

Habitats Regulations Assessment Screening Report for Supplementary Planning Documents:

Conservation Areas and Listed Buildings Legal Agreements,
Planning Obligations and Planning Gain

Draft Screening Report Prepared by Ealing Council
September 2007



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1 Non-technical Summary

- 1.1** Habitats Regulations Assessment (HRA) is a requirement under Directive 92/43/EEC (“Habitats Directive”) on the Conservation of Natural Habitats and of Wild Fauna and Flora, and the Conservation (Habitats, &c) Regulations 1994. The purpose of HRA is to assess the impacts of a plan (or project) against the conservation objectives of a European designated siteⁱ for any likely significant effects, and to ascertain whether the proposed plan would adversely affect the integrity of the site.
- 1.2** This report presents the findings of a screening exercise undertaken to establish whether the draft ‘Conservation Areas and Listed Buildings’ and ‘Legal Agreements’ Supplementary Planning Documents (SPD’s), which are being produced as part of Ealing’s Local Development Framework, require a full Appropriate Assessment (AA).
- 1.3** Screening is the first stage of the HRA process, and requires an examination of the likely effects of the document upon a European site and consideration as to whether it can be objectively concluded that these effects will not be significant. If, following screening, significant adverse impacts are anticipated, a ‘full’ Appropriate Assessment considers the potential for impacts in more detail and whether alternative measures can be adopted.
- 1.4** There are no European sites that fall within the Ealing Borough boundary. However, recognising that the plans being prepared by the Council which will form part of the Local Development Framework for Ealing, may influence European sites in neighbouring boroughs, sites were scoped into the study if they occurred either wholly or partly within 10km of the borough boundary. The following three sites have been considered:
- **Ramsar site / Special Protection Area:** South West London Waterbodies.
 - **Special Conservation Areas:** Richmond Park, Wimbledon Common.
- 1.5** Due to the nature of the supplementary guidance contained within these documents, it was considered unlikely that the implementation of the SPD’s would have a significant effect on the integrity of the European sites listed above. However, as a precautionary measure an Appropriate Assessment Screening Matrix was used to examine the relationship between the SPD’s and the conservation objectives of the European sites. The assessment has concluded that, due to the

i European designated sites (herein referred to as “European sites”) are Special Areas of Conservation designated under the Habitats Directive, Special Protection Areas designated under the Conservation of Wild Birds Directive, and Ramsar sites, wetlands of international importance designated under the Ramsar Convention

Non-technical Summary

nature and scope of the SPD's, these documents are not likely to have impacts on the European sites, alone or in combination with other plans and projects. As such, no further assessment is required.

- 1.6** The Council has produced this report to accompany publication of the draft SPD's for consultation. A separate Sustainability Appraisal (incorporating Strategic Environmental Assessment) has also been undertaken. The Sustainability Appraisal Report is presented as a separate document and can be viewed online at www.ealing.gov.uk/planpol. If you require further information, have any questions, or require additional copies of the draft SPD's or the report, please contact the Planning Policy and Development Advice team on 020 8825 8679 or email transportandplanningpolicy@ealing.gov.uk.

How to Comment on this Report

- 1.7** Comments are invited on the Screening Report and the draft SPD's. Any comments should be sent to:

**Planning Policy and Development Advice
Ealing Council
14-16 Uxbridge Road
London W5 2HL**

- 1.8** Alternatively, comments can be e-mailed to: transportandplanningpolicy@ealing.gov.uk.
- 1.9** Please note that responses to this document should be received no later than **19th October 2007**. Responses to the Screening Report will be made public and a summary of the consultation findings will be made available on the Council's website.
- 1.10** If you require further information, have any questions, or would like additional copies of the report, please contact the Planning Policy and Development Advice team on 020 8825 8679 or email transportandplanningpolicy@ealing.gov.uk.

2 Requirement to Undertake a Habitats Regulations Assessment

2.1 The requirement to carry out Habitats Regulations Assessment of plans or projects is set out in Article 6(3) and (4) of the European Communities (1992) Council Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora ("Habitats Directive") and the Conservation (Habitats, &c) Regulations 1994 ("the regulations"). The regulations are responsible for safeguarding designated conservation sites, which protect the habitats and species listed in the annexes of these directives. Designated sites include Special Protection Areas (SPAs), Special Areas for Conservation (SACs), and international RAMSAR sites (herein referred to as 'European sites').

