



Lee Draft neighbourhood Plan (Nov 2020)
Habitats Regulation Assessment
Screening Report

June 2021

1. Introduction

1.1. This report sets out the process undertaken by the Council in respect of the Habitats Regulations Assessment (HRA) screening exercise for the submission version of the Lee Neighbourhood Development Plan (NDP) (2020), in order to assess whether the draft NDP would be likely to have a negative effect on protected European sites. If it is determined that the draft NDP is not likely to have a significant effect on protected sites then it can be screened out of the further stages of the HRA process. However, if it is found that the draft NDP is likely to have a significant effect on protected sites the Council will recommend that the draft plan undergo further stages of the HRA process which include undertaking an Appropriate Assessment, before proposing mitigation measures and alternative solutions.

1.2. The requirement to assess plans or projects is outlined 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 (known as the 'Habitats Directive'). The Habitats Directive established a Europe-wide network of sites known as Natura 2000, which provides for the protection of sites that are of exceptional importance for rare, endangered or vulnerable natural habitats and species within the European Union. These sites also referred to as 'European Sites', consist of Special Areas of Conservation (SACs), Special Protection Areas (SPAs) (designated under the Conservation of Wild Birds Directive (79/409/EEC) and Offshore Marine Site (OMS). RAMSAR sites (wetlands of international importance) are included as if they are fully designated European Sites for the purpose of considering development proposals that may affect them.

1.3. The Habitats Directive was implemented in the UK through the Conservation (Natural Habitats, &c.) Regulations 1994 with all further amendments subsequently consolidated within the Conservation of Habitats and Species Regulations (2010). The Regulations are responsible for safeguarding designated European Sites and therefore protecting the habitats and species listed in the Annexes of the Directive.

2. Summary of the draft NDP

2.1. The Lee neighbourhood forum and neighbourhood area were designated on the 13th January 2016 and was re-designated in June 2021 for a further 5 years. The Neighbourhood Forum have since been preparing their draft NDP

2.2. This screening is based on their pre-submission draft that was published in 2020

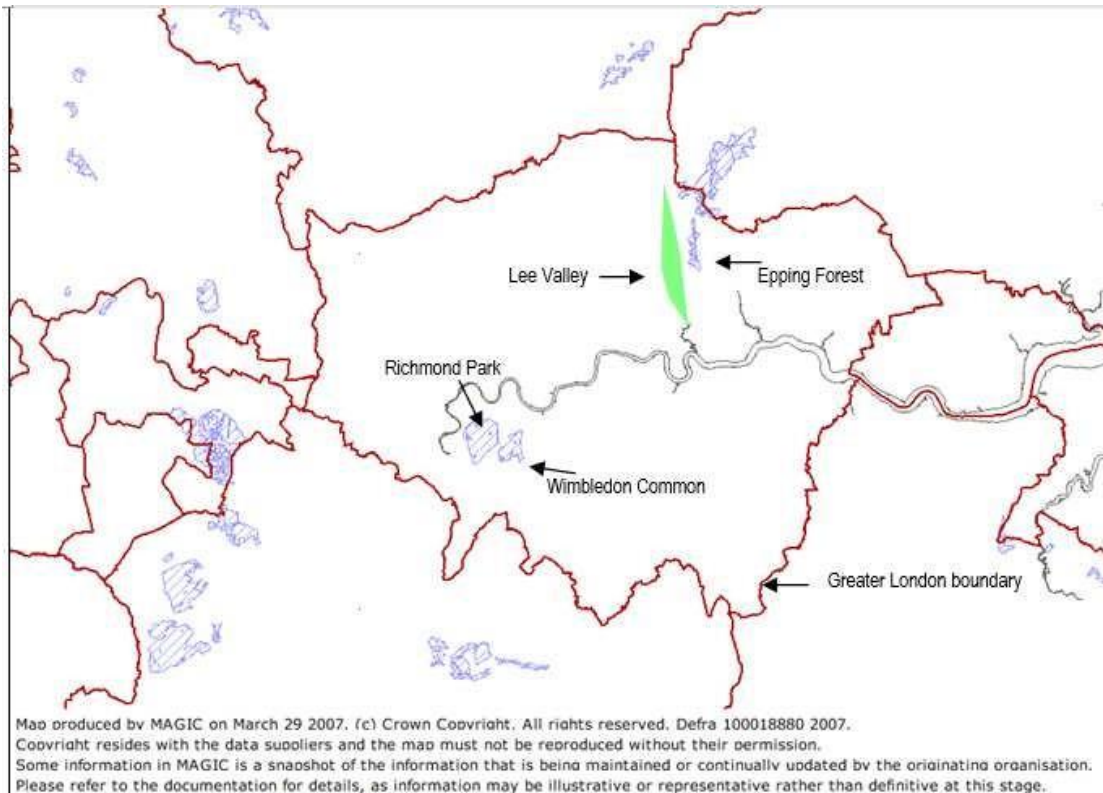
2.4. At the time of screen report was prepared, the Lee draft NDP included policies relating to:

