

Appropriate assessment

Core Strategy

February 2010



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1. Introduction

The EU Habitats Directive¹ requires the Council to undertake an assessment² of the implications of a proposed plan or project on designated European sites³. This is to ensure that the integrity of these sites are protected through the planning process. The assessment must be appropriate to its purpose under the Habitats Directive - hence the title Appropriate Assessment or AA.

In the context of the Local Development Framework (LDF), all Development Plan Documents (DPD) and Supplementary Planning Documents (SPD) are subject to the Habitats Directive and are the subject of this AA. This includes the Core Strategy.

This report has been prepared having regard to draft guidance issued by the Department for Communities and Local Government⁴ on undertaking AAs⁵. This suggests the following three stage process:

- Stage 1 - Assess the Likely Significant Effects (screening)
- Stage 2 - Appropriate Assessment and ascertaining the effect on site integrity and
- Stage 3 - Mitigation measures and alternative solutions.

This report concludes that the Core Strategy is not likely to have significant effects on designated European sites. As such, only Stage 1 (screening) is required to be undertaken and is therefore the subject of this report.

Following consultation on this AA and the Core Strategy, a further AA will need to be prepared for the draft Core Strategy, and a final AA will be prepared and submitted for examination alongside the final Core Strategy.

2. Stage 1 Assess the likely significant effects (Screening)

Stage 1 seeks to determine if the Core Strategy is likely to have a significant effect on any designated European site. This process will determine if subsequent stages of the AA need to be undertaken (i.e. if no likely significant effects are identified then the assessment is complete).

3. Identification of relevant sites

There are no designated European sites within the London Borough of Lewisham. The following European sites have been identified as being within 15 km of the borough boundary and are considered to be in close enough proximity to *potentially* be impacted on and therefore necessary to be considered as part of the AA.

¹ Council Directive 92/43/EEC on Conservation of Natural Habitats and of Wild Fauna and Flora

² It is noted that the AA is a separate (but complimentary) activity to the Sustainability Appraisal which will need to be undertaken for all LDF documents

³ European sites are classified as Special Areas of Conservation (SACs), Special Protection Areas (SPAs) and Offshore Marine Sites (OMS)

⁴ Planning for the Protection of European Site: Appropriate Assessment, DCLG (August 2006)

⁵ This AA has also had been prepared having regard to the Appropriate Assessment undertaken for the Draft Further Alterations to the London Plan (Sept 06) prepared by Forum for the Future

Designated European Sites within 15 km of LB Lewisham⁶

Site Name	Site Designation	Site Ref. No
Lee Valley	Special Protection Area	UK9012111
Richmond Park	Special Areas of Conservation	UK0030246
Wimbledon Common	Special Areas of Conservation	UK0030301
Epping Forest	Special Areas of Conservation	UK0012720

3.1 Site descriptions and characteristics

Appendix 2 provides a detailed overview of each designated site, including their characteristics, qualifying habitats / species, and vulnerability. This information highlights the importance of the Lee Valley and Epping Forest sites for their habitats of Atlantic acidophilous beech forests but also the vulnerability of these sites from pollution. All sites are of importance for their species of Stag beetle - *Lucanus cervus* - whilst Richmond Park and Wimbledon Common were highlighted as being in urbanised areas and vulnerable to recreational pressures.

4. Other plans and projects – key trends and directions

In considering the likely significant effects of the Core Strategy on designated European sites, the cumulative impact of other plans and projects in addition to the Core Strategy need to be considered.

The plans and projects of all other London boroughs (in particular, their LDFs) are all relevant but in practise the London Plan, as the overriding Regional Spatial Strategy for London, encompasses their directions at a strategic level. Other plans and projects considered to be of potential interest such as those of Transport for London and the London Development Agency are also accommodated as part of the London Plan. As such, it is considered that the London Plan is the key plan which will be assessed along with the Core Strategy to ascertain key trends and directions for the purpose of this AA.

It is considered that for the purposes of this AA, the key overriding provision in the London Plan, and the plans and programs of other London Local Planning Authorities, is the requirement that London will accommodate an additional 305,000 additional homes between 2007/08 to 2016/17, of which Lewisham must provide 9,750.