2.2 Article 6(3) of the Habitats Directive establishes the requirement for Appropriate Assessment:

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

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

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

2.4 The regulations state that a 'plan making authority ... shall, before the plan is given effect, make an appropriate assessment of the implications for the site in view of the site's conservation objectives'. This is required where a land use plan:

Requirement to Undertake a Habitats Regulations Assessment

'a) is likely to have a significant effect on a European site in Great Britain (either alone or in combination with other plans and projects, and

b) is not directly connected with or necessary to the management of the site.'

- 2.5** In October 2005, the European Court of Justice ruled that the UK had failed to ensure that land use plans are subject to AA. Subsequently, in September 2006 the regulations were amended to require all Regional Spatial Strategies, Development Plan Documents (DPD's) and SPD's likely to have a significant effect on a European Site, to be subject to an AA (refer to Schedule 1 of the Conservation (Natural Habitats, &c) (Amendment) (England and Wales) Regulations 2006 (Habitats Regulations), which inserts a new Part IVA into the Conservation (Habitats, &c) Regulations 1994). To meet the requirements of the Directive, the local planning authority must carry out the HRA in the preparation of the emerging plans that will form part of the Local Development Framework for Ealing, with the intention of avoiding conflicts between the development proposals contained within the plans and EU conservation objectives.

3 Methodology

3.1 The HRA process comprises 3 stages:

1. Stage 1: Screening for likely significant effects
2. Stage 2: Appropriate Assessment and ascertaining the effect on site integrity
3. Stage 3: Mitigation and alternative solutions (and, in exceptional circumstances, imperative reasons of overriding public interest).⁽ⁱⁱ⁾

3.2 This report presents the findings of the screening exercise (Stage 1) undertaken to determine whether the draft 'Conservation Areas and Listed Buildings' and 'Legal Agreements' SPD's, which are being produced as part of Ealing's Local Development Framework, require a full Appropriate Assessment. The screening process examines the likely effects of the plan or project upon a European site and considers whether it can be objectively concluded that these effects will not be significant. European Commission guidance (2001) recommends that this stage should encompass four steps:

1. Determining whether the project or plan is directly connected with or necessary to the management of the site;
2. Describing the project or plan and the description and characterisation of other projects or plans that in combination have the potential for having significant effects on the European site;
3. Identifying the potential effects on the European site;
4. Assessing the significance of any effects on the European site.⁽ⁱⁱⁱ⁾

3.3 If, following screening, significant adverse impacts on a European site are anticipated, a 'full' Appropriate Assessment (where effects in combination with other plans and projects in the region are identified and analysed) considers the potential for impacts in more detail and whether alternative measures can be adopted. If there are no viable alternatives, the plan can only be implemented if there are 'imperative reasons of overriding public interest'.

3.4 The precautionary principle must be applied in making determinations regarding the significance of effects. This means that where information is not available, or where there is doubt and further research is required, the local authority should proceed with the AA process.

ii Adapted from 'Planning for the Protection of European Sites: Appropriate Assessment' (Department for Communities and Local Government, August 2006)

iii Adapted from 'Assessment of Plans and Projects Significantly Affecting Natura 2000 sites Methodological Guidance on the Provisions of Article 6(3) and (4) of the Habitats Directive 92/43/EEC (2001)'.

Stage 1: Screening

4 Stage 1: Screening

4.1 The following assessment applies the four stage screening process set out at paragraph 3.2 above, and considers whether the draft SPDs are likely to have a significant adverse impact on the European sites.

