

# **Royal Borough of Greenwich**

## **Local Plan**

### **Site Allocations Proposed Submission**

**Habitat Regulations Assessment (HRA) Report**

**November 2020**

## Introduction

This report responds to the requirements of the Conservation of Habitats and Species Regulations 2017 (the Habitats Regulations) which implements the requirements of the European Commission's Habitats Directive 92/43/EEC. Consideration is given as to whether or not the Proposed Submission Site Allocations Development Plan Document (DPD) is likely to have significant effects on the integrity of the sites designated of European level biodiversity interest, either alone or in combination with other plans or projects.

The Royal Greenwich Local Plan: Core Strategy with Detailed Policies (Core Strategy) was published in July 2014. An HRA screening assessment was undertaken for the Core Strategy, and a report was published alongside the Proposed Submission Version of the Core Strategy. The report identifies two European Sites within 10km of the boundaries of Royal Greenwich: Epping Forest SAC and Lee Valley SPA and Ramsar. It concludes that there are no likely significant effects or impacts on the integrity of either of these sites.

The focus of this screening is to specifically consider the implications of the Proposed Submission Site Allocations DPD on European Sites.

## Need for Plan Assessment

Article 6 of the European Habitats Directive (92/43/EEC) provides the means by which the European Union meets its obligations in relation to natural habitats, flora and fauna under the Bern Convention. The main provision of the Directive relevant for this report is concerned with the assessment and review of plans and projects that have the potential to affect Natura 2000 sites. Natura 2000 sites include: Special Protection Areas (SPAs) established in accordance with the requirements of the Birds Directive (2009/147/EC as amended) and Special Areas of Conservation (SACs) established in accordance with the requirements of the Habitats Directive.

Articles 6(3) and 6(4) of the Habitats Directive state:

*6(3) 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. In the light of the conclusions of the assessment of the implications for the site and subject to the provisions of paragraph 4, the competent national authorities shall agree to the plan or project only after having ascertained that it will not adversely affect the integrity of the site concerned and, if appropriate, after having obtained the opinion of the general public.*

*6(4) If, in spite of a negative assessment of the implications for the site and in the absence of alternative solutions, a plan or project must nevertheless be carried out for reasons of overriding public interest, including those of a social or economic nature, the Member State shall take all compensatory measures necessary to ensure that the overall coherence of Natura 2000 is protected. It shall inform the Commission of the compensatory measures adopted.*

*Where the site concerned hosts a priority natural habitat type and/or a priority species, the only considerations which may be those relating to human health or public safety, to*

*beneficial consequences of primary importance for the environment or, further to an opinion from the Commission, to other imperative reasons of overriding public interest.*

The Conservation of Habitats and Species Regulations 2017 (as amended) (Habitats Regulations) transpose into domestic legislation obligations associated with both the European Birds Directive and the Habitats Directive. Regulation 102 of the Habitats Regulations is the most pertinent in relation to this report. Regulation 102(1) states:

*Where a land use plan -  
is likely to have a significant effect on a European site or a European offshore marine site (either alone or in combination with other plans or projects), and  
is not directly connected with or necessary to the management of the site,  
the plan-making authority for that plan must, before the plan is given effect, make an appropriate assessment of the implications for the site in view of that site's conservation objectives.*

The term "Habitats Regulation Assessment" is used to cover the whole process of assessing the effects of a land use plan on European sites and Ramsar sites. An Appropriate Assessment is only one stage within the whole process of HRA (see methodology section for further details).

The European site network comprises sites of nature conservation value that benefit from statutory protection at the European level. These sites include: Special Areas of Conservation (SACs) and candidate Special Areas of Conservation (cSACs) [designated under the EC Habitats Directive]; Special Protection Areas (SPAs) and potential Special Protection Areas (pSPAs) [classified under the EC Birds Directive 1979, 79/409/EEC]. The Government also expects cSACs, pSPAs, and Ramsar sites [designated under the Ramsar Convention 1976] to be included within the HRA process. For the purposes of this report, European sites are considered to include SACs, cSACs, SPAs, pSPAs and Ramsar sites.