The Sustainability Appraisal of each of the Core Strategy has explored other plans in more detail and has been used as relevant background material for this AA.

5. Assessment methodology used

Having ascertained the designated European sites of relevance to this AA, it is necessary to assess each strategic spatial option and the policy options contained in the Core Strategy for the likely impact (if any) they will have on the site.

⁶ Sources:- Joint Nature Conservation Committee (www.jncc.gov.uk) and www.magic.gov.uk

This assessment has been undertaken generally in accordance with the methodology outlined in draft guidance issued by Natural England⁷ but adapted where necessary. Whilst this guidance relates specifically to regional spatial strategies (e.g. the London Plan) it is considered sufficiently robust to be utilised for this AA. It is noted that the guidance defines 'likely' as meaning 'probably, not merely a fanciful possibility'.

For each option, the following tests will be used to assess the likely significant effects on each policy in the LDF documents. This will help establish if a policy will have no effect, could have an effect, or is likely to have an effect on a designated European site.

Assessment Tests⁸

Reason why policy will have no effect on European Sites	
1	The policy is not in itself lead to development (e.g. it relates to design or other qualitative criteria for development, or it is not a land use planning policy)
2	(Test 2 in the guidance only applies to regional spatial strategies and is therefore not applicable to the assessment of the Core Strategy)
3	(Test 3 in the guidance only applies to regional spatial strategies and is therefore not applicable to the assessment of the Core Strategy)
4	Concentration of development in urban areas will not affect European sites and will help steer development and land use change away from European sites and associated sensitive areas.
5	The policy helps to steer development away from a European site and associated sensitive areas.
6	The policy is intended to protect the natural environment, including biodiversity.
7	The policy is intended to conserve or enhance the natural, built or historic environment, and enhancement measures will not be likely to have any effect on a European site.
Reason why policy could have a potential effect on European Sites	
8	The document steers a quantum or type of development towards, or encourages development in, an area that includes a European site or an area where development may indirectly affect a European site.
Reasons why policy would be likely to have a significant effect on European Sites	
9	The policy makes provision for a quantum or kind of development that in the location(s) proposed would be likely to have a significant effect on a European site.

Those policies (or options) which could have an effect (as shown in 8 in Table 2.2) will need to be further considered in this scoping stage of the AA and those policies (or options) that would be likely to have a significant effect (as shown in 9 in Table 2.2) will need to be subject to Stage 2 and 3 of the AA.

The assessment tables can be found in section A3.1.

⁷ The Assessment of Regional Spatial Strategies and Sub Regional Strategies under the provisions of the Habitats Regulations (2006), Tyldesley and Associates

⁸ Adapted from the Assessment of Regional Spatial Strategies and Sub Regional Strategies under the provisions of the Habitats Regulations (2006), Tyldesley and Associates.

6. Assessment Outcomes

The assessment of each policy (or option) contained in the Core Strategy has shown that the options are not expected have a potential effect and no option is expected to have a significant effect on a designated European site.

7. Conclusion

This report identified four European sites of interest to the AA (see Appendix 1) and the key characteristics of each site have been recorded (see Appendix 2). Further, the Core Strategy has been assessed against a standard criteria (see Appendix 3) to determine their effect on the European sites (if any).

