

Neighbourhood Planning Screening Report and Appropriate Assessment – Titchfield Neighbourhood Plan

Final version following consideration by consultation bodies

Strategic Environmental Assessment
and
Habitats Regulations Assessment

July 2018

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1. Non-Technical Summary

- 1.1 A Strategic Environment Assessment (SEA) is required under European legislation (as detailed in Chapter 2 of this assessment) for all plans which may have a significant effect on the environment.
- 1.2 The purpose of SEA is to provide a high level of protection of the environment and to integrate considerations of the environment into the preparation and adoption of plans with a view to promoting sustainable development.
- 1.3 The SEA process sets out criteria for assessing the significance of the effects of a plan on the environment. For example, if a plan proposes a housing development it may have an impact on the wildlife of the area or have an impact on landscape.
- 1.4 To ascertain if SEA is required, a “screening” exercise is undertaken which looks at the proposals and policies in a Neighbourhood Plan to see if a significant effect on the environment is likely. The criteria for undertaking the “screening” assessment is set out in the relevant legislation (as detailed in Chapter 2 of this assessment).
- 1.5 A Habitats Regulations Assessment (HRA) is a process which looks at the potential impact of proposals within a plan on what are termed ‘European sites’. For the purpose of the HRA, European sites are Special Protection Areas (SPA), Special Areas of Conservation (SAC) and Ramsar sites. In relation to the Fareham Borough there are a number of SPAs, SACs and Ramsar sites within and adjacent to the Borough.
- 1.6 The screening and Appropriate Assessment stage of the HRA process involves the consideration of the reasons for designation and the conservation objectives of each European site within a reasonable distance of the Neighbourhood Plan area. It also identifies relevant mitigation measures to help ensure that any adverse effects identified on the European sites can be avoided.
- 1.7 **This report details the assessment of the Titchfield Neighbourhood Plan against the need for an SEA and/or HRA to be produced to accompany the Neighbourhood Plan. Following consultation with the three consultation bodies (Environment Agency, Natural England and Historic England) it concludes that based on the Neighbourhood Forum’s stated objectives and confirmation that there will be no sites allocated in the Neighbourhood Plan that an SEA is not considered to be required to accompany the Titchfield Neighbourhood Plan. The assessment also concludes that the plan has been subject to Habitats Regulations Assessment and an Appropriate Assessment is required and is contained**

within this report. The responses from the three consultation bodies can be found in Appendix 4 of this report.

2. Introduction

- 2.1 The Neighbourhood Planning (General) Regulations 2012, state that submitted Plans need to be accompanied by a statement explaining how the proposed Plan meets the ‘basic conditions’ set out in Schedule 4B of the 1990 Town and Country Planning Act. The basic conditions include a requirement to demonstrate how the Plan is compatible with EU obligations. An important element of this requirement is that the Council needs to determine whether the neighbourhood plan should be subject to Strategic Environmental Assessment (SEA) and/or Habitats Regulations Assessment (HRA). This is an important legal requirement and the “screening” process in relation to this legislation should form an integral part of the neighbourhood planning process as early as possible. The main consideration will be whether the neighbourhood plan is likely to have significant environment effects (in relation to SEA) or a significant effect on a European site.

Strategic Environmental Assessment

- 2.2 The need for environmental assessment of Neighbourhood Plans emanates from EU Directive 2001/42/EC, also known as the SEA Directive¹. The SEA Directive applies to a wide range of public plans and programmes (e.g. on land use, transport, energy, water, agriculture, etc) and applies at the regional and local level. The SEA Directive 2001 been transposed into English law via The Environmental Assessment of Plans and Programme Regulations 2004 (EAPP)². Detailed guidance of these regulations can be found in the Government publication ‘A Practical Guide to the Strategic Environmental Assessment Directive’³ (ODPM 2005) and the National Planning Practice Guidance (PPG).
- 2.3 The PPG⁴ sets out that it is necessary for Local Planning Authorities to “screen” the proposed Neighbourhood Plan in order to determine whether the plans/programmes are likely to have significant environmental effects. The screening procedure is based on criteria set out in Schedule 1 of the EAPP Regulations 2004. This report assessed the Neighbourhood Plan against those criteria, and on this basis, sets out whether an SEA (in the form of an

¹ <http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:32001L0042>

² http://www.legislation.gov.uk/ukxi/2004/1633/pdfs/ukxi_20041633_en.pdf

³ https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/7657/practicalguidesea.pdf

⁴ <https://www.gov.uk/guidance/strategic-environmental-assessment-and-sustainability-appraisal#strategic-environmental-assessment-requirements-for-neighbourhood-plans>

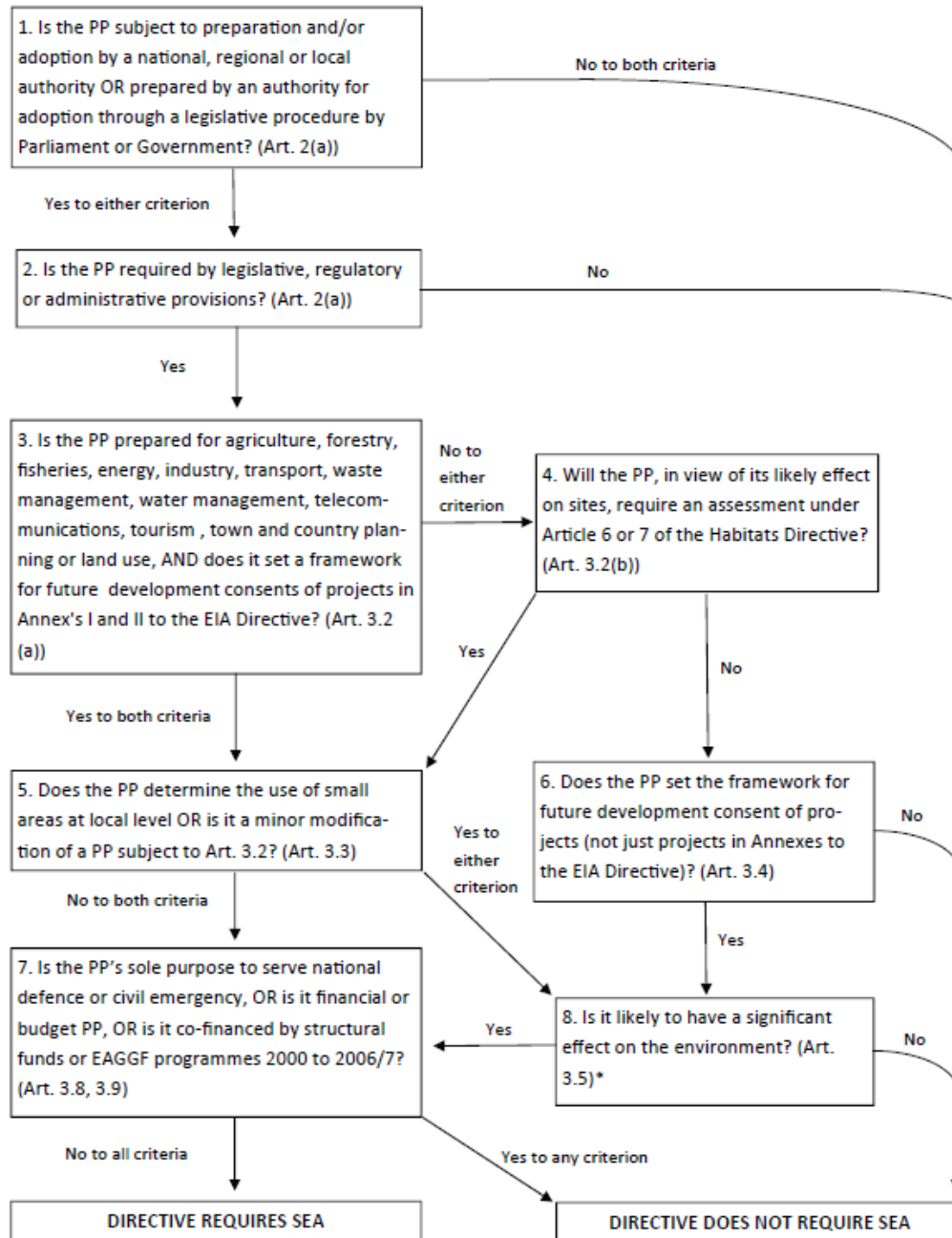
Environmental Report) is required. Figure 1 below sets out the framework for establishing whether an SEA will be required.

Figure 1 - Application of the SEA Directive to Plans and Programmes

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Figure 2: Application of the SEA Directive to Plans and Programmes

This diagram is intended as a guide to the criteria for application of the Directive to Plans and Programmes (PPs). It has no legal status.



* The Directive requires Member States to determine whether plans or programmes in this category are likely to have significant environ-

⁵ Source: Office of the Deputy Prime Minister. 2005. A Practical Guide to the Strategic Environmental Assessment Directive. https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/7657/practicalguidesea.pdf

Habitats Regulations Assessment

- 2.4 In addition to the screening of Neighbourhood Plans in relation to SEA, there is a need to assess the likelihood of proposals or policies within a Neighbourhood Plan having a significant effect on European sites. In relation to the Fareham Borough, relevant European sites consist of areas designated as Special Areas of Conservation (SAC), Special Protection Areas (SPA's) and Ramsar sites. The Habitats Regulations Assessment (HRA) is required by the Habitats Directive as transposed into English law via The Conservation of Habitats and Species Regulations 2017⁶.
- 2.5 A HRA may be required depending on the content of the Neighbourhood Plan and the potential impact of the plan on European sites. A case by case assessment of Neighbourhood Plans will need to be undertaken to see if a full HRA is required.

Consultation Bodies

- 2.6 Once the preliminary assessments of the requirement for both SEA and Appropriate Assessment for HRA had been undertaken, the Environment Agency, Natural England and Historic England were consulted for a period of 5 weeks on the preliminary conclusions. Appendix 4 of this report incorporates the consultation responses provided, which have informed the finalised conclusions.

⁶ <https://www.legislation.gov.uk/ukxi/2017/1012/contents/made>

3. Generic Screening Assessment of Neighbourhood Plans

- 3.1 In the first instance, in order to establish if a Neighbourhood Plan potentially needs to be accompanied by a full SEA, a generic assessment of Neighbourhood Plans has been undertaken with the results of this assessment set out in Figure 2 below. The Assessment criteria set out in Figure 2 is derived from the government guidance produced to accompany the EAPP Regulations 2004: A Practical Guide to the Strategic Environmental Assessment Directive⁷.
- 3.2 The assessment shown in Figure 2 illustrates that Neighbourhood Plans can be subject to the SEA Directive, and concludes that the need for SEA in respect of any neighbourhood plan will ultimately come down to whether the Neighbourhood Plan is likely to have a significant effect on the environment. Therefore, Neighbourhood Plans will have to be screened on a case by case basis.

Figure 2 – Generic screening assessment of Neighbourhood Plans

Assessment Criteria	Yes/ no	Assessment
1. Is the Neighbourhood Plan subject to preparation and/or adoption by a national, regional or local authority OR prepared by an authority for adoption through a legislative procedure by Parliament or Government? (Art. 2 (a)).	Yes	Neighbourhood Plans are prepared by Parish/town councils or a Neighbourhood Forum ⁸ (as the 'qualifying body') under the provisions of the Town and Country Planning Act 1990 as amended by the Localism Act 2011. Once the Plan has been prepared, examined and achieves a greater than 50% 'yes' vote at referendum the plan will be made.
2. Is the Neighbourhood Plan required by legislative, regulatory or administrative provisions? (Art. 2 (a)).	Yes	It is not a requirement for a parish or a Forum to produce a Neighbourhood Plan. However, a Neighbourhood Plan, once 'made' does form part of the statutory Development Plan and will be used when making decisions on planning applications. It is therefore important that the screening process considers whether it is likely to have significant environmental effects, and whether SEA is required under the Directive.

⁷https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/7657/practicalguidesea.pdf

⁸ A forum is a member of at least 21 individuals who either, live or work in the area or are elected members for a local authority that includes all or part of the neighbourhood area.

3. Is the Neighbourhood Plan prepared for agriculture, forestry, fisheries, energy, industry, transport, water management, water management, telecommunications, tourism, town and country planning or land use, AND does it set a framework for future development consent of projects in Annexes I and II to the Environmental Impact Assessment Directive? (Art 3.2 (a))	Yes	Neighbourhood Plans will cover town and country planning/land use, and may also cover other issues in the list set out in assessment criteria 3. In addition, it will also set part of the framework for possible future consents covered by Annex II of the EIA Directive. Development under Annex I, however, would be excluded development.
4. Will the Neighbourhood Plan, in view of its likely effect on sites, require an assessment for future development under Article 6 or 7 of the Habitats Directive? (Art. 3.2 (b)).	Yes	Depending on the scale of the proposals and policies included in the Neighbourhood Plan, it may be likely to have a significant effect on sites designated under the Habitats or Birds Directive, and therefore, Habitats Regulations Assessment may be required.
5. Does the Neighbourhood Plan determine the use of small areas at local level, OR is it a minor modification of a PP subject to Art. 3.2? (Art. 3.3)	Yes	A Neighbourhood Plan can determine the use of small areas at the local level.
6. Does the Neighbourhood Plan set the framework for future development consent of projects (not just projects in Annexes to the EIA Directive)? (Art 3.4).	Yes	A Neighbourhood Plan once 'made' will form part of the development plan for the Borough and therefore will be used in the decision-making process in relation to planning applications for the relevant Neighbourhood Plan area. The policies in a Neighbourhood Plan therefore set the framework for future development proposals within the relevant Neighbourhood Plan area.
7. Is the Neighbourhood Plan's sole purpose to serve the national defence or civil emergency, OR is it a financial or budget PP, OR is it co-financed by structural funds or EAGGF (European Agricultural Guarantee Fund) programmes 2000 to 2006/7? (Art 3.8, 3.9)	No	A Neighbourhood Plan does not deal with any of these categories.
8. Is it likely to have a significant effect on the environment? (Art. 3.5)	?	The impact of a Neighbourhood Plan on the environment will depend upon the proposals and policies included. For this reason, a case by case assessment of each Neighbourhood Plan will be required.

Source: https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/7657/practicalguidesea.pdf

3.3 Given that Neighbourhood Plans may be subject to the requirement for SEA, depending on whether they are likely to have a significant effect on the environment, the next stage of the screening process is to establish how to

determine whether such effects are likely by screening Neighbourhood Plans on a case by case basis. The criteria for making this assessment are set out in Schedule 1 of the EAPP Regulations 2004⁹.