### **Purpose of this Report**

This report presents the HRA screening for the Proposed Submission Site Allocations Development Plan Document (DPD). It sets out the methodology for the HRA, determines the European sites that require consideration with regards to potential effects arising from the SALP, and then goes through the assessment process, assessing likely significant effects on relevant European sites and presents its conclusions.

### **Consultation**

The Proposed Submission Site Allocations DPD is the third document in the preparation of Royal Greenwich's Site Allocations DPD. As set out in the Local Development Scheme (LDS), the Proposed Submission is the formal round of public consultation carried out in accordance with Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012, whereby the Local Planning Authority publishes the full draft DPD for formal public consultation.

This HRA Screening Report will be published and consulted on alongside the Proposed Submission Site Allocations DPD for a period of eight weeks. A final HRA Screening Report will be produced to take account of changes following consultation and any responses to this report.

The Proposed Submission Site Allocations DPD has been informed by two previous consultations on the Site Allocations document. Consultation on the Issues and Options document was carried out for six weeks in 2016 and included a formal “call for sites” which invited landowners, developers and others to put forward sites for consideration for inclusion in the Site Allocations. Consultation on the Preferred Approach document was carried out for eight weeks in summer/autumn 2019. The views expressed in the previous rounds of consultation have been considered and reflected in the Proposed Submission document.

## **Methodology**

The Ministry of Housing, Communities and Local Government (MHCLG) released formal guidance on the use of Habitats Regulations Assessment on 22 July 2019. It expects a Habitats Regulations Assessment screening to take into account the potential effects both of the plan/project itself and in combination with other plans and projects. The following list of steps is based on the MHCLG guidance and provides a methodology to support the production of an appropriate assessment. The stages are essentially iterative, being revised as necessary in response to more detailed information, recommendations, and any relevant changes to the plan until no significant adverse impacts remain.

- Evidence gathering – collecting information on relevant European sites, their conservation objectives and characteristics and other plans of projects.
- HRA Task 1: Likely significant effects (‘screening’) - identifying whether a plan is likely to ‘have a significant effect’ on a European site.
- HRA Task 2: Ascertaining the effect on site integrity – assessing the effects of the plan on the conservation objectives of any European sites ‘screened in’ during HRA Task 1.
- HRA Task 3: Mitigation measures and alternative solutions – where adverse effects are identified at HRA Task 2, the plan should be altered until adverse effects are cancelled out fully.

The first task, screening for HRA, will determine if the SALP is likely to have a significant effect on the conservation objectives of the European sites. This will determine whether stages 2 and 3 of the HRA are required.

## **Site Allocations Local Plan**

The SALP is a planning policy document that forms part of the Local Plan and will sit alongside the Core Strategy in determining planning applications. It provides detailed guidance for development on specific sites across the borough and responds directly to the requirement in the NPPF to allocate sufficient sites to deliver the strategic priorities of the area.

The SALP is being prepared by the Royal Borough of Greenwich (RBG). During February and March 2016, RBG consulted on an Issues and Options document to inform the sites and matters that the SALP should contain. From August to October 2019, RBG consulted on a Preferred Approach document to gather feedback regarding the proposed sites and matters to be included in the final document. This consultation was accompanied by a consultation on a draft IIA. The draft SALP is subject to an eight week consultation, to be accompanied by consultation on a revised draft IIA and this HRA Screening Assessment.

## **Form and content of the Site Allocations DPD**

The Site Allocations Development Plan Document provides specific policy for key sites in order to ensure that the vision and objectives of the Local Plan's strategic policies (as set out in the Core Strategy) are implemented. It supports a strategic and proactive approach to development and change, by ensuring that the most suitable sites are brought forward and that the most appropriate combination of uses and scale of development is promoted on each site.

