



## **98 Westbury Lane, Buckhurst Hill**

### **Shadow Habitats Regulations Assessment: Screening Statement and Appropriate Assessment**

On behalf of **Blueleaf Consultants Ltd**

Project Ref: 332510670 | Rev: AA | Date: July 2021

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# 1 Introduction

## 1.1 Overview

- 1.1.1 Stantec UK Limited was commissioned by Blueleaf Consultants Ltd to produce a Shadow Habitats Regulations Assessment (HRA) report for works associated with the redevelopment of an area of land located at 98 Westbury Lane, Buckhurst Hill; hereafter referred to as 'the Site'.

## 1.2 Site Description

- 1.2.1 The Site is located to the south of Westbury Lane, Buckhurst Hill, at central grid reference TQ4104 9391. The Site is bounded to the north by Westbury Lane, beyond which are located existing industrial and residential properties and a school. Further industrial and residential properties surround the Site to the south, west and east. The Site covers an area of land approximately 0.1 hectares (ha) in size (see **Figure 1**).
- 1.2.2 From a review of aerial photography, the Site itself is identified to comprise buildings and hardstanding only, with the hardstanding providing existing parking provision for six vehicles. The surrounding area is highly urbanised, with land surrounding the Site also identified to comprise buildings and hardstanding, with limited extents of amenity grassland, introduced shrub and garden planting.
- 1.2.3 The Site is located in close proximity (210 m) to Epping Forest Special Area of Conservation (SAC), with the Lee Valley Special Protection Area (SPA) and Ramsar also being identified within 10 km of the Site. No further European / internationally designated areas for nature conservation are located within 10km of the Site.

## 1.3 Project Context and Description

- 1.3.1 An outline planning application (EFDC Ref: EPF/1012/20) for the change of use of the Site (from Offices Class A2 / B1a to Residential Class C3a) was submitted in June 2020 by the previous owner of the site. This proposed development comprised the construction of two dwellings with not less than two bedrooms each and not more than two parking spaces for both.
- 1.3.2 Upon the sale of the site, the previous owner withdrew application EPF/1012/20 and Blueleaf Consultants Ltd developed a revised proposal to comprise the demolition of the existing building and the provision of two one-bed residential apartments and 75m<sup>2</sup> of office space. The revised proposal does not provide on-site parking for resident's vehicles and only provides one parking space for the office. The office parking space will include an electric charge point. On street parking within the local surrounds will not be permitted due to a resident parking permit scheme in operation. It is intended that the leaseholders will sign an undertaking not to apply for resident parking permits. This is on the basis of the sustainable transport options available within the locality.
- 1.3.3 The proposal outlined above is hereafter referred to as 'the Project'.

## 1.4 Consultation

- 1.4.1 There has been on-going liaison between the planning consultant and planning officer for Epping Forest District Council with regard the Project. Through this consultation, the Council has requested a Shadow HRA be completed for the proposed development. The requirement for HRA for new residential development is also described within Policy DM2 of the new Local Plan (see **Appendix A**).

## 1.5 Purpose of HRA

- 1.5.1 The Competent Authority, in this case Epping Forest District Council, must determine through consideration of a Planning Application, whether the Project will have a significant effect on a European Site (whether alone or in combination with other Plans or Projects), in view of that European Site's conservation objectives. This requirement is set down in Regulation 63 of the Conservation of Habitats and Species Regulations 2017 (as amended) (the 'Habitats Regulations'<sup>1</sup>).
- 1.5.2 European Sites include SACs (including Candidate SACs) and SPAs. Furthermore, in accordance with Paragraph 176 of the National Planning Policy Framework (NPPF, 2019), potential SPAs, being considered by the Secretary of State for classification as a SPA, should be given the same protection as a fully classified SPA. In addition, Ramsar Sites and proposed Ramsar Sites (wetlands of international importance listed under the Ramsar convention) should be given the same protection also. Together, these sites are hereafter referred to as 'European Sites'.
- 1.5.3 This shadow HRA report is intended to provide the information necessary for Epping Forest District Council to make their assessment of the Project, as the Competent Authority.

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<sup>1</sup> Further detail regarding the legislative context is provided within **Appendix A**.

## 2 Methodology

### 2.1 Overview

- 2.1.1 This document has been prepared based on the methodology for HRA set out in 'The HRA Handbook' (DTA Publications Ltd. available online at [www.dtapublications.co.uk](http://www.dtapublications.co.uk)). The HRA Handbook provides a regularly updated source of guidance on the understanding and interpretation of the Habitats Regulations and consistency in applying the requirements of the legislation. It is considered that this is the best practice methodology currently available for HRA. The HRA Handbook sets out a four-stage approach to HRA (as illustrated in **Plate 2.1** below) and emphasises the iterative nature of the process.



Plate 2.1: Process of HRA

### 2.2 HRA Stages

#### Stage 1: Screening

- 2.2.1 The Screening Stage involves the determination of the European Sites which could potentially be affected by the Project and their determining interests; and whether the development could result in a 'Likely Significant Effect', either alone or in combination with other Plans and Projects.
- 2.2.2 HRA case law (the 'Dilly Lane' case, 2008) determined that mitigation measures that were 'incorporated into the Project' or which 'formed part of the Project' could be taken into account at the Screening 'Likely Significant Effect' test stage of HRA (as long as they were effective). The ruling judge accepted that certain facets of a Project, which are intended to avoid or reduce negative impacts on a European Site (i.e. mitigation), can still be regarded as 'incorporated into the Project' if they are promoted that way by the developer.
- 2.2.3 However, a more recent ruling (Court of Justice of the European Union ('CJEU') *People Over Wind and Sweetman v Coillte Teoranta* (C-323/17)) concluded that mitigation measures intended to avoid or reduce impacts on a European Site could not be regarded as part of 'the Project' and thus should not be taken into account at the Screening Stage of HRA when judging whether Likely Significant Effects on the integrity of a European Site could occur.
- 2.2.4 In the light of the most recent ruling, it is now generally accepted that any measures inherently part of the scheme design (described as 'embedded mitigation' in this report) which are not specifically incorporated into the scheme for ecological reasons, but reduce ecological effects, can be considered at the HRA Screening Stage. Measures which have been specifically added to the Project to achieve the purpose of avoiding or reducing its harmful effects on a European Site (described as 'additional mitigation' in this report) should not be considered at the Screening Stage and an Appropriate Assessment is required. This distinction is yet to be tested by further case law but in the absence of any clear guidance or explanation of the ruling from the statutory authorities, appears to be the most practical and pragmatic approach in the light of the 'People Over Wind' ruling.

- 2.2.5 In the event that Likely Significant Effects are identified at the Screening Stage, on the basis of objective information and in the absence of mitigation / avoidance measures, the Competent Authority should proceed to the next stage of assessment (Stage 2: Appropriate Assessment).

