

Hastings Local Plan – Development Management Plan

Habitats Regulations Assessment (Screening) Report

June 2014

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Produced by Hastings Borough Council, Planning Policy team, June 2014

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Executive Summary

This report presents the findings of an initial 'screening' exercise undertaken by Hastings Borough Council and Applied Ecology Ltd in respect of the Habitat Regulations Assessment (HRA) for the Hastings Local Plan - Development Management Plan (Revised Proposed Submission Version March 2014).

It considers the potential adverse effects that could result from implementation of the Development Management Plan on European sites (SPA, SAC and Ramsar sites) within a 10-mile buffer. The following seven European sites have been considered as part of the assessment.

- Hastings Cliffs SAC;
- Dungeness SAC;
- Dungeness to Pett Level SPA;
- the proposed extension Dungeness, Romney Marsh and Rye Bay pSPA;
- the proposed Dungeness, Romney Marsh and Rye Bay pRamsar Site;
- the Pevensey Levels Ramsar Site; and
- Pevensey Levels Site of Community Importance (SCI).

The potential effects of each policy have been assessed using a screening matrix, and the likelihood of potential effects occurring as a result of the Development Management Plan is discussed for each of the European sites.

In summary, none of the policies, either in isolation or in combination (including with other plans and policies) are likely to result in significant adverse effects on the European sites, and more detailed Stage 2 HRA is not considered necessary in relation to the Development Management Plan.

Introduction

The Purpose of this Report

This report presents the findings of an initial 'screening' exercise undertaken by Hastings Borough Council and Applied Ecology Ltd in respect of the Habitat Regulations Assessment (HRA) for the Hastings Development Management Plan¹. It assesses whether or not the integrity of European designated sites would be affected by the implementation of the Development Management Plan, and whether more detailed Stage 2 Appropriate Assessment is required.

Requirements of the screening process are set out in the 2001 European Commission guidance on the provisions of Article 6(3) and (4) of the Habitats Directive 92/43/EEC entitled "*Assessment of plans and projects significantly affecting Natura 2000 sites*"².

Current Legislation

The requirement for Habitats Regulations Assessment (HRA) is set out within Article 6 of European Directive 92/43/EEC on the Conservation of Natural Habitats and Wild Flora and Fauna – known as the Habitats Directive. This directive is interpreted into British law by The Conservation of Habitats and Species Regulations 2010.

Regulation 21 of the Conservation of Habitats and Species Regulations 2010 (referred to as the Habitats Regulations), requires that land use plans are subject to Appropriate Assessment if they are likely to have a significant [adverse] effect on a Natura 2000 site, which could include Special Areas of Conservation (SACs) and/or Special Protection Areas (SPAs). The National Planning Policy Framework also requires sites designated under the Convention on Wetlands of International Importance (Ramsar sites) and candidate SACs be treated as having equivalent status to Natura 2000 sites.

The Habitats Directive applies the precautionary principle to these protected areas, and 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. In the case of the Habitats Directive, plans and projects 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 maintenance of the overall integrity of the site network.

In recent years the term 'Habitat Regulations Assessment' (HRA) has come into common currency to describe the entire assessment process set out in the Regulations, while the phrase 'Appropriate Assessment' is referred to that particular stage.

¹ Hastings Borough Council. Shaping Hastings. Hastings Local Plan: Development Management Plan. Revised Proposed Submission Version 10 March – 22 April 2014.

² European Commission (November, 2001). *Assessment of plans and projects significantly affecting Natura 2000 sites*.. European Commission. Luxembourg: Office for Official Publications of the European Communities. ISBN 92-828-1818-7.

The Hastings Local Plan

Overview

In line with the reforms set out in the Localism Act of November 2011 and the National Planning Policy Framework, the suite of documents formerly known as the Local Development Framework, is now known as the new 'Local Plan'.

The new Local Plan will be made up of a series of documents that will be updated and replaced over time. Each document will cover a particular aspect of development in Hastings. Once complete it will comprise several documents including:

- The Hastings Planning Strategy (adopted February 2014) – formerly called the Core Strategy;
- Hastings Development Management Plan;
- Infrastructure Delivery Plan and Schedule;
- Neighbourhood Plans;
- Supplementary Planning Documents.

Before its adoption, the first stage of preparing the Planning Strategy was completed in 2006 and was known as '*Shaping Hastings - Core Strategy Issues and Options*'. The second stage called '*Shaping Hastings - Core Strategy Preferred Approaches*' was completed in 2008 alongside a Sustainability Appraisal.

It is of note that Appropriate Assessments of the Core Strategy Preferred Approach were undertaken in 2008³ and 2010⁴ in order to assess the potential effects of proposed development within the Borough on European sites.

The Hastings Planning Strategy (as adopted in February 2014) is at the heart of the new Local Plan and describes a vision for 2028. It does not provide details of individual development sites, but sets an overall framework for the future development by identifying 13 planning Focus Area that form logical areas for spatial planning.

Appropriate Assessment of the Core Strategy (2008)

The 2008 Appropriate Assessment screened out (using an approach agreed with Natural England) Dungeness SAC and Dungeness to Pett Level SPA on the basis that they were too far away for any option within the Hastings Core Strategy to have an effect on either the site integrity or the conservation objectives.

The Stage 2 Appropriate Assessment focused on assessing the potential effects of the Core Strategy on Hastings Cliffs SAC and the Pevensey Levels Ramsar site, and concluded that no impacts on these European sites were anticipated.

³ Hastings Borough Council (May 2008). *Appropriate Assessment of the Core Strategy Preferred Approaches*. Consultation Version.

⁴ Scott Wilson. *Appropriate Assessment of the Hasting Core Strategy*. Rev 01 dated 15.03.10. Report for Hastings Borough Council.

Appropriate Assessment of the Core Strategy (2010)

Following the conclusion of the 2008 screening, only Hastings Cliff SAC and Pevensey Levels Ramsar site, were considered by the 2010 Appropriate Assessment.

The 2010 Appropriate Assessment report concluded that with the inclusion of the Submission stage policy 'Nature Conservation and the Improvement of Biodiversity' the Core Strategy presents an adequate and cohesive policy framework through which measures to avoid or mitigate adverse effects on European sites (particularly Hastings Cliffs SAC from recreational pressure) can be delivered.

The Development Management Plan

The Hastings Development Management Plan is scheduled for submission to the Secretary of State for independent examination in July 2014. It takes forwards the Planning Strategy by identifying specific sites allocated for development that reflect the overall targets for each focus areas, and provides policies for each site that can to be used to guide future development management.

The revised submission version of the Development Management Plan is available on the Council's website (<http://www.hastings.gov.uk>).

The Habitat Regulations Assessment Process

Overview

The HRA methodology set out by the European Commission (2001) identifies four key stages in the HRA process, as shown in Table 1.

Table 1: The four stages of HRA

Stage	Description
Stage 1 – Screening	The screening process identifies Natura 2000 sites in and around the plan/strategy area, examines the conservation objectives of the interest features and reviews the potential effects of policies and proposals on these objectives to determine if significant effects on the integrity of the sites could occur. If no effect likely – report no significant effect, but where effects judged likely, or lack of information to prove otherwise, proceed to Stage 2.
Stage 2 - Appropriate Assessment	The appropriate assessment process considers the impact on the integrity of the Natura 2000 site, either alone or in combination with other projects or plans, with respect to the sites structure and function and its conservation objectives. Additionally, where there are adverse impacts, an assessment of the potential mitigation of those impacts is required.
Stage 3 - Assessment of alternative solutions	This assessment examines alternative ways of achieving the objectives of the project or plan that avoid adverse impacts on the integrity of the Natura 2000 site.
Stage 4 - Assessment where no alternative solutions exist and where adverse impacts remain	This is an assessment of compensatory measures where, in the light of an assessment of imperative reasons of overriding public interest (IROPI), it is deemed that the project or plan should proceed.

