



# **Habitats Regulations Assessment (HRA)**

Screening of the  
Development Management Local Plan  
at pre-submission stage

**August 2013**



## Executive summary

This report sets out the results of a Habitats Regulations Assessment screening exercise undertaken on the Lewisham Local Development Framework Development Management Local Plan at pre-submission stage, in compliance with the Habitats Directive (92/43/EEC) and the Regulations. The report assesses whether the local plan is likely to have any significant effect, either alone or in combination with other plans or projects, on any designated European Sites in proximity to the borough area. European Sites (known as the 'Natura 2000' network) consist of Special Areas of Conservation and Special Protection Areas of exceptional importance for rare, endangered or vulnerable natural habitats and species.

**Section 1 Introduction** outlines the purpose of the screening exercise and provides details of the methodology used in order to establish the potential impacts of the two land use plans on European Sites in proximity to the borough area.

**Section 2 Identification and description of European Sites** identifies Richmond Park, Wimbledon Common and Epping Forest Special Areas of Conservation and the Lee Valley Special Protection Area for screening purposes. Key habitats, species, qualifying features, conservation objectives, current condition and key ecosystem factors are presented.

**Section 3 Screening of the plans** provides details of the results of the screening by allocating the most appropriate category (or categories) describing the likely effect that the site allocations and policies set out in the proposed submission plans, would have on the relevant European Sites. This includes in combination and cumulative effects.

**Section 4 Conclusions** observes that none of the proposed site allocations contained in either plan are located on or immediately adjacent to a European Site. Further none of the policies in either plan at pre-submission stage, on their own or in combination with other plans or projects, are likely to result in significant adverse impacts on European Sites. In particular, the proposed site allocations policies are unlikely to result in a significant effect on the primary reasons for the designation of the European Sites and there is therefore no need to undertake Task 2 and Task 3 of the Habitats Regulations process.

<b>1. INTRODUCTION</b>	<b>4</b>
1.1 PURPOSE OF HABITATS REGULATIONS ASSESSMENT	4
1.2 LEWISHAM LOCAL DEVELOPMENT FRAMEWORK	4
1.3 LEWISHAM DEVELOPMENT MANAGEMENT LOCAL PLAN	5
1.4 REQUIREMENT TO UNDERTAKE HABITATS REGULATION ASSESSMENT	6
1.5 OVERVIEW OF METHODOLOGY	7
1.6 CONSULTATION WITH NATURAL ENGLAND	9
<b>2. IDENTIFICATION AND DESCRIPTION OF EUROPEAN SITES</b>	<b>10</b>
<b>3. SCREENING OF THE PLANS</b>	<b>17</b>
3.1 SITE ALLOCATION AND POLICY SCREENING	17
3.2 ASSESSMENT OUTCOMES	21
3.3 OTHER PLANS AND PROJECTS THAT MAY ACT IN COMBINATION	21
<b>4. CONCLUSION</b>	<b>24</b>
<b>APPENDIX 1 CORE STRATEGY SPATIAL AREAS</b>	<b>25</b>

# 1. Introduction

## 1.1 Purpose of Habitats Regulations Assessment

The purpose of this report is to document the process and findings undertaken by the London Borough of Lewisham of a Habitats Regulations Assessment (HRA) screening exercise of the Lewisham Local Development Framework (LDF) Development Management Local Plan (DMLP) at pre-submission stage.<sup>1</sup>

The HRA screening exercise has been undertaken to meet the requirements of *The Conservation of Habitats and Species Regulation 2010*. This report provides the supporting information and technical guidance to inform the decision making process undertaken by the competent authority (London Borough of Lewisham) with respect to whether the DPDs are compliant with the regulations.

The purpose of the HRA is to assess whether any of the policies currently being developed for inclusion in the DMLP are likely to have significant effects, either alone or in combination with other plans or projects, on the protection or integrity of any designated European Site within or adjacent to the plans area. European Sites (known as the 'Natura 2000' network) consist of Special Areas of Conservation (SACs) and Special Protection Areas (SPAs) of exceptional importance for rare, endangered or vulnerable natural habitats and species, located within the European Union.

This report has been prepared having regard to draft guidance issued by Natural England which complements guidance issued by the Department for Communities and Local Government.<sup>2</sup> 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.

## 1.2 Lewisham Local Development Framework

Local development framework or LDF is a generic term used to describe the portfolio of planning documents, prepared by Lewisham Council, which collectively deliver the borough's planning strategy. Preparation of such documents is a requirement of the *Planning and Compulsory Purchase Act 2004* and LDF documents need to be in general conformity with the London Plan<sup>3</sup>. The documents included as part of the Lewisham LDF are either procedural or policy based. HRA is only required for Lewisham's policy based documents, which are listed below.

- Local Plans which include the following:
  - [Core Strategy](#) (adopted)
  - [Site Allocations](#) Local Plan (found sound in March 2013 and scheduled to be adopted June 2013)
  - [Development Management](#) Local Plan (pre-submission stage)

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<sup>1</sup> The proposed submission DPDs is scheduled for public consultation in Summer 2013

<sup>2</sup> Revised Draft Guidance The Habitats Regulations Assessment of Local Development Documents, Natural England (2009) and Planning for the Protection of European Sites: Appropriate Assessment, Guidance for Regional Spatial Strategies Local Development Documents, DCLG (2006)

<sup>3</sup> Replacement London Plan adopted July 2011

- [Lewisham Town Centre](#) Local Plan (further consultation required following reconvened hearing in July 2013)
- [Catford Town Centre](#) Local Plan (pre-submission stage)
- [Supplementary Planning Documents](#) providing further detail to the policies contained in the DPDs listed above

All LDF policy documents are subject to consultation during the preparation period. Local Plans are required to be examined by an independent Planning Inspector prior to approval while SPDs are approved by the Council itself.

The Core Strategy (the principal and over arching LDF document) was subject to HRA screening and was submitted for Examination in October 2010. The Core Strategy was found sound by an independent Planning Inspector. It was adopted by the Lewisham Mayor and Cabinet on 11 May and the Full Council on 29 June 2011.

