



Selsey Town Council

Selsey Neighbourhood Plan (Draft): 2013-2029

Habitats Regulations Assessment

September 2014

Prepared for



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1 Introduction

1.1 Background to the Project

1.1.1 URS was appointed by Selsey Town Council to assist the Council in undertaking a Habitats Regulations Assessment (HRA) of its Neighbourhood Plan (NP). The objective of the assessment was to:

- identify any aspects of the NP that would cause an adverse effect on the integrity of Natura 2000 sites, otherwise known as European sites (Special Areas of Conservation (SACs), Special Protection Areas (SPAs) and, as a matter of Government policy, Ramsar sites), either in isolation or in combination with other plans and projects; and
- to advise on appropriate policy mechanisms for delivering mitigation where such effects were identified.

1.1.2 URS has undertaken a HRA of the emerging Chichester Local Plan – whilst not yet adopted the Local Plan does contain relevant policy which the NP should be in conformity with. The HRA of the NP has been undertaken with this as a key consideration. It should be noted that this report is based on an assessment of the summer 2014 consultation version of the Neighbourhood Plan, updated to account for some comments made by consultees, particularly Arun District Council.

1.2 Legislation

1.2.1 The need for Habitats Regulations Assessment is set out within Article 6 of the EC Habitats Directive 1992, and interpreted into British law by the Conservation of Habitats and Species Regulations 2010. The ultimate aim of the Directive is to “*maintain or restore, at favourable conservation status, natural habitats and species of wild fauna and flora of Community interest*” (Habitats Directive, Article 2(2)). This aim relates to habitats and species, not the European sites themselves, although the sites have a significant role in delivering favourable conservation status.

1.2.2 The Habitats Directive applies the precautionary principle to European sites. Plans and projects can only be permitted having ascertained that there will be no adverse effect on the integrity of the site(s) in question. Plans and projects with predicted adverse impacts on European sites may still be permitted if there are no alternatives to them and there are Imperative Reasons of Overriding Public Interest (IROPI) as to why they should go ahead. In such cases, compensation would be necessary to ensure the overall integrity of the site network.

1.2.3 In order to ascertain whether or not site integrity will be affected, a Habitats Regulations Assessment should be undertaken of the plan or project in question:

Box 1. The legislative basis for Appropriate Assessment

Habitats Directive 1992

Article 6 (3) states that:

“Any plan or project not directly connected with or necessary to the management of the site but likely to have a significant effect thereon, either individually or in combination with other plans or projects, shall be subject to appropriate assessment of its implications for the site in view of the site’s conservation objectives.”

Conservation of Habitats and Species Regulations 2010 (as amended)

The Regulations state that:

“A competent authority, before deciding to ... give any consent for a plan or project which is likely to have a significant effect on a European site ... shall make an appropriate assessment of the implications for the site in view of that sites conservation objectives... The authority shall agree to the plan or project only after having ascertained that it will not adversely affect the integrity of the European site”.

- 1.2.4 Over the years the phrase ‘Habitats Regulations Assessment’ has come into wide currency to describe the overall process set out in the Conservation of Habitats and Species Regulations from screening through to Imperative Reasons of Overriding Public Interest (IROPI). This has arisen in order to distinguish the process from the individual stage described in the law as an ‘appropriate assessment’. Throughout this report we use the term Habitats Regulations Assessment for the overall process.

1.3 Scope of the Project

- 1.3.1 There is no pre-defined guidance that dictates the physical scope of a HRA of a Neighbourhood Plan. Therefore, in considering the physical scope of the assessment, we were guided primarily by the identified impact pathways rather than by arbitrary ‘zones’. Current guidance suggests that the following European sites be included in the scope of assessment:

- All sites within the NP area boundary; and
- Other sites shown to be linked to development within the boundary through a known ‘pathway’.

- 1.3.2 Briefly defined, pathways are routes by which a change in activity within the NP area can lead to an effect upon a European site. In terms of the second category of European site listed above, guidance from the former Department of Communities and Local Government states that the HRA should be ‘*proportionate to the geographical scope of the [plan policy]*’ and that ‘*an AA need not be done in any more detail, or using more resources, than is useful for its purpose*’ (CLG, 2006, p.6).

1.3.3 There is one European site that lies partly within Selsey – Pagham Harbour SPA and Ramsar site.

- Chichester and Langstone Harbours SPA and Ramsar site/ Solent Maritime SAC was considered for HRA screening, but these designations lie further than 5.6km from Selsey, and work by the Solent Disturbance and Mitigation project has identified that this is the distance over which a ‘zone of influence’ should apply.

1.3.4 It is important to note that Medmerry Realignment Scheme which was created in order to provide compensatory habitat for future effects on the Solent European sites as a result of coastal defence work lies immediately to the west of Selsey Parish boundary, and therefore effects of plans and policies on this area are considered in this report.

1.3.5 These European site designations are indicated on Figure 1.

1.4 This Report

1.4.1 Chapter 2 of this report explains the process by which the HRA has been carried out. Chapter 3 explores the relevant pathways of impact. Chapter 4 considers emerging policies and site allocations within the NP and undertakes a screening exercise to determine if likely significant effects on any European sites would occur. The key findings are summarised in Chapter 5: Conclusions. The interest features and ecological condition of the European sites and the environmental processes essential to maintain site integrity are outlined in Appendix A.

1.5 Consultation

1.5.1 Natural England was consulted on the draft version of this report. The public consultation version was amended to take account of their comments. Comments were received from Arun District Council following the public consultation which have been incorporated into this updated report.

2 Methodology

2.1 Introduction

- 2.1.1 The HRA has been carried out in the continuing absence of formal central Government guidance, although general EC guidance on HRA does exist¹. The former Department for Communities and Local Government released a consultation paper on the Appropriate Assessment of Plans in 2006². As yet, no further formal guidance has emerged. However, Natural England has produced its own internal guidance³ as has the RSPB⁴. Both of these have been referred to alongside the guidance outlined in section 1.2 in undertaking this HRA.
- 2.1.2 Figure 2 below outlines the stages of HRA according to current draft CLG guidance. The stages are essentially iterative, being revisited as necessary in response to more detailed information, recommendations and any relevant changes to the plan until no significant adverse effects remain.