⁹ Page 12-13 - http://www.legislation.gov.uk/uksi/2004/1633/pdfs/uksi_20041633_en.pdf

4. Description of the Neighbourhood Plan

Introduction

- 4.1 The designated Neighbourhood Plan area is illustrated in Appendix 1, and includes the village of Titchfield. The Neighbourhood Plan is being prepared by the Titchfield Neighbourhood Forum.
- 4.2 The Neighbourhood Plan area is mainly rural. The majority of housing falls within Titchfield village. The village benefits from a number of key services including a doctor's surgery and local shops.
- 4.3 There are a number of environmental constraints associated with the Titchfield Neighbourhood area. There are several Sites of Importance for Nature Conservation (SINC's) which includes Titchfield Canal and Hollam Hill Farm Meadows (Meon Valley) and ancient woodland scattered throughout the Neighbourhood area. Titchfield Haven is also located to the south east of the Neighbourhood area which is a National Nature Reserve (NNR). Flood zones 2 and 3, also run from the northern boundary to the south-eastern boundary which follows the River Meon. Appendix 1 provides a map illustrating the main environmental constraints in the Titchfield Neighbourhood area.
- 4.4 There are two Conservation Areas within the Neighbourhood area. The Titchfield Conservation Area is focused on the centre of the village, and the north east of the Defined Urban Settlement Boundary. The Titchfield Abbey Conservation Area covers the northern part of the Neighbourhood area. There are a number of listed buildings scattered through the Neighbourhood Area and in particular centred in the village. There are Grade I and Grade II regionally and locally listed buildings, including the Grade I Parish of St Peters Church. The Council has adopted a Conservation Area Character Appraisal and Management Strategy for Titchfield Conservation Area¹⁰ and a Titchfield Abbey Conservation Area Character Assessment for the Titchfield Abbey Conservation Area¹¹. Both documents identify notable features and key views, including Titchfield Abbey and Stony Bridge which are Scheduled Monuments.
- 4.5 The objectives of the Titchfield Neighbourhood Plan aim to achieve the following:
 - Small scale, sustainable growth, focusing new housing within the urban area boundary and on brownfield sites.

¹⁰ <http://www.fareham.gov.uk/planning/conservation/titchfield.aspx>

¹¹ <http://www.fareham.gov.uk/planning/conservation/titchfieldabbey.aspx>

- The provision of road safety measures.
- A review of the Titchfield urban area boundary.
- Minimise the impact of new development on the character of the neighbourhood plan area, including its environment and landscape.
- To preserve or enhance the historic character and setting of the village.
- Support the local economy and provide new business opportunities
- The provision of adequate infrastructure, particularly related to traffic, and existing cycle and pedestrian routes.
- Preserving and enhancing green spaces.
- To preserve and support local community facilities.

4.6 The first of the Plan objectives above indicates that the Forum do not intend to allocate new development sites outside of the urban area boundary. This intention has been confirmed by the Titchfield Neighbourhood Forum for the benefit of Officers compiling this screening assessment and in their representation to the Draft Local Plan 2036¹².

¹² <http://titchfieldmatters.org.uk/wp-content/uploads/2017/12/cws-Boundary-proposal-to-FBC-Dec-2017.pdf>

5. SEA Screening Assessment

- 5.1 At this stage in the Neighbourhood Planning process it is difficult to know exactly what will be proposed in the final version of the Titchfield Neighbourhood Plan. The draft aims and objectives of the Neighbourhood Plan, as set out in Section 4 of this report, have been used to undertake this screening assessment.
- 5.2 If it is found that an environmental report is required for SEA in relation to the Neighbourhood Plan, any changes to the quantum of development can be assessed for environmental impact through the SEA process. If the conclusion of the screening exercise is that an environmental report is not required for SEA, any changes to the quantum of development should be subject to a further screening assessment to ensure that significant effects are not likely.
- 5.3 Under Criteria 8 of the assessment in Figure 1, it was concluded that neighbourhood plans may have a significant effect on the environment depending on the specific policies and proposals within it and that a case by case assessment of plans is required. The criteria for undertaking such an assessment is set out in Annex II of the SEA Directive. Figure 3 below outlines the results of this assessment against the Annex II parameters.

Figure 3 – Assessment of the likelihood of the Titchfield Neighbourhood Plan having significant effects on the environment

Significant effect criteria	Assessment
<i>The characteristics of the plan having regard to:</i>	
(a) The degree to which the plan or programme sets a framework for projects and other activities, either with regard to the location, nature, size and operating conditions or by allocating resources;	The Neighbourhood Plan will set a framework for various types of projects and activities, and in doing so will influence the size, location and operating conditions of the development in question. The policies in the Plan will also set criteria which will be applied to planning applications.
(b) The degree to which the plan or programme influences other plans and programmes including those in a hierarchy;	Though unlikely, the Plan could inform supplementary planning documents (such as design guidance), development briefs or site-specific guidance.
(c) The relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development;	The Neighbourhood Plan will have regard to the objective of achieving sustainable development in the plan area. It will be in conformity with the strategic policies in the Adopted Local Plan, and will have regard to the policies in the emerging Fareham Local Plan 2036.

(d) Environmental problems relevant to the plan or programme;	The Neighbourhood Plan will seek to address environmental, economic and social issues in the neighbourhood area.
(e) The relevance of the plan or programme for implementation of Community legislation on the environment (e.g. plans and programmes linked to waste management or water protection).	The Plan will seek to address environmental, economic and social issues in the neighbourhood area. The Plan is relevant to various aspects of community legislation, such as environmental protection.
<i>Characteristics of the effects likely having regard, in particular, to:</i>	
(a) The probability, duration, frequency and reversibility of the effects;	The Neighbourhood Plan will set the local vision, objectives and policies to guide new development in the Titchfield Neighbourhood Area. The objectives of the Neighbourhood Plan is not in conflict with the objectives and policies of the Adopted Local Plan or the emerging Fareham Local Plan 2036.
(b) The cumulative nature of the effects;	There are likely to be some fairly limited cumulative effects arising from and between the different proposals and policies in the Plan.
(c) The transboundary nature if the effects;	There will be no transboundary effects (in relation to other EU member states).
(d) The risks to human health or the environment (e.g. due to accidents);	The Titchfield NP area does not currently have any Air Quality Management Areas (AQMA's) but there are two in Fareham town centre. The NP may increase traffic levels but not to an extent that is anticipated to cause significant effects on human health. There is a limited risk of harm to the environment during construction works.
(e) The magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected);	The magnitude of the effects will be regulated by the relatively small number of units likely to be supported by the Plan, meaning the effects are likely to be largely localised (i.e. within the neighbourhood area). However, there could be limited effects over a moderately larger area in relation to issues such as landscape impact and highways.
(f) The value and vulnerability of the area likely to be affected due to – (i) Special natural characteristics or cultural heritage; (ii) Exceeded environmental quality standards or limit values; or (iii) Intensive land use;	There are various parts of the Neighbourhood Area which are both valued and vulnerable, namely the various SINCs, ancient woodlands and the two Conservation Areas. There are also a number of Listed Buildings and Scheduled Monuments which could be affected (in terms of setting). The objectives of the TNP seek to preserve the historic environment, and the landscape and environment. The plan does not seek to allocate sites. Therefore, the level of development proposed in the TNP is unlikely to lead to intensive land use and as such not affect the value and vulnerability of the area.
(g) The effects on areas or landscapes which have a recognised national, Community or international protection status.	There are a number of Listed Buildings and Scheduled Monuments which could be affected (in terms of setting), and nearby European sites (details provided in Appendix 2). The TNP seeks to preserve the historic

environment through a policy in the neighbourhood plan. In addition, there will be no likely significant effects on any of the European sites (as demonstrated in the assessment in section 6 of this report).

The TNP has been assessed as not having any significant effects on the landscape or area which has recognised national, Community or international protection status.

5.4 As a result of the analysis undertaken to assess the effects on the environment resulting from the Titchfield Neighbourhood Plan, it is considered that significant effects on the environment are not likely. The explanation of this assessment is set out in more detail below.

5.5 The National Planning Practice Guidance (PPG) states that:

“In some limited circumstances, where a neighbourhood plan is likely to have significant environmental effects, it may require a strategic environmental assessment”.

The PPG sets out the following matters for consideration when assessing whether an SEA is required in connection with any particular neighbourhood plan:

“Whether a neighbourhood plan requires a strategic environmental assessment, and (if so) the level of detail needed, will depend on what is proposed.

5.6 In relation to the considerations set out above in the national level planning guidance the following factors are considered to be particularly pertinent. Firstly, the Titchfield Neighbourhood Plan does not allocate any specific development sites. Therefore, this suggests that an environmental report for SEA is less likely to be required. However, there are other environmental considerations which have been set out in section 4 of this screening report.

5.7 Another consideration is that whilst the Titchfield Neighbourhood Forum does not intend to allocate specific development sites within the plan, it does seek to facilitate, some albeit limited, housing development, namely focusing development in the urban area boundary and on brownfield sites in line with Policy CS6 of the Local Plan Part 1: Core Strategy. In addition, the exact amount of development this will constitute cannot be precisely quantified at this stage. However, a Sustainability Appraisal (incorporating SEA) has been undertaken for the Local Plan Part 1 and Part 2 (Development Sites and Policies), and for the emerging Fareham Local Plan 2036, which considers the impacts of the policies from the Adopted Local Plan and the emerging Local Plan.

- 5.8 Given the amount of residential development proposed, it is likely that the environmental effects will be localised, only involving limited landscape impacts in respect of views, and highways impacts in relation to additional traffic on roads in the area.
- 5.9 It is also necessary to consider the impact of the Titchfield Neighbourhood Plan on the two Conservation Areas, the setting of the Listed Buildings and other heritage assets and environmental considerations. In particular, there are Flood Zones 2 and 3 along the northern boundary and also following the south-eastern boundary which precedes the River Meon. There are also a number of SINCs and ancient woods distributed throughout the neighbourhood area.
- 5.10 In respect of heritage impacts, the Titchfield Conservation Area is focused on the centre of the village, and the Titchfield Abbey Conservation Area is located to the north of Titchfield village. There are also a number of Grade II and I Listed Buildings, including St Peters Church, which is Grade I Listed.
- 5.11 The scale of residential development that is being proposed in the Neighbourhood Plan is small scale and focused within the urban area boundaries, however, this could be in close proximity to Flood Zones 2 and 3, the Titchfield Conservation Areas and SINCs.
- 5.12 Therefore, in light of the above, it is considered that significant effects on the environment are not likely and hence an environmental report demonstrating SEA is not required.

6. HRA Screening and Appropriate Assessment

- 6.1 The Habitats Regulations Assessment (HRA) refers to the assessment required for any plan or project to assess the potential implications for European sites. These sites consist of Special Areas of Conservation (SACs) and Special Protection Areas (SPAs). In addition, there are also internationally designated Ramsar sites, which should be subject to the same consideration as the European sites, as stated in Paragraph 118 of the NPPF. Ramsar sites are therefore included within any discussion of European sites in this document.
- 6.2 European sites are offered the highest level of protection under European law and the consequent national legislation transposing it into English law (The Conservation of Habitats and Species Regulations 2017, known as the Habitats Regulations). The Habitats Regulations set out the process to assess the potential implications of a Neighbourhood Plan on European sites.
- 6.3 The first stage is to “screen” the Neighbourhood Plan in order to establish whether it may have a significant effect on a European site. Only if it is considered that there is likely to be a significant effect will it be necessary to undertake a process called ‘Appropriate Assessment’ in relation to European sites. If screening identifies the need for an Appropriate Assessment, then more detailed work will need to be undertaken to establish what the potential impacts of the plan will be on the integrity of the European site and whether these can be adequately mitigated.
- 6.4 In undertaking the screening to establish whether there is likely to be a significant effect, the ‘precautionary principle’¹³ will need to be followed. The requirement to adhere to the precautionary principle is established by case law and clarified by the European Union and domestic government guidance¹⁴. The use of the precautionary principle refers to the assumption of likely significant effects occurring if there is insufficient evidence to the contrary. This applies when considering the likelihood of a possible effect on a European site resulting from a Plan or Programme.

¹³ <https://www.no5.com/cms/documents/SSC%20and%20HM%20-%20Habitats%20Notes.pdf>

¹⁴ Landelijke Vereniging tot Behoud van de Waddenzee v. Secretary of State for Agriculture, Nature Conservation and Fisheries (Case C127/02), ECJ 7/9/04.

- 6.5 In carrying out the initial screening assessment, the Council has addressed the requirements set out in the European Commission Guidance¹⁵. The guidance sets out steps which need to be followed:
- i) description of project or plan.
 - ii) characteristics of the European site.
 - iii) assessment of significance.
- 6.6 The description of the Neighbourhood Plan has been set out in section 4 above. This section focuses on the characteristics of relevant European sites, their significance, and ultimately whether there are likely to be any significant effects. If the screening assessment of the Titchfield Neighbourhood plan determines that, notwithstanding any mitigation, there are likely to be significant effects on European sites the plan will be taken forward for an Appropriate Assessment.

Relationship with Other Plans

- 6.7 The Local Plan Part 1: Core Strategy and Part 2: Development Sites and Policies were subject to comprehensive HRAs prior to their adoption. The HRAs (which included an Appropriate Assessment) recommended that, subject to mitigation, the levels of growth and development identified in the Local Plan Parts 1 and 2 can proceed without causing adverse effects on the integrity of any European sites.
- 6.8 The Appropriate Assessment for the Local Plan Part 2 contains a detailed assessment of each of 7 European and Ramsar sites within 10km of the Borough boundary. These assessments are set out in Appendix 2 and have been used to inform the assessment process undertaken in this report. In addition, Appendix 3 contains maps of the European sites. The HRA for the Local Plan Part 2 identified the impact pathways to European sites and detailed specific mitigation/avoidance measures to mitigate for the identified impacts. As a result, it was concluded that the effects of Local Plan Part 2 were capable of being satisfactorily mitigated.
- 6.9 The emerging Local Plan 2036 will be subject to a full Appropriate Assessment during its production. At this stage of the process, an initial screening report has been produced. This screening report has identified that the majority of the proposed policies are unlikely to have significant effects on European sites. However, the report concludes that the policies that propose certain sites for development have the potential to have likely significant

¹⁵ European Commission Guidance (pages 18-23)http://ec.europa.eu/environment/nature/natura2000/management/docs/art6/natura_2000_assess_en.pdf

effects on European sites. As such, the Fareham Local Plan 2036 will undergo an Appropriate Assessment prior to Regulation 19 consultation.