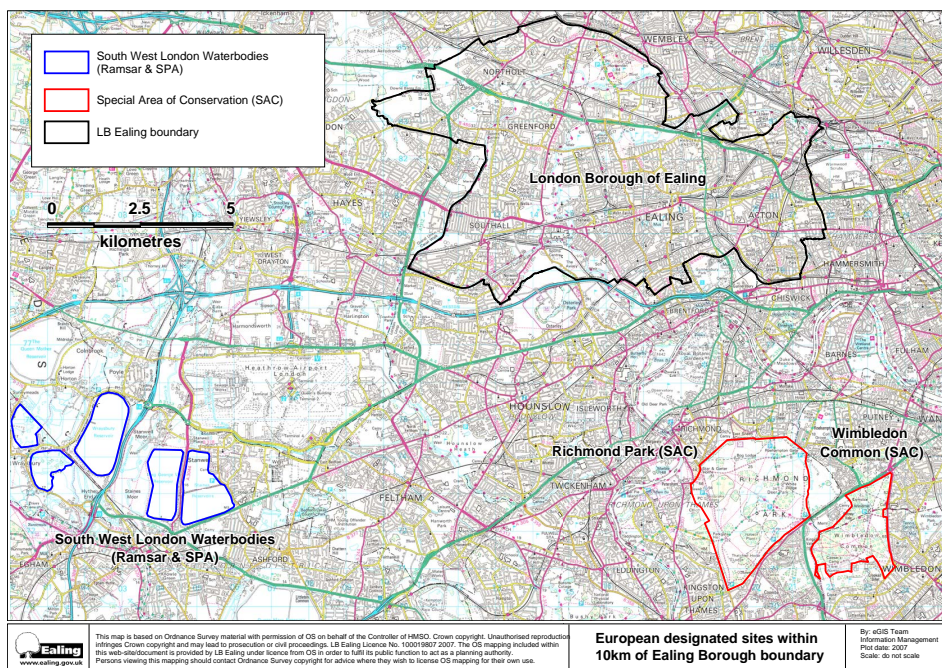
Identification of sites

4.2 The geographical scope was defined in collaboration with Natural England, and extended a minimum of 10km from the borough boundary. There are no European sites situated within the London Borough of Ealing. However, recognising that the plans being prepared by the Council - which will form part of the Local Development Framework for Ealing - may influence sites in neighbouring boroughs, sites were scoped into the study if they occurred either wholly or partly within 10km of the borough boundary. The following three sites were considered:

- **Ramsar site / Special Protection Area: South West London Waterbodies.**
- **Special Conservation Areas: Richmond Park, Wimbledon Common.**

4.3 Map 4.1 'European designated sites within 10km of Ealing Borough boundary.' shows the location of the three European sites in relation to the Ealing Borough boundary.

Map 4.1 European designated sites within 10km of Ealing Borough boundary.



4.4 Baseline information including the sites' qualifying interest features and characteristics, conservation objectives and the current site condition, was collated for each site. Most of this information was obtained from data held by the Joint Nature Conservation Commission and Natural England. Site descriptions for each site can be found at Table 4.1 'Site Descriptions for European Sites' of this report.

Development of impact assessment matrix

4.5 An Appropriate Assessment Screening Matrix, based on the methodology set out in the European Commission guidance (2001), was used to examine the relationship between the SPD's and the conservation objectives of the European sites. This screening exercise also adopts elements of the guidance prepared by Tyldesley and Associates (2006)^(iv) for Natural England and applied to the Appropriate Assessment of the Draft Further Alterations to the London Plan. Seven criteria denote when policies can be considered as having 'no' effect on European sites, and two criteria denote where policies are more likely to have a significant effect (for the complete list of criteria see Table 1.1 'Excerpt from Section 5: Coding used for recording effects / impacts on European Sites (from Tyldesley and Associates, 2006, Annex 2)'). Although developed for use in the preparation of Regional Spatial Strategies, it is considered that this methodology can also be applied to the analysis of both DPD's and SPD's.

Analysis of the SPD's for potential adverse impacts

4.6 The Appropriate Assessment Screening Matrices used to examine the relationship between the SPD's and the conservation objectives of the European sites can be found at Table 2.1 'Screening Matrix: Conservation Areas and Listed Buildings SPD' of this report. The assessment of each document has concluded that, due to their nature and scope, the draft SPD's are not likely to give rise to impacts on the European sites.

4.7 Both SPD's will supplement existing 'saved' policies within the UDP and the emerging LDF, and will provide guidance on how these policies will be applied. Neither of the SPD's will allocate sites, nor will they lead to development that might impact on the European sites. The supplementary guidance relating to conservation areas and listed buildings seeks to encourage high standards of design and preserve and enhance buildings and spaces that contribute positively to the character and appearance of historically important areas and buildings; enhancement measures will not be likely to have any effect on the European sites.

iv 'The Assessment of Regional Spatial Strategies and Sub Regional Strategies under the Provisions of the Habitats Regulations' (2006)

Stage 1: Screening

- 4.8** Having due regard for the vulnerability of sites to potential adverse impacts, for the above reasons it is considered that the draft SPD's are not likely to have an adverse effect on the conservation objectives / integrity of the South West London Waterbodies SPA / Ramsar site, Richmond Park SAC, or Wimbledon Park SAC, alone or in combination with other plans and projects; as such, an Appropriate Assessment is not required. This is largely because the SPD's do not themselves lead to development activities. A 'finding of no significant effects report' has been completed and is attached at Table 3.1 'Finding of No Significant Effects Report: Conservation Areas and Listed Buildings SPD'.