The Directive promotes a hierarchy of avoidance, mitigation and compensatory measures. First, the plan should aim to avoid any negative impacts on European sites by identifying possible impacts early on in the planning process, and writing the plan in order to avoid such impacts. Second, mitigation measures should be applied during the AA process to the point where no adverse impacts on the site(s) remain. If the plan is still likely to result in adverse effects, and no further practicable mitigation is possible, then the plan is rejected. Under such a worst-case scenario, the plan may have to undergo a Stage 3 assessment for alternative solutions. Under Stage 4 compensatory measures are required, but they are permitted only if (a) there are no alternative solutions and (b) the plan is required for “imperative reasons for overriding public interest” (the IROPI test).

Stage 1 - Screening

The current report addresses Stage 1 of the HRA process, and aims to identify whether the Hastings Development Management Plan - either alone or in combination with other plans or projects - is likely to have a significant impact on a European site. European Commission (2001) guidance recommends that this stage should comprise:

- Determining whether the plan is directly connected with or necessary to the management of the site – if it is, then no further assessment is necessary;
- Describing the plan and other plans and projects that, 'in combination', have the potential to have significant effects on a European site;
- Identifying the potential effects on the European site; and
- Assessing the significance of any effects on the European site.

If effects (in combination) are judged likely or uncertainty exists, the precautionary principle applies and the assessment should proceed to *Stage 2: Appropriate Assessment*.

Identification and Characterisation of European sites

Identification of European Sites

Previous assessments prepared by Hastings Borough Council have used a 10 mile buffer area around the Borough's central point to assess which European sites should be considered as part of a HRA. This buffer has been used for the current screening assessment as shown by Figure 1.

In summary, seven European sites are present within the 10 mile buffer area. These are:

- Hastings Cliffs SAC, which is located within the Borough boundary (Figure 2).
- Four of the European sites located beyond the Borough boundary correspond to land at around Dungeness, and are Dungeness SAC, Dungeness to Pett Level SPA, and the proposed extension and additional designation of Dungeness, Romney Marsh and Rye Bay pSPA and pRamsar Site (Figures 3a and 3b).
- The Pevensey Levels Ramsar Site and Site of Community Importance (SCI)⁵ (Figure 4).

Despite significant overlap between some of these European sites, each designation supports in own specific interest features that are considered as part of the screening assessment.

Key Interest Features of the European Sites

The distance of each European site from Hastings Town centre, together with a summary of their key interest features is provided in Table 2.

Table 2: Key interest features of the European sites

Name of site and distance to centre of Hastings	Key interest features
Hastings Cliffs SAC – Inside Borough boundary	• Vegetated sea cliffs of the Atlantic and Baltic Coasts, including woodland and scrub habitats that support an unusual 'Atlantic' bryophyte flora, in particular the liverwort <i>Lophocolea fragrans</i> at its only south-east England locality.
Dungeness SAC – 7.9 miles (4.5 miles to Borough boundary)	• Annual vegetation of drift lines. • Perennial vegetation of stony banks (i.e. coastal shingle vegetation) which covers some 1,600 ha including areas of intact parallel ridges with characteristic zonation of vegetation. It is the most diverse and most extensive example of stable vegetated shingle in Europe. • Great crested newt <i>Triturus cristatus</i>.

⁵ Sites of Community Importance (SCIs) are sites that have been adopted by the European Commission but not yet formally designated by the government of each country.

Name of site and distance to centre of Hastings	Key interest features
Dungeness to Pett Level SPA – 5.5 miles (2.5 miles to Borough boundary)	• Key birds present during the breeding season are Common tern <i>Sterna hirundo</i> (266 pairs, 2.2% of the GB breeding population), Little tern <i>Sterna albifrons</i> (35 pairs, at least 1.5% of the GB breeding population) and Mediterranean gull <i>Larus melanocephalus</i> (2 pairs representing at least 20.0% of the GB breeding population) All figures based on 5 year mean, 1993-1997. • On passage Aquatic warbler <i>Acrocephalus paludicola</i> (30 individuals, at least 44.8% of the GB population (Count as at 1997). • Over wintering Bewick's swan <i>Cygnus columbianus bewickii</i> (179 individuals, at least 2.6% of the GB wintering population based on 5 year peak mean, 1992/3-1996/7). • Over-wintering and migratory Shoveler <i>Anas clypeata</i> (419 individuals, at least 1.0% of the wintering Northwestern/Central Europe population (5 year peak mean 1991/2 - 1995/6).
Dungeness, Romney Marsh and Rye Bay pSPA – 5.0 miles (1.4 miles to Borough boundary)	• The site regularly supports more than 1% of the GB populations of 12 species listed in Annex I of the EC Birds Directive. The 12 species are Marsh harrier <i>Circus aeruginosus</i>, Avocet <i>Recurvirostra avosetta</i>, Mediterranean gull <i>Larus melanocephalus</i>, Sandwich tern <i>Sterna sandvicensis</i>, Common tern <i>Sterna hirundo</i>, Little tern <i>Sterna albifrons</i>, Bewick's swan <i>Cygnus columbianus</i>, Bittern <i>Botaurus stellaris</i>, Hen harrier <i>Circus cyaneus</i>, Golden plover <i>Pluvialis apricaria</i>, Ruff <i>Philomachus pugnax</i>, Aquatic warbler <i>Acrocephalus paludicola</i>, Shoveler <i>Anas clypeata</i> and Mute swan <i>Cygnus olor</i>. • The site regularly supports more than 1% of the biogeographical population of one regularly occurring migratory species, namely Shoveler <i>Anas clypeata</i>. • The site regularly supports more than 20,000 waterbirds during the non-breeding season.
Dungeness, Romney Marsh and Rye Bay pRamsar site – 5.0 miles (1.4 miles to Borough boundary)	In addition to supporting internationally important populations of birds, the site also qualifies for the following reasons: • The site contains representative, rare, or unique examples of natural or near-natural wetland types such as vegetated annual drift lines, perennial vegetated stony banks, natural shingle wetlands, saline lagoons, freshwater pits and basin fens. • The site supports vulnerable, endangered, or critically endangered species or threatened ecological communities associated with wetland habitats. These communities include rich and diverse assemblages of bryophytes, vascular plants and invertebrates that are rare, threatened or specially protected.
Pevensey Levels Ramsar site – 7.0 miles (3.3 miles to Borough boundary)	• The site supports an outstanding assemblage of wetland plants and invertebrates including many British Red Data Book species. • The site supports 68% of vascular plant species in Great Britain that can be described as aquatic. It is probably the best site in Britain for freshwater molluscs, one of the five best sites for aquatic beetles Coleoptera and supports an outstanding assemblage of dragonflies Odonata.
Pevensey Levels SCI – 7.0 miles (3.3 miles to Borough boundary)	• The site supports a wide spatial distribution and good population of the Little whorlpool ram's-horn snail <i>Anisus vorticulus</i>.

Review of the Strategy and Potential Impacts

Overview

Policy DS1 of the Planning Strategy sets a target of at least 3,400 new homes in Hastings between 2011 and 2028, and Policy DS2 identifies a need for up to 70,000m² of new employment floor space over the period 2008-2028.

This represents a reduction in proposed new homes from that stated by the Core Strategy Preferred Option report (4,200 new homes were proposed) which was subject to Appropriate Assessments in 2008 and 2010 and concluded that this higher level of housing would not affect the integrity of European sites.

The Planning Strategy divides the town into 13 planning Focus Areas that form logical areas for spatial planning. The Development Management Plan uses these Focus Areas, describes the main characteristics of each, and provides a vision for its future with housing and employment allocations and policies to guide development on each allocated site. Some larger sites have also been attributed a design brief set.

Summary of Allocated Sites

The Development Management Plan site allocations and Focus Areas are shown by Figure 5, with a summary of these areas provided in Table 3.

