

Ashford Borough Council

HABITAT REGULATIONS ASSESSMENT

(incorporating Appropriate Assessment Screening Report)

DECEMBER 2017



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INTRODUCTION

1.1 BACKGROUND AND PURPOSE OF THIS REPORT

- 1.1.1 The purpose of this Report is to address the regulatory requirements relating to what is generally referred to as the Habitats Regulations Assessment (HRA) process. This process is summarised in Figure 1. In so doing, the report establishes in the first instance which European Sites should be assessed in the HRA of the Ashford Local Plan 2030 and what adverse effects should be screened for, before the screening process itself.
- 1.1.2 This Report is an update on the HRA Reports carried out in consultation with Natural England for the Regulation 19 Version of the Local Plan in June 2016 and for Main Changes and new policies to the Plan in June 2017. Following public consultation on these Main Changes a schedule of Minor Amendments is proposed and has been included in the Submission version of the Local Plan.
- 1.1.3 Responses to the Main Changes included representation from Natural England, recommending that the HRA reflect the recent Wealden judgement¹ which has implications for the screening of air quality impacts for European designated sites. This is the principle focus of this updated HRA Report and can be found in paragraphs 3.3.18 - 3.3.25.**
- 1.1.4 The proposed Minor Amendments are confined to factual updates, administrative corrections and minor wording changes requested in representations and therefore no new additional screening of the policies of the submission Local Plan is considered necessary.**
- 1.1.5 Council Directive 92/43/EEC on the Conservation of Natural Habitats and of Wild Fauna and Flora (referred to as the Habitats Directive) provides the context for EU Member States to set in place regulations to protect habitats and species of European importance, through the establishment and conservation of an EU-wide network of European Sites, known as Natura 2000. In this Report these sites are referred to as the European Sites. This network comprises Special Areas of Conservation (SACs), Special Protection Areas (SPAs) (the latter designated under Council Directive 79/409/EEC on the Conservation of Wild Birds) and Offshore Marine Sites. European Sites are designated because they are of exceptional importance in respect of supporting natural habitats and species that are rare, endangered or vulnerable within a European context.
- 1.1.6 The *Conservation of Habitats and Species Regulations 2010* (as amended) and *The Offshore Marine Conservation (Natural Habitats, &c.) Regulations 2007* (as amended) (collectively referred to in this Report as the Habitats Regulations) implement the Habitats Directive in England & Wales. The Habitats Regulations apply to SACs, candidate SACs, Sites of Community Importance, SPAs and Offshore Marine Sites. Listed and proposed Ramsar Sites (wetland sites of international importance designated under the 1976

¹ CO/3943/2016 Wealden District Council v Secretary of the State for Communities and Local Government

Ramsar Convention) and potential SACs and SPAs (including proposed extensions or additions to existing SACs and SPAs) are not European Sites in the context of the Habitats Regulations, but under UK planning policy² receive a similar level of protection³.

- 1.1.7 The Ashford Local Plan 2030, which sets out the objectives and planning policies that will guide development in the borough for the period to 2030 must comply with the requirements of the Habitats Regulations. Such requirements necessitate a determination as to whether the draft Local Plan is likely to result in significant effects on any European Sites⁴ (and hence whether an Appropriate Assessment is required).
- 1.1.8 There are two European Sites in the Borough. The **Wye and Crundale Downs SAC** lies to the east of the village of Wye. (Wye has an adopted Neighbourhood Plan and its Neighbourhood Plan Area was therefore not considered for land allocations in the Ashford Local Plan). A small area of the **Dungeness, Romney Marsh and Rye Bay Ramsar site** lies in the south-eastern corner of the Borough, between the villages of Appledore and Hamstreet and extending along the Royal Military Canal south of Hamstreet, covering the land between its eastern bank and the adjacent Shepway District boundary. A small isolated parcel of the recently extended Dungeness, Romney Marsh and Rye Bay Special Protection Area (SPA) borders the borough boundary in the vicinity of the hamlet of Stone in Oxney in the South East of the Borough.
- 1.1.9 In addition, there are a number of other European Sites in the wider region which may be affected by the implementation of the Ashford Local Plan. In line with the precautionary approach required for undertaking a HRA, baseline data is therefore also collected and presented for these sites.
- Blean Complex SAC
 - Dover to Kingsdown Cliffs SAC
 - Dungeness SAC
 - Folkestone to Etchinghill Escarpment SAC
 - Lydden and Temple Ewell Downs SAC
 - Parkgate Down SAC
 - Stodmarsh SAC
 - Stodmarsh SPA and Ramsar
 - The Swale SPA and Ramsar

1.1.10 European Sites could potentially be affected by a range of environmental changes related to new development proposed in the Ashford Local Plan 2030. Such environmental

² National Planning Policy Framework (NPPF) paragraph 118

³ At the time of writing it is not clear what the future of the UK's relationship with the European Union, and specifically European legislation, will be after March 2019. However, with regard to the environmental directives which underpin the Regulations on Habitats and Species, government ministers have confirmed that the 'whole body' of existing EU environmental laws will be carried over into UK law in the white paper, *Legislating for the United Kingdom's withdrawal from the European Union* published 30 March 2017.

⁴ Under the Habitats Regulations, European Sites are defined as Special Area of Conservation (SACs), candidate SACs, Sites of Community Importance, Special Protection Areas (SPAs) and Offshore Marine Sites. However, UK policy extends the requirements pertaining to European sites to include Ramsar sites and potential SPAs and Ramsar sites.

changes can occur during the construction and/or the operation of new developments and are set out in more detail in Section 3 of this Report.

In combination effects

1.1.11 The Habitats Regulations require competent authorities to determine whether any plans that they prepare are likely to have a significant (adverse) effect⁵ on European Sites, either alone or in combination with other plans and projects. If significant effects upon a European Site are anticipated then the plan must be subject to an Appropriate Assessment. In the light of the conclusions of any Appropriate Assessment, the draft plan can only be adopted after the competent authority has ascertained that the plan will not result in an adverse effect on the integrity of any European Site or, if it could have an adverse effect on integrity, that it can pass further tests relating to there being no alternatives and to imperative reasons of overriding public interest.

A proportionate assessment

1.1.12 Planning Policy Guidance⁶ and Draft CLG guidance⁷ make it clear that an HRA of land-use plans should be undertaken at a level of detail that is appropriate and proportional to the level of detail provided within the plan itself:

“The comprehensiveness of the [Appropriate] assessment work undertaken should be proportionate to the geographical scope of the option and the nature and extent of any effects identified. An AA need not be done in any more detail, or using more resources, than is useful for its purpose. It would be inappropriate and impracticable to assess the effects [of a strategic land use plan] in the degree of detail that would normally be required for the Environmental Impact Assessment (EIA) of a project.”⁸

⁵ Though beneficial effects may arise from the draft Local Plan, only adverse effects are considered to be of consequence for a Habitats Regulations Assessment.

⁶ PPG 009-20140306

⁷ CLG (2006) Planning for the Protection of European Sites, Consultation Paper

⁸ CLG (2006) Planning for the Protection of European Sites, Consultation Paper

STAGE	HRA PROCESS
Screening :	Identifies the likely effects of the plan or project upon European Sites, either alone or in-combination with other projects or plans, and assessing whether these effects are likely to be significant. If likely significant adverse effects cannot be excluded on the basis of objective evidence it is necessary to undertake an Appropriate Assessment of the implications for the European Sites in view of the sites' conservation objectives.
Appropriate Assessment:	Where likely significant adverse effects cannot be avoided, this stage assesses the effects of the plan or project on the integrity of the relevant European Sites, either alone or in-combination with other projects or plans, with respect to the sites' structure and function, and its conservation objectives. Where it cannot be concluded that there will be no adverse effects on the integrity of any European Site, the Appropriate Assessment must also identify any potential mitigation for these effects and the implications for the assessment of effects on integrity.
Assessment of alternatives:	If the Appropriate Assessment cannot conclude that there will be no adverse effect on the integrity of European Sites, there is a requirement to examine any alternatives to the plan (or part of the plan) or project (including sites or different approaches) with a view to determining whether there are any alternatives that will have no adverse effect or a lesser adverse effect on the integrity of European Sites. If alternatives exist, they should be subject to assessment under Stage 1 or 2 above, as appropriate, and if these have no (or a lesser effect) on European Sites then the plan or project cannot go ahead.
Assessment where no alternatives exist :	If there are no alternative solutions that would have no (or a lesser effect) on European Sites then the plan or project can only proceed if there are imperative reasons of overriding public interest (IROPI). If this is the case, it will be necessary to implement measures to compensate for remaining adverse impacts.

Figure 1: Stages of the HRA Process

1.2 THE ASHFORD LOCAL PLAN 2030

- 1.2.1 The Ashford Local Plan 2030 sets out the land allocations and planning policy base to achieve a vision and series of strategic objectives for the borough to 2030. New land allocations are made for around 6,749⁹ new homes, around 5,139 in the Ashford Urban Area and 1,610 in the rural areas. In terms of employment land, the Council has concluded that in broad terms there is sufficient land allocated already within existing adopted Plans to meet the overall land requirements to 2030. Therefore these sites are rolled forward as allocations with the addition of two new sites in Ashford and one at Tenterden to broaden the range and type of site available to investors. In this way the Local Plan aims to achieve a sustainable economy and the delivery of a total of 11,100 new jobs for the borough.
- 1.2.2 Such land allocations are governed by a broad range of topic-based policies. The Local Plan itself is clear that it should be read as a whole. On the issue of protecting the integrity of the wildlife species, biodiversity and landscapes of the European Sites, Policy ENV1 provides overarching policy protection. Other Policies which provide mitigation against potential harm to the environment of the borough, including for example to its air and water quality, are referred to where applicable in the following sections of this Report.

POLICY ENV1 – Biodiversity

Proposals that conserve or enhance biodiversity will be supported. Opportunities to incorporate and enhance biodiversity should be identified. In particular, development should take opportunities to help connect and improve the wider ecological networks.

Proposals should safeguard features of nature conservation interest and should include measures to retain, protect and enhance habitats, including BAP (Priority) habitats, and networks of ecological interest, including ancient woodland, water features, ditches, dykes and hedgerows, as corridors and stepping stones for wildlife.

Development that will have an adverse effect on the integrity of European protected Sites, including the Wye and Crundale Special Area of Conservation, and the Dungeness, Romney Marsh and Rye Bay Ramsar and SPA sites, alone or in combination with other plans or projects, will not be permitted. Any proposal capable of affecting designated interest features of European sites should be subject to Habitats Regulations Assessment screening.

Development that will have an adverse effect on nationally designated sites, including the borough's Sites of Special Scientific Interest and National Nature Reserves will not be permitted unless the benefits, in terms of other objectives including overriding public interest, clearly outweigh the impacts on the special features of the site and broader nature conservation interests and there is no alternative acceptable solution.

Development should avoid significant harm to locally identified biodiversity assets, including Local Wildlife Sites, Local Nature Reserves, and the Ashford Green Corridor as well as priority and locally important habitats and protected species. The protection and enhancement of the Ashford Green Corridor is one of the key

⁹ Including assumed contributions from Neighbourhood Plans

objectives of the Plan and therefore all proposals coming forward within or adjoining the Ashford Green Corridor should comply with Policy ENV2 in the first instance.

Where harm to biodiversity assets cannot be avoided, appropriate mitigation and the management of such mitigation in perpetuity will be required in line with a timetable to be agreed with the Local Authority. Normally any mitigation measures will be required to be delivered on-site, unless special circumstances dictate that an offsite model is more appropriate. A financial contribution - in lieu of mitigation - will only be considered in very exceptional circumstances.

Opportunities for the management, restoration and creation of habitats in line with the opportunities identified for the Biodiversity Opportunity Areas (BOAs) and targets set out in the Kent Biodiversity Strategy will be supported.

