Shadow Habitats Regulations Assessment (HRA) Screening Matrix and Appropriate Assessment: Land at Mockbeggars Farm, Uckfield, TN22 2EA

Details of the Project

Application Address	Land at Mockbeggars Farm, London Road, Uckfield, TN22 2EA
LPA	Wealden District Council
Application Description	Residential development of 60 no. dwellings, access and internal roads, parking, ancillary structures, landscaping and open space, drainage and other associated works.
Application No.	WD/2022/0648/MAO
HRA Screening Date	19/09/2023
File reference	1006212 sHRA vf

Stage 1a – Information Gathering, Initial Screening and Scoping

European Designations that could be affected by the proposals
There are no European designations within or immediately adjacent to the Application Site. The closest European designation is Ashdown Forest (SAC), which is located approximately 3km north of the site at its closest point. The next nearest European designation is Ashdown Forest Special Protection Area (SPA), which is located approximately 3.4km north of the site at its closest point. At these distances, direct effects (such as physical damage or pollution from contaminated surface water run-off) on the designations as a result of the proposals would not occur. None of the qualifying species of interest for the SPA were recorded within the Application Site during the specific survey work undertaken, nor were any background records of these species returned from the local biological records centre located within the Application Site. In addition, accounting for the habitat composition of the Application Site and its close proximity to existing housing and associated disturbance, the Application Site is not assessed to provide suitable supporting or functionally-linked habitat for any of the qualifying species of the SPA. There is however the potential for indirect effects to occur at Ashdown Forest SAC and SPA as a result of development of the Application Site, such as from increases in recreational pressure and air pollution. Wealden District Council is subject to the Joint Strategic Access Management and Monitoring (SAMM) Strategy which has been developed by Local Authorities in conjunction with Natural England and sets out mitigation measures to ensure that new residential development and any associated recreational disturbance impacts on European sites are compliant with the Conservation of Habitats and Species Regulations 2017, as amended. As part of the work required to inform the evidence base, visitor surveys have been undertaken to determine the distance visitors will travel from their residences to visit Ashdown Forest for recreation[1]. Following collation and analysis of the survey data, the Zone of Influence (ZoI) currently agreed is 7km. The site lies within the agreed recreational ZoI for Ashdown Forest SPA and SAC. Further information on these designations is therefore set out below.

[1] Liley, D., Panter, C. & Blake, D. (December 2016) Ashdown Forest Visitor Survey 2016. Footprint Ecology.

Also located within 25km of the Application Site are a number of other European designations of which the closest are Lewes Downs SAC (12.3km south), Castle Hill SAC (18.6km south-west) and Pevensey Levels SAC and Ramsar site (17.7km south-east). At these distances, direct physical effects on the designations as a result of the proposals would not occur and, similarly, no adverse air quality or hydrological effects are anticipated. The proposed development will therefore not give rise to a likely significant effect on Lewes Downs SAC, Castle Hill SAC or Pevensey Levels SAC and Ramsar site, either alone or in combination with other plans or projects, and as such, these designations are scoped out of further assessment within this report.	
Ashdown Forest SAC	Annex I habitats that are a primary reason for selection of this site are: • European dry heaths • Northern Atlantic wet heaths with *Erica tetralix*. (Wet heathland with cross-leaved heath) Annex I habitats present as a qualifying feature, but not a primary reason for site selection: • None Annex II species that are a primary reason for selection of this site: • None Annex II species present as a qualifying feature, but not a primary reason for site selection: • Great crested newt *Triturus cristatus* **Conservation objectives** Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the Favourable Conservation Status of its Qualifying Features, by maintaining or restoring; • The extent and distribution of qualifying natural habitats and habitats of qualifying • species • The structure and function (including typical species) of qualifying natural habitats • The structure and function of the habitats of qualifying species • The supporting processes on which qualifying natural habitats and the habitats of qualifying species rely • The populations of qualifying species, and, • The distribution of qualifying species within the sit.
Ashdown Forest SPA	This site qualifies under Article 4.1 of the Directive (79/409/EEC) by regularly supporting nationally important populations of the following species listed on Annex I of the Directive: • Nightjar *Caprimulgus europaeus*, 35 pairs representing at least 1.1% of the breeding population in Great Britain (count as at 1991-92). • Dartford Warbler *Sylvia undata*, 20 pairs representing at least 2.1% of the breeding population in Great Britain (count as at 1994). **Conservation objectives** Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the aims of the Wild Birds Directive, by maintaining or restoring; • The extent and distribution of the habitats of the qualifying features

	• The structure and function of the habitats of the qualifying features • The supporting processes on which the habitats of the qualifying features rely • The population of each of the qualifying features, and, • The distribution of the qualifying features within the site.

Initial Screening of Impact Pathways

A Site Improvement Plan has been produced by Natural England which identifies a number of threats and pressures on Ashdown Forest SAC and SPA as detailed in Table 1 below.

Table 1: Analysis of identified threats and pressures on Ashdown Forest SPA/SAC.