The Site Allocations Local Plan was subject to HRA screening and was submitted for Examination in September 2012. The local plan was found sound by an independent Planning Inspector in March 2013 and is scheduled to be adopted by the Lewisham Mayor and Cabinet in May and the Full Council in June 2013.

The Lewisham Town Centre Local Plan was subject to HRA screening and was submitted for Examination in September 2012. The local plan was the subject of an Examination in Public in January 2013 where the Inspector recommended a further round of public consultation on main modifications. The hearing was reconvened in July 2013 for one further day. Following the reconvened hearing day, a further round of public consultation on additional modifications is scheduled to take place in August / September 2013. The consultation responses will then be resubmitted to the Inspector for further consideration.

The Catford Town Centre Local Plan was subject to HRA screening and is scheduled to be submitted to the Secretary of State in Autumn 2013 and will then be subject to an Examination in Public.

### **1.3 Lewisham Development Management Local Plan**

The Development Management Local Plan (DMLP) was initially part of a combined Development Policies and Site Allocations Development Plan Document (preparation commenced in 2005) for which a [scoping report](#) was prepared and publically consulted in May 2005. Since that time a decision has been made to separate the two plans; one for site allocations and the other for development management policies.

An [updated scoping report](#) for the DMLP was prepared in 2011 and consultation took place from December 2011 to January 2012 (this included natural England). A [further options report for the DMLP](#) was publicly consulted during December 2012 to January 2013. The DMLP is scheduled to be submitted to the Secretary of State in Autumn 2013 and will then be subject to an Examination in Public.

The DMLP will provide further detail to the Core Strategy policies to support its implementation. The objectives of the DMLP are as follows.

1. To facilitate a positive and proactive approach to shaping, considering, determining and delivering development proposals to meet the Core Strategy's strategic objectives.
2. To facilitate development which protects and enhances the amenity of the local area.
3. To ensure a high standard of design.
4. To create safe, attractive, accessible and functional environments for all.
5. To secure development that helps create a more sustainable Lewisham and facilitates its positive impact on health and well-being.

Direction about the appropriate scale of housing growth and its distribution across the borough is provided by both the adopted Core Strategy and the London Plan (July 2011). The Core Strategy was prepared in general conformity with the London Plan (2008) however, the review of that plan and the subsequent preparation of the draft replacement London Plan (in 2009 which became the adopted plan in 2011) was considered at all times during the Core Strategy's preparation. Therefore the London Plan 2011 does not present a new context for the DMLP.

#### **1.4 Requirement to undertake Habitats Regulation Assessment**

The requirement to assess plans or projects is outlined in Article 6(3) and (4) of the European Communities (1992) Council Directive 92/43/EEC on the Conservation of Natural Habitats and of Wild Fauna and Flora (known as the 'Habitats Directive'). The Habitats Directive established a Europe-wide network of sites known as Natura 2000, which provides for the protection of sites that are of exceptional importance for rare, endangered or vulnerable natural habitats and species within the European Union. These sites also referred to as 'European Sites', consist of Special Areas of Conservation (SACs), Special Protection Areas (SPAs) (designated under the Conservation of Wild Birds Directive (79/409/EEC)) and Offshore Marine Site (OMS). RAMSAR sites (wetlands of international importance) are included as if they are fully designated European Sites for the purpose of considering development proposals that may affect them.

The Habitats Directive was implemented in the UK through the Conservation (Natural Habitats &c) Regulations 1994. The Regulations are responsible for safeguarding designated European Sites and therefore protecting the habitats and species listed in the Annexes of the Directive.

The purpose of undertaking a HRA in the preparation of land use plans is to ensure that the protection and integrity of European Sites is part of the planning process at the regional and local level. The assessment must be appropriate to its purpose under the Habitats Directive (HRA is also known as Appropriate Assessment or AA). In October 2005, the European Court of Justice ruled that AA must be carried out on all land use planning documents in the UK. In response to this ruling, a new section (Part IVA) was inserted into the Habitats Regulations in August 2007 (Regulations 85A-85E), which requires local planning authorities to undertake AA of land use plans in England and Wales in accordance with the Directive.<sup>4</sup>

Articles 6(3) and 6(4) of the Habitats Directive sets out the decision-making tests for plans or projects affecting Natura 2000 sites.

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<sup>4</sup> The new section was entitled Appropriate Assessments for Land Use Plans in England and Wales

Article 6(3) establishes the requirement for Appropriate Assessment:

*Any plan or project not directly connected with or necessary to the management of the site but likely to have a significant effect thereon, either individually or in combination with other plans or projects, shall be subject to appropriate assessment of its implications for the site in view of the site's conservation objectives. In the light of the conclusions of the assessment of the implications for the site and subject to the provisions of paragraph 4, the competent national authorities shall agree to the plan or project only after having ascertained that it will not adversely affect the integrity of the site concerned and, if appropriate, after having obtained the opinion of the general public.*

Article 6(4) goes on to discuss alternative solutions, the test of 'imperative reasons of overriding public interest' (IROPI) and compensatory measures:

*If, in spite of a negative assessment of the implications for the site and in the absence of alternative solutions, a plan or project must nevertheless be carried out for imperative reasons of overriding public interest, including those of social or economic nature, the Member State shall take all compensatory measures necessary to ensure that the overall coherence of Natura 2000 is protected. It shall inform the Commission of the compensatory measures adopted.*

For the purpose of this assessment, the whole process of assessing the effects of a plan on European and Ramsar Sites in Great Britain is referred to as 'Habitats Regulations Assessment' (HRA) with 'Appropriate Assessment' being just one step within the whole process of HRA.

## **1.5 Overview of methodology**

The European Commission has developed guidance which recommends the adoption of a four stage approach to addressing the requirements of Articles 6(3) and (4) of the Habitats Directive for both projects.<sup>5</sup> This is set out below.

### **Stage 1 Formal Screening**

This stage identifies the likely impacts upon a European or Ramsar site of a project or plan, either alone or in combination with other projects or plans, and considers whether these impacts are likely to be significant.

### **Stage 2 Appropriate Assessment (AA)**

Where there are likely significant impacts, this stage considers the impacts of the plan or project on the integrity of the European or Ramsar site of a project or plan, either alone or in combination with other projects or plans, with respect to the sites' structure and function and their conservation objectives. Where there are adverse impacts, it also includes an assessment of the potential mitigation of those impacts.

