

Tunbridge Wells Borough Council

# **Sandhurst Neighbourhood Development Plan - HRA Screening**

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## Habitat Regulation Assessment Screening Report

Final Report

May 2024



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# 1 Introduction

## 1.1 HRA Background

This Habitats Regulations Assessment (HRA) screening report has been undertaken by Tunbridge Wells Borough Council. It concerns the Sandhurst Neighbourhood Plan which has been produced by Sandhurst Parish Council in accordance with the Neighbourhood Planning (General) Regulations 2012.

The vision of the Sandhurst Neighbourhood Plan is:

*'Sandhurst parish in 2038 will be a welcoming, supportive, cohesive, sustainable, strong community, with a café – social hub for all generations at its centre. It will be safe for walking and cycling, with 30mph speed limits on the main and side roads and a school time speed limit of 20mph. It will be wildlife friendly with protected green spaces and a community garden for all ages. There will be fast fibre broadband to every home and business'.*

The aim of this HRA screening report is to assess whether this Neighbourhood Plan would, alone or in combination with other plans and policies, cause any likely significant effects on European sites.

Previous studies have determined that there are two European Sites that could potentially be impacted upon by development activities with Tunbridge Wells Borough. These are the Ashdown Forest Special Protection Area (SPA) and the Ashdown Forest Special Area of Conservation (SAC) and Natura 2000 site. The potential impacts from development on these two sites have been determined by HRA work by Tunbridge Wells Borough and other Local Authorities and relate to recreational disturbance and atmospheric pollution.

The boundary of the Ashdown Forest SAC/SPA lies outside the borough in Wealden District and is approximately 27km west of the closest part of the Sandhurst parish boundary (Appendix A).

## 1.2 Legislative and Guidance

The Natura 2000 network consists of sites across Europe designated for their nature conservation importance. The Network is formed of Special Areas of Conservation for species, plants and habitats and Special Protection Areas for bird species.

Special Areas of Conservation (SACs) are designated under the European Council Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora (the 'Habitats Directive'). Special Protection Areas (SPAs) are classified under the European Council Directive 2009/147/EC on the conservation of wild birds (the 'Birds Directive').

To help protect the Natura 2000 network, there are particular requirements for plans and projects. Article 6(3) of the Habitats Directive states:

*'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.'*

The Conservation of Habitats and Species Regulations 2010 (the 'Habitats Regulations'), the UK's transposition of the Habitats Directive and Regulation 102, provides:

*'(1) Where a land use plan –*

*(a) is likely to have a significant effect on a European site or a European offshore marine site (either alone or in combination with other plans or projects), and*

*(b) is not directly connected with or necessary to the management of the site, the plan-making authority for that plan must, before the plan is given effect, make an appropriate assessment of the implications for the site in view of that site's conservation objectives'.*

This means that any proposed plan that may affect a European site (Special Area of Conservation or Special Protection Area) must first undergo an assessment to look at its potential impacts applying the precautionary principle. The assessment determines if the plan is likely to adversely affect the integrity of the European site(s) concerned. This process is known as a Habitats Regulations Assessment and the first stage considers any likely significant effects (the screening stage). Following the 2018 *People over Wind* ruling, mitigation measures cannot be applied at the screening stage in order to rule out likely significant effects and thus prevent the plan progressing to the second stage (appropriate assessment).

Where likely significant effects are identified at the screening stage, the second stage of the HRA process is triggered. The appropriate assessment looks at the implications of a plan for a European site in view of the site's conservation objectives. Furthermore, mitigation measures may be introduced at the appropriate assessment stage to avoid or reduce the effects of a plan on the European site(s). Before a plan may be given effect, the plan-making authority as competent authority must ascertain that it would not adversely affect the integrity of the European site(s).

In terms of neighbourhood plans, the Neighbourhood Planning (General) Regulations 2012 require a submitted neighbourhood plan to include a statement explaining how the proposed neighbourhood development plan meets the basic conditions set out in paragraph 8 of Schedule 4B of the Town and Country Planning Act 1990<sup>3</sup>. One of these basic conditions is that the neighbourhood plan must be compatible with EU obligations and needs to demonstrate that it is not likely to have a significant effect on a European site.

# 2 Current Approach

## 2.1 Partnership Working

The Ashdown Forest lies within Wealden District and adjacent to the north-east boundary of Mid Sussex. Parts of Tunbridge Wells, Lewes, Tandridge and Sevenoaks Districts are also within or close to the zone of influence.