Table 3: Summary of site allocations by Focus Area

Focus Area	Total allocated land area in ha (no. of sites)	Development type as % of total area			
		Residential	Employment	Mixed	Other
1. Little Ridge and Ashdown	27.20 (10)	56%	44%	-	-
2. Greater Hollington	7.95 (12)	71%	29%	-	-
3. Filsham Valley and Bulverhythe	27.98 (14)	56%	-	24%	20%
4. St Helens	7.57 (5)	100%	-	-	-
5. Silverhill and Alexandra Park	2.00 (7)	100%			
6. Maze Hill and Burton's St Leonard	3.22 (6)	100%			
7. Central St Leonards and Bohemia	0.33 (4)	48%	-	52%	-
8. Hastings Town Centre	3.33 (5)	20%	78%	2%	-
9. Old Town	-	-	-	-	-
10. West Hill	-	-	-	-	-
11. Hillcrest and Ore Valley	16.37 (10)	61%	39%	-	-
12. Clive Vale and Ore Village	2.27 (5)	100%	-	-	-
13. Hastings Country Park	-	-	-	-	-

Types of Potential Impact

Adverse impacts on European sites can occur through a range of development-related direct and indirect effects. The key mechanisms are highlighted below.

Land take

There could be potential to disturb habitats and associated flora and fauna at development sites. Depending on the location of development, there could be indirect negative impacts on the nearby sites of conservation importance. However, this is very unlikely to take place on, or affect, the European sites themselves.

Urbanisation

The options are likely to result in more activity, more noise, more light and more people within the environment. Growth in population and commercial businesses will inevitably lead to an increase in waste generation. All of these factors could put pressure on European sites. Visits to the European Sites are likely to increase, possibly with the associated disturbance of fauna and impacts on the habitats.

Traffic levels and congestion

Increases in road traffic will lead to increases in emissions and associated atmospheric pollution, which can affect sensitive plant species. Increased traffic creates noise and vibration that can disturb bird species.

Water resources

Development is likely to lead to an increased demand for water and wastewater treatment. It will be important to make sure that increased water abstraction has no significant effect on European Sites and that wastewater is treated to acceptable levels to safeguard the quality of controlled waters and to make sure there is no deterioration in amenity value of the towns' rivers, streams, coast and beaches.

Increased Tourism

Developments proposed could lead to more visits to or near the European Sites. Potential impacts include noise, trampling and litter, all of which could affect sensitive habitats and bird species.

Assessment of the Potential Effects of Individual Development Management Policies

Assessment Approach

Natural England recommends that a single matrix is compiled listing each element of the Development Management Plan including all the options, the strategy, policies and proposals. Each element is checked for the likelihood of it leading to a significant effect on a European site, firstly alone, then if not alone, in combination with other elements of the same plan, or other plans or projects.

Where a minor change to the Plan, for example in terms of alterations to policy or wording that do not go to the heart of the Plan, would mean that the policy would not have a significant effect alone or in combination, there is an opportunity to recommend such amendments in the screening matrix.

This assessment uses the following categories to classify the likely effects on each interest feature of the affected European sites. The four categories are as follows:

- Category A - Elements of the Plan that would have no negative effect on a European site at all.
- Category B - Elements of the Plan that could have an effect, but the likelihood is that there would be no significant negative effect on a European site, either alone or in C.
- Category C - Elements of the Plan that could or would be likely to have a significant effect alone and will require the plan to be subject to an appropriate assessment before the Plan may be adopted.
- Category D - Elements of the Plan that would be likely to have a significant effect in combination with other elements of the same plan, or other plans or projects and will require the Plan to be subject to an appropriate assessment before the Plan may be adopted.

Categories A, C and D have been subdivided by Natural England, to provide as much transparency as possible in terms of the justification of allocating the policy to that particular category. Details of the sub-categories are provided in Appendix 1.

An additional sub-category of Category A (A*) has been added for the purpose of the current screening assessment to specifically reflect proposals that will not affect European sites because their scale, location and/or nature have no implications for the European sites or associated sensitive areas.

Results

A detailed matrix of the Development Management Plan policies and classification of the likelihood of each policy leading to a significant effect on a European site is provided in Appendix 2.

In summary, of the 105 individual policies considered, none are considered likely to have significant effects on European sites. Table 4 summarises the categorisation of the policies.

Table 4: Categorisation of the Development Management Plan policies

Category / sub-category	Description	Number of policies (% of total)
A*	Options (development allocations) that will not affect European sites because their scale, location and/or nature have no implications for the European sites or associated sensitive areas.	77 (73%)
A1	Options/policies that will not themselves lead to development e.g. because they relate to design or other qualitative criteria for development, or they are not a land use planning policy.	12 (11%)
A2	Options/policies intended to protect the natural environment, including biodiversity,	5 (5%)
A3	Options/policies intended to conserve or enhance the natural, built or historic environment, where enhancement measures will not be likely to have any negative effect on a European site.	6 (6%)
A5	Options/policies that would have no effect because no development could occur through the policy itself, the development being implemented through later policies in the same plan, which are more specific and therefore more appropriate to assess for their effects on European sites and associated sensitive areas.	3 (3%)
B	The effects are likely to be trivial or 'de minimis' even if combined with other effects (Be aware of precautionary principle and potential for in-combination effects).	2 (2%)

A total of 103 (98%) of the policies have been assessed as having no effect on European sites (Category A).

Two policies, namely Policies DM2: Telecommunications Technology and FB12 Land south of Upper Wilting Farm (proposed wind farm site) have been placed in Category B due to the potential for minor effects (not significant) on European sites to occur, depending on specific development details such as locations and scales. Such impacts are however unlikely to be significant and associated risks are sufficiently low that it would be appropriate for the effects of these policies to be assessed as part of a project level Appropriate Assessment and/or through Ecological Impact Assessment once details of individual proposals come forward.

Assessment of Potential Effects on Hastings Cliffs SAC

Key Interest Feature

The key interest feature of the Hastings Cliffs SAC is vegetated sea cliffs of the Atlantic and Baltic Coasts.

Vulnerability

Hastings Cliffs SAC is a short section of almost natural coastline of dramatic eroding cliffs. It is relatively unaffected by coastal protection and is dependent upon physical processes to maintain its nature conservation interests. The very nature of this soft eroding material results in extensive landslides, with vegetation changing from year to year. The effects on the rate of erosion by surrounding coastal protection measures and offshore activities are unknown but may have an impact. The SAC includes part of the Hastings Country Park where there are visitor management pressures. Habitats and footpaths erode rapidly, particularly during winter storms, as a result of the undulating nature of the cliffs with their soft constituents. Adjacent farming practices may also be having an effect on the vegetation.

Condition Assessment

The latest condition assessment for the SSSI that underlies the SAC site (dating from 2008/9) found that 76.63% of the site was in favourable condition and 23.37% was in unfavourable but recovering condition.

Although the condition assessment for the SSSI cannot be assumed to apply exactly to the SACs interest features, it does provide a good indication of the site's current overall condition.

Results of the 2008 & 2010 Core Strategy HRA Assessments

No adverse effects on the Hastings Cliffs SAC were identified in relation to the Core Strategy by the 2008 or 2010 assessments. The 2010 Appropriate Assessment concluded the following in relation to the SAC:

- An adequate framework is in place to enable the delivery of any measures that may be necessary to counter any increase in visitors provided this is correctly reflected in Core Strategy policy.
- Adverse local air quality effects are unlikely.
- Urbanisation effects (such as fly-tipping, fires and littering) are unlikely to significantly increase.

Potential Effects of the Development Management Plan

Hastings Cliffs SAC is located within the Borough and could therefore be negatively affected by future development. However, no allocated sites are located within the Hastings Country Park Focus Area, which incorporates the Hastings Cliffs SAC, and therefore direct impacts on the SAC and its key interest features are not predicted in relation to the Hastings Development Management Plan.

The most likely indirect development threats to the SACs interest features (i.e. woodland and scrub habitats on steep slopes and associated bryophyte flora) from allocated development within the Borough relate to 1) potential changes in water quantity and quality of the ghyll streams, and 2) adverse effects associated with an increase in recreational pressure.

As highlighted above, no development is allocated within the Country Park Focus Area, with the closest concentration of proposed new housing located at Ore Valley (1 km to the northwest of the SAC). Given the distance between new housing and the SAC no development-related changes to the site's existing hydrological regime are anticipated, and no associated adverse effects are predicted.