'In combination' effects

- 4.9** Unless the plan and existing trends have only a 'de minimis' impact on site integrity, the 'in combination' test must be undertaken. This involves assessing the impacts arising from the combination of the relevant plan components, existing trends, and other plans and projects on the integrity of the relevant European sites. This recognises that, even where a plan may not in itself have a significant impact on a European site the effects of the plan in combination with existing trends, and other plans and projects could be significant. Due to the nature and scope of the SPD's, it is not considered that the implementation of these documents would give rise to any impacts on the European sites. Therefore 'in combination' impacts have not been considered in this case. This is because 'no impact' cannot interact with impacts. It should be noted that the emerging Core Strategy and Site Allocations Development Plan Documents, as well as other documents that will be produced as part of Ealing's LDF, will be subject to a similar screening exercise to determine the likely effects of these plans on European sites.

5 References

- 5.1 Various guidance documents were consulted and used to inform the development of this methodology. In addition to those footnoted, key sources included:
- i. Communities and Local Government (August 2006) - *Planning for the Protection of European Sites: Appropriate Assessment*
 - ii. European Commission (2001) - *Assessment of Plans and Projects Significantly Affecting Natura 2000 Sites, Methodological Guidance on the Provisions of Article 6(3) and (4) of the Habitats Directive 92/43/EEC*
 - iii. Forum for the Future (September 2006) - *Appropriate Assessment Screening report: 'Draft Further Alterations to the London Plan'*
 - iv. Joint Nature Conservation Committee website (www.jncc.gov.uk)
 - v. Scott Wilson, Levett-Therivel Sustainability Consultants, Treweek Environmental Consultants and Land Use Consultants (2006) - *Appropriate Assessment of Plans.*
 - vi. Tyldesley and Associates - prepared for English Nature (2006) *Draft Guidance - The Assessment of Regional Spatial Strategies and Sub Regional Strategies under the Provisions of the Habitats Regulations*

Excerpt from Section 5. Coding used for recording effects / impacts on European Sites

Appendix 1 Excerpt from Section 5. Coding used for recording effects / impacts on European Sites

Table 1.1 Excerpt from Section 5: Coding used for recording effects / impacts on European Sites (from Tyldesley and Associates, 2006, Annex 2)

Coding used for recording effects / impacts on European Sites
Reason why policy will have no effect on a European Site:
1. The policy will not itself lead to development (e.g. it relates to design or other qualitative criteria for development, or it is not a land use planning policy)
2. The policy makes provision for a quantum / type of development (and may or may not indicate one or more broad locations e.g. a county, or district, or sub-region) but the location of the development is to be selected following consideration of options in lower tier plans (development plan documents).
3. No development could occur through this policy alone, because it is implemented through sub-ordinate policies which are more detailed and therefore more appropriate to assess for their effects on European Site and associated sensitive areas.
4. Concentration of development in urban areas will not affect European Site and will help to steer development and land use change away from European Site and associated sensitive areas.
5. The policy will help to steer development away from European Site and associated sensitive areas, e.g. not developing in areas of flood risk or areas otherwise likely to be affected by climate change.
6. The policy is intended to protect the natural environment, including biodiversity.
7. The policy is intended to conserve or enhance the natural, built or historic environment, and enhancement measures will not be likely to have any effect on a European Site.
Reason why policy could have a potential effect:
8. The plan or project steers a quantum or type of development towards, or encourages development in, an area that includes a European Site or an area where development may indirectly affect a European Site.
Reason why policy would be likely to have a significant effect:
9. The policy makes provision for a quantum, or kind of development that in the location(s) proposed would be likely to have a significant effect on a European Site. The proposal must be subject to appropriate assessment to establish, in light of the

Coding used for recording effects / impacts on European Sites

site's conservation objectives, whether it can be ascertained that the proposal would not adversely affect the integrity of the site.

Appendix 2 Screening Matrices

Table 2.1 Screening Matrix: Conservation Areas and Listed Buildings SPD

Screening Matrix: Conservation Areas and Listed Buildings SPD	
Brief description of project or plan	<p>The draft Conservation Areas and Listed Buildings SPD is not directly connected with or necessary to the management of a European site. The SPD supplements policies in chapters 3 and 4 of Ealing’s UDP - Plan for the Environment (2004), including in particular policies 3.3, 4.8, 4.6 and 4.7. The SPD sets out the implications of conservation area designations for development, and contains general principles and specific guidance relating to the type of development / design that is acceptable within conservation areas and in respect of listed buildings. The intended geographical coverage of the SPD is Borough wide.</p>
Brief description of the European site(s)	<p><i>South West London Waterbodies (Ramsar / SPA)</i></p> <p>Located in the Thames Valley, the South West London Waterbodies comprise a series of embanked water supply reservoirs and former gravel pits. The open water and associated wetland habitats, including grassland and woodland, support a number of wetland plant and animal species including internationally important numbers of wintering wildfowl. The reservoirs and gravel pits function as important feeding and roosting sites for wintering wildfowl (notably, Gadwall <i>Anas strepera</i> and Shoveler <i>Anas clypeata</i>).</p> <p>The Conservation Objective for this site is:</p>