Tunbridge Wells has worked closely with both Natural England and other Local Authorities affected by the SPA/SAC to mitigate, where necessary, the two potential risks that might significantly affect the Ashdown Forest: visitor pressure and air quality. For example, dependent on the extent of impact, mitigation funded by developers for visitor pressure to date has involved a combination of:

- (1) Providing a Suitable Alternative Natural Greenspace (SANG) on appropriate development sites
- (2) Formation of a Strategic Access Management and Monitoring (SAMM) strategy and partnership.

## 2.2 Visitor Pressure

Data analysis of visitor access patterns found that the majority of regular visitors to the Ashdown Forest originated from within a 7km of the Ashdown Forest. Within this 7km 'zone of influence', measures to reduce recreational pressure would be most effective; therefore, it was determined that residential development leading to a net increase in dwellings in this zone and, in some cases, nearby would need to contribute to an appropriate level of mitigation.

An assessment of reasonable alternatives to the 7km zone of influence and options for mitigation was made in the Site Allocations DPD Sustainability Appraisal (incorporating Strategic Environmental Assessment) and was subsequently confirmed by a new visitor survey and assessment in 2016. It is considered that this assessment can be applied to the HRAs for neighbourhood plans. Ashdown Forest lies within Wealden District and adjacent to the north-east boundary of Mid Sussex.

## 2.2 Air Quality

The issue of poor air quality from vehicle emissions has been raised as having a potential significant effect on the Ashdown Forest. This effect has been considered by Tunbridge Wells Borough Council in preparation of the New Local Plan and informed the practice note in Appendix B.

Tunbridge Wells has concluded that there would be no likely impact in the Borough from this source and thus mitigation would not be required. This approach has been agreed by Natural England.

## 2.2 Practice Note

At present, Tunbridge Wells Borough Council implements a practice note (Appendix B) which details the approach the authority is taking with regard to protection of the Ashdown Forest and includes the strategy that supports this.

The practice note is particularly relevant for planning applications and describes how the HRA process should be undertaken for development falling within or close to the 7km protection zone.

The Council's HRA has shown that mitigation for development outside of the protection zone is not justified.

# 3 Screening Assessment

## 3.1 Key Questions

This screening assessment has regard to the conservation objectives of the Ashdown Forest SPA and SAC. It also makes reference to other plans and projects; namely, the Site Allocations DPD, the emerging new Local Plan (2020-2038) and other neighbourhood plans in Tunbridge Wells Borough.

Key questions relating to the neighbourhood plan are included in Table 1 below and, along with the screening assessment, help to establish if an appropriate assessment is required.

Table 1. Key questions relating to the Neighbourhood Plan

Key Questions	Y/N	Comments
(1) Is the plan connected with or necessary to the management of the Ashdown Forest?	N	The plan is not linked to the management of the Ashdown Forest.
(2) Does the plan propose new development or allocation sites for development?	N	The Neighbourhood Plan shows preference for the type and form of development at local level but does not allocate land for a specific purpose.
(3) Are there any other projects or plans that together with the Sandhurst Neighbourhood Plan, could impact upon the integrity of a European site (a.k.a. the 'in combination effect')?	N	Plans with the potential to create in combination effects include the numerous Neighbourhood Plans in the Borough of Tunbridge Wells that are currently under development, the Site Allocations DPD and the new Local Plan which was submitted for Examination in Oct 2021. Windfall sites could also have an influence.  However, because Sandhurst parish is well outside the 7km protection zone and only guiding the type and form of development, it is highly unlikely that in combination effects of this sort will be observed.



## 3.2 Assessment of Policies

For it to be concluded that a policy would have no likely significant effect on a European site, one of the reasons listed in Figure 1 usually applies.

- (A)** The policy is intended to protect the natural environment, including biodiversity, or 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;
- (B)** The policy will not itself lead to development or other change, for example, because they relate to design or other qualitative criteria for development or other kinds of change;
- (C)** The policy makes provision for change which has no conceivable effect on a European site, because there is no link or pathway between them and the qualifying interests, or any effect would be a positive effect, or would not otherwise undermine the conservation objectives for the site;
- (D)** The policy makes provision for change which has no significant effect on a European site, because any potential effects would be insignificant, being so restricted or remote from the site that they would not undermine the conservation objectives for the site;
- (E)** The policy for which effects on any particular European site cannot be identified, because the policy is too general, for example, it is not possible to identify where, when or how the policy may be implemented, or where effects may occur, or which sites, if any, may be affected.