The Country Park is reported by Natural England to be visited by an estimated 500,000 people a year, of which a large proportion are tourists. The scale of the planned housing increase set out by the Development Management Plan will result in an estimated increase in population from 90,173 to 93,054 between 2011 and 2028 based on the target of 3,400 new homes for the Borough set out in the Planning Strategy.

Significant management work has been undertaken since the SAC, SSSI, Country Park and adjoining farmland, were consolidated as a single Local Nature Reserve in 2006. The Park is carefully managed for nature conservation and public recreation as a single integrated site under Higher Level Stewardship through the implementation of an agreed Management Plan that sets out clear objectives, targets, and monitoring commitments. Fundamental to this integrated approach is the protection of key habitats and species, especially those features of European importance that contribute to the sites SAC designation, from potential damage and disturbance associated with recreational use, and the use of less ecologically sensitive areas for parking and footpath provision.

In addition, Policy EN3: *Nature Conservation and Improvement of Biodiversity* of the Hastings Planning Strategy 2011-2028 (adopted 2014), sets out a number of specific policies relevant to the Hastings Cliffs SAC, which have been adhered to during preparation of the Development Management Plan. The key policies include:

- Protecting, managing and enhancing the Hastings Cliffs SAC, and other protected biodiversity and geodiversity sites and features including SSSI, LNR and Local Wildlife Sites around the town.
- Minimising potential negative impacts of new development on the Hastings Cliffs SAC through the delivery of new greenspace across the Borough and through appropriate recreation management of Hastings Country Park and other key natural green spaces around the town.

In particular, potential adverse effects associated with increased recreational pressure on the Hastings Cliffs SAC would be mitigated through improvements to the existing Broomgrove Local Wildlife Site, Combe Valley Countryside Park and the green spaces network as a whole.

In summary, the SAC is currently in favourable condition and existing levels of recreational use are not adversely affecting the integrity of the site. Existing policies will provide alternative green space for residents' recreation and there is also flexibility and scope to adjust existing access arrangements to further reduce

potential effects of recreation on the SAC, if such measures are required in the future.

Conclusion

No effects on the integrity of Hastings Cliffs SAC are predicted in relation to the Development Management Plan and the findings of the 2008 and 2010 assessments are still considered accurate and valid. The site can be screened out from further Stage 2 assessment.

Assessment of Potential Effects on Dungeness SAC

Key Interest Features

The key interest features of the Dungeness SAC are as follows:

- Annual vegetation of drift lines.
- Perennial vegetation of stony banks.
- Great crested newt *Triturus cristatus*.

Vulnerability

The shingle vegetation at Dungeness is very vulnerable to disturbance by vehicles and walkers, although the coastal shingle (drift-line) vegetation has much greater potential for recovery than the perennial vegetation of shingle banks that occurs further inland. Extensive areas of Dungeness and Rye Harbour are managed with emphasis on interpretation of the site's value and on appropriate public access. A ranger helps to enforce local bylaws which aim to prevent damage from trampling, motorbike activity and illicit gravel extraction.

The wetlands which support great crested newt were formerly grazed, maintaining open unshaded vegetation. This practice largely ceased in the 1950s, and since then there has been invasion of ponds by willows shading the water. Management by hand has now been undertaken to reduce this problem, and restoration of light grazing is being investigated.

Abstraction of water is thought to have damaged some of the shingle wetlands as well as components of the perennial vegetation of the shingle beach. This will be addressed through the relevant review provisions of the Habitats Regulations.

The site is close to an active airport which carries a potential risk from air pollution; although current levels of air traffic and motor vehicles are not thought to cause a problem.

Condition Assessment

The latest condition assessment for the SSSI that underlies the SAC site (dating 2008 -13) found that 65.69% of the site was in favourable condition, 34.04% was in unfavourable recovering condition, 0.14% was unfavourable no change and 0.13% was unfavourable declining. Issues associated with areas in unfavourable condition (no change or declining) relate to the presence of *Crassula* (presumably the invasive species New Zealand pygmyweed *Crassula helmsii*) and scrub encroachment of wetland areas.

Although a condition assessment for a SSSI cannot be assumed to apply exactly to the SAC's interest features, it does provide a good indication of the site's current overall condition.

Results of the 2008 & 2010 Core Strategy HRA Assessments

Dungeness SAC was screened out from the 2008 assessment on the basis that it was too far away from any option within the Hastings Core Strategy to have an effect on either the integrity or the conservation objectives of the SAC. The SAC was not included in the 2008 or 2010 Stage 2 assessments.

Potential Effects of the Development Management Plan

Dungeness SAC is located 7.9 miles from the centre of Hastings and is 4.5 miles from the Borough boundary, and therefore direct impacts on the key interest features of this SAC, including Great crested newts which are likely to use land immediately adjoining the SAC, are not predicted in relation to Hastings Development Management Plan.

In terms of potential indirect effects, the coastal shingle and drift line habitats do support some plant communities dependent on low nutrient conditions, including pollution sensitive lichens. However, the vegetation at Dungeness is not considered to be highly sensitive to air pollution, and it is not currently reported to be suffering from air pollution despite the presence of a nearby airport, which has itself been subject to a project level HRA assessment and has subsequently been granted permission for expansion.

Given the distance between the SAC and Borough boundary, and the scale and type of development proposed by the Hastings Development Management Plan, significant effects on the integrity of the SAC as a result of a potential increase in air pollution or changes to air quality are not likely to occur.

The shingle and drift line vegetation would be sensitive to excessive physical damage, such as tramping, and could therefore potentially be adversely affected by increased recreational use. However, these vegetation types are dynamic and their existence partly relies on periodic natural or anthropogenic disturbance. Similarly, given the distance of Hastings to the SAC, and the scale and type of development proposed, an adverse effect resulting from an increase in recreational pressure is not expected.

In summary, given the distance between the Dungeness SAC and the Borough, and the scale of development proposed by the Development Management Plan, adverse effects on the key interest features of the Dungeness SAC are not anticipated in relation to implementation of the Plan.

Conclusion

No effects on the integrity of Dungeness SAC are predicted in relation to the Development Management Plan and the findings of the 2008 assessment are still considered accurate and valid. The site can be screened out from further Stage 2 assessment.

Assessment of Potential Effects on Dungeness to Pett Level SPA

Key Interest Features

The key interest features of the Dungeness to Pett Level SPA are as follows:

- Key birds present during the breeding season are Common tern *Sterna hirundo* (266 pairs, 2.2% of the GB breeding population), Little tern *Sterna albifrons* (35 pairs, at least 1.5% of the GB breeding population) and Mediterranean gull *Larus melanocephalus* (2 pairs representing at least 20.0% of the GB breeding population). All figures based on a 5 year mean, 1993-1997.
- On passage Aquatic warbler *Acrocephalus paludicola* (30 individuals, at least 44.8% of the GB population (Count as at 1997).
- Over wintering Bewick's swan *Cygnus columbianus bewickii* (179 individuals, at least 2.6% of the GB wintering population based on 5 year peak mean, 1992/3-1996/7).
- Over-wintering and migratory Shoveler *Anas clypeata* (419 individuals, at least 1.0% of the wintering Northwestern/Central Europe population (5 year peak mean 1991/2 - 1995/6).

Vulnerability

No specific details are known in relation to the vulnerability of the SPA, but see details for Dungeness SAC.

Condition Assessment

See details for Dungeness SAC.

Results of the 2008 & 2010 Core Strategy HRA Assessments

Dungeness to Pett Level SPA was screened out from the 2008 assessment on the basis that it was too far away from any option within the Hastings Core Strategy to have an effect on either the integrity or the conservation objectives of the SAC. The SPA was not included in the 2008 or 2010 Stage 2 assessments.

Potential Effects of the Plan

Dungeness to Pett Level SPA is located 5.5 miles from the centre of Hastings and is 2.5 miles from the Borough boundary, and therefore no direct effects on this European site would occur as a result of the implementation of the Development Management Plan.

The only development allocated by the Development Management Plan that could indirectly affect the integrity of the SPA is the proposal for a small wind turbine site at Upper Wilting Farm within Focus Area 3: Filsham Valley and Bulverhithe.

