

LONDON BOROUGH OF EALING PLANNING FOR SCHOOLS DPD: HABITATS REGULATIONS ASSESSMENT SCREENING REPORT UPDATE

June 2015



Version 1.1

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Project Team	



1. Executive Summary

1.1. Habitats Regulations Assessments

The EU Habitats Directive was adopted in 1992 and together with the EU Birds Directive aims to protect habitats and species of European significance. The network of sites which have been designated as rare, endangered or vulnerable are known as Natura 2000 sites and these include Special Areas of Conservation (SACs), Special Protection Areas (SPAs), and Ramsar sites (wetlands of international importance). The Habitats Directive requires any plan or project which is likely to have a significant effect upon, but is not directly connected to or necessary to the management of, any Natura 2000 site to undergo a Habitats Regulations Assessment (HRA). The HRA will determine whether the plan or project is likely to have a significant impact upon such a site's conservation objectives.

A HRA is split into two main stages; the Screening stage and the Appropriate Assessment stage. This screening report is in accordance with the Council's higher level Local Plan documents specifically the HRA and screening analysis for the Council's Development Strategy (adopted in April 2012), which was screened out in 2011. This HRA report relates specifically to the Publication draft of the London Borough of Ealing's Planning for Schools Development Plan Document (DPD) at April 2015 and fulfils the requirement of the Screening Report to determine whether the adoption of the DPD will have a significant effect on any Natura 2000 site. If the Screening Report concludes that there is likely to be an effect on such a site then an Appropriate Assessment Report will be produced to propose alternative options to reduce the effect as best as possible.

1.2. HRA Relevant Sites

So as to determine whether the DPD is likely to have an impact upon Natura 2000 sites this Screening Report has identified any such sites which may be affected. There are no Natura 2000 sites within the borough, but as plans being prepared by the Council may influence sites in the neighbouring boroughs, sites were scoped into the study if they are either wholly or partly within 10km of the borough boundary. The following three sites were identified: South West Waterbodies (SPA and Ramsar site), Richmond Park (SAC) and Wimbledon

Common (SAC). Although not within the scope of this HRA, it should be mentioned that within the borough there are a number of Sites of Special Scientific Interest (SSSIs) and conservation areas.

1.3. HRA Consultation Questions

This HRA report has been requested by Natural England in response to initial consultation on the DPD which commenced in February 2015. This HRA update will be considered alongside the Publication draft of the DPD by the two statutory agencies, the Environment Agency and Natural England, and the following questions have been included within this Screening Report to aid the collection of comments of our approach and conclusions.

1. Do you feel we have included all of the most relevant Natura 2000 sites which may be significantly affected by the implementation of the Planning for Schools DPD? If not, please state other sites which you believe we have missed.
2. Do you feel we have included all the relevant information for these sites?
3. Do you agree that the coding criteria method is appropriate to assess the Planning for Schools DPD objectives?
4. Do you agree with the screening analysis for each of the objectives? If not, please give reasons as to why you would screen a certain objective differently.
5. Do you have any comments on the conclusions that we have made in this HRA Screening Report of the Planning for Schools DPD?
6. Do you have any additional comments or suggestions for this HRA Screening Report?

Any comments received will be assessed alongside all other consultation responses prior to the DPD being formally adopted by the London Borough of Ealing. This is expected to be later in 2015.

1.4. Screening Report Conclusions

The analysis of the DPD's objectives was performed using the coding method suggested in Natural England's draft guidance (*The Assessment of Regional Spatial Strategies and Sub Regional Strategies under the Provisions of the Habitats Regulations* by Tyldesley and Associates, 2006). This is a list of nine reasons as to

why the objectives can be screened in or out of further detailed assessment and for this screening report these reasons form the basis of the decision not to screen any of the DPD sites in. This conclusion was deduced because the DPD objectives do not promote any development near any of the three Natura 2000 sites, the eight specific sites allocated for development will have a relatively local catchment to the Ealing borough boundary and they are unlikely to have a detrimental effect on the existing pressures that the sites are under (recreational pressure at each site and poor air quality only at Wimbledon Common). Furthermore, the DPD and higher level Local Plan documents include policies intended to sensitively manage delivery of the proposals including promoting the use of playing fields for the schools on or close to the DPD allocated sites. As such, no mitigation on the Natura 2000 sites would be required.