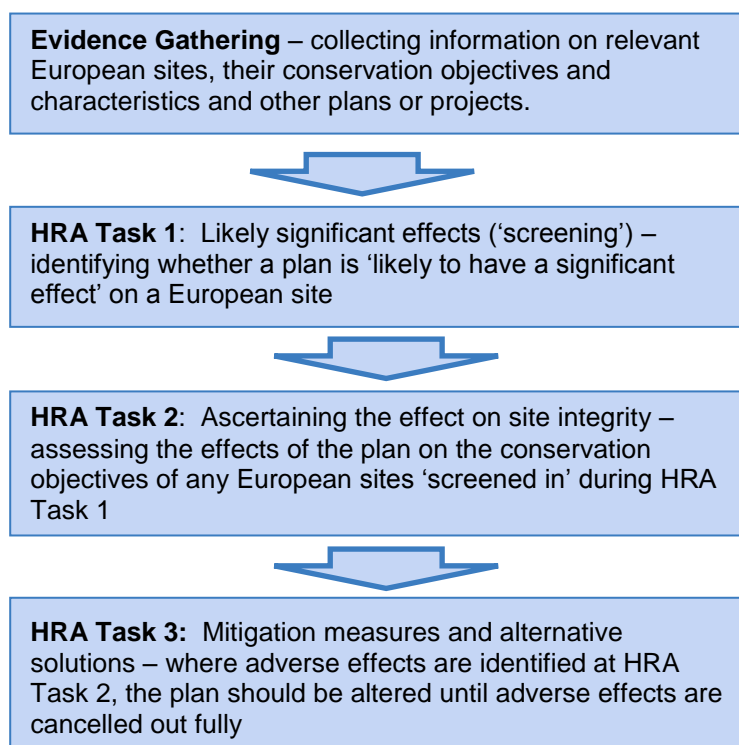


Figure 2 - Four-Stage Approach to Habitats Regulations Assessment

Source: CLG, 2006

¹ European Commission (2001): Assessment of plans and projects significantly affecting Natura 2000 Sites: Methodological Guidance on the Provisions of Article 6(3) and 6(4) of the Habitats Directive.

² CLG (2006) Planning for the Protection of European Sites, Consultation Paper

³ http://www.ukmpas.org/pdf/practical_guidance/HRGN1.pdf

⁴ Dodd A.M., Cleary B.E., Dawkins J.S., Byron H.J., Palframan L.J. and Williams G.M. (2007) *The Appropriate Assessment of Spatial Plans in England: a guide to why, when and how to do it*. The RSPB, Sandy.

2.2 HRA Task 1 - Likely Significant Effects (LSE)

2.2.1 Following evidence gathering, the first stage of any Habitats Regulations Assessment is a Likely Significant Effect (LSE) test - essentially a risk assessment to decide whether the full subsequent stage known as Appropriate Assessment is required. The essential question is:

"Is the Plan, either alone or in combination with other relevant projects and plans, likely to result in a significant effect upon European sites?"

2.2.2 The objective is to 'screen out' those plans and projects that can, without any detailed appraisal, be said to be unlikely to result in significant adverse effects upon European sites, usually because there is no mechanism for an adverse interaction with European sites. This stage is the subject of Chapter 4 of this report.

2.2.3 In evaluating significance, URS have relied on our professional judgement as well as the results of previous stakeholder consultation regarding development impacts on the European sites listed in 1.3.3 - 1.3.4.

2.2.4 The level of detail in land use plans concerning developments that will be permitted under the plans will never be sufficient to make a detailed quantification of adverse effects. Therefore, we have again taken a precautionary approach (in the absence of more precise data) assuming as the default position that if an adverse effect cannot be confidently ruled out, avoidance or mitigation measures must be provided. This is in line with the former Department of Communities and Local Government guidance that the level of detail of the assessment, whilst meeting the relevant requirements of the Habitats Regulations, should be 'appropriate' to the level of plan or project that it addresses (see Appendix B for a summary of this 'tiering' of assessment).

2.3 Confirming Other Plans and Projects That May Act In Combination

2.3.1 It is a requirement of the Regulations that the impacts of any land use plan being assessed are not considered in isolation but in combination with other plans and projects that may also be affecting the European site(s) in question.

2.3.2 It is neither practical nor necessary to assess the 'in combination' effects of the Neighbourhood Plan within the context of all other plans and projects within West Sussex. For the purposes of this assessment, we have determined that, due to the nature of the identified impacts, the key other plans and projects relate to the additional housing, transportation and commercial/industrial allocations proposed for Chichester and Arun over the lifetime of the Local Plan.

2.3.3 In considering the potential for housing development on European sites, the primary consideration for many sites is the impact of visitor numbers – i.e. recreational pressure. The HRA assessment of the Chichester Local Plan considered coastal squeeze as a possible impact of development of Pagham Harbour, but this was scoped out.

Table 1. Housing levels to be delivered in authorities bordering Selsey

Local Authority	Total housing from 2006 to 2026 (South East Plan ⁵ unless otherwise indicated)
Arun	11,300
Chichester district (including Selsey)	6,973 (from 2012-2029)

2.3.4 There are other plans that are relevant to the ‘in combination’ assessment, and the following have all been taken into account in this assessment:

- Core Strategies/Local Plans and DPDs produced by local authorities surrounding the Local Plan area;
- Relevant HRA work undertaken for adjacent authorities;
- Relevant HRA work undertaken by the Partnership for Urban South Hampshire (PUSH) authorities;
- Chichester Harbour AONB Management Plan 2009-2014;
- Pagham Harbour Local Nature Reserve Management Plan (2007);
- European Site Management and Access Management Plans where available.

2.3.5 When undertaking this part of the assessment it is essential to bear in mind the principal intention behind the legislation i.e. to ensure that those projects or plans which in themselves have minor impacts are not simply dismissed on that basis, but are evaluated for any cumulative contribution they may make to an overall significant effect. In practice, in combination assessment is therefore of greatest relevance when the plan would otherwise be screened out because its individual contribution is inconsequential.

⁵ South East Regional Plan (2009) – although now revoked with the exception of one policy relating to Thames Basin Heaths, the housing numbers contained within still provide the best guide to local authority housing targets, until there is sufficient certainty in developing Local Plans.

3 Pathways of Impact

3.1 Introduction

- 3.1.1 In carrying out an HRA it is important to determine the various ways in which land use plans can impact on European sites by following the pathways along which development can be connected with European sites, in some cases many kilometres distant. Briefly defined, pathways are routes by which a change in activity associated with a development can lead to an effect upon a European site.

Other Relevant Supporting Spatial Studies

- 3.1.2 In determining pathway-receptor potential for impacts of the Selsey NP, the following data sources have been interrogated:
- Solent Waders and Brent Goose Strategy (2010);
 - Solent Disturbance and Mitigation Project (Final Report, 2013);
 - Surveys undertaken by Footprint Ecology on behalf of the Solent Forum relating to the Solent Disturbance and Mitigation Project
 - Arun District Council – visitor surveys for Pagham Harbour SPA;
 - Cruickshanks, K. & Liley, D. (2012). Pagham Harbour Visitor Surveys. Unpublished report by Footprint Ecology. Commissioned by Chichester District Council; and
 - Nature on the Map and its links to SSSI citations and the JNCC website (www.natureonthemap.org.uk).