CJEU case law

- 6.10 A judgment issued on 12th April 2018 by the Court of Justice of the European Union (CJEU) ruled that Article 6(3) of the Habitats Directive must be interpreted as meaning that mitigation measures (measures which are intended to avoid or reduce likely significant effects) should be assessed within the framework of an appropriate assessment. It is not permissible to take account of measures intended to avoid or reduce harmful effect of the Plan or Project on a European site at the screening stage.
- 6.11 Prior to this judgment, it was acceptable to take into account avoidance or reduction measures that form part of a proposal when considering if a Plan or Project was likely to have a significant effect on a European Site (i.e. at the screening stage). If as a result of proposed avoidance or reduction measures, the risk of a significant effect could be excluded, there was no need to go on to undertake an appropriate assessment. As a result of this CJEU judgment, this is now no longer the case.
- 6.12 Although the Neighbourhood Plan Area is adjacent to the Solent and Southampton Water SPA and within close proximity to the Portsmouth Harbour SPA and a potential new SPA, Solent and Dorset Coast, there are no proposals to allocate sites, and it is therefore considered unlikely that the proposals in the Titchfield Neighbourhood Plan would have a direct significant effect on the features of the identified SPAs and SACs. However, cumulative 'in combination' effects remain a possibility as the screening assessment shows. As it is no longer possible to take into account mitigation measures at the screening stage, a full Appropriate Assessment is required.
- 6.13 The implications of the policies and proposals in the Titchfield Neighbourhood Plan have been assessed against each of the European sites within 10km of the Neighbourhood area boundary. This is in order to establish the likely significant effects on the qualifying features, in view of the conservation objectives of the European sites in question. The screening assessment has been undertaken having regard to the results and information in the HRA screening assessment prepared for the Draft (Regulation 18) Local Plan and the HRA Appropriate Assessment for the Adopted Local Plan Part 2: Development Sites and Policies. The appropriate assessment has also been undertaken in light of the relevant European Commission guidance (as referred to above), which forms the basis for the criteria assessment. The most recent judgment made by the CJEU (as referred to above) was also taken into consideration during the screening phase of this Habitats Regulations Assessment, the outcome of which is documented later.

Assessments of any European sites within 10km of the Neighbourhood Plan area

- 6.14 There are 6 designated European sites within 10km of the Titchfield Neighbourhood Plan area and a further potential SPA which is currently under consideration for designation (see European sites maps in Appendix 3). These are as follows:
- Solent and Southampton Water SPA – adjacent to the Neighbourhood Area boundary.
 - Portsmouth Harbour SPA – approximately 3km to the East of the Neighbourhood Area.
 - Solent Maritime SAC – approximately 2.5km to the West of the Neighbourhood Area
 - The New Forest SAC
 - The New Forest SPA
 - Solent and Isle of Wight Lagoons SAC
 - Potential Solent and Dorset Coast pSPA
- 6.15 In addition, there are three Ramsar sites within 10km of the Titchfield Neighbourhood Plan Area. These are Portsmouth Harbour, Solent & Southampton Water and The New Forest Ramsar sites. These Ramsar sites are designated under the Ramsar Convention and are afforded the same level of protection and status as those designated under the Habitats and Birds Directive. For the purpose of the SEA/HRA Screening section of this report, these sites are included under their respective SPA or SAC designations.
- 6.16 The screening matrices below provides further detail in respect of the potential impacts of the neighbourhood plan on each European site.

Screening Assessment

Solent and Southampton Water SPA and Ramsar

Screening Matrix	
Name of European site: Solent and Southampton Water SPA and Ramsar	
Describe the individual elements of the project (either alone or in combination with other plan or projects) likely to give rise to impacts on the European site.	Small scale residential development proposed in line with the objectives of the Neighbourhood Plan may have a very limited overall impact on the localised environment.
Describe any likely direct, indirect or secondary impacts of the project (either alone or in combination with other plans or projects) on the European site by virtue of size and scale; land take; distance from the European site or key features; resource requirements (e.g. water abstraction); emissions; excavation requirements; transportation requirements; duration of construction activities.	The Neighbourhood Plan does not allocate any sites for development. Any development permitted through the Neighbourhood Plan's Development Management Policies would be small scale and within the defined urban area. As a result, direct impacts to European/Ramsar sites are considered unlikely. Any small scale new residential development on existing brownfield land could result in minimal indirect environmental impacts such as pollution run off into nearby water courses. However, the level of development envisaged is such that it would not be likely to have a significant effect on the SPA/Ramsar. In addition, cumulative indirect impacts such as air pollution and recreational disturbance could also be expected. Recreational disturbance is the only effect which is considered to be potentially significant unless appropriately mitigated. Whilst air pollution from small scale development is considered to be of a scale where there will be no significant impacts on the SPA/ Ramsar site.
Describe any likely changes to the site arising as a result of: reduction of habitat area; disturbance to key species; habitat or species fragmentation; reduction in species density changes in key indicators of conservation value (e.g. water quality; climate change).	Despite the distance of the SPA/Ramsar to the Neighbourhood Area boundary, the plan does not propose to allocate any development. What development may be permitted, will be strictly controlled and focussed within the urban boundary. There is the potential for recreational disturbance to impact on the qualifying features of this SPA/Ramsar from small-scale development

	permitted through application of specific Neighbourhood Plan Policies. Recreational Disturbance is identified as an impact likely to have a significant effect unless appropriately mitigated. .
Describe any likely impacts on the European site as a whole in terms of; interference with the key relationships that define the structure of the site; interference with key relationships that define the function of the site.	Despite the distance of the SPA/Ramsar to the Neighbourhood Area Boundary, the plan does not propose to allocate any development. What development may be permitted through its policies, is strictly controlled and focussed within the urban boundary. As a result, there will be no likely impacts on the SPA/Ramsar as a whole in terms of; interference with the key relationships that define the structure of the site; interference with key relationships that define the function of the site.
Provide indicator of significance as a result of the identification of effects set out above in terms of: loss; fragmentation; disruption; disturbance; changes to key elements.	The Neighbourhood Plan does not allocate sites for development. Any new additional residential development permitted through development management policies would be small scale and will be focused within the urban area. As a result of this and in the absence of mitigation, a likely significant effect arising from cumulative recreational disturbances on this SPA/Ramsar is possible.
Describe from the above those elements of the plan where the above impacts are likely to be significant or where the scale or magnitude of impacts is not known.	The Neighbourhood Plan does not propose to allocate any development. What development may be permitted, will be strictly controlled and focused within the urban boundary. As a consequence, there is a potential likely significant effect identified from increased recreational disturbance on this SPA/Ramsar. However, it is considered there will be no other significant impacts on the SPA/Ramsar
Conclusion	Significant effects through recreational disturbance on the SPA/ Ramsar are considered likely. Consider taking TNP through to Appropriate Assessment.

Portsmouth Harbour SPA and Ramsar

Screening Matrix	
Name of European site: Portsmouth Harbour SPA and Ramsar	
Describe the individual elements of the project (either alone or in combination with other plan or projects) likely to give rise to impacts on the European site.	Small scale residential development proposed in line with the objectives of the Neighbourhood Plan may have a very limited overall impact on the localised environment.
Describe any likely direct, indirect or secondary impacts of the project (either alone or in combination with other plans or projects) on the European site by virtue of size and scale; land take; distance from the European site or key features; resource requirements (e.g. water abstraction); emissions; excavation requirements; transportation requirements; duration of construction activities.	The Neighbourhood Plan does not allocate any sites for development. Any development permitted through the Neighbourhood Plan's Development Management Policies would be small scale and within the defined urban area. The proximity of the European and Ramsar Site to the Neighbourhood Area boundary means direct impacts to European/Ramsar sites are not considered likely. Any small scale residential development on existing brownfield land could result in minimal indirect environmental impacts such as pollution run off into nearby water courses. However, these are thought to not have any likely significant effects on this SPA/ Ramsar site due to the level of development envisaged. Cumulative indirect impacts such as air pollution and recreational disturbance could be expected. Recreational disturbance is the only effect which is considered to be potentially significant unless appropriately mitigated. whilst air pollution from small scale development is considered to be of a scale where there will be no significant impacts on the SPA/ Ramsar site.
Describe any likely changes to the site arising as a result of: reduction of habitat area; disturbance to key species; habitat or species fragmentation; reduction in species density changes in key indicators of conservation value (e.g. water quality; climate change).	The Plan does not allocate any sites for development. What development may be permitted, will be strictly controlled and focused within the existing urban boundary. However, there is the potential for recreational disturbance to impact on the qualifying features of this SPA/Ramsar site as a result of small scale development

	proposals. Therefore, recreational Disturbance is identified as an impact likely to have a significant effect unless appropriately mitigated.
Describe any likely impacts on the European site as a whole in terms of; interference with the key relationships that define the structure of the site; interference with key relationships that define the function of the site.	The Neighbourhood Plan does not propose to allocate any development. What development may be permitted through its policies, is strictly controlled and focussed within the urban boundary. As a result, there will be no likely impacts on the SPA/Ramsar as a whole in terms of; interference with the key relationships that define the structure of the site; interference with key relationships that define the function of the site.
Provide indicator of significance as a result of the identification of effects set out above in terms of: loss; fragmentation; disruption; disturbance; changes to key elements.	The Neighbourhood Plan does not allocate sites for development. Any new additional residential development permitted through development management policies would be small scale and will be focused within the urban area. As a result of this and in the absence of mitigation, a likely significant effect arising from cumulative recreational disturbances on this SPA/Ramsar is possible.
Describe from the above those elements of the plan where the above impacts are likely to be significant or where the scale or magnitude of impacts is not known.	The Neighbourhood Plan does not propose to allocate any development. What development may be permitted, will be strictly controlled and focused within the urban boundary. As a consequence, there is a potential likely significant effect identified from increased recreational disturbance on this SPA/Ramsar. However, it is considered there will be no other significant impacts on the SPA/Ramsar
Conclusion	Significant effects through recreational disturbance on the SPA/Ramsar are considered likely. Consider taking TNP through to Appropriate Assessment.

Solent Maritime SAC

Screening Matrix	
Name of European site: Solent Maritime SAC	
Describe the individual elements of the project (either alone or in combination with other plan or projects) likely to give rise to impacts on the European site.	Small scale residential development proposed in line with the objectives of the Neighbourhood Plan may have a very limited overall impact on the localised environment.
Describe any likely direct, indirect or secondary impacts of the project (either alone or in combination with other plans or projects) on the European site by virtue of size and scale; land take; distance from the European site or key features; resource requirements (e.g. water abstraction); emissions; excavation requirements; transportation requirements; duration of construction activities.	The Neighbourhood Plan does not allocate any sites for development. Any development permitted through the Neighbourhood Plan's Development Management Policies would be small scale and within the urban area. As a result, direct impacts to European sites are not considered likely. Any new small scale residential development on existing brownfield land could result in minimal indirect environmental impacts such as pollution run off into nearby water courses. However, this is not considered to have any likely significant effects on the SAC. Cumulative indirect impacts such as air pollution and recreational disturbance could also be expected. Recreational disturbance is the only impact which is likely to result in significant effects unless appropriately mitigated. Whilst the impact of air pollution from small scale development is such that it would not be likely to have significant effects on the SAC.
Describe any likely changes to the site arising as a result of: reduction of habitat area; disturbance to key species; habitat or species fragmentation; reduction in species density changes in key indicators of conservation value (e.g. water quality; climate change).	The Plan does not propose to allocate any sites for development. What development may be permitted, will be strictly controlled and focused within the existing urban boundary. However, there is the potential for recreational disturbance to impact on the qualifying features of this SAC as a result of small scale development proposals. Therefore, recreational Disturbance is identified as an impact likely to have a significant effect unless appropriately mitigated.

Describe any likely impacts on the European site as a whole in terms of; interference with the key relationships that define the structure of the site; interference with key relationships that define the function of the site.	There are no envisaged impacts to the European site by means of interference with the key relationships that define the structure of the site or interference with key relationships that define the function of the site.
Provide indicator of significance as a result of the identification of effects set out above in terms of: loss; fragmentation; disruption; disturbance; changes to key elements.	The Neighbourhood Plan does not allocate sites for development. Any new additional residential development permitted through development management policies would be small scale and will be focused within the urban area. As a result of this and in the absence of mitigation, a likely significant effect arising from cumulative recreational disturbances on this SAC is possible.
Describe from the above those elements of the plan where the above impacts are likely to be significant or where the scale or magnitude of impacts is not known.	The Neighbourhood Plan does not propose to allocate any development. What development may be permitted, will be strictly controlled and focused within the urban boundary. As a consequence, there is a potential likely significant effect identified from increased recreational disturbance on this SAC. However, it is considered there will be no other significant impacts on the SPA/Ramsar.
Conclusion	Significant effects through recreational disturbance on the SAC are considered likely. Consider taking TNP through to Appropriate Assessment.

New Forest SPA and Ramsar

Screening Matrix	
Name of European site: New Forest SPA and Ramsar	
Describe the individual elements of the project (either alone or in combination with other plan or projects) likely to give rise to impacts on the European site.	The objectives in the Titchfield Neighbourhood Plan are not anticipated to cause any likely significant effects on this European/ Ramsar Site
Describe any likely direct, indirect or secondary impacts of the project (either alone or in combination with other plans or	The Neighbourhood Plan does not allocate any sites for development. Any new development proposed is small scale and

<p>projects) on the European site by virtue of size and scale; land take; distance from the European site or key features; resource requirements (e.g. water abstraction); emissions; excavation requirements; transportation requirements; duration of construction activities.</p>	<p>within the urban area. The distance of the European/Ramsar site from the Plan boundary means direct impacts to this site is not considered. Furthermore, the distance of the European/Ramsar site to the Neighbourhood Plan Boundary means that any new small scale residential development on existing brownfield land would not result in significant indirect and cumulative environmental impacts.</p>
<p>Describe any likely changes to the site arising as a result of: reduction of habitat area; disturbance to key species; habitat or species fragmentation; reduction in species density changes in key indicators of conservation value (e.g. water quality; climate change).</p>	<p>The Plan does not propose to allocate any sites for development. What development may be permitted, will be strictly controlled and focussed within the existing urban boundary. The distance of the European/Ramsar site to the Neighbourhood boundary is such that it is considered that no development is likely to result in the impacts listed opposite.</p>
<p>Describe any likely impacts on the European site as a whole in terms of; interference with the key relationships that define the structure of the site; interference with key relationships that define the function of the site.</p>	<p>There are no envisaged impacts to the European/Ramsar site by means of interference with the key relationships that define the structure of the site or interference with key relationships that define the function of the site.</p>
<p>Provide indicator of significance as a result of the identification of effects set out above in terms of: loss; fragmentation; disruption; disturbance; changes to key elements.</p>	<p>It is anticipated that there will be no likely significant effects on this European/Ramsar site.</p>
<p>Describe from the above those elements of the plan where the above impacts are likely to be significant or where the scale or magnitude of impacts is not known.</p>	<p>It is anticipated that there will be no likely significant effects on this European/Ramsar site.</p>
<p>Conclusion</p>	<p>No significant effects on the SPA or Ramsar are considered likely.</p>

New Forest SAC

Screening Matrix	
Name of European site: New Forest SAC	
Describe the individual elements of the project (either alone or in combination with other plan or projects) likely to give rise to impacts on the European site.	The objectives in the Titchfield Neighbourhood Plan are not anticipated to cause any likely significant effects on this European Site
Describe any likely direct, indirect or secondary impacts of the project (either alone or in combination with other plans or projects) on the European site by virtue of size and scale; land take; distance from the European site or key features; resource requirements (e.g. water abstraction); emissions; excavation requirements; transportation requirements; duration of construction activities.	The Neighbourhood Plan does not allocate any sites for development. Any development proposed is small scale and within the urban area. The distance of the European Site from the Plan boundary means direct impacts to European sites are not considered. Furthermore, the distance of the European Site to the Neighbourhood Plan Boundary means that any new small scale residential development on existing brownfield land would not result in significant indirect and cumulative environmental impacts.
Describe any likely changes to the site arising as a result of: reduction of habitat area; disturbance to key species; habitat or species fragmentation; reduction in species density changes in key indicators of conservation value (e.g. water quality; climate change).	The Plan does not propose to allocate any development. What development may be permitted, will be strictly controlled and focussed within the existing urban boundary. The distance of the European Site to the Neighbourhood boundary is such that it is considered that no development is likely to result in the impacts listed opposite.
Describe any likely impacts on the European site as a whole in terms of; interference with the key relationships that define the structure of the site; interference with key relationships that define the function of the site.	There are no envisaged impacts to the European site by means of interference with the key relationships that define the structure of the site or interference with key relationships that define the function of the site.
Provide indicator of significance as a result of the identification of effects set out above in terms of: loss; fragmentation; disruption; disturbance; changes to key elements.	It is anticipated that there will be no likely significant effects on this European Site.
Describe from the above those elements of the plan where the above impacts are likely	It is anticipated that there will be no likely significant effects on this European Site.

to be significant or where the scale or magnitude of impacts is not known.	
Conclusion	No significant effects on the SAC are considered likely.