In the event of any future revisions to the DPD and its objectives, advice may be sought to establish if the revisions would require further detailed analysis of the effect it may have on Natura 2000 sites, dependent upon the scale of the revision and proposed schemes. However, at this stage it is believed that an Appropriate Assessment is not necessary and this Screening Report fulfils the requirements of the Habitats Directive and Regulations.

2. Introduction

2.1. Why produce a Habitats Regulations Assessment

The EU Habitats Directive was adopted in 1992 and is also formally known as *92/43/EEC on the Conservation of Natural Habitats and of Wild Fauna and Flora*. It aims to provide protection to habitats and species which have been designated as being of European significance and sits alongside the EU Birds Directive adopted in 2009. The sites where such habitats and species are legally protected due to their exceptional importance are known as **Natura 2000** sites and this network protects rare, endangered or vulnerable habitats and species. The Natura 2000 network includes Special Areas of Conservation (SACs, identified under the Habitats Directive), Special Protection Areas (SPAs, identified under the Birds Directive) and Ramsar sites (wetlands of international importance designated under the Ramsar Convention). All Natura 2000, or ‘European’, sites are also classified as Sites of Special Scientific Interest (SSSIs) but not all SSSIs are Natura 2000 sites.

The Habitat Directive requires any plan or project (including land use plans) which is likely to have a significant effect on, but is not directly connected to or necessary to the management of, a designated site to undergo a Habitats Regulations Assessment (HRA). The HRA aims to determine whether the plan or project will have an implication upon the site in terms of its conservation objectives.

2.2. Methodology

The Department of Communities and Local Government produced guidance on HRAs and stated that a HRA should be split into two main stages, a summary of these being in Table 2.1.

Table 2.1: Summary of the Stages and Tasks involved in a HRA

HRA Stages	HRA Tasks
Screening Stage	Task 1: Likely significant effects
Appropriate Assessment Stage	Task 2: Appropriate assessment and ascertaining the effect on site integrity
	Task 3: Mitigation and alternative solutions

This Screening Report includes the first stage of the HRA process and will assess whether the adoption of the London Borough of Ealing’s Planning for Schools DPD will have a significant effect on any Natura 2000 sites through the implementation of its proposed objectives, including site allocations. If any objective is deemed likely to have a significant effect then an Appropriate Assessment Report will be produced. This would assess the proposals in further detail with the aim of suggesting alternatives to reduce the risk. However, if there are no viable alternatives then the plan can only be implemented if there are ‘imperative reasons of overriding public interest’.

2.3. London Borough of Ealing’s Planning for Schools Development Plan Document (DPD)

2.3.1. Introduction to the Planning for Schools DPD

The London Borough of Ealing (‘the Council’) has a statutory duty to provide school places. The DPD helps to provide policy direction to establish how and where in the borough the identified need for primary and secondary school places can be met within the required timescales. The Plan period is to 2021, based on evidence of need and projection figures.

The strategy is to be reviewed five years after its adoption or earlier if, following annual monitoring, it is established that the DPD objectives are not being met or there are significant amendments to related legislation.

2.3.2. Information about the London Borough of Ealing

The London Borough of Ealing is one of 33 boroughs in London and is located in the west of London. It borders the London Boroughs of Hillingdon, Harrow, Brent, Hammersmith and Fulham and Hounslow. The boroughs 'main rivers' (larger watercourses which are the responsibility of the Environment Agency) are the River Brent, Osterley Park Boundary Stream and the Yeading Brook. Smaller watercourses, categorised as 'ordinary watercourses' (managed by the Council) include the Costons Brook, Dormers Walls Stream and Northolt Brook. Additionally, the Grand Union Canal runs through the borough. Canals are manmade watercourses which are managed and maintained by the Canal and Rivers Trust.