Figure 1 Common reasons why likely significant effects are not expected.

Table 2 below illustrates the findings of the screening assessment for each of the policies within the Sandhurst Neighbourhood Plan with reference to each of the 5 reasons above where applicable. This assessment determines whether there is a likely significant effect from these policies on the Ashdown Forest SPA and SAC.

Table 2. Assessment of Policies within the Neighbourhood Plan

Neighbourhood Plan Policy			Likely Significant Effects on SPA/SAC?	
Ref	Title	Aim	Y/N	Explanation
S1	Location of development	Sets out the approach to the location of development within the parish.	N	<p>The policy will not directly lead to development. Sandhurst Parish is between 27 and 33km away from the closest part of the Ashdown Forest. Any impact on the location of development within the Parish is unlikely to have any impact on the Ashdown Forest.</p> <p>The policy also includes provision for conserving the landscape and setting of the High Weald National Landscape.</p> <p><b>Reasons A and B.</b></p>
S2	Meeting local housing needs	Seeks to ensure there is a range of housing that is designed to meet the specific housing needs of the parish.	N	<p>The policy's influence on the housing mix/size/type/tenure and affordability of future developments are unlikely to cause any significant impacts on the Ashdown Forest.</p> <p><b>Reasons B and D</b></p>
S3	Character and Design of development	Encourages development to comply with the highest design standards.	N	<p>The policy only influences the design of future developments and includes the provision for minimising the impact on the natural environment of the High Weald National Landscape.</p> <p><b>Reasons A and B</b></p>
S4	Energy efficiency and design	Seeks to ensure development meets the highest environmental standards in terms of its construction, materials and energy use.	N	<p>The policy intends to improve the sustainability of the parish whilst ensuring sustainability measures do not negatively impact the surrounding environment or biodiversity.</p> <p><b>Reasons A, B and C</b></p>

Neighbourhood Plan Policy			Likely Significant Effects on SPA/SAC?	
Ref	Title	Aim	Y/N	Explanation
S5	Conserving heritage assets	To ensure heritage assets, designated and non-designated are conserved, enhanced and celebrated.	N	The policy only influences development affecting heritage assets and the Conservation Area within the parish. These have no link to the Ashdown Forest.  <b>Reasons A, B and C</b>
S6	Supporting flexible workspaces and opportunities for homeworking	To support the provision of start-up and move-on business units as well as the provision of shared office space.	N	Supporting homeworking, co-working and the provision of business units for small to medium sized businesses in Sandhurst is unlikely to have an impact on the Ashdown Forest.  <b>Reasons C and D</b>
S7	Green and blue infrastructure and delivering biodiversity net gain	To enhance existing green and blue infrastructure, and to support the creation of new green and blue infrastructure and the delivery of biodiversity net gain.	N	The policy aims to enhance biodiversity and the natural environment within the parish.  <b>Reason A</b>
S8	Local Green Spaces	Designates local green spaces within the parish.	N	The designation of local green spaces will not lead to development or other change.  <b>Reason B</b>
S9	Locally significant views	Safeguards locally important views from inappropriate development.	N	Safeguarding local views and requiring proposals to mitigate impacts on them will not lead to development or other change itself.  <b>Reason B</b>
S10	Dark skies	To minimise the impact of light pollution from development.	N	The policy does not lead to development. The policy requires proposals with external lighting to minimise the impact on wildlife.  <b>Reasons A and B</b>

Neighbourhood Plan Policy			Likely Significant Effects on SPA/SAC?	
Ref	Title	Aim	Y/N	Explanation
S11	Improving walking, cycling and equestrian opportunities	To enhance walking and cycling opportunities to encourage a modal shift away from private car journeys.	N	Most visitors to the Ashdown Forest travel by private car. Improving walking, cycling and equestrian opportunities within Sandhurst will have no impact on the Ashdown Forest.  <b>Reason C</b>
S12	Publicly accessible parking	Safeguards existing public car parking and supports new parking in areas where parking is a challenge.	N	Provision for parking could increase car ownership but is unlikely to cause significant impacts upon the Ashdown Forest due to its distance from Sandhurst Parish.  <b>Reason D</b>
S13	A village hub for Sandhurst	Supports proposals which would contribute to the development of a village hub.	N	A village hub, aimed to create a focal point for local activities, is unlikely to cause significant impacts upon the Ashdown Forest due to its distance from Sandhurst Parish.  <b>Reason D</b>
S14	Improving opportunities for community and cultural facilities, sport and recreation	To ensure there is a range of good quality sport and cultural facilities and activities.	N	Improving the provision of local recreation facilities is unlikely to cause a significant impact upon the Ashdown Forest.  <b>Reason D</b>