1.3 STRUCTURE OF THIS REPORT

Baseline Data Collection: Provides details of the European Sites that could be affected by the Ashford Local Plan 2030, the reasons why they have been designated, their condition and vulnerabilities and the conservation objectives required to sustain the integrity of the sites. **No update required.**

Methodology: The European Sites deemed to be at risk of adverse impact from development coming forward as a result of the Local Plan are clarified, based on the data collection on the long list of sites analysed in Section 2. The potential effects that are applicable to be screened for are then examined, having regard to the policies in Ashford Local Plan. **An update on the potential impact on air quality of the proposed development and policies of the Local Plan is included here.**

Likely Significant Effect (Screening) Tables: This Section examines each of the policies of the Local Plan to establish reasonable conclusions as to the potential for each policy to have significant effects upon the European Sites identified, and whether any of the Policies require more detailed consideration and/or therefore Appropriate Assessment. **No update required, amendments to the content of the Plan at this stage are minor only.**

Conclusions and Recommendations: sets out the conclusions and recommendations of this Assessment.

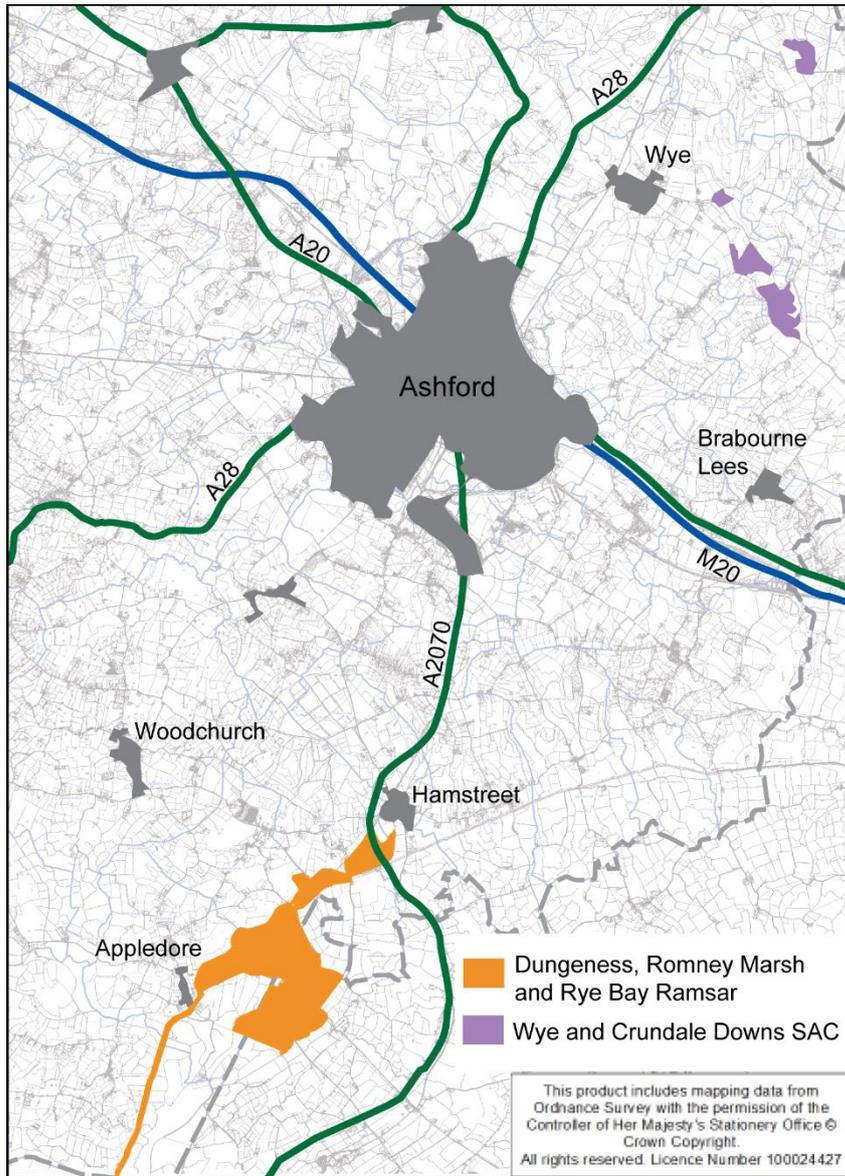
2. BASELINE DATA COLLECTION

2.1 European Sites

- 2.1.1 The first step in the screening process is to identify the European Sites situated in, and within a broad vicinity of, Ashford Borough that could be affected by development proposed in the Ashford Local Plan 2030.
- 2.1.2 In the cases of the Ashford Core Strategy (2008), the Tenterden and Rural Sites DPD (2009) and the Urban Sites and Infrastructure DPD (2010), three European Sites screened for potential adverse effect - the Wye and Crundale Downs SAC and the Stodmarsh SAC and SPA. The AA Screening Report for the Chilmington Green AAP (2012) assessed a wider range of European Sites. In line with a precautionary approach, baseline data for these have been collated and examined in first instance in this Report.
- 2.1.3 Details of the qualifying interest features of each European site were collated¹⁰. Such information was gathered in the main from an analysis of Natural England citations or original designations. Information on the condition and vulnerabilities of European sites is also included, where available, as small changes associated with the Local Plan could potentially act as a tipping point in cases where site integrity is already compromised. Such information is based in particular on work of the condition of component SSSIs which is monitored and assessed by Natural England and reported on its website. The vulnerability of each European Site is also detailed on the Standard Natura 2000 Data Form submitted to the European Commission at the time of site selection.
- 2.1.4 The following resources were used to collate this information:
- Joint Nature Conservation Committee (JNCC) website (www.jncc.gov.uk);
 - Natural England Website (www.naturalengland.org.uk);
 - MAGIC Website (www.magic.gov.uk);
 - John Lister, Lead Adviser, Sussex & Kent Area Team Natural England

¹⁰ Sources: Annexes I and II of Council Directive 92/43/EEC on the Conservation of Natural Habitats and of Wild Fauna and Flora; Standard Natura 2000 Data Forms submitted to the European Commission at the time of site selection; Natural England's Conservation Objectives datasheets; Information Sheets on Ramsar Wetlands.

2.2 EUROPEAN SITES WITHIN THE BOROUGH



Wye and Crundale Downs SAC	
Distance from Borough¹¹	within the Borough
<p>Reasons for Designation</p> <p>This site contains species-rich chalk grassland in which tor-grass <i>Brachypodium pinnatum</i>, sheep's-fescue <i>Festuca ovina</i> and upright brome <i>Bromopsis erecta</i> are the most abundant species but the turf is also rich in other typical downland plants. These include horseshoe vetch <i>Hippocrepis comosa</i>, autumn gentian <i>Gentianella amarella</i>, cowslip <i>Primula veris</i>, squinancy wort <i>Asperula cynanchica</i> and common milkwort <i>Polygala vulgaris</i>. It has an important assemblage of rare, scarce and uncommon orchids, including early spider-orchid <i>Ophrys sphegodes</i>, late spider-orchid <i>O. fuciflora</i>, burnt orchid <i>Orchis ustulata</i> and lady orchid <i>Orchis purpurea</i>.</p> <p>The site is designated as it hosts semi-natural dry grasslands and scrublands on chalk or limestone, including important orchid sites.</p>	
<p>Condition and Vulnerabilities</p> <p>This site is mostly in favourable condition, other than one unit which is in unfavourable recovering due to historical grazing management. Potentially vulnerable to visitor pressures and air quality changes.</p>	
<p>Natural England Conservation Objectives</p> <p>Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the Favourable Conservation Status of its Qualifying Features, by maintaining or restoring;</p> <ul style="list-style-type: none"> • The extent and distribution of qualifying natural habitats • The structure and function (including typical species) of qualifying natural habitats • The supporting processes on which qualifying natural habitats rely 	

¹¹ Given the size of the Borough, distances to the European sites have been measured from the nearest settlement in the Borough where allocations are proposed.

Dungeness, Romney Marsh and Rye Bay Ramsar

Distance from Borough

Partly within the borough boundary

Reasons for Designation

The Ramsar boundary is coincident with the boundaries of Dungeness, Romney Marsh and Rye Bay SSSI. This is a large area with a diverse, largely coastal landscape comprising a number of habitats, which appear to be unrelated to each other and are fragmented into a number of land parcels. However, all of them have their origins in coastal processes which have formed and continue to shape a barrier of extensive shingle beaches and sand dunes across an area of intertidal mud and sand flats.

The site includes the largest and most diverse area of shingle beach in Britain, with low-lying hollows in the shingle providing nationally important saline lagoons, natural freshwater pits and basin fens. Rivers draining the Weald to the north were diverted by the barrier beaches, creating a sheltered saltmarsh and mudflat environment, which was gradually in-filled by sedimentation, and then reclaimed on a piecemeal basis by human activity. Today this area is still fringed by important intertidal habitats, and contains relict areas of saltmarsh, extensive grazing marshes and reedbeds. Human activities have further modified the site, resulting in the creation of extensive areas of wetland habitat due to gravel extraction.

As a whole Dungeness, Romney Marsh and Rye Bay is internationally important for breeding and wintering waterbirds, birds of prey, passage warblers and breeding seabirds. The site qualifies as it is used regularly by over 20,000 waterbirds and in particular by 1% or more of the Great Britain populations of the Bewick's swan *Cygnus columbianus bewickii*, Bittern *Botaurus stellaris*, Hen harrier *Circus cyaneus*, Golden plover *Pluvialis apricaria*, Ruff *Philomachus pugnax*, Aquatic warbler *Acrocephalus paludicola*, Marsh harrier *Circus aeruginosus*, Avocet *Recurvirostra avosetta*, Mediterranean gull *Larus melanocephalus*, Sandwich tern *Sterna sandvicensis*, Common tern *Sterna hirundo* and Little tern *Sterna albifrons* in any season, and by 1% or more of migratory populations of Shoveler *Anas clypeata*.

The part of this European Site which falls within the Borough of Ashford is modest in size and comprises a section of the Royal Military Canal and its banks, which has a very different character and landscape to that of the extensive shingle and coastal areas which make up the majority of this Site.

Condition and Vulnerabilities

During the 2007 Condition Assessment process the majority of the SSSI that underlies the SPAs, SAC and Ramsar sites was found to be in either favourable condition or recovering from unfavourable condition. Although the condition assessment for the SSSI cannot be assumed to apply exactly to the international interest features it does give a general indicator of the 'health' of the site and therefore its fragility. Much of the area is a Natural Nature Reserve or managed under stewardship and therefore potential impacts have control mechanisms available.

2.3 EUROPEAN SITES IN VICINITY OF THE BOROUGH

The Blean Complex SAC	
Distance from Borough	12.5km from Chilham
<p>Reasons for Designation</p> <p>Hornbeam <i>Carpinus betulus</i> coppice occurs here interspersed with pedunculate oak <i>Quercus robur</i> stands and introduced sweet chestnut <i>Castanea sativa</i>. Great wood-rush <i>Luzula sylvatica</i> is locally dominant in the woodland, and the characteristic greater stitchwort <i>Stellaria holostea</i> is found in more open patches. The stands have traditionally been managed as coppice, and are one of the British strongholds for the heath fritillary butterfly <i>Mellicta athalea</i>.</p> <p>Significant habitats of Sub-Atlantic and Medio-European oak or oak-hornbeam forests of the <i>Carpinion betuli</i> for which this is one of only two outstanding localities in the UK.</p>	
<p>Condition and Vulnerabilities</p> <p>In the most recent condition assessment, 71% of the Church Woods SSSI was judged to be in favourable condition. Almost the entirety of the remainder is recovering from unfavourable condition with progressive reduction of conifers present. 100% of Ellenden Wood was in favourable condition. The site is a National Nature Reserve and is managed in partnership by Natural England, RSPB and the Woodland Trust which helps to ensure favourable status.</p>	
<p>Conservation Objectives</p> <p>Ensure that the integrity of the site is maintained or restored as appropriate, and that the site contributes to achieving the Favourable Conservation Status of its Qualifying Features (Sub-Atlantic and medio-European oak or oak-hornbeam forests) by maintaining or restoring;</p> <ul style="list-style-type: none"> • The extent and distribution of qualifying natural habitats, • The structure and function (including typical species) of qualifying natural habitats, • The supporting processes on which qualifying natural habitats rely. 	