2.3.3. Planning for Schools DPD objectives

The three DPD objectives are:

1. To ensure the number of primary and secondary school places provided meets the needs of the borough
2. To provide safe, convenient and accessible locations for primary and secondary schools
3. To promote good design and space standards for schools

The DPD seeks to allocate eight sites within the borough (two for primary and six for secondary provision) either for new provision or expansion of existing school sites. Between them it is anticipated they will provide two forms of entry (FE) for primary provision and 18.5 FE for secondary provision. The sites are predominantly located in the south and east of the borough, and are identified at Appendix 1 of the DPD.

The DPD also includes proposed policies to safeguard allocated sites for school use, and to prioritise their use in the first instance, and where appropriate and necessary to manage proposals on non-allocated sites. The full policies and supporting text are set out in the DPD (pages 16-18).

3. Identification of Relevant Sites

3.1. Introduction to the Sites

For a plan or policy to have the potential to cause a significant effect on a Natura 2000 site it is worth noting that the objectives do not have to be proposed to be occurring in such a site as the effects might be felt from outside of a Natura 2000 site. For this Screening Report the focus was just on such sites which lie fully or partially within a 10km radius of the administrative boundary of the borough. Local Natura 2000 sites were identified using the information and mapping facilities available on the Joint Nature Conservation Committee's website (www.jncc.org.uk) and the government's MAGIC website (www.magic.gov.uk). The MAGIC website provides authoritative geographic information about the natural environment from across government. The information covers rural, urban, coastal and marine environments across Great Britain. There are no such Natura 2000 sites within the borough, although three sites fall either fully or partially within a 10km radius of the borough boundary (see Figure 3.1).

3.2. South West London Waterbodies

The South West London Waterbodies site is designated as both a Ramsar site and as a SPA. It is located outside and to the south west of Ealing Council's administrative boundary. It lies within the London Borough of Hounslow, the Royal Borough of Windsor and Maidenhead and the county of Surrey. The site boundary is coincident with Kempton Park Reservoirs SSSI, Knight and Bassborough Reservoirs SSSI, Thorpe Park No. 1 Gravel Pit SSSI, Wraysbury No. 1 Gravel Pit SSSI and Wraysbury Reservoir SSSI and includes parts of Staines Moor SSSI and Wraysbury and Hythe End Gravel Pits SSSI. Table 3.1 summarises the key information relating to the South West London Waterbodies SPA.