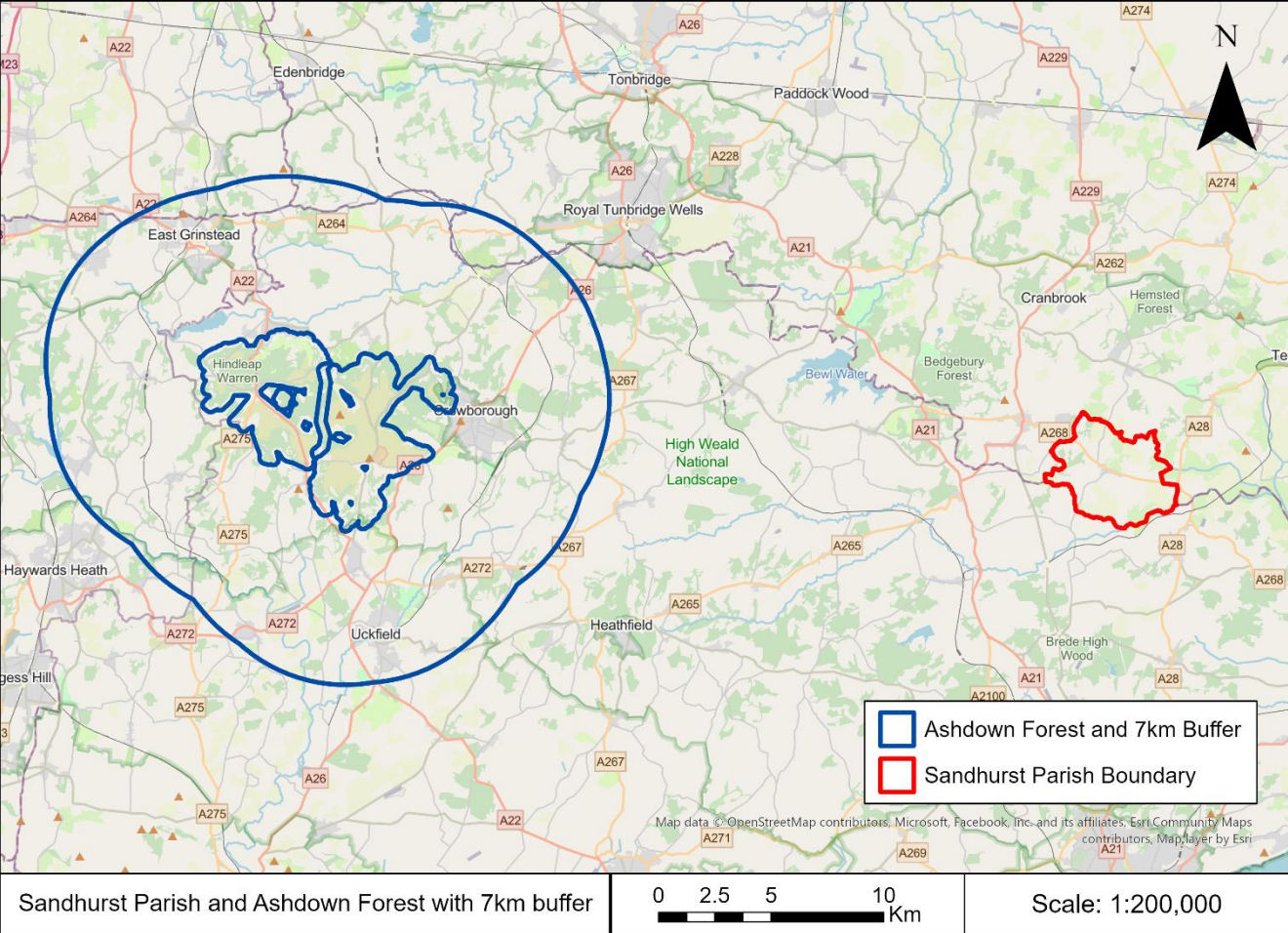
As can be seen in Table 2, no policies in the Sandhurst Neighbourhood Plan were found to have a likely significant effect alone on the Ashdown Forest SPA and SAC.