## **2.3 Stage 2: Appropriate Assessment**

- 2.3.1 During Stage 2 (Appropriate Assessment), an assessment of whether there would be an adverse effect on the integrity of the European Site concerned, and the consideration of measures to address this effect, is required. The precautionary principle should be applied, with the focus being on objectively demonstrating, with supporting evidence, that there will be no adverse effects on the integrity of the European Site. Where this is not possible, adverse effects must be assumed.
- 2.3.2 Only where appropriate measures can be put in place and the Competent Authority considers that the Project will not adversely affect the integrity of the European Site, can planning permission be granted.
- 2.3.3 Where it is not possible to identify appropriate measures to address the identified effects, or uncertainty remains, consideration of Stage 3 (Assessment of Alternatives) and Stage 4 (Consideration of Imperative Reasons of Overriding Public Interest 'IROPI') is required.

## **2.4 Stage 3: Assessment of Alternatives**

- 2.4.1 Stage 3 (Assessment of Alternatives) should identify and assess alternatives that have been considered. Alternative solutions could include, for example, a Project of a different scale, a different location, and an option of not having the Project at all (the 'do nothing' approach).

## **2.5 Stage 4: Consideration of IROPI and Compensatory Measures**

- 2.5.1 Where it can be demonstrated that there are no alternative solutions to the Project, that would have a lesser effect or avoid an adverse effect on the integrity of the European Site, the Project may still be carried out if the Competent Authority is satisfied that the scheme must be carried out for 'Imperative Reasons of Overriding Public Interest' (IROPI).

## **2.6 Assessment Approach**

- 2.6.1 Given the above methodology, **Sections 3 and 4** below follow the stepwise process outlined for HRA. Firstly, European Sites are identified (along with their interest features, conservation objectives and factors affecting site integrity), following which, Screening is provided. This considers the potential for Likely Significant Effects on European Sites arising as a result of the Project alone or 'in-combination' with other Projects and Plans relevant to the assessment, i.e., those with potential to result in Likely Significant Effects on the identified European Sites. Conclusions are then drawn as to whether Likely Significant Effects on the identified European Sites are anticipated. The approach for the 'in-combination' assessment is such where no impact pathways are identified then there can be no perceivable effect 'in-combination' with other Plans and Projects.
- 2.6.2 Where Likely Significant Effects cannot be ruled out, further assessment (Stage 2: Appropriate Assessment) to determine whether there would be an adverse effect on the integrity of the European Site concerned is undertaken (**Section 5**). This section takes account of the effects of the Project alone, and in combination with other Plans or Projects.

## 3 European Sites

### 3.1 Consideration of European Sites for Inclusion

- 3.1.1 There is no clear guidance on which European Sites should be taken into consideration in the HRA for a Plan or Project. Where a European Site includes mobile species as qualifying interests, it is necessary to consider potential Likely Significant Effects that could occur in areas used by these species outside the boundary of the European Site. As such, areas of land outside a European Site, which contribute to the status of its qualifying interests and conservation objectives, may also require consideration. Likewise, a Project or Plan may have the potential to provide Likely Significant Effects through indirect effects (e.g. recreation pressure, air quality changes) that extend beyond the boundary of the Project or Plan area. This is described as the 'Zone of Influence'.
- 3.1.1 For the purpose of this shadow HRA, a Zone of Influence of 10km from the Project has been used. This is deemed to be sufficient given the limited extent of the works (i.e. a small-scale redevelopment of an already highly urbanised site, within an existing urbanised area, rather than an extensive new residential, combustion or waste generating facility for example).

### 3.2 Summary of European Sites

- 3.2.1 The European Sites located within 10km of the Project are shown in **Table 1** below. Further details pertaining to the qualifying features and the closest associated Sites of Special Scientific Interest (SSSI) are provided within **Appendix B**.

Table 1: Summary of European Sites

Site	Designation	Closest Distance
Epping Forest	SAC	210m S (there are also areas of Epping Forest SAC beyond 210m from the Site to the north and west).
Lee Valley	SPA / Ramsar	6.3km SW and 8.2km NW

### 3.3 Conservation Objectives, Factors Affecting Site Integrity and Condition of Component SSSI Units

- 3.3.1 A summary of the relevant conservation objectives (published by Natural England, along with Supplementary Advice) and 'factors which affect site integrity' of the aforementioned European Sites are provided in **Appendix C**. Threats and vulnerabilities for each of the European Sites are published in the relevant Natura 2000 Standard Data Forms. In addition, Natural England's Site Improvement Plans provide a high-level overview of the issues (both current and predicted) affecting the condition of the interest features of the European Sites and outline the priority measures required to improve the condition of the features. They do not cover issues where remedial actions are already in place or ongoing management activities which are required for maintenance. Details of the information sources considered in this HRA are provided within **Section 6: References**.

## 4 Screening of Likely Significant Effects

### 4.1 Likely Significant Effects of the Project

- 4.1.1 As summarised in **Section 3** and detailed more fully in **Appendix C**, the Natura 2000 Standard Data Forms have identified a number of vulnerabilities / threats relevant to each of the European Sites which have potential to result in a Likely Significant Effect. Whilst the majority of the vulnerabilities / threats are not relevant to the Project (i.e., they are works or activities either associated with and / or located within or immediately adjacent to the European Site itself, such as grazing, cultivation and forest management), consideration of those activities that could reasonably be attributed to the Project are made within **Table 2** below.

Table 2: Relevant Vulnerabilities / Threats to the Identified European Sites

Site	Vulnerabilities / Threats Considered Relevant to the Project within Screening Statement
Epping Forest SAC	<ul style="list-style-type: none"> <li>Air pollution / air-borne pollutants / impact of atmospheric nitrogen deposition;</li> <li>Outdoor sports &amp; leisure activities / recreational activities / public access &amp; disturbance; and</li> <li>Urban effects.</li> </ul>
Lee Valley SPA / Ramsar	<ul style="list-style-type: none"> <li>Air pollution / risk of atmospheric nitrogen deposition;</li> <li>Outdoor sports &amp; leisure activities / recreational activities / public access &amp; disturbance; and</li> <li>Urban effects.</li> </ul>

### 4.2 Screening Matrix

- 4.2.1 Both European Sites have been subject to further assessment in order to establish if the Project could potentially have a Likely Significant Effect on their qualifying features, taking into account the identified vulnerabilities / threats which could feasibly arise from the Project.
- 4.2.2 Following the 'People Over Wind' ruling (as outlined in **Section 2**), only mitigation which is embedded, as part of the Project and not specific to ecological mitigation is considered at Screening. Any effects for which specific ecological mitigation is required to mitigate effects on the qualifying features of European Sites are not considered at this stage, even if they are well known and documented, such as developer contributions to strategic mitigation.
- 4.2.3 The approach for the 'in-combination' assessment, is such where no impact pathways are identified then there can be no perceivable effect 'in-combination' with other Plans and Projects. Where effects are identified, the potential for Likely Significant Effects 'in-combination' with other Plans and Projects is taken into consideration in the Screening Matrices.
- 4.2.4 This assessment is presented as a series of Screening Matrices in **Appendix D** in which each qualifying feature associated with the European Site is assessed. Evidence for the conclusions reached where Likely Significant Effects have been excluded are detailed within the footnotes presented after the matrices. A summary is provided within **Table 3**.