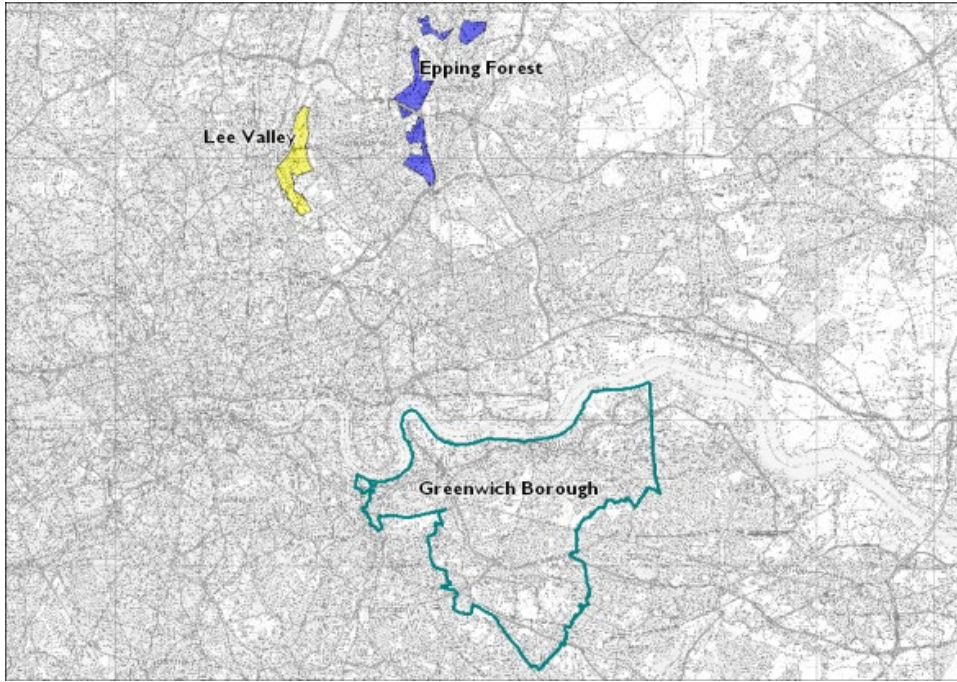
The Site Allocations focuses on sites that will deliver a significant amount of development and sites that support the delivery of specific Local Plan objectives. It includes sites to meet the development needs identified in the Core Strategy (and the London Plan) and secure specific land uses, including for housing, jobs and the infrastructure required to support growth.

Only those sites that are considered central to delivering the policies and objectives of the Core Strategy, and likely to come forward during the 15 year lifetimes of the Local Plan are included in the Site Allocations DPD. The additional certainty about the nature and location of future development provided by the Site Allocations also supports more effective infrastructure planning. The individual allocations incorporate an appropriate degree of flexibility, in recognition of the changing context within which development proposals will be brought forward in the long term.

### **Identification of relevant sites**

No European sites are fully or partially within Royal Greenwich. Using the HRA of the London Plan and the European Commission website, RBG identified those European sites within a 15km zone extending from the borough boundaries. A 10km radius was used in the HRA of the Core Strategy on the basis of Environment Agency guidance regarding the release of aerial pollutants and their impacts on habitats; however, the HRA of the draft London Plan used a radius of 15km. On that basis, European sites were scoped into the study if they were either wholly or partially within 15km of the boundaries of Royal Greenwich. Two sites are fully within 15km of the boundary, and one site is partially within 15km of the boundary.

### **Map 1: Location of European sites relative to Royal Greenwich**



European Site	Approximate distance from borough boundary	Qualifying features
Epping Forest SAC	9km	Atlantic acidophilus beech forests, Northern Atlantic wet heaths with <i>Erica tetralix</i> , and European dry heaths. Stag beetle ( <i>Lucanus cervus</i> ).
Lee Valley SPA	9km	Internationally important populations of northern shoveler ( <i>Anas clypeata</i> ), gadwall ( <i>Anas strepera</i> ), and bittern ( <i>Botaurus stellaris</i> ).
Lee Valley Ramsar	9km	Nationally scarce plant species (whorled water-milfoil) ( <i>Myriophyllum verticillatum</i> ) and a rare or vulnerable invertebrate ( <i>Micronecta minutissima</i> ). Species/populations occurring at levels of international importance: Northern Shoveler, and Gadwell.

