access management that is delivered either on-site (i.e. managing access on the European site) or off-site (i.e. providing alternative greenspaces for recreation that provide a similar experience and offer good visitor facilities in response to identified need).

Key considerations include the location, accessibility, size and means of managing the sites into the long term. This HRA for the Site Allocations DPD assesses the current progress in developing a SANGs approach within the District. A number of potential SANGs sites are being considered to establish whether they are potentially suitable. A strategic SANG is in place at East Court and Ashplats Wood in East Grinstead. This SANG has provided the off-site mitigation for residential development coming forward since January 2015, and with permissions given to date, is now nearing capacity based on SANGs good practice in terms of the number of new residents per ha of SANG provided.

New SANG options are proposed and are considered to present a viable option for additional SANG capacity to meet the growth provided for by the site allocations. SANG provision should be plan led so that there is certainty that there will be SANG capacity provided alongside new housing growth. The SANG options need to be secured within the final DPD, with the key requirements set out within policy. This will need to be followed by more detailed design considerations within site specific masterplans or formal mitigation strategy documentation.

## Air Quality

Mid Sussex District Council has recognised the potential for growth within the emerging Mid Sussex Site Allocations DPD to have air quality implications for Ashdown Forest and has appointed specialist consultants to assist with the consideration of potential impacts. Reductions in air quality through increased Nitrogen deposition associated with increased traffic can impact on sensitive vegetation communities, leading to habitat deterioration.

The transport consultants, Systra have modelled predicted traffic changes as a result of proposed growth scenarios. The air quality consultants, Wood are using the traffic modelling to undertake modelling of the predicted resultant changes in atmospheric pollutants as a result of the traffic modelling, and Footprint Ecology is using the air quality modelling to inform this HRA. A number of growth scenarios have gone through this process. Each scenario has used the same model and predictions in air pollutant increases as a result of the growth scenarios modelled for transect points on roads through and in close proximity to Ashdown Forest.

The combined effect of Mid Sussex growth with that of neighbouring local planning authorities is such that critical loads (identified by a national data source) of pollutants are breached at some transect points. These are all points in close proximity to the road, where background loads are already relatively high. The modelling indicates that Nitrogen will be under the maximum critical threshold for all modelled points greater than 10m away from the road under all growth scenarios. It is concluded that this constitutes a likely significant effect, for all growth scenarios modelled, i.e. it is concluded that the air quality impact pathway requires appropriate assessment.

The preferred growth scenario (Scenario 8), as proposed in the DPD at Regulation 18 stage, does not present air quality impacts that are significantly higher than other growth scenarios, and includes additional measures in terms of highways improvements that will serve to improve the functioning of the road network and reduce congestion. It is apparent from the modelling results that these improvements are likely to be making a small but positive contribution to reducing the air quality impacts of new growth. It is therefore concluded that the highways improvements are likely to be an important mitigation measure for air quality impacts and should be an integral part of the plan.

It is recognised practice that a breach of the critical loads that is greater than 1% is considered to be a likely significant effect for HRA purposes. This is standard practice for HRA of plans and projects, enabling potential risks to be assessed further to establish whether adverse effects on European sites can or cannot be ruled out.

The modelling results for the growth scenarios are such that the breaches of 1% of the critical loads are so low that, having regard for the wider context, are considered to be a minor retardation low enough to be ruled out from adverse effects. This conclusion is drawn with consideration of the beneficial influence of a number of factors set out within the appropriate assessment, and with reference to relevant evidence, case law and expert opinion, including advice sought from Natural England.

The factors considered are the long-term trajectory of air quality improvement and the scientific basis of those predictions, and consideration of other wider measures relating to Ashdown Forest that are likely to come forward.

## Conclusions

This HRA uses evidence-based justifications to rule out adverse effects in relation to the key impact pathways, notwithstanding the fact that a HRA report is not complete until the final plan is checked prior to adoption. At this point in time, it is concluded that the Mid Sussex Site Allocations DPD does not present any potential risks to European sites that it is considered are not capable of being mitigated for.

However, further work needs to be undertaken to finalise the appropriate assessment with a clear and justified narrative for conclusions drawn and agreement with Natural England. This will inform the next stage of plan making and give certainty to the Council as the competent authority that adverse effects on European site integrity can be ruled out. This report will therefore be updated and expanded accordingly to inform the Regulation 19 stage of plan making.