



The Royal Borough of Kingston Upon  
Thames

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## **New Local Plan**

Habitats Regulations Screening Assessment



The Royal Borough of Kingston Upon Thames

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## **New Local Plan**

### **Habitats Regulations Screening Assessment**

**Type of document (version) Public**

**Project no. 70093878**

**Our Ref. No. 001**

**Date: November 2022**

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# Quality control

Issue/revision	First issue	Revision 1	Revision 2	Revision 3
Remarks	Draft	For Regulation 18 Consultation		
Date	November 2022	November 2022		
Prepared by	Verity Dickie	Verity Dickie		
Signature				
Checked by	Owen Peat	Owen Peat		
Signature				
Authorised by	Adrian Hutchings	Adrian Hutchings		
Signature				
Project number	70093878	70093878		
Report number	001	001		
File reference	\\uk.wspgroup.com\Central Data\Projects\70093xxx\70093878 - Royal Borough of Kingston upon Thames IIA\03 WIP\04 HRA			

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# 1 Introduction

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- 1.1.1 The Royal Borough of Kingston upon Thames (hereafter referred to as RBKT) is in the process of preparing a new Local Plan for the Borough. The new Local Plan will set out how development will be planned and managed across the Borough through to 2041.
- 1.1.2 The Local Plan is a statutory document<sup>1</sup> that forms part of the Council's strategy to deliver sustainable development, tackle climate change and deliver new homes, jobs and infrastructure for current and future RBKT residents. Local Plans must be positively prepared, justified, effective and consistent with national policy, in accordance with Section 20 of the Planning and Compulsory Purchase Act 2004 (as amended) and the National Planning Policy Framework (NPPF)<sup>2</sup>.
- 1.1.3 The Local Plan sits within a wider framework of planning documents, including national guidance set out by the government in the NPPF (as referenced above), regional and city planning policies and guidance, strategic plans, supporting strategies and background studies. The Local Plan will form the basis on which planning applications will be determined within RBKT's administrative area.
- 1.1.4 WSP has been appointed by RBKT to undertake the Habitats Regulations Assessment (HRA) for the Local Plan. The focus of the HRA process is on identifying the potential for adverse effects as a result of the Local Plan policies on the integrity of European nature conservation sites and other designations addressed through HRA as a matter of policy (hereafter referred to as "Habitats sites").
- 1.1.5 Under The Conservation of Habitats and Species Regulations 2017<sup>3</sup> (as amended) (the 'Habitats Regulations') 'Competent Authorities' must assess plans and projects for their potential to cause Likely Significant Effects (LSE) on Habitats sites. Where the plan or

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<sup>1</sup> Section 19 of the [Planning and Compulsory Purchase Act 2004](#) sets out specific matters to which the local planning authority must have regard when preparing a local plan. [Regulations 8 and 9 of the Town and Country Planning \(Local Planning\) \(England\) Regulations 2012](#) prescribe the general form and content of local plans and adopted policies maps, while [regulation 10](#) states what additional matters local planning authorities must have regard to when drafting their local plans.

<sup>2</sup> The National Planning Policy Framework 2021. Available online: <https://www.gov.uk/government/publications/national-planning-policy-framework--2> Accessed [15/11/22]

<sup>3</sup> The Conservation of Habitats and Species Regulations 2017. Available at: [The Conservation of Habitats and Species Regulations 2017 \(legislation.gov.uk\)](#) Accessed [15/11/22]

project may lead to LSE it must be subject to an Appropriate Assessment to determine whether there will be adverse effects to any Habitats sites.

- 1.1.6 Stage 1 (Screening), as presented within this report, represents the first step in the HRA process and comprises a desk-based review of relevant information, including biodiversity information and relevant HRA reporting (relating to other relevant plans and projects).
- 1.1.7 This exercise identifies all relevant Habitats sites where LSE could occur and the information captured here will form the evidence base for this Stage 1 HRA (Screening) and part of any subsequent HRA stages (including if necessary, a Stage 2 Appropriate Assessment (AA) (see Methodology Section 2).

## 1.2 Report Framework

- 1.2.1 This HRA screening report has been produced as a part of the Integrated Impact Assessment (IIA) that incorporates the requirement of a Strategic Environmental Assessment (SEA) for the Local Plan and associated plans.
- 1.2.2 At a screening level, this report will ensure that all HRA-related considerations are fully integrated into the Local Plan documents as they develop.
- 1.2.3 This report details:
  - the HRA process and methodology for assessment;
  - the relevant Habitats sites within the Zone of Influence (ZOI) for the Local Plan policies;
  - the challenges of the Local Plan policies and how these may impact upon relevant Habitats sites, and;
  - the screening of LSE (Stage 1) of the Local Plan policies.
- 1.2.4 It should be noted that this HRA has been based solely upon the RBKT Local Plan and does not include a detailed analysis of any projects that may arise as a result of this Local Plan.



## 1.3 The RBKT Local Plan

- 1.3.1 The new Local Plan will set out a vision for the future of the Borough. It will cover a range of areas, from specifying the locations for new homes and businesses, to planning policies which address local issues to ensure development is achieved in a sustainable manner, supporting the protection and enhancement of our environment, green spaces and cultural and historic assets.
- 1.3.2 Once adopted, alongside the London Plan and neighbourhood plans (made by qualifying bodies), the Local Plan will form part of the Borough’s Development Plan and be the basis for determining planning applications; shaping how the Borough will develop over the next 15 years. Further details relating to the Local Plan, including the Local Plan vision and objectives are set out within the Interim Integrated impact Assessment Report (WSP, 2022).
- 1.3.3 The Local Plan policies which are the focus of this screening exercise are listed in Table 1-1, but for more detail refer to the primary source document (RBKT, 2022). A brief summary of each policy is also given in the screening Table 7-3 Section 7.

**Table 1-1 – RBKT Local Plan policies screened in the HRA**

Policy number	Title
<b>Sustainable Development</b>	
K1	Sustainable Locations for Good Growth
K2	Spatial Strategy for the Kingston Town Centre Area (A Plan for the Kingston Town Centre Area)
<b>Climate Change and Environmental Sustainability</b>	
KC1	Climate Change and Environmental Sustainability *Strategic Policy*
KC2	Air Quality
KC3	Flood Risk
KC4	Sustainable Drainage
KC5	Sustainable water and wastewater management
KC6	Managing Heat Risk
KC7	Minimising Greenhouse Emissions
KC8	Energy Infrastructure
KC9	Ground Contamination and Hazardous Substances

KC10	Sustainable Construction and Supporting the Circular Economy
KC11	Waste and Recycling Management
<b>Design and Heritage</b>	
KD1	Delivering High-quality Design *Strategic Policy*
KD2	Design Considerations for Development
KD3	Public Realm
KD4	Housing Quality and Standards
KD5	Residential Extensions, Alterations and Basements
KD6	Residential Amenity Space
KD7	Commercial Frontages and Signage
KD8	Telecommunications and Digital Infrastructure
KD9	Views Management
KD10	Tall Buildings
KD11	Heritage Assets
KD12	Development affecting Heritage Assets
KD13	Archaeology
<b>Housing Delivery</b>	
KH1	Meeting the Borough's Housing Needs *Strategic Policy*
KH2	Affordable Housing
KH3	Housing Size Mix
KH4	Build to Rent Housing
KH5	Specialist and Supported Living Housing
KH6	Shared Living Housing and Student Accommodation
KH7	Gypsies and Travellers
<b>Economy and Town Centres</b>	

KE1	Supporting the Borough's Economy *Strategic Policy*
KE2	Employment Uses
KE3	Development in Industrial Locations
KE4	Town Centres *Strategic Policies*
KE5	Development in Town Centres
KE6	Main Town Centre Uses outside Town Centres
KE7	Visitor Accommodation
KE8	Hot Food Takeaways
KE9	Betting Offices
<b>Social Infrastructure</b>	
KS1	Social Infrastructure *Strategic Policy*
KS2	Healthcare Facilities
KS3	School, College and University Facilities
KS4	Community Facilities
KS5	Arts and Cultural Facilities
KS6	Sports Facilities
KS7	Play and Informal Recreation
KS8	Public Houses
<b>Green and Blue Infrastructure</b>	
KN1	Green and Blue Infrastructure *Strategic Policy*
KN2	Open Spaces
KN3	Biodiversity
KN4	Urban Greening and Trees
KN5	Food Growing
KN6	Green Belt and Metropolitan Open Land

<b>Transport and Connectivity</b>	
KT1	Strategic Approach to Transport *Strategic Policy*
KT2	Sustainable Travel and Healthy Streets
KT3	Transport Infrastructure
KT4	Car Parking and Car Free Development
KT5	Sustainable Servicing
KT6	River Transport
<b>Implementation and Monitoring</b>	
KI1	Infrastructure and Developer Contributions
KI2	Sustainable Locations for Good Growth

## 2 Relevant policy, legislation, case law and guidance

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### 2.1 Legislative Background

- 2.1.1 Under The Conservation of Habitats and Species Regulations 2017 (as amended) (the 'Habitats Regulations') 'Competent Authorities' must assess Plans and projects for their potential to cause LSE on Habitats sites. Where the plan or project may lead to LSE it must be subject to an AA to determine whether there will be adverse effects to any Habitats sites. Any plan or project that would lead to adverse effects on the integrity of Habitats site(s) cannot be permitted without meeting strict additional tests.
- 2.1.2 Defra guidance<sup>4</sup> states that Special Areas of Conservation (SACs) and Special Protection Areas (SPAs) in the UK no longer form part of the EU's Natura 2000 ecological network. The Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019 have created a National Site Network (NSN) on land and at sea, including both the inshore and offshore marine areas in the UK. The national site network includes:
- existing SACs and SPAs; and
  - new SACs and SPAs designated under these Regulations.
- 2.1.3 Any references to Natura 2000 in the 2017 Regulations and in guidance now refers to the new NSN.
- 2.1.4 It is a matter of Government policy (NPPF paragraph 118) that sites designated under the 1971 Ramsar Convention for their internationally important wetlands (commonly known as Ramsar sites) are also considered in the same way as Habitats sites. Together, these sites are referred to as 'Habitats sites' in the NPPF and in this report.
- 2.1.5 Other site designations of national or local importance are not assessed by the HRA process, but with respect to Sites of Special Scientific Interest (SSSI) these designations largely overlap with European or Ramsar sites.
- 2.1.6 Maintaining a coherent network of protected sites with overarching conservation objectives is still required in order to:
- fulfil the commitment made by government to maintain environmental protections; and
  - continue to meet our international legal obligations, such as the Bern Convention, the Oslo and Paris Conventions (OSPAR), Bonn and Ramsar Conventions.

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<sup>4</sup> Defra Policy Paper Changes to the Habitats Regulations 2017 (Published 1 January 2021). Available online: <https://www.gov.uk/government/publications/changes-to-the-habitats-regulations-2017/changes-to-the-habitats-regulations-2017> Accessed [15/11/22]

2.1.7 This report presents information to enable the screening assessment required as part of Stage 1 of the HRA process, to establish whether or not the RBKT Local Plan will have a LSE upon the NSN and Habitats sites.

2.1.8 The principle of Favourable Conservation Status (FCS) of features within Habitats sites as set out in the original Habitats Directive<sup>5</sup> is central to this assessment. The use of the term FCS is not amended by The Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019 and the term still has the meaning given by Article 1 of the Habitats Directive. Defra guidance<sup>6</sup> does however note that

*“an appropriate authority is only responsible for managing and adapting the national site network to secure FCS of a feature proportionately to the importance of the UK within the feature’s natural range”.*

2.1.9 The Habitats Directive provides further interpretation of the meaning of ‘favourable conservation status’ within Article 1 parts a, e and i as below.

*‘(a) conservation means a series of measures required to maintain or restore the natural habitats and the populations of species of wild fauna and flora at a favourable status as defined in (e) and (i);.....*

*(e) conservation status of a natural habitat means the sum of the influences acting on a natural habitat and its typical species that may affect its long-term natural distribution, structure and functions as well as the long-term survival of its typical species within the territory referred to in Article 2. The conservative status of a natural habitat will be taken as "favourable" when:*

- *its natural range and areas it covers within that range are stable or increasing, and*
- *the specific structure and functions which are necessary for its long-term maintenance exist and are likely to continue to exist for the foreseeable future, and*
- *the conservation status of its typical species is favourable as defined in (i);*

*(i) conservation status of a species means the sum of the influences acting on the species concerned that may affect the long-term distribution and abundance of its populations within the territory referred to in Article 2; The conservation status will be taken as "favourable" when:*

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<sup>5</sup> The Habitats Directive, European Commission. Available online: [https://ec.europa.eu/environment/nature/legislation/habitatsdirective/index\\_en.htm](https://ec.europa.eu/environment/nature/legislation/habitatsdirective/index_en.htm) Accessed [06/07/22]

<sup>6</sup> Defra Policy Paper Changes to the Habitats Regulations 2017 (Published 1 January 2021). Available online: <https://www.gov.uk/government/publications/changes-to-the-habitats-regulations-2017/changes-to-the-habitats-regulations-2017> Accessed [06/07/22]

- *population dynamics data on the species concerned indicate that it is maintaining itself on a long-term basis as a viable component of its natural habitats, and*
- *the natural range of the species is neither being reduced nor is likely to be reduced for the foreseeable future, and*
- *there is, and will probably continue to be, a sufficiently large habitat to maintain its populations on a long-term basis’.*

## 2.2 Stages of Habitats Regulations Assessment

2.2.1 Guidance on the Habitats Directive<sup>7</sup> sets out the step-wise approach which should be followed to enable Competent Authorities to discharge their duties under the Habitats Directive and provides further clarity on the interpretation of Articles 6 (3) and 6 (4). As set out in Regulation 3 of The Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019 where Natura 2000 sites are referenced in previously issued guidance, this should be interpreted as relating to the NSN, but does not otherwise affect guidance as it applied before EU exit day.

- **Stage 1:** Screening: the process which initially identifies the likely impacts upon a NSN site of a plan or project, either alone or in combination with other plans or projects and considers whether these impacts are likely to be significant.
- **Stage 2: AA:** the detailed consideration of the impact on the integrity of the NSN sites of the plan or project, either alone or in combination with other plans or projects, with respect to the site’s conservation objectives and its structure and function. This is to determine whether there will be adverse effects on the integrity of the site. Specific guidance on this stage and stage 1 is provided in Defra guidance<sup>8</sup>.
- **Stage 3:** Assessment of Alternative Solutions: the processes that examine alternative ways of achieving the objectives of the plans or projects that avoid adverse impacts on the integrity of the NSN site.
- **Stage 4:** Assessment where no Alternative Solutions Exist and where Adverse Impacts Remain: an assessment of whether the development is necessary for Imperative Reasons of Overriding Public Interest (IROPI) and, if so, of the compensatory measures needed to maintain the overall coherence of the NSN.

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<sup>7</sup> European Commission (2000). Managing Natura 2000 Sites, the provisions of Article 6 of the ‘Habitats’ Directive 92/43/EEC. Available online:

[http://ec.europa.eu/environment/nature/natura2000/management/docs/art6/provision\\_of\\_art6\\_en.pdf](http://ec.europa.eu/environment/nature/natura2000/management/docs/art6/provision_of_art6_en.pdf). Accessed [20/11/2022]

<sup>8</sup> Defra Guidance: Habitats regulations assessments: protecting a Habitats site. How a competent authority must decide if a plan or project proposal that affects a Habitats site can go ahead. Feb 2021. Available online: <https://www.gov.uk/guidance/habitats-regulations-assessments-protecting-a-european-site> Accessed [20/11/22]

## 2.3 Relevant Case Law

- 2.3.1 There are a number of recent Court of Justice of the European Union (CJEU) rulings which are relevant to this assessment and these are given for information in Appendix A.
- 2.3.2 As the general provisions for the protection of Habitats sites and the procedural requirements to undertake HRA to assess the implications of Plans or Projects for Habitats sites remain, this previous case law established prior to the UK's exit from the EU is considered to apply unless superseded by the judgement of an appropriate UK court.