Solent and Isle of Wight Lagoons SAC

Screening Matrix	
Name of European site: Solent and Isle of Wight Lagoons SAC	
Describe the individual elements of the project (either alone or in combination with other plan or projects) likely to give rise to impacts on the European site.	The objectives of the Titchfield Neighbourhood Plan are not anticipated to cause any likely significant effects on this European Site
Describe any likely direct, indirect or secondary impacts of the project (either alone or in combination with other plans or projects) on the European site by virtue of size and scale; land take; distance from the European site or key features; resource requirements (e.g. water abstraction); emissions; excavation requirements; transportation requirements; duration of construction activities.	The Neighbourhood Plan does not propose any allocations for development. Any development proposed is small scale and within the urban area. The distance of the European Site from the Plan boundary means direct impacts to European sites are not considered. Furthermore, the distance of the European Site to the Neighbourhood Plan Boundary means that any small scale new residential development on existing brownfield land would not result in significant indirect and cumulative environmental impacts.
Describe any likely changes to the site arising as a result of: reduction of habitat area; disturbance to key species; habitat or species fragmentation; reduction in species density changes in key indicators of conservation value (e.g. water quality; climate change).	The Plan does not propose to allocate any development. What development may be permitted, will be strictly controlled and focussed within the existing urban boundary. The distance of the European Site to the Neighbourhood boundary is such that it is considered that no development is likely to result in the impacts listed opposite.
Describe any likely impacts on the European site as a whole in terms of; interference with the key relationships that define the structure of the site; interference with key relationships that define the function of the site.	There are no envisaged impacts to the European site by means of interference with the key relationships that define the structure of the site or interference with key relationships that define the function of the site.

Provide indicator of significance as a result of the identification of effects set out above in terms of: loss; fragmentation; disruption; disturbance; changes to key elements.	It is anticipated that there will be no likely significant effects on this European Site.
Describe from the above those elements of the plan where the above impacts are likely to be significant or where the scale or magnitude of impacts is not known.	It is anticipated that there will be no likely significant effects on this European Site.
Conclusion	No significant effects on the SAC are considered likely.

Potential Solent and Dorset pSPA

Screening Matrix	
Name of European site: Potential Solent and Dorset pSPA	
Describe the individual elements of the project (either alone or in combination with other plan or projects) likely to give rise to impacts on the European site.	Small scale residential development proposed in line with the objectives of the Neighbourhood Plan may have a very limited overall impact on the localised environment.
Describe any likely direct, indirect or secondary impacts of the project (either alone or in combination with other plans or projects) on the European site by virtue of size and scale; land take; distance from the European site or key features; resource requirements (e.g. water abstraction); emissions; excavation requirements; transportation requirements; duration of construction activities.	The Neighbourhood Plan does not allocate any sites for development. Any development proposed is small scale and within the urban area. As a result, direct impacts to European sites are considered negligible. Any small scale new residential development on existing brownfield land could result in minimal indirect environmental impacts such as pollution run off into nearby water courses. However, the level of development envisaged is such that it would not be likely to have significant effects on the pSPA. In addition, cumulative indirect impacts such as air pollution and recreational disturbance could also be expected. Recreational disturbance is the only effect which is considered to be potentially significant unless appropriately mitigated. Whilst air pollution from small scale development is considered to be of a

	scale where there will be no significant impacts on the pSPA.
Describe any likely changes to the site arising as a result of: reduction of habitat area; disturbance to key species; habitat or species fragmentation; reduction in species density changes in key indicators of conservation value (e.g. water quality; climate change).	Despite the distance of the pSPA to the Neighbourhood Area boundary, the plan does not propose to allocate any development. What development may be permitted, will be strictly controlled and focussed within the urban boundary. There is the potential for recreational disturbance on the qualifying features of this pSPA from small scale development. Therefore, recreational Disturbance is identified as an impact likely to have a significant effect unless appropriately mitigated.
Describe any likely impacts on the European site as a whole in terms of; interference with the key relationships that define the structure of the site; interference with key relationships that define the function of the site.	Despite the distance of the pSPA to the Neighbourhood Area Boundary, the plan does not propose to allocate any development. What development may be permitted through its policies, is strictly controlled and focussed within the urban boundary. As a result, there will be no likely impacts on the pSPA as a whole in terms of; interference with the key relationships that define the structure of the site; interference with key relationships that define the function of the site.
Provide indicator of significance as a result of the identification of effects set out above in terms of: loss; fragmentation; disruption; disturbance; changes to key elements.	The Neighbourhood Plan does not allocate sites for development. Any new additional residential development permitted through development management policies would be small scale and will be focused within the urban area. As a result of this and in the absence of mitigation, a likely significant effect arising from cumulative recreational disturbances on this pSPA would remain. .
Describe from the above those elements of the plan where the above impacts are likely to be significant or where the scale or magnitude of impacts is not known.	The Neighbourhood Plan does not propose to allocate any development. What development may be permitted, will be strictly controlled and focussed within the urban boundary. As a consequence, there is a potential likely significant effect identified from increased recreational disturbance on this pSPA. However, it is

	considered there will be no other significant impacts on the SPA/Ramsar
Conclusion	Significant effects through recreational disturbance on the pSPA are considered likely. Consider taking TNP through to Appropriate Assessment.

Summary of Conclusions on the Screening Assessment.

- 6.17 Given the nature of the development which is likely to be facilitated by the neighbourhood plan, which is predominantly small scale residential development within the urban area, it is considered that the impacts of the plan are to be fairly localised. As a result, it is concluded that there would not be any direct likely significant effects on any designated sites. However, the Natura 2000 Standard Data Forms for several of the SPAs, SACs (also Ramsar sites) in the vicinity of the Titchfield Neighbourhood Plan Boundary identify the in-combination effects of recreational disturbance as having an impact on site integrity. The limited small-scale development that could come through as part of the Titchfield Neighbourhood Plan has the potential to increase recreational disturbance on the identified SPAs, SACs and Ramsar sites; which cumulatively with other development in the surrounding Solent region, is likely to result in significant effects on these European sites.
- 6.18 Recreational disturbance is defined as any recreational activity such as dog walking, water sports activities, bait digging, etc that causes the important bird species to stop feeding and/or fly/swim away. Research has shown that this is a significant impact because this causes the birds to lose valuable feeding time and use up precious energy reserves. Furthermore, if this disturbance happens often, the birds may avoid the area completely. That means more competition for food elsewhere and some birds will be unable to find enough to eat. If the birds are unable to feed and rest undisturbed they may not survive the winter or make their migratory journey back to their summer breeding grounds. Those that do may not be healthy enough to breed successfully. Over time the numbers of birds will decline unless appropriate action is taken.
- 6.19 As a result of this outcome of the HRA Screening Assessment for the Titchfield Neighbourhood Plan, it is necessary to carry out an Appropriate Assessment. The following section provides an Appropriate Assessment for the Titchfield Neighbourhood Plan in accordance with the Habitats Regulations.

Appropriate Assessment

6.20 Despite the Titchfield Neighbourhood Plan not proposing to allocate any development, policies within the Plan provide scope for limited small-scale development to occur within the defined urban area boundary. As a result, it is likely that the Plan will have a cumulative indirect significant effect on European sites from increased recreational disturbance as identified in the screening report. Therefore in accordance with Part 6 (regulation 63) of the Habitats Regulations, an Appropriate Assessment must be carried out to ensure the identified likely significant effects can be adequately mitigated so as not to adversely affect the integrity of the European site, allowing the Plan to proceed.

Mitigation measures – the Solent Recreational Mitigation Partnership

6.21 The Solent Recreational Mitigation Partnership (SRMP) is made up of several Local Planning Authorities (which includes Fareham Borough Council), Natural England, RSPB, Chichester Harbour Conservancy and the Hampshire and Isle of Wight Wildlife Trust. The Partnership has worked collectively on producing a Mitigation Strategy capable of reducing the effects of recreational disturbance on European and Ramsar sites. The current Mitigation Strategy has been formally in place since April 2018 and requires that all new residential development within 5.6km of European sites is accompanied by a financial contribution towards the funding of appropriate mitigation measures, capable of adequately reducing recreational disturbance. This approach and the type of mitigation secured has the approval of Natural England (the Statutory Body responsible for the monitoring and protection of European sites in England and the appropriate nature conservation body for the purposes of the Habitats Regulations).

6.22 The types of mitigation measures proposed by the SRMP are set out the Solent Recreation Mitigation Strategy and include:

- A team of 5-7 Coastal Rangers to advise coastal users/visitors on how to avoid bird disturbances, liaise with landowners, host school visits etc;
- Communications, marketing and education initiatives and an Officer to implement them. This is to effectively promote and increase the public awareness message thus installing behavioural changes;
- Initiatives to encourage responsible dog walking and an Officer to implement them;
- Preparation of codes of conduct for a variety of coastal activities;

- Site specific projects to better manage visitors and provide secure habitats for the birds- such projects include fencing and screening important areas, improving public footpaths etc;
 - Providing new/enhanced greenspaces as an alternative to visiting the coast;
 - A Partnership Manager to coordinate and manage all of the above.
- 6.23 The mitigation measures proposed in the Solent Recreation Mitigation Strategy have been informed by research and best practice and have been formulated in consultation with Natural England.
- 6.24 For clarification purposes, the whole of the Titchfield Neighbourhood Plan area is within this 5.6km zone, although not in respect of all European sites included within the screening report. The financial contribution made by any new residential development to the SRMP ensures recreational disturbance (a known significant effect on European sites) is adequately mitigated.
- 6.25 It will still be necessary for each individual application for new residential development in the Titchfield Neighbourhood Plan area to be appropriately assessed to ensure that the likely effect of residential disturbance on the European sites can be appropriately mitigated. Fareham Borough Council has produced an Appropriate Assessment proforma endorsed by Natural England which provides a straightforward way to complete the required Appropriate Assessment for all new residential development. Applications within the Titchfield Neighbourhood boundary should complete this proforma to satisfy the requirements of the Habitats Regulations.
- 6.26 The proforma states that the intended mitigation measure to ensure that the development will not adversely affect the integrity of the European site is through a financial contribution to the SRMP in respect of recreational disturbance.
- 6.27 It should be noted that this is the case where recreational disturbance is the only likely significant effect on a European site. If recreational disturbance is not the only likely significant effect identified or the applicant decides to not make a financial contribution to the SRMP, the applicant will need to conduct an individual Appropriate Assessment instead of the proforma and will need to demonstrate how different bespoke mitigation can adequately reduce any likely significant effects.
- 6.28 Furthermore, the Titchfield Neighbourhood Plan is subject to the strategic framework of the Adopted Local Plan which has appropriately assessed policies in place to take into account the specific effects of recreational disturbance on European sites.

6.29 Providing the above approach is followed, any likely significant effects on identified European sites arising from recreational disturbance as identified in the screening report can be adequately mitigated. As such it is concluded that the Titchfield Neighbourhood Plan will not adversely affect the integrity of any sites included in this HRA. The Plan can be considered to be compliant with the Habitats Regulations in this respect.

7. Conclusion

- 7.1 The SEA screening section of this report provides an assessment as to whether the Titchfield Neighbourhood Plan should be subject to the requirement for the submission of an Environmental Report as required by the EAPP Regulations 2004.
- 7.2 The HRA screening report and subsequent Appropriate Assessment fulfils the requirements under the Conservation of Habitats and Species Regulations 2017.
- 7.3 The assessment for both these requirements has been undertaken on the basis of the proposals and policies outlined in section 4 of this report and within the strategic framework of the Adopted Local Plan and the Draft Fareham Local Plan 2036.
- 7.4 **The Local Planning Authority has therefore concluded, factoring in comments from the relevant consultation bodies, that a Strategic Environmental Assessment is not required.**
- 7.5 **The Local Planning Authority, as competent authority under the Habitats Regulations, has also concluded, following the Appropriate Assessment carried out in this document, that the Titchfield Neighbourhood Plan will not adversely affect the integrity of any European sites if the proposed approach to dealing with likely significant effects is followed.**

8. Glossary

European Sites: Defined in Regulation 8 of the Conservation of Habitats and Species Regulations 2017, these include Special Areas of Conservation (SAC) and Special Protection Areas (SPA) and Ramsar Sites which generally overlap SACs and SPAs.

Habitats Regulations Assessment: Fulfils the requirement under the Habitats Regulations 2017. It encompasses the whole process from screening through to Appropriate Assessment. It is required for any Plan or Project to determine if there will be any likely significant effects on designated European sites such as Special Protection Areas (SPA) and Special Areas of Conservation (SAC).

HRA Screening Assessment: Stage 1 of the overall Habitats Regulations Assessment, which assess if the activities and proposals in the project or plan in question are likely to lead to significant effects either alone or in combination on designated sites.

HRA: Appropriate Assessment: Stage 2 of the overall Habitats Regulations Assessment, which considers the impacts (identified in the screening assessment) on the integrity of designated sites of the project or plan, either alone or in combination with other projects or plans and suggests suitable actions to implement such as mitigation measures to effectively reduce any identified significant impacts, allowing the project or plan to proceed.

National Planning Policy Framework: Introduced in 2012, this new framework sets out the Government's planning policies for England and these are expected to be applied. It provides the framework within which local councils can produce local plans, which reflect the needs and priorities of their communities. The Policies within the framework are a material consideration when determining planning applications and formulating Development Plans

Neighbourhood Plan: A Plan prepared by a Parish Council or Neighbourhood Forum for a neighbourhood area (made under the Planning and Compulsory Purchase Act 2004).