### **Stage 3 Assessment of alternative solutions**

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<sup>5</sup> *Methodological guidance on the provisions of Article 6(3) and (4) of the Habitats Directive 92/43/EEC, IEC 2002*



Where impacts are predicted, this stage examines alternative ways of achieving the objectives of the project or plan that avoid adverse impacts on the integrity of European and Ramsar sites (mitigation measures).

#### **Stage 4 Assessment where no alternative solutions exist and where adverse impacts remain**

This stage assesses compensatory measures where it is deemed that the project or plan should proceed for imperative reasons of overriding public interest (IROPI). The guidance does not deal with the assessment of IROPI.

The purpose of Task 1 is to identify whether an emerging plan option is 'likely to have a significant effect' on a European Site within or adjacent to the borough. This task is referred to as 'screening' under the Regulations.

The outcome of screening (Task 1) determines whether Tasks 2 and 3 are required. Under the Regulations, Tasks 2 and 3 are required when, in view of a European Site's conservation objectives, the effect of a land use plan:

- (a) is likely to have a significant impact on a European Site in Great Britain (either alone or in combination with other plans and projects) and
- (b) is not directly connected with or necessary to the management of the site.

In situations where significant indirect impacts of plan implementation could occur within Natura 2000 sites beyond the borough boundary, these remote sites should be considered during Task 1 (screening). If the potential for significant adverse impacts on European Sites is identified during Task 1, the HRA should consider the potential for impacts in more detail and whether alternative measures can be adopted. If there are no viable alternatives, the plan can only be implemented if there are 'imperative reasons of overriding public interest' (Article 6(4)).

This report represents the outcome of Task 1 in relation to the emerging DMLP.

Throughout this report, the following definitions have been used.

- Likely: *'probably, not merely a fanciful possibility'* and
- Significant: *'any effect that may reasonably be predicted as a consequence of a plan or project that may affect the conservation objectives of the features for which the site was designated but excluding trivial and inconsequential effects'*.

A HRA has been undertaken of the London Plan and regard has been had to that work.<sup>6</sup> HRA work was also been undertaken for the Lewisham Core Strategy and this report draws on that work.

The following guidance has been used within this assessment process.

- Tyldesley, D., 2009, *The Habitats Regulations Assessment of Local Development Documents Revised Draft Guidance for Natural England* Natural England, Sheffield

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<sup>6</sup> HRA was prepared for the Consultation Draft Replacement London Plan 2009. The London Plan was adopted in July 2011.

- Department of Communities and Local Government, 2006, *Planning for the Protection of European Sites: Appropriate Assessment. Guidance for Regional Spatial Strategies and Local Development Documents*, DCLG, London.

### **1.6 Consultation with Natural England**

The Regulations require plan-making authorities to consult the appropriate nature conservation body (Natural England) regarding the assessment within such reasonable time as the plan-making authority may specify. Natural England have stated that they agree with the conclusions reached by the Council that the Development Management Local Plan does not require stage 2 or 3 of the Habitats Regulation Assessment, in respect of requiring Appropriate Assessment.

## 2. Identification and description of European Sites

There are no designated European sites within the London Borough of Lewisham. Through consultation with Natural England, the European Sites to be included within this assessment were those located within a 15 kilometre radius of the borough boundary and are considered to be in close enough proximity to *potentially* be impacted by the DMLP and therefore necessary to be considered as part of the HRA.

Specific information regarding the key habitats, species, qualifying features, conservation objectives, current condition, sensitivities and threats were acquired. The baseline data was then interpreted in order to identify specific vulnerabilities and areas of concern for each of the European Sites that could be assessed directly against each policy in the DMLP.

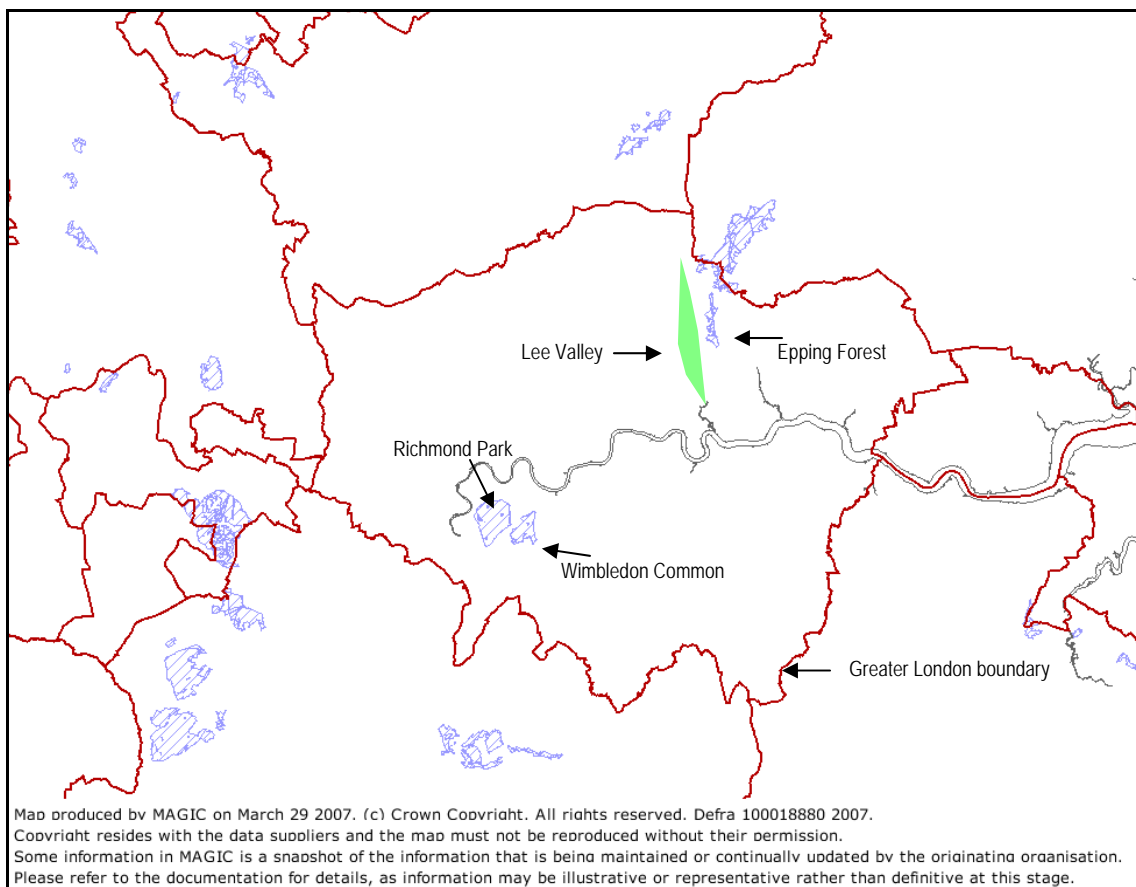
Table 2.1 Designated European Sites within 15 km of LB Lewisham<sup>7</sup>