Screening Matrix: Conservation Areas and Listed Buildings SPD	
	<ul style="list-style-type: none"> ■ To maintain ^(v), in favourable condition, the habitats for the populations of migratory bird species of European importance, with particular reference to open water and surrounding marginal habitats.
	<p><i>Richmond Park</i></p> <p>Richmond Park is at the heart of the south London centre of distribution for stag beetles (<i>Lucanus cervus</i>), and is a site of national importance for the conservation of the fauna of invertebrates associated with decaying timber of ancient trees. The Park is one of only four known outstanding localities in the UK that are habitats for the stag beetle.</p> <p>The Conservation Objective for this site is:</p> <ul style="list-style-type: none"> ■ To maintain ^(vi), in favourable condition, the habitats for the population of stag beetle.
	<p><i>Wimbledon Common</i></p> <p>Wimbledon Common has a large number of old trees and much fallen decaying timber, which provide a habitat for the stag beetle (<i>Lucanus cervus</i>). The site also supports a number of other scarce invertebrate species associated with decaying timber. The Northern Atlantic wet heath, which supports a significant number of <i>Erica tetralix</i>, and the European dry heath, are important features of this site.</p> <p>The Conservation Objective for this site is:</p>

v Maintenance implies restoration if the feature is not currently in favourable condition.
 vi Maintenance implies restoration if the feature is not currently in favourable condition.

Screening Matrix: Conservation Areas and Listed Buildings SPD	
	<ul style="list-style-type: none"> ■ To maintain ^(vii), in favourable condition, the European dry heath and North Atlantic wet heath with <i>Erica tetralix</i> to maintain ^(viii), in favourable condition, the habitats for the population of stag beetle.
Assessment criteria	
<p>Describe the individual elements of the project (either alone or in combination with other plans or projects) likely to give rise to impacts on the European site(s).</p>	<p>The SPD is not likely to give rise to impacts (either alone or in combination with other plans or projects) on the European sites listed above because:</p> <ul style="list-style-type: none"> ■ The SPD will supplement existing ‘saved’ policies within the UDP and the emerging LDF, and will provide guidance on how these policies will be applied. ■ The SPD does not allocate sites and will not itself lead to development that may impact on the European sites listed above. ■ The supplementary guidance seeks to encourage high standards of design and preserve and enhance buildings and spaces that contribute positively to the character and appearance of historically important areas and buildings, and enhancement measures will not be likely to have any effect on the European sites listed above.
<p>Describe any likely direct, indirect or secondary impacts (alone or in combination with other plans or projects) on the European sites by virtue of:</p> <ul style="list-style-type: none"> ■ Size and scale; ■ Land-take; ■ Distance from the site or key features of the site; 	<p>None – As above.</p>

vii Maintenance implies restoration if the feature is not currently in favourable condition.
 viii Maintenance implies restoration if the feature is not currently in favourable condition.

Screening Matrix: Conservation Areas and Listed Buildings SPD	
<ul style="list-style-type: none"> ■ Resource requirements (water abstraction etc); ■ Emissions (disposal to land, water or air); ■ Excavation requirements; ■ Transportation requirements; ■ Duration of construction, operation, decommissioning; ■ Other. 	
<p>Describe any likely changes to the site arising as a result of: reduction in habitat area, disturbance to key species, habitat or species fragmentation, reduction in species density, changes in key indicators of conservation value (water quality etc.) and climate change.</p>	<p>No changes have been identified.</p>
<p>Describe any likely impacts on the European site as a whole in terms of:</p> <ul style="list-style-type: none"> ■ Interference with the key relationships that define the structure of the site; ■ Interference with key relationships that define the function of the site. 	<p>No impacts have been identified.</p>
<p>Provide indicators of significance as a result of the identification of effects set out above in terms of:</p> <ul style="list-style-type: none"> ■ Loss; ■ Fragmentation; ■ Disruption; ■ Disturbance; ■ Change to key elements of the site. 	<p>N/A</p>
<p>Describe from the above those elements of the project or plan, or combination of elements, where the above impacts are likely to be significant or where the scale or magnitude of impacts is not known.</p>	<p>No likely significant effects identified.</p>

