

Habitat Regulation Assessment (HRA)
Screening Matrix and Appropriate Assessment Statement

PLEASE NOTE: Undertaking the HRA process is the responsibility of the decision maker as the Competent Authority for the purpose of the Habitats Regulations, however, it is the responsibility of the Qualifying Body to provide the Competent Authority with the information that they require for this purpose.

Stage 1 - Details of the plan or project	
Neighbourhood Plan:	West Wittering Neighbourhood Plan 2019 – 2029 (3 February 2022) Pre Reg 15 Submission Plan Version 3 February 2022
No houses indicated by adopted Chichester Local Plan No houses indicated by Chichester Local Plan Review for the Neighbourhood Plan Area:	50 – figure met Preferred Approach Local Plan Review identified West Wittering parish for a parish allocation of 25 dwellings by way of draft Policy S5 Parish Housing Requirements 2016-2035; further testing of evidence has led to revised distribution strategy being tested against the evidence base for Local Plan Review December 2020 and December 2021 proposed 0 dwellings, <i>No figures have yet been confirmed for inclusion in the submission version of the Local Plan Review and may therefore be subject to change.</i> <i>Please note the draft West Wittering Neighbourhood Plan 2019-2029 is not identifying any sites for allocation for residential development (see draft plan).</i>
No houses proposed by the Neighbourhood Plan:	The draft West Wittering Neighbourhood Plan 2019-2029 is not identifying any sites for allocation for residential development (see draft plan),
Will the Neighbourhood Plan result in a net increase in residential development?	No, the draft West Wittering Neighbourhood Plan 2019-2029 is not identifying any sites for allocation for residential development.
Other than residential development, what other key policy areas does the plan cover?	The draft plan includes policies for preventing coalescence (Policy WW2), addressing new housing development in the parish (Policy WW3), provision of visitor accommodation and facilities (Policy WW6) and coastal enhancements (Policy WW10). The plan also considers an approach to design, principal residence requirements, economic development and retail facilities as well as public rights of way, biodiversity, community facilities and lighting.

Status of Neighbourhood Plan:	Draft plan prior to submission to Chichester District Council; regulation 14 consultation complete.
European site potentially impacted - Is the plan area within:	
<ul style="list-style-type: none"> • 5.6km radius of a Chichester and Langstone Harbours SPA 	Yes
<ul style="list-style-type: none"> • 3.5km of Pagham Harbour SPA 	No
<ul style="list-style-type: none"> • 6.5km or 12km of Ebernoe Common SAC / The Mens SAC / Singleton and Cocking Tunnels SAC 	No
<ul style="list-style-type: none"> • 400m or 5km of Wealden Heaths Phase 2 SPA 	No
<ul style="list-style-type: none"> • The Chichester Harbour Fluvial Catchment 	Yes
<ul style="list-style-type: none"> • An area served by a Wastewater Treatment Plant that discharges to Chichester Harbour 	No
Are any allocations within any of the above zones of influence?	No, the draft West Wittering Neighbourhood Plan 2019-2029 is not identifying any sites for allocation for residential development. Reference is made to various habitats in the draft plan by way of Maps 8a, 8b, 8c, 8d and 8e.
Are there any other projects or plans that together with the plan / application being assessed could affect the site?	Yes, the Chichester Local Plan and all other neighbourhood plans within the Zones of Influence for Chichester and Langstone Harbour SPA
Lead Planning Officer: Valerie Dobson (Principal Planning Policy Officer)	

Stage 2 - HRA screening assessment

Test 1: The Significance Test – The Qualifying Body to provide evidence so that a judgement can be made as to whether there could be any potential significant impacts of the development on the integrity of the SPA/SAC/Ramsar.

Without mitigation there would be a likely significant effect on Chichester and Langstone Harbours SPA/Ramsar site due to recreational disturbance impacts. Strategic schemes of mitigation are in place for both this site but these can only considered at Appropriate Assessment stage (stage 3)

Stage 2 Conclusion - Would the proposal lead to likely significant effects on the integrity of a European Site? **Yes**

(If yes, continue to Stage 3)

Stage 3 - HRA – Appropriate Assessment

Test 2: The Integrity Test – If there are any potential significant impacts, the competent authority must be satisfied that adequate mitigation is in place to allow the AA to be carried out. Other than for Bird Aware Solent and the Joint Pagham Scheme of Mitigation, the competent authority must also be satisfied that all details which demonstrate any long term management, maintenance and funding of any solution have been provided.

The likely effectiveness and long-term financial robustness of both Bird Aware Solent and the Pagham Joint Scheme of Mitigation have already been examined by Natural England, so the Neighbourhood Plan does not need to provide its own evidence base on the effectiveness of these schemes. Appropriate contributions to these schemes of mitigation will be secured from new residential developments under Policy 50 and Policy 51 of the adopted Chichester Local Plan 2014-2029. In practice, for areas where the zones of influence overlap, then because residents of new development cannot access both sites simultaneously, a contribution is required only for the whichever scheme requires the greater contribution (currently Pagham, except for 5 bed room properties for which it is Bird Aware Solent). This contribution is then split between the two mitigation schemes. See <https://www.chichester.gov.uk/planningadvice> for details on the schemes.