In order to assess whether the SALP will have a significant effect on European Sites, the HRA of the London Plan was reviewed for the three particular sites identified.

The London Plan HRA identified the various ways in which land use plans can impact internationally designated sites by following the pathways along which development can be connected with those sites. Pathways are routes by which a change in activity associated with a development can lead to an effect upon an internationally designated site. Four impact pathways were identified, and were discussed in relation to each European site:

- Impacts from urbanisation and recreational activities (including disturbance and abrasion)
- Atmospheric pollution
- Water abstraction
- Water quality

## Epping Forest SAC (From London Plan updated HRA 2018)

### Introduction

70% of this 1,600-hectare site consists of broadleaved deciduous woodland, and it is one of only a few remaining large-scale examples of ancient wood-pasture in lowland Britain. Epping Forest supports a nationally outstanding assemblage of invertebrates, a major amphibian interest and an exceptional breeding bird community.

### Reasons for Designation

Epping Forest qualifies as a SAC for both habitats and species. The site contains Annex I habitats of:

- Beech forests on acid soils with *Ilex* and sometimes *Taxus* in the shrub layer.
- Wet heathland with cross-leaved heath; and
- Dry heath

The site contains Annex II species:

- Stag beetle *Lucanus cervus*.

Current pressures:

- Air pollution
- Public disturbance
- Inappropriate water levels
- Water pollution

### Conservation Objectives

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 distribution of qualifying natural habitats and habitats of qualifying species
- The structure and function (including typical species) of qualifying natural habitats
- The structure and function of the habitats and qualifying species
- The supporting processes on which qualifying natural habitats and the habitats of qualifying species rely
- The populations of qualifying species; and
- The distribution of qualifying species within the site

### Assessment

The Epping Forest SAC receives a great many visits per year (estimated at over 4 million) and discussions between the GLA and the Corporation of London (which manages Epping Forest) have identified long-standing concerns about increasing recreational use of the forest resulting in damage to its features of interest. A programme of detailed visitor surveys has been undertaken in recent years. A core catchment, from within which 75% of visitors come, has been defined as a 6.2km radius in which net new housing will require some form of mitigation. Within London, the major points of visitor origin are Waltham Forest and Redbridge, with a small proportion from Newham<sup>1</sup>.

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<sup>1</sup> Footprint Ecology (2016). Initial review of current visitor data for Epping Forest



The Royal Borough of Greenwich falls well outside this core catchment and is roughly 9km from the SAC at its closest boundary. While some residents of Royal Greenwich are likely to visit Epping Forest, the distance from the borough boundary, and lack of convenient public transportation, means that these numbers are unlikely to be significant. Further, the Site Allocations DPD will not cause any growth beyond that anticipated by the Local Plan, which has been subject to separate HRA screening assessments for the Core Strategy and the London Plan. It also includes the provision of new open space in areas of open space deficiency. It is considered that the SALP will not have any significant effects on the Epping Forest SAC.

#### Air Quality

Epping Forest SAC is known to be adversely affected by relatively poor local air quality along the roads that traverse the SAC and this has been demonstrated to have negatively affected the epiphytic lichen communities of the woodland as well as other features. The nature of the road network around Epping Forest is such that journeys between a number of key settlements around the Forest by car, van or bus effectively necessitate traversing the SAC.

Journey to work census data from 2011 indicate that the London boroughs most likely to contribute to NO<sub>x</sub> concentrations and nitrogen deposits within Epping Forest SAC, arising from road traffic, are Waltham Forest, Redbridge and possible Enfield.

It is unlikely that any additional growth identified in the SALP and its associated traffic and construction activities will impact Epping Forest SAC especially as the SAC is north of the River Thames and there are no direct vehicle routes to it.

## Lee Valley SPA and Ramsar

### Introduction

The Lee Valley is a series of wetlands and reservoirs located in the north east of the London within the Lee Valley Regional Park. The site occupies approximately 24km of the valley and comprises embanked water supply reservoirs, sewage treatment lagoons and former gravel pits that support a range of man-made, semi-natural and valley bottom habitats that support wintering waterfowl.