## 2.4 National Planning Policy

### 2.4.1 NATIONAL PLANNING POLICY FRAMEWORK

2.4.2 In relation to biodiversity and the RBKT Local Plan, the following paragraphs in the document are relevant:

- Paragraph 174, which states 'Planning policies and decisions should contribute to and enhance the natural and local environment by:
  - a) *protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan);*
  - b) *recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland;*
  - d) *remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate; and*
  - e) *preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans'.*

- Paragraph 175 which states:

*'Plans should distinguish between the hierarchy of international, national and locally designated sites; allocate land with the least environmental or amenity value, where consistent with other policies in this Framework; take a strategic approach to maintaining and enhancing networks of habitats and green infrastructure; and plan for the enhancement of natural capital at a catchment or landscape scale across local authority boundaries.'*



## 2.5 Relevant Guidance

### NATURAL ENGLAND'S INTERNAL GUIDANCE

- 2.5.1 In June 2018, Natural England published guidance<sup>9</sup> on their approach to advising competent authorities on the assessment of road traffic emissions under the Habitats Regulations. The document draws upon Annex F of the DMRB (now withdrawn) but takes into account the Wealden Judgement and need to assess 'in-combination' effects on Habitats sites as a result of air pollution.
- 2.5.2 The guidance provides a framework around the assessment of road traffic emissions and subsequent effects on Habitats sites. Notably:
- Step 1 – Does the proposal give rise to emissions which are likely to reach a Habitats site;
  - Step 2 – Are there qualifying features within 200m of a road sensitive to air pollution;
  - Step 3 – Could the sensitive qualifying features of the site be exposed to emissions; and
  - Step 4 – Application of the Screening Thresholds.
    - Step 4a: apply the threshold alone;
    - Step 4b: apply the threshold in-combination with emissions from other road traffic plans and projects; and
    - Step 4c: apply the threshold in-combination with emissions from other non-road plans and projects.
  - Step 5: Advise on the need for Appropriate Assessment where thresholds are exceeded, either alone or in-combination.
- 2.5.3 The relevant thresholds in relation to Step 4 are as follows:
- Changes in AADT of 1000 vehicles a day (or more); and/or
  - Changes of 1% of the relevant Critical Load and/or Level as a result of the Plan/Project.

### IAQM'S GUIDE TO THE ASSESSMENT OF AIR QUALITY IMPACTS ON DESIGNATED NATURE CONSERVATION SITES

- 2.5.4 The Guide to the Assessment of Air Quality Impacts on Designated Nature Conservation Sites<sup>10</sup> provides advice for ecologists relating to air quality assessments (AQAs), to evaluate

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<sup>9</sup> Natural England (June 2018) Natural England's approach to advising competent authorities on the assessment of road traffic emissions under the Habitats Regulations. Available online: <http://publications.naturalengland.org.uk/publication/4720542048845824>. Accessed [20/11/2022]

<sup>10</sup> Holman et al (2020). *A guide to the assessment of air quality impacts on designated nature conservation sites – v1.1* Available online: <https://iaqm.co.uk/text/guidance/air-quality-impacts-on-nature-sites-2020.pdf> Accessed [20/11/2022]

the effects of air pollution on habitats and species, by increasing their understanding of the information provided by air quality specialists. The Guide focusses on the AQA process and no specific detail on the subsequent stage of the overall process, i.e. the assessment of the effects that air quality impacts may have on habitats and species, is provided in this guidance.

## **CIEEM ADVISORY NOTE: ECOLOGICAL ASSESSMENT OF AIR QUALITY IMPACTS**

- 2.5.5 This guidance from the Chartered Institute of Ecology and Environmental Management <sup>11</sup> is intended to take ecologists (and air quality specialists) through the issues that they should consider in order to make an informed judgement as to the ecological effects of changes in pollution concentrations and deposition rates. The approaches set out build on the advice and guidance from Natural England and IAQM, but focus on the ecologist role to interpret the numerical output of air quality assessments to reach evidence-based conclusions on ecological significance.

### **OTHER RELEVANT GUIDANCE AND POLICY:**

- Chapman, C. and Kite, B. (2021). Guidance on Decision-Making Thresholds for Air Pollution. JNCC Report No.696 (Main Report), JNCC, Peterborough, ISSN 0963-8091 (Note: Plan-level limitation of use is set out in this document; advice on Zol has been applied).
- Department for Communities and Local Government (August 2006). Planning for the protection of Habitats sites: Appropriate Assessment. Guidance for Regional Spatial Strategies and Local Development Documents. Draft.
- English Nature (2006). Draft Guidance – The Assessment of Regional Spatial Strategies and Sub-regional strategies under the provisions of the Habitats Regulations
- European Commission (2000). Managing Natura 2000 Sites, the provisions of Article 6 of the ‘Habitats’ Directive 92/43/EEC. Available online: [http://ec.europa.eu/environment/nature/natura2000/management/docs/art6/provision\\_of\\_art6\\_en.pdf](http://ec.europa.eu/environment/nature/natura2000/management/docs/art6/provision_of_art6_en.pdf). Accessed [20/11/2022]
- Scottish Natural Heritage (January 2015). Habitats Regulations Appraisal of Plans Guidance for Plan-Making Bodies In Scotland Version 3.0 originally prepared by David Tyldesley And Associates;
- Tyldesley, D. and Chapman, C. (2013). The Habitats Regulations Assessment Handbook (July 2020 Edition) UK DTA Publications Ltd.

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<sup>11</sup> CIEEM (January 2021) *Advisory Note: Ecological Assessment of Air Quality Impacts*. Available online: <https://cieem.net/resource/advisory-note-ecological-assessment-of-air-quality-impacts/#:~:text=Advisory%20Note%3A%20Ecological%20Assessment%20of%20Air%20Quality%20Impacts,.of%20changes%20in%20pollution%20concentrations%20and%20deposition%20rates> Accessed [20/11/22].

- Convention on Wetlands of International Importance especially as Waterfowl Habitat. Ramsar (Iran), 2 February 1971. UN Treaty Series No. 14583. As amended by the Paris Protocol, 3 December 1982, and Regina Amendments, 28 May 1987.
- Joint Nature Conservation Committee (JNCC) (2016). SAC and SPA Standard Data Forms and Ramsar Information Sheets. Available online: <https://jncc.gov.uk/our-work/uk-protected-area-datasets-for-download> Accessed [20/11/2022].

## HRA Policy Guidance

- Council of the European Union (1992). Council Directive 92/43/EEC on the Conservation of natural habitats and of wild fauna and flora. Available online: <http://eur-lex.europa.eu/legal-content/en/ALL/?uri=CELEX:31992L0043>. Accessed: [20/11/2022]
- Council of the European Union (2009). Directive 2009/147/EC of the European Parliament and of the Council of 30 November 2009 on the conservation of wild birds. Available online: <http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=URISERV:ev0024>. Accessed: [12/04/2022]
- Department for Communities and Local Government (DCLG) (2019). National Planning Policy Framework.
- European Communities (2007). Guidance document on Article 6 (4) of the 'Habitats Directive' 92/43/EEC; Available online: [http://ec.europa.eu/environment/nature/natura2000/management/docs/art6/guidance\\_art6\\_4\\_en.pdf](http://ec.europa.eu/environment/nature/natura2000/management/docs/art6/guidance_art6_4_en.pdf) Accessed: [20/11/2022]
- Her Majesty's Stationary Office (2017). The Conservation of Habitats and Species Regulations 2017/490.

## 3 Methodology

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- 3.1.1 This report presents the findings of the Screening undertaken as part of Stage 1 of the HRA process to establish whether or not the likely impacts of the RBKT Local Plan could have LSE on Habitats sites.
- 3.1.2 This document provides this information by undertaking the following steps:
- determining whether the plan is directly connected with or necessary for the management of applicable Habitats sites;
  - describing the plan impacts that may have the potential for significant effects upon applicable Habitats sites; and
  - describing the potential pathways of impacts, both alone and in-combination with other plans and projects.
- 3.1.3 The precautionary principle is applied at all stages of the HRA process. In relation to screening this means that projects and plans where effects are considered likely and those where uncertainty exists as to whether effects are likely to be significant must be subject to the second stage of the HRA process, AA.
- 3.1.4 The first step of the review is to establish whether the RBKT Local Plan should be subject to HRA.
- 3.1.5 Depending on the conclusion of this step, the assessment progresses to information gathering; in particular the identification of Habitats sites which will likely require consideration and on which background information is collated. This information includes the qualifying features of these sites, the conservation objectives and the sensitivities of those sites.
- 3.1.6 As part of the information gathering stage, in the assessment of Local Plans consideration is generally given to the air quality sensitivities of these Habitats sites, specifically their qualifying features, to changes in both nitrogen oxide (NO<sub>x</sub>) and ammonia (NH<sub>3</sub>) concentrations and nitrogen (N) deposition and then consideration of these changes in relation to the Critical Level and relevant Critical Loads<sup>12</sup>.
- 3.1.7 Critical Levels are used to estimate the exposure of sensitive vegetation and ecosystems to some important airborne pollutants, below which significant harmful effects are not expected to occur. They are not habitat specific, as with Critical Loads, but have been set to cover
- 

<sup>12</sup> Critical Loads and Levels are metrics used for assessing the risk of air pollution impacts to sensitive vegetation and ecosystems.

broad vegetation types. These levels have been adopted by the European Union and the United Nations Economic Commissions for Europe (UNECE) and are used as regulatory standards and are expressed in units of  $\mu\text{g}/\text{m}^3$  (micrograms per cubic metre).

- 3.1.8 In addition to the direct effect of pollutant concentrations in the air, vegetation can also be affected by the deposition of pollutants and particles onto both the ground and vegetation. Close to roads, N deposition can be of concern for sensitive ecological sites as it can result in a variety of adverse effects depending on the habitats present (e.g. interfering with photosynthesis, increasing acidification, altering species composition etc).
- 3.1.9 The final element of the information gathering stage is to review the availability of relevant data sets and sources which will form the evidence base of the assessment of the Local Plan policies alone and in-combination with other relevant plans and projects. Information on sources of HRA guidance are given below and the legislative and policy background including the relevant CJEU rulings, are given in Appendix A.

## 4 Review Results

### 4.1 Is HRA required?

4.1.1 The review looked to specifically answer each of the questions set out in the HRA review methodology. It should be noted that the level of detail of the Local Plan only allows for an anticipated assessment of the need for HRA based on experience of similar plans and projects (see Table 4-1 below).

**Table 4-1 – Is HRA required?**

	Question	Response
1	Is the whole of the plan directly connected with or necessary to the management of a Habitats site for nature conservation purposes?	No
2	Is the plan a 'strategic development plan' or 'local development plan' or 'supplementary guidance' or a core path plan or a revision thereof?	Yes
3	Does the plan provide a framework for deciding applications for project consents and / or does it influence decision makers on the outcome of applications for project consents?	Yes
4	Does the plan contain a programme, or policies, or proposals which could affect one or more particular Habitats site?	Yes
5	Is the plan a general statement of policy showing only the general political will or intention of the plan-making body, and no effect on any particular Habitats site can reasonably be predicted?	No

4.1.2 When the answer to either questions (1) or (5) is 'no', but the answer to any of questions (2), (3) or (4) is 'yes', then the requirement for further HRA is identified.

4.1.3 In this case, the answers to questions (1) and (5) are both 'no', while the answers to questions (2) to (4) are all 'yes'. It is therefore confirmed based on the availability of current information that the RBKT Local Plan does therefore require HRA.

## 5 Review of Habitats sites

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5.1.1 The following section provides a summary of the results of the review of Habitats sites data which will form the baseline for subsequent stages of HRA.

### 5.2 Habitats sites

- 5.2.1 It is necessary to consider all the Habitats sites that form part of the NSN (SACs, SPAs and proposed or candidate SPAs or SACs, expanded by the NPPF to include Ramsar sites) within a broad area or zone of influence (Zoi) of the Local Plan and the specific policies therein.
- 5.2.2 The Zoi is defined by the potential effects arising from the project or plan and the available pathways for those effects to reach and impact the interest features of Habitats sites.
- 5.2.3 In order to identify all strategic corridors where potential direct, indirect and in-combination effects could reasonably be considered possible, a Zoi buffer is set up around the primary activities, or in this case Policies, which are likely to affect the qualifying features of Habitats sites.
- 5.2.4 RBKT has provided an indicative list of site allocations to meeting the housing needs of the Borough. These have been used as the primary basis on which to set up the Zoi and assume:
- dispersal of development across the Borough as shown on supplied plans; and
  - delivery of 946 dwellings per annum<sup>13</sup> around the RBKT site allocations.
- 5.2.5 The Zoi are set up to reflect the potential impact or effects pathways of the Qualifying features of the Habitats sites. A Zoi of 10km has therefore been applied around the Borough boundary to identify all habitats sites in proximity, and then refined to within 10km of allocated sites identified within the Local Plan. The premise of this approach is that 10km represents the average trip length as noted in the National Transport Survey<sup>14</sup> and as included in in the Joint Nature Conservation Committee (JNCC) guidance for air quality<sup>15</sup> and is considered equally suitably precautionary to identify potential impacts from other pressures or threats to Habitats sites.

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<sup>13</sup> This number is based on Policy KH1 which sets out a target of 9,640 homes between 2019/20 and 2028/29 e.g a 10 year period. Detailed information was not available on the delivery year for each allocation and therefore, and even split across the 10 years was applied.

<sup>14</sup> As cited within the Air quality and emissions mitigation guidance for Sussex (2020)

<sup>15</sup> Chapman, C. and Kite, B. (2021). Guidance on Decision-Making Thresholds for Air Pollution. JNCC Report No.696 (Main Report), JNCC, Peterborough, ISSN 0963-8091 (Note: Plan-level limitation of use is set out in this document; advice on Zoi has been applied)

- 5.2.6 Three Habitats sites, as presented in Table 5-1, lie within this potential Zol for the RBKT Local Plan, including one SPA and two SACs (see Figure 2 and Appendix B). One Ramsar site falls within these site designations, the South West London Waterbodies.
- 5.2.7 Thames Basin Heaths SPA and Mole Gap to Reigate Escarpment SAC are located within 10km of the RBKT boundary, but not within 10km of any of the proposed site allocations (see Figure 2). As such, they are screened out and not considered further within this HRA Screening exercise.
- 5.2.8 The reasons for designation of the screened-in Habitats sites and their known vulnerabilities are given in Appendix B, which has been collated from the Natura 2000 standard data forms and the Natural England Site Improvement Plans.
- 5.2.9 With regard to the qualifying features and information on vulnerability of the Habitats sites detailed in Appendix B, the broad conservation objectives for SACs and SPAs are to:
 

*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.*
- 5.2.10 Specific conservation objectives for Ramsar sites are not currently available.
- 5.2.11 The Habitats sites which fall within the identified Zol or within 10km of the RBKT boundary are listed in Table 5-1.

**Table 5-1 – Habitat sites falling within the 10km Zol of RBKT boundary**

Habitats sites (SPA and Ramsar)	Habitats sites (SAC)
South West London Water Bodies SPA and Ramsar	Richmond Park SAC
Thames Basin Heaths SPA*	Wimbledon Common SAC
	Mole Gap to Reigate Escarpment SAC*

\*Falls within 10km of the RBKT boundary rather than Allocations (see 5.2.7 above) and as such are screened out from further consideration.



5.2.12 The proposed site allocations and their distance in relation to each of the Habitats sites are given in Table 5-2.