3.2 Urbanisation

- 3.2.1 This impact is closely related to recreational pressure, in that they both result from increased populations within close proximity to sensitive sites. Urbanisation is considered separately as the detail of the impacts is distinct from the trampling, disturbance and dog-fouling that results specifically from recreational activity. The list of urbanisation impacts can be extensive, but core impacts can be singled out:
- Increased fly-tipping - Rubbish tipping is unsightly but the principle adverse ecological effect of tipping is the introduction of invasive non-native species with garden waste. Non-native species can in some situations, lead to negative interactions with habitats or species for which European sites may be designated. Garden waste results in the introduction of invasive non-native species precisely because it is the 'troublesome and over-exuberant' garden plants that are typically thrown out⁶. Non-native species may also be introduced deliberately or may be bird-sown from local gardens.
 - Cat predation - A survey performed in 1997 indicated that nine million British cats brought home 92 million prey items over a five-month period⁷. A large proportion of domestic cats are found in urban situations, and increasing urbanisation is likely to lead to increased cat

⁶ Gilbert, O. & Bevan, D. 1997. The effect of urbanisation on ancient woodlands. *British Wildlife* 8: 213-218.

⁷ Woods, M. et al. 2003. Predation of wildlife by domestic cats *Felis catus* in Great Britain. *Mammal Review* 33, 2 174-188

predation. A study in Dorset⁸ has shown that 16% of fledglings were predated by cats within two to four weeks of leaving the nest. It has been shown that 60% of forays by cats are over a distance of less than 400m⁹, and that the mean distance of hunting excursions is 371m from home¹⁰.

3.3 Recreational Pressure and Disturbance

3.3.1 Recreational use of a European site has the potential to:

- Prevent appropriate management or exacerbate existing management difficulties;
- Cause damage through erosion and fragmentation;
- Cause eutrophication as a result of dog fouling; and
- Cause disturbance to sensitive species, particularly ground-nesting birds and wintering wildfowl.

3.3.2 Different types of European sites are subject to different types of recreational pressures and have different vulnerabilities. Studies across a range of species have shown that the effects from recreation can be complex.

Disturbance

3.3.3 Concern regarding the effects of disturbance on birds stems from the fact that they are expending energy unnecessarily and the time they spend responding to disturbance is time that is not spent feeding¹¹. Disturbance therefore risks increasing energetic output while reducing energetic input, which can adversely affect the 'condition' and ultimately survival of the birds. In addition, displacement of birds from one feeding site to others can increase the pressure on the resources available within the remaining sites, as they have to sustain a greater number of birds¹².

3.3.4 A number of studies have shown that birds are affected more by dogs and people with dogs than by people alone, with birds flushing more readily, more frequently, at greater distances and for longer¹⁰. In addition, dogs, rather than people, tend to be the cause of many management difficulties, notably by worrying grazing animals, and can cause eutrophication near paths. Nutrient-poor habitats such as heathland are particularly sensitive to the fertilising effect of inputs of phosphates, nitrogen and potassium from dog faeces¹³.

3.3.5 However the outcomes of many of these studies need to be treated with care. For instance, the effect of disturbance is not necessarily correlated with the impact of disturbance, i.e. the most easily disturbed species are not necessarily those that will suffer the greatest impacts. It has been shown that, in some cases, the most easily disturbed birds simply move to other feeding sites, whilst others may remain (possibly due to an absence of alternative sites) and thus suffer

⁸ Murison, G. (2007). The impact of human disturbance, urbanisation and habitat type on a Datford warbler *Sylvia undata* population. PhD Thesis, University of East Anglia.

⁹ Barratt, D.G. (1997). Home range size, habitat utilisation and movement patterns of suburban and farm cats *Felis catus*. *Ecography* 20 271-280.

¹⁰ Turner, D.C. & Meister, O. (1988). Hunting behaviour of the domestic cat. In: *The Domestic Cat: The Biology of Its Behaviour*. Ed. Turner, D.C. and Bateson, P. Cambridge University Press.

¹¹ Riddington, R. *et al.* 1996. The impact of disturbance on the behaviour and energy budgets of Brent geese. *Bird Study* 43:269-279

¹² Gill, J.A., Sutherland, W.J. & Norris, K. 1998. The consequences of human disturbance for estuarine birds. *RSPB Conservation Review* 12: 67-72

¹³ Shaw, P.J.A., K. Lankey and S.A. Hollingham (1995) – Impacts of trampling and dog fouling on vegetation and soil conditions on Headley Heath. *The London Naturalist*, 74, 77-82.

greater impacts on their population¹⁴. A literature review undertaken for the RSPB¹⁵ also urges caution when extrapolating the results of one disturbance study because responses differ between species and the response of one species may differ according to local environmental conditions. These facts have to be taken into account when attempting to predict the impacts of future recreational pressure on European sites.

- 3.3.6 Disturbing activities are on a continuum. The most disturbing activities are likely to be those that involve irregular, infrequent, unpredictable loud noise events, movement or vibration of long duration. Birds are least likely to be disturbed by activities that involve regular, frequent, predictable, quiet patterns of sound or movement or minimal vibration. The further any activity is from the birds, the less likely it is to result in disturbance.
- 3.3.7 The factors that influence a species response to a disturbance are numerous, but the three key factors are species sensitivity, proximity of disturbance sources and timing/duration of the potentially disturbing activity.
- 3.3.8 It should be emphasised that recreational use is not inevitably a problem. Many European sites are also nature reserves managed for conservation and public appreciation of nature. At such sites, access is encouraged and resources are available to ensure that recreational use is managed appropriately.
- 3.3.9 Where increased recreational use is predicted to cause adverse impacts on a site, avoidance and mitigation should be considered. Avoidance of recreational impacts at European sites involves location of new development away from such sites; Local Development Frameworks (and other strategic plans) provide the mechanism for this. Where avoidance is not possible, mitigation will usually involve a mix of access management, habitat management and provision of alternative recreational space.
- *Access management* – restricting access to some or all of a European site - is not usually within the remit of the local Council and restriction of access may contravene a range of Government policies on access to open space, and Government objectives for increasing exercise, improving health etc. However, active management of access may be possible, for example as practised on nature reserves.
 - *Habitat management* is not within the direct remit of the Council. However the Council can help to set a framework for improved habitat management by promoting cross-authority collaboration and S106 funding of habitat management. In the case of Selsey, opportunities for this are limited since, according to Natural England, the areas of European designated habitat in the neighbourhood are already in favourable condition or recovering.
 - *Provision of alternative recreational space* can help to attract recreational users away from sensitive European sites, and reduce pressure on the sites. For example, some species for which European sites have been designated are particularly sensitive to dogs, and many dog walkers may be happy to be diverted to other, less sensitive, sites. However the location and type of alternative space must be attractive for users to be effective.
- 3.3.10 Pagham Harbour SPA and Ramsar are sensitive ecologically through disturbance to the species for which the SPAs and Ramsar sites are designated.