4.2.5 The Matrix Key is as follows:

✓ = Likely Significant Effect **cannot** be excluded

✗ = Likely Significant Effect **can** be excluded

C = construction stage effects

O = operational stage effects

4.2.6 Where the potential for Likely Significant Effects is identified, or where the potential for Likely Significant Effects cannot be excluded, these are considered further in Appropriate Assessment (**Section 5**).

Table 3: Summary HRA Screening Matrix

Site	Vulnerability / Threat	Summary of Likely Effect of the Project on the European Sites			
		Project Alone		In-Combination	
		Construction*	Operation	Construction	Operation
Epping Forest SAC	Air Pollution / Air-Borne Pollutants / Impact of Atmospheric Nitrogen Deposition	✓	✗ <sup>a</sup>	✓	✗ <sup>a</sup>
	Outdoor Sports & Leisure Activities / Recreational Activities / Public Access & Disturbance	✗ <sup>b</sup>	✓	✗ <sup>b</sup>	✓
	Urban Effects	✗ <sup>c</sup>	✓	✗ <sup>c</sup>	✓
Lee Valley SPA and Ramsar	Air Pollution / Risk of Atmospheric Nitrogen Deposition	✗ <sup>a</sup>	✗ <sup>b</sup>	✗ <sup>a</sup>	✗ <sup>b</sup>
	Outdoor Sports & Leisure Activities / Recreational Activities / Public Access & Disturbance	✗ <sup>c</sup>	✗ <sup>d</sup>	✗ <sup>c</sup>	✗ <sup>d</sup>
	Urban Effects	✗ <sup>e</sup>	✗ <sup>f</sup>	✗ <sup>e</sup>	✗ <sup>f</sup>

\* Full justifications as to these conclusions are provided within **Appendix D**.

### 4.3 Screening Stage Conclusions

- 4.3.1 The Screening Stage of this shadow HRA found no Likely Significant Effects arising at Lee Valley SPA and Ramsar as a result of changes in air quality (during construction or once the Project is operational), as a result of increased public access, disturbance, intrusion, sport or recreation (during construction or once the Project is operational) or as a result of urbanisation (during construction or once the Project is operational). Further to this, given the absence of impact pathways relating to these impacts as a result of the Project alone, the Screening Stage of this shadow HRA found no perceivable 'in-combination' effects with other Plans and Projects.
- 4.3.2 The Screening Stage of this shadow HRA found no Likely Significant Effects arising at Epping Forest SAC as a result of changes in air quality (once the Project is operational), as a result of increased public access, disturbance, intrusion, sport or recreation, nor as a result of urban effects (during construction). Further to this, given the absence of impact pathways relating to these impacts as a result of the Project alone, the Screening Stage of this shadow HRA found no perceivable 'in-combination' effects with other Plans and Projects.
- 4.3.3 The Screening Stage of this shadow HRA found that Likely Significant Effects on the interest features of Epping Forest SAC could not be discounted with respect to changes in air quality (during construction), nor increased public access, disturbance, intrusion, sport or recreation or urban effects once the Project is operational. As such, further assessment to determine whether there would be an adverse effect on the integrity<sup>2</sup> of Epping Forest SAC as a result of the Project alone or 'in-combination' with other Plans and Projects is presented in **Section 5 Appropriate Assessment**.

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<sup>2</sup> Site integrity has been defined as being 'the coherence of its ecological structure and function across its whole area which enables it to sustain the habitats, complex of habitats and/or population levels of the species for which it was classified (or designated)' (Natural England, 2017).

## 5 Appropriate Assessment

### 5.1 Summary of Process through Screening to Appropriate Assessment

- 5.1.1 This shadow HRA identified two European Sites within the Zone of Influence and of potential relevance to the Project. In **Section 3**, the qualifying features and Conservation Objectives of these European Sites were identified, along with their potential pressures or threats arising from the Project.
- 5.1.2 In **Section 4** those pressures or threats which were considered unlikely to result in Likely Significant Effect on the European Site, as a result of the Project, were excluded, i.e., where there was no conceivable potential impact pathway or effect by which the Project could lead to Likely Significant Effects on the qualifying features of the European Site, in relation to the identified threat/pressure for each European Site.
- 5.1.3 Impacts which could not be excluded, and so were included for further assessment in the Screening Matrix, were summarised in **Table 2**. Both European Sites had three relevant potential vulnerabilities or threats identified for their qualifying features which were considered through the Screening Matrix.
- 5.1.4 The Screening Matrix exercise (**Table 3**) considered the potential for Likely Significant Effects associated with the proposed Project, which also necessarily took into account the potential for 'in-combination' effects with other Projects. Considering the findings of the Screening Stage, only Epping Forest SAC was required to be taken forward for further assessment.
- 5.1.5 Those impact types requiring further assessment (i.e., where a Likely Significant Effect has been identified at the Screening Stage), as summarised in **Section 4.3**, are discussed in the section below. The Appropriate Assessment considers whether there would be an adverse effect on the integrity of the European Site concerned as a result of the Project. As identified in **Section 4**, site integrity has been defined as being '*the coherence of its ecological structure and function across its whole area which enables it to sustain the habitats, complex of habitats and/or population levels of the species for which it was classified (or designated)*' (Natural England, 2017).
- 5.1.6 The Appropriate Assessment makes an 'appropriate assessment' of the implications of the Project in view of each of the European Site's Conservation Objectives. The Conservation Objectives relate to each of the qualifying features for which the European Site was designated or classified and the Appropriate Assessment has been made in respect of each qualifying feature, for which a Likely Significant Effect has been identified.

### 5.2 Construction Phase Changes in Air Pollution Affecting Annex I Habitats and / or Annex II Species at Epping Forest SAC

- 5.2.1 The Project will require the demolition of the existing building on the Site and the construction of the proposed development (two one-bed residential apartments and 75m<sup>2</sup> of office space). As a result, there is the potential for a short-term, temporary, highly localised changes in air quality associated with the demolition / construction works themselves. Considering the small scale of the proposed development and the short-term, temporary nature of the works however, any changes in air quality as a result of construction phase dust creation and / or construction traffic emissions are considered highly unlikely to be significant enough to affect the integrity of Epping Forest SAC. As such, **no significant adverse effects on the integrity of Epping Forest SAC** are anticipated as a result of the Project when considered alone.
- 5.2.2 Furthermore, a Construction Environmental Management Plan or similar will be produced and implemented at the Site for the duration of the construction phase of the Project. This will contain good practice methods of working to mitigate for construction effects of the

development that could otherwise occur (albeit that in this case, any such effects are not anticipated to result in significant adverse effects on the integrity of Epping Forest SAC). It is anticipated that similar such mitigation will also be put in place for other development within the vicinity (i.e., such that no individual Project could therefore come forward without robust mitigation for construction phase environmental impacts in place). As such, **no significant adverse effects on the integrity of Epping Forest SAC** are anticipated, 'in-combination' with other Projects or Plans.