**Table 5-2 - Proximity of proposed site allocations to Habitats sites within 10km of RBKT's administrative boundary**

Site ID	Address	Ward	Area (ha)	Distance of Habitats sites within 10km (km)					Total no. Habitats sites within 10km	Quantum of units proposed
				Richmond Park SAC	Wimbledon Common SAC	Southwest London Waterbodies SPA	Thames Basin Heaths SPA	Mole Gap to Reigate Escarpment SPA		
SA01	Seven Kings Car Park, Skerne Road, Kingston	Canbury Gardens Ward	0.49	1.35	3.66	5.64	14.27	15.17	3	102
SA02	Land to the West of Kingston College Creative Industries Centre, Kingston Road, Kingston	Canbury Gardens Ward	0.40	1.15	3.46	5.87	14.43	15.23	3	51
SA03	Canbury Car Park, Walter Street, Kingston	Kingston Gate Ward	1.07	1.20	3.48	5.76	14.31	15.13	3	160
SA04	Canbury Business Park and Former Gala Bingo Hall, Richmond Road, Kingston	Kingston Gate Ward	1.00	1.08	3.32	5.93	14.40	15.13	3	40
SA05	Bentall Centre Car Parks A and B, Steadfast Road, Kingston	Kingston Town Ward	0.77	1.54	3.81	5.47	14.04	14.96	3	194
SA06	Bishops Palace House and 11-31 Thames Street, Kingston	Kingston Town Ward	0.70	1.75	3.99	5.33	13.79	14.70	3	44
SA07	Ashdown Road Car Park, Ashdown Road, Kingston	Kingston Town Ward	0.49	1.60	3.71	5.67	13.93	14.62	3	155
SA08	Cromwell Road Bus Station, Kingston	Kingston Town Ward	0.40	1.15	3.33	5.95	14.36	15.05	3	59
SA09	Cattle Market Car Park, Kingston Children's Library and Fairfield Bus	Kingston Town Ward	1.92	1.38	3.49	5.83	14.06	14.70	3	78

Site ID	Address	Ward	Area (ha)	Distance of Habitats sites within 10km (km)					Total no. Habitats sites within 10km	Quantum of units proposed
				Richmond Park SAC	Wimbledon Common SAC	Southwest London Waterbodies SPA	Thames Basin Heaths SPA	Mole Gap to Reigate Escarpment SPA		
	Station, Fairfield North, Kingston									
SA10	Guildhall, High Street, Kingston	Kingston Town Ward	1.26	1.83	3.98	5.38	13.65	14.44	3	217
SA11	The Malthouse and River Reach, 25-35 High Street, Kingston	Kingston Town Ward	0.26	2.01	4.15	5.31	13.55	14.37	3	58
SA12	Bittoms Car Park, The Bittoms, Kingston upon Thames	Kingston Town Ward	0.52	1.96	4.02	5.44	13.53	14.23	3	110
SA13	Surrey County Hall, Milner Road, Kingston	Kingston Town Ward	2.35	2.05	4.07	5.39	13.39	14.05	3	169
SA14	Thames Side Wharf, Water Lane, Kingston	Kingston Town Ward	0.28	1.64	3.90	5.42	13.98	14.91	3	78
SA15	Hawks Road Clinic, Hawks Road, Kingston	Norbiton Ward	0.32	1.22	2.98	6.50	14.51	14.84	3	50
SA16	Taverner House and Telephone Exchange, Birkenhead Avenue, Kingston	Norbiton Ward	1.23	0.86	2.88	6.42	14.67	15.15	3	285
SA17	Station Approach, Norbiton	Coombe Vale Ward	0.71	0.91	2.38	7.07	15.12	15.10	3	100
SA18	Cocks Crescent, New Malden/Hobkirk House / Noble Centre, Blagdon Road, New Malden	New Malden Village Ward	2.37/0.46	3.00	2.32	8.97	15.68	13.89	3	348 across BV02 and BV03

Site ID	Address	Ward	Area (ha)	Distance of Habitats sites within 10km (km)					Total no. Habitats sites within 10km	Quantum of units proposed
				Richmond Park SAC	Wimbledon Common SAC	Southwest London Waterbodies SPA	Thames Basin Heaths SPA	Mole Gap to Reigate Escarpment SPA		
SA19	Kingston Business Park, Fullers Way South, Chessington	Hook & Chessington North Ward	0.36	5.21	6.26	6.63	11.50	10.86	3	44
SA20	Surbiton Station Car Park, Glenbuck Road, Surbiton	Surbiton Hill Ward	2.86	3.26	4.87	5.44	12.33	12.65	3	115
SA21	John Lewis, Horse Fair, Kingston	Kingston Town Ward	1.31	1.63	3.88	5.36	13.89	14.81	3	Unknown
SA22	Kingston University, Kingston Hill, RBKT	Coombe Hill Ward	15.71	0.12	0.43	8.21	17.06	16.95	3	Unknown
SA23	2-4 Kingston Road and 2 Presburg Road, New Malden	New Malden Village Ward	0.27	3.09	2.61	8.84	15.50	13.75	3	Unknown
SA24	Burlington Retail Park, Burlington Road, New Malden	New Malden Village Ward	1.24	3.39	2.53	9.43	15.96	13.76	3	Unknown
SA25	Travis Perkins, 165 King Charles Road, Tolworth	Alexandra	0.39	4.04	4.86	6.97	12.80	12.02	3	Unknown
SA26	Tolworth Station, Kingston Road, Surbiton	King George's & Sunray Ward	0.61	4.82	5.32	7.65	12.72	11.22	3	Unknown

### 5.3 Information relating potential effects on Habitats sites

- 5.3.1 Table 5-3 overleaf summarises pressures and threats listed on the Site Improvement Plans (SIPs) for SPAs and SACs that will need to be considered during screening and appropriate assessment (if required) of the Local Plan.

**Table 5-3 - Pressures and threats listed on Habitats sites SIPs<sup>16</sup>**

Impacts highlighted as red should be given primary consideration in screening and appropriate assessment of the Local Plan policies, and those highlighted green are less likely to be considerations in screening and appropriate assessment of the Local Plan (note that abbreviations are those pressures and threats listed in the JNCC data sheet for the respective Habitats site).

Site Name	Air pollution: impact of atmospheric nitrogen deposition	Public access/ disturbance	Hydrological changes	Habitat fragmentation	Inappropriate Management	Invasive species	Changes in species distribution	Disease	Fisheries : Fish stocking	Military	Forestry and woodland management	Natural Changes to site conditions	Undergrazing	Wildfire/ arson
South West London Water bodies SPA and Ramsar		P/T			T – weed control	P/T	P/T		P			P/T		
Wimbledon Common SAC	P	P		T		T								
Richmond Park SAC	No current issues affecting the Habitats site feature(s) have been identified for this site													

<sup>16</sup> P = Pressure, T = Threat

## 6 Approach to Stage 1 Screening

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### 6.1 Guidance

- 6.1.1 Government guidance and Court rulings have confirmed that the level of detail in the HRA of a plan, whilst meeting the relevant requirements of the Habitats Regulations, should be appropriate to the level (or tier) of plan or project that it addresses.
- 6.1.2 The guidance referred to in Section 2.5 has been referred to in undertaking the Stage 1 screening of the RBKT Local Plan policies. The approaches set out by the guidance have been interpreted to the level of detail available within the objectives, policies and description of projects based on the descriptions contained within the Local Plan, noting that at its current stage, the Plan is a high-level document. At a greater level of detail, and as normally required with specific project level HRAs for example, the HRA stages have more specific data requirements.

### 6.2 Air Quality Input

- 6.2.1 The sensitivity of Habitats sites to changes in air quality is fundamental to the Stage 1 screening of the RBKT Local Plan policies. The sensitivity of the identified Habitats sites has been informed by the review of identified pressures and threats (Table 5-3) and a review of the Air Pollution Information Service (APIS)<sup>17</sup>.
- 6.2.2 In many locations across the UK, the Critical Load for N deposition is exceeded due to high background concentrations (reflecting that there are a variety of sources contributing to total N deposition including agriculture which in many locations represents the dominant source). This results in such Habitat sites being particularly sensitive to changes in air quality, including those that may arise due to forecast growth on the local road network, as there is no available 'headroom' before which adverse impacts may arise.
- 6.2.3 Where suitable traffic data is available, Stage 1 Screening would typically comprise a review of the traffic data and application of the identified Screening thresholds<sup>18</sup>, both 'alone' and 'in-combination'. At the time of assessment, traffic data was unavailable to allow a traffic data review to be undertaken. Therefore, at this stage, the assessment of the likelihood for LSE at the identified Habitats sites due to changes in air pollution has comprised a review of:
- The proximity of the proposed site allocations to the nearest Habitats site/s;

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<sup>17</sup> Air Pollution Information Service. Available at [Air Pollution Information System | Air Pollution Information System \(apis.ac.uk\)](https://apis.ac.uk)

<sup>18</sup> As contained within the guidance documents produced by Natural England (July 2018) and the IAQM (May 2020).

- The likely trip generation per allocation (taking into account the number of units proposed); and
- The distance of the Habitats site to the nearest road likely to be affected/used by traffic from the proposed allocations.

### 6.3 In-Combination Assessment

- 6.3.1 It is a requirement of the Habitats Regulations to consider the effects of projects or plans “in combination” at the screening stage. Articles 24, 63 and 105 of the Habitats Regulations require Natural England and other competent authorities to consider the effects of plans or projects alone and in combination with other plans or projects. The ‘in-combination’ requirement is undertaken in order to make sure that prior to their authorisation the effects of numerous proposals, which alone would not result in a significant effect, are further assessed to determine whether their combined effect would be significant enough to require more detailed assessment.
- 6.3.2 The landmark Waddenzee judgment provides a clear interpretation of the legislation. Paragraphs 53 and 54 of the Judgment state:
- 6.3.3 *“according to the wording of that provision [Article 6(3) of the Habitats Directive] an appropriate assessment of the implications for the site concerned of the plan or project must precede its approval and take into account the cumulative effects which result from the combination of the plan or project with other plans or projects in view of the sites conservation objectives. Such an assessment therefore implies that all the aspects of the plan or project which can, individually or in combination with other plans or projects, affect those objectives must be identified in the light of the best scientific knowledge in the field. ....”*
- 6.3.4 Table 6-1 outlines the types of plans and projects that should be considered in an in-combination assessment:

**Table 6-1 - Types of plans and projects considered at “In-combination” assessment**

<ul style="list-style-type: none"> <li>■ The incomplete or non-implemented parts of plans or projects that have already commenced;</li> </ul>
<ul style="list-style-type: none"> <li>■ Plans or projects given consent or given effect but not yet started;</li> </ul>
<ul style="list-style-type: none"> <li>■ Plans or projects currently subject to an application for consent or proposed to be given effect;</li> </ul>
<ul style="list-style-type: none"> <li>■ Projects that are the subject of an outstanding appeal;</li> </ul>
<ul style="list-style-type: none"> <li>■ Ongoing plans or projects that are the subject of regular review;</li> </ul>



<ul style="list-style-type: none"> <li>■ Any draft plans being prepared by any public body;</li> </ul>
<ul style="list-style-type: none"> <li>■ Any proposed plans or projects published for consultation prior to application;</li> </ul>
<ul style="list-style-type: none"> <li>■ Projects being proposed or being undertaken by a competent authority itself which require no external authorisation.</li> </ul>

- 6.3.5 With reference to Section 2.3, case law and methodology relating to HRA has changed rapidly over recent years. One of the most notable changes as a result of CJEU rulings has been the clarification that mitigation measures cannot be included in HRA Stage 1 (Screening). As this was previously a common practice, many HRAs will have concluded no LSE on Habitats sites, based on the likely effectiveness of mitigation measures. The outcome of this is that preceding plan-level HRAs can be unreliable in terms of adopted conclusions of ‘no LSE’.
- 6.3.6 Based on this complexity and need for consistency in the assumptions relating to mitigation, a precautionary approach has been adopted when considering the HRA conclusions of overlapping plans and projects in-combination.

## 7 HRA Stage 1 Screening of the Local Plan Policies

- 7.1.1 The pressures and threats set out in Table 5-3 have been reviewed for those likely to arise from the policies within the Local Plan and in particular the proposed delivery of dwellings within the Borough. Those considered relevant to this type and scale of development have been identified as:
- air pollution: impact of atmospheric nitrogen deposition; and
  - public access/ disturbance/ recreational pressures.
- 7.1.2 The pressures and threats set out in Table 5-3 which are considered at this early stage to be unlikely to arise from the policies as presented and the draft development allocations (except where this directly results secondarily from the pressures and threats included above) and are not considered further in this screening exercise, are: hydrological changes; habitat fragmentation; inappropriate management; invasive species; changes in species distribution; disease; fisheries: fish stocking; military; forestry and woodland management; natural changes to site conditions; under grazing; wildfire/ arson (as separate to public access/ disturbance).
- 7.1.3 Further information relating to those pressures and threats identified as relevant to the RBKT Local Plan and the development allocation targets, including the Local Plan Preferred Options consultation with Natural England are also presented below.

### 7.2 POTENTIAL AIR QUALITY EFFECTS

- 7.2.1 Consideration has been given to the potential effect of changes in air quality within the identified Habitats sites, where they fall within the specified Zol, with a particular focus on qualifying features, including:
- changes in NO<sub>x</sub> and NH<sub>3</sub> concentrations in relation to the Critical Levels for these pollutants; and
  - Changes in N deposition in relation to the relevant Critical Loads.

#### CRITICAL LEVELS FOR NO<sub>x</sub> AND NH<sub>3</sub>

- 7.2.2 The relevant Critical Levels for NO<sub>x</sub> and NH<sub>3</sub> relating to the protection of vegetation and ecosystems are summarised in Table 7-1.

**Table 7-1 - Relevant NO<sub>x</sub> and NH<sub>3</sub> Critical Levels for the Protection of Vegetation and Ecosystems**

Pollutant	Concentration (µg/m <sup>3</sup> )	Averaging Period
Nitrogen oxides (NO <sub>x</sub> )	30	Annual Mean
	75	24-hours

<b>Ammonia (NH<sub>3</sub>)</b>	<b>Lower Plants</b>	1	Annual Mean
	<b>Higher Plants</b>	2 – 4 (3)	Annual Mean

**CRITICAL LOADS**

- 7.2.3 In the UK, Critical Loads have been established for a wide range of habitat and vegetation types, reflecting the variation in ecosystem responses to N deposition. Details of the Critical Loads relevant to a specific habitat or designated site are available from the Air Pollution Information Systems (APIS) website<sup>19</sup>. In relation to Critical Loads, N Dep is expressed in units of kilograms of nitrogen per hectare per year (Kg N/ha/yr).
- 7.2.4 A summary of the relevant Critical Loads for the identified Habitats sites is provided in Appendix C for both SPAs and SACs.

**BASELINE CONDITIONS AT SITES WHERE AIR POLLUTION IS IDENTIFIED AS A PRESSURE AND/OR THREAT**

- 7.2.5 Wimbledon Common SAC is the only Habitats site where air pollution is cited as an identified pressure. As per Table 5.3, air pollution is not identified to present either a pressure or threat to Richmond Park SAC or South West London Waterbodies SPA and Ramsar and so data for these Habitats sites is not cited below.

**NO<sub>x</sub> Concentrations**

- 7.2.6 Background annual mean NO<sub>x</sub> values for 2020 for Wimbledon Common SAC have been taken from the national maps provided by the Department for Environment Food and Rural Affairs (Defra)<sup>20</sup>, where background concentrations of NO<sub>x</sub> have been mapped at a grid resolution of 1x1km for the whole of the UK, and are provided in Table D-1 in Appendix D.
- 7.2.7 The Critical Level is predicted to be met across the majority of the Wimbledon Common SAC with total NO<sub>x</sub> background concentrations ranging from a minimum of 23.9µg/m<sup>3</sup> to a maximum of 30.3µg/m<sup>3</sup>. In the northernmost area of the SAC, where Wimbledon Park Side meets the heavily trafficked A3, background NO<sub>x</sub> concentrations were anticipated to exceed the Critical Level. It should also be noted that background concentrations are representative of concentrations that can be experienced away from a pollution source. Therefore, within increasing distance towards a pollution source, such a busy road, annual mean NO<sub>x</sub> concentrations will increase such that there could be the potential for exceedances of the

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<sup>19</sup> <http://www.apis.ac.uk/>

<sup>20</sup> Defra (2022) *Background Mapping data for local authorities – 2018* [online]. Available at: <https://uk-air.defra.gov.uk/data/laqm-background-maps?year=2018> Accessed [20/112022].

Critical Level for this pollutant at locations within the Wimbledon Common SAC that are near to the road edge, and the use of background annual mean NO<sub>x</sub> concentrations in the screening process should be treated with caution.

### NH<sub>3</sub> Concentrations

- 7.2.8 From an initial review of the data provided in Appendix C, baseline concentrations of annual mean NH<sub>3</sub> within Wimbledon Common SAC are already above the relevant Critical Levels listed for the following habitat types:
- European Dry Heaths where both the minimum and maximum value indicate the potential for exceedances of the Critical Level of 1µg/m<sup>3</sup>; and
  - Northern Atlantic wet heaths with *Erica tetralix* where the maximum, minimum and average values all indicate exceedances of the Critical Level of 1µg/m<sup>3</sup>.
- 7.2.9 The relevant Critical Level for NH<sub>3</sub> in relation to *Lucanus cervus* (Stag beetle) is 3µg/m<sup>3</sup>. This Critical is relevant to the habitat supporting this species rather than directly to the species itself. Baseline concentrations of annual mean NH<sub>3</sub> within Wimbledon Common SAC indicate that the relevant Critical Level is currently being met.
- 7.2.10 Notwithstanding this, the potential for effects due to increased NH<sub>3</sub> as a result of the emerging LP cannot be discounted (due to exceedances of the Critical Level for the other 2 x habitat types), particularly taking into account that background concentrations of NH<sub>3</sub> are forecast to increase year on year<sup>21</sup>.

### N Deposition

- 7.2.11 In relation to the N Dep values presented in Appendix C, the lower Critical Load values for Northern Atlantic wet heaths with *Erica tetralix* and European dry heaths are exceeded in the baseline case. In addition, both the lower and upper lower Critical Load values for *Lucanus cervus* (Stag beetle) are exceeded.