Threat/Pressure	Applicable/Not applicable to the proposed development	Reason
Change in Land Management	Not Applicable	Site lies outside of 400m zone of likely urbanisation effects.
Air Pollution	Applicable (to SAC)	Residents of the proposed development could visit the designations via car, thereby contributing to adverse air pollution effects.
Public Access/Disturbance	Applicable (to SPA)	Residents of the proposed development could visit the designations for recreation.
Hydrological Changes	Not Applicable	Due to distance and physical / hydrological separation of the Application Site from the designations.

In summary, the pressures/threats applicable to the proposed development relate to effects resulting from increased public access/disturbance and air pollution. The site lies within the agreed ZoI within which visitors could travel from their residences to visit Ashdown Forest SPA, therefore further assessment is required in this regard. Additional visits to Ashdown Forest may also result in adverse air pollution effects on the SAC.

Summary

The above exercise concludes that further assessment is required in relation to air pollution and increased recreational pressure at Ashdown Forest SAC and SPA, respectively. The proposals do not relate to the management of these designations and therefore further assessment is required to identify the likely significant effects, both alone and in-combination with other plans and projects.

Stage 1b – Likely Significant Effects

Potential Effect and Analysis

Air Pollution

In February 2019 Natural England published supplementary advice on the conservation objectives for the Ashdown Forest SAC[2] which sets out that *'assessment of improvements in vehicular technology and in particular Euro6/VI standards that all vehicles are currently being manufactured to, will outweigh impacts from new development. The improvements will be marginally retarded by additional development but future nitrogen deposition and concentration will continue to decline with the existing trend.'* The Supplementary Advice continues by stating that the *'Natural England Commissioned Report 210 identifies that expected increase in Nitrogen levels from additional transport would fall below the level that would*

[2] Natural England (2019) *European Site Conservation Objectives: Supplementary advice on conserving and restoring site features – Ashdown Forest Special Area of Conservation (SAC) Site Code UK0030080*

reduce species richness on the site even if the expected declining trend in Nitrogen failed to materialise.' Accordingly, based on the above advice, it is unlikely that the proposed development would result in significant adverse effects on the qualifying features of the SAC due to air pollution, either alone or in-combination with other developments.

Public Access/Disturbance

An analysis of visitor intensity and bird territories within Ashdown Forest SPA was undertaken by Clark *et al*. (2010)[3] to determine if existing visitor pressure was affecting the distribution of the Annex I bird species for which the SPA is designated (Dartford Warbler and Nightjar). This analysis did not find a negative relationship between visitor intensity and bird distribution, indicating that the current level of visitor pressure was not affecting the distribution of interest species. However, the study noted that bird densities and visitor numbers were comparatively low, and concluded that there is a point at which increasing visitor pressure would cause birds to begin abandoning suitable breeding habitat.

There is clear evidence of recreational pressure resulting in a significant adverse impact on bird species which nest on or close to the ground at other SPAs (such as Thames Basin Heaths SPA and Dorset Heathlands SPA), whilst recreational disturbance could be having an impact at Ashdown Forest SPA in terms of breeding success. Disturbance effects can include:

- Increased nest predation by natural predators when adults are flushed from the nest or deterred from returning to it by the presence of people or dogs;
- Chicks or eggs dying of exposure because adults are kept away from the nest;
- Accidental trampling of the eggs by people, given that the nest is on the ground and often close to footpaths;
- Predation of chicks or eggs by domestic dogs; and
- Increasing stress levels in adult birds.

The negative effects associated with recreational disturbance are evidenced by various research studies undertaken at heathland sites across the United Kingdom:

- Liley and Clarke (2002)[4] showed the breeding density of Nightjar was directly related to the amount of surrounding development, with sites surrounded by development supporting fewer Nightjars;
- Murison (2002)[5] showed Nightjar breeding success and nest density was lower on sites with higher levels of recreational use. Proximity of paths to the nest also correlated strongly with nest failure;
- Mallord (2005)[6] showed the density of Woodlarks appeared to be correlated to recreational disturbance levels with lower nesting densities where disturbance levels were higher;
- For Dartford Warblers, breeding success has been shown to relate to disturbance, with birds breeding less successfully in heather dominated territories with high levels of access (Murison *et al*. 2007)[7];
- Underhill-Day (2005)[8] undertook a review of various papers which showed that birds are warier of people with dogs than people alone, flushing more readily and at greater distances.

[3] Clarke, R.T., Sharp, J. & Liley, D. (2010) '*Ashdown Forest Visitor Survey Data Analysis: Natural England Commissioned Reports. Number 048*.'

[4] Liley, D. and Clarke, R.T. (2002). '*Urban development adjacent to heathland sites in Dorset: the effect on the density and settlement patterns of Annex 1 bird species'*. English Nature Research Report 463, Peterborough

[5] Murison, G. (2002*) 'The impact of human disturbance on the breeding success of nightjar Caprimulgus europaeus on heathlands in south Dorset, England'* English Nature Research Report 483, Peterborough

[6] Mallord, J.W. (2005). '*Predicting the consequences of human disturbance, urbanisation and fragmentation for a woodlark Lullula arborea population*'. School of Biological Sciences. Norwich, UEA. PhD.

