

“Ringmer to 2030”

Habitat Regulations Screening Report



The Lewes Downs SAC viewed from above Lewes. Ringmer village can be seen to the top left. Photograph from www.sussex-butterflies.org.uk

Ringmer Parish Council
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1. Introduction

- 1.1 It is acknowledged that some of Europe’s natural habitats are deteriorating and, as a result, a number of wild species are becoming seriously threatened. Development may contribute to this. As a result, when preparing plans or projects, member states of the European Community are required to take into account habitats and wild species of European importance through Article 6 of Council Directive 92/43/EEC on the Conservation of Natural Habitats and of wild fauna and flora (known as the Habitats Directive).
- 1.2 The Conservation of Habitats and Species Regulations 2010 (known as the Habitats Regulations) transpose the requirements of the Habitats Directive into British law.
- 1.3 In order to fulfil such requirements, those making land use plans must carry out a Habitats Regulations Assessment (HRA). This process, also known as an Appropriate Assessment, ensures that the protection of the integrity of sites protected by European Law is a part of the planning process. Such sites are referred to as “protected sites” throughout the rest of the report.
- 1.4 This report presents the finding of the screening stage of the HRA process, examining whether or not this Neighbourhood Plan is likely to have a significant effect on any protected sites.
- 1.5 This screening assessment should be read alongside the Habitat Regulations Assessment of the Lewes District Core Strategy: Proposed Submission Version¹ as well as the Addendum to that HRA published alongside the Focussed Amendments version of the Core Strategy².
- 1.6 This report has been prepared by officers at Lewes District Council on behalf of Ringmer Parish Council in order to inform the preparation of the Neighbourhood Plan, to ensure that it meets the basic conditions as prescribed by the Neighbourhood Planning Regulations and related legislation and meets the requirements of European Directives.

2. Process

- 2.1 In 2006 the Department for Communities and Local Government released draft guidance for the Appropriate Assessment on local development documents and Regional Spatial Strategies.
- 2.2 The guidance never progressed from the draft version and it was not produced when neighbourhood planning had come into force, but it still prescribes a useful process for undertaking HRA on land use plans, such as neighbourhood plans.
- 2.3 The draft guidance described three main tasks to follow when developing a land use plan. These are:
1. Screening for likely significant effects.
 2. Appropriate Assessment and ascertaining the effect on site integrity.
 3. Mitigation measures and alternative solutions.

¹ http://www.lewes.gov.uk/Files/plan_2013_HRA.pdf

² http://www.lewes.gov.uk/Files/plan_HRA_Addendum_2014.pdf

2.4 This report relates to the first stage of the process, the screening stage.

Screening for likely significant effects

- 2.5 The first HRA stage assesses whether a plan is likely to have a significant negative effect on a protected site. This screening process determines whether it is necessary to carry out the subsequent stages of HRA.
- 2.6 If a plan is assessed as likely to have no significant effect on a protected site, then continuing the HRA is deemed unnecessary. Conversely, if it is found that a plan is likely to cause a significant effect on a protected site, the site would have to undergo the further stages.
- 2.7 Other plans and strategies that could have an impact on protected sites in combination with the plan under production also have to be taken into account during the screening stage. As an example, it may be assessed that there would be no significant effect caused by an individual plan on a particular protected site, but when considering in conjunction with other plans and strategies, the cumulative outcome could be assessed to cause a likely significant effect. In this case too the protected site would have to undergo the further stages.
- 2.8 Importantly, the HRA process is underpinned by the precautionary principle, especially in the assessment of potential impacts and their resolution. If it is not possible to rule out a risk of harm to a protected site, based on the evidence available, it must be assumed a risk may exist. As a result, the protected site would have to undergo the further stages.

3. The Protected Sites

- 3.1 There are three types of protected sites that an HRA would have to consider. These are:
- Special Areas of Conservation (SACs) – sites designated for flora, fauna and habitats of community interest under powers derived from the Habitats Directive; and
 - Special Protection Areas (SPAs) – sites designated to conserve the habitat of protected wild birds to ensure their survival and reproduction in their area of distribution under powers derived from Directive 2009/147/EC on the conservation of wild birds³ (the Birds Directive).
 - Ramsar Sites – wetland sites of international importance, designated under the Ramsar Convention
- 3.2 The HRA for the Lewes District Core Strategy (Local Plan part 1) considered 4 protected sites, both within and outside of the district, which could be affected by development in the district. These were:
- Castle Hill SAC
 - Lewes Downs SAC
 - Pevensey Levels Ramsar Site and Candidate SAC
 - Ashdown Forest SAC and SPA
- 3.3 The Ringmer Neighbourhood Area covers a far smaller geographical area than the Lewes District Core Strategy (Local Plan part 1). The only protected site near to this area is the Lewes Downs SAC,

³ This directive replaced Council Directive 79/409/EEC on the same subject.

located near to its south-west boundary with the town of Lewes. It is thus considered appropriate to carry out the screening for likely significant effects for only the Lewes Downs SAC.

