

# Appendix 6: Sustainability Appraisal and Habitats Regulations Assessment for Main Modifications



## New Forest District Council Local Development Framework

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# Local Plan Part 2: Sites and Development Management

New Forest District outside the National Park

## Submission Document

September 2013

### **Sustainability Appraisal (SA) and Habitats Regulation Assessment (HRA) Statement - NFDC Main Modifications (September 2013)**

1. The Council has considered the proposed policy changes following the initial Hearing Sessions which took place during February to April 2013 and the publication of the Inspector's Post Hearing Note 4 (Document ID12). It is the Council's view that, with the exception of the three changes set out below, the proposed changes do not affect the overall conclusions of the previous SA and thus it is not necessary to carry out any revisions to the SA. (The sites of two small additional housing land allocations in New Milton (under Policy CS12 of the Core Strategy), on land west of Moore Close and on land off Park Road, Ashley, were both considered in the original SA Report (Document S11))
2. A new policy has been devised to address concerns that the Inspector has in relation to possible impacts from development on European nature conservation sites. This new policy ('Policy DM2b: Mitigation of impacts on European nature conservation sites') is set out in Appendix A, and a SA of it, is set out in Appendix B The Inspector has informed the Council that without this policy the plan will be found unsound. On this basis an alternative assessment of not having this policy has not been considered.
3. A new policy (DM12b: Maintaining access to the water) has been added to the plan following the Hearing Sessions. The proposed policy, and a SA of it, is set out in Appendix A and B
4. In response to concerns raised by the Inspector a revised policy has been produced in relation to Policy MAR7: Marchwood Military Port. The proposed revised policy is set out in Appendix A, and a Sustainability Appraisal (SA) of it, is set out in Appendix B.
5. Appendix C of this document sets out whether any of the policy changes, since the preparation of the HRA, requires further consideration in the HRA.

## Appendix A: Policies

### Policy DM2b: Mitigation of impacts on European nature conservation sites

Development will not be permitted unless the Council is satisfied that, having regard to mitigation measures, the development (in combination with other developments) will not give rise to likely significant adverse effects on the integrity of:

- the New Forest European nature conservation sites (the New Forest SAC; New Forest SPA; The New Forest Ramsar site) or
- the Solent Coast European nature conservation sites (the Solent Maritime SAC; Solent and Southampton Water SPA; Solent and Southampton Water Ramsar site).

The required suite of mitigation measures relating to the European nature conservation sites consists of a combination of the following measures:

(a) **Provision of SANGS (Suitable Alternative Natural Green Space):** new or improved open space of a quality and type suitable to attract residents of new development within the Plan Area who might otherwise visit the European nature conservation sites for recreation. SANGS will be delivered by:

- Additional areas of informal open space (30 to 40 ha) of SANGS quality;
- Existing open space of SANGS quality with no existing public access or limited public access, which for the purposes of mitigation could be made fully accessible and attractive to the public (including through improvements to footpaths/rights of way);
- Existing open space which is already accessible but which could be changed in character so that it is more attractive to the specific group of visitors who might otherwise visit the European nature conservation sites.

(b) **Access and Visitor Management:** measures to manage the number of recreational visits to the New Forest European sites and the Solent Coast European sites; and to modify visitor behaviour within those sites so as to reduce the potential for harmful recreational impacts.

(c) **Monitoring** of the impacts of new development on the European nature conservation sites and establishing a better evidence base: to reduce uncertainty and inform future refinement of mitigation measures.

To achieve these mitigation measures, all residential developments that result in additional dwellings will be required to provide for appropriate mitigation and /or financial contributions towards off-site mitigation. This will need to be agreed and secured prior to approval of the development. The required level of contributions per dwelling (to be set out in more detail in the Mitigation Strategy Supplementary Planning Document) will be based on  $x/y$  where:

- $x$  = the assessed overall cost of the package of mitigation measures set out in (a) and (b) above needed to offset potentially harmful visits to the European nature conservation sites, and
- $y$  = the number of contributing dwellings.