HBC commissioned a feasibility assessment in relation to the ecological, landscape, heritage and viability aspects of this potential development based on 5 options of between 1 and 3 turbines. The conclusion of this work was that the construction of wind turbine(s) in this location is feasible subject to further survey, conservation and mitigation work at the time of a planning application. However, the most likely at risk receptor, if any, was considered to be the nearby Combe Haven Valley SSSI, and not more distant European sites.

The risk of the wind farm affecting SPA interest bird species is considered to be very low given the distance between the SPA and the wind farm and the small number of turbines that the site could support.

The species concerned are unlikely to occur in the location of the proposed turbines, as the assemblage of breeding seabirds comprises coastal species, some of which migrate over the open sea, and that nest at Dungeness, foraging during the breeding season in coastal waters. Shoveler is a wintering species, which is mainly resident within the SPA at that time, and not likely to undertake regular or frequent flights between the site's waterbodies and other feeding or roosting areas. Aquatic warbler is a very rare passage migrant from Eastern Europe, migrating at night and present in the UK in such small numbers and for so short a period that collision risk with wind turbines is negligible.

In addition, bird species typically at risk of collision with wind turbines are large and relatively un-maneuverable, such as soaring raptors and heavy waterfowl such as geese and swans. The species listed as key interest features in relation to the SPA, other than Bewick's swan, are not within these categories.

Bewick's swan is a species that may undertake regular low-level flights between traditional roosting and feeding areas, further increasing its theoretical risk of collision with turbines. However, the movements of the population wintering on the SPA are well-understood⁶ and are relatively circumscribed, located in the area between its roosting lakes on Dungeness and a roost and arable feeding grounds at Walland Marsh, some 9 km to the north-west. It is therefore highly unlikely that this species would be at risk from turbines located at Upper Wilting Farm, some 7.6 miles along the coast to the west and separated from the SPA by Hastings town.

On balance therefore, the likelihood that the integrity of the interest features of the Dungeness to Pett Level SPA could be adversely affected by this small wind farm, or other allocated development, is very low.

Conclusion

No effects on the integrity of the Dungeness to Pett Level SPA are predicted in relation to the Development Management Plan, and the findings of the 2008 assessment are still considered accurate and valid. The site can be screened out from further Stage 2 assessment.

⁶ Robinson, JA, K Colhoun, JG McElwaine, J.G., & EC Rees. 2004. *Bewick's Swan*, *Cygnus columbianus bewickii* (Northwest Europe Population) in Britain and Ireland 1960/61 – 1999/2000. Waterfowl Review Series, The Wildfowl and Wetland Trust/Joint Nature Conservation Committee, Slimbridge.

Assessment of Potential Effects on Dungeness, Romney Marsh and Rye Bay pSPA

Key Interest Features

The key interest features of the Dungeness, Romney Marsh and Rye Bay pSPA are as follows:

- The site regularly supports more than 1% of the GB populations of 12 species listed in Annex I of the EC Birds Directive. The 12 species are Marsh harrier *Circus aeruginosus*, Avocet *Recurvirostra avosetta*, Mediterranean gull *Larus melanocephalus*, Sandwich tern *Sterna sandvicensis*, Common tern *Sterna hirundo*, Little tern *Sterna albifrons*, Bewick's swan *Cygnus columbianus*, Bittern *Botaurus stellaris*, Hen harrier *Circus cyaneus*, Golden plover *Pluvialis apricaria*, Ruff *Philomachus pugnax*, Aquatic warbler *Acrocephalus paludicola*, Shoveler *Anas clypeata* and Mute swan *Cygnus olor*.
- The site regularly supports more than 1% of the biogeographical population of one regularly occurring migratory species, namely Shoveler *Anas clypeata*.
- The site regularly supports more than 20,000 waterbirds during the non-breeding season.

Vulnerability

No specific details are known in relation to the vulnerability of the pSPA, but see details for Dungeness SAC.

Condition Assessment

See details for Dungeness SAC.

Results of the 2008 & 2010 Core Strategy HRA Assessments

The Dungeness, Romney Marsh and Rye Bay pSPA was not included as part of the 2008 assessment as the extension area was not proposed at the time.

Potential Effects of the Development Management Plan

Dungeness pSPA is located 5.0 miles from the centre of Hastings and is 1.4 miles from the Borough boundary, and therefore no direct effects on this European site would occur as a result of the implementation of the Development Management Plan.

The discussion above, with regard to the potential vulnerability to collision with wind turbines of key bird species of the Dungeness to Pett Level SPA, is also relevant to those of the Dungeness, Romney Marsh and Rye Bay pSPA. Many of the species listed as key interest features for the latter site are not vulnerable to turbine collision owing to their relatively small size, behaviour and habitat preferences. Those species worthy of consideration in terms of their collision risk, because of their size and relatively low maneuverability, are Bittern, Marsh and Hen harrier, and Bewick's and Mute swans.

However, none of these species are likely to venture away from the suitable and preferred habitats provided by the pSPA while foraging during the breeding or wintering periods when they are present. Although all of them are migrants or are species that occasionally undertake movements triggered by certain weather conditions, all are typically present in relatively small numbers and undertake long-distance flights so infrequently that they are highly unlikely to encounter the few turbines proposed at Upper Wilting Farm, some 7.5 miles along the coast to the west.

Golden plover may also be considered within the list of species potentially vulnerable to turbine collision, not because of its bulk and low avoidance capability, but because it is a species that forms flocks, which characteristically perform long-lasting aerial manoeuvres over its preferred winter habitats, often at typical wind-turbine height. It is highly unlikely that such flights would take place over Upper Wilting Farm, being much more likely over the pSPA itself.

For these reasons, the risk that the integrity of the interest features of the Dungeness, Romney Marsh and Rye Bay pSPA could be adversely affected by this small wind farm, or other allocated development is considered to be insignificant.

Conclusion

No effects on the integrity of Dungeness, Romney Marsh and Rye Bay pSPA are predicted in relation to the Development Management Plan, and the site can be screened out from further Stage 2 assessment.

Assessment of Potential Effects on Dungeness, Romney Marsh and Rye Bay pRamsar Site

Key Interest Feature

In addition to supporting internationally important populations of birds, the site also qualifies for as a pRamsar site for the following:

- The site contains representative, rare, or unique examples of natural or near-natural wetland types such as vegetated annual drift lines, perennial vegetated stony banks, natural shingle wetlands, saline lagoons, freshwater pits and basin fens.
- The site supports vulnerable, endangered, or critically endangered species or threatened ecological communities associated with wetland habitats. These communities include rich and diverse assemblages of bryophytes, vascular plants and invertebrates that are rare, threatened or specially protected.

Vulnerability

No specific details are known in relation to the vulnerability of the pSPA, but see details for Dungeness SAC.

Condition Assessment

See details for Dungeness SAC.

Results of the 2008 & 2010 Core Strategy HRA Assessments

The Dungeness, Romney Marsh and Rye Bay pRamsar site was not included as part of the 2008 assessment as the designation was not proposed at the time.

Potential Effects of the Plan

Dungeness, Romney Marsh and Rye Bay pRamsar site is located 5.0 miles from the center of Hastings and is 1.4 miles from the Borough boundary, and therefore direct impacts on the key interest features of this pRamsar, are not predicted in relation to Hastings Development Management Plan.

Potential adverse effects of the allocated development on the bird interest features of the Ramsar site have been dealt with under the SPA and proposed SPA extension area designations, which conclusion that adverse effects are not predicted.

Potential effects on wetland habitats and species, for instance as a result of increase in recreational pressure and air and water pollution, are also considered unlikely given the distance between the pRamsar site and Borough boundary, and the scale and type of development proposed by the Hastings Development Management Plan.

Conclusion

No effects on the integrity of Dungeness, Romney Marsh and Rye Bay pRamsar site are predicted in relation to the Development Management Plan, and the site can be screened out from further Stage 2 assessment.

Assessment of Potential Effects on Pevensey Bay Ramsar

Key Interest Feature

The key interest features of the Pevensey Bay Ramsar site are as follows:

- The site supports an outstanding assemblage of wetland plants and invertebrates including many British Red Data Book species.
- The site supports 68% of vascular plant species in Great Britain that can be described as aquatic. It is probably the best site in Britain for freshwater molluscs, one of the five best sites for aquatic beetles Coleoptera and supports an outstanding assemblage of dragonflies Odonata.