¹⁴ Gill et al. (2001) - Why behavioural responses may not reflect the population consequences of human disturbance. *Biological Conservation*, **97**, 265-268

¹⁵ Woodfield & Langston (2004) - Literature review on the impact on bird population of disturbance due to human access on foot. *RSPB research report* No. 9.

- 3.3.11 The Solent Forum undertook a project to examine bird disturbance and possible mitigation in the Solent area. A Phase I report has outlined the existing visitor data for the Solent, canvassed expert opinion on recreational impacts on birds, and assessed current available data on relevant species. Phase II of the Solent Disturbance and Mitigation Project¹⁶ identified that survival rates for curlew and a variety of other bird species were predicted to decrease under any increase in visitor rates.
- 3.3.12 Phase III of the Solent Disturbance and Mitigation Project¹⁷ has assessed associated mitigation measures on the number of people visiting the Solent, and the associated impact on the survival rates of shorebirds. They consider that appropriate measures could include a delivery officer, wardening team and coastal dog project, followed by work on reviews and codes of conduct. A series of site specific and more local projects could then follow, to be phased with development.

Local Plan Approaches to Avoidance of Recreational Pressure and Disturbance

- 3.3.13 Chichester District Council's developing Local Plan has committed to measures that would aim to avoid excess recreational pressure on Pagham Harbour SPA and Ramsar site.
- 3.3.14 Policy 51 (Development and Disturbance of Birds in Pagham Harbour Special Protection Area) states that 'Net increases in residential development within the 3.5km 'Zone of Influence' [based on visitor survey data] is likely to have a significant effect on Pagham Harbour SPA and will need to be subject to the provisions of Regulation 61 of the Conservation of Habitats and Species Regulations 2010. In the absence of appropriate avoidance and/or mitigation measures that will enable the planning authority to ascertain that the development would not adversely affect the integrity of the SPA, planning permission will not be granted because the tests for derogations in regulation 62 are unlikely to be met. Furthermore, such development would not have the benefit of the presumption in favour of sustainable development in the National Planning Policy Framework. Appropriate avoidance/mitigation measures will comprise:
- a) a contribution towards the appropriate management of the Pagham Harbour Local Nature Reserve in accordance with the LNR Management Plan;
 - b) a developer provided package of measures associated with the proposed development designed to avoid any significant effect on the SPA; or
 - c) a combination of measures in (a) and (b) above.
- 3.3.15 Furthermore, the policy states that appropriate mitigation must be agreed with Natural England and also be in place prior to the proposed development taking place.
- 3.3.16 Arun Council have also adopted a series of measures with the aim of avoiding increased recreational pressure on Pagham Harbour SPA and Ramsar site. as expressed in their Local Plan:
- Wardening - increasing the number of wardens at the site to ensure that people do not stray into sensitive areas.

¹⁶ Stillman, R. A., West, A. D., Clarke, R. T. & Liley, D. (2012) Solent Disturbance and Mitigation Project Phase II: Predicting the impact of human disturbance on overwintering birds in the Solent. Report to the Solent Forum

¹⁷ Liley, D. & Tyldesley, D. (2013). Solent Disturbance and Mitigation Project: Phase III. Towards an Avoidance and Mitigation Strategy. Unpublished report. Footprint Ecology/David Tyldesley & Associates

- Access management and site protection - improving or closing paths, erecting fencing or establishing other barriers, in order to prevent or reduce access to sensitive areas
- Habitat improvements - mitigating against any disturbance to birds, including their nesting, roosting or feeding habitats which could instead be enhanced or created.
- Interpretation, education and signage - improving visitor facilities and informing visitors of the requirement to protect the wildlife of the site and outlining how best to achieve this;
- Monitoring of wildlife and visitor numbers and the effect that disturbance has on wildlife, so that access management can be modified as appropriate.

3.3.17 Policy DM35 of the Arun Local Plan goes on to describe a series of distance bands, and the mitigation or other measures which development within those zones may trigger:

- Within 400m, development will only be permitted in exceptional circumstances which shall be demonstrated by the developer. These circumstances shall relate to the impact, type and the effects of any proposed development on Pagham Harbour, including on non-native species.
- Within 400m – 5km all new residential development will be required to:
 - (a) contribute financially towards improved access management at Pagham Harbour. Access management measures shall be undertaken and shall include wardening, access management and site protection, habitat improvements, provision for interpretation, education and signage and monitoring of wildlife and visitor numbers; and
 - (b) create easily accessible new green spaces for recreation within or adjacent to the development site, or to make developer contributions towards the provision of such green spaces to serve the area. New spaces shall be capable of accommodating the predicted increases in demand for local walking and dog walking. Good pedestrian links shall be provided between housing areas and new and existing green space in order to discourage car use.
 - A tariff will be set to ensure sufficient funds are available to secure the required access management measures and the provision of alternative green space of a suitable size, design and location, where necessary, in advance of the occupation of new development and to ensure it is appropriately managed in perpetuity.

3.4 Loss of Habitats Outside of European Sites

3.4.1 European sites are designated on the basis of key habitats and species. The latter are often mobile beyond the designated site boundary and it is possible that development in the wider area may have an impact on the species populations for which the European sites are designated.

3.4.2 Pagham Harbour SPA & Ramsar sites are notified partly for their over-wintering populations of Brent geese. However, studies¹⁸ have identified that many feeding sites for this species around the Solent fall outside of the statutory nature conservation site boundaries. The majority of Brent goose feeding sites are amenity/recreation grasslands with little intrinsic nature conservation interest, and therefore are vulnerable to loss or damage from development. This also applies to some high tide wader roosts in the Solent.

¹⁸ Solent Waders and Brent Goose Strategy. Solent Waders and Brent Goose Strategy Steering Group (2010).