- Green and Blue Spaces
- Transport and Connectivity
- Building Homes and Amenities
- Local Retail, Leisure and Economy
- Heritage and Design
- Site Allocations

3. Habitats Regulations Assessment Screening

3.1. The Lee NDP, once adopted will form part of the Development Plan for LB Lewisham. The Councils Core Strategy, Site Allocations and Development Management Local Plans have been subject to both SA and SEA as well as HRA screening

3.2. No designated European sites fall within the NDP area, nor are any located within the London Borough of Lewisham's boundary. However, consistent with best practice approach, European sites within 15km radius of the borough boundary have been included in this screening assessment.



(Source: part www.magic.gov.uk and part LB Lewisham)

European Site Name	Reasons for designation
<p>1. Lee Valley SPA and Ramsar (wetland) (Site ref UK9012111 UK11034)</p>	<p>General Site Character</p> <ul style="list-style-type: none"> • Inland water bodies (standing water, running water) (67%) • Bogs. Marshes. Water fringed vegetation. Fens (4.0%) • Humid grassland. Mesophile grassland (8.0%) • Improved grassland (10.0%) • Broad-leaved deciduous woodland (10.0%) • Other land (including towns, villages, roads, waste places, mines, industrial sites (1.0%) <p>The Lee Valley SPA is located to the north-east of London, where a series of wetlands and reservoirs occupy about 20 km of the valley. The site comprises embanked water supply reservoirs, sewage treatment lagoons and former gravel pits that support a range of man-made, semi-natural and valley bottom habitats. These wetland habitats support wintering wildfowl, in particular Gadwall <i>Anas strepera</i> and Shoveler <i>Anas clypeata</i>, which occur in numbers of European importance. Areas of reedbed within the site also support significant numbers of wintering Bittern <i>Botaurus stellaris</i>.</p>
<p>2. Richmond Park SAC (UK0030246)</p>	<p>General site character</p> <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%) • Humid grassland. Mesophile grassland (5%) • Improved grassland (20%) • Broad-leaved deciduous woodland (25%) • Mixed woodland (5%) <p>Richmond Park is located in south west London and has a large number of ancient trees with decaying timber. It is at the heart of the south London centre of distribution for stag beetle <i>Lucanus cervus</i>, and is a site of national importance for the conservation of the fauna of invertebrates associated with the decaying timber of ancient trees.</p>

European Site Name	Reasons for designation
<p>3. Wimbledon Common SAC (UK0030301)</p>	<p>General site character</p> <ul style="list-style-type: none"> • Inland water bodies (standing water, running water) (1%) • Bogs. Marshes. Water fringed vegetation. Fens (0.5%) • Heath. Scrub. Maquis and garrigue. Phygrana (5%) • Dry grassland. Steppes (45%) • Improved grassland (3.5%) • Broad-leaved deciduous woodland (45%) <p>Wimbledon Common has a large number of old trees and much fallen decaying timber. It is at the heart of the south London centre of distribution for stag beetle <i>Lucanus cervus</i>. The site supports a number of other scarce invertebrate species associated with decaying timber.</p>
<p>4. Epping Forest SAC (UK0012720)</p>	<p>General site character</p> <ul style="list-style-type: none"> • Inland water bodies (standing water, running water) (6%) • Bogs. Marshes. Water fringed vegetation. Fens (0.2%) • Heath. Scrub. Maquis and garrigue. Phygrana (3.8%) • Dry grassland. Steppes (20%) • Broad-leaved deciduous woodland (70%) <p>Epping Forest straddles the Essex and east London population centres and represents one of the best examples Atlantic acidophilous beech forests in the north-eastern part of the habitat's UK range. Although the epiphytes at this site have declined, largely as a result of air pollution, it remains important for a range of rare species, including the moss <i>Zygodon forsteri</i>. The long history of pollarding, and resultant large number of veteran trees, ensures that the site is also rich in fungi and dead-wood invertebrates. Records of stag beetle <i>Lucanus cervus</i> are widespread and frequent; and this is a site of national importance for the conservation of the fauna of invertebrates associated with the decaying timber of ancient trees.</p>