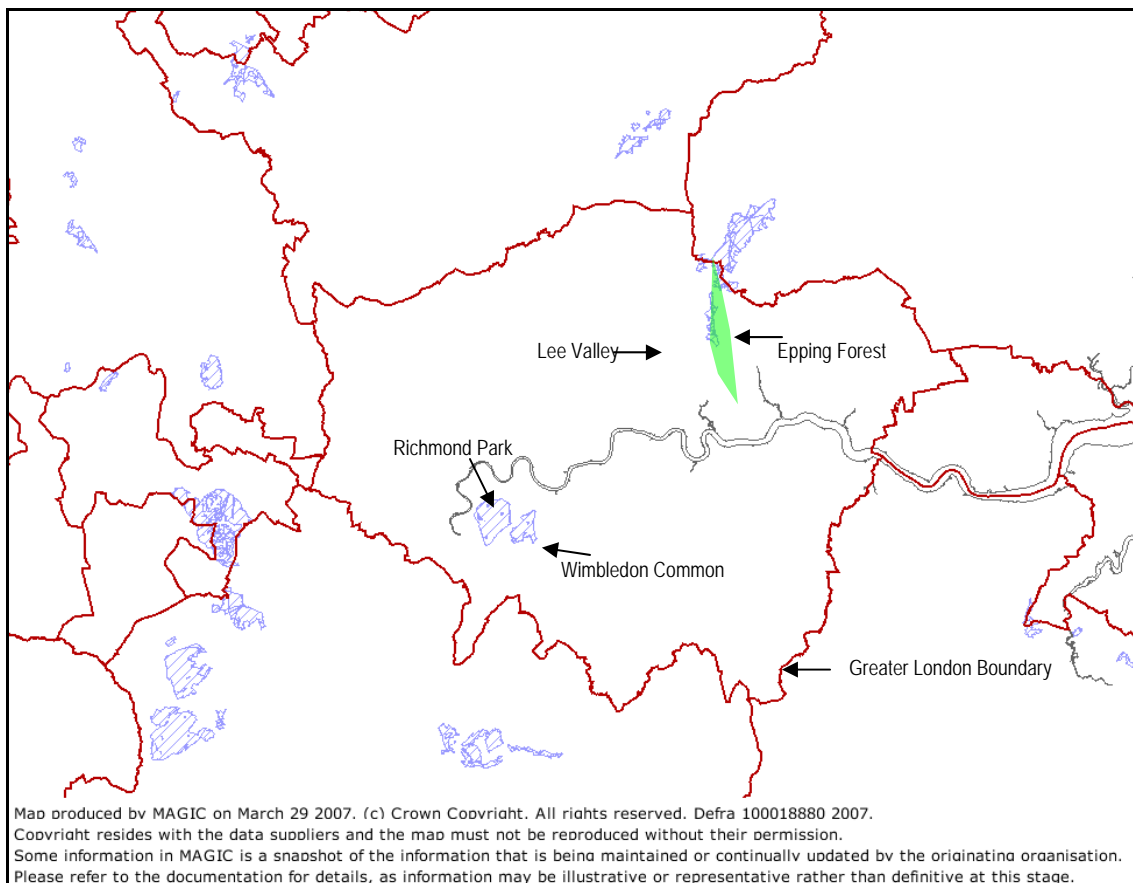
The conclusion of this assessment is that no options have been found to have a likely significant effect on any designated European sites.

Given the above conclusion, there is no need or requirement to continue to Stage 2 or 3 of the AA.

Appendix 1 Site descriptions and characteristics

The following are detailed site descriptions and characteristics of the four designated European sites which are considered in this report. All information is sourced from the Joint Nature Conservation Committee (www.incc.gov.uk).

Designated European Sites within 15 km of Lewisham



(Source:- part www.magic.gov.uk and part LB Lewisham)

Site Name	Site Designation	Site Ref. No
Lee Valley	Special Protection Area	UK9012111
Richmond Park	Special Areas of Conservation	UK0030246
Wimbledon Common	Special Areas of Conservation	UK0030301
Epping Forest	Special Areas of Conservation	UK0012720

Lee Valley SPA (447.87 ha)

General Site Character

- Inland water bodies (standing water, running water) (67%)
- Bogs. Marshes. Water fringed vegetation. Fens (4.0%)
- Humid grassland. Mesophile grassland (8.0%)
- Improved grassland (10.0%)
- Broad-leaved deciduous woodland (10.0%)
- Other land (including towns, villages, roads, waste places, mines, industrial sites (1.0%)

Qualifying Habitats

n/a

Qualifying Species

- Bittern *Botaurus stellaris*
- Gadwall *Anas strepera*
- Shoveler *Anas clypeata*

The Lee Valley SPA is located to the north-east of London, where a series of wetlands and reservoirs occupy about 20 km of the valley. The site comprises embanked water supply reservoirs, sewage treatment lagoons and former gravel pits that support a range of man-made, semi-natural and valley bottom habitats. These wetland habitats support wintering wildfowl, in particular Gadwall *Anas strepera* and Shoveler *Anas clypeata*, which occur in numbers of European importance. Areas of reedbed within the site also support significant numbers of wintering Bittern *Botaurus stellaris*.