### Reasons for Designation

Lee Valley qualifies as a SPA for its Annex I species:

### Wintering

- Bittern *Botaurus stellaris*

### Migratory

- Gadwall *Anas strepera*
- Shoveller *Anas clypeata*

Lee Valley qualifies as a Ramsar site under the following criteria:

- Criterion 2: The site supports the nationally scarce plant species whorled water-milfoil *Myriophyllum verticillatum* and the rare or vulnerable invertebrate *Micronecta minutissima* (water-boatman); and
- Criterion 6: species/populations occurring at levels of international importance
  - Species with peak counts in spring/autumn: Northern shoveler *Anas clypeata*
  - Species with peak counts in spring/autumn: Gadwall *Anas strepera*

### Current pressures

- Water pollution
- Hydrological changes
- Recreational disturbance including angling
- Atmospheric pollution

### Conservation objectives

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 above), and subject to natural change;

Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the aims of the Wild Bird Directive, by maintaining or restoring:

- The extent and distribution of the habitats of the qualifying species
- The structure and function of the habitats of the qualifying species
- 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.

### Recreational Activity

Within the past five to ten years, landowners/managers within the SPA (RSPB, the local Wildlife Trust, the Regional Park Authority and Thames Water) have undertaken initiatives both to facilitate and to promote greater public access to the SPA for recreation. There is therefore no current evidence that recreational disturbance of the wintering gadwall and shoveler using Walthamstow Reservoirs in international numbers will be incompatible with growth in London over the plan period and no *a priori* reason to assume any mitigation will be needed. This is particularly the case since both species are known to be able to habituate to human activity and the peak of human recreational use of Walthamstow Wetlands is likely to be in summer when numbers of gadwall and shoveler are at their lowest.

Notwithstanding this promotion of the site, it is unlikely that residents of the Royal Borough would travel to reach the SPA in significant numbers. The SALP also promotes greater access to the River Thames, which could provide an alternative water-based recreation activity to the SPA.

#### Water Resources

Walthamstow Reservoirs SSSI is a series of sealed reservoirs that are part of the water supply infrastructure for London. As such, water levels are directly controllable by the site manager (Thames Water) and they have been largely responsible for creating the circumstances that have led to the site being of international importance for gadwall and shoveler. Moreover, Thames Water has invested significantly in water supply infrastructure to ensure that London's water supply is as resilient as possible. This includes the construction of an operational desalination plant at Beckton in east London. Further, there are no wastewater treatment works that have catchments within the GLA boundary that discharge into the River Lee or its tributaries.

It is unlikely that Royal Borough will rely on the water supply from this reservoir and impossible that its wastewater would affect its water quality.

## **Other Plans**

The Royal Greenwich Local Plan: Core Strategy with Detailed Policies (2014) was accompanied by an HRA screening assessment, which concluded that there would not be any likely significant effects on any European Site arising from the policies therein.

The draft London Plan was also accompanied by an HRA Screening Report, prepared by Aecom and published November 2017. An update report was published July 2018 following consultation on the initial screening and the Plan.

## **Conclusion**

This report has identified those European sites within 10km of the borough boundary. These sites are Epping Forest SAC and the Lee Valley SPA and Ramsar. The assessment reviewed the reasons for site designations and key vulnerabilities. In brief it is considered that: the distance between the borough boundary and the sites (both roughly 9km), their position on the other side of the River Thames, and the amount of open space within the Royal Borough lead to an assessment that the Site Allocations Local Plan will not have a likely significant effect on any European site. Therefore, Task 1 of the HRA process is complete, and Tasks 2 and 3 are not relevant.

In addition, individual schemes on sites within the SALP will be subject to the policies of the local plan, which includes the Core Strategy and the London Plan. The SALP also includes more specific policies and guidance on air quality, water management, sustainable transport and open space enhancements that aim to minimise adverse effects of development.