Ramsar Sites: Wetlands of international importance designated under the Ramsar Convention. Due to their importance to waterbirds within the UK, many Ramsar sites are also Special Protection Areas (SPAs)

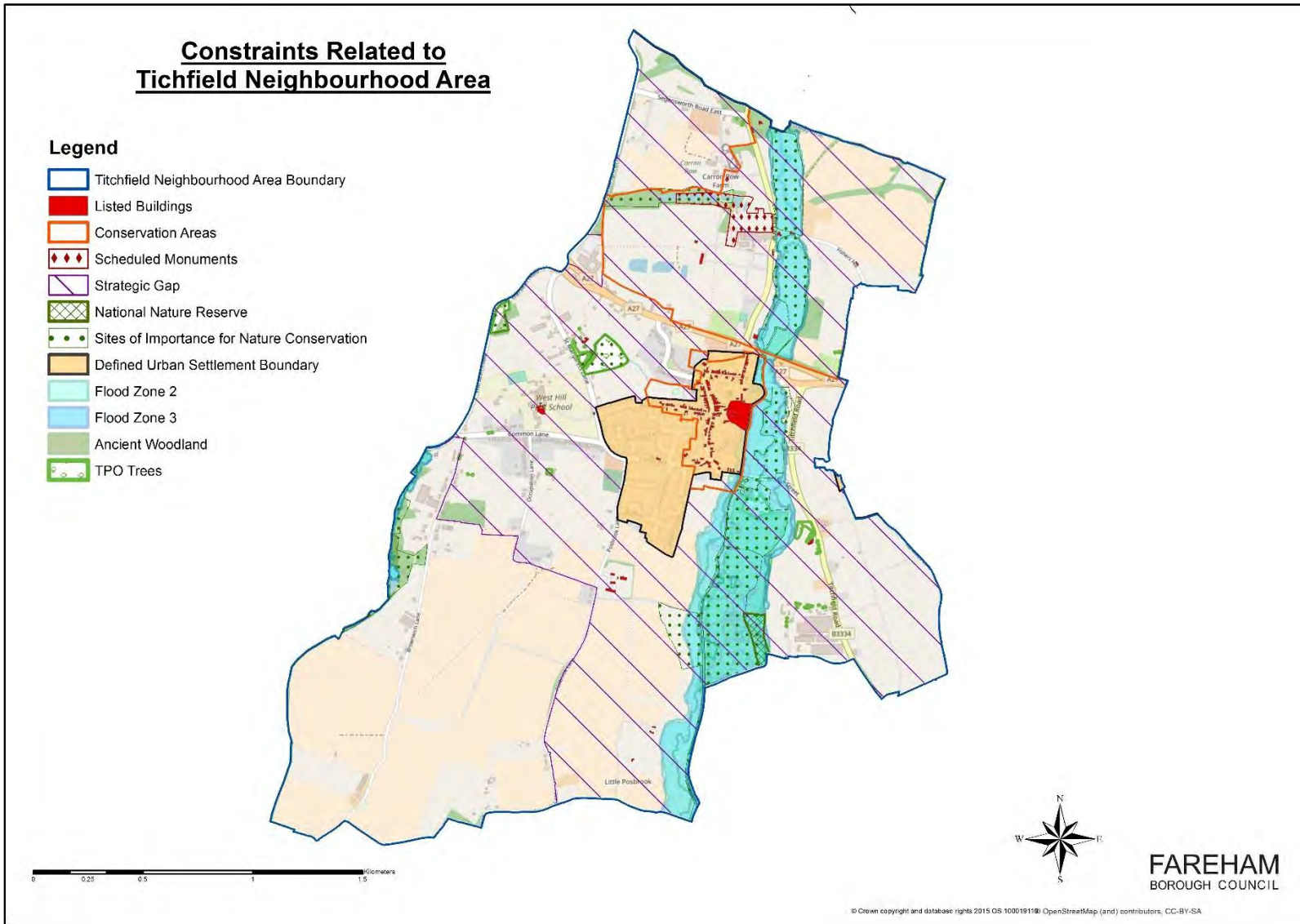
Screening: from an SEA and HRA perspective, it is the process of determining whether the Project, Plan or Programme is likely to cause significant effects on the environment or important European wildlife sites directly, indirectly and/or cumulatively.

Special Protection Areas (SPA): Designated under the Birds Directive, these are areas that are strictly protected for rare and vulnerable birds and migratory species.

Special Areas of Conservation (SAC): Designated under the Habitats Directive, these are areas that are strictly protected for rare and vulnerable habitats and species (excluding birds).

Strategic Environmental Assessment: Fulfils the requirement under the Environmental Assessment of Plans and Programmes Regulations 2004. It is a systematic process that must be carried out on a Plan or Programme that has been identified to have likely significant effects environmentally, socially and economically. Its role is to promote sustainable development by assessing the extent to which the emerging plan or programme when judged against reasonable alternatives will help to achieve relevant environmental, social and economic objectives.

Appendix 1 – Environmental Constraints in the Neighbourhood Plan Area



Appendix 2 – Details of European sites within 10km of the Titchfield Neighbourhood Plan area

The New Forest SAC

Introduction

The New Forest measures approximately 29,262.36ha and contains the most extensive stands of lowland northern Atlantic wet heaths in southern England. The wet heaths are important for a variety of rare plants and species, such as marsh gentian *Gentiana pneumonanthe* and marsh clubmoss *Lycopodiella inundata*, dragonfly species, including the scarce blue-tailed damselfly *Ischnura pumilio* and small red damselfly *Ceriagrion tenellum*. There is a wide range of transitions between wet heath and other habitats, including dry heath, various woodland types, *Molinia* grasslands, fen, and acid grassland. Unlike much lowland heath, the New Forest heaths continue to be extensively grazed by cattle and horses, favouring species with low competitive ability.

The New Forest SAC is approximately 10km away from the Titchfield Neighbourhood Area Boundary.

Due to the importance of the site and the surrounding development pressures, a Mitigation Strategy For European Sites has been created in consultation with Natural England to help specifically target the recreational impacts arising from increased residential development. The document sets out a strategic approach for development by providing a consistent method through which local authorities can meet the requirements of the Habitats Regulations through avoidance and mitigation measures.

Features of European Interest

The New Forest Qualifies as a SAC for both habitats and species

Annex I Habitats

- Nutrient-poor shallow waters with aquatic vegetation on sandy plains.
- Clear-water lakes or lochs with aquatic vegetation and poor to moderate nutrient levels.
- Northern Atlantic wet heaths with *Erica tetralix*
- European Dry heaths.
- Purple moor-grass meadows.
- Very wet mires often identified by an unstable `quaking` surface.
- Depressions on peat substrates.
- Calcium-rich springwater-fed fens.
- Beech forests on acid soils and on neutral to rich soils.
- Dry oak-dominated woodland.
- Bog woodland.

- Alder woodland on floodplains.

Annex II Species

- Southern damselfly *Coenagrion mercurial*
- Stag beetle *Lucanus cervus*
- Great crested newt *Triturus cristatus*
- Brook lamprey *Lampetra planeri*
- Barbastelle bat *Barbastella barbastellus*
- Bechstein's bat *Myotis bechsteini*
- Otter *Lutra lutra*
- Bullhead *Cottus gobio*

Key Environmental Conditions/Vulnerability of the Site

The key environmental conditions that have been identified for this site are:

- Carefully balanced hydrological regime to maintain wet heath, mires and pools.
- Acid soils.
- Minimal air pollution (nitrogen deposition can cause compositional changes over time).
- Unpolluted water.
- Minimal nutrient inputs.
- Low recreational pressure.
- Maintenance of grazing regime.

The New Forest SAC is vulnerable from 5 main impacts these include: Recreational Activity; Forest and Plantation Management and usage; Problematic Native Species; Human Induced Changes in Hydraulic Conditions; and Natural Evolution/ Succession of Habitats.

Development pressure on adjacent land, urbanisation issues and the cumulative and indirect effects of developments in neighbouring areas pose a potential long-term problem. A strategic approach to accommodating development whilst ensuring compatibility with the Habitats Regulations is being addressed through the Mitigation Strategy for European Sites (Recreational Pressure from Residential Development), which incorporates the New Forest SAC.

The mosaic of habitats in the New Forest SAC is dependent on the use of appropriate management techniques in order to maintain favourable conditions. Therefore, a lack of grazing and other traditional management practices also pose a threat.

Conservation Objectives

The following conservation objectives have been identified for this site.

Avoid the deterioration of the qualifying natural habitats and the habitats of qualifying species, and the significant disturbance of those qualifying species, ensuring the integrity of the site is maintained and the site makes a full contribution to achieving Favourable Conservation Status of each of the qualifying features.

Subject to natural change, maintain or restore:

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

New Forest SPA and Ramsar

Introduction

The New Forest SPA measures approximately 28,002.81ha. It is located in southern Hampshire, west of the Solent in southern England. It comprises a complex mosaic of habitats the main components of which are the extensive wet and dry heaths with their rich valley mires and associated wet and dry grasslands, the ancient pasture woodlands and enclosure woodlands, the network of clean rivers and streams, and frequent permanent and temporary ponds. The SPA supports important breeding populations of birds and is the reason for its SPA designation.

The New Forest SPA is approximately 10km away from the Titchfield Neighbourhood Area Boundary.

Features of European Interest

The New Forest qualifies as a SPA for the following main species:

Article 4.1 Species

- Dartford Warbler *Sylvia undata*.
- Honey Buzzard *Pernis apivorus*.
- Nightjar *Caprimulgus europaeus*.
- Woodlark *Lullula arborea*.
- Hen Harrier *Circus cyaneus*.
- Hobby *Falco Subbuteo*.
- Wood Warbler *Phylloscopus sibilatrix*.

It qualifies as a Ramsar Site for the following criterion.

Ramsar Criterion 1: Wet Heaths and Valley Mires- the largest concentration of of intact valley mires of their type in Great Britain.

Ramsar Criterion 2: Supports a diverse assemblage of wetland plants and animals including several nationally rare species. Seven species of nationally rare plant are found on the site, as are at least 65 British Red Data Book species of invertebrate.

Ramsar Criterion 3: Mire habitats are of high ecological quality and diversity and have undisturbed transition zones. The invertebrate fauna of the site is important due to the concentration of rare and scare wetland species. The whole site complex, with its examples of semi-natural habitats is essential to the genetic and ecological diversity of southern England

Key Environmental Conditions/Vulnerability of the Site

The key environmental conditions that have been identified for this site are:

- Carefully balanced hydrological regime to maintain wet heath, mires and pools.
- Acid soils.
- Minimal air pollution (nitrogen deposition can cause compositional changes over time).
- Unpolluted water.
- Minimal nutrient inputs.
- Low recreational pressure.
- Appropriate grazing regime.

The New Forest SPA is vulnerable from 4 main impacts these include: Fishing and Harvesting Aquatic Resources; Air Pollution; Human Induced Changes in Hydraulic Conditions; and Natural Evolution/ Succession of Habitats.

Development pressure on adjacent land, urbanisation issues and the cumulative and indirect effects of developments in neighbouring areas pose a potential long-term problem. A strategic approach to accommodating development whilst ensuring compatibility with the Habitats Regulations is being addressed through the Mitigation Strategy for European Sites (Recreational Pressure from Residential Development), which incorporates the New Forest SPA.

Avoiding the deterioration of the habitats of the qualifying features is vital to ensure the integrity of the site is maintained and the site makes a full contribution to achieving the aims of the Birds Directive.

Conservation Objectives

The following conservation objectives have been identified for this site.

With regard to the individual species and/or assemblage of species for which the site has been classified; avoid the deterioration of the qualifying natural habitats and the habitats of qualifying species, and the significant disturbance of those qualifying species, ensuring the

integrity of the site is maintained and the site makes a full contribution to achieving the aims of the Birds Directive.

Subject to natural change, maintain or restore:

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

The Ramsar criteria for the New Forest overlap with the features of its equivalent SAC. No additional conservation objectives are defined to assess these features, but those relating to the SAC can be used.

Portsmouth Harbour SPA and Ramsar

Introduction

Portsmouth Harbour SPA measures approximately 1249 hectares and is located on the central south coast of England. It is a large industrialised estuary and includes one of the four largest expanses of mud-flats and tidal creeks on the south coast of Britain. Portsmouth Harbour SPA has only a narrow connection to the sea via the Solent, and receives comparatively little fresh water, thus giving it an unusual hydrology. The site supports important numbers of wintering dark-bellied Brent goose *Branta b. bernicla*, which feed also in surrounding agricultural areas away from the SPA.

The Portsmouth Harbour SPA is approximately 3km away from the Titchfield Neighbourhood Area Boundary.

Due to the importance of the site and the surrounding development pressures, a Mitigation Strategy has been created the Solent Recreation Mitigation Partnership which includes Local Authorities, Environmental Organisations and Natural England to help specifically target the recreational impacts arising from increased residential development. The document sets out a strategic approach for development by providing a consistent method through which local authorities can meet the requirements of the Habitats Regulations through avoidance and mitigation measures.

Features of European Interest

The Portsmouth Harbour qualifies as a SPA for the following main species:

Article 4.1 Species

- Black-tailed Godwit *Limosa limosa islandica*.
- Dark-bellied Brent Goose *Branta bernicla bernicla*.
- Dunlin *Calidris alpina alpina*.
- Red-breasted Merganser *Mergus serrator*.

It qualifies as a Ramsar Site for the following criterion.

Ramsar Criterion 3: Intertidal mudflat areas possess extensive beds of eelgrass *Zostera angustifolia* and *Zostera noltei*. The mud-snail *Hydrobia ulvae* is found at extremely high densities, which helps to support the wading bird interest of the site. Common cord-grass *Spartina anglica*, *Enteromorpha* spp. and sea lettuce *Ulva lactuca* are found extensively. Locally the saltmarsh is dominated by sea purslane *Halimione portulacoides* which gradates to more varied communities at the higher shore levels. The site also includes a number of saline lagoons hosting nationally important species.

Ramsar Criterion 6: Dark-bellied Brent Goose, *Branta Bernicla, Bernicla*, 2,105 individuals, representing an average of 2.1% of the GB over-wintering population (5 year peak mean 1998/99-2002/03).

Key Environmental Conditions/Vulnerability of the Site

The key environmental conditions that have been identified for this site are:

- Sufficient space between the site and development to allow for managed retreat of intertidal habitats and avoid coastal squeeze.
- Unpolluted water.
- Absence of nutrient enrichment of water.
- Absence of non-native species.
- Maintenance of appropriate hydrological regime.

The Portsmouth Harbour SPA is vulnerable from 5 main impacts these include: Recreational Activity; Fishing and Harvesting Aquatic Resources; Pollution to Groundwater; Changes in Abiotic Conditions; Changes in Biotic Conditions.

Development pressure on adjacent land, urbanisation issues and the cumulative and indirect effects of developments in neighbouring areas pose a potential long-term disturbance problem. A strategic approach to accommodating development whilst ensuring compatibility with the Habitats Regulations is being addressed through the Definitive Solent Recreation Mitigation Strategy this strategy incorporates the Portsmouth Harbour SPA.

Avoiding the deterioration of the habitats of the qualifying features is vital to ensure the integrity of the site is maintained and the site makes a full contribution to achieving the aims of the Birds Directive.

Conservation Objectives

The following conservation objectives have been identified for this site.