Vulnerability

The whole area is affected by rather eutrophic water quality; but this is to be addressed via AMP3 funding under the Urban Waste Water Treatment Directive. The other main threat is that of human recreational pressure, but this is already well regulated through zoning of water bodies within the Lee Valley Regional Park. The majority of the site is already managed in accordance with agreed management plans in which nature conservation is a high or sole priority.

There is also a potential problem from over-extraction of surface water for public supply, particularly during periods of drought. This will be addressed through the Environment Agency review of consents. The threat from potential development pressures in this urbanised and urban-fringe area is largely covered by the relevant provisions of the Conservation Regulations (1994).

Richmond Park SAC (846.68 ha)

General Site Character

- Inland water bodies (standing water, running water) (1.5%)
- Bogs. Marshes. Water fringed vegetation. Fens (0.5%)
- Heath. Scrub. Maquis and garrigue. Phygrana (25%)
- Dry grassland. Steppes (18%)
- Humid grassland. Mesophile grassland (5%)
- Improved grassland (20%)
- Broad-leaved deciduous woodland (25%)
- Mixed woodland (5%)

Qualifying Habitats

n/a

Qualifying Species

- Stag beetle *Lucanus cervus*

Richmond Park has a large number of ancient trees with decaying timber. It is at the heart of the south London centre of distribution for stag beetle *Lucanus cervus*, and is a site of national importance for the conservation of the fauna of invertebrates associated with the decaying timber of ancient trees.

Vulnerability

The site is surrounded by urban area and therefore experiences high levels of recreational pressure.

Wimbledon Common SAC (348.31 ha)

General Site Character

- Inland water bodies (standing water, running water) (1%)
- Bogs. Marshes. Water fringed vegetation. Fens (0.5%)
- Heath. Scrub. Maquis and garrigue. Phygrana (5%)
- Dry grassland. Steppes (45%)
- Improved grassland (3.5%)
- Broad-leaved deciduous woodland (45%)

Qualifying Habitats

- Northern Atlantic wet heaths with *Erica tetralix*
- European dry heaths

The above habitats are a qualifying feature, but not a primary reason for selection of this site.

Qualifying Species

- Stag beetle *Lucanus cervus*

Wimbledon Common has a large number of old trees and much fallen decaying timber. It is at the heart of the south London centre of distribution for stag beetle *Lucanus cervus*, and a relatively large number of records were received from this site during a recent nationwide survey for the species (Percy et al. 2000). The site supports a number of other scarce invertebrate species associated with decaying timber.

Vulnerability

The site is located in an urban area and therefore experiences heavy recreational pressure.

Epping Forest SAC (1,604.95 ha)

General Site Character

- Inland water bodies (standing water, running water) (6%)
- Bogs. Marshes. Water fringed vegetation. Fens (0.2%)
- Heath. Scrub. Maquis and garrigue. Phygrana (3.8%)
- Dry grassland. Steppes (20%)
- Broad-leaved deciduous woodland (70%)

Qualifying Habitats

- Atlantic acidophilous beech forests with *Ilex* and sometimes also *Taxus* in the shrublayer (Quercion robori-petraeae or Ilici-Fagenion)

Epping Forest represents Atlantic acidophilous beech forests in the north-eastern part of the habitat's UK range. Although the epiphytes at this site have declined, largely as a result of air pollution, it remains important for a range of rare species, including the moss *Zygodon forsteri*. The long history of pollarding, and resultant large number of veteran trees, ensures that the site is also rich in fungi and dead-wood invertebrates.

- Northern Atlantic wet heaths with *Erica tetralix*
- European dry heaths

The above habitats are a qualifying feature, but not a primary reason for selection of this site.