Site name	Site designation	Site Ref. No
1. Lee Valley	Special Protection Area Ramsar (wetland)	UK9012111 UK11034
2. Richmond Park	Special Areas of Conservation	UK0030246
3. Wimbledon Common	Special Areas of Conservation	UK0030301
4. Epping Forest	Special Areas of Conservation	UK0012720

An overview of each designated site is provided in Table 2.2. A summary of the qualifying habitats/species, conservation objectives, site sensitivities, current condition and threats is provided in Table 2.3. Information is sourced from the Joint Nature Conservation Committee ([www.jncc.gov.uk](http://www.jncc.gov.uk)) and the HRA prepared for the Consultation Draft Replacement London Plan 2009, which was informed by consultation with Natural England. 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.

<sup>7</sup> Sources:- Joint Nature Conservation Committee ([www.jncc.gov.uk](http://www.jncc.gov.uk)) and [www.magic.gov.uk](http://www.magic.gov.uk)

Map 2.1 Designated European Sites within 15 km of Lewisham



(Source: part [www.magic.gov.uk](http://www.magic.gov.uk) and part LB Lewisham)

Table 2.2 European Site descriptions

European Site name	Reasons for designation
<p><b>1. Lee Valley SPA and Ramsar (wetland)</b></p>	<p>General site character</p> <ul style="list-style-type: none"> <li>• Inland water bodies (standing water, running water) (67%)</li> <li>• Bogs. Marshes. Water fringed vegetation. Fens (4%)</li> <li>• Humid grassland. Mesophile grassland (8%)</li> <li>• Improved grassland (10%)</li> <li>• Broad-leaved deciduous woodland (10%)</li> <li>• Other land (including towns, villages, roads, waste places, mines, industrial sites) (1%)</li> </ul> <p>The Lee Valley SPA and Ramsar (wetland) is located to the north-east of London, where a series of wetlands and reservoirs occupy about 20 kilometres 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. Open water, plus associated wetland habitats including reedbeds, fen grassland and woodland support a number of wetland plant and animal species including internationally important numbers</p>

European Site name	Reasons for designation
	<p>of wintering wildfowl, in particular Gadwall <i>Anas strepera</i> and Shoveler <i>Anas clypeata</i>, which occur in numbers of European importance. Areas of reedbed within the site also support significant numbers of wintering Bittern <i>Botaurus stellaris</i>.</p>
<p><b>2. Richmond Park SAC</b></p>	<p>General site character</p> <ul style="list-style-type: none"> <li>• Inland water bodies (standing water, running water) (1.5%)</li> <li>• Bogs. Marshes. Water fringed vegetation. Fens (0.5%)</li> <li>• Heath. Scrub. Maquis and garrigue. Phygrana (25%)</li> <li>• Dry grassland. Steppes (18%)</li> <li>• Humid grassland. Mesophile grassland (5%)</li> <li>• Improved grassland (20%)</li> <li>• Broad-leaved deciduous woodland (25%)</li> <li>• Mixed woodland (5%)</li> </ul> <p>Richmond Park is located in south west London an 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 <i>Lucanus cervus</i>, and is a site of national importance for the conservation of the fauna of invertebrates associated with the decaying timber of ancient trees.</p>
<p><b>3. Wimbledon Common SAC</b></p>	<p>General site character</p> <ul style="list-style-type: none"> <li>• Inland water bodies (standing water, running water) (1%)</li> <li>• Bogs. Marshes. Water fringed vegetation. Fens (0.5%)</li> <li>• Heath. Scrub. Maquis and garrigue. Phygrana (5%)</li> <li>• Dry grassland. Steppes (45%)</li> <li>• Improved grassland (3.5%)</li> <li>• Broad-leaved deciduous woodland (45%)</li> </ul> <p>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 <i>Lucanus cervus</i>. The site supports a number of other scarce invertebrate species associated with decaying timber.</p>
<p><b>4. Epping Forest SAC</b></p>	<p>General site character</p> <ul style="list-style-type: none"> <li>• Inland water bodies (standing water, running water) (6%)</li> <li>• Bogs. Marshes. Water fringed vegetation. Fens (0.2%)</li> <li>• Heath. Scrub. Maquis and garrigue. Phygrana (3.8%)</li> <li>• Dry grassland. Steppes (20%)</li> <li>• Broad-leaved deciduous woodland (70%)</li> </ul> <p>Epping Forest straddles the Essex and east London population centres and represents one of the best examples 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 <i>Zygodon forsteri</i>. 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. Records of stag beetle <i>Lucanus cervus</i> are widespread and frequent; and this is a site of national importance for the conservation of the fauna of invertebrates associated with the decaying timber of ancient trees.</p>