Vulnerability

Details of the site's vulnerability are not known, but the key environmental conditions that support the features of European interest are cited by the 2010 Appropriate Assessment of the Hastings Core Strategy as:

- Maintenance of grazing/ mowing regimes;
- Freshwater inputs are of value for providing a localised increase in prey biomass for certain bird species, specific microclimatic conditions and are used for preening and drinking;
- Sufficient space between site and development to allow for managed retreat of intertidal habitat and avoid coastal squeeze;
- Unpolluted water;
- Absence of nutrient enrichment;
- Absence of non-native species;
- Balance of saline and non-saline conditions;
- Control of predator numbers (e.g. badger, fox and mink);
- Maintenance of suitable grassland on adjacent land for off-site grazing and roosting;
- Minimal disturbance.

Condition Assessment

The latest condition assessment for the SSSI that underlies the Ramsar site (dating from 2009/13) found that 99.5% of the site was in unfavourable but recovering condition, and the remaining 0.5% was destroyed or part destroyed.

Key measures that have been put in place to restore habitats to favourable condition include appropriate management through agri-environment scheme, management of water levels through implementation of the Water Level Management Plan, and the management of alien species through an invasive weed strategy.

Although a condition assessment for a SSSI cannot be assumed to apply exactly to the SACs interest features, it does provide a good indication of the site's current overall condition.

Results of the 2008 & 2010 Core Strategy HRA Assessments

No adverse effects on the Pevensey Bay Ramsar were identified in relation to the Core Strategy by the 2008 or 2010 assessments.

The 2010 assessment used the findings of a 2009 Appropriate Assessment which assessed the potential effects of air quality changes due to increased traffic on the A259 from combined development within Hastings, Rother, Wealden and Eastbourne Districts, on the Pevensey Bay Ramsar site.

In summary, the conclusions of the 2010 Appropriate Assessment in relation to potential adverse effects on the Pevensey Bay Ramsar site, included the following:

- *“It seems unlikely that the additional housing to be delivered across the four districts will, even when considered ‘in combination’ with each-other and the other contributors to a predicted increase in vehicle movements on the A259 (such as the emerging East Sussex Waste & Minerals Development Framework) result in exceedence of the critical level or critical load for the Pevensey Levels Ramsar site.....and no measures to either avoid or mitigate effects will therefore be required because the predicted increase in traffic is unlikely to cause either NOx concentrations or rates of nitrogen deposition to exceed the critical level or critical load.” It is of note that Natural England were consulted on the air quality analysis when the work was originally completed in June 2009 and commented that they “would concur with the conclusion that while there is likely to be an increase in nitrogen deposition and NOx concentrations these will still be below the Critical Levels applicable to Pevensey Levels and therefore there is unlikely to be a significant effect on the Ramsar site from the proposed levels of housing from these pollutants”.*
- *“No sewage from development in Hastings will discharge into watercourses that feed the Pevensey Levels Ramsar site. Bexhill and Hastings STW discharges direct to sea. This can therefore be screened out as an impact of the Core Strategy”.*
- *“Hastings lies within Southern Water’s Sussex Hastings Water Resource Zone (WRZ) and obtains its public water supply from Darwell and Powdermill Reservoirs, with pumped inflows the Eastern Rother to Darwell and from the River Brede to Powdermill respectively. There is also a transfer pipeline linking this WRZ with the Kent Medway WRZ. Neither the Eastern Rother nor the Brede provide the Pevensey Levels with water and as such abstraction from these sources will not impact on the Ramsar site. Moreover, Southern Water’s Water Resource Management Plan (WRMP) does not anticipate any abstraction from watercourses that supply the Pevensey Levels in order to supply Hastings during the Core Strategy period. This can therefore be screened out as an impact of the Core Strategy”.*

Potential Effects of the Development Management Plan

Pevensey Bay Ramsar is located 7.0 miles from the centre of Hastings and is 3.3 miles from the Borough boundary, and therefore direct impacts on the key interest

features of this pRamsar, are not predicted in relation to Hastings Development Management Plan.

No effects on the integrity of the wetland habitats were anticipated in relation to implementation of the Core strategy by the 2008 or 2010 assessments. This conclusion remains valid for the purpose of the current screening assessment.

Conclusion

No effects on the integrity of the Pevensey Bay Ramsar site are predicted in relation to the Development Management Plan, and the findings of the 2008 and 2010 assessments are still considered accurate and valid. The site can be screened out from further Stage 2 assessment.

Assessment of Potential Effects on Pevensey Bay CSI

Key Interest Feature

The key interest feature of the Pevensey Bay CSI is the presence of a wide spatial distribution and good population of the Little whorlpool ram's-horn snail *Anisus vorticulus*.

Vulnerability

See details for Pevensey Bay Ramsar.

Condition Assessment

See details for Pevensey Bay Ramsar.

Results of the 2008 & 2010 Core Strategy HRA Assessments

The Pevensey Bay CSI was not included as part of the 2008 assessment as the designation was not proposed at the time.

Potential Effects of the Development Management Plan

Pevensey Bay CSI is located 7.0 miles from the centre of Hastings and is 3.3 miles from the Borough boundary, and therefore direct impacts on the key interest features of this CSI, are not predicted in relation to Hastings Development Management Plan.

No effects on the integrity of the wetland habitats were anticipated in relation to the screening assessment for the Pevensey Bay Ramsar site, and this conclusion is also relevant to the interest feature of the CSI (i.e. Little whorlpool ram's-horn snail).

Conclusion

No effects on the integrity of the Pevensey Bay CSI are predicted in relation to the Development Management Plan, and the site can be screened out from further Stage 2 assessment.

Consideration of Other Plans and Programmes

Possible in combination effects with other relevant plans or projects

To assess the significant effects of any option, it is important to take account of the impact in combination with other plans or projects. Appropriate Assessment guidance states that only the plans considered the most relevant should be included for the “in combination test”.

The following plans, projects or strategies are considered to have potential effects, and therefore have been included within the assessment.

- East Sussex, South Downs and Brighton & Hove: Waste and Minerals Local Plan (adopted 19 February 2013) - sets out the strategic policy decisions for waste and minerals in the Plan Area. A waste and minerals sites document is being produced that uses the policies set out in this Plan to identify the most suitable areas for waste and minerals development.
- Rother District Council Local Development Framework: Proposed Submission Core Strategy (August 2011) – 5,600 net increase in additional dwelling and 100,000 m sq of business floorspace.
- Shepway District Core Strategy (2013) – approximately 8,000 dwellings between 2006/7 and 2025/26 (400 per annum), with 20ha of new industrial, warehousing and offices, and 35,000m sq of good retailing.
- Wealden District Core Strategy Local Plan (adopted February 2013) – At least 4,525 additional dwelling over the period 2010-2027, and 128,695 sq. metres net floorspace between 2006 and 2030.
- Eastbourne Borough Core Strategy Local Plan (20 February 2013) - 5,022 new dwellings between 2006 and 2027 (222 per year until 2027).
- Lewes District Local Plan, Part 1 Joint Core Strategy Proposed Submission Document (January 2013) - In the period between 2010 and 2030, 4,500 net additional dwellings will be provided in the period 2010 (approximately 225 net additional dwellings per annum), and in the region of 74,000 square metres of employment floorspace (2012-2031).

A number of HRA assessments have been completed in relation to the above plans, and are relevant to the current screening assessment. Details of these assessments and their key findings are bullet-pointed below.

- The HRAs for the Rother and Shepway Core Strategies in relation to the European sites complex at Dungeness⁷ concluded that the policies are unlikely to result in significant effects on Dungeness SAC; Dungeness to Pett Level SPA and SPA extension; and Dungeness, Romney Marsh and Rye Bay proposed Ramsar site.