This is not to say that all these areas will be significantly impacted by RBKT's Local Plan but it does highlight areas that will be particularly sensitive to any changes in air quality as a result of The RBKT Local Plan.

### PUBLIC ACCESS / DISTURBANCE

- 7.2.12 As part of the screening exercise, consideration has also been given to the sensitivities of the Habitats sites to public access and disturbance. Development in proximity to these sites can lead to an increase in visits to the sites, with the result that additional pressures can

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<sup>21</sup> <https://data.jncc.gov.uk/data/04f4896c-7391-47c3-ba02-8278925a99c5/JNCC-Report-665-FINAL-WEB.pdf>

arise including increased incidence of fire, disturbance to roosting, feeding and breeding birds, trampling and increased predation rates in heathland environments<sup>22</sup>.

- 7.2.13 The Habitats sites identified in this screening include those designated for habitats, specifically heathland, those designated wetland bird species, and sites designated for invertebrate interest. The habitats or qualifying features of the Habitats sites are therefore vulnerable to additional pressures from public access or disturbance through different mechanisms.
- 7.2.14 The location of the identified Habitats sites in South East England places them in a location of acute pressure from high population density and predicted growth, with the corresponding identified trend to visit these sites more<sup>23</sup>.

**CONSULTATION WITH NATURAL ENGLAND**

- 7.2.15 As part of the Sustainability Appraisal Draft Scoping Report for RBKT Local Plan, Natural England were consulted in October 2017. A response from Natural England received in October 2017 stated the following:

*‘Natural England does not consider that this Draft Scoping Report poses any likely risk or opportunity in relation to our statutory purpose, and so does not wish to comment on this consultation’.*

- 7.2.16 It is understood that no further consultation has taken place with Natural England with regard to the emerging Local Plan. As such it is considered that consultation will be undertaken following the submission of the HRA Screening document.

**SUMMARY OF DISCUSSION ON PRESSURES AND THREATS**

- 7.2.17 The screening exercise has considered the high-level pressures and threats to each site associated with public access and disturbance based on published research and reports for individual sites and the effects of access generally on habitats and species.

**Table 7-2 - Discussion of Identified Pressures and Threats**

Pressure/threat	Habitats sites concerned	Discussion
<b>Air pollution: impact of atmospheric nitrogen deposition</b>	Wimbledon Common SAC	All allocated sites fall within 10km of the Habitats site. Notably, the closest site is only 0.43km (as the crow flies) from Wimbledon Common SAC.

<sup>22</sup> Underhill-Day, 2005 *A literature review of urban effects on lowland heaths and their wildlife* English Nature Report 623

<sup>23</sup> Lake, S.; Liley, D.; Saunders, P. 2020 *Recreation use of the New Forest SAC/SPA/Ramsar: Impacts of recreation and potential mitigation approaches*. Unpublished report by Footprint Ecology

Pressure/threat	Habitats sites concerned	Discussion
		<p>The SIP states:</p> <p><i>Nitrogen deposition exceeds site relevant critical loads. Wimbledon Common is subject to high levels of atmospheric nitrogen oxide and ammonia deposition which is likely to be having deleterious effects on sensitive habitats, particularly the heath and mire vegetation.</i></p> <p>Data from Defra and APIS confirms the potential for exceedances of both the Critical Level and Critical Loads for NO<sub>x</sub> concentrations and N deposition, respectively.</p> <p>Similarly, there is the potential for Critical Levels for NH<sub>3</sub> to be exceeded for both Northern Atlantic wet heaths and European dry heaths.</p>
<b>Public access/ disturbance</b>	Wimbledon Common SAC	<p>All allocated sites within the Borough fall within 10km of Wimbledon Common SAC. The closest allocated site is Kingston University which is 0.43km from Wimbledon Common SAC.</p> <p>Public access and disturbance are listed as a pressure on the designated site. The SIP states: <i>'High visitor use of the site causes damage to sensitive habitats, and results in adverse impacts such as compaction around the base of mature trees and removal of fallen timber'.</i></p> <p>The proposed measures in the SIP to address this is:</p> <ul style="list-style-type: none"> <li>- <i>'Review the management plan to ensure that visitor pressure is addressed'; and</i></li> <li>- <i>'Implement measures to reduce impacts arising from public access and use of the site'.</i></li> </ul>
	South West London Waterbodies	<p>All allocated sites fall within 10km of the SPA. The closest allocated site is The Malthouse and River Reach which falls within 5.31km of this Habitats site.</p> <p>Public access and disturbance are listed as both pressures and threats on the designated site and specifically the features of gadwall and shoveler. The Site Improvement Plan identifies that public access for recreation, including water-based activities on some waterbodies (the designated site is composed of a number of reservoirs, lakes and bodies of water) may disturb these species and/or reduce the habitat available to them. Measures to manage the recreational pressure on these sites, which are likely to be highly attractive to additional</p>

Pressure/threat	Habitats sites concerned	Discussion
		nearby residents, have been put forwards including creating alternative recreation opportunities, but such measures will need to be able to effectively address the scale and pace of additional development in close proximity to the designated site waterbodies to avoid adverse effects.

7.2.18 Table 7-3 sets out the findings of the Stage 1 screening exercise and identifies where the potential for LSE arises.

**Table 7-3 - Screening**

Policy	Heading	Summary of Policy	Relevant Habitats sites within refined ZOI <sup>24</sup>	Screening of Likely Significant Effects (LSE)	In-Combination	Screened in / out?
<b>Sustainable Development</b>						
K1	<i>Sustainable Locations for Good Growth</i>	Policy K1 directs development to the most sustainable areas within the Borough, which benefit from good connectivity and planned infrastructure, such as the town centres and the Borough's district centres (Kingston Town Centre area, New Malden, Surbiton and Tolworth) and areas surrounding railway stations. As part of this policy, all development will be required to support the delivery of new infrastructure across the Borough to ensure all development is as sustainable and self-sufficient as possible. This will include improvements to transport, education, health, open spaces, leisure, cultural facilities, energy, carbon reduction and biodiversity.	All Habitats Sites	This is a positive policy that seeks to promote sustainable development. It is compatible with the aims of conserving the integrity of Habitats sites by helping to ensure the delivery of sustainable development.	No LSE therefore no in-combination effect.	Screened out
K2	<i>Spatial Strategy for the Kingston Town Centre Area (A Plan for the Kingston Town Centre Area)</i>	Policy K2 aims to meet the development potential of the Kingston Town Centre by supporting employment opportunities and housing choice for the local community, allocating key sites for a mix of residential and community facilities, supporting new and improved social infrastructure, and promoting active transport.	All Habitats Sites	This is a policy which includes development allocations including those which relate to new residential sites, which could lead to an increase overall in residents and associated potential impacts, included increased traffic. Although this policy is considered to overlap with those considered under Policy KH1, following a precautionary approach, this policy has also been screened in.	Any increase in traffic due to development has the potential to give rise to 'in-combination' effects with other plans and projects.  Visitor pressure may be further increased as a result of additional residents and journeys delivered under Local Plan policies and development schemes	Screened out
<b>Climate Change and Environmental Sustainability</b>						
KC1	<i>Climate Change and Environmental Sustainability *Strategic Policy*</i>	This strategic policy ensures that development in the Borough is environmentally sustainable and resilient to climate change. To aid this, the Council will promote low	All Habitats Sites	A positive policy addressing the climate emergency by reducing carbon dioxide emissions and supporting the transition to a low and net zero carbon future and	No LSE therefore no in-combination effect.	Screened out

<sup>24</sup> Where there is an identified pressure or threat.



Policy	Heading	Summary of Policy	Relevant Habitats sites within refined ZOI <sup>24</sup>	Screening of Likely Significant Effects (LSE)	In-Combination	Screened in / out?
		<p>and net zero carbon development in line with the London Plan and ensure that new development is designed in a way that mitigates heat risk effectively.</p> <p>This policy also helps to tackle both air quality issues within the Borough, and areas vulnerable to flood risk. Poor air quality is a key issue in the Borough, with the whole of RBKT being declared an Air Quality Management Area (AQMA) for exceedances in annual and 24-hour mean particulate matter (PM<sub>10</sub>), and annual mean nitrogen dioxide (NO<sub>2</sub>) levels. Policy KC1 requires new development to be at least 'air quality neutral' or 'air quality positive' for major schemes, as well as enabling residents to reduce the need for private car use.</p>		<p>requiring new development of be at least 'air quality neutral' or 'air quality positive'. Likely to be of benefit to the Habitats sites if this includes the provision of more sustainable transport methods by reducing the need for private car use.</p>		
KC2	<i>Air Quality</i>	<p>Policy KC2 ensures that all major and large-scale developments should take an 'Air Quality Positive' approach, with all development meeting or exceeding the 'Air Quality Neutral Standard' and accord with the RBKT's Air Quality Action Plan.</p>	All Habitats Sites	<p>This is a positive policy that is to drive significantly improved environmental conditions with regards to air quality in the RBKT area.</p>	No LSE therefore no in-combination effect.	Screened out
KC3	<i>Flood Risk</i>	<p>Policy KC3 and KC4 will help to reduce flood risk and impacts of flooding within RBKT, by requiring all developments to avoid or minimise contribution to all sources of flooding including fluvial, groundwater, surface water, tidal or flooding from sewers, taking into account future climate change modelling.</p>	All Habitats Sites	<p>This is a positive policy that seeks to protect development from flood risk.</p>	No LSE therefore no in-combination effect.	Screened out
KC4	<i>Sustainable Drainage</i>	As above.	All Habitats Sites	<p>This is a positive policy that seeks to protect development from flood risk.</p>	No LSE therefore no in-combination effect.	Screened out
KC5	<i>Sustainable water and wastewater management</i>	<p>Policy KC5 sets out that developments are required to protect and where possible increase the capacity of existing water spaces, as well as</p>	All Habitats Sites	<p>This is a positive policy that seeks to protect development from flood risk and reduce water usage in the Borough.</p>	No LSE therefore no in-combination effect.	Screened out

Policy	Heading	Summary of Policy	Relevant Habitats sites within refined ZOI <sup>24</sup>	Screening of Likely Significant Effects (LSE)	In-Combination	Screened in / out?
		reducing water consumption with new residential developments achieving a maximum water use of 105 litres per person per day.				
KC6	<i>Managing Heat Risk</i>	Policy KC6 requires new development to ensure buildings and spaces around them are designed to avoid overheating and excessive heat generation, consequently minimising impact and contribution to the urban heat island effect. To aid this, green infrastructure will be incorporated, including the use of trees to provide shade in the public realm.	All Habitats Sites	This is a positive policy by helping to reduce the urban heat island effect, therefore helping to address the climate emergency.	No LSE therefore no in-combination effect.	Screened out
KC7	<i>Minimising Greenhouse Emissions</i>	Policy KC7 requires all proposed development to demonstrate that the fullest contribution to minimising greenhouse gas (GHG) emissions has been made on site. All major development will also be required to calculate whole life-cycle carbon emissions in accordance with London Plan requirements through a nationally recognised Whole Life-Cycle Carbon Assessment and demonstrate actions taken to reduce life-cycle carbon emissions.	All Habitats Sites	This a positive policy which will help to reduce greenhouse gas emissions therefore making positive steps to improve the environmental conditions within the Borough.	No LSE therefore no in-combination effect.	Screened out
KC8	<i>Energy Infrastructure</i>	Policy KC8 will help to reduce energy demand by requiring development to provide an Energy Strategy demonstrating how emissions savings have been maximised, and the aim for future development to be compatible with a decentralised energy network in accordance with any relevant energy masterplan and the District Heating Manual for London.	All Habitats Sites	This is a positive policy that will help to reduce energy demand from development.	No LSE therefore no in-combination effect.	Screened out
KC9	<i>Ground Contamination and Hazardous Substances</i>	Policy KC9 requires all proposals with a risk of developing on contaminated land will need to identify all potential risks to receptors through a preliminary risk assessment, and where	All Habitats Sites	This is a positive policy that will help to protect waterbodies within the Borough from contamination.	No LSE therefore no in-combination effect.	Screened out

Policy	Heading	Summary of Policy	Relevant Habitats sites within refined ZOI <sup>24</sup>	Screening of Likely Significant Effects (LSE)	In-Combination	Screened in / out?
		necessary an intrusive site investigation and quantitative risk assessment.				
KC10	<i>Sustainable Construction and Supporting the Circular Economy</i>	Policy KC10 requires all development to adopt a circular economy approach to building design and construction to reduce waste and use materials and products for as long as possible.	All Habitats Sites	This is a positive policy that will help to minimise embodied carbon and waste from development.	No LSE therefore no in-combination effect.	Screened out
KC11	<i>Waste and Recycling Management</i>	Policy KC11 which requires all new development to include sufficient accessible space for waste management (recyclables, biodegradable and residual waste) in line with the South London Waste Plan.	All Habitats Sites	This is a positive policy as it aims to make recycling as easy as possible therefore resulting in higher recycling rates within the Borough.	No LSE therefore no in-combination effect.	Screened out
Design and Heritage						
KD1	<i>Delivering High-quality Design</i> <i>*Strategic Policy*</i>	Policy KD1 aims to achieve the highest standard of design for all sites and developments across RBKT to ensure its distinctive heritage and local identity is maintained. Developments will need to respect and enhance visual, historical, environmental, social and functional qualities of buildings, spaces and places that positively contribute to local character and sense of place.	All Habitats Sites	A development management policy relating to conserving Heritage assets. There are no effects pathways present.	No LSE therefore no in-combination effect.	Screened out
KD2	<i>Design Considerations for Development</i>	Policy KD2 requires developments to facilitate good physical and mental health by delivering accessible and walkable neighbourhoods for all inclusively. This includes buildings and spaces that are accessible for all ages and disabilities, good ventilation in buildings, high standard of amenity, improvements to green and blue infrastructure, community spaces and events, and active travel provisions.	All Habitats Sites	This policy provides positive provision and is a key aspect of sustainable development. There are no effect pathways present.	No LSE therefore no in-combination effect.	Screened out
KD3	<i>Amenity</i>	Policies KD3 and KD4 (below) requires the amenity and public	All Habitats Sites	This is a positive policy that seeks to promote the use of amenity and	No LSE therefore no in-combination effect.	Screened out

Policy	Heading	Summary of Policy	Relevant Habitats sites within refined ZOI <sup>24</sup>	Screening of Likely Significant Effects (LSE)	In-Combination	Screened in / out?
		realm spaces to be designed and maintained to a high-quality standard. It should deliver inclusive, safe, accessible, attractive and well-connected places, that incorporate heritage, cultural and active travel where possible.		public realm spaces within the Borough, therefore potentially diverting pressure away from the Habitats Sites.		
KD4	<i>Public Realm</i>	As above.	All Habitats Sites	This is a positive policy that seeks to promote the use of amenity and public realm spaces within the Borough, therefore potentially diverting pressure away from the Habitats Sites.	No LSE therefore no in-combination effect.	Screened out
KD5	<i>Housing Quality and Standards</i>	Policy KD5 sets out that all new housing development should provide adequately-sized rooms and spaces with comfortable and functional layouts along with well-integrated amenities. This includes proposals for new-builds, changes of use, alterations and extensions.	All Habitats Sites	This is a development management policy relating to housing quality.  This policy provides positive provision and is a key aspect of sustainable development. There are no effects pathways present.	No LSE therefore no in-combination effect.	Screened out
KD6	<i>Residential Extensions, Alterations and Basements</i>	Policies KD6 and KD7 (below) requires new residential development, including extensions and basements, to be of high standard and adaptable in design to help meet the diverse and changing needs of the RBKT's residents, whilst being sensitive to the surrounding area and its character. Housing developments need to be inclusive and accessible for all, safe, and meet and wherever possible exceed, the housing standards set out in the London Plan.	All Habitats Sites	This policy is in relation to extensions to existing residential developments rather than new developments. As such it is unlikely to result in increased recreational pressure on Habitats sites. As such, no effect pathways are present.	No LSE therefore no in-combination effect.	Screened out
KD7	<i>Residential Amenity Space</i>	As above.	All Habitats Sites	This is a development management policy relating to residential amenity space. There are no effect pathways present.	No LSE therefore no in-combination effect.	Screened out
KD8	<i>Commercial Frontages and Signage</i>	Policy KD8 requires shopfronts to be active, creating an interest and liveliness to the high streets.	All Habitats Sites	This policy provides the principles for the aesthetics associated with retail development within town	No LSE therefore no in-combination effect.	Screened out