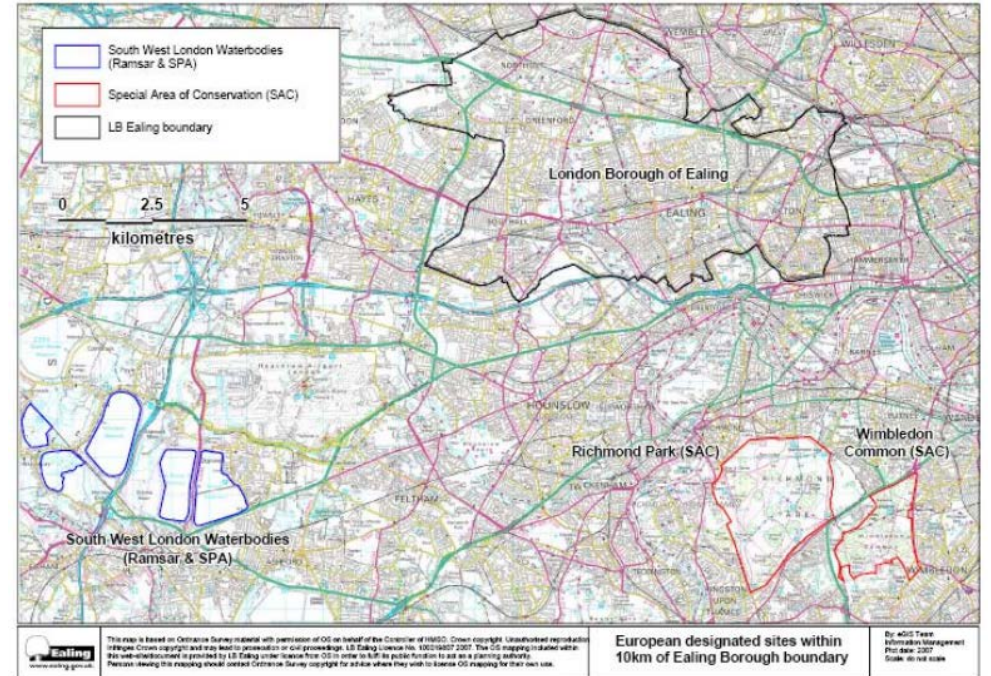


Figure 3.1: A map showing the Natura 2000 Sites within 10km of Ealing Council's administrative boundary

Table 3.1: Site information for the South West London Waterbodies SPA

Site Classification and Code	SPA UK9012171 Ramsar No. 1038
Area (ha)	828.14ha
Habitat and Species SPA Qualifying Features	Over winter, the area regularly supports: Shoveler, <i>Anas clypeata</i> (north-western/central Europe). This SPA site contains 853 individuals, representing an average of 2.1% of the population (5 year peak mean for 1993/94 to 1997/98). Gadwall, <i>Anas strepera</i> (north-western Europe). This SPA site contains 710 individuals, representing an average of 2.4% of the population (5 year peak mean for 1993/94 to 1997/98).
Habitat Class Description and Cover	<ul style="list-style-type: none"> - Inland water bodies (standing water, running water): 70.0% - Humid grassland. Mesophile grassland: 5.0% - Improved grassland: 20.0% - Broad-leaved deciduous woodland: 5.0%
Current Condition and Threats	<ul style="list-style-type: none"> - There is an issue surrounding the potential future decommissioning of reservoirs once they are no longer required for the purpose of water supply; as well as the potential impacts of maintenance works. Additionally, water level and water quality must be maintained. - Wraysbury gravel pits suffer from high levels of disturbance from recreational activities. There is potential for other parts of the site to be adversely affected by the increased recreational pressure. - The threat from potential development pressures in this urbanised, urban-fringe area is largely covered by the relevant provisions of the Conservation Regulations (1994).
Key Ecosystem Factors	- Extend and distribution of habitat

	<ul style="list-style-type: none"> - Water depth - Food availability
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3.3. Richmond Park

Richmond Park is a SAC site, located to the south of Ealing Council's administrative boundary within the London Borough of Richmond upon Thames, the London Borough of Wandsworth and the Royal Borough of Kingston upon Thames. Table 3.2 summarises the key information relating to Richmond Park SAC.

Table 3.2: Site information for Richmond Park SAC

Site Classification and Code	SAC UK0030246
Area (ha)	846.68ha
Habitat and Species SAC Qualifying Features	Stag beetle, <i>Lucanus cervus</i> . This is one of only four known outstanding localities in the United Kingdom.
Habitat Class Description and Cover	<ul style="list-style-type: none"> - Inland water bodies (standing water, running water): 1.5% - Bogs. Marshes. Water fringed vegetation. Fens: 0.5% - Heath. Scrub. Maquis and garrigue. Phygrana: 25% - Dry grassland. Steppes: 18.0% - Humid grassland. Mesophile grassland: 5.0% - Improved grassland: 20.0% - Broad-leaved deciduous woodland: 25.0% - Mixed woodland: 5.0%
Current Condition and Threats	<ul style="list-style-type: none"> - The site is surrounded by urban area and therefore experiences high levels of recreational pressure. The whole site has been declared a National Nature Reserve. - Decaying timber habitat currently maintained by management techniques.
Key Ecosystem Factors	- Population size of species