Table 2.3 European Site information

Natura 2000 site	Designation code	Qualifying interest <sup>8</sup> (Habitats and species)	Conservation objectives	Site sensitivities	Current condition <sup>9</sup>	Threats
<b>Lee Valley SPA / Ramsar</b> (447.87 ha)	UK9012111 UK11034	<p>SPA:</p> <p>Over winter:</p> <ul style="list-style-type: none"> <li>• Botaurus stellaris (bittern)</li> </ul> <p>Over winter:</p> <ul style="list-style-type: none"> <li>• Anas strepera (gadwall)</li> <li>• Anas clypeata (shoveler)</li> </ul> <p>Ramsar:</p> <p>The site also qualifies as a Ramsar Wetland of assemblage qualification: A wetland of international importance.</p>	<p>The conservation objectives for the European interest on the SSSI are to maintain*, in favourable condition, the habitats for the populations of migratory bird species + of European importance, with particular reference to:</p> <ul style="list-style-type: none"> <li>• open water and surrounding marginal habitats</li> <li>• Gadwall, Shoveler</li> </ul> <p>*maintenance implies restoration if the feature is not currently in favourable condition.</p> <p>The Conservation Objectives for the Lee Valley SPA are, in accordance with para C 10 of PPG9 9, the reasons for which the SPA was classified.</p> <p>The SPA includes land</p>	<ul style="list-style-type: none"> <li>• Water quality - eutrophication is a threat, particularly from point source pollution (e.g. sewage outfalls) but also from surface run-off or groundwater pollution and atmospheric deposition</li> <li>• Water levels – a high and stable water table is fundamental</li> <li>• Disturbance to bird feeding and roosting habitat (noise / visual)</li> <li>• Siltation (e.g. excessive poaching of lake margins by stock, suspended sediments leading to transport of nutrients)</li> </ul>	<p>Walthamstow Reservoirs, Waltham Abbey and Turnford and Cheshunt Pits are 100% favourable.</p> <p>Walthamstow Marshes are 36% favourable and 63% unfavourable but recovering.</p>	<p>Most of the site is in favourable condition, though an increase in recreational use could affect wintering wildfowl numbers.</p> <p>There are currently no factors having a significant adverse effect on the site's character.</p>

<sup>8</sup> Denotes the habitats and species for which the sites have been awarded EU conservation status. It is these features which the HRA must safeguard. Obtained from Natura 2000 and Ramsar forms. The qualifying features form the basis of Natural England's 'conservation objectives' for the European interest on SSSIs', which were drawn up for information.

<sup>9</sup> Natural England July 2006 condition survey

Natura 2000 site	Designation code	Qualifying interest <sup>8</sup> (Habitats and species)	Conservation objectives	Site sensitivities	Current condition <sup>9</sup>	Threats
			within: Amwell Quarry SSSI, Rye Meads SSSI, Turnford and Cheshunt Pits SSSI and Walthamstow Reservoirs SSSI.			
<b>Richmond Park</b> (846.68 ha)	UK0030246	<ul style="list-style-type: none"> <li><i>Lucanus cervus</i> (stag beetle)</li> </ul>	<p>The conservation objectives for the European interest on the SSSI are: to maintain, in favourable condition, the habitats for the population of:</p> <ul style="list-style-type: none"> <li><i>Lucanus cervus</i> (stag beetle)</li> </ul> <p>The conservation objectives for the Richmond Park proposed Special Area of Conservation are, in accordance with para C 10 of PPG 9, the reasons for which the SAC was proposed.</p>	<ul style="list-style-type: none"> <li>Water level</li> <li>Water quality – nutrient enrichment from fertiliser run-off etc.</li> <li>Scrub encroachment (often due to undergrazing)</li> <li>Development pressure</li> <li>Spread of introduced non-native species</li> <li>Human disturbance (off-road vehicles, burning (vandalism))</li> <li>Atmospheric pollution e.g. nitrous oxides from vehicle exhausts</li> </ul>	<p>Area favourable 6%</p> <p>Area unfavourable recovering 8%</p> <p>Area unfavourable no change 86%</p>	Site is surrounded by urban areas and experiences high levels of recreational pressure. This does not directly affect the European interest feature however.
<b>Wimbledon Common SAC</b> (348.31 ha)	UK0030301	<p><i>Lucanus cervus</i> (stag beetle)</p> <p>Annex I habitats present as a qualifying feature, but not a primary reason for selection of</p>	<p>The conservation objectives for the European interest on the SSSI are:</p> <ul style="list-style-type: none"> <li>to maintain*, in favourable condition, the:</li> </ul>	<ul style="list-style-type: none"> <li>Water quality – e.g. pollution through groundwater and surface run-off sources</li> </ul>	<p>Area favourable 40%</p> <p>Area unfavourable but recovering 59%</p>	Site is located in an urban area and experiences intensive recreational

Natura 2000 site	Designation code	Qualifying interest <sup>8</sup> (Habitats and species)	Conservation objectives	Site sensitivities	Current condition <sup>9</sup>	Threats
		<p>this site:</p> <ul style="list-style-type: none"> <li>Northern Atlantic wet heaths with <i>Erica tetralix</i></li> <li>European dry heaths</li> </ul>	<ul style="list-style-type: none"> <li>Northern Atlantic wet heaths with <i>Erica tetralix</i></li> <li>European dry heaths</li> <li>to maintain*, in favourable condition, the habitats for the population of: <ul style="list-style-type: none"> <li>Stag beetle (<i>Lucanus cervus</i>)</li> </ul> </li> </ul> <p>*maintenance implies restoration if the feature is not currently in favourable condition</p>	<ul style="list-style-type: none"> <li>Water level – maintenance of water table</li> <li>Heavy recreational pressure</li> <li>Spread of non-native/invasive species</li> <li>Scrub encroachment</li> <li>Atmospheric pollution (nutrient deposition and acidification)</li> </ul>		<p>pressure which can result in damage, particularly to the sensitive areas of heathland.</p> <p>Air pollution is also thought to be having an impact on the quality of heathland habitat.</p>
<b>Epping Forest SAC</b> (1,604.95 ha)	UK0012720	<p>Annex I habitats that are a primary reason for selection of this site:</p> <ul style="list-style-type: none"> <li>Atlantic acidophilous beech forests with <i>Ilex</i> and sometimes also <i>Taxus</i> in the shrublayer (<i>Quercion robur-petraeae</i> or <i>Ilici-Fagenion</i>)</li> </ul> <p>Annex I habitats present as a qualifying feature, but not a primary reason for selection of this site:</p> <ul style="list-style-type: none"> <li>Northern Atlantic wet heaths</li> </ul>	<p>The Conservation Objectives for this site are, subject to natural change, to maintain the following habitats and geological features in favourable condition, with particular reference to any dependent component special interest features (habitats, vegetation types, species, species assemblages etc.) for which the land is designated (SSSI, SAC,</p>	<ul style="list-style-type: none"> <li>Water quality – e.g. pollution through groundwater and surface run-off sources</li> <li>Water level – maintenance of water table essential e.g. restrict new drainage ditches around wet woodlands</li> <li>Heavy recreational pressure</li> <li>Spread of non-native/</li> </ul>	<p>Area favourable 30%</p> <p>Area unfavourable recovering 34%</p> <p>% area unfavourable no change 26%</p> <p>% area unfavourable declining 10%</p> <p>Reintroduction of pollarding and wood pasture management</p>	<p>Existing air pollution, particularly arising from traffic is thought to contribute to poor condition of parts of the site.</p> <p>Increasing recreational pressure could have an impact on heathland</p>