4 HRA Screening of Neighbourhood Plan

4.1.1 The following table presents the screening assessments for draft policies and potential development sites that have been put forward for consideration. Green shading in the final column indicates a site/policy that has been screened out of further consideration due to the absence of any mechanism for an adverse effect on European sites. Orange shading indicates that further Appropriate Assessment (or at least further screening in the presence of further information) is required since a pathway of impact exists that cannot be screened out at this stage.

Table 2 – HRA Screening of Draft Neighbourhood Plan Policies

Policy Number	Policy Summary	HRA Screening Outcome
SOC1	Planning permission will be granted for new medical/health services or amendments to those in existence, provided other NP, Local Plan and NPF policies are adhered to.	This policy is unlikely to lead to increased disturbance of bird species for which European sites are designated. It is also considered unlikely that new medical/health facilities would be located, in isolation, on land parcels of sufficient size that would support significant numbers of brent geese or waders for which Pagham Harbour SPA and Ramsar site are partly designated. Therefore loss of important habitat outside of the SPA/Ramsar site can be screened out.
SOC2	Selsey Hall will be conserved subject to retention of key features.	There are no HRA implications arising from this policy.
INF1	Infrastructure will be introduced using Section 106 or Community Infrastructure Levy (CIL).	There are no HRA implications arising from this policy, since the policy does not prescribe infrastructure, merely the mechanism for delivery.

Policy Number	Policy Summary	HRA Screening Outcome
INF2	Areas of existing green space have been designated for recreational use (Local Green Spaces)	This policy will not lead to likely significant effects on European sites, since, although the green space is not being designated specifically for appreciation of nature and to encourage wildlife, it cannot lead to adverse effects on the European sites, and may deflect some users (e.g. dog walkers) from the sites.
TR1	Traffic calming measures will be introduced on the B2145 using Section 106 or CIL contributions.	There are no likely significant adverse effects from this policy, since the policy does not lead to any pathways of impact considered in this HRA report.
TR2	Council will lobby for improved and new public transport provision.	There are no likely significant adverse effects from this policy, since the policy does not lead to any pathways of impact considered in this HRA report.
ECO1	Ellis Square B1-B8 use should be retained.	There are no likely significant adverse effects from this policy, since the policy does not lead to any pathways of impact considered in this HRA report.
ECO2	Development to improve or make better use of existing employment space will be supported.	There are no likely significant adverse effects from this policy, since the policy does not lead to any pathways of impact considered in this HRA report. The policy considers existing employment facilities

Policy Number	Policy Summary	HRA Screening Outcome
		rather than allocating land for new facilities.
ECO3	Planning permission will be granted for retail development in identified centres, and for change of use subject to meeting criteria.	There are no likely significant adverse effects from this policy, since the policy does not lead to any pathways of impact considered in this HRA report. The policy considers existing retail areas rather than allocating land for new facilities.
ECO4	New retail or commercial development will be permitted where significant employment opportunity, enhancement of tourism, or enhanced community facilities are delivered.	<p>New retail and commercial development is unlikely to lead to increased recreational pressure on European sites, since it is unlikely to attract significant numbers of visitors to those sites, as their primary reason for visiting will be work or shopping.</p> <p>However, it is possible that, dependent on the scale of any new facilities, development could take place on land potentially of value to geese or waders for which SPA and Ramsar sites are designated. This issue is considered further in section 4.1.19 of this report.</p> <p>It is also possible that unless there is a commitment within the policy to ensure that new tourism development is consistent with the conservation priorities of the European sites, then there could be adverse effects through recreational pressure. This is discussed further in sections 4.1.2 to</p>

Policy Number	Policy Summary	HRA Screening Outcome
		4.1.13.
DES01	<p>New buildings and extensions will incorporate design features to minimise flood impacts; generate renewable energy; not be over three storeys; aid water soakaway; use native planting; reduce heat loss; meet Code for Sustainable Homes Level 5 (6 by 2020); include sufficient parking.</p>	<p>There are no likely significant adverse effects from this policy, since the policy does not lead to any pathways of impact considered in this HRA report.</p>
ASP01	<p>Land at Park Farm and Rush Field is allocated for up to 90 homes, a 27000 sq ft supermarket, 60 bed hotel and health centre. Delivery could be 2015-20.</p> <p>Development will be in accordance with policy DES01, the Chichester LP, and the NPPF.</p> <p>This will include provision of on-site green space with the aim of minimising recreational disturbance on the Medmerry realignment and Pagham Harbour.</p>	<p>Although the policy includes a commitment to provision of on-site green space, it is unlikely that this will deflect all new residents from preferring to visit European sites (in particular Pagham Harbour, which lies approximately 650m east of Park Farm.</p> <p>Extant permission has already been granted for 50 dwellings on the western portion of this site. In responding to the application, Natural England were able to confirm no objection, since the proposals included measures that would provide mitigation (see section 4.1.9).</p> <p>However, without sufficient mitigation, the addition of potentially 90 new homes, and a hotel could contribute to increased recreational pressure on European sites. This is therefore considered further in</p>

Policy Number	Policy Summary	HRA Screening Outcome
		<p>sections 4.1.2 to 4.1.13.</p> <p>Additionally, this land is currently agricultural land with open aspect to the north and west, and may therefore provide suitable off-site habitat for species for which European sites have been designated. This is therefore considered further in sections 4.1.14 to 4.1.18.</p> <p>Over this distance, urbanisation effects (primarily cat predation) would not be considered a likely significant pathway.</p>
ASP02	<p>Land at Drift Field is allocated for up to 100 homes.</p> <p>Development will be in accordance with policy DES01, the Chichester LP, and the NPPF.</p> <p>This will include provision of on-site green space with the aim of minimising recreational disturbance on the Medmerry realignment and Pagham Harbour.</p>	<p>Although the policy includes a commitment to provision of on-site green space, it is unlikely that this will deflect all new residents from preferring to visit European sites (in particular Pagham Harbour, which lies approximately 350m east of Drift Field.</p> <p>Permission has previously been refused for 100 dwellings on this site, although mitigation included to avoid effects on European sites was accepted by Natural England. This mitigation would need to be included within any new proposals. This is therefore considered further in sections 4.1.2 to 4.1.13.</p> <p>Additionally, this land is currently</p>