On sites of 50 or more dwellings, where there is physical capacity and there are suitable opportunities, the full direct mitigation requirements may best be met by

provision of SANGS on-site or close to the site, based on a standard of 8ha of SANGS per 1,000 population.

Informal open space required by Policy CS7 will be accepted as a part of the mitigation contribution where it is demonstrated as contributing towards SANGS requirements.

In addition, all residential developments will be required to contribute towards monitoring [measure (c)].

All residential developments will be required to contribute towards monitoring [measure (c)].

#### **DM12b: Maintaining access to the water**

Development proposals should be designed to enable the continued use of slipways, including public hard, to access inland and coastal waters.

#### **MAR7: Marchwood Military Port (Sea Mounting Centre)**

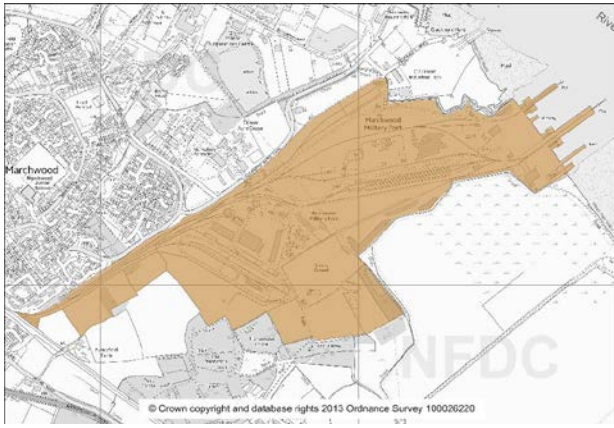
Marchwood Military Port, as defined on the Proposals Map, is safeguarded for port and port-related uses.

The existing jetties/wharves and the railway connection to them should be retained. Proposals which make the most of the rail connection will be encouraged.

Development proposals will need to balance making the most of this important port infrastructure with:

- (a) ensuring that additional traffic can be satisfactorily accommodated on the road network, and where necessary, mitigating any harmful impacts on the environment and local community;
- (b) avoiding unacceptable impacts on the amenity of local residents, including from noise or disturbance from operational activity; and
- (c) the visual impacts on the wider countryside, including the New Forest National Park.

In addition to the above, any non-port related proposals must be compatible with the port and port-related activity and not prejudice the effective utilisation of the port and rail facilities of the site.



**Map MAR7: Marchwood Military Port (Sea Mounting Centre)**

## Appendix B: Appraisals

### DM2b | Mitigation of impacts on European Nature Conservation Sites

Option Considered:

Proposed new policy in the Local Plan Part 2.

Summary:

Option included in the Local Plan Part 2.

1. Provide a safe and secure environment:	n/a
2. Improve health and well being:	n/a
3. Make sustainable provision to meet housing needs and requirements:	n/a
4. Meet educational, leisure and cultural needs of community and visitors:	n/a
5. Meet local community needs for essential utilities and transport infrastructure having regard to environmental constraints: The policy aims to limit the adverse environmental impacts of infrastructure provision.	0
6. Facilitate a sustainable and growing economy for the District that creates economic and employment opportunity while making full use of the District's assets:	n/a
7. Maintain and enhance the vitality and viability of town centres:	n/a
8. Promote sustainable tourism: Limited impact	0
9. Maintain and enhance local, national and international nature conservation interests: The policy aims to protect international nature conservation sites. It does not allow for development to take place if such development is likely to have a significant adverse impact on international nature conservation sites within the Plan Area. In such circumstances where a significant adverse effect is unavoidable appropriate mitigation measures will have to be provided.	++
10. Maintain, enhance and create high quality landscape, townscape and seascape: Sites of international nature conservation value can often have landscape value.	+
11. Prevent pollution, and maintain and enhance the quality of air, water and soil:	n/a
12. Encourage sustainable use of resources:	n/a
13. Minimise factors contributing to climate change:	n/a

## DMI2b | Maintaining access to the water

### Option Considered:

Development proposals should be designed to enable the continued use of slipways, including public hards, to access inland and coastal waters.