Natura 2000 site	Designation code	Qualifying interest <sup>8</sup> (Habitats and species)	Conservation objectives	Site sensitivities	Current condition <sup>9</sup>	Threats
		<p>with <i>Erica tetralix</i></p> <ul style="list-style-type: none"> <li>• European dry heaths</li> </ul> <p>Annex II species that are a primary reason for selection of this site:</p> <ul style="list-style-type: none"> <li>• <i>Lucanus cervus</i> (stag beetle)</li> </ul>	<p>SPA, Ramsar) as individually listed in Table 1. Habitat Types represented (Biodiversity Action Plan categories)</p> <ul style="list-style-type: none"> <li>• Lowland wood pastures and parkland</li> <li>• Broadleaved, mixed and yew woodland</li> <li>• Dwarf shrub heath</li> <li>• Acid grassland</li> <li>• Neutral grassland</li> <li>• Standing open water and canals</li> <li>• Fen marsh and swamp</li> </ul>	<p>invasive species</p> <ul style="list-style-type: none"> <li>• Scrub encroachment</li> <li>• Atmospheric pollution (nutrient deposition and acidification)</li> <li>• Development pressure</li> </ul>	<p>is helping to reverse the decline of the epiphytic bryophyte population.</p>	<p>areas.</p>

### 3. Screening of the plans

#### 3.1 Site allocation and policy screening

Having ascertained the designated European Sites of relevance to this HRA, it is necessary to screen each proposed policy contained in the DMLP against a set of criteria in order to identify whether or not the policies will have a potentially significant effect on a European Site.<sup>10</sup> Every proposed policy was assessed and the relevant criterion/criteria determined for each. Those that fall into one of the following categories have been screened out and do not require further assessment.

- 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 it is 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 could 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

Policies that can not be initially screened out are considered further against the following categories:

- Category B: No significant effect  
Elements of the plan / options that could have an effect, but the likelihood is there would be no significant negative effect on a European Site either alone or in combination with other elements of the same plan, or other plans or projects
- Category C: Likely significant effect alone
- Category D: Likely significant effects in combination

Tables 3.1 and 3.2 show the specific categories that have been assigned to each policy. Categories B, C and D have not been used in this instance. It is acknowledged that this exercise is subject to value judgements associated with all environmental assessments and although guided by criteria is still subjective.

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<sup>10</sup> The categories are taken from the following publication - Tyldesley, D., 2009, *The Habitats Regulations Assessment of Local Development Documents Revised Draft Guidance for Natural England* Natural England, Sheffield

Table 3.1: Screening of the policies in the DMLP

Policy number and name		Assessment category	Comment
DMP1	Presumption in favour of sustainable development	A1	This policy will not itself lead to development because it relates to qualitative criteria for development
DMP2	Prevention of loss of existing housing	A1 A4	This policy will not itself lead to development because it relates to qualitative criteria for development
DMP3	Conversion of a single residential dwelling to two or more dwellings	A1 A4	This policy will not itself lead to development because it relates to qualitative criteria for development
DMP4	Conversion of commercial premises	A1 A4	This policy will not itself lead to development because it relates to qualitative criteria for development
DMP5	Sheltered housing and care homes	A1 A4	This policy will not itself lead to development because it relates to qualitative criteria for development
DMP6	Houses in multiple occupation	A1 A4	This policy will not itself lead to development because it relates to qualitative criteria for development
DMP7	Affordable rent	A1	This policy will not itself lead to development because it relates to qualitative criteria for development
DMP8	Student housing	A1 A4	This policy will not itself lead to development because it relates to qualitative criteria for development
DMP9	Mixed use employment locations	A1 A4	The policy seeks to direct employment uses to specific locations. This policy will not itself lead to development because it relates to qualitative criteria for development
DMP10	Local employment locations	A1 A4	The policy seeks to direct employment uses to specific locations. This policy will not itself lead to development because it relates to qualitative criteria for development
DMP11	Other employment locations	A1 A4	The policy seeks to direct employment uses to specific locations. This policy will not itself lead to development because it relates to qualitative criteria for development
DMP12	Hotels	A1 A4	Part of this policy seeks to locate hotels in highly accessible locations. Part of this policy will not itself lead to development because it relates to

Policy number and name		Assessment category	Comment
			qualitative criteria for development.
DMP13	Location of main town centre uses	A4	This policy seeks to direct main town centre uses to the major and district centres
DMP14	District centres primary and secondary frontages	A4	This policy seeks to protect shops in the district centres
DMP15	Neighbourhood local centres	A4	This policy seeks to protect shops in the neighbourhood local centres
DMP16	Local shopping parades and corner shops	A4	This policy seeks to protect shops in the local shopping parades and corner shops
DMP17	Restaurants and cafes	A1	This policy seeks to manage the operations of restaurants, cafes and drinking establishments
DMP18	Hot food takeaways	A1	This policy seeks to restrict new hot food takeaway premises
DMP19	Shopfronts, signs and hoardings	A1	This policy seeks to ensure high quality shopfronts, signs and hoardings
DMP20	Public houses	A1	This policy seeks to protect public houses
DMP21	Mini cab and taxi offices	A1	This policy will not itself lead to development because it relates to qualitative criteria for development
DMP22	Sustainable design and construction	A1 A3	This policy will not itself lead to development because it relates to qualitative criteria for development
DMP23	Air quality	A1 A3	This policy will not itself lead to development because it relates to qualitative criteria for development
DMP24	Biodiversity, living roofs and artificial playing pitches	A1 A3	This policy will not itself lead to development because it relates to qualitative criteria for development
DMP25	Landscaping and trees	A1 A3	This policy will not itself lead to development because it relates to qualitative criteria for development
DMP26	Noise and vibration	A1 A3	This policy will not itself lead to development because it relates to qualitative criteria for development
DMP27	Lighting	A1 A3	This policy will not itself lead to development because it relates to qualitative criteria for development
DMP28	Contamination land	A1 A3	This policy will not itself lead to development because it relates to qualitative criteria for development