Policy Number	Policy Summary	HRA Screening Outcome
		<p>agricultural land with open aspect to the north and west, and may therefore provide suitable off-site habitat for species for which European sites have been designated. This is therefore considered further in sections 4.1.14 to 4.1.18.</p> <p>Over this distance, urbanisation effects (primarily cat predation) would also require further consideration and this is discussed in section 4.1.19.</p>
ASP03	<p>Land at Thawscroft is allocated for up to 90 homes, 15 micro/home/small business units and open space/ green infrastructure.</p> <p>Development will be in accordance with policy DES01, the Chichester LP, and the NPPF.</p> <p>This will include provision of on-site green space with the aim of minimising recreational disturbance on the Medmerry realignment and Pagham Harbour.</p>	<p>Although the policy includes a commitment to provision of on-site green space, it is unlikely that this will deflect all new residents from preferring to visit European sites (in particular Pagham Harbour which lies approximately 2km north-east). Additionally the Medmerry realignment scheme which lies approximately 700m to the west of this site is designed to alleviate the effects of loss of coastal habitat to sea level rise elsewhere in the Solent, and although recreational access is a component of its function, nature conservation interests could be adversely affected by excessive levels of recreational pressure.</p> <p>Without sufficient mitigation, the addition of potentially 90 new homes could increase</p>

Policy Number	Policy Summary	HRA Screening Outcome
		<p>recreational pressure on European sites. This is therefore considered further in sections 4.1.2 to 4.1.13.</p> <p>Although this land is currently agricultural land, it is unlikely to provide suitable off-site habitat for species for which European sites have been designated, since it is surrounded by development (in particular, caravan parks).</p> <p>Over this distance, urbanisation effects (primarily cat predation) would not be considered a likely significant pathway.</p>
TAW01	<p>Land at Home Farm is allocated for development for temporary agricultural workers.</p> <p>This will include an aim of minimising recreational disturbance on the Medmerry realignment and Pagham Harbour.</p>	<p>This is a development of limited scale and therefore it is considered unlikely that it will lead to any likely significant effect on European sites.</p>
SPA01	<p>There is a presumption in favour of sustainable development provided it is in accordance with other NP policies, the Chichester LP, and the NPPF.</p> <p>Any land outside of the settlement boundary of Selsey Town, but within Selsey parish can only be permitted if in</p>	<p>This policy does not create any likely significant effects and in fact, provides some level of protection to European sites, since Local Plan policies, and NPPF policies, with which it must comply, would seek to protect European sites from development that would lead to adverse</p>

Policy Number	Policy Summary	HRA Screening Outcome
	accordance with policy TAW01, other NP policies, the Chichester LP, and the NPPF.	effects.

Recreational Pressure and Disturbance

4.1.2 All new housing development sites proposed under ASP01, ASP02 and ASP03 have the potential to result in increased recreational pressure on European sites as a result of the increased population within Selsey. The HRA of the pre-submission Chichester Local Plan established that, based on visitor survey data¹⁹, development of 150 new dwellings in Selsey would result in a predicted 3.6% maximum increase²⁰ in visitors to Pagham Harbour. The development sites lie over 5.6km from the Chichester and Langstone Harbour designations which was identified as the 'zone of influence' over which recreational pressure and disturbance should be considered for these designations. Likely significant effects on those designated can therefore be ruled out.²¹

4.1.3 With regard to Pagham Harbour, the Chichester Local Plan pre-submission stage document includes policies that seek to protect Pagham Harbour from excess recreational pressure.

4.1.4 Policy 51 (Development and Disturbance of Birds in Pagham Harbour Special Protection Area) states that:

"Net increases in residential development within the 3.5km 'Zone of Influence' are likely to have a significant effect on the Pagham Harbour SPA and will need to be subject to the provisions of Regulation 61 of the Conservation of Habitats and Species Regulations 2010. In the absence of appropriate avoidance and/or mitigation measures that will enable the planning authority to ascertain that the development would not adversely affect the integrity of the SPA, planning permission will not be granted because the tests for derogations in Regulation 62 are unlikely to be met. Furthermore, such development would not have the benefit of the presumption in favour of sustainable development in the National Planning Policy Framework.

Net increases in residential development, which incorporates appropriate avoidance/mitigation measures, which would avoid any likelihood of a significant effect on the SPA, will not require 'appropriate assessment'. Appropriate avoidance/mitigation measures will comprise:

a) A contribution towards the appropriate management of the Pagham Harbour Local Nature Reserve in accordance with the LNR Management Plan

b) A developer provided package of measures associated with the proposed development designed to avoid any significant effect on the SPA; or

c) A combination of measures in (a) and (b) above.

Avoidance/mitigation measures will need to be phased with development and shall be maintained in perpetuity. All mitigation measures in (a), (b) and (c) above must be agreed to be appropriate by Natural England in consultation with owners and managers of the land within the SPA."

4.1.5 Arun Council have also adopted a series of measures with the aim of avoiding increased recreational pressure on Pagham Harbour SPA and Ramsar site. as expressed in their Local Plan:

¹⁹ Cruickshanks, K. & Liley, D. (2012). Pagham Harbour Visitor Surveys. Unpublished report by Footprint Ecology. Commissioned by Chichester District Council.

²⁰ This is precautionary since it assumes that a) all net new dwellings will be occupied by new residents rather than existing residents of these settlements and b) household sizes will remain similar to current sizes.

²¹ Liley, D. & Tyldesley, D. (2013). Solent Disturbance and Mitigation Project: Phase III. Towards an Avoidance and Mitigation Strategy. Unpublished report. Footprint Ecology/David Tyldesley & Associates

- Wardening - increasing the number of wardens at the site to ensure that people do not stray into sensitive areas.
 - Access management and site protection - improving or closing paths, erecting fencing or establishing other barriers, in order to prevent or reduce access to sensitive areas
 - Habitat improvements - mitigating against any disturbance to birds, including their nesting, roosting or feeding habitats which could instead be enhanced or created.
 - Interpretation, education and signage - improving visitor facilities and informing visitors of the requirement to protect the wildlife of the site and outlining how best to achieve this;
 - Monitoring of wildlife and visitor numbers and the effect that disturbance has on wildlife, so that access management can be modified as appropriate.
- 4.1.6 Therefore, given that the Selsey NP policies ASP01, ASP02, and ASP 03 acknowledge a need to comply with the Local Plan and NPPF (which also includes protection of European sites from inappropriate development) development will only be able to proceed once such measures are incorporated.
- 4.1.7 Nonetheless, given that the Selsey NP may be adopted prior to the Chichester LP, it is considered that the NP policies would be an appropriate place to provide greater specificity to such approaches, especially given that the Plan is at a finer scale than the Local Plan.
- 4.1.8 In providing its consultation response on the application (now granted) for delivery of 50 new dwellings at Park Farm, Natural England was able to comment that they were satisfied with mitigation measures included to prevent adverse effects of disturbance on Pagham Harbour. Those measures included the following, to be secured by planning conditions and/or S106 agreements:
- A financial contribution from the developer toward signage and interpretation aimed at walkers and dog-walkers;
 - An information pack for homeowners;
 - Allocation of a dog-walking route on site;
 - Development of a wetland scrape adjoining the harbour.
- 4.1.9 It is recommended that policy ASP01 or its accompanying text includes reference to these existing accepted approaches, and also to the potential requirement for increased wardening and monitoring as discussed in paragraph 4.1.6.. This would serve as a guide (rather than a specific prescription or requirement, as any strategy would need to be reviewed at planning application stage) for any application for further housing at Park Farm. In addition, the NP should include a requirement for the existing mitigation solution to be scaled up appropriately for any increased levels of development on that site (i.e. commensurately greater financial contributions, further information packs, additional dog-walking routes or wader scrapes to cover the increased site area). The development of new housing (and potentially a hotel) would be likely to require a project-level HRA.
- 4.1.10 Policy ASP02 is concerned with development of a site for 100 new dwellings, where planning permission has already been refused for a similar scheme. However, this refusal was not due to HRA issues, and indeed Natural England were satisfied with the mitigation included as part of the planning application. That mitigation should therefore also be referenced in policy ASP02 as a