⁷ URS/Scott Wilson (January, 2012). *Habitat Regulations Assessment – Dungeness SAC, Dungeness to Pett Level SPA and SPA extension and Dungeness, Romney Marsh and Rye Bay proposed Ramsar site.*

- The HRA for the Rother Core Strategy in relation to Hastings Cliff SAC⁸ concluded that the impacts of the Core Strategy can be screened out.
- A specific HRA report was undertaken to assess the potential effects of the Wealden and Rother Core Strategies on hydrological and the Pevensey Levels Ramsar⁹. The report concluded that development would create an increase in impermeable surface, which would ultimately result in increased surface water run-off and increased pollutant loads. In turn, this has the potential to significantly affect the hydrology, soil and flora and fauna of the Pevensey Levels, and ultimately affect the Conservation Objectives of the site. In consultation with the Environment Agency and Natural England it has been agreed that a suitable way to mitigate and avoid any potential effects of development on the Pevensey Levels would be to provide a specific planning policy within the relevant DPD. Any such policy should require Sustainable Drainage Systems (SuDS) to be incorporated on all development sites that create impermeable surfaces within the hydrological catchment area of the Pevensey Levels (irrespective of the size and type of development) where such a development will result in an increase in the volume and peak flow rate of surface water than rates prior to the proposed development.
- A specific HRA report was undertaken to assess the potential effects of the Rother, Wealden, Hastings and Eastbourne Core Strategies on air quality and the Pevensey Levels Ramsar¹⁰. The report concluded that “...*the additional housing to be delivered across the four districts will, even when considered ‘in combination’ with each-other and the other contributors to a predicted increase in vehicle movements on the A259 (such as the emerging East Sussex Waste & Minerals Development Framework) result in exceedence of the critical level or critical load for the Pevensey Levels Ramsar site....*”.
- The HRA for Lewes District Core Strategy¹¹ screened out potential effects on the Pevensey Levels Ramsar site and cSAC.

In summary, no significant adverse effects on European site's that are relevant to the Hastings Development Management Plan have been identified in relation to the HRA assessments for other Local Plan documents for adjoining and nearby districts / boroughs.

The policies outlined in the Hastings Development Management Plan have been assessed as having no effect, or no significant effect, and the policies are not considered likely to result in significant in-combination effects when assessed alongside other local planning proposals.

⁸ URS/Scott Wilson (June, 2011). *Habitat Regulations Assessment –Likely Significant Effects (Hastings Cliffs SAC)*.

⁹ Unreferenced report: <http://www.rother.gov.uk/CHttpHandler.ashx?id=15110&p=0>

¹⁰ Scott Wilson (June, 2009). *Appropriate Assessment and Air Quality Local to the Pevensey Levels Ramsar Site. A report to Support the Appropriate Assessment for Rother, Wealden, Hastings and Eastbourne Core Strategies*.

¹¹ Lewes District Council & The South Downs National Park Authority (January, 2013). *Lewes District Core Strategy: Proposed Submission Stage (Regulation 20). Habitat Regulations Assessment Report (Stages 1 – 3)*.

Conclusions

None of the Hastings Development Management Plan policies, either in isolation or in combination (including with other plans and policies) have been assessed as being likely to result in significant adverse effects on the integrity of European sites or associated sensitive areas.

Of the 105 policies assessed 103 are likely to have no effect on European sites, and two are assessed as having no significant effect. These two policies, DM2 (Telecommunications Technology) and FB12 (Land south of Upper Wilting Farm) are very unlikely to result in significant effects and any matters could be resolved at the detailed planning stage for example through a project level Appropriate Assessment or Ecological Impact Assessment according to specific project details and circumstances.

Appendix A - Screening assessment: sub-division of categories

Category	Sub-categories	Description
Category A: No negative effect	A1	Options/policies that will not themselves lead to development e.g. because they relate to design or other qualitative criteria for development, or they are not a land use planning policy
	A2	Options/policies intended to protect the natural environment, including biodiversity
	A3	Options/policies intended to conserve or enhance the natural, built or historic environment, where enhancement measures will not be likely to have any negative effect on a European site
	A4	Options/policies that positively steer development away from European sites and associated sensitive areas
	A5	Options/policies that would have no effect because no development could occur through the policy itself, the development being implemented through later policies in the same plan, which are more specific and therefore more appropriate to assess for their effects on European sites and associated sensitive areas
	A* ¹²	Options (development allocations) that will not affect European sites because their scale, location and/or nature have no implications for the European sites or associated sensitive areas.
Category B: No significant effect	N/A	The effects are likely to be trivial or 'de minimis' even if combined with other effects (Be aware of precautionary principle and potential for in-combination effects)
Category C; Likely significant effect alone	C1	The option, policy or proposal could directly affect a European site because it provides for, or steers a quantity or type of development onto a European site, or adjacent to it
	C2	The option, policy or proposal could indirectly affect a European site e.g. because it provides for, or steers, a quantity or type of development that may be very close to it, or ecologically, hydrologically or physically connected to it or it may increase disturbance as a result of increased recreational pressures
	C3	Proposals for a magnitude of development that, no matter where it was located, the development would be likely to have a significant effect on a European site
	C4	An option, or policy that makes provision for a quantity/type of development (and may indicate one or more broad locations e.g. a particular part of the plan area), but the effects are uncertain because the detailed location of the development is to be selected following consideration of options in a later, more specific plan. The consideration of options in the later plan will assess potential effects on European sites, but because the development could possibly affect a European site a significant effect cannot be ruled out on the basis of objective information
	C5	Options, policies or proposals for developments or infrastructure projects that could block options or

¹² A* is a separate sub-category that has been added to for development allocations that will not affect European sites because their scale, location and/or nature have no implications for the European sites or associated sensitive areas.

Category	Sub-categories	Description
		alternatives for the provision of other development or projects in the future, which will be required in the public interest, that may lead to adverse effects on European sites, which would otherwise be avoided.
	C6	Options, policies or proposals which depend on how the policies etc are implemented in due course, for example, through the development management process. There is a theoretical possibility that if implemented in one or more particular way, the proposals could possible have a significant effect on a European site
	C7	Any other options, policies or proposals that would be vulnerable to failure under the Habitats Regulations at project assessment stage; to include them in the plan would be regarded by the EC as 'faulty planning'
	C8	Any other proposal that may have an adverse effect on a European site, which might try to pass the test of the Habitats Regulations at project assessment stage by arguing that the plan provides the imperative reasons of overriding public interest to justify its consent despite a negative assessment
Category D: Likely significant effect in combination	D1	The option, policy or proposal alone would not be likely to have significant effects but if its effects are combined with the effects of other policies or proposals provided for or co-ordinated by the Plan (internally) the cumulative effects would be likely to be significant
	D2	Options, policies or proposals that alone would not be likely to have significant effects, but if their effects are combined with the effects of other plans or projects, and possibly the effects or other developments provided for in the Plan as well, the combined effects would be likely to be significant
	D3	Options or proposals that are, or could be, part of a programme or sequence of development delivered over a period, where the implementation of the early stages would not have a significant effect on European sites, but which would dictate the nature, scale, duration, location, timing of the whole project, the later stages of which could have an adverse effect on such sites

Source: Natural England (by email), March 2014

Appendix B – Screening assessment matrix

General policies

Policy ref	Policy name	Assessment category	Can this element be changed at screening stage to avoid likely significant effects?	Is an appropriate assessment required?
Overall approach				
LP1	Considering planning applications	A5	N/a	No
General guidance				
DM1	Design principles	A1	N/a	No
DM2	Telecommunications Technology	B	N/a	No, but project level Appropriate Assessment may be required subject to specific project details and circumstances.
DM3	General amenity	A5	N/a	No
DM4	General access	A5	N/a	No
DM5	Ground conditions	A1	N/a	No
DM6	Pollution and hazards	A1	N/a	No
DM7	Water resource availability	A2	N/a	No
Housing and the community				
HC1	Conversion of existing dwellings	A1	N/a	No
HC2	Residential institutions and student halls of residence	A1	N/a	No
HC3	Community facilities	A1	N/a	No
Historic and natural environment				
HN1	Development affecting the significance and setting of designated heritage assets (including conservation areas)	A3	N/a	No
HN2	Changing doors, windows and roofs in conservation areas	A1	N/a	No
HN3	Demolition involving heritage assets	A3	N/a	No
HN4	Development affecting heritage assets with	A3	N/a	No