### 5.3 Operational Phase Outdoor Sports & Leisure Activities / Recreational Activities / Public Access & Disturbance Effecting Annex I Habitats and / or Annex II Species at Epping Forest SAC

- 5.3.1 Epping Forest is managed by the City of London Corporation through the Epping Forest Conservators. Epping Forest Management Strategy (dated 1<sup>st</sup> February 2021) states its mission is '*to conserve and protect Epping Forest as London's largest biodiverse green space for the health, recreation and enjoyment of everyone*'. This document sets out strategic aims to conserve, enhance and protect the forest; welcome, encourage and inspire visitors and support, collaborate and innovate with sustainable management.
- 5.3.2 Likely Significant Effects during the operational phase of the Project (either alone or 'in-combination' with other Projects or Plans), could not be excluded at the Screening Stage with respect to operational phase outdoor sports & leisure activities / recreational activities / public access & disturbance available, such that further consideration is outlined below.
- 5.3.3 Whilst the Project will deliver two one-bed residential apartments, such that there will an increase in residents within 500m of Epping Forest SAC, given the very small numbers of additional residents, and the fact that Epping Forest is already intentionally and actively managed to promote positive recreational use, any change in recreational pressure as a result of the Project is anticipated to be negligible. As such, **no significant adverse effects on the integrity of Epping Forest SAC** are anticipated as a result of the Project when considered alone. It is acknowledged that there remains a potential for the Project to result in adverse effects due to additional recreational pressure, as a result of in-combination effects with other residential Projects.
- 5.3.4 Policy DM2 of the new Local Plan (Submission Version 2017), sets out the requirements and expectations to enable development within the vicinity of Epping Forest SAC to progress, either alone or 'in-combination' with other development, without adverse effects on the ecological integrity of Epping Forest SAC: The Council will expect all outline or detailed planning applications for new homes within Buckhurst Hill (where the Project is located) to make a financial contribution to access management and monitoring of visitors to the Epping Forest SAC Furthermore, the Council will ensure the provision of a meaningful proportion of Natural Green Space or access to Natural Green Space.
- 5.3.5 Therefore, a financial contribution will be made in relation to the Project to support the delivery of strategic and meaningful mitigation within the Borough. In accordance with the interim recreational mitigation strategy for Epping Forest SAC (EFDC, 2018), and the supporting Cabinet Portfolio Report (EFDC, 2018), the financial contribution, which will be delivered via Section 106 contributions is £352 per dwelling (£704).
- 5.3.6 Given the strong policy protection that is / will be put in place for Epping Forest SAC through Epping Forest Local Plan and other Local Plans from surrounding Boroughs, it is acknowledged that no individual Project could therefore come forward without robust mitigation in place, agreed (where necessary) by Natural England and the relevant competent authority. As such, subject to the delivery of the required financial contribution, it is possible to conclude also that there will be **no significant adverse effects on the integrity of Epping Forest SAC** 'in-combination' with other Plans or Projects.

## 5.4 Operation Phase Urban Effects Effecting Annex I Habitats and / or Annex II Species at Epping Forest SAC

- 5.4.1 Urban effects are identified to arise as a result of development in very close proximity to a European Site and include, for example, fire, fly-tipping (which could lead to the introduction of invasive species), litter, cat predation, garden encroachment from adjacent plots.
- 5.4.2 Once operational, the Project will deliver two one-bed residential apartments and 75m<sup>2</sup> of office space. Given the distance separation between the Site and Epping Forest SAC (over 200m, and further by road), the majority of 'urban effects' that might otherwise effect the integrity of Epping Forest SAC, are not anticipated to occur; for example, garden encroachment, 'over the fence' fly-tipping, fire or littering. Further to this (with regard fly-tipping and littering in particular), it is anticipated that any refuse generated as a result of the Project once operational would be subject to regular council waste and recycling collection, further reducing the likelihood of fly-tipping or littering associated with the Project, within the SAC. Whilst it is possible that new residents may own cats that could reasonably access Epping Forest SAC, numbers would be low and as such, any effect on the habitats present as a result of fouling, or on species present (albeit, not necessarily qualifying species) as a result of predation, would be negligible. Overall therefore, **no significant adverse effects on the integrity of Epping Forest SAC** are anticipated as a result of the Project when considered alone, or 'in-combination' with other Projects or Plans.

## 6 Conclusion

- 6.1.1 The shadow HRA identifies that the Site is located in close proximity (210 m) to Epping Forest Special Area of Conservation (SAC), with the Lee Valley Special Protection Area (SPA) and Ramsar also being identified within 10 km of the Site.
- 6.1.2 The relevant threats / vulnerabilities identified for the qualifying features of these European Sites, as a result of the Project, were identified to relate to: changes in air pollution, changes as a result of sports, leisure, recreation, access or other intrusions or disturbance, and urban effects.
- 6.1.3 When taking into account the known identified vulnerabilities / threats to these European Sites, the Screening Stage of this HRA found no Likely Significant Effects arising at Lee Valley SPA and Ramsar as a result of the Project. Further to this, the Screening Stage found no Likely Significant Effects arising at Epping Forest SAC as a result of changes in air quality (once the Project is operational), as a result of increased public access, disturbance, intrusion, sport or recreation (during construction), nor as a result of urban effects (during construction). Further to this, given the absence of impact pathways relating to these impacts as a result of the Project alone, the Screening Stage of this shadow HRA found no perceivable 'in-combination' effects with other Plans and Projects.
- 6.1.4 The Screening Stage of this shadow HRA found that Likely Significant Effects on the interest features of Epping Forest SAC could not be discounted with respect to changes in air quality (during construction), nor increased public access, disturbance, intrusion, sport or recreation or urban effects once the Project is operational. As such, an Appropriate Assessment was undertaken.
- 6.1.5 The Appropriate Assessment of this shadow HRA concluded that:
- Subject to the implementation of appropriate mitigation in the form of financial contributions of £704 towards strategic mitigation provision (the maintenance, improvement, management, access management and monitoring of the European Site to mitigate the recreational impact of the Development on the European Site in accordance with the Epping Forest Interim Mitigation Strategy), no significant adverse effects on the integrity of Epping Forest SAC are anticipated as a result of increased recreational pressure, either alone or 'in-combination' with other Plans or Projects.
  - No significant adverse effects on the integrity of Epping Forest SAC are anticipated, as a result of changes in air pollution or urban effects, either alone or 'in-combination' with other Plans or Projects. It is understood however, that irrespective of this assessment conclusion, a payment of £670 will be paid to the Council (through Section 106 agreement) to contribute towards the Council's Epping Forest Mitigation Strategy.
  - Furthermore, a sum of £68.70 will also be paid to the Council (through Section 106 agreement) for Council monitoring of compliance with the financial contributions described above.
- 6.1.6 Overall, this shadow HRA report should allow Epping Forest District Council as the Competent Authority to make their 'appropriate assessment' of the Project. Taking account of the contributions outlined above which secure the mitigation required to address the identified adverse effects, there will be no residual adverse effects on the integrity of any European Site as a result of the Project, alone or in-combination with other Plans or Projects. Therefore, no further assessment is required.