[7] Murison, G., Bullock, J.M., Underhill-Day, J., Langston, R., Brown, A.F. & Sutherland, W.J. (2007*) 'Habitat type determines the effects of disturbance on the breeding productivity of the Dartford Warbler Sylvia undata*.' Ibis, 149, 16–26.

[8] Underhill-Day (2005). '*A literature review of urban effects on lowland heaths and their wildlife*.' English Nature Research Report, Peterborough

The potential for the above effects to occur is assessed further below, in relation to the proposals alone, and in-combination with other plans and projects.

Likelihood of Effects

The site is located 3.4km to the south of Ashdown Forest SAC and SPA at its closest point. To this closest point by road and footpaths is a distance of approximately 4km, whilst it is approximately 4.6km by road to the nearest formal car park (as shown on OS mapping). Given this distance, it is unlikely that residents of the proposed development would walk to the SPA, although it is reasonably accessible by car.

The site is proposed for development of 60 dwellings. This equates to approximately 2% of the number of dwellings proposed within 7km of the SPA under the draft Wealden Local Plan (a total of 2,981 dwellings). In terms of likely increase in visitor numbers, based on the 2008 visitor surveys, the analysis undertaken by Clark et al. (2010) estimated that 100 new residential dwellings in Uckfield would result in an additional 3.9 visits per 16 hour period to the Forest. Accordingly, the proposed development is estimated to result in an additional 2.34 visits per 16 hour period, or 0.146 visits per hour. This would equate to an increase of 0.035% relative to existing visitor use, or one additional visit for every 2,359 existing visits (based on visits per hour as determined by the 2016 visitor survey).

This is a very minor increase, such that the anticipated unmitigated effect of the proposed development in terms of recreational pressure is likely to be negligible. Nevertheless, in the context of cumulative increases in recreational activity, it is acknowledged that such an increase could contribute to an overall significant effect, such that an adverse effect on integrity could occur in combination with other plans or projects and avoidance/mitigation measures are required.

Conclusion: In the absence of mitigation, the proposals are assessed to have a likely significant effect on European designations.

Stage 2 - Appropriate Assessment

Do the proposals, in-combination with other relevant plans and projects have the potential to affect the integrity of the European designation, given the sites' conservation objectives?

Yes.

The potential for increased recreational pressure as a result of the proposals in combination with other projects in the area may detrimentally affect the relevant interest features of the Ashdown Forest SPA, as the site is within the 7km ZoI.

Proposed Mitigation Measures

Wealden District Council is part of the Ashdown Forest SPA Joint Strategic Access Management and Monitoring (SAMM) Strategy.

"The aim of the SAMM strategy is:

- *Raise awareness and build visitor understanding of the importance and sensitivity of ground nesting birds and their habitats within the Ashdown Forest SPA as part of the wider education and heathland management programme;*
- *Promote alternative recreational spaces (SANGs) for local people especially in the breeding bird season;*
- *Promote and enforce where necessary the Code of Conduct for dog walkers;*
- *Encourage responsible dog walking and behavioural change as set out in the Code of Conduct;*

- *Provide new and additional volunteering opportunities such as Volunteer Dog Rangers in the delivery of advice and on-site support to ensure and promote responsible behaviour and use of the Ashdown Forest SPA;*
- *Contribute to the existing Ashdown Forest education programme to deliver outcomes that relate to the required mitigation measures in relation to Ashdown Forest SPA; and*
- *Help coordinate and support bird monitoring on the Ashdown Forest SPA and undertake visitor monitoring on the Ashdown Forest SPA and at SANG sites. This will be used to:*
  - *Ensure that projects are effective;*
  - *Inform the direction of strategic access management; and*
  - *Measure the effectiveness of avoidance and mitigation measures."*

A financial contribution can be agreed and collected from the developer prior to commencement, on the basis that it can be used to fund strategic off-site measures. These measures should be targeted towards increasing Ashdown Forest SPA's resilience to recreational pressure (such as wardening schemes) and be in line with the aspirations of the Joint SAMM Strategy.

The applicant is prepared to agree to the required contribution to SAMMS, in addition to the required SANGS contribution, therefore it is concluded that appropriate mitigation can be secured to offset the potential in-combination recreational effects.

Conclusion - with the implementation of mitigation, will the proposals in-combination with other plans and projects, taking account of the designations' conservation objectives, result in an adverse effect on integrity of a European designation?

No.

It is concluded that the proposed mitigation set out above, in view of the designation's conservation objectives, would fully mitigate the predicted effects. As such, there would be no residual effects which would have an adverse effect on the integrity of Ashdown Forest SPA. Therefore, no further assessment is required.