Policy	Heading	Summary of Policy	Relevant Habitats sites within refined ZOI <sup>24</sup>	Screening of Likely Significant Effects (LSE)	In-Combination	Screened in / out?
				centres. No effect pathways present.		
KD9	<i>Telecommunications and Digital Infrastructure</i>	Policy KD9 requires the installation of new telecommunication apparatus and also requires major developments to enable the installation of the most up-to-date standards of digital connectivity.	All Habitats Sites	This is a development management policy relating to improving digital infrastructure and telecommunications. This may have a positive effect by reducing private car by ensuring suitable infrastructure is in place to enable remote working which has significantly increased since COVID-19. No effect pathways present.	No LSE therefore no in-combination effect.	Screened out
KD10	<i>Views Management</i>	Policy KD10 requires development proposals to positively contribute to the characteristics and composition of strategic and local views.	All Habitats Sites	This policy is in relation to protecting designated views, in particular those focussed around RBKT Town Centre and therefore away from the Habitats Sites. No effect pathways present.	No LSE therefore no in-combination effect.	Screened out
KD11	<i>Tall Buildings</i>	Policy KD10 requires proposals for new tall buildings (more than 21m) to demonstrate how they meet the requirements of London Plan Policy D9 (Tall Buildings), including the need to protect strategic and local views and landmarks and mitigate any safety risks such as fire and suicide.	All Habitats Sites	This is a development management policy relating to tall buildings which protects local views and landmarks. No effect pathways are identified as present due to no sites designated for birds or similarly-sensitive qualifying features being present within the Borough boundary or immediate surrounds	No LSE therefore no in-combination effect.	Screened out
KD12	<i>Heritage Assets</i>	Policy KD12 supports development that conserves RBKT's historic environment and heritage assets. It also states that it will conserve and enhance the natural environment which contributes to the character of the Borough's important riverside settings, recognising both the significance of the Thames and Hogsmill.	All Habitats Sites	A development management policy relating to conserving Heritage assets. There are no effects pathways present.	No LSE therefore no in-combination effect.	Screened out
KD13	<i>Development affecting Heritage Assets</i>	Policy KD13 sets out that Developments should respect the distinctive features of the heritage assets and their setting for the implementation of an integrative placemaking approach.	All Habitats Sites	A development management policy relating to conserving Heritage assets. There are no effects pathways present.	No LSE therefore no in-combination effect.	Screened out

Policy	Heading	Summary of Policy	Relevant Habitats sites within refined ZOI <sup>24</sup>	Screening of Likely Significant Effects (LSE)	In-Combination	Screened in / out?
KD14	Archaeology	Policy KD14 sets out that in accordance with relevant national policy and London Plan policy, the Council will protect the Borough's archaeological assets by requiring development that includes excavation or ground works in the Borough's Archaeological Priority Areas to demonstrate that archaeological potential has been fully evaluated.	All Habitats Sites	A development management policy relating to conserving archaeological assets. There are no effects pathways present.	No LSE therefore no in-combination effect.	Screened out
<b>Housing Delivery</b>						
KH1	Meeting the Borough's Housing Needs *Strategic Policy*	<p>Strategic Policy KH1 aims to meet the London Plan's housing target for the Borough of 9,640 homes between 2019/20 and 2028/29. These homes will include a mix of affordable homes, and homes to meet the Borough's housing needs, such as retirement and custom homes.</p> <p>Policy KH1 also outlines that proposed housing developments should be located in areas well served by public transport, community facilities and amenities, and within 800m of town centres and railway stations.</p>	<p>South West London Waterbodies SPA and Ramsar</p> <p>Wimbledon Common SAC</p>	<p>This policy provides the development principles to meet the National Housing Allocation objectives.</p> <p>The quantum of development across the Borough where known, is set out in the Allocated sites identified, the closest of which 0.43km from the nearest screened in Habitats site (Figure 2).</p> <p>Any development within RBKT's administrative area has the potential for increased traffic (and therefore impacts on air quality), increased recreational and development pressures and therefore disturbance on nearby Habitats sites. This policy could result in development in proximity to Habitats sites which could lead to LSE.</p> <p>The objectives of Policy KC1 regarding air quality neutrality and improvement as part of the AQMA are noted, however the objectives of that policy are targeted at human health receptors and associated pollutants, as well as being an objective for major sites. Applying the precautionary principle, it is not therefore possible to rely on that forthcoming policy to conclude no LSE on Habitats sites from air quality effects, as the contribution of minor developments and specific pollutants cannot be</p>	<p>Any increase in traffic due to development has the potential to give rise to 'in-combination' effects with other plans and projects.</p> <p>Visitor pressure may be further increased as a result of additional residents and journeys delivered under Local Plan policies and development schemes</p>	Screened in

Policy	Heading	Summary of Policy	Relevant Habitats sites within refined ZOI <sup>24</sup>	Screening of Likely Significant Effects (LSE)	In-Combination	Screened in / out?
				assessed in sufficient detail at this stage.		
<i>KH2</i>	<i>Affordable Housing</i>	Policy KH2 supports the delivery of new affordable housing which will be a tenure split of 50% on public sector owned land and 35% on privately owned land, 70% of these being low cost rented home and with enough bedrooms to support families.	All Habitats Sites	This is a development management policy and a framework to guide the affordable housing requirement in RBKT. There are no effect pathways present.	No LSE therefore no in-combination effect.	Screened out
<i>KH3</i>	<i>Housing Size Mix</i>	Policies KH3 to KH7 ensure that the type and size of housing delivered will reflect the varying local needs of the residents in RBKT. The provision of an appropriate mix of different sized homes, specialist and supported living, build to rent, and the protection of gypsy and traveller sites will help to reduce inequalities with access to housing, particularly for those in the community that are most vulnerable.	All Habitats Sites	This is a development management policy and a framework to guide the housing size mix requirement in RBKT. There are no effect pathways present.	No LSE therefore no in-combination effect.	Screened out
<i>KH4</i>	<i>Build to Rent Housing</i>	As above.	All Habitats Sites	This is a development management policy to guide RBKT on build to rent housing requirements. There are no effect pathways present.	No LSE therefore no in-combination effect.	Screened out
<i>KH5</i>	<i>Specialist and Supported Living Housing</i>	As above.	All Habitats Sites	This is a development management policy to guide RBKT when providing for specialist and supported living housing. There are no effect pathways present.	No LSE therefore no in-combination effect.	Screened out
<i>KH6</i>	<i>Shared Living Housing and Student Accommodation</i>	As above.	All Habitats Sites	This is a development management policy to guide RBKT on the shared living housing and student accommodation needs within the Borough. There are no effect pathways present.	No LSE therefore no in-combination effect.	Screened out
<i>KH7</i>	<i>Gypsies and Travellers</i>	As above.	All Habitats Sites	This is a development management policy to guide RBKT when providing for Gypsy and	No LSE therefore no in-combination effect.	Screened out

Policy	Heading	Summary of Policy	Relevant Habitats sites within refined ZOI <sup>24</sup>	Screening of Likely Significant Effects (LSE)	In-Combination	Screened in / out?
				Traveller needs. There are no effect pathways present.		
<b>Economy and Town Centres</b>						
KE1	<i>Supporting the Borough's Economy *Strategic Policy*</i>	Strategic policy KE1 aims to create a strong and competitive sustainable economy within RBKT Upon Thames. This includes, supporting developments that give opportunities for workspaces and employment across the Borough, as well as in designated employment and town centre locations. Policy KE1 also supports the growth of the tourism sector, encouraging visitors and further economic diversity within the Borough.	All Habitats Sites	This is a broad policy that relates to RBKT's economy. Whilst it is noted that economic growth has potential to impact upon Habitats sites (atmospheric pollution and water resource conflicts), this policy does not explicitly provide for development, but provides planning guidance for decision making.	No LSE therefore no in-combination effect.	Screened out
KE2	<i>Employment Uses</i>	Policy KE2 provides opportunities for the diversification and development of the economy within the Borough. It details the development of both industrial space and workspace within the Borough, providing opportunities for investment into the Borough, as well as employment opportunities within these businesses.	All Habitats Sites	This is a broad policy that relates to RBKT's economy. Whilst it is noted that economic growth has potential to impact upon Habitats sites (atmospheric pollution and water resource conflicts), this policy does not explicitly provide for development, but provides planning guidance for decision making.	No LSE therefore no in-combination effect.	Screened out
KE3	<i>Development in Industrial Locations</i>	Policy KE3, requires proposed industrial use to occur within a designated area, protecting greenbelt land and promoting the use of existing sites brownfield land.	All Habitats Sites	The policy provides the principles for development within existing brownfield sites and therefore protecting the greenbelt.	No LSE therefore no in-combination effect.	Screened out
KE4	<i>Town Centres *Strategic Policies*</i>	Policy KE4 encourages developments within town centres which will positively contribute to the role of the town centre. Developments within the Borough's metropolitan, district and local centres will all promote a strong economy, encouraging more companies to utilise the Borough and its employment	All Habitats Sites	Providing public and active travel links to town centres within the Borough will encourage visitors and users to utilise these transport modes rather than utilising a private car.	No LSE therefore no in-combination effect.	Screened out



Policy	Heading	Summary of Policy	Relevant Habitats sites within refined ZOI <sup>24</sup>	Screening of Likely Significant Effects (LSE)	In-Combination	Screened in / out?
		opportunities. The Policy promotes active travel to increase the accessibility of district and metropolitan centres.				
KE5	<i>Development in Town Centres</i>	Policy KE5 supports development within the Borough's town centres for various uses, including retail and leisure. Policy KE5 also includes the utilisation of empty units within proposed developments, the development of open spaces within the town centre and also supports new and existing street markets within the area.	All Habitats Sites	This policy provides the principles for development within town centres. It does not identify any specific location or quantum of development.  It can be considered that at the Local Plan level there are no effect pathways present	No LSE therefore no in-combination effect.	Screened out
KE6	<i>Main Town Centre Uses outside Town Centres</i>	Policy KE6 supports the preservation of individual convenience shops, as well as the development of proposed new local convenience shops. Policy KE6 also protects the development outside of town centres.	All Habitats Sites	Isolated retail units, e.g. convenience stores, are unlikely to impact on Habitats sites and will largely be within already built up areas. No effect pathways present.	No LSE therefore no in-combination effect.	Screened out
KE7	<i>Visitor Accommodation</i>	Policy KE7 supports the development of visitor accommodation within town centres where there is a requirement.	All Habitats Sites	This policy provides the principles for development for visitor accommodation e.g. hotels within town centre locations. No effect pathways present.	No LSE therefore no in-combination effect.	Screened out
KE8	<i>Hot Food Takeaways</i>	Policy KE8 prevents the over proliferation of takeaways within the Borough.	All Habitats Sites	This is a policy to prevent too many hot food takeaway outlets within the Borough. No effect pathways present.	No LSE therefore no in-combination effect.	Screened out
KE9	<i>Betting Offices</i>	Policy KE9 prevents the over proliferation of betting offices within the Borough.	All Habitats Sites	This is a policy to prevent too many betting offices within the Borough. No effect pathways present.	No LSE therefore no in-combination effect.	Screened out
<b>Social Infrastructure</b>						
KS1	<i>Social Infrastructure *Strategic Policy*</i>	Strategic policy KS1 includes measures to preserve existing social infrastructure provision within the Borough, as well as requiring proposed developments to contribute towards the provision of social infrastructure.	All Habitats Sites	This policy provides the principles for social infrastructure within the Borough and primarily relates to already built-up town centres and therefore unlikely to impact on Habitats sites. No effect pathways present.	No LSE therefore no in-combination effect.	Screened out

Policy	Heading	Summary of Policy	Relevant Habitats sites within refined ZOI <sup>24</sup>	Screening of Likely Significant Effects (LSE)	In-Combination	Screened in / out?
KS2	<i>Healthcare Facilities</i>	Policy KS2 details the requirements for adequate, inclusive healthcare facilities.	All Habitats Sites	A development management policy in relation to the availability of healthcare facilities within the Borough. No effect pathways present.	No LSE therefore no in-combination effect.	Screened out
KS3	<i>School, College and University Facilities</i>	<p>Policy KS3 ensures the expansion of existing education sites and also requires the inclusion of adequate education provision within new proposed developments. This policy also includes measures that all school buildings contribute to being net zero carbon by 2030.</p> <p>The council will work in partnership with Kingston University and Kingston College identifying appropriate opportunities, including on their existing sites to meet the needs for new / upgraded facilities.</p>	Wimbledon Common SAC	Given the close proximity of Kingston University to Wimbledon Common SAC, this policy has the potential to increase recreational pressure on the SAC if any new accommodation development on the site increases capacity. Further, it may also lead to an increase in traffic, and therefore impacts on air quality.	<p>Any increase in traffic due to development has the potential to give rise to 'in-combination' effects with other plans and projects.</p> <p>Visitor pressure may be further increased as a result of additional students that may occur as a result of new facilities.</p>	Screened in.
KS4	<i>Community Facilities</i>	Policy KS4 ensures adequate community facilities for new developments. These facilities are also of high-quality standard, which, when developed will improve the diversity of the townscape and improve the public realm.	All Habitats Sites	A development management policy in relation to the availability of community facilities within the Borough. No effect pathways present.	No LSE therefore no in-combination effect.	Screened out
KS5	<i>Arts and Cultural Facilities</i>	Policy KS5 provides cultural and arts facilities inclusive to all communities.	All Habitats Sites	A development management policy in relation to the availability of arts and cultural facilities within the Borough. No effect pathways present.	No LSE therefore no in-combination effect.	Screened out
KS6	<i>Sports Facilities</i>	Policy KS6 contributes to the local economy through the development of new sports facilities.	All Habitats Sites	A development management policy in relation to the availability of sports facilities within the Borough. No effect pathways present.	No LSE therefore no in-combination effect.	Screened out
KS7	<i>Play and Informal Recreation</i>	Policy KS7 requires improving and protection play and recreation areas within the Borough. Protecting and enhancing these areas contributes to improving the public realm, as well as preserving the local landscape.	All Habitats Sites	Whilst this policy seeks to increase opportunities for play and informal recreation, it is considered to be targeted towards facilities with the community and therefore unlikely to increase in recreational pressures on nearby Habitats Sites, particularly as these all fall outside of the Borough and	No LSE therefore no in-combination effect.	Screened out

Policy	Heading	Summary of Policy	Relevant Habitats sites within refined ZOI <sup>24</sup>	Screening of Likely Significant Effects (LSE)	In-Combination	Screened in / out?
				therefore no effect pathways present.		
KS8	Public Houses	Policy KS8 protects public houses and provides opportunities for socialisation within the night-time economy.	All Habitats Sites	A policy in relation to existing public houses. No effect pathways present.	No LSE therefore no in-combination effect.	Screened out
<b>Green and Blue Infrastructure</b>						
KN1	Green and Blue Infrastructure *Strategic Policy*	Strategic Policy KN1 protects and enhances green and blue infrastructure within the Borough such as open spaces, habitats and rivers. The improvements of green infrastructure and inclusion within proposed developments will improve connectivity of habitats and increase habitats and ecological value throughout the Borough.	All Habitats Sites	A positive policy providing for the protection and creation of Local Green and Blue infrastructure. This policy has the potential to divert recreational pressure away from sensitive Habitats sites.	No LSE therefore no in-combination effect.	Screened out
KN2	Open Spaces	Policy KN2 outlines the requirements for proposed developments to improve access and provide adequate provision of parks and open spaces within the local area.	South West London Waterbodies SPA and Ramsar Wimbledon Common SAC	This policy promotes the use and access to open spaces within the Borough which could therefore lead to increased recreational and pressures and therefore disturbance on nearby Habitats sites. The policy approach to look at this strategically could have potential to be beneficial as access can be managed, monitored and mitigated as necessary, depending on how the policy is implemented. This policy could result in LSE on nearby Habitats sites.	By improving access to open spaces it has the potential to give rise to 'in-combination' effects with other plans and projects.	Screened in
KN3	Biodiversity	Policy KN3 ensures the conservation and enhancement of biodiversity within the Borough, including protecting species and sites and ensuring a minimum of 30% biodiversity net gain within new proposed developments.	All Habitats Sites	This is a positive policy that seeks to protect nature conservation sites including Habitats sites and embeds Biodiversity Net Gain within Planning Policy.	No LSE therefore no in-combination effect.	Screened out
KN4	Urban Greening and Trees	Policy KN4 ensures the inclusion of urban greening measures within new developments, and the preservation of existing trees where possible.	All Habitats Sites	A positive policy that seeks to retain trees as part of development and the inclusion of urban greening measures. No effect pathways present.	No LSE therefore no in-combination effect.	Screened out