Recreational Disturbance

Section 1: Supporting text

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

Qualifying features (Chichester and Langstone Harbours SPA):

A046a *Branta bernicla bernicla*; Dark-bellied brent goose (Non-breeding)

A048 *Tadorna tadorna*; Common shelduck (Non-breeding)

A050 *Anas penelope*; Eurasian wigeon (Non-breeding)

A052 *Anas crecca*; Eurasian teal (Non-breeding)

A054 *Anas acuta*; Northern pintail (Non-breeding)

A056 *Anas clypeata*; Northern shoveler (Non-breeding)

A069 *Mergus serrator*; Red-breasted merganser (Non-breeding)

A137 *Charadrius hiaticula*; Ringed plover (Non-breeding)

A141 *Pluvialis squatarola*; Grey plover (Non-breeding)

A144 *Calidris alba*; Sanderling (Non-breeding)

A149 *Calidris alpina alpina*; Dunlin (Non-breeding)

A157 *Limosa lapponica*; Bar-tailed godwit (Non-breeding)

A160 *Numenius arquata*; Eurasian curlew (Non-breeding)

A162 *Tringa totanus*; Common redshank (Non-breeding)

A169 *Arenaria interpres*; Ruddy turnstone (Non-breeding)

A191 *Sterna sandvicensis*; Sandwich tern (Breeding)

A193 *Sterna hirundo*; Common tern (Breeding)

A195 *Sterna albifrons*; Little tern (Breeding)

Qualifying features (Chichester and :Langstone Harbours Ramsar Site)

- *Branta bernicla bernicla*, Dark-bellied brent goose
- *Charadrius hiaticula*, Ringed plover
- *Pluvialis squatarola*, Grey plover
- *Calidris alpina*, Dunlin
- *Limosa limosa* Black-tailed Godwit

Section 2 Assessment of Effects on Site Integrity

Assessment Matrix (Chichester and Langstone Harbours SPA/Ramsar site – Recreational Disturbance)

Identification of the potential effects and their impacts on the Conservation Objectives

Potential Effect	Site Conservation Objective(s)	Qualifying features	Potential for Impact?	Relevant Mitigation Measures
Decrease in survival rates and populations of over-wintering birds due to increase in disturbance, caused by increasing human population (in combination with other plans and projects)	Maintain or restore the population of each of the qualifying features. Maintain or restore the distribution of the qualifying feature within the site.	All for Chichester and Langstone Harbours SPA and Chichester and Langstone Harbour Ramsar Site	Yes. Indirect impact. Without mitigation, bird populations would be reduced and/or re-distributed by increased numbers of visitors leading to increased disturbance	Bird Aware Solent Strategy The Strategy proposes:- <ul style="list-style-type: none"> • a team of 5-7 coastal rangers to advise people on how to avoid bird disturbance, liaise with landowners, host school visits, etc.; • communications, marketing and education initiatives; • initiatives to encourage responsible dog walking; • 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;

				<ul style="list-style-type: none"> • providing new/enhanced greenspaces as an alternative to visiting the coast;
Direct loss of habitat	Maintain or restore the extent and distribution of the habitats of the qualifying features.	All for Chichester and Langstone Harbours SPA and Chichester and Langstone Harbour Ramsar Site.	No. Development within the zone of influence but outside the SPA boundary will not lead to loss of habitat, either alone or in combination.	N/a. No impact so no mitigation can be provided.

Stage 4 – Summary of the Appropriate Assessment (To be carried out by the Competent Authority (the local planning authority) in liaison with Natural England

Conclusion

Having considered the proposed mitigation and avoidance measures to be provided in-perpetuity through:

- Contributions to Bird Aware Solent (Chichester Local Plan 2014-2029, Policy 50)

Chichester District Council concludes that with mitigation the plan will not have an Adverse Effect on the Integrity of the European protected sites.

Having made this appropriate assessment of the implications of the plan for the sites in view of those sites' conservation objectives, and having consulted Natural England and fully considered any representation received (see below), the authority may now give effect to the land use plan under regulation 105 of the Conservation of Habitats and Species Regulations 2017.

Natural England Officer:

Summary of Natural England's comments:

We note that no sites are specifically allocated for development within the West Wittering Neighbourhood Plan. Subject to information on the allocations and the avoidance and mitigation measures within the Local Plan being sufficient to ensure that the overarching Local Plan policies and allocations do not result in significant environmental effects (as tested via the Sustainability Appraisal and Habitats Regulations Assessment). Natural England would advise that the Neighbourhood Plan in the absence of development is unlikely to have a significant effect. However, any allocated sites will need to conform to the requirements of the adopted Chichester Local Plan, Policy 50 (Development and Disturbance of Birds in Chichester and Langstone Harbours Special Protection Areas) and be subject to a project level HRA

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Lead Adviser
Sussex and Kent Team

Date: 18 May2022

Does the draft West Wittering Neighbourhood Plan 2019-2029 (February 2022) require amending as a result of Natural England's comments? NO

If 'YES', what needs to change?