	<ul style="list-style-type: none"> - Number of old broadleaved trees - Population structure of 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 timer
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	<ul style="list-style-type: none"> - Decaying timber habitat currently maintained by management techniques. - Air pollution is thought to be having an impact on the quality of the heathland habitat. - Air quality
Key Ecosystem Factors	<ul style="list-style-type: none"> - Population size of species - Number of old broadleaved trees - Population structure of broadleaved trees - Condition of old broadleaved trees - State of decay - Quality and size of fallen broadleaved dead wood. - Position and degree of exposure of old broadleaved trees and stumps - Condition and position of available dead timer

3.4. Wimbledon Common

Wimbledon Common is a SAC site, located to the south of Ealing Council’s administrative boundary within the London Borough of Wandsworth and the London Borough of Merton. Table 3.3 summarises the key information relating to Wimbledon Common SAC.

Table 3.3: Site information for Wimbledon Common SAC

Site Classification and Code	SAC UK0030301
Area (ha)	348.31ha
Habitat and Species SAC Qualifying Features	<p>Northern Atlantic wet heaths with <i>Erica tetralix</i>. For which the area is considered to support a significant presence.</p> <p>European dry heaths. For which the area is considered to support a significant presence.</p> <p><i>Lucanus cervus</i>. For which this is one of only four known outstanding locations in the United Kingdom.</p>
Habitat Class Description and Cover	<ul style="list-style-type: none"> - Inland water bodies (standing water, running water): 1.0% - Bogs. Marshes. Water fringed vegetation. Fens: 0.5% - Heath. Scrub. Maquis and garrigue. Phygrana: 5.0% - Dry grassland. Steppes: 45.0% - Improved grassland: 3.5% - Broad-leaved deciduous woodland: 45.0%
Current Condition and Threats	<ul style="list-style-type: none"> - The site is located in an urban area and therefore experiences heavy recreational pressure.

3.5. Classified Sites Consultation Questions

Questions we would like the consultation bodies to answer based upon the relevant sites identified herein:

1. Do you feel we have included all of the most relevant Natura 2000 sites which may be significantly affected by the implementation of the Planning for Schools DPD? If not, please state other sites which you believe we have missed.
2. Do you feel we have included all the relevant information for these sites?

4. Screening Analysis of the Planning for Schools DPD

4.1. What the Screening Analysis stage includes

The screening analysis stage is the assessment of the Strategy’s proposed objectives to determine whether any are likely to cause significant effects to Natura 2000 sites. For this analysis we propose to use the coding method suggested in the Natural England’s draft guidance (*The Assessment of Regional Spatial Strategies and Sub Regional Strategies under the Provisions of the Habitats Regulations* by Tydesley and Associates, 2006) to determine whether the objectives are screened in or out at this stage. This method uses nine criteria as the basis of the decision of the screening analysis and these are listed in Table 4.1.

Table 4.1: Coding criteria used in the screening analysis of the Planning for Schools DPD objectives against Natura 2000 sites (amended from Tydesley and Associates, 2006)

Reasons why objective will have no effect on a Natura 2000 site	1. The objective 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 objective 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 the consideration of options in lower tier plans or planning permission applications.
	3. No development could occur through this objective alone, because it is implemented through sub-ordinate policies that are more detailed and therefore more appropriate to assess for their effects on a Natura 2000 site and associated sensitive areas.
	4. Concentration of development in urban areas will not affect a Natura 2000 site and will help to steer development and land use change away from a Natura 2000 site and associated sensitive areas.
	5. The objective will help to steer development away from a Natura 2000 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 objective is intended to protect the natural environment, including biodiversity.
	7. The objective 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 Natura 2000 site.
Reason why objective could have a potential effect	8. The objective steers a quantum or type of development towards, or encourages development in, an area that includes a Natura 2000 site or an area where development may indirectly affect a Natura 2000 site.
Reason why objective would be likely to have a significant effect	9. The objective 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 Natura 2000 site. The proposal must be subject to appropriate assessment to establish, in light of the site’s conservation objectives, whether it can be ascertained that the proposal would not adversely affect the integrity of the site.