Natura 2000 Site	Designation code	Qualifying Interest (Habitats and species)	Conservation objectives	Site sensitivities	Current condition	Threats
Lee Valley SPA/ Ramsar	UK9012111 UK11034	<p>SPA:</p> <p>Over winter:</p> <ul style="list-style-type: none"> • Botaurus stellaris (bittern) <p>Over winter</p> <ul style="list-style-type: none"> • Anas strepera (gladwell) • Anas clypeata (shoveler) <p>Ramsar:</p> <p>This site also qualifies as a Ramsar wetland of assemblage Qualification: A wetland of international importance</p>	<p>The conservation objectives for the European interest on SSSI are to maintain, in favourable condition, the habitats for the populations of migratory bird species + of European importance, with reference to:</p> <ul style="list-style-type: none"> • Open water and surrounding marginal habitats • Gadwell, Shoveler maintenance implies restoration if the feature is not currently in favourable condition <p>The conservation objectives for the Lee Valley SPA are, in accordance with para C 10 of PPG 9, the reasons for which the SPA was classified.</p>	<ul style="list-style-type: none"> • Water quality - eutrophication is a threat, particularly from point source pollution (e.g. sewage outfalls) but also from surface run-off or groundwater pollution and atmospheric deposition • Water levels – a high and stable water table is fundamental • Disturbance to bird feeding and roosting habitat (noise/visua) • Siltation (e.g. excessive poaching of lake margins by stock, suspended sediments leading to 	<p>Walthamstow Reservoirs, Waltham Abbey and Turnford and Cheshunt Pits are 100% favourable.</p> <p>Walthamstow Marshes are 36% favourable and 63% unfavourable but recovering.</p>	<p>Most of the site is in favourable condition, though an increase in recreational use could affect wintering wildfowl numbers.</p> <p>There are currently no factors having a significant adverse effect on the site's character.</p>

Natura 2000 Site	Designation code	Qualifying Interest (Habitats and species)	Conservation objectives	Site sensitivities	Current condition	Threats
			The SPA includes land within: Amwell Quarry SSSI, Turnford and Cheshunt Pits SSSI and Walthamstow Reservoirs SSSI	transport of nutrients)		
Richmond Park	UK0030246	Lucanus cervus (stag beetle)	<p>The conservation objectives for the European interest on the SSSI are: to maintain, in favourable condition, the habitats for the population of:</p> <ul style="list-style-type: none"> <i>Lucanus cervus</i> (stag beetle) <p>The conservation objectives for the Richmond Park proposed Special Area of Conservation are, in accordance with para C 10 of PPG 9, the reasons for which the SAC was proposed.</p>	<ul style="list-style-type: none"> Water Levels Water quality – nutrient enrichment from fertiliser run-off etc. Scrub encroachment (often due to undergrazing) Development pressure Spread of introduced non-native species Human disturbance (off road vehicles, burning (vandalism)) Atmospheric pollution e.g. nitrous oxides from vehicle exhausts 	<p>Area favourable 6%</p> <p>Area unfavourable recovering 8%</p> <p>Area unfavourable no change 86%</p>	Site is surrounded by urban areas and experiences high levels of recreational pressure. This does not directly affect the European interest feature however.

Natura 2000 Site	Designation code	Qualifying Interest (Habitats and species)	Conservation objectives	Site sensitivities	Current condition	Threats
Wimbledon Common SAC	UK0030301	<p>Lacanus cervus (stag beetle)</p> <p>Annex I habitats present as a qualifying feature, but not a primary reason for selection of this site:</p> <ul style="list-style-type: none"> • Northern Atlantic wet heaths with <i>Erica tetralix</i> • European dry heaths 	<p>The conservation objectives for the European interest on the SSSI are:</p> <ul style="list-style-type: none"> • to maintain, in favourable condition, the: Northern Atlantic wet heaths with <i>Erica tetralix</i> • European dry heaths to maintain, in favourable condition, the habitats for the population of: Stag beetle (<i>Lucanus cervus</i>) <p>maintenance implies restoration if the feature is not currently in favourable condition</p>	<ul style="list-style-type: none"> • Water quality – e.g. pollution through groundwater and surface run-off sources • Water level – maintenance of water table • Heavy recreational pressure • Spread of non-native/ invasive species • Scrub encroachment • Atmospheric pollution (nutrient deposition and acidification) 	<p>Area favourable 40%</p> <p>Area unfavourable but recovering 59%</p>	<p>Site is located in an urban area and experiences intensive recreational pressure which can result in damage, particularly to the sensitive areas of heathland.</p> <p>Air pollution is also thought to be having an impact on the quality of heathland habitat.</p>