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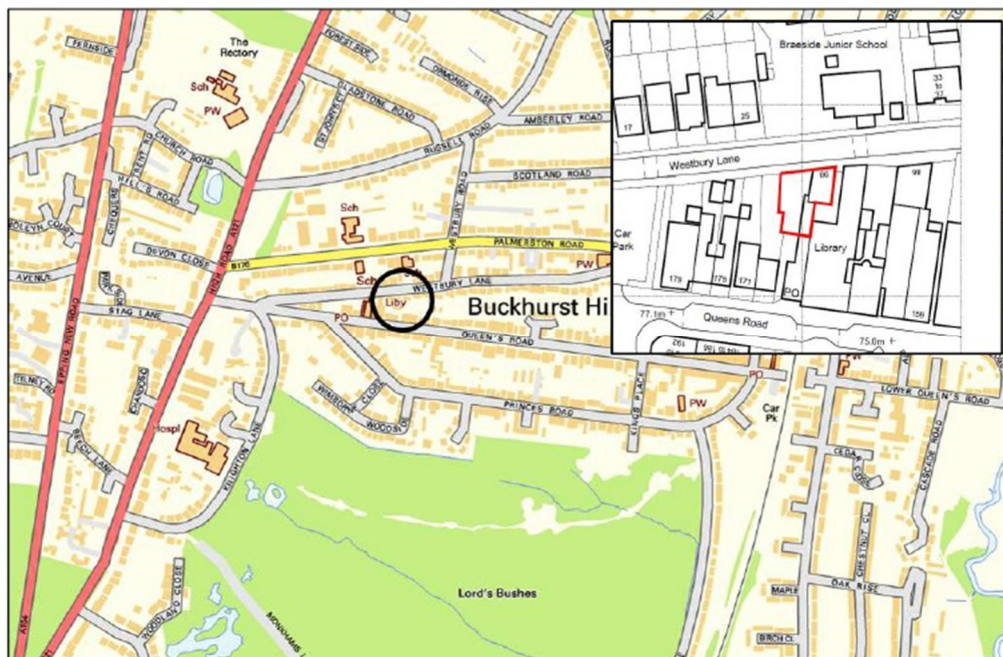
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## 8 Figures

Figure 1: Site Location Plan



## Appendix A Legislation and Policy Context

### A.1 Legislative Context

- A.1.1 The 'Conservation of Habitats and Species Regulations 2017 (as amended)' transposed certain aspects of the Habitats Directive (Council Directive 92/43/EEC) and the Wild Birds Directive (Directive 2009/147/EC) (together known as the 'Nature Directives') (including various amendments) into domestic law.
- A.1.2 To make such legislation operable following the UK departure from the European Union (i.e. from 1st January 2021), changes have been made to the 'Conservation of Habitats and Species Regulations 2017 (as amended)' by the 'Conservation of Habitats and Species (Amendment) (EU Exit) Regulations, 2019'. Most of these changes relate to the transfer of functions from the European Commission to the relevant domestic authorities, with all other processes and terms remaining unchanged, such that the strict protection afforded to sites, habitats and species, including wild birds, continues through the 'Conservation of Habitats and Species Regulations 2017 (as amended)'.
- A.1.3 Of relevance to HRA, the Conservation of Habitats and Species Regulations 2017 (as amended), with changes made by the Conservation of Habitats and Species (Amendment) (EU Exit) Regulations, 2019, provides for the designation and protection of important ecological sites already designated under the Nature Directives including SAC and SPA and any further sites designated under these Regulations (together forming a new 'National Site Network' in the UK), as well as Ramsar Sites (which do not form part of the national site network, but remain protected in the same way as SAC and SPA).
- A.1.4 From here on, the following terms will therefore be used to reflect the changes made by the Conservation of Habitats and Species (Amendment) (EU Exit) Regulations, 2019:
- European Sites: existing SAC and SPA, any SAC proposed to the EU Commission prior to 31<sup>st</sup> December 2020 and any SAC and SPA designated or classified after 31<sup>st</sup> December 2020;
  - Natura 2000: the network of SACs and SPAs present in Europe; and
  - National Site Network: the network of European Sites (SACs and SPAs), European Marine Sites and European Off-Shore Sites in the UK.

### A.2 Policy Context

- A.2.1 In December 2017, Epping Forest produced a new Local Plan (Submission Version 2017) (Epping Forest District Council, 2017). This includes Policy DM2 which relates to Epping Forest SAC and the Lee Valley SPA and is reproduced below for ease of reference:
- A. *The Council will expect all relevant development proposals to assist in the conservation and enhancement of the biodiversity, character, appearance and landscape setting of the Epping Forest Special Area of Conservation (SAC) and the Lee Valley Special Protection Area (SPA).*
  - B. *New residential development likely to have a significant effect, either alone or in combination with other development in these areas, will be required to demonstrate that adequate measures are put in place to avoid or mitigate any potential adverse effects.*
  - C. *All outline or detailed planning applications for new homes within the settlements of Loughton, Epping, Waltham Abbey, North Weald Bassett, Theydon Bois, Coopersale,*

*Thornwood, Buckhurst Hill, Chigwell and Chigwell Row will be required to make a financial contribution to access management and monitoring of visitors to the Epping Forest SAC, in accordance with Visitor Survey Information which demonstrates this is needed.*