### Summary:

1. Provide a safe and secure environment:	0
2. Improve health and well being:	0
3. Make sustainable provision to meet housing needs and requirements:	n/a
4. Meet educational, leisure and cultural needs of community and visitors:	+
The policy will maintain important infrastructure for outdoor leisure pursuits.	
5. Meet local community needs for essential utilities and transport infrastructure having regard to environmental constraints:	0
6. Facilitate a sustainable and growing economy for the District that creates economic and employment opportunity while making full use of the District's assets:	0
7. Maintain and enhance the vitality and viability of town centres:	n/a
8. Promote sustainable tourism:	+
The policy will contribute towards maintaining the important infrastructure which has a positive impact on the local tourist economy.	
9. Maintain and enhance local, national and international nature conservation interests:	0
10. Maintain, enhance and create high quality landscape, townscape and seascape:	0
11. Prevent pollution, and maintain and enhance the quality of air, water and soil:	0
12. Encourage sustainable use of resources:	n/a
13. Minimise factors contributing to climate change:	0



## MAR7 | Marchwood Military Port

Option Considered:

Proposed revised policy in the Local Plan Part 2 (Sites and Development Management).

Summary:

The current military port use of this site is non-intensive and low key. The policy seeks to balance future port and port-related development proposals for the site against potential harmful impacts on the local community and environment.

1. Provide a safe and secure environment:	0
The policy will not affect the current risk levels associated with the Marchwood Seamounting Centre.	
2. Improve health and well being:	-
The policy seeks to avoid unacceptable impacts on local residents, including noise, arising from any intensification of the use on the site.	
3. Make sustainable provision to meet housing needs and requirements:	n/a
4. Meet educational, leisure and cultural needs of community and visitors:	n/a
5. Meet local community needs for essential utilities and transport infrastructure having regard to environmental constraints:	-?
The policy seeks to ensure that additional traffic can be satisfactorily accommodated on the road network.	
6. Facilitate a sustainable and growing economy for the District that creates economic and employment opportunity while making full use of the District's assets:	+
The policy allows for possible intensification of the use of the site. This could increase and potentially provide a diverse range of employment opportunities.	
7. Maintain and enhance the vitality and viability of town centres:	n/a
8. Promote sustainable tourism:	n/a
9. Maintain and enhance local, national and international nature conservation interests:	0
Limited impact providing policy safeguard (a) is complied with.	
10. Maintain, enhance and create high quality landscape, townscape and seascape:	0
Limited impact providing policy safeguards (a) and (c) are complied with.	
11. Prevent pollution, and maintain and enhance the quality of air, water and soil:	-?
The policy seeks to avoid unacceptable impacts on local residents and wider impacts on the environment from operational activity at the port. This will include matters such as air and light pollution.	
12. Encourage sustainable use of resources:	++
The proposed policy allows for the possible intensification of an existing port facility and thus is a sustainable use of land.	
13. Minimise factors contributing to climate change:	+
The policy requires that the exiting railway connection to the site is retained and that future proposals which make most of the railway connection will be encouraged.	

## Appendix C: HRA Statement

Taking into account the Inspector's Post Hearing Note 4 (Document ID12) consideration has been given to whether the HRA needs revising in response to any proposed policy change. The conclusion is that only DM2a and DM2b have significance in this respect. These policies have been considered in LUC's Addendum to the HRA. The conclusions to the HRA Addendum are set out in paragraphs 7.1 to 7.6 (Page 58) of the document. Paragraph 7.6 reads as follows:

*'LUC is satisfied that mitigation approach described above provides a satisfactory degree of certainty at this stage of the planning process that the mitigation package will successfully avoid adverse effects from the Local Plan Part 2, either alone or in-combination with other plans or projects, on the integrity of Solent and Southampton Water SPA and Ramsar site, Solent Maritime SAC and The New Forest SAC, SPA and Ramsar site.'*