Dover to Kingsdown Cliffs SAC

Distance from Borough

35km from Mersham

Reasons for Designation

The cliffs support a full zonation of maritime cliff communities found on chalk substrates, reflecting different levels of exposure to wind and salt spray. The most exposed, lowest parts of the cliff face support rock-crevice communities with rock samphire *Crithmum maritimum*, rock sea-lavender *Limonium binervosum* and thrift *Armeria maritima*, with the rare hoary stock *Matthiola incana* in places. On more sheltered slopes there is a community restricted to south-facing chalk cliffs characterised by wild cabbage *Brassica oleracea*.

The vegetation of the cliff tops consists mainly of chalk grassland interspersed with areas of scrub. Much of the grassland is dominated by tor-grass *Brachypodium pinnatum* or upright brome *Bromopsis erecta*, though there are numerous areas of species-rich open grassland with a range of typical chalk-turf grass and herb species. These include sheep's-fescue *Festuca ovina*, salad burnet *Sanguisorba minor*, wild thyme *Thymus praecox* and horseshoe vetch *Hippocrepis comosa*.

A number of nationally rare plants occur, including early spider orchid *Ophrys sphegodes* and oxtongue broomrape *Orobanche artemisiae-campestris*, which in the UK is confined to unstable coastal chalk cliffs of southern England, and has a stronghold on this site.

The site is designated for the following habitats

- Semi-natural dry grasslands and scrublands on chalk or limestone, including important orchid sites
- Vegetated sea cliffs of the Atlantic and Baltic coasts

Condition and Vulnerabilities

Most of the site SSSI units are in favourable condition. Those in unfavourable condition are predominantly affected by poor or limited management of encroaching scrub and grazing of the calciferous grassland. Potentially vulnerable to visitor pressures and air quality changes.

Conservation Objectives

Ensure that the integrity of the site is maintained or restored as appropriate, and that the site contributes to achieving the Favourable Conservation Status of its Qualifying Features, by maintaining or restoring;

- The extent and distribution of qualifying natural habitats
- The structure and function (including typical species) of qualifying natural habitats,
- The supporting processes on which qualifying natural habitats rely

Dungeness SAC

Distance from Borough

17km from Hamstreet

Reasons for Designation

Dungeness is the UK's largest shingle structure. The site retains very large areas of intact parallel ridges with characteristic zonation of vegetation. It has the most diverse and most extensive examples of stable vegetated shingle in Europe, including the best representation of scrub on shingle, notably prostrate forms of broom *Cytisus scoparius* and blackthorn *Prunus spinose*.

A feature of the site, thought to be unique in the UK, is the small depressions formed within the shingle structure, which support fen and open-water communities. The Dungeness foreland has a very extensive and well-developed shoreline, although with sparse vegetation.

The strandline community on this site comprises Babington's orache *Atriplex glabriuscula*, which occurs mostly on the accreting eastern shoreline, although it is also present on the eroding southern shoreline. This extensive site also hosts a large and viable great crested newt *Triturus cristatus* population in a range of natural and anthropogenic habitats. These include natural pools and those resulting from gravel extraction and other activities. Terrestrial habitat of importance for feeding and shelter is provided by a range of open shingle vegetation with scrub in the vicinity of some of the waterbodies.

The site is designated as it hosts the following habitats and species

- Annual vegetation of drift lines
- Perennial vegetation of stony banks. (Coastal shingle vegetation outside the reach of waves)
- Great crested newt *Triturus cristatus*

Condition and Vulnerabilities

During the 2007 Condition Assessment process the majority of the SSSI that underlies the SPAs, SAC and proposed Ramsar sites was found to be in either favourable condition or recovering from unfavourable condition. Although the condition assessment for the SSSI cannot be assumed to apply exactly to the international interest features it does give a general indicator of the 'health' of the site and therefore its fragility.

Conservation Objectives

Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the Favourable Conservation Status of its Qualifying Features, by maintaining or restoring;

- The extent and distribution of qualifying natural habitats and habitats of qualifying species
- The structure and function (including typical species) of qualifying natural habitats
- The structure and function of the habitats of qualifying species
- The supporting processes on which qualifying natural habitats and the habitats of qualifying species rely
- The populations of qualifying species, and,
- The distribution of qualifying species within the site.

Dungeness, Romney Marsh and Rye Bay SPA

Distance from Borough

7 km from Hamstreet

Reasons for Designation

The site contains extensive shingle beaches, grazing marshes, saltmarshes, artificial waterbodies and intertidal mud and sandflats. These support nationally and internationally important populations of birds. These include wintering wildfowl, such as the Bewick's Swan *Cygnus columbianus bewickii* and the northern shoveler *anas clypeata* as well as breeding colonies of common tern *sterna hirundo*, little tern *sterna albifrons*, and mediterranean gull *larus melanocephalus*.

The numerous ditches that intersect these marshes have developed a rich aquatic flora and invertebrate fauna, and provide important habitat for a wide range of birds including the migrating Aquatic Warbler *Acrocephalus paludicola*.

Condition and Vulnerabilities

During the 2007 Condition Assessment process the majority of the SSSI that underlies the SPAs, SAC and proposed Ramsar sites was found to be in either favourable condition or recovering from unfavourable condition. Although the condition assessment for the SSSI cannot be assumed to apply exactly to the international interest features it does give a general indicator of the 'health' of the site and therefore its fragility.

This site is vulnerable to coastal erosion, particularly the areas of coastal shingle which are likely to erode in the longer term due to natural processes. Breeding bird populations are at serious risk of predation by species such as fox, badger and mink. There is a localised programme of pest control on part of the site.

The site is reasonably well protected from visitor disturbance. Recreational and leisure activities are a problem in some areas, particularly at North Point Pit which is used for wind surfing. The area is zoned to try and control this activity. Much of the shingle is uncultivated and is either nature reserve or open land.

The site is vulnerable to changing agricultural practices, particularly ploughing of grassland for arable crops, or changes to turf production on adjacent land, which may influence the site's bird population. These practices could be controlled by management agreements. Most of the grassland within the SPA is heavily grazed and there is a continuing problem of lowering water levels; both problems are being addressed through management agreements and water level management plans.

Conservation Objectives

Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the aims of the Wild Birds Directive, by maintaining or restoring;

- The extent and distribution of the habitats of the qualifying features
- The structure and function of the habitats of the qualifying features
- The supporting processes on which the habitats of the qualifying features rely
- The population of each of the qualifying features,
- The distribution of the qualifying features within the site.

Folkestone to Etchingill Escarpment SAC	
Distance from Borough	24km from Aldington
<p>Reasons for Designation</p> <p>This extensive area of chalk grassland is located on the steep escarpment north of Folkestone. Most of the downland is dominated by tor-grass <i>Brachypodium pinnatum</i> and fescues <i>Festuca spp.</i> in a mixed sward of quaking-grass <i>Briza media</i>, crested hair-grass <i>Koeleria macrantha</i> and upright brome <i>Bromopsis erecta</i>. Many herbs characteristic of unimproved grassland are present such as horseshoe vetch <i>Hippocrepis comosa</i>, salad burnet <i>Sanguisorba minor</i>, squinancy wort <i>Asperula cynanchica</i> and small scabious <i>Scabiosa columbaria</i>.</p> <p>The site contains an important assemblage of rare and scarce species, including early spider-orchid <i>Ophrys sphegodes</i> and late spider-orchid <i>O. fuciflora</i>.</p> <p>The site is designated as it hosts the following habitats: Semi-natural dry grasslands and scrublands on chalk or limestone, including important orchid sites</p>	
<p>Condition and Vulnerabilities</p> <p>The only issue identified as unfavourable is management, particularly under grazing and consequently scrub management.</p>	
<p>Natural England Conservation Objectives</p> <p>Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the Favourable Conservation Status of its Qualifying Features, by maintaining or restoring;</p> <ul style="list-style-type: none"> • The extent and distribution of qualifying natural habitats • The structure and function (including typical species) of qualifying natural habitats, • The supporting processes on which qualifying natural habitats rely 	

Lydden and Temple Ewell Downs SAC

Distance from Borough

33km from Mersham

Reasons for Designation

This site includes some of the richest chalk grassland in Kent, with outstanding assemblages of plants and invertebrates. Most of the grassland is situated on the steep south-west facing slopes on the thinnest soils and is dominated by tor-grass *Brachypodium pinnatum*, sheep's fescue *Festuca ovina*, creeping bent *Agrostis stolonifera*, and upright brome *Bromopsis erecta*.

Grazing pressure varies over the length of the site, resulting in a gradation within the habitat from a rank tor-grass sward to close-cropped fescue grassland. The history of continued grazing on this site has resulted in the retention of many characteristic downland herbs such as squinancy wort *Asperula cynanchica*, horseshoe vetch *Hippocrepis comosa*, chalk milkwort *Polygala calcarea* and fragrant orchid *Gymnadenia conopsea*. It contains an important assemblage of rare, scarce and uncommon species, including early spider-orchid *Ophrys sphegodes*, burnt orchid *Orchis ustulata*, musk orchid *Herminium monorchis* and autumn lady's-tresses *Spiranthes spiralis*.

The site is designated as it hosts the following habitats:

- Semi-natural dry grasslands and scrublands on chalk or limestone, including important orchid sites

Condition and Vulnerabilities

The only issue identified as unfavourable is management, particularly management of grazing pressures particularly from rabbits and consequently scrub management.

Natural England Conservation Objectives

Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the Favourable Conservation Status of its Qualifying Features, by maintaining or restoring;

- The extent and distribution of qualifying natural habitats
- The structure and function (including typical species) of qualifying natural habitats,
- The supporting processes on which qualifying natural habitats rely

Parkgate Down SAC	
<i>Distance from Borough</i>	24km from Chilham
<p>Reasons for Designation</p> <p>Parkgate Down is situated on the chalk of the North Downs on the west-facing slope of a dry valley. The grassland is dominated by tor-grass <i>Brachypodium pinnatum</i> and fescues <i>Festuca spp.</i> A wide range of typical chalk downland plants are also present including dwarf thistle <i>Cirsium acaule</i>, lady's bedstraw <i>Galium verum</i>, bird's-foot trefoil <i>Lotus corniculatus</i>, common milkwort <i>Polygala vulgaris</i> and salad burnet <i>Poterium sanguisorba</i>. Columbine <i>Aquilegia vulgaris</i> also occurs here and the scarce slender bedstraw <i>Galium pumilum</i> is found at the north end.</p> <p>The site contains an outstanding assemblage of orchids including the nationally rare monkey orchid <i>Orchis simia</i> and late spider orchid <i>Ophrys fuciflora</i>, together with the nationally scarce musk orchid <i>Herminium monorchis</i> and lady orchid <i>Orchis purpurea</i>.</p> <p>The site is designated as it hosts the following habitats : Semi-natural dry grasslands and scrublands on chalk or limestone, including important orchid sites</p>	
<p>Condition and Vulnerabilities</p> <p>This is a very small and relatively remote SAC whose site is all in favourable condition.</p>	
<p>Natural England Conservation Objectives</p> <p>Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the Favourable Conservation Status of its Qualifying Features, by maintaining or restoring;</p> <ul style="list-style-type: none"> • The extent and distribution of the qualifying natural habitats • The structure and function (including typical species) of the qualifying natural habitats • The supporting processes on which the qualifying natural habitats rely 	

Stodmarsh SAC

Distance from Borough

15km from Chilham

Reasons for Designation

This wetland site contains a wide range of habitats including open water, extensive reedbeds, scrub and alder carr which together support a rich flora and fauna. The vegetation is a good example of a southern eutrophic (nutrient-rich) flood plain and a number of rare plants are found here.