## 4 Conclusion

As a result of the assessment in Section 3, it is unlikely there will be any significant environmental effects arising from the Sandhurst Neighbourhood Plan. As such, the 'appropriate assessment' stage of the HRA process that ascertains the effect on integrity of the European Site) does not need to be undertaken. This conclusion was sent to Natural England for consideration and their response is included in Appendix C.

# Appendix A

## Ashdown Forest Protection Zone



# Appendix B

Practice Note 2022 ([follow this link for an accessible version](#))

## Ashdown Forest:

### Screening of planning applications for compliance with the Habitats Regulations

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# 1.0 Introduction

- 1.1 This Practice Note is intended to guide Tunbridge Wells Borough Council ('the Council') in the discharge of its functions under the Conservation of Habitats and Species Regulations 2017 when considering whether to grant planning permission for a development that might affect the Ashdown Forest Special Protection Area (SPA) and/or Special Area of Conservation (SAC). It is not planning policy and does not override the Council's legal duties; however, decision makers will follow the approach set out in this Practice Note unless the individual circumstances of an application and/or the Council's legal duties require an alternative approach.
- 1.2 Ashdown Forest is an extensive area of common land lying between East Grinstead and Crowborough. It is one of the largest single continuous blocks of heath, semi-natural woodland and valley bog in south-east England, and it supports several uncommon plants, a rich invertebrate fauna, and important populations of heath and woodland birds. It is both a SPA and a SAC.
- 1.3 The SPA is designated for its populations of breeding Dartford Warbler *Sylvia undata* and Nightjar *Caprimulgus europaeus*. The SAC is designated for its Annex I habitats, namely Northern Atlantic wet heaths with *Erica tetralix* and European dry heaths; as well as for its Annex II species, namely Great Crested Newts.
- 1.4 Although the SPA/SAC lies entirely within Wealden District, it is capable of being affected by development consented by the Council. The SPA can be affected by recreational pressure arising from population growth in that part of Tunbridge Wells borough closest to the SPA. The SAC can be affected by an increase in emissions from vehicles using roads (including the A26 and A275) that run through and adjacent to it. As a result, the Conservation of Habitats and Species Regulations 2017 ('the Habitats Regulations') require the Council, as competent authority, to consider – upon receipt of a planning application – whether it can exclude the possibility that the proposed development could have likely significant effects on the SPA/SAC. If that possibility cannot be excluded at the so-called 'screening' stage, an appropriate assessment of effects is required.
- 1.5 In April 2018, the Council adopted a Practice Note to guide the discharge of its obligations as competent authority when considering the effects of individual planning applications on the Ashdown Forest SAC and SPA. Since that practice note was prepared, the Council has advanced its Local Plan preparation (which is currently at Examination in Public and, in discussion with Natural England, undertaken further studies and has amended its policy in respect of Ashdown Forest. (see Policy EN11 of the Submission Local Plan) In light of those developments, the Council has considered whether it is necessary to revise its practice and has concluded:
  - In relation to planning applications that may add to recreational pressure on the SPA, the Council will – until further notice - continue to apply the pre-existing approach explained in more detail below, with the addition that it now requires financial Strategic Access Management and Monitoring Strategy payments (SAMMS) and Suitable Alternative Natural



Greenspace contributions (SANG) if the application site is within the 7km zone;

- In relation to planning applications that may generate additional vehicle movements through or adjacent to the Ashdown Forest SAC, the Council will continue to apply the approach adopted in 2018 as set out below.

1.6 This Practice Note supersedes the 2018 Practice Note and explains in detail how the Council will consider applications at the screening stage of assessment for compliance with the Habitats Regulations.