Policy number and name		Assessment category	Comment
DMP29	Car parking	A1	Parts of this policy will not itself lead to development because it relates to qualitative criteria for development.
DMP30	Urban Design and local character	A1	This policy will not itself lead to development because it relates to qualitative criteria for development
DMP31	Alterations and extensions to existing buildings including residential extensions	A1	This policy will not itself lead to development because it relates to qualitative criteria for development
DMP32	Housing design, layout and space standards	A1	This policy will not itself lead to development because it relates to qualitative criteria for development
DMP33	Infill, backland, back garden and garden amenity area development	A1 A2	This policy will not itself lead to development because it relates to qualitative criteria for development
DMP34	Thames Policy Area	A1 A2 A3	The policy seeks to protect and enhance the built and natural environment within the Thames Policy Area and adjacent to Deptford Creek
DMP35	Public realm and street furniture	A3	This policy seeks to ensure all public spaces are designed as safe, accessible, healthy, attractive and robust spaces
DMP36	Listed buildings, Conservation Areas and other designated heritage assets	A3	This policy seek to preserve the historic environment
DMP37	Non-designated heritage assets including locally listed buildings, areas of special local character and areas of archaeological interest	A3	This policy seek to preserve the historic environment
DMP38	Demolition or substantial harm to designated and non-designated heritage assets	A3	This policy seek to preserve the historic environment
DMP39	Telecommunications	A1	This policy will not itself lead to development because it relates to qualitative criteria for development
DMP40	Public conveniences	A1	This policy will not itself lead to development because it relates to qualitative criteria for development
DMP41	Community facilities	A4	This policy will not itself lead to development because it relates to qualitative criteria for development
DMP42	Nurseries and childcare	A4	This policy will not itself lead to development because it relates to qualitative criteria for development
DMP43	Art, culture and entertainment facilities	A4	This policy will not itself lead to

Policy number and name		Assessment category	Comment
			development because it relates to qualitative criteria for development
DMP44	Places and worship	A4	This policy will not itself lead to development because it relates to qualitative criteria for development

### 3.2 Assessment outcomes

The assessment suggests that the proposed policies contained in the DMLP have been screened out and will have no negative effects upon the qualifying habitats and species or site sensitivities. Certain policies are not land use based policies, but are policies to address climate change, promote economic growth, improve design standards as well as promoting the consideration of environmental effects of development. Many of the policies encourage environmental benefits such as the reduction of pollutants, focus development away from European Sites and includes protective designations which preserve and enhance local biodiversity.

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires planning decisions to be made in accordance with the development plan unless material considerations indicate otherwise. The development plan in Lewisham is the London Plan, the Lewisham Core Strategy (adopted 29 June 2011) and the saved policies in the Lewisham Unitary Development Plan (UDP) 2004. Material considerations include the National Planning Policy Framework. Policy 7.19 of the London Plan (2011) relates to biodiversity and access to nature and all planning decisions will need to be made in accordance with this policy. The policy states:

*Any proposals promoted or brought forward by the London Plan will not adversely affect the integrity of any European site of nature conservation importance (to include Special Areas of Conservation (SACs), Special Protection Areas (SPAs), Ramsar, proposed and candidate sites) either alone or in combination with other plans and projects. Whilst all development proposals must address this policy, it is of particular importance when considering the following policies within the London Plan: 1.1, 2.1-2.17, 3.1, 3.3, 5.14, 5.15, 5.17, 5.20, 6.3, 7.14, 7.15, 7.25, and 7.29. Whilst all Opportunity and Intensification Areas must address the policy in general, specific locations requiring consideration are referenced in Annex 1.<sup>11</sup>*

### 3.3 Other plans and projects that may act in combination

In considering the likely significant effects of the DMLP on designated European sites, the cumulative impact of other plans and projects needs to be considered. When undertaking this part of the assessment it is essential to bear in mind the principal intention behind the legislation i.e. to ensure that those projects or plans which in themselves have minor impacts are not simply dismissed on that basis, but are evaluated for any cumulative contribution they may make to an overall significant effect. In practice, in combination assessment is therefore

<sup>11</sup> Annex 1 of the London Plan

of greatest relevance when the plan would otherwise be screened out because its individual contribution is inconsequential.

It is neither practical nor necessary to assess the ‘in combination’ effects of the two plans within the context of all other plans and projects within London. The plans and projects of all other London boroughs (in particular, their LDFs) are relevant but in practise the London Plan, as the overriding Regional Spatial Strategy for London, encompasses their directions at a strategic level outlining additional housing, transportation and commercial/industrial allocations proposed. Other plans and projects considered to be of potential interest such as those of Transport for London are accommodated as part of the London Plan.

The key overriding provision in the London Plan (and reflected through the plans and programs of other London Local Planning Authorities) is the requirement that London will accommodate at least an annual average of 32,210 net additional homes or 322,100 over a ten year period (2011-2021) of which Lewisham must provide 1,105 annually or 11,050 over the ten year period.

Neighbouring boroughs Local Plans considered as part of the in combination assessment are listed below.