The invertebrate fauna is varied and includes several scarce moths as well as a sizeable population of Desmoulin's whorl snail *Vertigo moulinsiana*. The snail is found beside ditches within pasture on the floodplain of the River Stour, where reed sweet-grass *Glyceria maxima*, large sedges *Carex spp.* and sometimes common reed *Phragmites australis* dominate the vegetation.

The site is designated as it hosts the following species : Desmoulin's whorl snail *Vertigo moulinsiana*

Condition and Vulnerabilities

Predominantly in favourable condition, unfavourable units in this condition due to localised management issues, either of scrub encroachment or of water levels, though it should be noted that water levels are not due to over abstraction.

Natural England Conservation Objectives

Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the Favourable Conservation Status of its Qualifying Features, namely the Desmoulin's whorl snail *Vertigo moulinsiana*, by maintaining or restoring;

- The extent and distribution of the habitats of qualifying species
- The structure and function of the habitats of qualifying species
- The supporting processes on which the habitats of qualifying species rely
- The populations of the qualifying species,
- The distribution of the qualifying species within the site

Stodmarsh SPA

Distance from Borough

15km from Chilham

Reasons for Designation

This area is a wetland of international importance and includes areas of open water, reedbeds, grazing marsh and alder carr *alnus glutinosa*. The site provides wintering and breeding habitats for an important assemblage of birds. These include the European Bittern *Botaurus stellaris*, the Gadwall *Anas strepera*, the Northern shoveler *Anas clypeata* and the Hen Harrier *Circus cyaneus*.

It also regularly supports significant breeding populations of bearded tits *panurus biarmicus*

Condition and Vulnerabilities

As with the Stodmarsh SAC this site is in predominantly favourable condition. There are a number of units in unfavourable condition due to localised management issues, either of scrub encroachment or of water levels, however it should be noted that water levels issues are not due to over abstraction.

Much of Stodmarsh is a National Nature Reserve, and is therefore relatively secure and well managed. The area of habitat has recently been expanded, improving the situation for wetland birds by acquiring an area of turf fields adjacent to the SPA/ Ramsar site for conversion to reedbed, open water and grazing marsh. Continued maintenance of the reedbeds is essential to control the invasion of scrub.

Privately owned parts of the site are affected by disturbance. The western end of the SPA is used by wildfowling and fishermen, both of which cause disturbance to the birds and is being addressed through Site Management Statements. Landowners are being encouraged to put land into the Countryside Stewardship Scheme in order to address problems arising from neglect of wetland habitats.

The other vulnerability relates to water supply, and in drought years abstraction for other water users can affect the supply of water to about 70% of the site. However as most the site is an NNR or managed under stewardship agreements most potential impacts have suitable control mechanisms including control of water levels.

Natural England Conservation Objectives

Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the aims of the Wild Birds Directive, by maintaining or restoring;

- The extent and distribution of the habitats of the qualifying features
- The structure and function of the habitats of the qualifying features
- The supporting processes on which the habitats of the qualifying features rely
- The population of each of the qualifying features,
- The distribution of the qualifying features within the site.

Stodmarsh RAMSAR site	
<i>Distance from Borough</i>	15km from Chilham
<p>Reasons for Designation</p> <p>The site boundary is the same as or falls within the Stodmarsh SPA.</p> <p>Stodmarsh is a wetland site resulting in part from coal mining subsidence under the valley of the Great Stour in Kent and aggregate extraction but lies within the natural floodplain of the river. There are a range of wetland habitats including open water, reedbeds, grazing marsh and alder <i>alnus glutinosa</i> carr. The site supports a number of uncommon wetland invertebrates and plants and provides breeding and wintering habitats for important assemblages of rare wetland bird species, particularly waterfowl.</p> <ul style="list-style-type: none"> • Water rail <i>Rallus aquaticus</i>, Europe 28 individuals, representing an average of 6.2% of the UK population • Ruff <i>philomachus pugnax</i>, Europe/ West Africa 19 individuals, presenting an average of 2.7% of the UK population • Eight British Red data Book species of wetland invertebrates have been recorded on the site 	
<p>Condition and Vulnerabilities</p> <p>This Ramsar site is contiguous with the Stodmarsh SAC and SPA and the same condition and vulnerabilities therefore apply.</p>	

The Swale SPA	
<i>Distance from Borough</i>	17km from Chilham
<p>Reasons for Designation</p> <p>The Swale is a wetland of international importance comprising intertidal mudflats, shell beaches, saltmarshes and extensive grazing marshes. This area supports habitats for an extensive and internationally important assemblage of birds, both breeding and overwintering. These include the Brent Goose <i>Branta bernicla bernicla</i> and the Dunlin <i>Calidris alpina alpina</i>.</p>	
<p>Condition and Vulnerabilities</p> <p>There is evidence of rapid erosion of intertidal habitat within the site due to natural processes and the effects of sea defences and clay extraction. Research on mudflat recharge using dredging spoil is being investigated as a means of countering the erosion. The intertidal area is also vulnerable to disturbance from water borne recreation. This is being addressed as part of an estuary management plan. The terrestrial part of the site depends on appropriate grazing and management of water quality and quantity.</p>	
<p>Natural England Conservation Objectives</p> <p>Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the aims of the Wild Birds Directive, by maintaining or restoring</p> <ul style="list-style-type: none"> • The extent and distribution of the habitats of the qualifying features • The structure and function of the habitats of the qualifying features • The supporting processes on which the habitats of the qualifying features rely • The population of each of the qualifying features, • The distribution of the qualifying features within the site. 	

The Swale Wetland RAMSAR	
<i>Distance from Borough</i>	17km from Chilham
<p>Reasons for Designation</p> <p>The Swale is an estuarine area that separates the Isle of Sheppey from the Kent mainland comprising a complex of brackish and freshwater, floodplain grazing marsh with ditches, and intertidal saltmarsh and mudflat. These habitats together support internationally important numbers of wintering waterfowl. Rare wetland birds breed in important and significant numbers. The saltmarsh and grazing marsh are of international importance for the diverse assemblages of wetland plants and invertebrates.</p> <p>This site supports nationally scarce plants and at least seven British Red data book invertebrates.</p>	
<p>Condition and Vulnerabilities</p> <p>Yachting, jet-skiing and water-skiing take place here mostly in the summer, bird watching throughout the year and angling and wildfowling during their legally permitted seasons. Disturbance from these activities is a current issue but it is addressed through negotiation relating to activities consented within the SSSI and information dissemination. There is however no clear evidence of damage from any of these activities.</p>	

3.METHODOLOGY

3.1 HIGH LEVEL SCREENING

3.1.1 Following the collection and assessment of this wide pool of baseline data it was concluded that a number of these European sites could be screened out as unlikely to be significantly adversely affected by implementation of the Ashford Local Plan 2030. This was primarily due to

- the nature of their interest features,
- their distance from Ashford Borough¹²,
- existing site management,
- the presence of alternative, similar environments closer to Ashford.

These Sites are listed below.

Blean Complex SAC	Designated for its oak-hornbeam forests, the main vulnerabilities of this Site are to air quality, which given the distance from the borough is unlikely to be adversely affected by the Ashford Local Plan 2030 proposals, and from lack of coppice management, which is a management issue.
Dover to Kingsdown Cliffs SAC	At more than 30km from the Borough direct impacts on this site from development proposed in the Ashford Local Plan can reasonably be assumed to be limited and unlikely.
Folkestone to Etchinghill Escarpment SAC	At more than 20km from the Borough direct impacts on this site from development proposed in the Ashford Local Plan 2030 can reasonably be assumed to be limited and unlikely. In addition, this site is designated for interest features which are also prevalent in Ashford Borough, including the Wye and Crundale SAC, reducing the likelihood of significant adverse impact from recreational pressure from development which comes forward from the Ashford Borough Local Plan 2030.
Lydden and Temple Ewell Downs SAC	At more than 30km from the Borough direct impacts on this site from development proposed in the Ashford Local Plan 2030 can reasonably be assumed to be limited and unlikely. In addition, this site is designated for interest features which are also prevalent in Ashford Borough, including the Wye and Crundale SAC, reducing the likelihood of significant adverse impact from recreational pressure from development coming forward from the Ashford Borough Local Plan 2030.

¹² A distance 'limit' of 15km is commonly cited as reasonable and compliant with a precautionary approach.

Parkgate Down SAC	At more than 20km from the Borough direct impacts on this site from development proposed in the Ashford Local Plan 2030 can reasonably be assumed to be limited and unlikely. In addition, this site is designated for interest features which are also prevalent in Ashford Borough, including the Wye and Crundale SAC, reducing the likelihood of significant adverse impact from recreational pressure from development coming forward from Ashford Borough Local Plan 2030.
The Swale SPA and Ramsar	At more than 15km from the Borough direct impacts on this site from development proposed in the Ashford Local Plan 2030 can reasonably be assumed to be limited and unlikely. Furthermore, the development of the strategic water recreation facilities at Conningbrook Lakes Country Park with opportunities for sailing and other water sports provides for similar opportunities within the Borough itself.

3.2 EUROPEAN SITES TO BE SCREENED

- 3.2.1 It was therefore concluded that the European Sites of the **Wye and Crundale Downs SAC**, the Dungeness, Romney Marsh and Rye Bay SPA, SAC and Ramsar (to be known in this Report as the **Dungeness Sites**) and, in addition, despite being located 15km from the borough, the **Stodmarsh SAC, SPA and Ramsar** (the **Stodmarsh Sites**), by virtue of their location and/or the nature of the protected habitats they comprise, could be reasonably deemed to be at risk of harm from environmental changes arising from new development as proposed in the Ashford Local Plan 2030.
- 3.2.2 For clarity, reference to European Sites for the remainder of this Assessment refers only to these three sites or groups of designated sites, unless otherwise stated.

3.3 POTENTIAL EFFECTS

3.3.1 This Section examines the potential risks to the environment, habitats and species of the European Sites listed in 3.2.1 from new development proposed in the Ashford Local Plan 2030.

3.3.2 Environmental changes can take many forms:

- Direct habitat loss, physical damage or habitat fragmentation as a result of new development on or adjacent to European Sites.
- Disturbance caused by noise, light or visual impact as a result of new development on or adjacent to European Sites.
- Changes in bird populations due to cat predation as a result of increased urbanisation on or adjacent to European Sites
- Physical damage or disturbance because of increased recreational activities (e.g. dog walking or water sports) on or adjacent to European Sites as a result of increased urbanisation or tourism activity
- Changes in air quality because of increased emissions to air associated with new development, as a result of increased vehicle use, demand for power generation, or industrial processes.
- Changes in water quality (pH, thermal, toxic contamination, nutrient enrichment or reduction, siltation or turbidity) because of the discharge of contaminated or silt-laden surface water run-off, discharge of sewage effluent from new development or associated sewage treatment works, or increased abstraction resulting in reduced dilution capacity within a fluvial system.
- Changes in water levels because of increased abstraction to serve new development.

1. *Direct habitat loss, physical damage or habitat fragmentation as a result of new development on or adjacent to European Sites.*

2. *Disturbance caused by noise, light or visual impact as a result of new development on or adjacent to European Sites.*

3.3.3 No development is proposed in the Ashford Local Plan 2030 on or immediately adjacent to any of the European Sites. There is therefore no potential for the site allocations in this Local Plan to significantly adversely affect these European Sites in this manner.

3.3.4 Furthermore, with regard to light disturbance, as set out in the Ashford Dark Skies SPD (2014) which supports the Ashford Local Plan 2030, the rural areas in the southern part of the borough currently enjoy some of the darkest skies in the South East region. The Borough Council in close consultation with parish councils and the Astronomical Society is currently working to secure the designation of this area as a Dark Sky Zone (Policy ENV4 applies). In addition, much of the Kent Downs and High Weald AONBs experience very low levels of light pollution and policy ENV3b provides policy protection for the conservation and enhancement of their tranquillity. The Wye and Crundale SAC lies within the Kent Downs AONB.