Natura 2000 Site	Designation code	Qualifying Interest (Habitats and species)	Conservation objectives	Site sensitivities	Current condition	Threats
Epping Forest SAC	UK0012720	<p>Annex I habitats that are a primary reason for selection of this site:</p> <ul style="list-style-type: none"> Atlantic acidophilous beech forests with Ilex and sometimes Taxus in the shrublayer (Quercion robur-petraeae or lici-fagenion) <p>Annex I habitats present as a qualifying feature, but not a primary reason for selection of this site:</p> <ul style="list-style-type: none"> Northern Atlantic wet heaths with Erica tetralix European dry heaths <p>Annex II species that are a primary reason for selection of this site:</p> <ul style="list-style-type: none"> Lucanus cervus (stag beetle) 	<p>The Conservation Objectives for this site are, subject to natural change, to maintain the following habitats and geological features in favourable condition, with particular reference to any dependent component special interest features (habitats, vegetation types, species, species assemblages etc.) for which the land is designated (SSSI, SAC, SPA, Ramsar) as individually listed in Table 1.</p> <p>Habitat Types represented (Biodiversity Action Plan categories)</p> <ul style="list-style-type: none"> Lowland wood pastures and parkland Broadleaved, mixed and yew woodland Dwarf shrub heath Acid grassland 	<ul style="list-style-type: none"> Water quality – e.g. pollution through groundwater and surface run-off sources Water level – maintenance of water table essential e.g. restrict new drainage ditches around wet woodlands Heavy recreational pressure Spread of non-native/invasive species Scrub encroachment Atmospheric pollution (nutrient deposition and acidification) Development pressure 	<p>Area favourable 30%</p> <p>Area unfavourable recovering 34%</p> <p>% area unfavourable no change 26%</p> <p>% area unfavourable declining 10%</p> <p>Reintroduction of pollarding and wood pasture management is helping to reverse the decline of the epiphytic bryophyte population.</p>	<p>Existing air pollution, particularly arising from traffic is thought to contribute to poor condition of parts of the site.</p> <p>Increasing recreational pressure could have an impact on heathland areas</p>

Natura 2000 Site	Designation code	Qualifying Interest (Habitats and species)	Conservation objectives	Site sensitivities	Current condition	Threats
			<ul style="list-style-type: none"> • Neutral grassland • Standing open water and canals • Fen marsh and swamp 			

4. Effects of Lee NDP on European sites

4.1 This section considers the policies in the Lee Draft NDP and their potential impacts on the European Sites.

Policy	Impact Y/N	Comment
Policy GB1: Protection and Enhancement of Green Spaces	NO	No Impact. Policy relates to protection and enhancement of local green spaces which do not impose on any European sites.
Policy GB2 Achieving a Green Infrastructure-led Development Approach	NO	No impact. Policy relates to Green infrastructure led development and will not impact on any European Site
Policy GB3 Designation of Nature Improvement Areas: River Quaggy Trail and Hither Green Nature Trail	NO	No Impact. This policy relates to The enhancement and improvement on a specific SINC within the borough and will not impact any European site
Policy GB4 Protection and Increase of Tree Cover	NO	No Impact. This policy relates to the increase and protection of tree cover within the plan area and will not impact any European site
Policy GB5: Managing Flood Risk	NO	No Impact. This policy relates to how development will be required to manage flood risk within the plan area.
Policy GB6 Protection and Enhancement of Lee's Playing Fields	NO	No Impact. Policy relates to the protection and enhancement of playing field provision within the plan area
Policy TC1 Protect, Promote and Enhance Public Transport	NO	No impact. Policy relates to the protection, promotion and enhancement of public transport use within the plan area.
Policy TC2 Improve Measures to Reduce Pollution Levels	NO	No impact. This policy relates to the reduction of pollution levels within the plan area.
Policy TC2 Improve Active Travel Options and Road Safety Measures in the Forum Area	NO	No Impact. This policy relates to the improvement and promotion of active travel and road safety within the plan area.