## 2.0 Recreational pressure

### Introduction

- 1.7 Tunbridge Wells borough is 4.6km from the SAC/SPA boundary at its closest. In 2010, a visitor survey of Ashdown Forest SAC/SPA was undertaken. This survey fed into Habitats Regulations Assessment ('HRA') reports of strategic documents at the time. These essentially identified a strategy broadly analogous to that devised for the Thames Basin Heaths; namely the identification of a series of zones around the SAC/SPA each of which triggered a combination of provision of alternative greenspace and improved access management. At that time, a 7km 'outer zone' for Ashdown Forest SAC/SPA was agreed with Natural England. Authorities that granted consent for development within the 7km 'zone' were required to provide a financial contribution to SANGs, and/or an access strategy (SAMM) for Ashdown Forest as well as a programme of monitoring and research. This approach was supported by Natural England and the Ashdown Forest Conservators.
- 1.8 In 2016, Footprint Ecology updated the visitor survey on behalf of the participating Councils. The survey was updated to provide comprehensive and up-to-date data on recreational use of Ashdown Forest to inform the strategic implementation of access management measures and the direction of strategic access management and monitoring; to assist in the design and ongoing management of SANGs to ensure they functionally divert recreational pressure from Ashdown Forest; and to assist local authorities in discharging their planning functions under the Habitats Regulations. That updated survey has confirmed that the 7km zone is still the appropriate core zone for delivering mitigation.
- 1.9 Therefore, the Council will continue to apply the 7km zone and, as agreed with Natural England, development within that zone will attract SAMMS and SANGs contributions as follows:
- i. Where proposed development would lead to a net increase in housing within 7km of the Ashdown Forest SAC, financial contributions will be sought to the SAMM Strategy and the provision of SANGs to mitigate the effects of increased recreational pressure on the SPA;
  - ii. In the event that no financial contributions to the SAMM strategy and SANGS provision are offered, applicants will be required to provide sufficient information to allow the Council, as competent authority, to carry out an appropriate assessment of the effects of the proposed development on the integrity of the SPA.
  - iii. Beyond the 7km zone, SAMMS and SANGS contributions and/or appropriate assessment will not generally be required but may be sought where justified on a case-by-case basis. Major<sup>1</sup> development adjacent or close to the 7km zone will be given particular consideration.

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<sup>1</sup> For housing, development where 10 or more homes will be provided, or the site has an area of 0.5 hectares or more. For non-residential development it means additional floorspace of 1,000m<sup>2</sup> or more, or a site of 1 hectare or more, or as otherwise provided in the Town and Country Planning (Development Management Procedure) (England) Order 2015.

- 1.10 The SAMM Strategy contribution is agreed with and set by the SAMMS Partnership. The details of the Partnership and the current tariff is set out on the Council's website on the Ashdown Forest page. The amount required for the SANGs contribution is subject to the agreement of the Local Authority in which the SANGs will be provided. An estimate is provided on the Council's Ashdown Forest webpage based on the current available information but will be subject to confirmation at the time of the application and/or Appropriate Assessment.

## 3.0 Air quality

### Introduction

- 1.11 The protected heathland in the Ashdown Forest SAC can be harmed by exhaust emissions from vehicles on roads which pass through and adjacent to the Forest. It is clear that planning permissions for development in Tunbridge Wells borough can lead to additional vehicle movements on those key roads, thereby increasing exhaust emissions.
- 1.12 Of most concern are oxides of nitrogen (NO<sub>x</sub>) which can lead to a harmful increase of nitrogen deposition on the protected heathland but that does not necessarily mean that all emissions will be harmful. The Council has been advised by its air quality consultants, AECOM, on the most appropriate way to consider this issue and undertaking the necessary studies.
- 1.13 The approach taken was to consider the effect of an individual application in the context of the 'in combination' effect of planned growth in all authorities around Ashdown Forest over an extended period. This is because long-term trends in air quality for vegetation are more important than short-term fluctuations. The ecological effects of nitrogen deposition are associated with persistent long-term exposure over many years. A modelling exercise was therefore undertaken to assess the air quality impacts of growth in the region as a whole over an extended period.
- 1.14 The HRA 2020 and in particular appendix 3 of the HRA Ashdown Forest Air Quality Impact Assessment set out the details of the traffic and air quality modelling that was undertaken which included a wide range of possible pollutants and the 'in-combination' planned growth within the Council's Submission Local Plan and that of other LPAs adjoining Ashdown Forest.
- 1.15 In summary, the assessment concluded that even on the roads where the 'in combination' increase in flows was expected to be greatest, there was forecast to be a net improvement in NO<sub>x</sub> concentrations, nitrogen deposition rates and acid deposition rates by 2038, notwithstanding the 'in combination' increase in flows deriving from Lewes District, South Downs National Park, Tunbridge Wells Borough, Sevenoaks District, Wealden District, Mid-Sussex District, Tandridge District and authorities further afield. Calculations were also undertaken for intervening years between 2019 and 2038 in order to assess whether NO<sub>x</sub> emissions in any given year would increase for any period before a decrease was observed. The modelling indicated that emission rates are projected to fall year on year for each link included in the AECOM modelling approach despite the growth in traffic projected. The interim year emissions calculations demonstrate that there are no points where the increase in traffic due to growth or the local plan offsets the improvements in emission rates over time (using conservative assumptions on improvements in emission rates). The assessment also concludes that, while the in-combination effect of planned growth in the region is likely to retard the improvement in background nitrogen deposition rates, that retardation will not be ecologically significant and will not

affect the improvement of species richness at the most affected area of heathland<sup>2</sup>.