LOCAL PLAN POLICIES PROVIDING ADDITIONAL MITIGATION
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ENV1, ENV3b, ENV4

3. Changes in bird populations due to cat predation as a result of increased urbanisation on or adjacent to European Sites.

3.3.5 The accepted cat predation distance deemed to pose a risk to SPAs (European sites protected on the basis of their bird populations) is 400m, measured linearly. The nearest SPA to the borough (a small parcel of the Dungeness, Romney Marsh and Rye Bay SPA) is 3km from the nearest site allocation (Site S26) proposed in the Ashford Local Plan. Although such distances mean there is no potential for adverse effects on the bird populations of this European Site arising from new development to be delivered through this Local Plan, the site policy for this allocation requires any planning application for its development to provide an Environmental Assessment Study in the first instance in order to address impact on the protected habitats and biodiversity of European Sites and how any impacts can be avoided or mitigated.

LOCAL PLAN POLICIES PROVIDING ADDITIONAL MITIGATION
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ENV1, S26

4. Physical damage or disturbance because of increased recreational activities (e.g. dog walking or water sports) on or adjacent to European Sites as a result of increased urbanisation or tourism activity.

3.3.6 Areas of high landscape quality are popular destinations for recreation which can pose risks for protected environments. However, recreational use is not always, or inevitably, a problem. Many European sites are also National Nature Reserves or nature reserves managed by Wildlife Trusts or the RSPB. At such sites, access is encouraged and monitored and resources are available to ensure that recreational use is managed appropriately and environmental education is also deployed widely.

Wye and Crundale Downs SAC

3.3.7 The Wye and Crundale Downs SAC is the only SAC within the Borough boundary. Part of the site is managed as a National Nature Reserve with a programme of scrub clearance and, more recently, the reintroduction of grazing. Increases in numbers of visitors to the site have the potential to interrupt progress towards achieving conservation objectives by disturbing the programme of scrub clearance and having potential conflict with the reintroduction of grazing animals to the site. Increased visitor numbers may also cause the paths to deteriorate in condition and increase trampling pressure on the chalk grassland, which in turn may disrupt the protected species for which the site is designated. However, such risks are minimised in this instance by the active management of the NNR part of the site, the reality that much of the land here is very steeply sloping and that many areas are in private ownership with minimal public access.

Dungeness Sites

- 3.3.8 The Dungeness SAC is designated for its annual vegetation of drift lines, perennial vegetation of stony banks and Great Crested Newts. The Dungeness Romney Marsh and Rye Bay SPA supports bird populations of European importance, while the Dungeness, Romney Marsh and Rye Bay Ramsar site contains representative, rare or unique examples of natural or near natural wetland types and supports vulnerable, endangered or critically endangered species and threatened ecological communities.
- 3.3.9 Dungeness is an area of national interest, with a wide regional appeal to a variety of users. Visitor surveys undertaken for Dungeness Nature Reserve (located outside the RSPB reserve) in 2006 calculated that 550,000 visits were made during that year. The 2006 survey showed that approximately 33% of visitors lived more than 80km distant from the reserve, reflecting its national appeal. Less than 10% came from within 16km.
- 3.3.10 Between April 2014 and February 2015 further visitor survey work was undertaken on behalf of Shepway and Rother District Councils. This work was limited to coastal areas only. Findings revealed very similar patterns of visitor origin to the 2006 work, with 11% of visitors coming from within 16km, 17% coming from a 20km radius and 67% travelling more than 30km to the area. The most popular destination, and reason for visiting, was the coast. The objective of 54% of all visits was dog walking, with a further 23% of visitors coming to walk, 13% to observe the wildlife and 11% to go to the beach. Sea angling and kite surfing were also attractions here. Those who visited with their dogs came overwhelmingly from within Shepway and Rother Districts.
- 3.3.11 The RSPB reserve at Dungeness is a popular destination for bird watchers. It is actively promoted to visitors with a well-maintained network of facilities, including hides, nature trails and a visitor centre. The RSPB has however, in mitigation, undertaken to limit the number of visitors here, publicly committing on their website to being careful not to exceed 40,000 visitors per year, since any more might inhibit conservation work.
- 3.3.12 No visitor survey information exists for the Dungeness Romney Marsh and Rye Bay Ramsar site, which, in the case of Ashford borough, is largely centred on the Royal Military Canal; a very different environment to that of the coastal shingle zones. The long distance Royal Military Canal Path footpath runs through this part of the Ramsar site. Observation by the author of a URS/Scott Wilson report undertaken for Shepway and Rother HRA suggests that numbers of walkers are small in these areas compared with the rest of Dungeness¹³.
- 3.3.13 Alongside the limits of visitor numbers placed by the RSPB, extensive areas of the Dungeness Sites are now managed as a Nature Reserve, with emphasis on interpretation of the site's value and on appropriate public access. A ranger is employed to help to enforce local bylaws which aim to prevent damage from trampling, motorbike activity and illicit gravel extraction. A Sustainable Access Strategy is in the early stages of being

¹³ Unpublished report made available to URS/Scott Wilson by Dungeness Point Manager and cited in Chilmington Green AAP AA Screening Report (2012)

prepared by Shepway and Rother Councils to manage pressure resulting from recreational visitors.

Stodmarsh Sites

3.3.14 Much of the Stodmarsh SAC, SPA and Ramsar site is also a National Nature Reserve, and is therefore relatively secure and well managed. The area of habitat has recently been expanded, improving the situation for wetland birds by acquiring an area of turf fields adjacent to the SPA/ Ramsar site for conversion to reedbed, open water and grazing marsh. Information obtained from the Joint Nature Conservation Committee (JNCC) states that privately owned parts of the site are affected by disturbance. The western end of the SPA is used by wildfowling and fishermen, both of which cause disturbance to the birds. This issue is being addressed through Site Management Statements. Given the distances of these Sites from Ashford Borough (the Stodmarsh Sites lie in Canterbury District to the east of the City of Canterbury) together with the existence of other sites with a similar environmental offer, in particular for recreational fishing, within the borough, the potential for an adverse impact arising from an increase in recreational pressure on the Stodmarsh Sites from development coming forward as a result of the Ashford Local Plan 2030 is low.

Summary

- 3.3.15 To work to reduce the potential for increase in recreational pressures on European Sites from new development proposed in the Local Plan 2030, land allocations continue to be concentrated at Ashford, as the most sustainable settlement, with other site allocations selected to ensure, alongside other criteria, avoidance of adverse impacts on European Sites (see Sustainability Appraisals 2016 and 2017). Furthermore, for allocations proposed at Appledore, Brook and Hamstreet, site policies make clear that Environment Assessment Studies will be required as part of any planning applications to ensure that any potential for adverse impacts on European Sites is identified, avoided and mitigated.
- 3.3.16 In addition, through the policies across the Local Plan as a whole, the Council is committed to the delivery of considerable levels of additional open space recreation facilities and opportunities during the Plan period. This commitment is in addition to the continued, proactive approach to the enhancement of green infrastructure as a whole across the Borough, including the consolidation and enhancement of the Ashford Green Corridors initiative.
- 3.3.17 In this regard, the Local Plan includes a series of Strategic Parks, planned in order to deliver sustainable growth and areas for formal and informal recreation close to the principal populated areas, reducing the need for car travel, and increasing the alternatives to visiting European Sites for local residents. In compliance with the standards set down in the Ashford Public Green Spaces and Water Environment SPD¹⁴ and Policy COM2 of the Local Plan 2030, a target of 33.6ha of informal green space, 5.04ha of Strategic Parks, 8.4ha of children's play areas and 3.36ha of allotments is programmed to be delivered by the Local Plan and the Infrastructure Delivery Plan. These measures can be reasonably concluded to be likely to increase the open green informal space in the borough and work

¹⁴ Public Green Spaces and Water Environment SPD, Ashford Borough Council (2012)

to reduce the need for residents to visit the European Sites and the more environmentally sensitive areas of natural green space in or adjacent to the borough of Ashford.

LOCAL PLAN POLICIES PROVIDING ADDITIONAL MITIGATION
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ENV1, COM1, COM2, S26, S31, S32, S53, S57

4 Changes in air quality because of increased emissions to air associated with new development, as a result of increased vehicle use, demand for power generation, or industrial processes.

3.3.18 Ashford Borough generally has very good air quality. There are no designated Air Quality Management Areas or areas within the Borough where the air quality fails to meet the required standards. The 2017 Air Quality Annual Status Report (ASR) confirms that air quality within Ashford continues to meet the relevant air quality objectives and that no significant changes in existing emissions sources within Ashford have been identified. Furthermore, there have been no new relevant industrial installations and no new significant commercial, domestic or fugitive sources of emissions. The main source of air pollution in the borough remains road traffic emissions from major roads, notably the M20, A20, A28 and A292, whilst other pollution sources, including commercial, industrial and domestic sources, also make a contribution to background pollution concentrations.

3.3.19 Policy ENVI2 promotes the continuation of this favourable situation and the prevention of an exceeding of National Air Quality Objectives by mitigation measures including requiring submission of Air Quality Assessments for proposals that might lead to a significant effect on air quality either alone or in combination with other committed development. An Air Quality Strategy for the borough is, at the time of writing, in an advanced stage of preparation by the Council.

3.3.20 The main pollutants of concern for European sites are oxides of nitrogen (NO_x), ammonia (NH₃) and sulphur dioxide (SO₂). NO_x can have a directly toxic effect upon vegetation. In addition, greater NO_x or ammonia concentrations within the atmosphere will lead to greater rates of nitrogen deposition to soils. An increase in the deposition of nitrogen from the atmosphere to soils is generally regarded to lead to an increase in soil fertility, which can have a serious deleterious effect on the quality of semi-natural, nitrogen-limited terrestrial habitats.

3.3.21 The recent Wealden judgement¹⁵ has implications for the screening of air quality impacts for European designated sites. In representation to the Proposed Main Changes consultation, Natural England requested that the HRA reflect this judgement.

3.3.22 In summary, the Wealden Judgement centres on the Ashdown Forest SAC, designated for extensive areas of lowland heath which is vulnerable to nitrogen dioxide pollution from vehicles, and which has two major roads passing through or alongside it, the A22 and A26.

¹⁵ CO/3943/2016 Wealden District Council v Secretary of State for Communities and Local Government, Lewes District Council and South Downs National Park Authority

Natural England's advice is that the impact of traffic flows (AADT) on routes that lie within 200m of a protected site should be assessed. If the expected increase in traffic is greater than a threshold of 1,000 cars or 200 HGVs per day, the consequences on the ability of habitats to withstand deleterious effects would be likely to be significant, and therefore an Appropriate Assessment (AA) would be required. In the case of the Ashdown Forest SAC an expected increase of over 1,000 AADT on the A26 was assessed to be likely to result from development proposed in two Core Strategies prepared at broadly the same timetable (the Wealden Core Strategy and the Joint Core Strategy prepared by Lewes District Council and the South Downs National Park Authority). However, due to the failure to undertake an in-combination assessment in this regard, both Core Strategies were initially deemed sound without an AA having been carried out. The High Court subsequently ruled that the HRAs of both Core Strategies were legally flawed and quashed the spatial policies of the Joint Core Strategy, the last to be adopted, which addressed the distribution of new homes.