Policy ref	Policy name	Assessment category	Can this element be changed at screening stage to avoid likely significant effects?	Is an appropriate assessment required?
	archaeological and historic interest or potential interest			
HN5	Non-designated heritage assets	A3	N/a	No
HN6	Former Convent of Holy Child Jesus, Magdalen Road	A3	N/a	No
HN7	Green infrastructure in new developments	A3	N/a	No
HN8	Biodiversity and green space	A2	N/a	No
HN9	Areas of landscape value	A2	N/a	No
HN10	Amenity green spaces	A2	N/a	No
Economy				
SA1	Hastings Town Centre shopping area	A1	N/a	No
SA2	Other shopping areas	A1	N/a	No
SA3	Shops and services outside of shopping areas	A1	N/a	No
SA4	Drinking establishments and hot food take-aways	A1	N/a	No
CC1	Caravan, camping and chalet sits	A2	N/a	No
CQ1	Cultural quarters	A1	N/a	No

Site allocations

Policy ref	Policy name	Assessment Category	Can this policy be changed at screening stage to avoid likely significant effects?	Is an appropriate assessment required?
Focus Area 1: Little Ridge & Ashdown				
LRA1	Holmhurst St Mary	A* – The development will not affect European sites because its scale, location and/or nature has no implications for the European sites or associated sensitive areas.	N/a	No
LRA2	Harrow Lane Playing Fields	A*	N/a	No

Policy ref	Policy name	Assessment Category	Can this policy be changed at screening stage to avoid likely significant effects?	Is an appropriate assessment required?
LRA3	Land adjacent to 777 The Ridge	A*	N/a	No
LRA4	Old Roar House, Old Roar Road	A*	N/a	No
LRA5	Former Workplace Health & Fitness Centre, The Ridge West	A*	N/a	No
LRA10	Land north of Downey Close	A*	N/a	No
LRA6	Queensway North, Queensway	A*	N/a	No
LRA7	Land at the junction of The Ridge West and Queensway	A*	N/a	No
LRA8	Land in Whitworth Road, The Ridge West	A*	N/a	No
LRA9	Marline Fields, Enviro 21 Business Park, Land West of Queensway	A*	N/a	No
Focus Area 2: Greater Hollington				
GH1	Robsack A, Church Wood Drive	A*	N/a	No
GH2	Mayfield E, Bodiam Drive	A*	N/a	No
GH3	Spyways School, Gillsmans Hill	A*	N/a	No
GH4	Mayfield J, Mayfield Lane	A*	N/a	No
GH5	Land at Redgeland Rise (Former Wishing Tree Nursery)	A*	N/a	No
GH6	Mayfield Farm	A*	N/a	No
GH12	63 Wishing Tree Road North (former Wishing Tree Nursery)	A*	N/a	No
GH13	133 Battle Road (Former Tivoli Tavern)	A*	N/a	No
GH8	Sites PX and QX, Churchfields	A*	N/a	No
GH9	Site NX2, Sidney Little Road, Churchfields	A*	N/a	No
GH10	Site RX2, Sidney Little Road, Churchfields	A*	N/a	No
GH11	Site NX3, Sidney Little Road, Churchfields	A*	N/a	No
Focus Area 3: Filsham Valley & Bulverhythe				
FB1	The Grove School	A*	N/a	No
FB2	Former West St Leonards Primary School	A*	N/a	No
FB3	Seaside Road, West St Leonards	A*	N/a	No
FB4	Former Westerleigh School	A*	N/a	No

Policy ref	Policy name	Assessment Category	Can this policy be changed at screening stage to avoid likely significant effects?	Is an appropriate assessment required?
FB5	Former Hastings College, St Saviours Road	A*	N/a	No
FB6	Cinque Ports Way (Former Stamco Timber Yard & TA Centre)	A*	N/a	No
FB7	123-125 West Hill Road (Former Malmesbury House)	A*	N/a	No
FB8	Former Westerleigh School Playing Fields	A*	N/a	No
FB9	190 Bexhill Road	A*	N/a	No
FB10	Land south of Crowhurst Road	A*	N/a	No
FB12	Land south of Upper Wilting Farm	B	N/a	No, but project level Appropriate Assessment may be required as part of detailed development planning.
FB13	Hastings Garden Centre, Bexhill Road	A*	N/a	No
FB14	Land north of 31 Fern Road	A*	N/a	No
FB15	Land north of 14 Fern Road	A*	N/a	No
Focus Area 4: St Helens				
SH1	Land adjacent to Sandrock Park, The Ridge	A*	N/a	No
SH2	Land at Osborne House, The Ridge	A*	N/a	No
SH3	Hurst Court, The Ridge	A*	N/a	No
SH4	Mount Denys, Pinehill & Ridgeway	A*	N/a	No
SH7	191 The Ridge	A*	N/a	No
Focus Area 5: Silverhill & Alexandra Park				
SAP1	Horntye Park	A*	N/a	No
SAP2	Hollingsworth Garage, Braybrooke Road	A*	N/a	No
SAP3	12-19 Braybrooke Terrace	A*	N/a	No
SAP4	347-349 London Road	A*	N/a	No
SAP5	Silver Springs Medical Practice, Beaufort Road	A*	N/a	No
SAP7	Bilmore Corner, Battle Road	A*	N/a	No
SAP8	4 Wykeham Road	A*	N/a	No

Policy ref	Policy name	Assessment Category	Can this policy be changed at screening stage to avoid likely significant effects?	Is an appropriate assessment required?
Focus Area 6: Maze Hill & Burtons St Leonards				
MBL1	Former Hastings College, Archery Road	A*	N/a	No
MBL2	37 Charles Road West (Former Filsham Nurseries)	A*	N/a	No
MBL3	Gambier House, West Hill Road	A*	N/a	No
MBL4	West Hill Road Reservoir	A*	N/a	No
MBL5	27 Dane Road	A*	N/a	No
MBL8	Caple Ne Ferne, 2 Albany Road	A*	N/a	No
Focus Area 7: Central St Leonards & Bohemia				
CLB1	1-3 Chapel Park Road	A*	N/a	No
CLB2	Taxi Office/B.R. Social Club, St Johns Road	A*	N/a	No
CLB3	Sorting Office site, Kings Road	A*	N/a	No
CLB4	4-5 Stockleigh Road	A*	N/a	No
Focus Area 8: Hastings Town Centre				
HTC1	Hastings Station Yard (part)	A*	N/a	No
HTC2	Cornwallis Street Car Park	A*	N/a	No
HTC3	The Observer Building	A*	N/a	No
HTC4	4 & 41 Wellington Square	A*	N/a	No
HTC6	Priory Quarter, Havelock Road	A*	N/a	No
Focus Area 11: Hillcrest & Ore Valley				
HOV1	Former Stills Factory, Ore Valley	A*	N/a	No
HOV2	Ore Valley	A*	N/a	No
HOV3	Former Mount Pleasant Hospital, Frederick Road	A*	N/a	No
HOV4	The Cheviots/Cotswold Close	A*	N/a	No
HOV5	87-221 (odds) Farley Bank	A*	N/a	No
HOV6	Ore Business Park, Farley Bank	A*	N/a	No
HOV7	Upper Broomgrove Road	A*	N/a	No
HOV9	107 The Ridge (Simes & Sons)	A*	N/a	No
HOV11	Ivyhouse Lane, Northern Extension	A*	N/a	No
HOV12	Land east of Burgess Road, Ivyhouse	A*	N/a	No

Policy ref	Policy name	Assessment Category	Can this policy be changed at screening stage to avoid likely significant effects?	Is an appropriate assessment required?
Focus Area 12: Clive Vale & Ore Village				
CVO1	Victoria Avenue	A*	N/a	No
CVO2	Land west of Frederick Road	A*	N/a	No
CVO3	Rear of Old London Road	A*	N/a	No
CVO4	Church Street	A*	N/a	No
CVO5	309-311 Harold Road	A*	N/a	No