Table 2.2 Screening Matrix: Legal Agreements (Planning Obligations) SPD

Screening Matrix: Legal Agreements (Planning Obligations) SPD	
Brief description of project or plan	<p>The draft Legal Agreements SPD is not directly connected with or necessary to the management of a European site. The SPD is supplementary to strategic policy 1.10 in the UDP. The purpose of this SPD is to provide clarity for developers and the community / voluntary sector engaged in the development process, and to ensure efficiency and transparency in the negotiation of Section 106 legal agreements. The SPD sets out a clear framework for the process of negotiating S106 agreements in the borough and also details how and when the community / voluntary sector can involve itself in the S106 negotiation process. The intended geographical coverage of the SPD is Borough wide.</p>
Brief description of the European site(s)	<p><i>South West London Waterbodies (Ramsar / SPA)</i></p> <p>Located in the Thames Valley, the South West London Waterbodies comprise a series of embanked water supply reservoirs and former gravel pits. The open water and associated wetland habitats, including grassland and woodland, support a number of wetland plant and animal species including internationally important numbers of wintering wildfowl. The reservoirs and gravel pits function as important feeding and roosting sites for wintering wildfowl (notably, Gadwall <i>Anas strepera</i> and Shoveler <i>Anas clypeata</i>).</p> <p>The Conservation Objective for this site is:</p> <ul style="list-style-type: none"> ■ To maintain ^(ix), in favourable condition, the habitats for the

ix Maintenance implies restoration if the feature is not currently in favourable condition.

Screening Matrix: Legal Agreements (Planning Obligations) SPD	
	<p>populations of migratory bird species of European importance, with particular reference to open water and surrounding marginal habitats.</p>
	<p><i>Richmond Park</i></p> <p>Richmond Park is at the heart of the south London centre of distribution for stag beetles (<i>Lucanus cervus</i>), and is a site of national importance for the conservation of the fauna of invertebrates associated with decaying timber of ancient trees. The Park is one of only four known outstanding localities in the UK that are habitats for the stag beetle.</p> <p>The Conservation Objective for this site is:</p> <p>To maintain^(x), in favourable condition, the habitats for the population of stag beetle.</p>
	<p><i>Wimbledon Common</i></p> <p>Wimbledon Common has a large number of old trees and much fallen decaying timber, which provide a habitat for the stag beetle (<i>Lucanus cervus</i>). The site also supports a number of other scarce invertebrate species associated with decaying timber. The Northern Atlantic wet heath, which supports a significant number of <i>Erica tetralix</i>, and the European dry heath, are important features of this site.</p> <p>The Conservation Objective for this site is:</p>

x Maintenance implies restoration if the feature is not currently in favourable condition.

Screening Matrices

Screening Matrix: Legal Agreements (Planning Obligations) SPD	
	To maintain ^(xi) , in favourable condition, the European dry heath and North Atlantic wet heath with <i>Erica tetralix</i> to maintain, in favourable condition, the habitats for the population of stag beetle.
Assessment criteria	
Describe the individual elements of the project (either alone or in combination with other plans or projects) likely to give rise to impacts on the European site(s)	<p>The SPD is not likely to give rise to impacts (either alone or in combination with other plans or projects) on the European sites listed above because:</p> <ul style="list-style-type: none"> ■ The SPD will supplement existing policies within the UDP and the emerging LDF, and will provide guidance on how these policies will be applied. ■ The SPD does not allocate sites and will not itself lead to development that may impact on the European sites listed above.
<p>Describe any likely direct, indirect or secondary impacts (alone or in combination with other plans or projects) on the European sites by virtue of:</p> <ul style="list-style-type: none"> ■ Size and scale; ■ Land-take; ■ Distance from the site or key features of the site; ■ Resource requirements (water abstraction etc); ■ Emissions (disposal to land, water or air); ■ Excavation requirements; ■ Transportation requirements; ■ Duration of construction, operation, decommissioning; ■ Other. 	None – As above.

xi Maintenance implies restoration if the feature is not currently in favourable condition.