- 3.3.23 With regard to the only SAC in Ashford borough, the Wye and Crundale Downs, there are no major roads within 200m. This site is remote with the nearest major road being the A28 at over 3km away, while the A20 is almost 5km away, both accessed by rural lanes, which are mostly single track. Traffic flows are therefore low. Air quality is not deemed to be a vulnerability of the Stodmarsh Sites, which are in any event some 15km from the borough.
- 3.3.24 A short stretch (700m) of the A2070 passes through the northernmost corner of the Dungeness, Romney Marsh and Rye Bay Ramsar site to the south of the village of Hamstreet. Otherwise it runs over 2km to the east of this European Site. Three housing sites are proposed at Hamstreet in the Local Plan 2030, with a combined total of 140 new dwellings. No major development is proposed in the neighbouring authorities of Shepway and Rother due to the unique and protected natural environment of Romney Marsh, much of which is well below high tide level and therefore is at risk of tidal flooding. The A2070 is not a heavily trafficked road, largely serving as it does the sparsely populated Romney Marsh, and is not currently monitored by Highways England for traffic flows. Natural England has not previously raised air quality as of concern here and in its representation on air quality appears to recognise the circumstances of this Site by advising that only "where evidence is available [...] the 1000 AADT threshold should also be applied to the combined values" from development arising from other plans.
- 3.3.24 It should be noted here that in the Development Consent Order for the new junction of the M20, Junction 10A, granted on 1 December 2017, the Secretary of State concluded that an additional requirement for air quality monitoring was not required, given that it is unlikely that limit values at this section of the M20 would be exceeded by the delivery of this major addition to the strategic road network. This reflects the overall good standard of air quality in the borough and is of particular relevance given that the A2070 is currently served by junction 10.
- 3.3.25 Finally, it is important to note that the Local Plan 2030 includes policies that require that all development, where possible, to minimise the need to travel, therefore reducing emissions from road traffic. The transport section of the Plan includes policies which promote the use of sustainable modes of transport, with the aim of reducing the use of the car. In addition with Policy EN12, it is considered therefore that the Local Plan has sufficient safeguards to

reasonably prevent the potential for significant effects on the European sites through air quality impacts.

LOCAL PLAN POLICIES PROVIDING ADDITIONAL MITIGATION
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ENV1, ENV12, TRA4, TRA5, TRA6, TRA8

5 *Changes in water quality (pH, thermal, toxic contamination, nutrient enrichment or reduction, siltation or turbidity) because of the discharge of contaminated or silt-laden surface water run-off, discharge of sewage effluent from new development or associated sewage treatment works, or increased abstraction resulting in reduced dilution capacity within a fluvial system.*

6 *Changes in water levels because of increased abstraction to serve new development.*

3.3.26 Changes to water quality and levels have the potential to adversely affect the European Sites at Stodmarsh along the flood plain of the Great Stour to the east of Canterbury, approximately 13 miles from the Borough. The Stodmarsh Sites result in part from subsidence under the valley of the Great Stour and from aggregate extraction. They also lie within the natural floodplain of that river.

3.3.27 Significant potential problems relate to water quality and supply given the Site's vulnerability to over-abstraction of water from the River Stour in drought years. The Desmoulin's whorl snail, one of the interest features for Stodmarsh's designation, is highly dependent upon the maintenance of existing hydrological conditions. The deterioration in water quality in the River Stour is also a potential threat.

3.3.28 For the Dungeness Sites abstraction of water is also a potential environment change with adverse consequences. This is thought historically to have damaged some of the shingle wetlands, as well as components of the perennial vegetation of the shingle beach. These matters are however now addressed through management agreements and water level management plans.

3.3.29 The majority of Ashford's water supply comes from large underground chalk and greensand aquifers that need regular replenishment over sustained periods. These aquifers are currently over abstracted and over licensed and there is a 'presumption against' further consumptive abstraction. As well as being an important source of drinking water, groundwater provides rivers with their base-flow which if not maintained can be detrimental to river water quality. Defra are proposing changes to water abstraction licensing exemptions in England which will bring in New Authorisations into the licensing system in 2017 to better manage water at catchment level.

3.3.30 Demand management measures such as water efficiency and the use of sustainable drainage to retain groundwater supplies are essential for the long-term resilience of water supplies in the Ashford. Limits on supply and thereby rates of consumption that seek to protect water supplies and prevent over-abstraction are set out in the Sustainable Drainage

SPD¹⁶ (programmed to be updated shortly) and are therefore built into the Local Plan 2030 (Policies ENV8 and ENV9). Within the borough the requirement for the inclusion of SuDS within major development has been extended beyond the requirements set out within the NPPF, and also includes minor developments (ENV9) thus ensuring that site allocations can be delivered with little or no adverse impact on water levels.

- 3.3.31 The SEW Water Resource Management Plan (WRMP) (2015-2040) uses a twin-track approach to managing supply and demand through demand management and water resource development. SEW have confirmed that following sensitivity testing on housing numbers their WRMP programme will fully satisfy the growth in demands within their supply area proposed within the Ashford Local Plan.
- 3.3.32 A range of new water resource infrastructure is being proposed to increase capacity within the WRMP area, within the borough or adjoining local authority area. This includes a new groundwater source at Maytham Farm, Rolvenden with plans to replace non-operational works with a new treatment works (in 2020), and a new reservoir at Broad Oak near Canterbury (in 2033). South East Water has installed a new potable water main to transfer water from Bewl Reservoir to Ashford. The pipe line has been installed to provide water resources to meet the borough's future growth.
- 3.3.33 The Ashford Water Cycle Study (2016) prepared by Ashford Borough Council, Kent County Council, the Environment Agency, South East Water and Southern Water has helped shape the policies of the Local Plan 2030. It can therefore be reasonably concluded that such a comprehensive range of mitigation measures will reduce the likelihood of adverse effects on water abstraction and quality.

LOCAL PLAN POLICIES PROVIDING ADDITIONAL MITIGATION
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ENV1, ENV7, ENV8, ENV9

3.4 IN-COMBINATION EFFECTS

- 3.4.1 In line with Government advice¹⁷ only those plans and projects most relevant to the European Sites identified during the baseline data collation exercise were considered in the assessment of in-combination effects. Natural England advice (2009) states that to be relevant to the in-combination assessment, the residual effects of other plans or projects will need to either make the unlikely effects of the development likely or the insignificant adverse effects of the development significant.
- 3.4.2 Taking into account the potential impacts of implementing the Ashford Borough Local Plan 2030 on its own, plans relating to development control, infrastructure provision or environmental protection within the adjacent districts or at county level were considered most relevant. These are:
- Canterbury Local Plan
 - Dover Land Allocations Plan

¹⁶ Sustainable Drainage SPD, Ashford Borough Council (2010)

¹⁷ *Planning for the Protection of European Sites: Appropriate Assessment (2006)* DCLG, London.

- Shepway Core Strategy and emerging Places and Policies Local Plan
- Rother Core Strategy

3.4.3 The main in-combination effect of these plans is that growth in adjacent districts will place additional demands on existing infrastructure and increase pressure on the European Sites taken forward in this screening assessment. These potential in-combination effects have been taken into account when undertaking the policy screening assessment set out in Section 4.

3.4.4 In order to develop cross boundary strategic solutions to issues including water abstraction and quality and recreational pressures, collaborative working across Kent authorities and with Natural England and the Kent Nature Partnership, has been ongoing. These include

- The Ashford Integrated Water Strategy 2006 – 2031
- The Ashford Water Cycle Study 2016
- River Stour Catchment Abstraction Management Plan 2009
- Kent Biodiversity Action Plan and Kent Habitat Action Plan 2009

3.4.5 The main in-combination effect of these plans is that they help to deliver the additional infrastructure needed to support development in the Borough whilst ensuring that adverse effects on the integrity of European Sites are avoided. These potential in-combination effects have been taken into account when undertaking the policy screening in Section 4.

4. LIKELY SIGNIFICANT EFFECT SCREENING

This section is unchanged from the June 2017 HRA as no further major changes to the Local Plan 2030 are being proposed. It is included here for ease of reference.

4.1 As part of the Habitat Regulations Assessment a Likely Significant Effect test, essentially a high level risk assessment to decide whether the full subsequent stage known as Appropriate Assessment, is required. The essential question is:

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

4.2 This Assessment examines each of the Policies of the Ashford Local Plan 2030 with a view to ‘screening out’ those plans and projects where it can be reasonably concluded that they will be unlikely to result in significant adverse effects upon European sites.

Site Policies

4.3 In the case of Site Policies, the Local Plan is clear that it should be read as a whole and that Policy ENV1, which provides for the protection of the integrity of European Sites, applies to all Site Policies in the Plan. This is deemed to give adequate protection to European sites from development site policies by clearly stating that development will not be permitted where it would be likely to have an adverse effect upon the integrity of a European site.

4.4 The selection of sites for allocation for development in this Plan and the Sustainability Appraisal screened sites to avoid adverse impacts on protected European Sites. This involved the scoring or ranking of sites against a number of sustainability criteria, agreed with Natural England and which included the impact on internationally protected sites.

4.5 However, it is important to note that the Council also retains the ability to require a more accurate assessment of the effect of proposals at the time of application, when resultant mitigation and amendment requirements are more readily determinable. To this end, a specific requirement for an Environmental Assessment study to be undertaken as part of any planning application for the development of the site has been included in five site allocations at Appledore, Brook and to the south and west of Hamstreet.¹⁸

Policies Unlikely to have a Significant Effect

4.6 An assessment was made of the potential impact of each Policy with regard to the likelihood of it resulting in a significant effect, alone or in combination with other relevant plans, on the European Sites.

¹⁸ Site Policies S26, S32, S53 and S57, Proposed Main Changes to the regulation 19 version Ashford Local Plan 2030 (2017)

4.7 The policies included in Table 1 are those where screening concluded that they would not have, or would be unlikely to have, a significant effect upon the integrity of European sites and were ruled out from further consideration on the grounds that

- they do not in themselves promote development, or
- they help to implement the Habitats Regulations by providing mitigation for potential impacts for other policies in the Local Plan that do not specify a location or quantum of development, or
- there are no pathways for an adverse interaction with the European Sites

Policies requiring more detailed consideration

4.8 A number of policies have the potential to result in significant effects on the integrity of European sites as they promote or steer development within the plan area, for example. Although it is clear that the Plan should be read as a whole it is not appropriate to rely wholly on environmental overarching policy/ies to ensure that the policies of the Local Plan meets with the requirements of the Habitats Directive. Instead each policy should be intrinsically compliant with the Directive, and therefore a number of policies have had mitigation measures and/or specific protection built into the wording to ensure that the integrity of European sites is protected. These are set out in Table 2.

Table One : POLICIES UNLIKELY TO HAVE A SIGNIFICANT ADVERSE EFFECT

Policy	Description	Screening Conclusion
STRATEGIC POLICIES		
SP5 Ashford Town Centre	Promotes the town centre as the key focus for shopping and services in the borough at the heart of the Borough's economy. Furthers the Council's vision for the town centre of a location that offers a wide and entertaining mix of activity throughout the day and evening, with a strengthening leisure shopping offer and a fast growing resident and working population that brings more activity and spending power to the town.	This Policy can be screened out as it promotes development in the town centre and there is no aspect of it which is likely to lead to significant effects on European sites.
SP6 Promoting High Quality Design	Promotes the delivery of sustainable development across the Borough that is of high design quality. Establishes Key Design Qualities that all applications should demonstrate careful consideration of and a positive response to: <ul style="list-style-type: none"> • Character, Distinctiveness and Sense of Place • Ease of Movement • Legibility • Mixed use and Diversity • Public safety • Quality of Public Spaces and their future management • Flexibility and Liveability • Richness in Detail • Efficient use of Natural Resources 	As a development management policy that does not itself promote development it is not likely to have a significant effect upon European sites.
SP7 Separation of Settlements	The unplanned erosion of countryside between built up areas would have a serious and significant adverse impact on the character and individual identity of villages in the borough	As a development management policy that does not itself promote development

	through loss of their setting or, more seriously, through coalescence. This policy therefore seeks to protect the separate and distinctive identity of individual settlements.	it is not likely to have a significant effect upon European sites.
TOPIC POLICIES		
HOU1 Affordable Housing	Relates to the provision of affordable housing to meet identified needs, taking into account the government's proposals for a national starter homes policy also. Requirements for affordable housing are set at different levels across the value areas of the Borough in order to ensure development is viable and can be delivered.	As a development management policy that does not itself promote development it is not likely to have a significant effect upon European sites.
HOU3 Residential Windfall Development within settlements	Applies to windfall development coming forward within the built up areas of the established rural settlements of the Borough in order to promote sustainable development in rural areas and to support the vitality of rural communities. Supporting text and criteria d. of the policy makes clear that all development will be required to take account of environment, biodiversity and landscape considerations.	This Policy can be screened out as it promotes development in line with the overarching principles of sustainable development in existing settlements and there is no aspect of it which is likely to lead to significant effects on European sites.
HOU6 Self and Custom Built Development	Supports the delivery of self and custom build developments by requiring all sites in or on the edge of Ashford and Tenterden delivering more than 40 dwellings to supply no less than 5% of dwelling plots for sale to self or custom builders. Sites in the rural areas delivering more than 20 dwellings to supply no less than 5% of dwelling plots for sale to self or custom builders.	As a development management policy that does not itself promote development it is not likely to have a significant effect upon European sites.
HOU7 Replacement Dwellings in the Countryside	Provides policy for the replacement of existing dwellings in the countryside. Design issues are of particular importance given the need to protect the character and integrity of the rural landscape of the borough.	This Policy can be screened out as it applies to the replacement of one dwelling with another with no net gain in development, and there is no aspect of it which is likely to lead to significant effects on European sites.