With regard to the individual species and/or assemblage of species for which the site has been classified; avoid the deterioration of the qualifying natural habitats and the habitats of qualifying species, and the significant disturbance of those qualifying species, ensuring the integrity of the site is maintained and the site makes a full contribution to achieving the aims of the Birds Directive.

Subject to natural change, maintain or restore:

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

The Ramsar criteria for Portsmouth Harbour overlap with the features of its equivalent SPA. No additional conservation objectives are defined to assess these features, but those relating to the SPA can be used.

Solent & Southampton Water SPA and Ramsar

Introduction

The Solent & Southampton Water SPA measures approximately 5399 hectares. The area covered extends from Hurst Spit to Hill Head along the south coast of Hampshire, and from Yarmouth to Whitecliff Bay along the north coast of the Isle of Wight. The site comprises a series of estuaries and harbours with extensive mud-flats and saltmarshes together with adjacent coastal habitats including saline lagoons, shingle beaches, reedbeds, damp woodland and grazing marsh. The mud-flats support beds of *Enteromorpha spp.* and *Zostera spp.* and have a rich invertebrate fauna that forms the food resource for the estuarine birds. In summer, the site is of importance for breeding seabirds whilst in winter the SPA holds a large and diverse assemblage of waterbirds

The Solent & Southampton Water SPA is directly adjacent to the Titchfield Neighbourhood Area Boundary.

Due to the importance of the site and the surrounding development pressures, a Mitigation Strategy has been created the Solent Recreation Mitigation Partnership which includes Local Authorities, Environmental Organisations and Natural England to help specifically target the recreational impacts arising from increased residential development. The document sets out a strategic approach for development by providing a consistent method through which local authorities can meet the requirements of the Habitats Regulations through avoidance and mitigation measures.

Features of European Interest

The Solent & Southampton Water qualifies as a SPA for the following main species:

Article 4.1 and 4.2 Species

- Common Tern *Sterna hirundo*.
- Little Tern *Sterna albifrons*.
- Mediterranean Gull *Larus melanocephalus*.
- Sandwich Tern *Sterna sandvicensis*.
- Roseate Tern *Sterna dougallii*.
- Black-tailed Godwit *Limosa limosa islandica*.
- Dark-bellied Brent Goose *Branta bernicla bernicla*.
- Ringed Plover *Charadrius hiaticula*.
- Teal *Anas crecca*.

Key Environmental Conditions/Vulnerability of the Site

The key environmental conditions that have been identified for this site are:

- Sufficient space between the site and development to allow for managed retreat of intertidal habitats and avoid coastal squeeze.
- No dredging or land-claim of coastal habitats.
- Unpolluted water.
- Absence of nutrient enrichment in the intertidal zone.
- Absence of eutrophication and acidification from atmospheric pollution
- Absence of non-native species.
- Low levels of recreational pressure both on shore and offshore can avoid disturbance effects during sensitive (over-wintering) periods.
- Freshwater inputs are of value for providing a localised increase in prey biomass for certain bird species, specific microclimatic conditions and are used for preening and drinking.
- Low amounts of silt loss.
- Short grasslands surrounding the site are essential to maintaining interest features as they are now the key foraging resource.

The Solent & Southampton Water SPA is vulnerable from 5 main impacts these include: Recreational Activity; Fishing and Harvesting Aquatic Resources; Pollution to Groundwater; Changes in Abiotic Conditions; Changes in Biotic Conditions.

Development pressure on adjacent land, urbanisation issues and the cumulative and indirect effects of developments in neighbouring areas pose a potential long-term disturbance problem. A strategic approach to accommodating development whilst ensuring compatibility with the Habitats Regulations is being addressed through the Definitive Solent Recreation Mitigation Strategy this strategy incorporates the Solent & Southampton Water SPA.

Conservation Objectives

The following conservation objectives have been identified for this site.

With regard to the individual species and/or assemblage of species for which the site has been classified; avoid the deterioration of the qualifying natural habitats and the habitats of qualifying species, and the significant disturbance of those qualifying species, ensuring the integrity of the site is maintained and the site makes a full contribution to achieving the aims of the Birds Directive.

Subject to natural change, maintain or restore:

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

The Ramsar criteria for the Solent & Southampton Water overlap with the features of its equivalent SPA. No additional conservation objectives are defined to assess these features, but those relating to the SPA can be used.

Solent Maritime SAC

Introduction

The Solent encompasses a major estuarine system on the south coast of England with four coastal plain estuaries and four bar-built estuaries. It covers approximately 11240 hectares. The area's inlets are unique in Britain and Europe for their hydrographic regime of four tides each day, and for the complexity of the marine and estuarine habitats present within the area. Sediment habitats within the estuaries include extensive estuarine flats, often with intertidal areas supporting eelgrass *Zostera spp.* and green algae, salt marsh, sand and shingle spits, and natural shoreline transitions.

The Solent Maritime SAC is approximately 2km away from the Titchfield Neighbourhood Area Boundary.

Features of European Interest

The Solent Maritime qualifies as a SAC because of the following habitats and species.

Annex I Habitats

- Sandbanks which are slightly covered by sea water all the time.

- Mudflats and sandflats not covered by seawater at low tide.
- Coastal lagoons.
- Annual vegetation of drift lines.
- Perennial vegetation of stony banks.
- *Salicornia* and other annuals colonising mud and sand.
- Shifting dunes along the shoreline with *Ammophila arenaria* ('white dunes').

Annex II Species

- Desmoulin's whorl snail *Vertigo moulinsiana*

Key Environmental Conditions/Vulnerability of the Site

The key environmental conditions that have been identified for this site are:

- Sufficient space between the site and development to allow for managed. retreat of intertidal habitats and avoid coastal squeeze.
- No dredging or land-claim of coastal habitats.
- Unpolluted water.
- Absence of nutrient enrichment in the intertidal zone.
- Absence of eutrophication and acidification from atmospheric pollution.
- Absence of non-native species.
- Maintenance of freshwater inputs.
- Balance of saline and non-saline conditions.
- Maintenance of grazing.

The Solent & Southampton Water SPA is vulnerable from 5 main impacts these include: Recreational Activity; Fishing and Harvesting Aquatic Resources; Pollution to Groundwater; Changes in Abiotic Conditions; Changes in Biotic Conditions.

Development pressure on adjacent land, urbanisation issues and the cumulative and indirect effects of developments in neighbouring areas pose a potential long-term disturbance problem. A strategic approach to accommodating development whilst ensuring compatibility with the Habitats Regulations is being addressed through the Definitive Solent Recreation Mitigation Strategy this strategy incorporates the Solent Maritime SAC.

Avoiding the deterioration of the qualifying habitats is vital to ensure the integrity of the site is maintained.

Conservation Objectives

The following conservation objectives have been identified for this site.

Avoid the deterioration of the qualifying natural habitats and the habitats of qualifying species, and the significant disturbance of those qualifying species, ensuring the integrity of the site is maintained and the site makes a full contribution to achieving Favourable Conservation Status of each of the qualifying features.

Subject to natural change, maintain or restore:

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

[Solent & Isle of Wight Lagoons SAC](#)

[Introduction](#)

The Solent on the south coast of England encompasses a series of Coastal lagoons, including percolation, isolated and sluiced lagoons. The site includes a number of lagoons in the marshes in the Keyhaven – Pennington area, at Farlington Marshes in Langstone Harbour, behind the sea-wall at Bembridge Harbour and at Gilkicker, near Gosport. The SAC is approximately 36.24 hectares in size.

The lagoons show a range of salinities and substrates, ranging from soft mud to muddy sand with a high proportion of shingle, which support a diverse fauna including large populations of three notable species: the nationally rare foxtail stonewort *Lamprothamnium papulosum*, the nationally scarce lagoon sand shrimp *Gammarus insensibilis*, and the nationally scarce starlet sea anemone *Nematostella vectensis*.

The Solent & Isle of Wight Lagoons SAC is approximately 9km away from the Titchfield Neighbourhood Area Boundary.

[Features of European Interest](#)

The Solent & Isle of Wight Lagoons qualifies as a SAC for the following habitat.

Annex I Habitats

- Coastal Lagoons.

[Key Environmental Conditions/Vulnerability of the Site](#)

The key environmental conditions that have been identified for this site are:

- Salinity a key water quality parameter for these lagoons. The relative balance of saltwater to freshwater inputs is critical. At present, most of these lagoons are considered to have a salt concentration that is below the desirable level (15 – 40%).
- Sufficient space between the site and development to allow for managed. retreat of intertidal habitats and avoid coastal squeeze.
- No dredging or land-claim of coastal habitats.
- Unpolluted water.
- Absence of nutrient enrichment.

- Absence of non-native species.

The Solent & Isle of Wight Lagoons SAC is vulnerable from 5 main impacts these include: Air Pollution; Invasive Non-native Species; Human Induced Changes in Hydraulic Conditions; Interspecific Floral Relations; and Changes in Abiotic Conditions.

Conservation Objectives

The following conservation objectives have been identified for this site.

Avoid the deterioration of the qualifying natural habitats and the habitats of qualifying species, and the significant disturbance of those qualifying species, ensuring the integrity of the site is maintained and the site makes a full contribution to achieving Favourable Conservation Status of each of the qualifying features.

Subject to natural change, maintain or restore:

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

Solent and Dorset Coast pSPA

Introduction

The Solent and Dorset Coast pSPA measures approximately 89078 hectares. The area covered extends from Worbarrow Bay in the west to Middleton-on-Sea in the east. The site comprises a series of open coastline, estuaries and harbours with extensive mud-flats and saltmarshes together with adjacent coastal habitats including saline lagoons, shingle beaches, reedbeds, damp woodland and grazing marsh. The site is of high importance for breeding seabirds particularly 3 species of Terns. Protecting the foraging grounds of these 3 Tern species is the reason for its potential inclusion as an SPA.

The Solent and Dorset Coast pSPA is approximately 800m to the Titchfield Neighbourhood Area Boundary.

Due to the importance of the site and the surrounding development pressures, the Mitigation Strategy that has been created to mitigate the recreational effects on the other SPAs in the area will also be used to target the recreational impacts arising from increased residential development on this pSPA. The Definitive Mitigation Strategy created by the Solent Recreation Mitigation Partnership, sets out a strategic approach for development by providing a consistent method through which local authorities can meet the requirements of the Habitats Regulations through avoidance and mitigation measures.

Features of European Interest

The Solent and Dorset coast pSPA contains the following qualifying species:

Article 4.1 and 4.2 Species

- Common Tern *Sterna hirundo*.
- Little Tern *Sterna albifrons*.
- Sandwich Tern *Sterna sandvicensis*.

Key Environmental Conditions/Vulnerability of the Site

The key environmental conditions that have been identified for this site are:

- Sufficient space between the site and development to allow for managed retreat of intertidal habitats and avoid coastal squeeze.
- No dredging or land-claim of coastal habitats.
- Unpolluted water.
- Absence of nutrient enrichment in the intertidal zone.
- Absence of eutrophication and acidification from atmospheric pollution
- Absence of non-native species.
- Low levels of recreational pressure both on shore and offshore can avoid disturbance effects during sensitive (over-wintering) periods.
- Freshwater inputs are of value for providing a localised increase in prey biomass for certain bird species, specific microclimatic conditions and are used for preening and drinking.
- Low amounts of silt loss.

The Solent and Dorset Coast pSPA is vulnerable from the following impacts these include: Recreational Activity; Fishing and Harvesting Aquatic Resources; Pollution to Groundwater; Changes in Abiotic Conditions; Changes in Biotic Conditions.

Development pressure on adjacent land, urbanisation issues and the cumulative and indirect effects of developments in neighbouring areas pose a potential long-term disturbance problem. A strategic approach to accommodating development whilst ensuring compatibility with the Habitats Regulations is being addressed through the Definitive Solent Recreation Mitigation Strategy. This strategy will help mitigate the effects of recreation disturbance on the Solent and Dorset pSPA.

Conservation Objectives

The following conservation objectives have been identified for this site.

With regard to the individual species and/or assemblage of species for which the site has been classified; avoid the deterioration of the qualifying natural habitats and the habitats of qualifying species, and the significant disturbance of those qualifying species, ensuring the

integrity of the site is maintained and the site makes a full contribution to achieving the aims of the Birds Directive.

Subject to natural change, maintain or restore:

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

Sources used:

- HRA Screening Report for the DSP Plan 2012.
- JNCC Natura 2000 Standard Data Form 2017
- Natural England. 2016. Solent and Dorset Coast potential Special Protection Area (pSPA) Departmental Brief.

For Note:

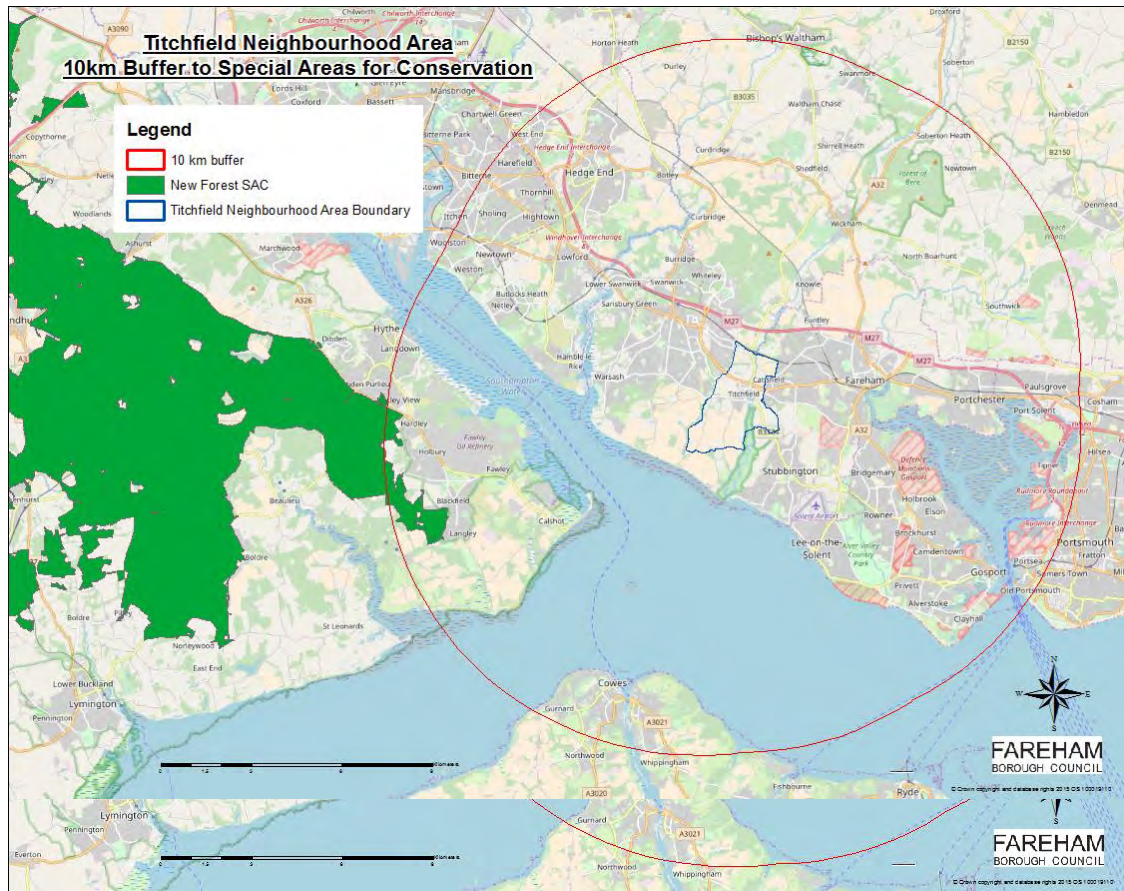
Langstone and Chichester Harbours SPA 11km Away
Buster Hill SAC 20km
Emer Bog SAC 20km
River Itchen SAC 11Km

The above European sites fall outside of the 10km radius of the Titchfield Neighbourhood Area Boundary.