further guide, along with the need for monitoring of success of any measures incorporated. Mitigation should comprise:

- A 900m long dog-walking route and 1ha of off-lead dog exercise areas to be included on-site;
- An information pack for homeowners;
- Additional resources for management of visitors and visitors with dogs at Pagham Harbour, potentially including wardening and dog-walker events; and
- Resources for continued access management close to little tern breeding locations.

4.1.11 Policy ASP03 would promote development that would lie further from Pagham Harbour than that at ASP01 and ASP02, but would still be likely to lead to increased visitors to the site, based on visitor survey information. Additionally, it would be closer to the Medmerry realignment, and therefore more likely to attract visitors to this area, which is designed to meet the needs of recreational access and nature conservation. It would therefore also be appropriate for this policy to include text to reflect that new development would be likely to need to incorporate the same measures as outlined in paragraph 4.1.9, with the exception of provision of a wetland scrape, since such a feature was locational-specific in connection with housing at Park Farm.

4.1.12 These approaches are compliant with the strategy being developed for the Chichester Local Plan, and also commensurate with Arun District Council Local Plan policies that encourage habitat improvements and interpretation, education and signage to be associated with new development.

Offsite Habitat of Value to Designated Species

4.1.13 The previous planning application that was rejected at Drift Field was accompanied by an ecological survey report²² that was able to conclude a low value of the habitat for presence of bird species. Natural England was satisfied with a project-level HRA undertaken for this site²³. There was no suggestion of impact on Brent geese or any other bird species for which Pagham Harbour SPA and Ramsar sites have been designated, although desk study data did indicate that brent geese, terns (little and common) and wading bird species (ruff, little egret and black-tailed godwit) have been recorded on or close to the site (2010). The HRA report for the development stated that *“the proposed development site is not intertidal land, it contains no cereal crops and the grassland is not fertilised and is predominantly coarse. The grassland is also surrounded by tall hedges and regularly disturbed by those managing the horses. There was no evidence from a detailed examination of the bird records submitted to the Sussex Ornithological Society and provided in the data report to RPS from the Sussex Biodiversity Records Centre that this species uses the proposed development site²⁴.”* Similar conclusions were reached for the other bird species for which Pagham Harbour SPA and Ramsar sites have been designated.

4.1.14 Park Farm has been subject to HRA based on the area of land consented for 50 new dwellings. However, policy ASP01 would allow for development on larger, connected agricultural fields that could also support species for which the SPA and Ramsar site have been designated.

²² Doidge, K. & Murphy, S. (2013). Land North of Drift Road, East Beach, Selsey, West Sussex: Biodiversity Survey and Report on Potential On-site and Off-site Impacts. RPS.

²³ Buisson, R. (2013). Land North of Drift Road, East Beach, Selsey, West Sussex: Avoidance of Impacts on Pagham Harbour SPA/Ramsar Site. RSP

²⁴ Buisson, R. (2012). Land North of Drift Road, East Beach, Selsey, West Sussex: Avoidance of Impacts on Pagham Harbour SPA/Ramsar Site

- 4.1.15 Thawcroft (Policy ASP03) is also an arable site, but is surrounded by existing development and may therefore be less likely to attract species of bird for which Pagham Harbour SPA and Ramsar site are designated.
- 4.1.16 None of the three sites hold recent records of species for which Pagham Harbour SPA and Ramsar site have been designated, according to data uploaded to the British Trust for Ornithology via their BirdTrack surveys²⁵
- 4.1.17 Nonetheless, each of policy ASP01, ASP02, and ASP03 should incorporate a requirement for new development to undertake wintering bird surveys and data searches (scope to be agreed with Natural England) that would enable a conclusion of whether the land was currently of value to species for which Pagham Harbour SPA and Ramsar site are designated. This would also apply to any development under policy EC04 where this would take place on large arable fields that are not enclosed by existing development. If the land is of value to birds for which the SPA and Ramsar site are designated, then project-level HRA would be required to identify opportunities for mitigation in line with the Solent Waders and Brent Goose Strategy. The Strategy identifies that enhanced management of existing sites for the bird species and creation of new sites would be appropriate.

Urbanisation

- 4.1.18 Policy ASP02 would allow development on a site that is in close proximity to Pagham Harbour SPA/Ramsar site. However, in terms of risk of urbanisation effects, the main risk of cat predation of ground nesting birds is unlikely because:
- There is existing development already in existence between Drift Field and the SPA/Ramsar;
 - There are roads between the SPA/Ramsar;
 - The closest area of the SPA/Ramsar to the site is open beach habitat that may be less likely to be visited by cats;
 - The RSPB management plan²⁶ shows that little tern and common tern nest in areas some distance from Drift Field, and that although predation is an issue, this is mainly due to foxes.
- 4.1.19 The proximity of this development site to the SPA means that attention would need to be paid to minimising the risk of introducing non-native species (particularly plant species via tipping of garden waste). However it must be noted that this was not an issue of particular concern raised by Natural England when the original planning application for development on this site was submitted. It is considered that this is a matter that could be managed for this site through standard planning conditions associated with any planning permission. This would include a Construction Environment Management Plan setting out how disposal of waste vegetation would be managed during construction, landscape designs for the development that took into account the need to avoid the planting of undesirable non-native species and guidance to local residents regarding the undesirability of introducing non-native species into the wild. This latter could be contained within the homeowners' information pack that was part of the agreed package of mitigation for the original planning application on site ASP02. Furthermore, the additional

²⁵ <http://blx1.bto.org/birdtrack/main/data-home.jsp>

²⁶ Thomas, A., Brooks, N., Carver, R., Lang, I., Hampson, K., Eeels, K. & Barnes, D. RSPB Pagham Harbour Local Nature Reserve Management Plan 2013-18.

resources for management of visitors at Pagham Harbour (including increased wardening), which was also part of those mitigation commitments would also assist in discouraging tipping of waste/non-native species.