- D. *To mitigate against potential or identified adverse effects of additional development in the District, in particular from strategic developments, on the Epping Forest SAC, and Lee Valley SPA the Council will ensure the provision of a meaningful proportion of Natural Green Space or access to Natural Green Space. This could involve:*
    - a. *providing new green spaces; or*
    - b. *improving access to green space; or*
    - c. *improving the naturalness of existing green spaces; or*
    - d. *improving connectivity between green spaces where this would not contribute to a material increase in recreational pressure on designated sites.*
  - E. *Planning applications on sites within 400m of the Epping Forest SAC will be required to submit a site level Habitats Regulations Assessment setting out how any urbanisation effects (including from fly tipping, the introduction of non-native plant species and incidental arson) will be mitigated against.*
- A.2.2 A series of HRAs were completed in support of this new Local Plan (EB205 - November 2016, EB206 and EB206A – November and December 2017 (all of which have been superseded) and EB209 – January 2019).
- A.2.3 The January 2019 HRA (EB209), which superseded the earlier assessments, considered the potential effects of the new Local Plan on Epping Forest SAC, Lee Valley SPA and Ramsar and Wormley-Hoddesdonpark Woods SAC as a result of: disturbance from recreational activities, including urbanisation, atmospheric pollution, water abstraction and water quality. The HRA concluded that, *'with the delivery of the urbanisation / recreational pressure and air quality mitigation packages to which Epping Forest District Council is committed, there will be no adverse effect on the integrity of any European Sites, including Epping Forest SAC'*.
- A.2.4 In March 2019, a letter was published by Natural England providing interim advice with regard the emerging strategic approach relating to the 'Epping Forest SAC Mitigation Strategy', following feedback from the London Borough's and Greater London Authority (Natural England, 2019). This presents Natural England's most recent advice relating to residential planning applications which have the potential to impact on Epping Forest SAC through increased recreational pressure. It identifies a Zone of Influence of 6.2km from within which, residential developments will need to consider whether they will have an impact on Epping Forest SAC. For small scale residential development of 99 dwellings or less from within 0-3km of Epping Forest (such is the case with the current Project), there is requirement for, *'a financial contribution to strategic 'off-site' measures as set out in the costed Strategic Access Management Measures provided by the City of London Conservators of Epping Forest'*. This letter does not address the potential air quality impacts on Epping Forest SAC as, at the time of writing, Natural England were still considering the recently updated Habitats Regulations Assessment for the Epping Forest Local Plan (as referenced above).
- A.2.5 As of February 2021, it is understood that the main modifications to the new Local Plan are still ongoing (in accordance with the Epping Forest District Council website). And as such, the new Local Plan (Submission Version 2017), remains unadopted.
- A.2.6 In May 2021, a statement was released on the Epping District Council website to confirm that Epping Forest District Council would adopt an Interim Air Pollution Mitigation Strategy and an Interim Recreational Mitigation Strategy; the purpose of which is that a conclusion of no adverse effects on the integrity of Epping Forest SAC can be drawn in relation to new

development, subject to the implementation of the measures contained within these strategies.

## Appendix B European Sites within 10km

B.1.1 **Table B1** presents a summary of the European Sites within 10km of the Project, and identifies the closest associated SSSI.

Table B1: European Sites within 10km

Site	Designation	Distance	Reason for Designation	Closest Associated SSSI
Epping Forest	SAC	210m S (there are also areas of Epping Forest SAC beyond 210m from the Site to the north and west).	<p><b>Annex I Habitats that are a Primary Reason for Selection of this Site:</b></p> <ul style="list-style-type: none"> <li>Atlantic acidophilous beech forests with <i>Ilex</i> and sometimes also <i>Taxus</i> in the shrub layer (<i>Quercion roburi-petraeae</i> or <i>Illici-Fagenion</i>)</li> </ul> <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>North Atlantic wet heaths with <i>Erica tetralix</i></li> <li>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>Stag beetle <i>Lucanus cervus</i></li> </ul> <p><b>Annex II Species Present as a Qualifying Feature, but not a Primary Reason for Selection of this Site:</b></p> <p>N/A</p>	Epping Forest SSSI
Lee Valley	SPA	6.3km SW and 8.2km NW	<p><b>ARTICLE 4.1 QUALIFICATION (79/409/EEC)</b> Over winter the area regularly supports internationally important populations of Eurasian bittern <i>Botaurus stellaris</i>.</p> <p><b>ARTICLE 4.2 QUALIFICATION (79/409/EEC)</b> Over winter the area regularly supports internationally important populations of northern shoveler <i>Anas clypeata</i>, and gadwall <i>Anas strepera</i>.</p>	Walthamstow Reservoirs SSSI

Site	Designation	Distance	Reason for Designation	Closest Associated SSSI
	Ramsar		<p><b>Ramsar Criterion 2:</b> The site supports the nationally scarce plant species whorled watermilfoil <i>Myriophyllum verticillatum</i> and the rare or vulnerable invertebrate <i>Micronecta minutissima</i> (a water boatman).</p> <p><b>Ramsar Criterion 6:</b> Over winter the site regularly supports internationally important populations of gadwall <i>Anas strepera</i> and shoveler <i>Anas clypeata</i>.</p>	

## Appendix C Conservation Objectives, Factors Affecting Site Integrity and Condition of Component SSSI Units of European Sites within 10km

C.1.1 **Table C1** provides a summary of the relevant Conservation Objectives for each of the European Sites, along with a summary of the factors affecting their integrity and the condition of the associated SSSI. Those activities that could reasonably be attributed to the Project are identified with an asterisk (\*).

Table C1: Further Detail with regard European Sites within 10km

Site	Relevant Conservation Objectives (from Natural England Conservation Objectives)	Factors Affecting Site Integrity (from Natura 2000 Standard Data Form and SIPS, as Required)	SSSI Condition (from Natural England)
Epping Forest SAC	<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.</li> </ul>	<p>Epping Forest SAC was identified to at threat from:</p> <ul style="list-style-type: none"> <li>M02: Change in biotic conditions;</li> <li><b>H04: Air pollution / air-borne pollutants*</b>;</li> <li><b>G01: Outdoor sports and leisure activities, recreational activities*</b>;</li> <li>J02: Human induced changes in hydraulic conditions; and</li> <li>A04: Grazing.</li> </ul> <p>Further to this, the SIP for Epping Forest SAC identified it to be under threat / pressure from:</p> <ul style="list-style-type: none"> <li><b>Air pollution: impact of atmospheric nitrogen deposition*</b>;</li> <li>Under-grazing;</li> <li><b>Public access / disturbance*</b>;</li> <li>Changes in species distribution;</li> <li>Inappropriate water levels;</li> <li>Water pollution;</li> <li>Disease; and</li> <li>Invasive species.</li> </ul>	<p>Epping Forest SSSI has 41 units of which 35.48% are in favourable condition, 48.17% are in unfavourable condition, but recovering, 14.53% are in unfavourable condition, with no change and the remaining 1.83% are in an unfavourable, declining condition.</p>

Site	Relevant Conservation Objectives (from Natural England Conservation Objectives)	Factors Affecting Site Integrity (from Natura 2000 Standard Data Form and SIPS, as Required)	SSSI Condition (from Natural England)
		Finally, through the new Local Plan, Epping Forest SAC was identified to be at threat from ' <b>adverse urban effects</b> '*.	
Lee Valley SPA	<p>Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to maintaining or restoring;</p> <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.</li> </ul>	<p>Lee Valley SPA was identified to at threat from:</p> <ul style="list-style-type: none"> <li>• F01: Marine and freshwater aquaculture;</li> <li>• <b>G01: Outdoor sports and leisure activities, recreational activities</b>*;</li> <li>• H02: Pollution to groundwater (point sources and diffuse sources);</li> <li>• J02: Human induced changes in hydraulic conditions; and</li> <li>• K02: Biocenotic evolution, succession.</li> </ul> <p>Further to this, the SIP for Lee Valley SPA identified it to be under threat / pressure from:</p> <ul style="list-style-type: none"> <li>• Water pollution;</li> <li>• Hydrological changes;</li> <li>• <b>Public access / disturbance</b>*;</li> <li>• Inappropriate scrub control;</li> <li>• Fisheries – fishing stock;</li> <li>• Invasive species;</li> <li>• Inappropriate cutting / mowing; and</li> <li>• <b>Air pollution: risk of atmospheric nitrogen deposition</b>*.</li> </ul> <p>Finally, through the new Local Plan, Lee Valley SPA and Ramsar was identified to be at threat from '<b>adverse urban effects</b>'*.</p>	<p>Walthamstow Reservoir SSSI has 10 units, all of which are in unfavourable condition, but recovering.</p>
Lee Valley Ramsar		No specific threats or pressures are identified on the Ramsar datasheet. As such, those identified in relation to Lee Valley SPA shall be considered.	