Ramsar Sites have been included within SPA sites.

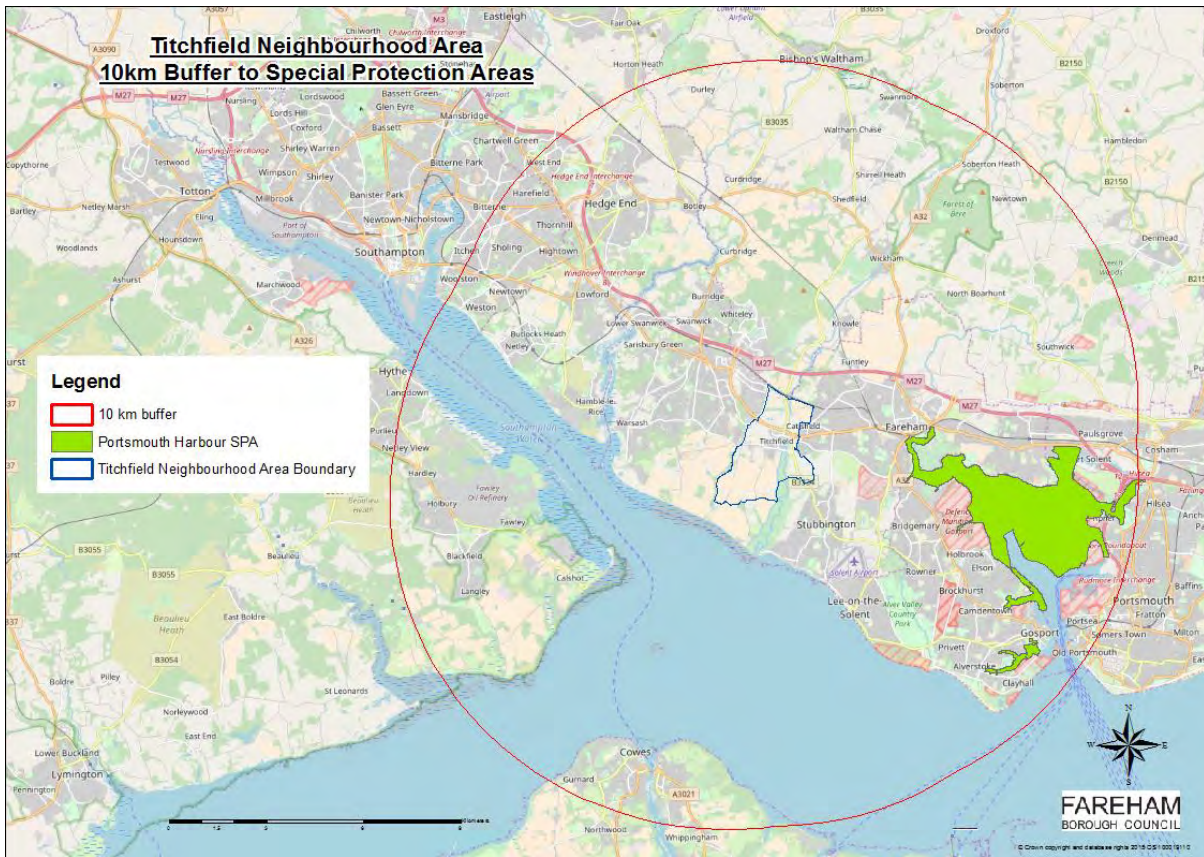
Appendix 3 – Maps of European Sites within 10km of Titchfield Neighbourhood Boundary