4.2. Screening Analysis

This section summarises the DPD objectives and site allocations, assess whether they are likely to have an effect on a Natura 2000 site (using the nine criteria from Table 4.1) and includes a conclusion as to whether the objectives should be screened in (and analysed further in a HRA Appropriate Assessment) or screened out.

4.2.1. DPD objectives and site allocations

The DPD objectives and site allocations do not promote any development near any of the three Natura 2000 sites identified within 10k of the borough’s administrative boundary. The eight specific sites allocated in the DPD for school development are located predominantly to the south and east of the borough and will each (particularly the two sites allocated for primary schools) have a local catchment to meet the identified need. Of the eight sites, some are contingency sites, so the cumulative impact (if any) would in fact be less. The sites will each provide a relatively small amount of development (from OFE to enable a ‘bulge’ class to up to a maximum 6.5FE) to deliver a total of 21FE within the borough in

the plan period. Some of this provision is planned as expansions to existing school sites, and some as new schools.

Furthermore, Ealing borough boundary is approx. 4km from Richmond Park (the nearest Special Area of Conservation). As such the DPD objectives and allocated sites are unlikely to have a detrimental effect on the existing pressures that any of the sites are under (these being recreational pressure at each site and poor air quality only at Wimbledon Common).

The DPD and higher level Local Plan documents also include policies intended to sensitively manage delivery of the proposals including promoting the use of playing fields for the schools use either on or close to the DPD allocated sites. As such, no effects are anticipated upon or mitigation required to the identified Natura 2000 sites.

Using criteria reasons 4, 5 and 7 we therefore propose for the Planning for Schools DPD objectives to be **screened out**.

4.3. Screening Analysis Consultation Questions

Questions we would like the consultation bodies to answer based upon the screening analysis that we have undertaken:

3. Do you agree that the coding criteria method is appropriate to assess the Planning for Schools DPD objectives?
4. Do you agree with the screening analysis for each of the objectives? If not, please give reasons as to why you would screen a certain objective differently.

5. Conclusions and Next Steps

5.1. Conclusions

The screening analysis stage has identified that none of the DPD objectives, related policies or allocated sites are likely to have a significant effect on any of the Natura 2000 sites found within a 10km boundary of the London Borough of Ealing. Similarly, the objectives are not expected to further increase the recreational pressures on the Natura Sites and air pollution is unlikely to be affected by the implementation of the Strategy. With future revisions of the DPD and its objectives and any revisions to site allocations, further detailed HRA Appropriate Assessment may be required dependent upon the scale of any revisions. However, at this stage it is believed that it is not considered necessary and the requirements of the Directive and Regulations have been met with this HRA Screening Report.

5.2. Consultation of the HRA

The final task of this HRA is the consultation of this Screening Report by the two consultation bodies, the Environment Agency and Natural England. Further information about the process can be found in Section 2.4., but in this section we include any further general questions and the methods for how the consultation bodies can provide feedback.

5.2.1. Final HRA Screening Report Questions

Questions we would like the consultation bodies to answer based upon the conclusions and this HRA Screening Report as a whole:

5. Do you have any comments on the conclusions that we have made in this HRA Screening Report of the Planning for Schools DPD?
6. Do you have any additional comments or suggestions for this HRA Screening Report?

5.2.2. How to provide feedback

Please email any comments and feedback to planpol@ealing.gov.uk

Comments from the consultation bodies will be used in the decision making process when agreeing, and reviewing if necessary, the DPD's objectives, policies and site allocations prior to the DPD being adopted by the Council.