## Appendix D HRA Screening Matrices

D.1.1 **Table D1** sets out the out matrices which detail consideration of those activities that could reasonably be attributed to the Project and consider which have to potential to result in a Likely Significant Effect on the qualifying features of the European Sites.

D.1.2 The Matrix Key is as follows:

- ✓ = Likely Significant Effect **cannot** be excluded, ✕ = Likely Significant Effect **can** be excluded
- C = construction, O = operation

Table D1: HRA Screening Matrix: Epping Forest SAC

Epping Forest SAC				
210m South				
European Site Features	Likely Effects of Project			
Effect	Air Pollution / Air-Borne Pollutants / Impact of Atmospheric Nitrogen Deposition		In-Combination Effects	
Stage of Development	C	O	C	O
Annex I Habitats – in this case, these habitats have been grouped together as the same consideration of likely significant effects applies: Atlantic acidophilous beech forests with Ilex and sometimes also Taxus in the shrub layer ( <i>Quercion robori-petraeae</i> or <i>Ilici-Fagenion</i> ), Northern Atlantic wet heaths with <i>Erica tetralix</i> and European dry heaths.	✓	✕ <sup>a</sup>	✓	✕ <sup>a</sup>
Annex II Species – stag beetle <i>Lucanus cervus</i> .	✓	✕ <sup>a</sup>	✓	✕ <sup>a</sup>

Effect	Outdoor Sports & Leisure Activities / Recreational Activities / Public Access & Disturbance		In-Combination Effects	
<i>Stage of Development</i>	C	O	C	O
Annex I Habitats – in this case, these habitats have been grouped together as the same consideration of likely significant effects applies: Atlantic acidophilous beech forests with Ilex and sometimes also Taxus in the shrub layer ( <i>Quercion robori-petraeae</i> or <i>Ilici-Fagenion</i> ), Northern Atlantic wet heaths with <i>Erica tetralix</i> and European dry heaths.	x <sup>b</sup>	✓	x <sup>b</sup>	✓
Annex II Species – stag beetle <i>Lucanus cervus</i> .	x <sup>b</sup>	✓	x <sup>b</sup>	✓
Effect	Urban Effects		In Combination Effects	
<i>Stage of Development</i>	C	O	C	O
Annex I Habitats – in this case, these habitats have been grouped together as the same consideration of likely significant effects applies: Atlantic acidophilous beech forests with Ilex and sometimes also Taxus in the shrub layer ( <i>Quercion robori-petraeae</i> or <i>Ilici-Fagenion</i> ), Northern Atlantic wet heaths with <i>Erica tetralix</i> and European dry heaths.	x <sup>c</sup>	✓	x <sup>c</sup>	✓
Annex II Species – stag beetle <i>Lucanus cervus</i> .	x <sup>c</sup>	✓	x <sup>c</sup>	✓

#### Evidence & Supporting Conclusions

- a) The Site currently generates traffic movements from the six parking spaces it provides on-site, and the existing three members of staff and one contractor based at the Site. The Project will provide two one-bed residential apartments and office space. The Project will not provide on-site parking for resident's vehicles and only provides one parking space for the office. The office parking space will include an electric charge point. Further to this, on-street parking within the local surrounds will not be permitted due to a resident parking permit scheme in operation. It is intended that the leaseholders will sign an undertaking not to apply for resident parking permits. This is on the basis of the sustainable transport options available within the locality. The Project is therefore considered to reduce the number of vehicle trips generated from the Site, due to the reduction in car parking between the existing and proposed. This will result in a betterment with respect to vehicle movements associated with the Site. Full details are provided within the TRICS Analysis for the Project (Stantec, 2020). As such, **no Likely Significant Effects** (direct or indirect) on the qualifying habitats or species for which the SAC is designated, are therefore anticipated as a result of changes in air quality (either alone or 'in-combination' with other Plans or Projects), once the Project is operational.
- b) It is highly unlikely that construction staff, at the Project or others, will spend significant amounts of time during working hours at the SAC, such that damage to the habitats or disturbance of the species for which the SAC is designated, from public access/disturbance/intrusions, is unlikely to occur. Consequently, **no Likely Significant Effects** (direct or indirect) on the qualifying habitats or species for which the SAC is designated are anticipated as a result of public access/disturbance/intrusions during construction (alone or 'in-combination' with other Plans or Projects).
- c) Urban effects are identified to arise as a result of development in very close proximity to a European Site and include, for example, fire, fly-tipping (which could lead to the introduction of invasive species), litter, cat predation, garden encroachment from adjacent plots. Given that such impacts are wholly associated with the Project once operational, **no Likely Significant Effects** (direct or indirect) on the qualifying habitats or species for which the SAC is designated are anticipated as a result of construction phase urban effects (either alone or 'in-combination' with other Plans or Projects).

Table D2: HRA Screening Matrix: Lee Valley SPA

<b>Lee Valley SPA</b>				
6.3km South-West				
<b>European Site Features</b>		<b>Likely Effects of Project</b>		
<b>Effect</b>		<b>Air Pollution / Risk of Atmospheric Nitrogen Deposition</b>		<b>In-Combination Effects</b>
<i>Stage of Development</i>		C	O	C O
Article 4.1 Qualification: internationally important populations of Eurasian bittern <i>Botaurus stellaris</i> .		x <sup>a</sup>	x <sup>b</sup>	x <sup>a</sup> x <sup>b</sup>
Article 4.2 Qualification: internationally important populations of northern shoveler <i>Anas clypeata</i> , and gadwall <i>Anas strepera</i> .		x <sup>a</sup>	x <sup>b</sup>	x <sup>a</sup> x <sup>b</sup>
<b>Effect</b>		<b>Outdoor Sports &amp; Leisure Activities / Recreational Activities / Public Access &amp; Disturbance</b>		<b>In-Combination Effects</b>
<i>Stage of Development</i>		C	O	C O
Article 4.1 Qualification: internationally important populations of Eurasian bittern <i>Botaurus stellaris</i> .		x <sup>c</sup>	x <sup>d</sup>	x <sup>c</sup> x <sup>d</sup>
Article 4.2 Qualification: internationally important populations of northern shoveler <i>Anas clypeata</i> , and gadwall <i>Anas strepera</i> .		x <sup>c</sup>	x <sup>d</sup>	x <sup>c</sup> x <sup>d</sup>
<b>Effect</b>		<b>Urban Effects</b>		<b>In-Combination Effects</b>
<i>Stage of Development</i>		C	O	C O
Article 4.1 Qualification: internationally important populations of Eurasian bittern <i>Botaurus stellaris</i> .		x <sup>e</sup>	x <sup>f</sup>	x <sup>e</sup> x <sup>f</sup>
Article 4.2 Qualification: internationally important populations of northern shoveler <i>Anas clypeata</i> , and gadwall <i>Anas strepera</i> .		x <sup>e</sup>	x <sup>f</sup>	x <sup>e</sup> x <sup>f</sup>