The New Forest SAC

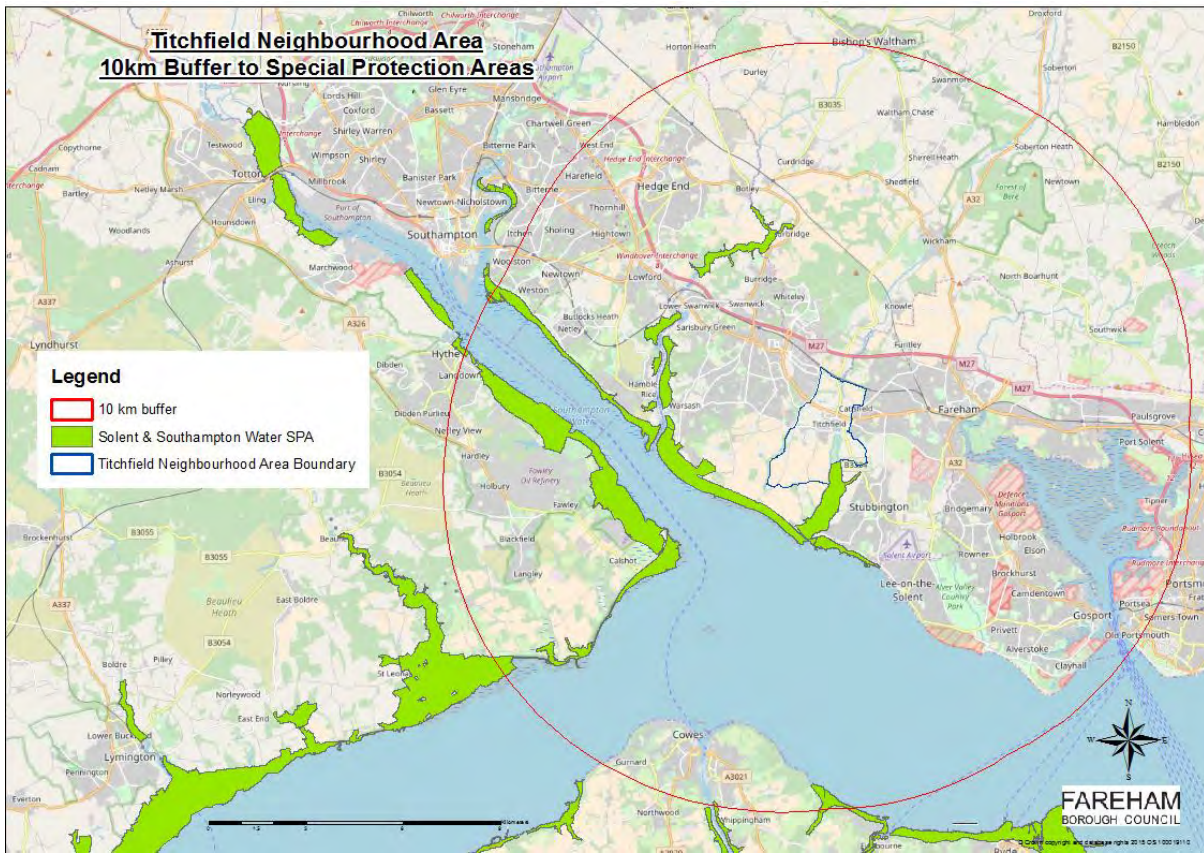


The New Forest SPA

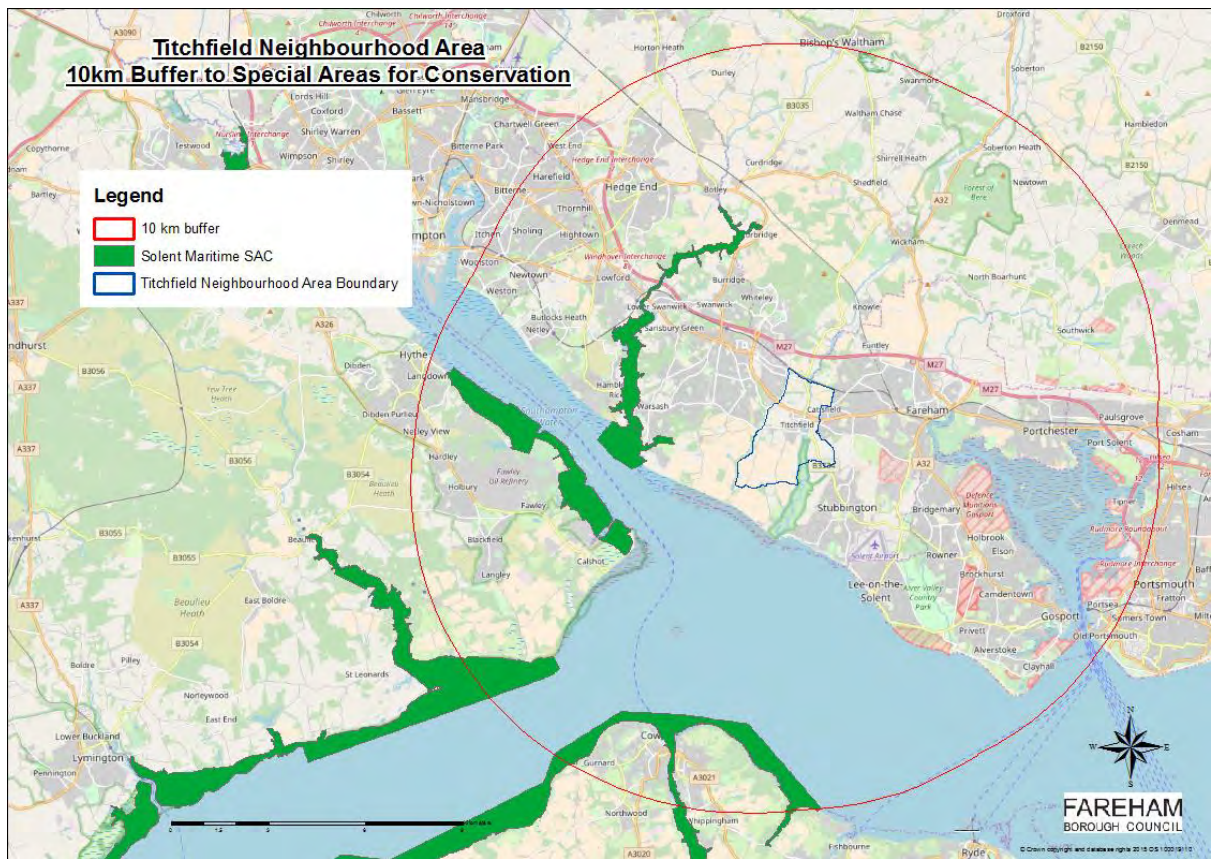
Portsmouth Harbour SPA



Solent & Southampton Water SPA



Solent Maritime SAC

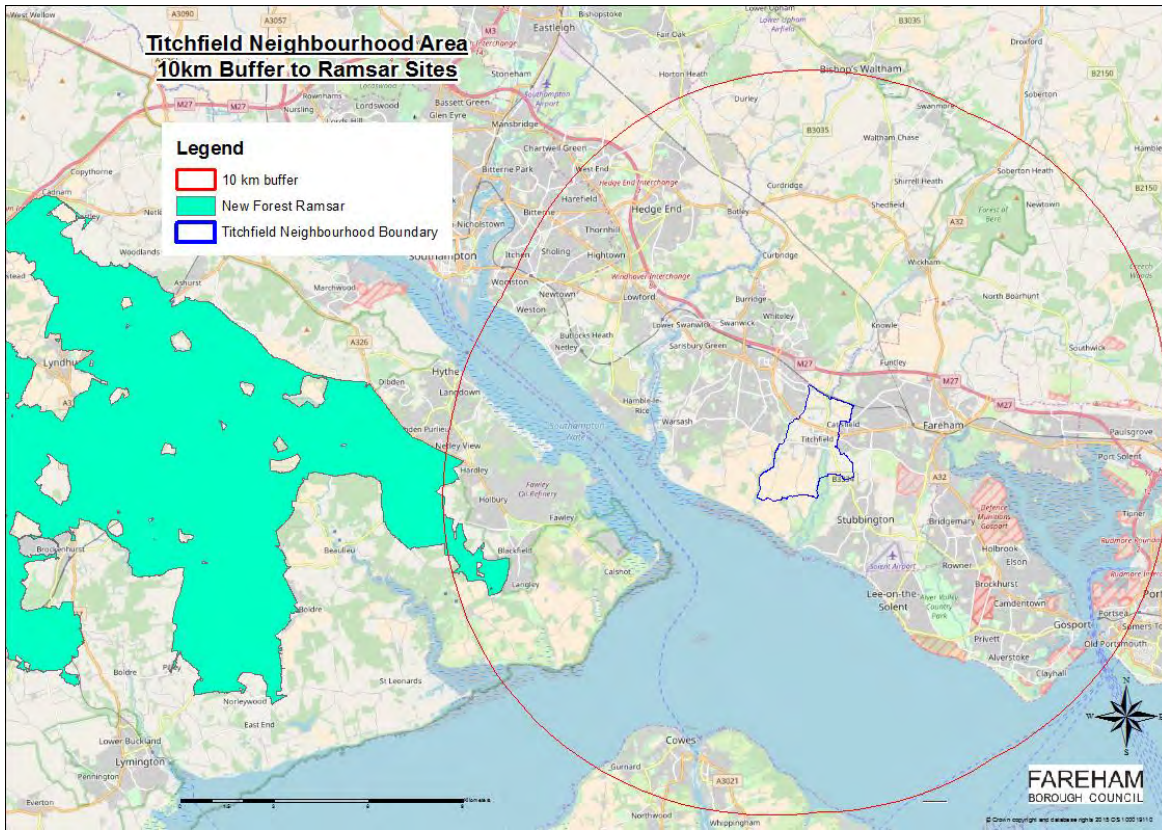


Solent & Isle of Wight Lagoons

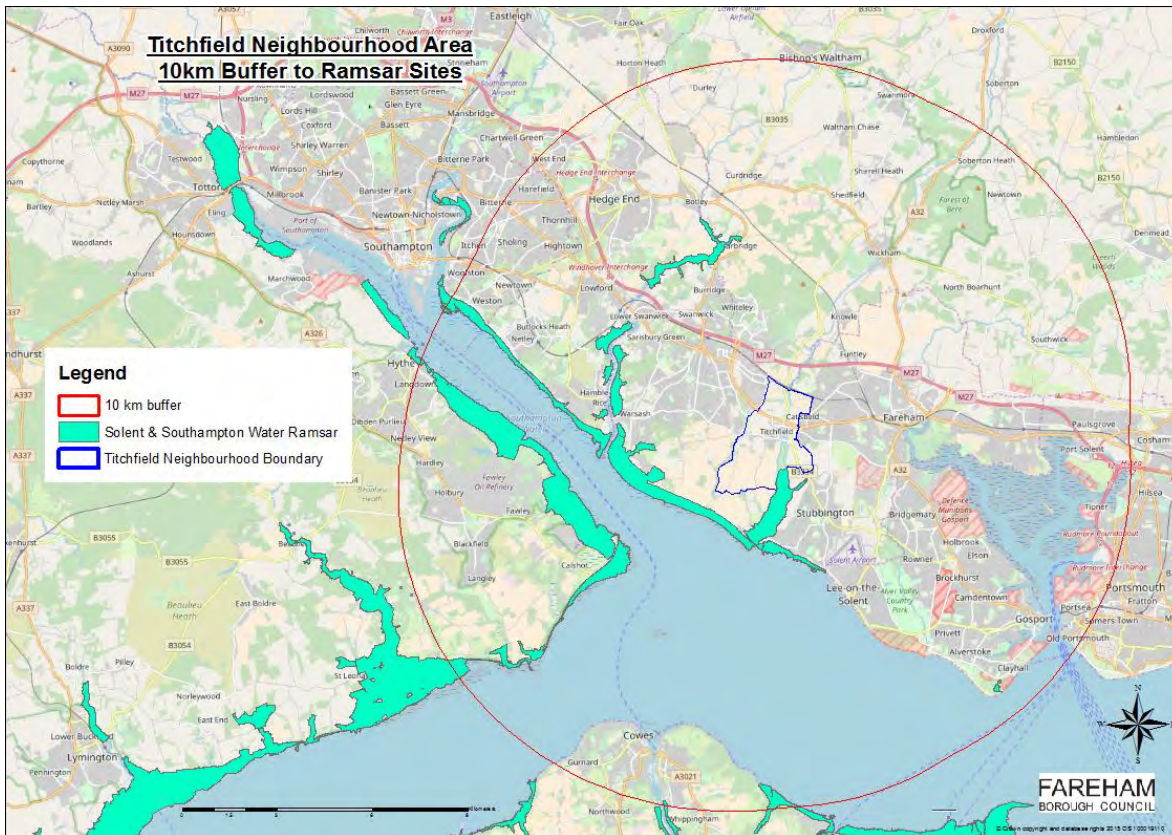
New



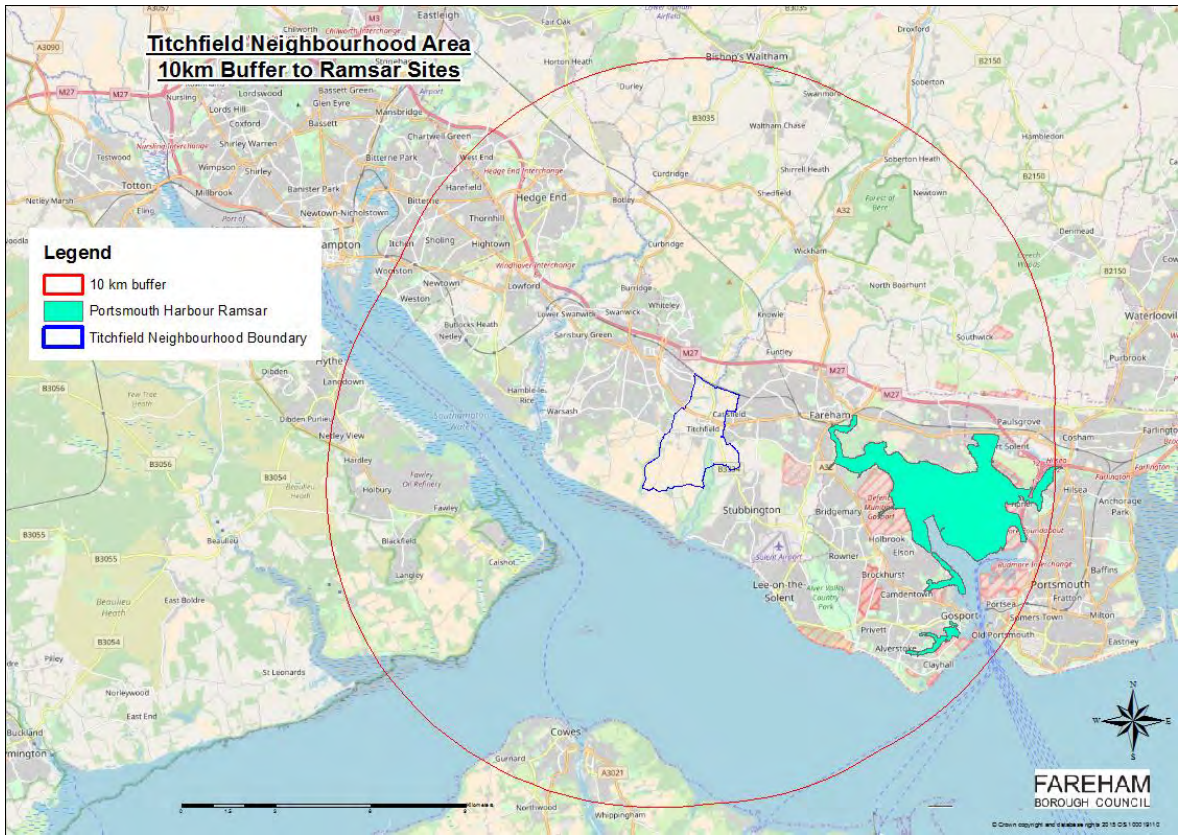
Forest Ramsar



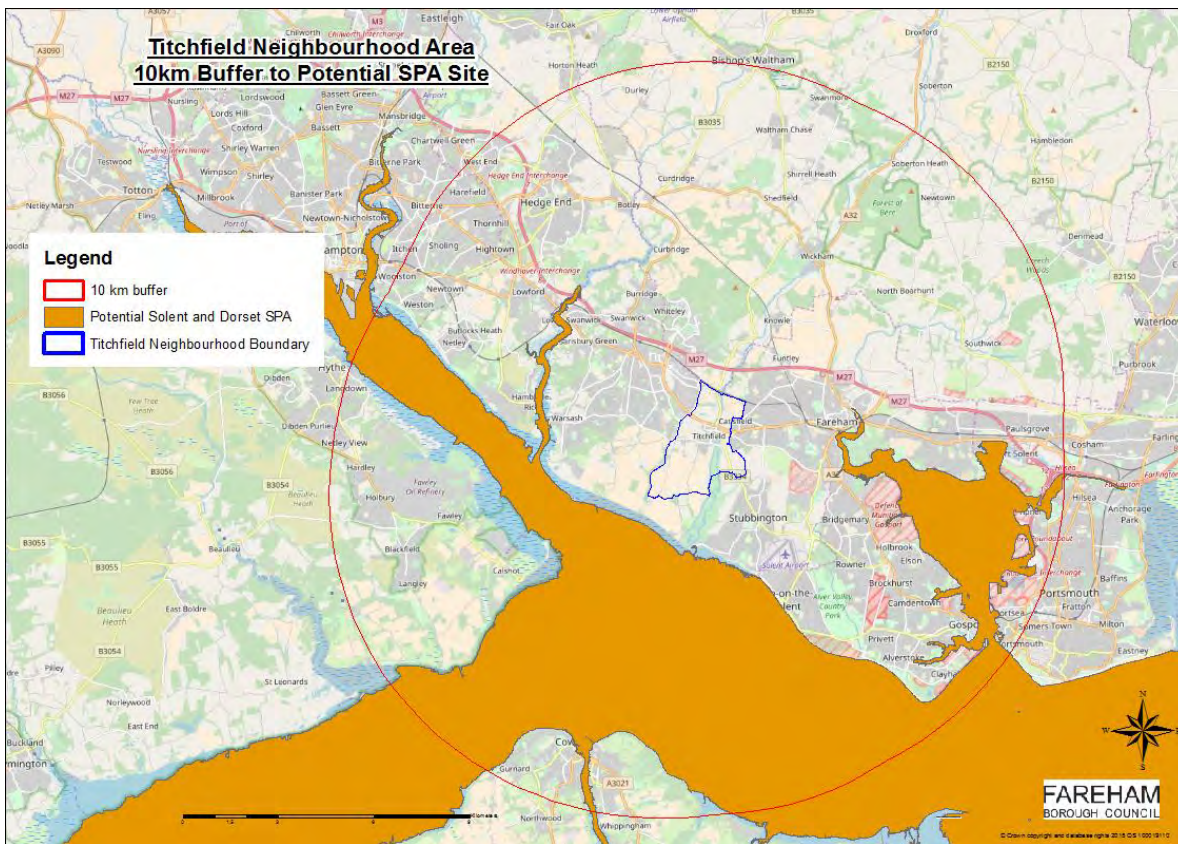
Solent and Southampton Water Ramsar



Portsmouth Harbour Ramsar



Potential Solent and Dorset SPA



Dear Emma

Thank you for consulting us on the SEA screening opinion for the Titchfield Neighbourhood Plan. We note that the plan will not include any site allocations. We therefore consider that it would not have a significant environmental effect and as such would not require an SEA in relation to the issues in our remit.

If you have any queries regarding the above please do not hesitate to contact me.

Kind regards

Laura

Laura Lax

Sustainable Places

Solent and South Downs

Tel: 0208 4745902

Email: laura.lax@environment-agency.gov.uk



Historic England

Emma Betteridge
Senior Planner (Strategy and Regeneration)

Department of Planning and Environment

Civic Offices

Civic Way

Fareham, PO16 7AZ.

Our ref: HD/P5230/

Your ref:

Telephone 01483 252040

Fax

26th February 2018

Dear Ms Betteridge,

Titchfield Neighbourhood Plan - SEA Screening Assessment

Thank you for your e-mail of 22nd January seeking Historic England's opinion on whether or not the proposed Titchfield Neighbourhood Plan would be likely to lead to significant environmental effects and, therefore, whether or not it should be subject to Strategic Environmental Assessment.

As recognised in the draft Screening Opinion, Titchfield has a rich historic environment, with two Conservation Areas, a number of listed buildings including the Grade I Parish of St Peters Church and the Scheduled Monuments of Titchfield Abbey and Stony Bridge.

We note that it is not anticipated that the Neighbourhood Plan will allocate sites for development, but that it would presume in favour of development within the urban area boundary and on brownfield sites. As the draft Opinion also notes "*There are also a number of Listed Buildings and Scheduled Monuments which could be affected (in terms of setting)*".

However, we acknowledge that this approach is consistent with Policy CS6 of the Local Plan Part 1: Core Strategy and that a Sustainability Appraisal (incorporating SEA) has been undertaken for the Local Plan Part 1 and Part 2 (Development Sites and Policies). We also note that the Neighbourhood Plan seeks to preserve the historic environment through a policy in the Plan.

We therefore consider that the Plan is unlikely to lead to any significant effects on the historic environment that have not already been assessed and, as the Plan should be read as a whole, it will contain sufficient protection for the heritage assets in the Plan area.

We therefore agree with the Council's draft Screening Opinion that the Titchfield Neighbourhood Plan need not be subject to Strategic Environmental Assessment.

We hope these comments are helpful. Please contact me if you have any queries.

Thank you again for consulting Historic England.

Yours sincerely,

A handwritten signature in black ink that reads "Martin Small". The signature is written in a cursive, slightly slanted style.

Martin Small

Principal Adviser, Historic Environment Planning

(Bucks, Oxon, Berks, Hampshire, IoW, South Downs National Park and Chichester)

E-mail: martin.small@historicengland.org.uk

Date: 26 February 2018
Our ref: 236926
Your ref: Titchfield Neighbourhood Plan



BY EMAIL ONLY

Emma Betteridge
Planning Policy, Fareham Borough Council

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Crewe Business Park
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T 0300 060 3900

Dear Emma,

Planning consultation: Titchfield Neighbourhood Plan - SEA & HRA Screening Assessment

Thank you for your consultation on the above dated 22 January 2018 which was received by Natural England on the same date.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

We welcome the opportunity to comment on the SEA and HRA screening document for the Titchfield Neighbourhood Plan and have set out the following issues for consideration.

Timing of the Neighbourhood Plan

A key consideration is the timing of the Neighbourhood Plan in relation to the Local Plan, as the Neighbourhood Plan may need to rely on more strategic avoidance and mitigation measures secured in the higher tier plan. Whilst reference is made in the HRA screening documentation to the Solent Recreational Mitigation Partnership (SRMP) financial contribution to mitigate the effects of recreational disturbance on the European designated sites, it is likely that the Local Plan will include other policies that set out avoidance and mitigation measures in relation to the designated sites.

It is currently understood that the timing of the Neighbourhood Plan will run concurrently to the Local Plan and Natural England would support this approach. This ensures that all development identified in the Neighbourhood Plan is in conformity with the Local Plan. In the absence of an adopted Local Plan, the Neighbourhood Plan can only proceed if adequate avoidance and mitigation measures can be secured at the Neighbourhood Plan level.

Defined urban boundary

The objectives for the Neighbourhood Plan include small scale, sustainable growth, focusing new housing within the urban area boundary and on brownfield sites. This approach is supported by Natural England. We also note that the third objective states that there will be a review of the Titchfield urban area boundary. The area subject to the urban area review is outlined on

Settlement Boundary Plan extension (16036 - L01.06 - REV D) submitted by the Titchfield Neighbourhood Forum. Natural England has reviewed the proposed boundary extension and has no concerns to raise.

Environmental constraints

Appendix 1 of the HRA and SEA screening document includes a plan showing the environmental constraints of the Titchfield Neighbourhood Plan area. Natural England recommends that this plan also identifies the supporting habitat to the designated Special Protection Areas. The Solent Wader and Brent Goose Strategy (SWBGS) aims to protect the network of non-designated terrestrial wader and brent goose sites that support the Solent Special Protection Areas (SPA) from land take and recreational pressure associated with new development.

The terrestrial wader and brent goose sites are located on land that falls outside of the Solent SPAs boundaries. However, as this land is frequently used by SPA species (including qualifying features and assemblage species), it supports the functionality and integrity of the designated sites for these features. This land will contribute to the achievement of the SPA's conservation objectives and is therefore protected in this context. This land supports the ecological network by providing alternative roosting and foraging sites. Each site is classified with regard to its importance within the ecological network.

Please find attached a draft plan showing the land within the Neighbourhood Plan area that is identified in the forthcoming Solent Wader and Brent Goose Strategy and the proposed classifications of these sites. Please note this plan is currently in draft. Further information will be provided in the forthcoming SWBGS Interim Report which will be published mid-2018 along with the published plans.

Natural England would advise that these sites are included within the Habitat Regulations Assessment screening document and on the environmental constraints plan to ensure that the long term protection of these sites from land take and recreational pressure is secured.

We would be very happy to comment further as the plan progresses. If you have any queries relating to the detail in this letter please contact me on 07717 808691

Yours sincerely

Rachel Jones
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