Qualifying Species

- Stag beetle *Lucanus cervus*

Epping Forest is a large woodland area in which records of stag beetle *Lucanus cervus* are widespread and frequent; the site straddles the Essex and east London population centres. Epping Forest is a very important site for fauna associated with decaying timber, and supports many Red Data Book and Nationally Scarce invertebrate species.

Vulnerability

After neglect of the pollard cycle for over 100 years, re-pollarding of ancient beech trees was started in the early 1990s, and creation of maiden pollards was begun in 1995. The forest's epiphytic bryophyte population had been declining due to the death of pollards, shading and pollution from acid rain. The reintroduction of pollarding and wood pasture management is helping to reverse the decline.

The slow recovery can also be attributed to the reduction of atmospheric pollutants since the passing of the 1956 Clean Air Act.

There is an active policy to leave felled timber on the ground to increase the habitat for stag beetle and other saproxylic insects.

In 1988, the Corporation of London, who own and manage the forest, agreed a management strategy with English Nature to take forward the management outlined above. A comprehensive management plan was completed and consented in 1998.

The site is subject to the provisions of the Epping Forest Act of 1878.

Appendix 2 Assessment tables

The following tables provide an assessment of each policy contained in the LDF documents according to the tests and methodology outlined in Section 2.4 of this report.

Assessment tests⁹

Reason why policy will have no effect on European Sites	
1	The policy will not itself lead to development (e.g. it relates to design or other qualitative criteria for development, or it is not a land use planning policy)
2	(Only applies to regional spatial strategies and is therefore not applicable to the assessment of the LDF documents)
3	(Only applies to regional spatial strategies and is therefore not applicable to the assessment of the LDF documents)
4	Concentration of development in urban areas will not affect European sites and will help steer development and land use change away from European sites and associated sensitive areas.
5	The policy will help to steer development away from a European site and associated sensitive areas.
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Reason why policy could have a potential effect on European Sites	
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Reasons why policy would be likely to have a significant effect on European Sites	
9	The policy makes provision for a quantum or kind of development that in the location(s) proposed would be likely to have a significant effect on a European site.

⁹ Adapted from the *Assessment of Regional Spatial Strategies and Sub Regional Strategies under the provisions of the Habitats Regulations* (2006), Tyldesley and Associates

Core Strategy (Proposed Submission Version)

Spatial Policy		Assessment	Impact	Recommendations
1	Lewisham Spatial Strategy	4	No	None
2	Regeneration and Growth Areas	4	No	None
3	District Hubs	4	No	None
4	Local Hubs	4	No	None
5	Areas of Stability and Managed Change	4	No	None
Core Strategy Policy		Assessment	Impacts	Recommendations
1	Housing provision, mix and affordability	4	No	None
2	Gypsies and travellers	5	No	None
3	Strategic Industrial Locations and Local Employment Locations	5	No	None
4	Mixed Use Employment Locations	5	No	None
5	Other employment locations including creative industries	5	No	None
6	Retail hierarchy and location of retail development	5	No	None
7	Climate change and adapting to the effects	1	No	None
8	Sustainable design and construction and energy efficiency	1	No	None
9	Improving local air quality	7	No	None
10	Managing and mitigating the risk of flooding	7	No	None
11	River and waterways network	7	No	None
12	Open space and environmental assets	7	No	None
13	Addressing Lewisham's waste management requirements	5	No	None
14	Sustainable movement and transport	1	No	None
15	High quality design for Lewisham	1	No	None
16	Conservation Areas, Heritage Assets and the historic Environment	7	No	None
17	The Protected Vistas, the London Panorama and local views, landmarks and panoramas	1	No	None
18	The location and design of tall buildings	1	No	None
19	Provision and maintenance of community and recreational facilities	1	No	None
20	Delivering educational achievements, healthcare provision and promoting healthy lifestyles	1	No	None
21	Planning obligations	1	No	None
Strategic Site Allocation		Assessment	Impacts	Recommendations
1	Requirements for strategic site allocations	5	No	None
2	Convoys Wharf	5	No	None
3	Surrey Canal Triangle	5	No	None
4	Oxestalls Road	5	No	None
5	Plough Way	5	No	None
6	Lewisham Gateway	5	No	None