HOU8 Residential Extensions	Relates to the design criteria by which applications for extensions and attached annexes to residential properties will be determined.	As a development management policy that does not itself promote development it is not likely to have a significant effect upon European sites.
HOU9 Standalone Annexes	Relates to the design criteria by which applications for detached annexes to residential properties will be determined.	As a development management policy that does not itself promote development it is not likely to have a significant effect upon European sites.
HOU10 Development in Gardens	Relates to the criteria by which applications for development in the gardens residential properties will be determined.	As a development management policy that does not itself promote development it is not likely to have a significant effect upon European sites.
HOU11 Houses in Multiple Occupation	Relates to the criteria by which applications for houses in multiple occupation will be determined.	As a development management policy that does not itself promote development it is not likely to have a significant effect upon European sites.
HOU12 Residential Space Standards Internal	This Policy adopts the Nationally Described Space Standards to ensure that new homes have sufficient space for the number of occupants they are designed to accommodate including storage of functional and personal items.	As a development management policy that does not itself promote development it is not likely to have a significant effect upon European sites.
HOU14 Accessibility Standards	This policy sets down the minimum Building Regulation standards required in new build development to ensure delivery of accessible housing for people with specific housing needs.	As a development management policy that does not itself promote development it is not likely to have a significant effect upon European sites.
HOU15 Private External Open Space	This Policy establishes minimum Private External Open Space Standards for differing scales of residential properties to ensure that new homes have private outdoor areas.	As a development management policy that does not itself promote development it is not likely to have a significant effect upon European sites.

HOU17 Safeguarding existing traveller sites	It is important to protect existing Traveller sites from being developed for alternative uses whilst there is a need for such sites, as currently demonstrated by the GTAA (Gypsy and Traveller Accommodation Assessment). It is also important to safeguard these sites for future generations of gypsies and travellers. This policy provides such protection.	As a development management policy that does not itself promote development it is not likely to have a significant effect upon European sites.
HOU18 Housing Range and Mix	This policy requires development proposals of 10 or more dwellings to deliver a range and mix of dwelling types and sizes to meet local needs, help create and foster sustainable communities, provide resilience in the housing market, increase choice and widen the opportunities for home ownership.	As a development management policy that does not itself promote development it is not likely to have a significant effect upon European sites.
EMP1 New employment premises in Ashford, Tenterden and the rural settlements	Sets out the criteria by which applications for new employment premises, and the redevelopment, enhancement and reconfiguration of existing employment premises will be determined within or adjoining the built-up confines of Ashford, Tenterden and the rural settlements.	This Policy can be screened out as it promotes development in line with the overarching principles of sustainable development in existing settlements and there is no aspect of it which is likely to lead to significant effects on European sites.
EMP2 Loss or redevelopment of employment sites	Sets out the criteria by which applications which would result in the loss of redevelopment of existing employment sites will be determined.	As a development management policy that does not itself promote development it is not likely to have a significant effect upon European sites.
EMP3 Extensions to employment sites in rural area	Sets out the criteria by which applications for extensions to employment premises in the rural area will be determined.	As a development management policy that does not itself promote development it is not likely to have a significant effect upon European sites.
EMP6 Promoting fibre to premises	This policy promotes the delivery of advanced, high quality communications infrastructure and the expansion of high speed broadband, challenging the market yet further to	This Policy can be screened out as there is no aspect of it which is likely to lead to significant effects on European sites.

	require fibre to the premise (FTTP) for all new developments coming forward in the Borough, wherever practical.	
EMP7 Ashford Primary and Secondary Shopping Frontages	Defines the locations of the primary and secondary shopping frontages in Ashford Town Centre, as well as the Primary Shopping Area, and sets out what uses will be permitted in such locations.	This Policy can be screened out as there is no aspect of it which is likely to lead to significant effects on European sites.
EMP8 Tenterden Primary Shopping Frontage	Defines the locations of the primary shopping frontage in Tenterden Town Centre, as well as the Primary Shopping Area, and sets out what uses will be permitted in such locations.	This Policy can be screened out as there is no aspect of it which is likely to lead to significant effects on European sites.
EMP9 Sequential Assessment and Impact Tests	Sets out the requirements for the determination of applications for main town centre uses that are not proposed in Ashford or Tenterden Primary Shopping Areas and are not in accordance with other site allocations within this Local Plan.	As a development management policy that does not itself promote development it is not likely to have a significant effect upon European sites.
EMP10 Local and Village Centres	Seeks to resist the loss of shops and services and to preserve the character of the local centres and to this end supports the retention of existing facilities and establishes criteria with which proposals involving the loss of shops and services will need to comply.	As a development management policy that does not itself promote development it is not likely to have a significant effect upon European sites.
EMP11 Tourism	Seeks to retain existing facilities and support the development of new tourism facilities in appropriate locations particularly in Ashford town centre.	This Policy can be screened out as there is no aspect of it which is likely to lead to significant effects on European sites.
TRA2 Strategic Public Parking Facilities	Supports the delivery of four public car park facilities over the Plan period, comprising two multi-storey car parks in Ashford Town Centre and two Park and Ride facilities at Chilmington green and at the Warren on the edge of the town centre.	This Policy can be screened out as there is no aspect of it which is likely to lead to significant effects on European sites.

TRA3a Parking Standards for Residential Development	Sets out the standards for parking facilities that will be required for new residential development in the Borough over the Plan period.	As a development management policy that does not itself promote development it is not likely to have a significant effect upon European sites.
TRA3b Parking Standards for Non-Residential Development	Sets out the standards for parking facilities that will be required for new non-residential development in the Borough over the Plan period.	As a development management policy that does not itself promote development it is not likely to have a significant effect upon European sites.
TRA4 Promoting the local bus network	This Policy promotes the enhancement of local bus networks, with S106 agreements to be used to deliver where necessary.	As a development management policy that does not itself promote development it is not likely to have a significant effect upon European sites.
TRA5 Planning for pedestrians	Requires all new developments to demonstrate and deliver accessible and safe pedestrian access and movement routes and how they are well connected to the wider network.	As a development management policy that does not itself promote development it is not likely to have a significant effect upon European sites.
TRA6 Providing for cycling	Sets out how the Plan will deliver improved conditions for cyclists in the Borough.	As a development management policy that does not itself promote development it is not likely to have a significant effect upon European sites.
TRA7 The Road Network and Development	States that most of the traffic generated by development should be targeted towards the primary and secondary route network in the borough. Other routes should not be subject to inappropriate levels of traffic generation or unsuitable traffic movements.	As a development management policy that does not itself promote development it is not likely to have a significant effect upon European sites.
TRA8 Transport Plans, Assessments and Statements	Establishes that the Council will require the submission of travel plans, assessments or statements to assess and mitigate the negative transport impacts of development in order to ensure that sustainable development is delivered depending on the nature and scale of the proposal.	As a development management policy that does not itself promote development it is not likely to have a significant effect upon European sites.

TRA9 Planning for HGV Movements	This Policy requires that proposals that generate significant HGV movements shall be expected to take into account the location, the nature of the proposed use and the impact on the local road network and sets out the evidence that will be required to be submitted prior to the determination of applications.	As a development management policy that does not itself promote development it is not likely to have a significant effect upon European sites.
ENV1 Biodiversity	This policy promotes the conservation and enhancement of the biodiversity and natural environment of the Borough, including providing specific protection for the European Sites.	This is the key policy that protects the integrity of European protected Sites, including the Wye and Crundale Special Area of Conservation, and the Dungeness, Romney Marsh and Rye Bay Ramsar and SPA sites. It requires any proposal capable of affecting designated interest features of European sites to be subject to Habitats Regulations Assessment screening. As a development management policy that does not itself promote development and seeks to protect the natural environment, including specifically the European Sites, it is not likely to have a significant effect upon European sites.
ENV2 The Ashford Green Corridor	This policy provides for the protection and enhancement of the Ashford Green Corridors.	As a development management policy that does not itself promote development and seeks to protect the natural environment it is not likely to have a significant effect upon European sites.
ENV3a Landscape Character and Design	Provides for the protection and enhancement of the character of the rich variety of landscapes of the Borough.	As a development management policy that does not itself promote development and seeks to protect the natural

		environment it is not likely to have a significant effect upon European sites.
ENV3b Landscape Character and Design in AONBs	Provides for the protection and enhancement of the character of the Kent Downs and High Weald AONBs that are located in the borough.	As a development management policy that does not itself promote development and seeks to protect the natural environment it is not likely to have a significant effect upon European sites.
ENV4 Light Pollution and promoting Dark Skies	Provides protection for the intrinsically dark landscapes in the Borough and promotes light control as a key planning consideration, particularly in the areas of darkest skies and existing low district brightness.	As a development management policy that does not itself promote development and seeks to protect the natural environment it is not likely to have a significant effect upon European sites.
ENV5 Protection of Important rural features	Promotes the protection and enhancement where possible of areas of ancient woodland and semi-natural woodlands, river corridors and tributaries, rural lanes of nature conservation, historic or landscape importance and public rights of way.	As a development management policy that does not itself promote development and seeks to protect the natural environment it is not likely to have a significant effect upon European sites.
ENV6 Flood Risk	States that all proposals for new development should contribute to an overall flood risk reduction. Establishes that sequential and exception tests set out in NPPF will be strictly adhered to throughout the borough.	As a development management policy that does not itself promote development and seeks to protect the natural environment it is not likely to have a significant effect upon European sites.
ENV7 Water Efficiency	Requires that all new residential development must adhere to the Building Regulations requirement of a maximum of 110 litres per person per day usage.	As a development management policy that does not itself promote development and seeks to protect the natural environment it is not likely to have a significant effect upon European sites.
ENV8 Water Quality, Supply and Treatment	This policy requires that major proposals for new development must be able to demonstrate that there are, or will be, adequate water supply and wastewater treatment facilities in place to serve the whole development. It states	As a development management policy that does not itself promote development and seeks to protect the natural

	that schemes that would be likely to result in a reduction in the quality or quantity of groundwater resources will not be permitted. The Council will support, in principle, infrastructure proposals designed to increase water supply and wastewater treatment capacity subject to there being no significant adverse environmental impacts and the minimisation of those that may remain.	environment it is not likely to have a significant effect upon European sites.
ENV9 Sustainable Drainage	Requires that all new development provide SuDS for the disposal of surface water in order to avoid any increase in flood risk or adverse impact on water quality.	As a development management policy that does not itself promote development and seeks to protect the natural environment it is not likely to have a significant effect upon European sites.
ENV10 Renewable and Low Carbon Energy	Provides policy support for proposals to generate energy from renewable or low carbon sources.	As a development management policy that does not itself promote development and seeks to protect the natural environment it is not likely to have a significant effect upon European sites.
ENV11 Sustainable Design and Construction	All major non-residential development will be required to achieve BREEAM “Very Good” standard.	As a development management policy that does not itself promote development and seeks to protect the natural environment it is not likely to have a significant effect upon European sites.
ENV12 Air Quality	This Policy supports a shift to the use of sustainable low emission transport to minimise the impact of vehicle emissions on air quality. Development should be located where it is accessible to support the use of public transport, walking and cycling. Air Quality Assessments will be required for development proposals that might lead to a significant deterioration in air quality or air quality national objectives being exceeded, either by itself or in combination with other committed development.	As a development management policy that does not itself promote development and seeks to protect the natural environment it is not likely to have a significant effect upon European sites.