Policy	Heading	Summary of Policy	Relevant Habitats sites within refined ZOI <sup>24</sup>	Screening of Likely Significant Effects (LSE)	In-Combination	Screened in / out?
NE5	Food Growing	Policy KN5 focuses on the utilisation of land for urban agriculture. This provides communities with the opportunity to grow their own produce through community gardening spaces, improving food quality as well as community facilities and access to community gardens.	All Habitats Sites	A positive policy seeking to utilise agricultural land within the Borough for food growing and not development. No effect pathways present.	No LSE therefore no in-combination effect.	Screened out
KN6	Green Belt and Metropolitan Open Land	Policy KN6 results in significant positive effects on IIA7 (efficient use of land) as it aims to preserve and enhance Green Belt and Metropolitan Open Land. This ensures that, where possible, green belt land remains undeveloped in favour of brownfield sites.	All Habitats Sites	A positive policy that seeks to protect greenbelt land. No effect pathways present.	No LSE therefore no in-combination effect.	Screened out
<b>Transport and Connectivity</b>						
KT1	Strategic Approach to Transport *Strategic Policy*	Strategic policy KT1 ensures the inclusion of sustainable transport modes, including active travel, within proposed developments. Policy KT1 also aims to make efficient use of land within transport developments, ensuring proposed developments are well located and connected to the wider Borough.	All Habitats Sites	This is a positive policy to drive significantly improved environmental conditions in the RBKT area, including air quality. An improvement in air quality through reductions in NO <sub>x</sub> concentrations will have a positive impact on levels of atmospheric pollution at Habitats sites.	No LSE therefore no in-combination effect.	Screened out
KT2	Sustainable Travel and Healthy Streets	Policy KT2 prioritises and encourages the use of public and active transport modes and discourage car use within the Borough. It includes the improvement of safety, particularly with regard to cyclists and cycle facilities. Policy KT2 also includes that development should support the needs of future growth within the Borough.	All Habitats Sites	This is a positive policy to drive significantly improved environmental conditions in the RBKT area, including air quality. This improvement in environmental quality is driven primarily by human health considerations, however, an improvement in air quality through reductions in NO <sub>x</sub> concentrations will have a positive impact on levels of atmospheric pollution at Habitats sites.	No LSE therefore no in-combination effect.	Screened out
KT3	Transport Infrastructure	As Policy KT2, Policy KT3 prioritises and encourages the use of public and active transport modes and supports the delivery of electric vehicle (EV) infrastructure.	All Habitats Sites	This is a positive policy that promotes the use of public and active transport modes and also improved EV infrastructure. Such activities potentially can lead to air quality improvements through	No LSE therefore no in-combination effect.	Screened out

Policy	Heading	Summary of Policy	Relevant Habitats sites within refined ZOI <sup>24</sup>	Screening of Likely Significant Effects (LSE)	In-Combination	Screened in / out?
				reduced reliance on private motor vehicles.		
KT4	<i>Car Parking and Car Free Development</i>	Policy KT4 encourages the use of sustainable transportation modes, including cycling and electric vehicles, and aims to promote public transport use where possible and aims to maintain and restrict new car parking developments.	All Habitats Sites	This is a positive policy that promotes the use of public and active transport modes. Such activities potentially can lead to air quality improvements through reduced reliance on private motor vehicles and vehicles emitting GHG.	No LSE therefore no in-combination effect.	Screened out
KT5	<i>Sustainable Servicing</i>	Policy KT5 encourages the use of sustainable vehicles, such as low emissions vehicles, electric vehicles and bikes within deliveries.	All Habitats Sites	This is a positive policy that promotes the use of sustainable and active transport modes. Such activities potentially can lead to air quality improvements through reduced reliance on vehicles emitting GHG.	No LSE therefore no in-combination effect.	Screened out
KT6	<i>River Transport</i>	Policy KT6 seeks to preserve or enhance river infrastructure along the Thames in order to support its ongoing use for both transport and leisure activities.	All Habitats Sites	This is a policy that promotes the use of water-based transport options. Greater use of water-based transport can assist in reducing demand for road transport, leading to improved air quality. Additionally, by promoting leisure activities, this has the potential to divert pressure away from Habitats sites, specifically South West London Waterbodies SPA and Ramsar.	No LSE therefore no in-combination effect.	Screened out
<b>Implementing and Monitoring</b>						
KI1	<i>Infrastructure and Developer Contributions</i>	Policy KI1 relates to the Council seeking to secure contributions to ensure that appropriate infrastructure is in place to support future developments. This includes the delivery of infrastructure set out in the Council's Infrastructure Delivery Plan, as well as specific infrastructure that is necessary to deliver an individual site.	All Habitats sites	This policy is associated with securing developer contributions on infrastructure delivery within the Borough. No effect pathways present.	No LSE therefore no in-combination effect.	Screened out

Policy	Heading	Summary of Policy	Relevant Habitats sites within refined ZOI <sup>24</sup>	Screening of Likely Significant Effects (LSE)	In-Combination	Screened in / out?
K12	<i>Sustainable Locations for Good Growth</i>	Policy K12 refers to the monitoring of the implementation of planning policies within the Local Plan to assess progress as well as to understand the effectiveness of the plan's policies.	All Habitats sites	This policy is to ensure the local plan policies are effective by following a framework that has been prepared to set out the key performance indicators that will help track the delivery and performance of the Local Plan.	No LSE therefore no in-combination effect.	Screened out

7.2.19 Most of the policies in the RBKT Local Plan can be concluded not to pose a risk of LSE following the screening exercise. These policies inherently present no pathway of effects and generally set out general development or planning protection principles, largely without specifying a quantum of growth or development schemes.

7.2.20 Three policies; KH1 – Meeting the Borough’s Housing Needs, KN2 Open Spaces and KS3 School, College and University Facilities are screened in and as such require further consideration in this HRA at Stage 2 AA. In the case of Policies KH1 and KS3 they have the potential for increased traffic (and therefore impacts on air quality), and for all policies (KH1, KN2 and KS3) they may result in increased recreational and development pressures and therefore disturbance on nearby Habitats sites.

## 8 Detailed Screening Discussion

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8.1.1 The results of the Screened in LSE are outlined below. The discussion is presented by designated site and LSE.

### 8.2 The South West London Water bodies SPA and Ramsar site

#### Recreational pressure due to public access / disturbance

8.2.1 This section considers the potential adverse effects on integrity of both the South West London Waterbodies SPA and Ramsar site from recreational pressures as a result of proposed Local Plan led infrastructure delivery and housing development in the Borough.

8.2.2 The basis of this assessment lies with the average travel distance of residents within the Borough and the propensity to use Habitats sites as a recreational resource given the geographical location of the allocated sites noted in the emerging Local Plan.

8.2.3 Only three of the component waterbodies within the SPA/Ramsar lie within 10km of proposed allocated sites within the Borough and the immediate surrounds, and none fall within the Borough itself. Further waterbodies which are considered to be functionally-linked or supporting habitat are also present. The three waterbodies are:

- Knight & Bess Borough Reservoirs;
- Kempton Park Reservoirs – Redhouse Reservoir
- Kempton Park Reservoirs – Kempton Park East Reservoir.

8.2.4 All these waterbodies have different access arrangements, Knight and Bess Borough, the closest of the waterbodies associated with the SPA/Ramsar has no public access. Redhouse reservoir also is not accessible to the public, whilst Kempton Park East Reservoir has restricted public access which is via a membership scheme.

#### Assessment of potential effects

8.2.5 Given that for all waterbodies within the Zol, public access is restricted or the site completely private it is considered that any increase in the local population as a result of the Local Plan policies cannot be assumed to result in an impact of a significant increase in visitors. On these sites visitor numbers and timing can be managed, which balances the interests of the site and retains the ecological functioning of the qualifying features. It is considered therefore that LSE from public access and recreational disturbance will not arise at these sites as a result of Local Plan policies.

## Conclusion

- 8.2.6 Given the above it is considered that no LSE on the SPA/Ramsar site will occur from any increase in population as a result of the Local Plan policies on housing.
- 8.2.7 The conclusion of no LSE means that mitigation measures are not considered to be required, however mechanisms are already in place to bolster the protection of Habitats sites against such threats if required. Specific policies within the Local Plan will also serve to avoid, minimise and offset the potential impacts of recreational pressures on these sites.

## 8.3 Wimbledon Common

### Air Quality

- 8.3.1 This section considers the potential adverse effects on integrity of Wimbledon Common SAC from changes in air quality as a result of infrastructure delivery and housing development Local Plan policies in the Borough.
- 8.3.2 The review of both APIS and Defra's webpages indicates the potential for exceedances of the relevant Critical Levels and Critical Loads for NO<sub>x</sub>, NH<sub>3</sub> and N deposition, respectively.
- 8.3.3 Table 5-2 reveals that all the proposed site allocations fall within 10km of Wimbledon Common SAC, when the distance is measured 'as the crow flies'.
- 8.3.4 Some of these fall within close proximity of Wimbledon Common SAC with SA22 (Kingston University) being the closest of the proposed site allocations (0.43km from Wimbledon Common at its closest point). Whilst the number of units for SA22 is yet to be confirmed, there is the potential for traffic generated from the site (and other nearby allocations) to pass along roads adjacent to Wimbledon Common SAC.
- 8.3.5 Furthermore, a review of the condition of the SSSI units which comprise Wimbledon Common SAC indicates that all are 'unfavourable recovering' with the exception of Unit 1026633 which is cited as being 'unfavourable – no change'. Therefore, there is no evidence that the SSSI's are in favourable condition despite high pollutant concentrations/deposition.
- 8.3.6 Applying the precautionary principle, it is not possible to rule out potential effects on Wimbledon Common SAC due to changes in air quality.

### Recreational Pressure due to public access / disturbance

- 8.3.7 This section considers the potential adverse effects on integrity of Wimbledon Common SAC from recreational pressures as a result of proposed Local Plan led infrastructure delivery and housing development in the Borough.
- 8.3.8 The basis of this assessment lies with the average travel distance of residents within the Borough and the propensity to use Habitats sites as a recreational resource given the geographical location of the allocated sites noted in the emerging Local Plan.



- 8.3.9 The closest allocated site is Kingston University which is located 0.43km from the SAC. This is considered to be a longer-term development site and as such, the quantum of units is currently unknown. All other allocated sites fall within 10km of the SAC.
- 8.3.10 The 10km average trip distance from allocations has been used as a precautionary figure to screen the likelihood of new residents visiting any individual Habitats site. When considering other distance criteria to use, a review of available visitor surveys and Habitats sites within and in proximity to London demonstrates that visitor pressure is most likely to arise from a smaller catchment area than the 10km applied at this screening stage.
- 8.3.11 The results obtained from Epping Forest surveys of visitor pressure (Liley *et al*, 2018) identified a threshold of 6.2km where visitor numbers from outside this area dropped to 'very low'.
- 8.3.12 The results obtained from a similar survey at Burnham Beeches (Liley *et al*, 2018) under an identical methodology identified that visitor numbers dropped to a 'low' threshold from 5km from the Habitats sites.
- 8.3.13 At later stages of assessment, a refined figure for this ZOI should be established, relevant to Wimbledon Common, to replace the precautionary 10km figure used at this screening stage.
- 8.3.14 It should be noted that the HRA prepared for the London Plan (AECOM, 2019) concluded that for Wimbledon Common '*it is considered that the scale of growth proposed for Merton, Kingston and Wandsworth in the London Plan is not likely to result in a significant recreational pressure effect on Wimbledon Common SAC alone or in combination with other plans and projects*'. It did however caveat that: '*This conclusion will need revisiting for any updates to be made to the Wandsworth, Kingston and Merton Local Plans in the light of the proposed development locations in those Boroughs*'.

### **Assessment of potential effects**

- 8.3.15 The SIP for Wimbledon Common SAC identifies that high visitor usage to the site causes damage to sensitive habitats, and results in adverse impacts such as compaction around the base of mature trees and the removal of fallen timber. Given the close proximity of some of the allocated sites to Wimbledon Common SAC, increased recreational pressure as a result of additional housing within the Borough as set out under Policy KH1 of the Local Plan is considered to be a risk to this Habitats Site. Additionally, Policy KS3 relates to development as part of Kingston University. As the University is within 0.43km of Wimbledon Common SAC and therefore in walking distance to the SAC, any development here could result in increased recreational pressure.

### **Conclusions**

- 8.3.16 Likely Significant Effects cannot be ruled out for Wimbledon Common SAC as a result of increased recreational pressure led by Local Plan policies within the Borough. As such further Stage 2 appropriate assessment is required.

## 8.4 In-combination assessment

- 8.4.1 The Habitats sites considered in this assessment alone sit within the geographical area surrounded by six Boroughs either within Greater London or on the edge of London: Richmond upon Thames, Elmbridge, Wandsworth, Merton, Sutton and Epsom and Ewell. The London Plan developed by the Greater London Authority (GLA) also covers the RBKT Area.
- 8.4.2 For each of the Local Plans there are also reports to inform the HRA and these have been consulted where available in this in-combination assessment. The findings from this work are summarise below.
- 8.4.3 London Borough of Richmond upon Thames: Consultation on the 'Publication' Draft Local Plan (Regulation 19) is currently underway with no HRA evidence on the portal.
- 8.4.4 Elmbridge Borough Council: The Regulation 19: Draft Elmbridge Local Plan 2022-2037 representations stage has opened, but no HRA is currently available.
- 8.4.5 London Borough of Wandsworth Local Plan along with supporting documents was submitted to the Secretary of State for independent examination in public on 29 April 2022. The HRA screening report submitted to support this examination concluded: *In summary, this screening assessment has not identified any significant adverse effects on any Natura 2000 site; particularly Wimbledon Common SAC or Richmond Park SAC.*
- 8.4.6 London Borough of Merton: The Local Plan and Policies Map was submitted to the Secretary of State on 2 December 2021. The supporting HRA concluded the Local Plan '*will not lead to adverse effects on the integrity of European sites either alone, or in combination with other plans and projects.*' (Merton Council 2021) An update to the HRA report was undertaken in May 2022 as a result of modifications to the Local Plan which concluded that '*the overall findings of the submitted HRA remains.*' (Merton Council 2022).
- 8.4.7 London Borough of Sutton adopted their Local Plan in February 2018 setting out the planning strategy and policies for the Borough until 2031. The HRA to support the examination of the Local plan cannot be found in the evidence database, however in response to a query raised by the Inspector during examination stated: *the council considers it extremely unlikely that Sutton's Local Plan, either alone, or in combination with other plans or projects, will have significant effects on any of the European sites identified in Sutton's original HRA report prepared in February 2016.*
- 8.4.8 Epsom and Ewell Borough Council: The Local Plan is currently under review and the evidence database does not currently hold an HRA. The preceding Epsom and Ewell

Local Plan HRA Screening Report identified LSE associated with recreational pressure and air quality impacts on Mole Gap to Reigate Escarpment SAC and air quality impacts on Wimbledon Common SAC. (Epsom and Ewell Borough Council, 2018).

- 8.4.9 The London Plan (Greater London Authority) also covering RBKT and the above listed London Boroughs stated: *“it was concluded that there are sufficient protective mechanisms in place to ensure that the growth objectives of the London Plan can be delivered without an adverse effect on the integrity of European sites, either alone or in combination with other plans and projects.*
- 8.4.10 The HRA screening for Epsom and Ewell identified potential LSE associated with air quality impacts on Wimbledon Common SAC. Additionally, no HRA documentation is available for London Borough of Richmond upon Thames or Elmbridge Borough Council and therefore it is unknown if LSE exist as a result of their emerging Local Plans. As such, taken together, in-combination LSE cannot be ruled on Habitats sites as a result of policies in the emerging Local Plan when considered with other strategic plans.

## 9 Conclusions

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- 9.1.1 This document provides guidance on the likely data sources, information requirements and the process of HRA Screening and other stages of assessment as necessary. It also provides a discussion of where the ecological implications of the RBKT Local Plan will lie as the plan emerges and which Habitats sites are vulnerable to known pressures, threats and existing impacts.
- 9.1.2 There are no Habitats sites within RBKT's administrative area, however there are a number that fall within 10km (i.e. the identified ZoI) of the allocated sites and as such there will be implications for some of these Habitats sites from the policies of the Local Plan.
- 9.1.3 A number of policies have been screened-out due to their nugatory or beneficial effects on Habitats sites, but three policies were screened-in (KH1 – Meeting the Borough's Housing Needs, KN2 Open Spaces and KS3 School, College and University Facilities) for their further consideration at Stage 2 AA. These policies have potential for LSE on nearby Habitats sites relating to increased traffic (and therefore impacts on air quality) and increased public access, recreational and development pressures.
- 9.1.4 Given the possibility of LSE associated with the screened-in interventions, further, detailed assessment is considered necessary to satisfy the requirements of the Habitats Regulations as the Local Plan emerges.
- 9.1.5 It is also not possible to rule out in-combination LSE on Habitats sites as a result of policies in the emerging RBKT Local Plan when considered with other strategic plans based on the findings of this screening assessment and a review of the HRAs supporting Local Plans for adjacent authorities.