In Combination Assessment

- 4.1.20 Development promoted through policies within the draft Selsey NP must be considered in combination with other plans and projects that might also affect the European sites over the lifetime of the NP. The pathway of impact through which such effects could occur would be disturbance of bird species for which the European sites are designated.
- 4.1.21 The proposed development in policies ASP01, ASP02 and ASP03 would amount to a maximum of 280 new dwellings (150 if in line with the emerging Chichester Local Plan). This must be considered in the context of over 18,000 new dwellings to be delivered by Chichester and Arun over the lifetime of the NP. Both the Arun Local Plan and Chichester LP have been subject to HRAs that have been able to conclude that they contain draft policies that would enable a conclusion of no likely significant effects on European sites.
- 4.1.22 Selsey lies over 5.6km from the Chichester and Langstone Harbour designations, and this has been identified as the 'zone of influence' over which recreational pressure and disturbance should be considered for these designations. Selsey lies beyond this distance and therefore its contribution to any recreational pressure may be considered insignificant.
- 4.1.23 Mitigation for the possibility of recreational pressure on Pagham Harbour SPA/Ramsar as a result of development that would arise from the Selsey NP has been provided, and extra measures suggested in this HRA. Once these measures are adopted it will be possible to conclude that the NP will not create any likely significant effects on this European site, either alone or in combination.

5 Conclusions

- 5.1.1 The majority of the emerging policies contained within the draft Selsey NP have been screened out as being unlikely to lead to likely significant effects on Pagham Harbour SPA/Ramsar site.
- 5.1.2 Policies EC04, ASP01, ASP02, and ASP03 were screened in for more detailed assessment, since these prescribe development that could lead to adverse effects on European sites, without appropriate mitigation.
- 5.1.3 The Selsey NP policies note that there must be compliance with NPPF and Local Plan policies, which provides over-arching protection to European sites against inappropriate development. However, since the Selsey NP may be adopted prior to the Chichester Local Plan, and since the NP is a plan of finer detail than a Local Plan, further measures should be incorporated.
- 5.1.4 In order to be able to conclude that the policies in the NP will not lead to likely significant effects on the European sites, the following additional measures have been recommended to be incorporated into policies ASP01, ASP02, and ASP03. Any new development should be subject to project-level HRA and mitigation approaches should include:
- A financial contribution from the developer toward wardening, and signage and interpretation aimed at walkers and dog-walkers;
 - An information pack for homeowners;
 - Allocation of a dog-walking route on site;
 - Development of a wetland scrape adjoining the harbour, and/or resources for continued access management close to little tern breeding locations (ASP01 and ASP02).Monitoring of success of ny measures incorporated
- 5.1.5 Policies ASP01, ASP02, ASP03 and also EC04 should also affirm that any new development on large arable fields, not enclosed by current development, should be subject to survey and data search to establish their value as feeding/roosting areas for any bird species for which the SPA/Ramsar sites have been designated.
- 5.1.6 Once these measures have been incorporated it may be concluded that the Selsey NP will not have any likely significant effects on European sites, either alone, or in combination with other plans and projects.

Appendix A – European Site Designations

Pagham Harbour SPA and Ramsar

Introduction

Pagham Harbour comprises an extensive central area of saltmarsh and tidal mudflats, with surrounding habitats including lagoons, shingle, open water, reed swamp and wet permanent grassland. The intertidal mudflats are rich in invertebrates and algae and provide important feeding areas for birds. Most of the site is a Local Nature Reserve managed by the RSPB.

Features of European Interest²⁷

Pagham Harbour SPA qualifies under Article 4.1 of the Birds Directive (79/409/EEC) by supporting populations of European importance of the following species listed on Annex I of the Directive. During the breeding season:

- Little Tern *Sterna albifrons*: 0.3% of the breeding population in Great Britain (5-year mean, 1992-1996);
- Common Tern *Sterna hirundo*: 0.5% of the breeding population in Great Britain (1996).

Over winter:

- Ruff *Philomachus pugnax*: 1.4% of the population in Great Britain (5-year peak mean 1995 - 1999);
- Little Egret *Egretta garzetta*: 100 individuals, representing up to 20.0% of the wintering population in Great Britain (1998).

This site also qualifies under Article 4.2 of the Directive (79/409/EEC) by supporting populations of European importance of the following migratory species. Over winter:

- Dark-bellied Brent Goose *Branta bernicla bernicla*: 0.6% of the population (5-year peak mean 1991/2 - 1995/6).

Pagham Harbour Ramsar site qualifies under one of the nine Ramsar criteria.

Table 4: Pagham Harbour Ramsar site criteria

Ramsar criterion	Description of Criterion	Pagham Harbour
6	A wetland should be considered internationally important if it regularly supports 1% of the individuals in a population of one species or subspecies of waterbird.	Dark-bellied brent goose <i>Branta bernicla bernicla</i> : 2512 individuals, representing an average of 1.1% of the populations (5-year peak mean 1998/99-2002-03) Black-tailed godwit <i>Limosa limosa islandica</i> : 377 individuals, representing an average of 1%

²⁷ Features of European Interest are the features for which a European sites is selected. They include habitats listed on Annex 1 of the Habitats Directive, species listed on Annex II of the EC Habitats Directive and populations of bird species for which a site is designated under the EC Birds Directive.

		of the population (5-year peak mean 1998/99 – 2002/03). ²⁸
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It is important to note that this area also includes include the Medmerry Realignment Scheme which was created in order to provide compensatory habitat for future effects on the Solent European sites as a result of coastal defence work.

Historic Trends and Current Pressures

The majority of the site is managed as a nature reserve by West Sussex County Council. Historical land drainage for agricultural purposes is being addressed through the Local Nature Reserve Management Plan and Management Agreements, while pollution from inadequate treatment of sewage discharges is reviewed by the Environmental Agency.

Studies by the Environment Agency indicate that existing sewage discharges are not having a significant adverse effect on the integrity of the Pagham Harbour SPA/Ramsar site.

The latest Natural England condition assessment of Pagham Harbour SSSI indicated that 93% of the site was in favourable condition.

Key Environmental Conditions

The following key environmental conditions have been identified for the site:

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

²⁸ This population was identified subsequent to designation, for possible future consideration.

Appendix B: 'Tiering' in Habitats Regulations Assessment