ENV13 Conservation and Enhancement of Heritage Assets	Provides policy support for proposals for the conservation and enhancement of the Borough's heritage assets and seeks to prevent loss or substantial harm to their significance.	As a development management policy that does not itself promote development and seeks to protect the historic environment it is not likely to have a significant effect upon European sites.
ENV14 Conservation Areas	Requires that new development or redevelopment within the Borough's Conservation Areas preserve or enhance their character.	As a development management policy that does not itself promote development and seeks to protect the historic environment it is not likely to have a significant effect upon European sites.
ENV15 Archaeology	Protects Scheduled Monuments and other known important archaeological sites from harm from new development and sets out the approach that the Council will require developers to take to the surveying, recording, preservation or excavation of archaeological sites.	As a development management policy that does not itself promote development and seeks to protect the historic environment it is not likely to have a significant effect upon European sites.
COM1 Meeting the Community's needs	Provides the policy framework for the delivery of facilities that provide social and community leisure space, recreation and sports, arts and creative industry spaces, public open spaces, children's play, educational and learning such as schools and libraries; health services, places of worship, space for the voluntary and community sector, and youth and children's services. the Council's approach will be to continue to work with developers and providers to ensure the provision of community infrastructure in the right locations and at the right time.	As a development management policy that does not itself promote development it is not likely to have a significant effect upon European sites.
COM2 Sport, Recreation and Play	Sets out the total quantum's of recreational, play, sport and open space which are required to meet the needs of the new development proposed in this Local Plan.	This Policy which specifically seeks to enhance and increase areas of formal and informal green space in the borough can be screened out as there is no

		aspect of it which is likely to lead to significant effects on European sites.
COM3 Allotments	This policy provides support for the provision of additional allotments in the Borough.	This Policy can be screened out as it will serve to enhance the natural environment and biodiversity and there is no aspect of it which is likely to lead to significant effects on European sites.
COM4 Cemetery Provision	Provides support for the expansion of existing or the creation of new cemeteries coming forward during the lifetime of the Plan.	This Policy can be screened out as there is no aspect of it which is likely to lead to significant effects on European sites.
IMP1 Infrastructure Provision	Provides confirmation that all development will be required to make provision towards the delivery of additional infrastructure requirements either through S106 or CIL contributions.	As a development management policy that does not itself promote development it is not likely to have a significant effect upon European sites.
IMP2 Deferred Contributions	This Policy states that deferred contributions will be sought by the Council in instances where a deficit in the provision of all policy and infrastructure requirements is deemed acceptable on tested viability evidence.	As a development management policy that does not itself promote development it is not likely to have a significant effect upon European sites.
IMP3 Enforcement	States that the Council will respond to those who flout the planning law and system, in line with the Borough's Local Enforcement Plan.	As a development management policy that does not itself promote development it is not likely to have a significant effect upon European sites.
IMP4 Governance of public community space and facilities	This Policy provides the framework for ensuring the appropriate governance of community space and facilities.	As a development management policy that does not itself promote development it is not likely to have a significant effect upon European sites.

Table Two: POLICIES WHICH REQUIRED FURTHER CONSIDERATION

Policy	Description	Screening Conclusion
STRATEGIC POLICIES		
SP1 Strategic Objectives	This Policy sets out the Strategic Objectives for the Local Plan.	This policy is not location or scale specific but does promote the delivery of new development in the Borough over the Plan period. As such it could, without mitigation wording therefore lead to significant effects on the integrity of European sites. To prevent this, the protection of the natural environment of the Borough is one of the Strategic Objectives of the whole Plan.
SP2 Strategic Approach to Housing Delivery	This policy sets out the overall quantum of housing to be delivered in the Borough over the Plan period.	This Policy cannot be screened out as being inherently unlikely to lead to a significant effect as it sets the overall scale of development for the Borough. However, it establishes that the majority of new housing will be focused on Ashford as the most sustainable location, with limited levels of development elsewhere in the Borough at a scale that is consistent with the location's environmental sensitivity. This wording, together with Policy ENV1 and site specific requirements for allocations, is considered to provide sufficient protection for the European sites with respect to potential significant effects and that no further wording is necessary.
SP3 Strategic Approach to Economic Development	This policy sets out the overall quantum of new jobs to be created in the Borough over the Plan period.	This Policy cannot be screened out as being inherently unlikely to lead to a significant effect as it sets the overall scale of economic and commercial development for the Borough.

		<p>However, it establishes that commercial development and growth in employment opportunities will be delivered on sites already allocated in adopted Plans, with the exception of two new sites in the Ashford urban area and one at Tenterden, the second settlement in the Borough, and through support for the retention of existing premises. Such measures mean that harmful impact on the integrity of the European sites is unlikely to occur.</p>
SP4 Delivery of Retail and Leisure Needs	<p>This Policy sets out the need for additional comparison and convenience retail development and leisure facilities across the differing locations of the Borough during the Plan period.</p>	<p>This Policy cannot be screened out as being inherently unlikely to lead to a significant effect as it promotes additional retail and leisure development during the lifetime of the Plan. However, the Policy confirms that the need will be required to be met in Ashford Town Centre and local village centres. Such requirements mean that harmful impact on the integrity of the European sites is unlikely to occur.</p>
TOPIC POLICIES		
HOU2 Local Needs/specific Housing	<p>Applies to the delivery of local needs housing and specialist housing schemes for which a specific exception sites policy for promoting their delivery is required.</p>	<p>Both these forms of housing are normally delivered on exception sites subject to planning policies of restraint. Mitigation is therefore required in the Policy to prevent the potential for harm to the European Sites. The Policy therefore makes clear that that permission will be subject to criteria. Specifically such criteria require that the development would not result in significant adverse impact on the character of the area or the surrounding landscape. This wording, together with Policy ENV1, is considered to provide</p>

		sufficient protection for the European sites with respect to potential significant effects and that no further wording is necessary.
HOU5 Residential windfall development in the countryside	Applies to windfall development coming forward on both isolated and non-isolated sites in the countryside.	Development outside of built up areas has the potential to significantly effect the integrity of the European Sites. In order to prevent this, the wording of this policy specifically states that such development will not be permitted if it is deemed to adversely effect the integrity of international and national protected sites, in the case of non-isolated sites, and will be permitted only in cited exceptions for isolated sites. This wording, together with Policy ENV1, is considered to provide sufficient protection for the European sites with respect to potential significant effects and that no further wording is necessary.
HOU16 Traveller Accommodation	This policy sets out criteria to provide for windfall additional small sites in the borough coming forward during the lifetime of the plan.	Development outside of built up areas for traveller accommodation has the potential to significantly effect the integrity of the European Sites. In order to prevent this, the wording of this policy specifically states that such development will not be permitted if it is deemed to harm international and national protected sites. This wording, together with Policy ENV1, is considered to provide sufficient protection for the European sites with respect to potential significant effects and that no further wording is necessary.
EMP4 Conversion of rural buildings to non-residential	Sets out the criteria by which applications for the conversion of rural buildings to employment, non-residential tourism, leisure	Mitigation to prevent significant adverse impacts on landscape and biodiversity is included in the policy wording and as a result development

	or community-related uses will be determined.	coming forward under this policy is not likely to have a significant effect upon European sites.
EMP5 New employment premises in the countryside	Sets out criteria where new employment sites in the countryside will be permitted.	Mitigation to respect the character of sites of biodiversity value is included in the policy wording and as a result development coming forward under this policy is not likely to have a significant effect upon European sites.
TRA1 Strategic Transport Schemes	Seeks the implementation of highway and other strategic schemes that will remove serious impediments to growth and/or secure important environmental benefits. These include a new motorway junction (Junction 10a), the Pound Lane link road, the A28 dualling and Chart Road improvements and measures to improve the former Ring Road junctions.	Major highways projects of this nature are required to undergo appropriate environmental impact assessments by the determining bodies at relevant permission stages. Such a requirement is considered to provide reasonable mitigation against harmful impact on the integrity of the European sites.

5. CONCLUSIONS AND RECOMMENDATIONS

This section is unchanged from the June 2017 HRA as no further major changes to the Local Plan 2030 are being proposed. It is included here for ease of reference.

- 5.1 The The quantum of development proposed in the Ashford Local Plan 2030 are considerably smaller than those in the Core Strategy, that it replaces, and which was predicated on the delivery at Ashford of a Regional Growth Centre as then proposed in the now revoked South East Plan.
- 5.2 Development that has occurred during the period of the Ashford Core Strategy, and subsequent Rural and Urban DPDs, has been concentrated in the Ashford Urban Area in accordance with the overarching objective of delivering sustainable development, with considerable focus on the enhancement of green infrastructure across the Borough. This approach has included the consolidation and enhancement of the successful Ashford Green Corridors initiative, the development of a major regional water sports facility at Conningbrook Lakes Country Park on the northern side of Ashford town, and environmental centre and facilities at Singleton on the southern fringe.
- 5.3 Such initiatives continue to be promoted and supported in the Ashford Local Plan 2030. This Local Plan includes policies which will continue to concentrate development at Ashford and other existing centres, reduce the need to travel and hence the amount of vehicle emissions, apply restrictions on water usage, introduce measures to improve water quality and encourage water recycling and the avoidance of run-off and, in the case of public open space provision, will provide recreation opportunities and natural green space close to existing and new developments in a series of Strategic Parks and green corridors. Such opportunities are likely to reduce the need for residents to visit environmentally sensitive areas of countryside elsewhere. Measures to increase water supply have already been put in place in the form of a new water main from Bewl Water Reservoir, removing the pressure to abstract water from the river Stour to meet the demands arising from development at Ashford. Upgrading of the waste water treatment works at Bybrook has also been carried out.
- 5.4 In order to comply with the Habitat Regulations, this Assessment determines whether the allocated sites or policies of the Ashford Local Plan 2030 could result in a Likely Significant Effect on the internationally important wildlife and landscape of European sites, taking account of their conservation objectives and the responsibility on the Council to prevent significant adverse effects upon European sites.
- 5.5 European Sites potentially at risk of significant effects from development proposed in the Ashford Local Plan 2030 were analysed in terms of interest features, location, conditions and vulnerabilities to provide the scope for the assessment. An examination of a long list

of European Sites concluded that the Wye and Crundale SAC, the Dungeness sites (comprising the Dungeness SAC, the Dungeness Romney Marsh and Rye Bay SPA and the Dungeness, Romney Marsh and Rye Bay Ramsar sites) and the Stodmarsh sites (Stodmarsh SAC, SPA and Ramsar site) should be screened for significant effect.

5.6 The environmental changes and significant adverse effects that can occur to European Sites were defined and the potential for the Ashford Local Plan 2030 to result in such changes significant effects was then examined against the circumstances of Wye and Crundale SAC, the Dungeness Sites and the Stodmarsh Sites. Finally, each Policy of the Local Plan was also assessed for its potential to result in harm to

5.7 Natural England is the statutory consultee for HRA in England. The organisation was consulted on the HRA, particularly with regard to clarifying the required involvement of Ashford Borough with the preparation of the Strategic Access Strategy for the Dungeness complex. Due to NE time constraints meetings were not possible but emailed advice was provided.

5.8 On the basis of the findings of this Assessment, it is concluded that an adequate policy framework is in place to ensure that the Ashford Local Plan 2030 will not lead to a Likely Significant Effect on European sites either alone or in combination with other projects and plans and that an Appropriate Assessment is not therefore required.