Screening Matrix: Legal Agreements (Planning Obligations) SPD	
Describe any likely changes to the site arising as a result of: reduction in habitat area, disturbance to key species, habitat or species fragmentation, reduction in species density, changes in key indicators of conservation value (water quality etc.) and climate change.	No changes have been identified.
Describe any likely impacts on the European site as a whole in terms of: <ul style="list-style-type: none"> ■ Interference with the key relationships that define the structure of the site; ■ Interference with key relationships that define the function of the site. 	No impacts have been identified.
Provide indicators of significance as a result of the identification of effects set out above in terms of: <ul style="list-style-type: none"> ■ Loss; ■ Fragmentation; ■ Disruption; ■ Disturbance; ■ Change to key elements of the site. 	N/A
Describe from the above those elements of the project or plan, or combination of elements, where the above impacts are likely to be significant or where the scale or magnitude of impacts is not known.	No likely significant effects identified.

Finding of No Significant Effects Reports

Appendix 3 Finding of No Significant Effects Reports

Table 3.1 Finding of No Significant Effects Report: Conservation Areas and Listed Buildings SPD

Finding of No Significant Effects Report	
Name of plan	Draft Conservation Areas and Listed Buildings Supplementary Planning Document
Name and location of European site(s)	South West London Waterbodies SPA / RAMSAR Richmond Park SAC Wimbledon Park SAC
Description of plan(s)	The draft Conservation Areas and Listed Buildings SPD supplements policies in chapters 3 and 4 of Ealing's UDP - Plan for the Environment (2004), including in particular policies 3.3, 4.8, 4.6 and 4.7. The SPD sets out the implications of conservation area designations for development, and contains general principles and specific guidance relating to the type of development / design that is acceptable within conservation areas and in respect of listed buildings. The intended geographical coverage of the SPD is Borough wide.
Is the plan directly connected with or necessary to the management of the site(s)?	No.
Are there other projects or plans that together with the plan being assessed could affect the site?	No. Due to the nature and scope of the document, it is not considered that the implementation of the SPD would give rise to impacts on the European sites.
Assessment of significance of effects	
Describe how the plan (alone or in combination) is likely to affect the European site(s)	No likely effects.

Finding of No Significant Effects Report	
Explain why these effects are not considered significant	N/A
List of agencies consulted	Natural England
Response to consultation	No response received to date.
Data collected to carry out the assessment	
Who carried out the assessment	Planning Policy Officers, London Borough of Ealing
Sources of data	Joint Nature Conservation Committee Natural England
Level of assessment completed	Desktop study is sufficient to support the conclusions of this screening opinion.
Where can the full results of the assessment be accessed and viewed?	The full assessment is contained within the Habitats Regulations Screening Report. The report can be viewed on line at www.ealing.gov.uk/planpol . Alternatively, copies can be requested from the Council (Planning Policy & Development Advice, Ealing Council, 14-16 Uxbridge Road, London W5 2HL; ph: 020 8825 8679 or; transportandplanningpolicy@ealing.gov.uk).

Table 3.2 Finding of No Significant Effects Report: Legal Agreements SPD

Finding of No Significant Effects Report	
Name of plan	Draft Planning Obligations (Legal Agreements) Supplementary Planning Document
Name and location of European site(s)	South West London Waterbodies SPA / RAMSAR Richmond Park SAC Wimbledon Park SAC
Description of plan(s)	The draft Legal Agreements SPD is supplementary to strategic policy 1.10 in the UDP. The purpose of this SPD is to

Finding of No Significant Effects Reports

Finding of No Significant Effects Report	
	provide clarity for developers and the community / voluntary sector engaged in the development process, and to ensure efficiency and transparency in the negotiation of Section 106 legal agreements. The SPD sets out a clear framework for the process of negotiating S106 agreements in the borough and also details how and when the community / voluntary sector can involve itself in the S106 negotiation process. The intended geographical coverage of the SPD is Borough wide.
Is the plan directly connected with or necessary to the management of the site(s)?	No.
Are there other projects or plans that together with the plan being assessed could affect the site?	No. Due to the nature and scope of the document, it is not considered that the implementation of the SPD would give rise to impacts on the European sites.
Assessment of significance of effects	
Describe how the plan (alone or in combination) is likely to affect the European site(s)	No likely effects.
Explain why these effects are not considered significant	N/A
List of agencies consulted	Natural England
Response to consultation	No response received to date.
Data collected to carry out the assessment	
Who carried out the assessment	Planning Policy Officers, London Borough of Ealing
Sources of data	Joint Nature Conservation Committee Natural England
Level of assessment completed	Desktop study is sufficient to support the conclusions of this screening opinion.