Lewes Downs SAC

- 3.4 The Lewes Downs site has been designated as a SAC for the following reasons⁴:
- This chalk grassland site consists largely of *Festuca ovina* – *Avenula pratensis* and *Bromus erectus* calcareous grasslands. This site contains an important assemblage of rare and scarce orchids, including early spider-orchid *Ophrys sphegodes*, burnt orchid *Orchis ustulata* and musk orchid *Herminium monorchis*. The colony of burnt orchid is one of the largest in the UK.
- 3.5 When assessing whether the Ringmer Neighbourhood Plan would be likely to cause a significant effect on the Lewes Downs SAC, these reasons for the designation will be considered.

4. Screening the Protected Site

- 4.1 When producing a neighbourhood plan, one of the basic conditions is for it to be in general conformity with the strategic policies of the development plan. The Ringmer Neighbourhood Plan is being produced to be in conformity with the Lewes District Core Strategy (Local Plan part 1). At the time of writing this report, the Core Strategy is at an advanced stage of production and has recently undergone a period of representation on the proposed submission version of the document.
- 4.2 Thus, when undertaking the screening assessment for this Neighbourhood Plan, consideration is given to the findings of the HRA on the Lewes District Core Strategy (Local Plan part 1). That HRA assumed that 220 homes would be built in Ringmer by 2030. The HRA concluded that ***“as a result of the work undertaken, it has been determined, in consultation with Natural England, that the Core Strategy would not have a significant negative effect on the Lewes Downs SAC, either alone or in combination with other plans.”***
- 4.3 The Ringmer Neighbourhood Plan will plan for a similar amount of housing (240 homes between 2010 and 2030) as was assumed in the HRA on the Core Strategy. It will also include a number of other policies, covering a wide range of matters, to deliver the plan’s key principles.

The Screening Assessment

- 4.4 As can be seen in Table 1 below, a screening assessment has been undertaken. From the findings of the screening assessment, it has been determined that the Ringmer Neighbourhood Plan would not be likely to cause any significant effect on the Lewes Downs SAC, either alone or in combination with other plans. It will thus not be necessary to complete the further stages of the HRA process for the site.

⁴ taken from the summary provided on the Joint Nature Conservation Committee’s (JNCC’s) website

Table 1: Screening Assessment of Lewes Downs SAC

SITE
Lewes Downs SAC
KEY ENVIRONMENTAL CONDITIONS NEEDED TO SUPPORT INTEGRITY
<ul style="list-style-type: none"> • Minimal air pollution. • Maintenance of grazing. • Absence of direct fertilisation. • Low recreational pressure. • Avoidance of leaching and spray-drift of chemicals from bordering arable land.
POSSIBLE EFFECTS OF NEIGHBOURHOOD DEVELOPMENT PLAN
<ul style="list-style-type: none"> • Increasing traffic on the A26 and B2192. This could lead to increased air pollution, affecting the site's integrity. • Increasing recreational pressures on the site, affecting the protected habitats.
LIKELY SIGNIFICANT EFFECTS ON THE SITE (INCLUDING POTENTIAL 'IN-COMBINATION' IMPACTS)?
<p>No – the HRA for the Core Strategy tested the impact of traffic coming from development in Ringmer, alongside development elsewhere in the District, and concluded that it would not cause a significant negative effect on the SAC. 220 additional homes in Ringmer would represent an 11% increase in household number. It is not considered that increasing this from 11% to 12% over the period to 2030 would change this conclusion, especially as provision for reducing traffic congestion along the roads closest to the SAC is included amongst the infrastructure provisions required by the Neighbourhood Plan.</p> <p>It is also not considered that the Neighbourhood Plan, either by itself or in combination with the Core Strategy, would increase the numbers of visitors to the site significantly. It is thus unlikely to have any likely significant effect. The Neighbourhood Plan will increase the provision of accessible natural or semi-natural greenspace at other locations in Ringmer, which is likely to reduce recreational pressure on the SAC.</p>
FURTHER STAGES OF HRA NEEDED?
No