- London Borough of Bexley Core Strategy (Adopted 22 February 2012)
- London Borough of Greenwich Core Strategy (Submission version 2013)
- London Borough of Southwark Core Strategy (Adopted 6 April 2011)
- London Borough of Tower Hamlets Core Strategy (Adopted 15 September 2010)

*Table 3.3: Potential ‘in combination’ and cumulative effects*

Threat	Potential causes of likely significant effect	Comment
Recreational pressure	Increases in population and tourism resulting in increased public access to European Sites	An accessible, connected green infrastructure network throughout Lewisham and other SE London boroughs ensures the provision of local and regional open space recreational areas. The Lewisham Core Strategy seeks to maintain and improve this network as well as providing a network of high quality, connected and accessible walking routes across the borough. This includes improving the quality of existing open space and seeking new on-site provision of public and private open space as part of new development. These aspects of the Core Strategy are clearly reflected in the DMLP. The demand to travel to the identified European Sites, combined with their distance from the borough, is considered unlikely to result in a large number of visitors from either Lewisham or other SE London boroughs. The Lee Valley Park Development Framework

Threat	Potential causes of likely significant effect	Comment
		provides detailed guidance as to how the area is to be managed, including the management of recreation and visitor numbers.
Air pollution	Increased traffic	Lewisham's Air Quality Management Plan outlines the main sources of air pollution and the measures to improve air quality. Emissions from vehicular traffic are not likely to be significant beyond 200m from a road. Therefore the impact of air pollution from traffic is not likely to impact the European Sites. The plans promote sustainable transport options, restrictive car parking provision and where appropriate support the implementation of the Air Quality Management Plan.



## 4. Conclusion

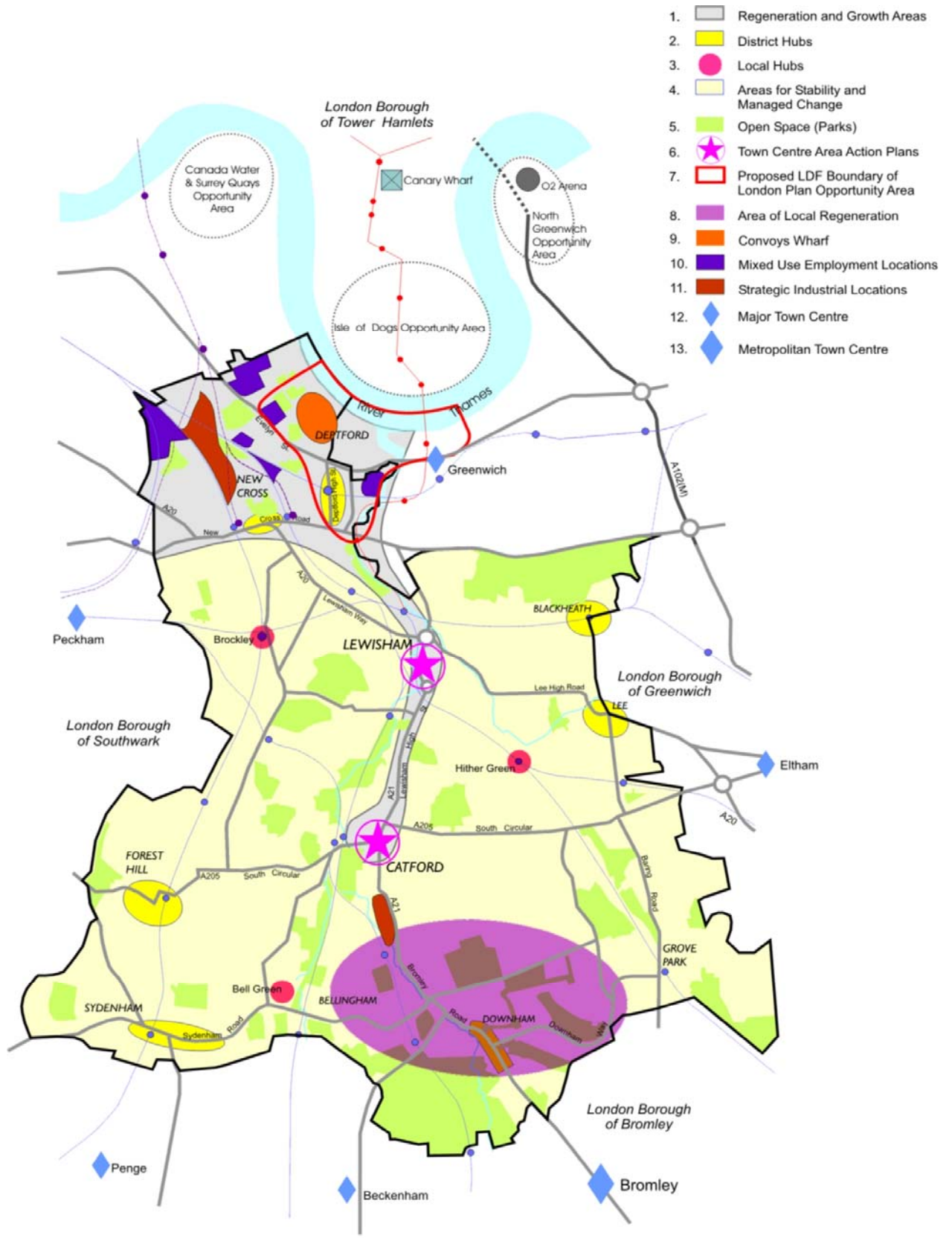
Screening of the emerging DMLP has been carried out in accordance with the requirements of the Habitats Directive and Regulations in order to ensure that the protection and integrity of the following European Sites is included as part of the DMLP preparation process:

- Lee Valley SAC and Ramsar
- Richmond Park SAC
- Wimbledon Common SAC
- Epping Forest SAC.

The DMLP supports the implementation of higher level plans namely the Lewisham Core Strategy and the London Plan. Since there are no European Sites within the borough and those identified for the screening are within 15km of the borough boundary, **the conclusion of this assessment is that no site allocation or policy has been found to have a likely significant effect on any designated European Site.**

In particular, the proposed policies, on their own or in combination with any other relevant plans and projects, are unlikely to result in significant effect on the primary reasons for the designation of the European Sites and there is therefore no need to undertake task two and task three of the Habitats Regulations process.

# Appendix 1 Core Strategy spatial areas



Geographic Information & Research  
Regeneration Growth Scenario Dec 2009.cdr