- 1.16 The AECOM analysis also concludes that ammonia concentrations at the closest areas of heathland to affected roads relevant to Tunbridge Wells (5m from the A275) are modelled to be below the relevant critical levels for protection of vegetation<sup>3</sup>.
- 1.17 For the reasons set out in the HRA 2020 the approach adopted in the AECOM model was precautionary and provides the Council with a high degree of confidence that it can rely on the results. Since a) air quality in 2038 is forecast to be significantly better than in 2017 notwithstanding the precautionary assumptions made about both growth and improvements in vehicle emissions factors, b) no significant in combination retardation of vegetation improvement at the closest and most affected areas of heathland is expected and c) the contribution of Tunbridge Wells Local Plan to the 'in combination' scenario for those nearest areas of heathland is negligible, the modelling does not provide any basis to conclude that there will be an adverse effect on the integrity of the Ashdown Forest SAC as a result of planned growth in Tunbridge Wells borough to 2038. Since no net adverse effect on integrity is forecast, no mitigation is required.

## Processing individual applications

- 1.18 The air quality analysis in the HRA 2020 will be relied upon when evaluating live and future planning applications for development in Tunbridge Wells borough.
- 1.19 Unless the specific circumstances of an application require further consideration by way of an appropriate assessment, likely significant effects on the Ashdown Forest SAC will be excluded for residential and/or conventional employment development at the screening stage of assessment, provided:
- The sum total of development consented and completed in Tunbridge Wells borough between the adoption of this Practice Note and 2038 (including outstanding permissions that are not already contributing traffic to the network) is not expected significantly to exceed the new dwellings proposed within the SLP.
  - Cumulatively, the distribution of all development consented in Tunbridge Wells borough between the adoption of this Practice Note and 2038 is not significantly different from the distribution assumed in the AECOM model; and
  - Delivery rates of housing and employment growth in Tunbridge Wells borough have remained generally in line with, or below, those assumed in the AECOM model; i.e. there has not been an unexpected front-loading or anomalous peak of delivery of planned development.

<sup>2</sup> The area of SAC that will experience the greatest nitrogen deposition due to forecast traffic flows is adjacent to the A26 at Poundgate but the nearest area of heathland is 40m from the road at this point, with the intervening habitat being woodland. Woodland is a feature of the SSSI but not the SAC or SPA. In the event that a desire did emerge to establish heathland at this location in place of the woodland, the forecast deposition rates would not prevent the establishment of this habitat and deposition rates are still forecast to be lower in 2038 than is the case in 2017.

<sup>3</sup> Considered to be 3 µm<sup>3</sup> given the absence of terricolous lichens in this location, although the model forecasts them to also be below the lower critical level for protection of lichens (1 µm<sup>3</sup>) by 5m from the roadside

1.20 The AECOM model modelled planned residential and conventional employment only. Accordingly, applications that involve other types of development beyond residential and conventional employment would always need to be evaluated on a case-by-case basis<sup>4</sup> as any vehicle movements generated would be additional to that modelled by AECOM. The scale of any such development (and thus the number of vehicles likely to be added to the network) would be a material consideration in that case-by-case evaluation. Without intending to lay down fixed criteria, a development that was sufficiently small that it would make a change in flows through or adjacent to Ashdown Forest SAC of less than 10 AADT is unlikely to materially alter the air quality data reported in the HRA 2020, based on sensitivity testing of the model undertaken by AECOM. This is for two reasons:

- Firstly, daily traffic flows are not fixed numerals but fluctuate from day to day. The AADT for a given road is an annual average (specifically, the total volume of traffic for a year, divided by 365 days). It is this average number that is used in air quality modelling, but the 'true' flows on a given day will vary around this average figure. Small changes in average flow will lie well within the normal variation (known as the standard deviation or variance) and would not make a statistically significant difference in the total AADT.
- Secondly, when converted into NO<sub>x</sub> concentrations, ammonia concentrations or nitrogen deposition rates, such small changes in AADT would only affect those decimal places that are never reported in air quality modelling to avoid false precision. For this reason, nitrogen deposition would generally not be reported to more than 2 decimal places at most (0.01kgN/ha/yr). Anything smaller would simply be reported as less than 0.01 (< 0.01) i.e. probably more than zero but too small to model with precision.