Policy	Impact Y/N	Comment
Policy BHA1 Protection, Enhancement and Provision of Community Buildings	NO	No Impact. This policy relates to the enhancement and protection of community facility provision within the plan area.
Policy BHA2 Protection, Enhancement and Provision of Social Infrastructure	NO	No Impact. This policy relates to protection, enhancement and provision of social infrastructure.
Policy BHA3 Enhancement of Public Realm Facilities	NO	No Impact. This policy relates to the enhancement of public realm facilities within the plan area.
Policy BHA4 Housing Delivery	NO	No Impact. This policy relates delivery of housing within the plan area.
Policy BHA5 Windfall Sites	NO	No Impact. This policy relates to windfall sites which have not been allocated for housing within the plan area.
Policy BHA6 Design of New Development	NO	No Impact. This policy relates to high quality and environmentally led design for new development in the plan area.
Policy RLE1 Maintain, Improve and Sustain the Diversity, Vitality and Viability of Retail Sites	NO	No Impact. This policy relates to the protection and enhancement of retail provision within the plan area
Policy RLE2 Improve Shopfronts and Advertising in Retail Sites	NO	No Impact. This policy relates to shop frontages and advertising to complement the character of the plan area.
Policy RLE3 Improve and Enhance the Public Realm of Retail/Cultural Activity Sites	NO	No Impact. This policy relates to the improvement and enhancement of public realm spaces of retail and cultural activity sites
Policy RLE4 Protect and Encourage Local Employment Sites	NO	No Impact. This policy relates to the protection and encouragement of local employment sites.
Policy RLE5 Revitalise Lee Green District Town Centre	NO	No Impact. This policy outlines the objective of revitalising the Lee Green District Town Centre.

Policy	Impact Y/N	Comment
Policy HD1 Designation, Conservation and Enhancement of Heritage Assets	NO	No Impact. This policy relates to the designation, conservation and enhancement of heritage assets within the plan area
Policy HD2 Design and Scale of New Development	NO	No Impact. This policy relates to how new development will be required to complement, enhance and positively contribute to the local area.
Policy HD3 Extensions, Alterations and New Buildings	NO	No Impact. This policy relates to the impact of new developments as well as how extensions and alterations to existing buildings should positively complement the character of its surroundings.

4.2. Section 38(6) of the Planning and compulsory Purchase Act 2004 requires planning decisions to be made in accordance with the development plan unless material considerations indicate otherwise. The current development plan in Lewisham is the London Plan (2016), the Lewisham Core Strategy (2011), Site Allocations Local Plan (2013), Lewisham Town Centre Local Plan (2013) and the Development Management Local Plan (2014). Material considerations include national planning policy statements and planning policy guidance. Policy G6 of the New London Plan (2021) relates to biodiversity and access to nature and all planning decisions will need to be made in accordance with this policy.

4.3 It is neither practical nor necessary to assess the ‘in combination’ effects of a draft NDP within the context of all other plans and projects within London. The plans and projects of all other London boroughs are relevant but in practice the London Plan, as the overriding Regional Spatial Strategy for London, encompasses their growth and infrastructure trajectories at a strategic level with apportionments and allocations for housing, transportation and commercial/industrial development. Other plans and projects considered to be part of potential interest such as those of Transport for London and the London development Agency are accommodated as part of the London Plan.

4.4 Neighbouring boroughs’ Development Plans considered as part of the in combination assessment are listed below:

- LB Bexley – Core Strategy (adopted 2012)
- LB Bromley – The Bromley Local Plan (Adopted 2019)
- RB Greenwich – Core Strategy (adopted 2014)
- LB Lambeth – Local Plan (adopted 2015)
- LB Southwark – Core Strategy (adopted 2011)
- LB Tower Hamlets – Tower Hamlets Local Plan (adopted 2020)

4.5 Taking into account the nature and quantum of development to take place within Lewisham, the neighbouring boroughs, London city region and the draft NDP are evaluated for their effects on the protected sites below.

5 Conclusion

5.1 Screening of the emerging Lee NDP has been carried out in accordance with the requirements of the Habitats Directive and Regulations in order to ensure that the protection and integrity of the following European Sites is included as part of the Local Plan preparation process:

- Lee Valley SAC and Ramsar
- Richmond Park SAC
- Wimbledon Common SAC
- Epping Forest SAC

5.2 Since there are no European Sites within the borough and those identified for the screening are within 15km of the borough boundary, the draft determination of this assessment is that none of the policies contained in the draft NDP has been found to have a likely significant effect on any designated European Site

5.3 In particular, the draft NDP either on its own or in combination with any other relevant plans and projects, are unlikely to result in significant effect on the primary reasons for the designation of the European Sites and there is therefore no need to undertake tasks two and three of the Habitats Regulation Assessment.