Finding of No Significant Effects Report	
<p>Where can the full results of the assessment be accessed and viewed?</p>	<p>The full assessment is contained within the Habitats Regulations Screening Report. The report can be viewed on line at www.ealing.gov.uk/planpol. Alternatively, copies can be requested from the Council (Planning Policy & Development Advice, Ealing Council, 14-16 Uxbridge Road, London W5 2HL; ph: 020 8825 8679 or; transportandplanningpolicy@ealing.gov.uk).</p>

Appendix 4 Site Descriptions

The following table was adapted from Section 4 of the *Appropriate Assessment Screening report: 'Draft Further Alterations to the London Plan'*, prepared for the Greater London Authority by Forum for the Future (September 2006). The contents of the table were compiled with reference to the sources listed below, and also informed by consultation with English Nature.

Site name, designation and code	Obtained from English Nature 'Natura 2000 Forms' and RAMSAR forms from the JNCC website.
Qualifying features	Denoting the habitats and species for which the sites have been awarded EU conservation status. It is these qualifying features which the AA must safeguard. Obtained from 'Natura 2000' and RAMSAR forms. The qualifying features form the basis of English Nature's 'conservation objectives for the European interest on SSSIs', which were drawn upon for pertinent additional information.
Current condition and threats	Information pertaining to the current status of sites, recognised trends, and potential threats. From Natura 2000, RAMSAR, and Conservation Objectives forms.
Result of July 2006 SSSI condition survey	For further information on European sites which are also SSSI's - from English Nature's 2006 review of SSSI condition.
Key ecosystem factors	Denotes general ecological parameters of importance to maintaining site integrity. Summarised from the 'attributes' in the Conservation Objectives forms.

Table 4.1 Site Descriptions for European Sites

Site Name	Designation and Code	Qualifying Features		Current Condition and Threats	Result of July 2006 SSSI Survey	Key Ecosystem Factors
		Habitat	Species			
Richmond Park	SAC UK0030246		To maintain in favourable condition the habitats for the population of: Stag beetle, for which this is one of only 4 known outstanding localities in the UK.	The site is surrounded by urban area and therefore experiences high levels of recreational pressure. This does not directly affect the European interest feature. The whole site has been declared an NNR.	Area favourable 6% Area unfavourable recovering 8% Area unfavourable no change 86%	Population size of species Number of old broadleaved trees Population structure of broadleaved trees Condition of old broadleaved trees – state of decay Quantity and size of fallen broadleaved dead wood Position and degree of exposure of old broadleaved trees and stumps. Condition and position of available dead timber.
South West London Waterbodies	Ramsar UK11065 SPA UK 9012171	To maintain, in favourable conditions, the habitats for the populations of migratory bird species* of European importance with particular reference to: Open water and surrounding marginal habitats.	* gadwall shoveler	Although the majority of the site is in favourable condition, Wraysbury gravel pits suffer from high levels of disturbance from recreational activities. There is the potential for other parts of the site to be adversely affected by increased recreational pressure	This site is made up of 6 SSSI's of which the majority are 100% favourable with one notable exception, Wraysbury No 1 gravel pit which came out as 100% unfavourable and declining. Staines Moor was 73% favourable and 25% unfavourable but recovering.	Extent and distribution of habitat Water depth Food availability
Wimbledon Common	SAC UK0030301	To maintain in favourable condition the:	To maintain in favourable condition the	The site is located in an urban area and therefore experiences intensive recreational	Area favourable 40% Area unfavourable	Population size of species

Site Descriptions

Site Name	Designation and Code	Qualifying Features		Current Condition and Threats	Result of July 2006 SSSI Survey	Key Ecosystem Factors
		Habitat	Species			
		<p>European dry heath, for which the area is considered to support a significant presence.</p> <p>Northern Atlantic wet heath with</p> <p>Erica tetralix, for which the area is considered to support a significant presence.</p>	<p>habitats for the population of:</p> <p>Stag beetle, for which this is one of only 4 known outstanding localities in the UK.</p>	<p>pressure which can result in damage to the sensitive heathland areas. Air pollution is also thought to be having an impact on the quality of the heathland habitat.</p>	<p>but recovering 59%</p>	<p>Number of old broadleaved trees</p> <p>Population structure of broadleaved trees</p> <p>Condition of old broadleaved trees</p> <p>– state of decay</p> <p>Quantity and size of fallen broadleaved dead wood</p> <p>Position and degree of exposure of old broadleaved dead trees and stumps. Condition and position of available dead timber.</p>