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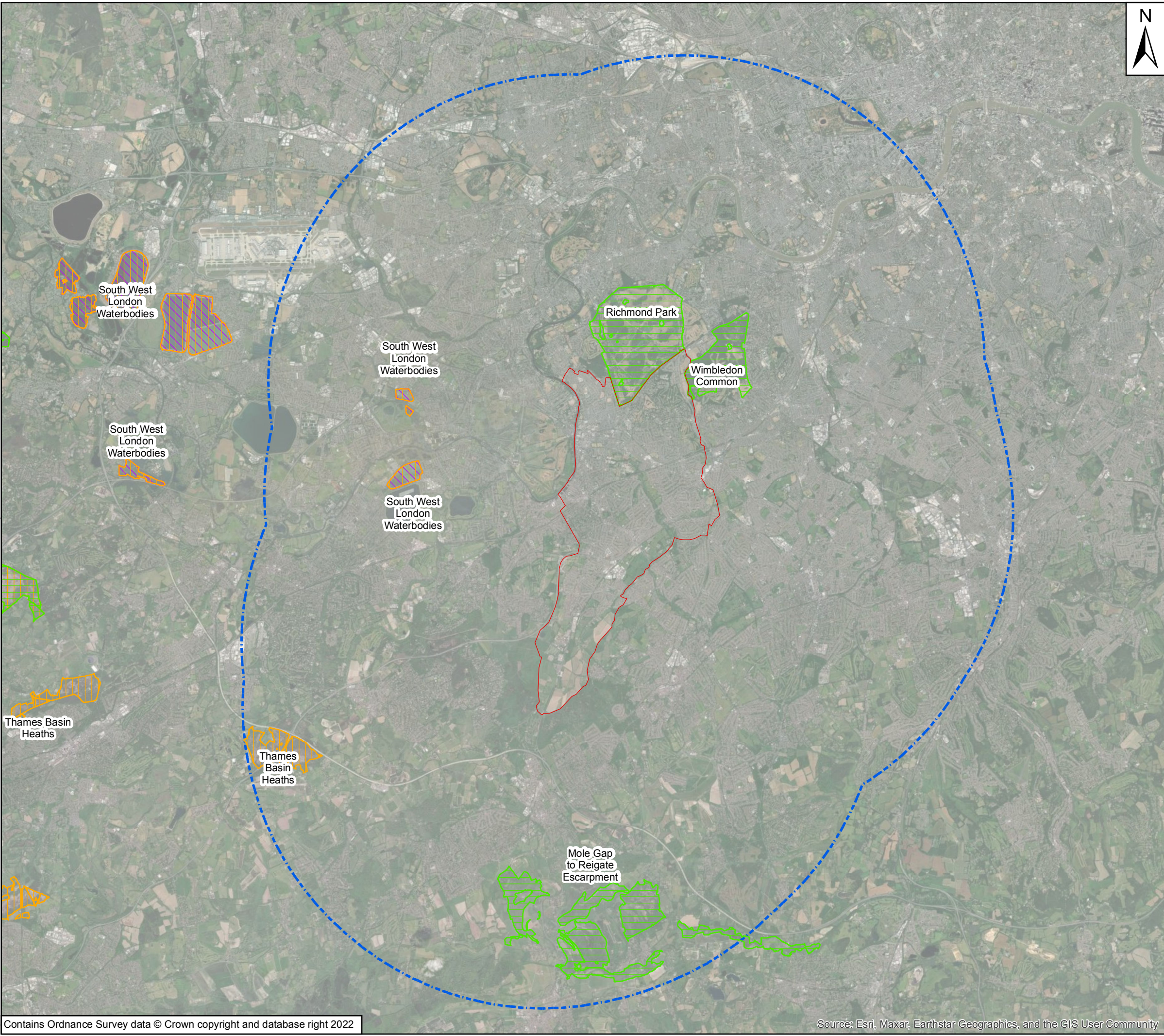


## Figures

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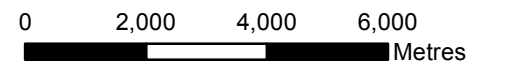
**Figure 1 – Allocated sites within the RBKT boundary**

**Figure 2 - Habitats sites within 10km of the allocated sites**



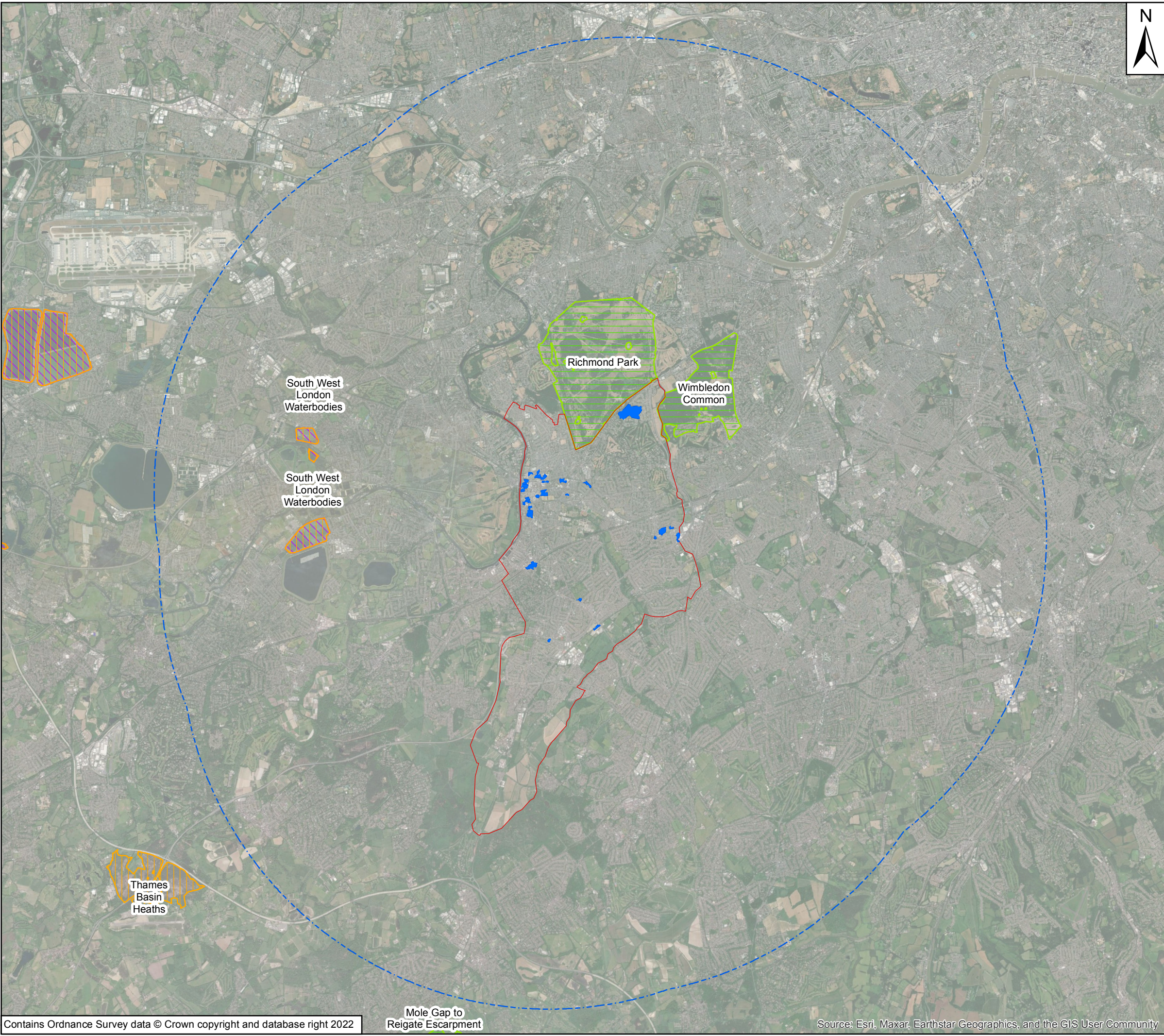
**Key**

- Royal Borough of Kingston upon Thames
- 10km Buffer
- Special Area of Conservation
- Special Protection Area
- Ramsar Site - Wetland of International Importance



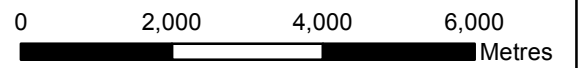
<small>Client:</small>	The Royal Borough of Kingston Upon Thames
<small>Project:</small>	The Royal Borough of Kingston Upon Thames IIA
<small>Title:</small>	Allocated sites within the RBKT boundary

<small>Drawing No:</small> <b>FIGURE 1</b>	<small>Drawn:</small> ES
<small>Date:</small> 11/2022	<small>Checked:</small> VD
<small>Scale:</small> 125,000 @ A3	<small>Approved:</small> OP



**Key**

- Royal Borough of Kingston upon Thames
- Proposed Housing Allocations
- 10km Buffer
- Special Area of Conservation
- Special Protection Area
- Ramsar Site - Wetland of International Importance



<b>Client:</b>	The Royal Borough of Kingston Upon Thames
<b>Project:</b>	The Royal Borough of Kingston Upon Thames IIA
<b>Title:</b>	Habitats sites within 10km of the Allocated sites

<b>Drawing No:</b> FIGURE 2	<b>Drawn:</b> ES
<b>Date:</b> 11/2022	<b>Checked:</b> VD
<b>Scale:</b> 100,000 @ A3	<b>Approved:</b> OP

# Appendix A

**LEGISLATIVE BACKGROUND,  
POLICY CONTEXT AND CEJU  
RULINGS**



## Legislative background

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Refer to Section 2.1.2 above for arrangement post Brexit.

The Conservation of Habitats and Species Regulations (2017, as amended) (the ‘Habitats Regulations’) protects habitats and species of Habitats sites. The Habitats Regulations establishes a network of internationally important sites designated for their ecological status. SACs are designated under the Habitats Regulations and promote the protection of flora, fauna and habitats. SPAs are designated in order to protect vulnerable and migratory bird species. These sites combine to create a Europe-wide ‘Natura 2000’ network of designated sites.

Under the Habitats Regulations ‘Competent Authorities’ must assess Plans, in this case the LTP and associated plans, for their potential to cause Likely Significant Effects (LSE) on Habitats sites. Where the Plan may lead to LSE it must be subject to an HRA to determine whether there will be adverse effects to any Habitats sites. Any Plan that would lead to adverse effects on the integrity of Habitats site(s) cannot be permitted without meeting strict additional tests.

According to the Habitats Regulations, any plan or project likely to have a significant effect on a Habitats site, either individually or in combination with other plans or projects should undergo an appropriate assessment to determine its implications for the site. The Competent Authority can only agree to the plan or project after having ascertained that it will not adversely affect the integrity of the site concerned.

The purpose of the Habitats sites network is preservation of examples of species and habitats across the UK and Europe, rather than preservation of individual sites. In exceptional circumstances, a plan or project may still be allowed to go ahead, in spite of a negative assessment, provided there are no alternative solutions and the plan or project is considered to be of overriding public interest<sup>25</sup>. In such cases the UK Government must take appropriate compensatory measures to ensure that the overall coherence of the Natura 2000 Network is protected.

Regulation 63 (1) of the Habitats Regulations states that ‘...a Competent Authority, before deciding to undertake, or give any consent, permission or other authorisation for, a plan or project which—

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<sup>25</sup> An exact definition of ‘imperative reasons of overriding public interest’ is not provided, but EC guidance states ‘It is reasonable to consider that the “imperative reasons of overriding public interest, including those of social and economic nature” refer to situations where plans or projects envisaged prove to be indispensable:

- within the framework of actions or policies aiming to protect fundamental values for the citizens’ life (health, safety, environment);
- within the framework of fundamental policies for the State and the Society;
- within the framework of carrying out activities of economic or social nature, fulfilling specific obligations of public service.’



*(a) is likely to have a significant effect on a Habitats site or a European offshore marine site (either alone or in combination with other plans or projects), and*  
*(b) is not directly connected with or necessary to the management of that site,*  
*—must make an appropriate assessment of the implications for that site in view of that site’s conservation objectives.’*

The Habitats Regulations also make allowance for projects or plans to be completed if they satisfy ‘imperative reasons of overriding public interest’<sup>26</sup>. Regulation 64 relates to such situations.

The requirements of the Habitats Regulations are usually met by undertaking an initial two-stage approach; Stage 1 screening of potential LSEs on the qualifying features and conservation objectives of Habitats sites, and then, for those Habitats sites where this applies, a Stage 2 ‘Appropriate Assessment’ of the adverse effects on the integrity of those Habitats sites of the LTP policies.

It should be noted that the competent authority (Shropshire Council) undertakes the Screening and Appropriate Assessment, the consultant provides the information or evidence-base to allow this to be completed. The competent authority must include consideration of ‘in-combination’ effects arising from other projects and plans within their assessment, as well as those potentially acting alone. Given the scale of the HRA the in-combination exercise will likely consider in-County, as well as outside-County interactions with Habitats sites.

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<sup>26</sup> *(a) reasons relating to human health, public safety or beneficial consequences of primary importance to the environment; or*  
*(b) any other reasons which the Competent Authority, having due regard to the opinion of the Commission, consider to be imperative reasons of overriding public interest.’*

## The Council for Justice of the European Union (CJEU) rulings

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A number of CJEU rulings are relevant to the HRA screening exercise and are noted below. At the present time the position, under section 6(3) EU (Withdrawal) Act 2018 (as amended), is that the courts in the UK, with the sole exception of the Supreme Court, will continue to be bound by HRA judgments handed down by the CJEU and by domestic courts prior to 31 December 2020 when interpreting the Conservation of Habitats and Species Regulations 2017 (as amended). This is the case as long as the Conservation of Habitats and Species Regulations 2017 (as amended) remain unmodified by Parliament. The Supreme Court will, however, be at liberty to depart from these judgments after 31 December 2020 if they consider it appropriate to do so.<sup>27</sup>

### The Wealden Judgement

The Wealden Judgement<sup>28</sup>, handed down in March 2017, has introduced additional complexities into the assessment process in relation to in-combination and cumulative effects.

Prior to this Judgement, air quality impacts on Habitats sites were only considered alongside roads where the traffic growth associated with the individual Plan or Project being assessed exceeded specified screening criteria. These criteria were typically based on changes in vehicle movements and taken from the Design Manual for Roads and Bridges (DMRB, HA207/07<sup>29</sup>), which has been subsequently withdrawn namely:

- increases of 1000 vehicles per day or 200 Heavy Goods Vehicles per day (as Annual Average Daily Traffic (AADT)).

The Wealden Judgement found that the application of the criteria to the traffic growth associated with a single Local Plan was unsound on the basis that two Local Plans collectively contributing more than 1000 AADT could lead to a potentially significant effect. The Judge determined that further assessment of air quality impacts on Habitats sites should have been carried out and quashed part of the Local Plan that would have led to an in-combination exceedance of 1,000 AADT.

The Wealden Judgement means that every single plan or project which, alone, is predicted to give rise to any increase in traffic or other air emission (however small) must be subjected to an in-combination assessment with other plans or projects (which would include those plans or projects

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<sup>27</sup> Freeths Habitats Regulations update 2020. Available at: <https://communications.freeths.co.uk/44/1637/october-2020/the-habitats-regulations-assessment-regime-after-31-december-2020---how-will-it-look-.asp?sid=8bf6fad5-597a-43c6-8f70-61503ec0adb9>

<sup>28</sup> Judgment in Wealden District Council v. Secretary of State for Communities and Local Government, Lewes District Council and South Downs National Park Authority [2017] EWHC 351 (Admin) DATE: 21 Mar 2017.

<sup>29</sup> *Design Manual for Roads and Bridges (DMRB), Volume 11, Section 3, Part 1 (HA207/07)*. Withdrawn, but available online: <https://standardsforhighways.co.uk/dmrb/archive/search/df0c77ed-887b-4c84-be0e-000fe18545ae> Accessed [31/03/2022]

with a similar tiny impact). However, the judgement did not rule out the application of thresholds in principal and this approach is normally taken as the basis of the assessment.

The judgement has led to a more detailed analysis of three key questions to discern which plans and project are those where a detailed “in combination” assessment is required in relation to changes in air quality:

1. Is your plan or project putting emissions into the air?;
2. If so, are those emissions at a level where they could actually be measured / perceived?; and
3. If so, is there a realistic (rather than hypothetical) risk that those emissions, alone, will have an adverse effect on the ecology of a SAC / SPA?