#### Evidence Supporting Conclusions

- a) The Site is located over 6.3km from Lee Valley SPA / Ramsar at its closest point. Given the discrete nature of the Site and the works proposed, and the significant distance between the Site and the SPA, **no Likely Significant Effects** (direct or indirect) on the qualifying species for which the SPA is designated, nor the habitats on which they rely, are therefore anticipated as a result of construction phase changes in air pollution (including as a result of increased dust or traffic emissions) (either alone or 'in-combination' with other Plans or Projects).
- b) For the reasons outlined in **Table D1** above, the Project is considered to reduce the number of vehicle trips generated from the Site, due to the reduction in car parking between the existing and proposed. This will result in a betterment with respect to vehicle movements associated with the Site. As such, **no Likely Significant Effects** (direct or indirect) on the qualifying species for which the SPA / Ramsar is designated, nor the habitats on which they rely, for which the SPA / Ramsar is designated, are therefore anticipated as a result of changes in air quality (either alone or 'in-combination' with other Plans or Projects), once the Project is operational.
- c) It is highly unlikely that construction staff, at the Project or others, will spend significant amounts of time during working hours at the SPA / Ramsar, such that disturbance of the bird species for which the SPA / Ramsar is designated, nor the habitats on which these species rely, from outdoor sports and leisure activities, recreational activities and general public access/disturbance/intrusions, is unlikely to occur. Consequently, **no Likely Significant Effects** (direct or indirect) on the qualifying species for which the SPA / Ramsar is designated, nor the habitats on which to these species rely, are anticipated as a result of outdoor sports and leisure activities, recreational activities and general public access/disturbance/intrusions during construction (alone or 'in-combination' with other Plans or Projects).
- d) The Site is located over 6.3km from Lee Valley SPA at its closest point. Given the significant distance between the Site and the SPA / Ramsar, the very small number of new residents associated with the Project and the presence of other, more easily accessible green space within closer proximity to the Site, **no Likely Significant Effects** (direct or indirect) on the qualifying species for which the SPA is designated, nor the habitats on which to these species rely, are anticipated as a result of outdoor sports and leisure activities, recreational activities and general public access/disturbance/intrusions (alone or 'in-combination' with other Plans or Projects), once the Project is operational.
- e) A buffer of 400m has been identified within the Local Plan from within which development and allocations must demonstrate that they will not generate adverse urban effects on Lee Valley SPA. Given the distance between the Site and Lee Valley SPA / Ramsar (over 400m), **no Likely Significant Effects** (direct or indirect) on the qualifying species for which the SPA / Ramsar is designated, nor the habitats on which to these species rely, are anticipated as a result of construction phase urban effects (either alone or 'in-combination' with other Plans or Projects).
- f) A buffer of 400m has been identified within the Local Plan from within which development and allocations must demonstrate that they will not generate adverse urban effects on Lee Valley SPA. Given the distance between the Site and Lee Valley SPA / Ramsar (over 400m), **no Likely Significant Effects** (direct or indirect) on the qualifying species for which the SPA / Ramsar is designated, nor the habitats on which to these species rely, are anticipated as a result of urban effects (either alone or 'in-combination' with other Plans or Projects), once the Project is operational.

Table D3: HRA Screening Matrix: Lee Valley Ramsar

<b>Lee Valley Ramsar</b>				
6.3km South-West				
<b>European Site Features</b>		<b>Likely Effects of Project</b>		
<b>Effect</b>		<b>Air Pollution / Risk of Atmospheric Nitrogen Deposition</b>		<b>In-Combination Effects</b>
<i>Stage of Development</i>		C	O	C O
Ramsar Criterion 2: nationally scarce plant species whorled watermilfoil <i>Myriophyllum verticillatum</i> and the rare or vulnerable invertebrate <i>Micronecta minutissima</i> (a water boatman).		x <sup>a</sup>	x <sup>b</sup>	x <sup>a</sup> x <sup>b</sup>
Ramsar Criterion 6: internationally important populations of northern shoveler <i>Anas clypeata</i> , and gadwall <i>Anas strepera</i> .		x <sup>a</sup>	x <sup>b</sup>	x <sup>a</sup> x <sup>b</sup>
<b>Effect</b>		<b>Outdoor Sports &amp; Leisure Activities / Recreational Activities / Public Access &amp; Disturbance</b>		<b>In-Combination Effects</b>
<i>Stage of Development</i>		C	O	C O
Ramsar Criterion 2: nationally scarce plant species whorled watermilfoil <i>Myriophyllum verticillatum</i> and the rare or vulnerable invertebrate <i>Micronecta minutissima</i> (a water boatman).		x <sup>c</sup>	x <sup>d</sup>	x <sup>c</sup> x <sup>d</sup>
Ramsar Criterion 6: internationally important populations of northern shoveler <i>Anas clypeata</i> , and gadwall <i>Anas strepera</i> .		x <sup>c</sup>	x <sup>d</sup>	x <sup>c</sup> x <sup>d</sup>
<b>Effect</b>		<b>Urban Effects</b>		<b>In-Combination Effects</b>
<i>Stage of Development</i>		C	O	C O
Ramsar Criterion 2: nationally scarce plant species whorled watermilfoil <i>Myriophyllum verticillatum</i> and the rare or vulnerable invertebrate <i>Micronecta minutissima</i> (a water boatman).		x <sup>e</sup>	x <sup>f</sup>	x <sup>e</sup> x <sup>f</sup>

Ramsar Criterion 6: internationally important populations of northern shoveler <i>Anas clypeata</i> , and gadwall <i>Anas strepera</i> .	x <sup>e</sup>	x <sup>f</sup>	x <sup>e</sup>	x <sup>f</sup>
Evidence Supporting Conclusions				
a) See justification (a) in <b>Table D2</b> above. b) See justification (b) in <b>Table D2</b> above. c) See justification (c) in <b>Table D2</b> above. d) See justification (d) in <b>Table D2</b> above. e) See justification (e) in <b>Table D2</b> above. f) See justification (f) in <b>Table D2</b> above.				