1.21 However, any significant accumulation of such developments not falling within the scope of the AECOM model would trigger the need for updated modelling. The AECOM model can be updated to include any development for which an operational/fully occupied trip generation can be provided in 24hr AADT for the relevant roads.

1.22 As a general rule, it is recommended that the Council's traffic and air quality models are referenced to evaluate any application, rather than requiring each application to undertake its own modelling. This will ensure consistency in assumptions and methodologies and avoid a proliferation of traffic and air quality models for the same geographic area. The potential exception may be for very large developments (e.g. hundreds or thousands of dwellings), or other forms of development that generate particularly large numbers of vehicle movements or unusual patterns of traffic generation for which a bespoke model is more likely to be justified.

1.23 The Council will review this Practice Note at regular intervals to ensure that it remains up to date. Such reviews will include consideration of, inter alia, whether the assumptions in the AECOM model on housing delivery rates, distribution of development, and background improvements in air quality

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<sup>4</sup> The exception to this is planning application 17/02262/FULL, which was specifically included in the AECOM model based on traffic generation data supplied by the applicant.

# Appendix C

## Response from Natural England.

**From:** SM-NE-Consultations (NE)

**To:** Adam Reguera

**Subject:** Consultations Response - Sandhurst Neighbourhood Plan - SEA & HRA Screening Consultation

**Date:** 15 May 2024 07:44:13

**Attachments:** image001.jpg

image004.png

image003.jpg

HRA Screening for Consultation - Sandhurst.pdf

SEA Screening for Consultation - Sandhurst.pdf

1. Sandhurst Neighbourhood Plan\_Draft for SEA HRA Screening\_March 2024.pdf

Annexe A - Neighbourhood Plan.pdf

Please find Natural England's response in relation to the above mentioned consultation below.

Our ref: 472455

Your ref: Sandhurst Neighbourhood Plan

Dear Mr Reguera

**Planning consultation:** Sandhurst Neighbourhood Plan - SEA & HRA Screening Consultation

Thank you for your consultation on the above dated 11 April 2024.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

Further information on when to consult Natural England on planning proposals is here- [Planning and transport authorities: get environmental advice on planning - GOV.UK \(www.gov.uk\)](https://www.gov.uk/guidance/planning-and-transport-authorities-get-environmental-advice-on-planning)

Natural England is not able to provide specific advice on this application and therefore has no comment to make on its details. Although we have not been able to assess the potential impacts of this proposal on statutory nature conservation sites or protected landscapes, we offer the further advice and references to Standing Advice.

Natural England advises Local Planning Authorities to use the following tools to assess the impacts of the proposal on the natural environment:

### Impact Risk Zones:

Natural England has provided Local Planning Authorities (LPAs) with Impact Risk Zones (IRZs) which can be used to determine whether the proposal impacts statutory nature conservation sites. Natural England recommends that the LPA uses these IRZs to assess potential impacts. If proposals do not trigger an Impact Risk Zone then Natural England will provide an auto-response email.

### Standing Advice:

Natural England has published Standing Advice. Links to standing advice are in Annex A

If after using these tools, you consider there are significant risks to statutory nature conservation sites or protected landscapes, please set out the specific areas on which you require Natural England's advice.

Further information on LPA duties relating to protected sites and areas is here- [Protected sites and areas: how to review planning applications - GOV.UK \(www.gov.uk\)](https://www.gov.uk/guidance/protected-sites-and-areas-how-to-review-planning-applications)

Further guidance is also set out in Planning Practice Guidance on the natural environment [Natural environment - GOV.UK \(www.gov.uk\)](https://www.gov.uk/guidance/natural-environment) and on Habitats Regulations Assessment [Appropriate assessment - GOV.UK \(www.gov.uk\)](https://www.gov.uk/guidance/appropriate-assessment)

Non detailed advice from Natural England does not imply that there are no impacts on the natural environment. It is for the local planning authority to determine whether or not the proposal is consistent with national and local environmental policies. Other bodies and individuals may provide information and advice on the environmental value of this site and the impacts of the proposal on the natural environment to assist the decision making process.

Should the proposal change, please consult us again.

Yours sincerely

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