A fuller justification will be required when applying the threshold approach.

### **People over Wind (The Sweetman Case)**

The Court of Justice of the European Union’s (CJEU’s) decision in the matter of People Over Wind and Sweetman v Coillte Teoranta (C-323/17)<sup>30</sup> (hereafter referred to as the ‘Sweetman Case’), states that:

*‘Article 6(3) ..... must be interpreted as meaning that, in order to determine whether it is necessary to carry out, subsequently, an Appropriate Assessment of the implications, for a site concerned, of a plan or project, it is not appropriate, at the screening stage, to take account of measures intended to avoid or reduce the harmful effects of the plan or project on that site.’*

In the new judgement the CJEU concluded that mitigation measures could not be considered as part of the project, and thus that the screening stage of HRA should not take account of them. This will undoubtedly be tested further in the courts in coming months and years, but the key issue is whether the mitigation measures proposed can genuinely be considered as part of the project, in that they would happen in any case, irrespective of the Habitats site. If not, then they should be considered mitigation measures, and considered at the Appropriate Assessment stage of HRA.

This is an emerging issue for local authorities and means that, because of the potential for ‘in-combination effects and the fact that HRA Screening should not take into account measures targeted at mitigating effects on Habitats sites. Therefore, it is becoming increasingly commonplace for local authorities to conduct an Appropriate Assessment of all project, plans and planning applications (i.e. these are often no longer screened out, by way of an HRA Screening as has been the practise to date).

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<sup>30</sup> Judgement of the Court 12 April 2018, People Over Wind, Peter Sweetman, Coillte Teoranta Available online: <https://curia.europa.eu/juris/document/document.jsf?jsessionid=B02FE6F4F1C61308615DBBDF079EE5F4?text=&docid=200970&pageIndex=0&doclang=en&mode=lst&dir=&occ=first&part=1&cid=11190634> Accessed [27/04/2022]



## **CJEU Ruling in the Netherlands nitrogen and agriculture cases c-293/17 and c-294/17**

The final Court Judgement in relation to these two cases was handed down on the 7th November 2018. The judgement relates to the assessment of agricultural activities under the Habitats Regulations, but has potential implications for the assessment of changes in nitrogen (N) deposition in relation to air quality. Notably, the Court of Justice of the European Union ruled that:

- An ‘appropriate assessment’ may only take into account the existence of Article 6(1) ‘conservation measures’, or Article 6(2) ‘preventive measures’, or specific measures adopted for a conservation programme, or ‘autonomous’ measures not in the programme, if the expected benefits of those measures are certain at the time of the assessment.
- National measures such as procedures for the surveillance and monitoring of farms whose activities cause nitrogen deposition and the possibility of imposing penalties, up to and including the closure of those farms, are sufficient for the purposes of complying with Article 6(2).

Of particular relevance to the assessment of air quality effects on Habitats sites, the Court of Justice of the European Union ruled that:

“An ‘appropriate assessment’ may only take into account the existence of Article 6(1) ‘conservation measures’, or Article 6(2) ‘preventive measures’, or specific measures adopted for a conservation programme, or ‘autonomous’ measures not in the programme, if the expected benefits of those measures are certain at the time of the assessment.

The Ruling makes clear that certainty and a thorough and in-depth examination of the scientific soundness is required that there is no reasonable scientific doubt as to the absence of adverse effects of each plan or project on the integrity of the site concerned.

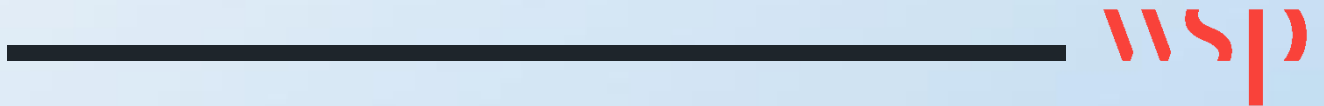
### **Kokott Ruling**

In the Opinion of Advocate General Kokott in Case C-6/04 Commission v UK [2005] ECR I-9017 at paragraph 49 she noted that an assessment of plans cannot by definition take into account all effects because

*“Many details are regularly not settled until the time of the final permission” and “[i]t would also hardly be proper to require a greater level of detail in preceding plans or the abolition of multi-stage planning and approval procedures so that the assessment of implications can be concentrated on one point in the procedure. Rather, adverse effects on areas of conservation must be assessed at every relevant stage of the procedure to the extent possible on the basis of the precision of the plan. This assessment is to be updated with increasing specificity in subsequent stages of the procedure”.*

# Appendix B

**HABITATS SITES DETAILS,  
INCLUDING QUALIFYING FEATURES  
AND CONSERVATION OBJECTIVES**



Site Name	Site Size (Ha)	Summary of reasons for designation summarised on Natura 2000 Standard Data Form or Ramsar Information Sheet	Activities with greatest effect upon the site, as listed on Natura 2000 standard data forms and Information Sheets for Ramsar Wetlands	Pressures and threats listed within the Site Improvement Plan (NE, undated) (T=Threat, P=Pressure)	Conservation Objectives
<b>Richmond Park SAC</b>	846.3	<p><b>Annex II species that are a primary reason for selection of this site</b></p> <ul style="list-style-type: none"> <li>1083 Stag beetle <i>Lucanus cervus</i></li> </ul> <p>Richmond Park has a large number of ancient trees with decaying timber. It is at the heart of the south London centre of distribution for stag beetle <i>Lucanus cervus</i> and is a site of national importance for the conservation of the fauna of invertebrates associated with the decaying timber of ancient trees.</p>	<ul style="list-style-type: none"> <li>No threats listed<sup>31</sup></li> </ul>	<ul style="list-style-type: none"> <li>No current issues affecting the Natura 2000 feature(s) have been identified on this site<sup>32</sup></li> </ul>	<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"> <li>The extent and distribution of the habitats of qualifying species</li> <li>The structure and function of the habitats of qualifying species</li> <li>The supporting processes on which the habitats of qualifying species rely</li> <li>The populations of qualifying species, and,</li> <li>The distribution of qualifying species within the site.<sup>33</sup></li> </ul>
<b>South West London Waterbodies Ramsar</b>	828.1	<p><b>Ramsar criterion 6 – species/populations occurring at levels of international importance.</b></p> <p>Qualifying Species/populations (as identified at designation):</p> <p>Species with peak counts in spring/autumn:</p> <ul style="list-style-type: none"> <li>Northern shoveler <i>Anas clypeata</i> (NW and C Europe) - 397 individuals, representing an average of 2.6% of the GB population (5-year peak mean 1998/9-2002/3)</li> </ul> <p>Species with peak counts in winter:</p> <ul style="list-style-type: none"> <li>Gadwall <i>Anas strepera strepera</i> (NW Europe) - 487 individuals, representing an average of 2.8% of the GB population (5-year peak mean 1998/9-2002/3)</li> </ul>	<ul style="list-style-type: none"> <li>No factors reported<sup>34</sup></li> </ul>		
<b>South West London Waterbodies SPA</b>	825.1	<p><b>ARTICLE 4.2 QUALIFICATION (79/409/EEC)</b></p> <p><b>Over winter the area regularly supports:</b></p> <ul style="list-style-type: none"> <li>Shoveler <i>Anas clypeata</i> (North-western/Central Europe) - 2.1% of the population (Five-year peak mean for 1993/94 to 1997/98)</li> </ul>	<ul style="list-style-type: none"> <li>I02 - Problematic native species</li> <li>K01 - Abiotic (slow) natural processes</li> <li>M02 - Changes in biotic conditions</li> </ul>	<ul style="list-style-type: none"> <li>P/T – Public access/ disturbance</li> <li>P/T – Changes in species distributions</li> <li>P/T – Invasive species</li> </ul>	<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>

<sup>31</sup> Richmond Park SAC Natura 2000 form. Available at: <https://jncc.gov.uk/jncc-assets/SAC-N2K/UK0030246.pdf> (Accessed on: 26/01/2021)

<sup>32</sup> Richmond Park Site Improvement Plan. Available at: <http://publications.naturalengland.org.uk/file/4641498714865664> (Accessed on 26/01/2021)

<sup>33</sup> Richmond Park SAC Conservation Objectives. Available at: <http://publications.naturalengland.org.uk/file/5521612917178368> (Accessed on: 26/01/2021)

<sup>34</sup> South West London Waterbodies Ramsar Natura 2000 form. Available at: <https://jncc.gov.uk/jncc-assets/RIS/UK11065.pdf> (Accessed on: 26/01/2021)

Site Name	Site Size (Ha)	Summary of reasons for designation summarised on Natura 2000 Standard Data Form or Ramsar Information Sheet	Activities with greatest effect upon the site, as listed on Natura 2000 standard data forms and Information Sheets for Ramsar Wetlands	Pressures and threats listed within the Site Improvement Plan (NE, undated) (T=Threat, P=Pressure)	Conservation Objectives
		<ul style="list-style-type: none"> <li>Gadwall <i>Anas strepera</i> (North-western Europe) - 2.4% of the population (Five-year peak mean for 1993/94 to 1997/98)</li> </ul>	<ul style="list-style-type: none"> <li>G01 - Outdoor sports and leisure activities, recreational activities</li> <li>F01 - Marine and Freshwater Aquaculture<sup>35</sup></li> </ul>	<ul style="list-style-type: none"> <li>P/T Natural changes to site conditions</li> <li>P – Fisheries: Fish stocking</li> <li>T – Inappropriate weed control<sup>36</sup></li> </ul>	<ul style="list-style-type: none"> <li>The extent and distribution of the habitats of the qualifying features</li> <li>The structure and function of the habitats of the qualifying features</li> <li>The supporting processes on which the habitats of the qualifying features rely</li> <li>The population of each of the qualifying features, and,</li> <li>The distribution of the qualifying features within the site.<sup>37</sup></li> </ul>
<b>Wimbledon Common SAC</b>	51.4	<p><b>Annex I habitats present as a qualifying feature, but not a primary reason for selection of this site</b></p> <ul style="list-style-type: none"> <li>4010 Northern Atlantic wet heaths with <i>Erica tetralix</i></li> <li>4030 European dry heaths</li> </ul> <p><b>Annex II species that are a primary reason for selection of this site</b></p> <ul style="list-style-type: none"> <li>1083 Stag beetle <i>Lucanus cervus</i></li> </ul> <p>Wimbledon Common has a large number of old trees and much fallen decaying timber. It is at the heart of the south London centre of distribution for stag beetle <i>Lucanus cervus</i>, and a relatively large number of records were received from this site during a recent nationwide survey for the species. The site supports a number of other scarce invertebrate species associated with decaying timber.</p>	<ul style="list-style-type: none"> <li>J03 - Other ecosystem modifications</li> <li>I01 – Invasive non-native species</li> <li>B02 – Forest and Plantation management and use</li> <li>H04 – Air pollution, air-borne pollutants<sup>38</sup></li> </ul>	<ul style="list-style-type: none"> <li>P– Public disturbance</li> <li>T – Invasive species</li> <li>T – Habitat fragmentation</li> <li>P – Air Pollution: impact of atmospheric nitrogen deposition<sup>39</sup></li> </ul>	<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"> <li>The extent and distribution of qualifying natural habitats and habitats of qualifying species</li> <li>The structure and function (including typical species) of qualifying natural habitats</li> <li>The structure and function of the habitats of qualifying species</li> <li>The supporting processes on which qualifying natural habitats and the habitats of qualifying species rely</li> <li>The populations of qualifying species, and,</li> <li>The distribution of qualifying species within the site.<sup>40</sup></li> </ul>

<sup>35</sup> South West London Waterbodies SPA Natura 2000 form. Available at: <https://jncc.gov.uk/jncc-assets/SPA-N2K/UK9012171.pdf> (Accessed on: 26/01/2021)

<sup>36</sup> South West London Waterbodies SPA Site Improvement Plan. Available at: <http://publications.naturalengland.org.uk/file/5135484288237568> (Accessed on: 26/01/2021)

<sup>37</sup> South West London Waterbodies SPA Conservation Objectives. Available at: <http://publications.naturalengland.org.uk/file/5411059804667904> (Accessed on: 26/01/2021)

<sup>38</sup> Wimbledon Common SAC Natura 2000 form. Available at: <https://jncc.gov.uk/jncc-assets/SAC-N2K/UK0030301.pdf> (Accessed on: 26/01/2021)

<sup>39</sup> Wimbledon Common SAC Site Improvement Plan. Available at: <http://publications.naturalengland.org.uk/file/5097829219434496> (Accessed on: 26/01/2021)

<sup>40</sup> Wimbledon Common SAC Conservation Objectives. Available at: <http://publications.naturalengland.org.uk/file/6215672493506560> (Accessed on: 26/01/2021)

# Appendix C

**APIS INFORMATION FOR SPA AND  
SAC SITES WITHIN 10KM OF THE  
ALLOCATED SITES**

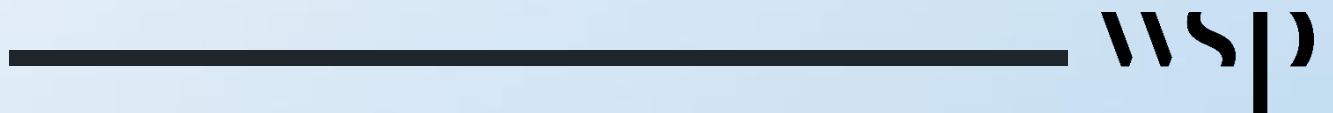


Site	Species	Relevant Critical Load			N Deposition kg N/ha/yr			Ammonia Critical Level $\mu\text{g NH}_3/\text{m}^3$ annual mean	NH <sub>3</sub> Concentration $\mu\text{g}/\text{m}^3$		
		Relevant Habitat	Relevant CL Habitat	CL Range	Maximum	Minimum	Average		Maximum	Minimum	Average
South West London Waterbodies	<i>Anas strepera</i> (North-western Europe) - Gadwall	Standing open water and canals	Standing open water and canals	No CL available	10.7	9.4	9.9	3	1.85	1.56	1.65
	<i>Anas strepera</i> (North-western Europe) - Gadwall	Neutral Grassland	Neutral Grassland	20 - 30	17.5	15.1	15.7	No CL Stated	1.85	1.56	1.65
	<i>Anas strepera</i> (North-western Europe) - Gadwall	Neutral Grassland	Neutral Grassland	20 - 30	17.5	15.1	15.7	No CL Stated	1.85	1.56	1.65
	<i>Anas clypeata</i> (North-western/Central Europe) - Northern shoveler	Standing open water and canals	Standing open water and canals	No CL available	10.7	9.4	9.9	3	1.85	1.56	1.65
	<i>Anas clypeata</i> (North-western/Central Europe) - Northern shoveler	Standing open water and canals	Standing open water and canals	No CL available	10.7	9.4	9.9	3	1.85	1.56	1.65

Site	Species	Relevant Critical Load			N Deposition kg N/ha/yr			Ammonia Critical Level $\mu\text{g NH}_3/\text{m}^3$ annual mean	NH <sub>3</sub> Concentration $\mu\text{g}/\text{m}^3$		
		Relevant Habitat	Relevant CL Habitat	CL Range	Maximum	Minimum	Average		Maximum	Minimum	Average
Richmond Park SAC	<i>Lucanus cervus</i> - Stag beetle	Broadleaved deciduous woodland	Broadleaved deciduous woodland	10 - 20	29.6	27.5	28.4	3	1.87	1.7	1.77
Wimbledon Common SAC	Northern Atlantic wet heaths with <i>Erica tetralix</i>	Northern Atlantic wet heaths with <i>Erica tetralix</i>	Northern wet heath: <i>Erica tetralix</i> dominated wet heath	10 - 20	16.9	16.9	16.9	1	1.87	1.87	1.87
	European dry heaths	European dry heaths	Dry heaths	10 - 20	16.9	16.9	16.9	1	1.87	1.87	1.87
	<i>Lucanus cervus</i> - Stag beetle	Broadleaved deciduous woodland	Broadleaved deciduous woodland	10 - 20	29.6	29.6	29.6	3	1.87	1.87	1.87

# Appendix D

## ANNUAL MEAN NOX CONCENTRATIONS







**Table D-1 - Total 2020 annual mean background NO<sub>x</sub> concentration for the area encompassing Wimbledon Common SAC**

X	Y	Total 2020 background NO <sub>x</sub> concentration (µg/m <sup>3</sup> )
521500	171500	26.8
521500	170500	27.7
521500	172500	27.7
523500	172500	26.5
522500	171500	23.9
523500	171500	25.7
522500	170500	24.5
523500	170500	26.8
522500	173500	28.4
523500	173500	30.3
522500	172500	25.5



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