



SHOREHAM HARBOUR REGENERATION

HABITATS REGULATIONS ASSESSMENT SCREENING REPORT



SHOREHAM HARBOUR
JOINT AREA ACTION PLAN
SUBMISSION - MAY 2018

Contents

1	Introduction	2
2	Local Planning Policy.....	4
3	HRA Screening	7
4	HRA Findings	11
5	Conclusion.....	17

1 Introduction

- 1.1 This report presents the findings of the screening exercise undertaken by Shoreham Harbour Regeneration in relation to the Habitats Regulations Assessment (HRA) of the *Submission Shoreham Harbour Joint Area Action Plan* (JAAP). The report finds that there are no likely significant impacts on any of the identified protected sites, and that no further HRA work is required
- 1.2 The JAAP is a local plan¹ for the Shoreham Harbour Regeneration Area. It will be part of the development plan for both Adur and Brighton & Hove. The JAAP sets a planning policy framework to guide development and investment decisions within the regeneration area up to 2032. The plan builds on and complements the Adur Local Plan (2017) and the Brighton & Hove City Plan Part One (2016). Planning applications within the regeneration area must comply with the strategy and policies in the JAAP, as well as the relevant local plan(s).
- 1.3 The JAAP contains:
- a long-term vision, objectives and strategy for the Shoreham Harbour Regeneration Area
 - themed area-wide policies on:
 - climate change, energy and sustainable building
 - Shoreham Port
 - economy and employment
 - housing and community
 - sustainable travel
 - flood risk and sustainable drainage
 - natural environment, biodiversity and green infrastructure
 - recreation and leisure
 - place making and design quality
 - proposals for seven character areas, including four allocations for new development
 - an outline of how the Shoreham Harbour Regeneration Project will be delivered, monitored and implemented.

¹ As defined in The Town and Country Planning (Local Planning) (England) Regulations 2012. Also referred to as a Development Plan Document as defined in the Planning and Compulsory Purchase Act 2004.

2 Habitats Regulations Assessment

- 2.1 Article 6 of Directive 92/43/EEC on the Conservation of Natural Habitats and of Wild Fauna and Flora (the Habitats Directive) requires an appropriate assessment, usually referred to in England as a Habitats Regulations Assessment (HRA), to be undertaken to assess the impacts of a plan or project against the conservation objectives of a European Site and to ascertain whether it would adversely affect the integrity of that site. Regulation 102 of the Conservation of Habitats and Species Regulations 2010 makes clear that land use plans must be subject to HRA where the plan is likely to have a significant effect on a European site (unless necessary to the management of the site). Where significant negative effects are identified, alternative options should be examined to avoid any potential damaging effects, unless there are “imperative reasons of overriding public interest”, in which case compensatory measures are required.
- 2.2 HRA therefore applies to all local plans and related planning documents. European Sites consist of Special Areas of Conservation (SACs), Special Protection Areas (SPAs), European Offshore Marine Sites (EMS) and sites on the Ramsar List of Wetlands of International Importance.
- 2.3 The first stage of HRA is screening which is a test of likely significant effects to ascertain whether a full HRA of the plan is required. This needs to take account of the potential impact upon European sites of the plan in combination with other plans and projects. Brighton & Hove City Council undertook an HRA screening assessment of the Brighton & Hove City Plan Part One (adopted March 2016). Adur District Council undertook an HRA screening assessment of the Adur Local Plan (adopted December 2017). These assessments concluded that there would be no potential for adverse impacts on protected sites from either local plan.
- 2.4 The HRA for the *Adur Local Plan* states that the document will be refreshed as subsequent planning documents are produced. It makes clear that this may simply be a case of confirming that the screening assessment remains relevant to new plans. Consultation with Natural England on the HRA for the *Draft Joint Area Action Plan (2014)* confirmed this to be the case provided that neither the circumstances in the area nor the nature of the plans change sufficiently to require a fresh assessment.
- 2.5 Although the policies and proposals contained in the JAAP are consistent with the policies in the adopted local plans, Brighton & Hove City Council and Adur District Council consider this separate screening assessment of the JAAP to be appropriate.

3 Local Plan Assessments

- 3.1 Both the Brighton & Hove City Plan Part One (2016) and the Adur Local Plan (2017) identify the regeneration of Shoreham Harbour in their strategic objectives and also contain a specific planning policy that identifies the harbour as a 'broad location' for future strategic development.

Adur Local Plan (2017)

- 3.2 The Plan sets out a vision for Adur up to 2032. The Proposed Submission Adur Local Plan 2017 including the 2016 Amendments set out a number of policies relevant to Shoreham Harbour. Policy 2 : Spatial Strategy, states:

“Shoreham Harbour will be a focus for development to facilitate regeneration through delivery of a mix of uses including housing which will be delivered through an Area Action Plan being prepared jointly between Adur District Council, Brighton & Hove City Council and West Sussex County Council.”

- 3.3 Policy 8 : Shoreham Harbour, sets out the policy for Shoreham Harbour and priorities for each character area and states that

“The Council will facilitate the delivery of a minimum of 1,100 new dwellings and a minimum of 16,000sqm of employment generating uses (including B1 uses) within that part of the Shoreham Harbour Regeneration Area Western Harbour Arm during the plan period to 2032 (as shown on the Policies Map). A minimum of 16,000m² of employment generating uses (including B1 uses) will also be provided up to 2032.”

- 3.4 Policy 4 : Planning for Economic Growth, allocates land for employment generating uses in Adur up to 2031, including:

Shoreham Harbour Regeneration Area (a minimum of 16,000m² within Adur)

Brighton & Hove City Plan Part One (2016)

- 3.5 The Brighton & Hove City Plan Part One (2016) sets out a vision for the City up to 2030. It includes the regeneration of the harbour as a key commitment under Strategic Objective 6 (SO6):

“Through joint working with Adur District Council, West Sussex County Council and the Shoreham Port Authority, maximise the potential of Shoreham Harbour for the benefit of existing and future residents, businesses, port-users and visitors through a long term regeneration strategy.”

- 3.6 Policy DA8 - Shoreham Harbour, sets out the policy and priorities for each of the harbour character areas and states that the Joint Area Action Plan process will further explore and test the delivery of:
- 300 new residential units within Brighton & Hove (which are included as part of the City's long term overall housing target)
 - 7,500m² net additional employment floorspace"

Proposed Submission Shoreham Harbour Joint Area Action Plan (2017)

- 3.7 The proposals outlined in the Joint Area Action Plan include:

New housing:

- Up to 1,400 new homes to 2032
 - 1,100 along the Western Harbour Arm in Adur District
 - 300 in South Portslade and Aldrington Basin in Brighton & Hove

Employment and economy:

- Consolidation of Shoreham Port operations in the eastern arm and canal.
- Approximately 23,500m² of employment floorspace:
 - 16,000m² in Adur District
 - 7,500m² in Brighton & Hove

Local environmental improvements:

- Upgraded flood defence network integrated with a riverside walking/cycling route
- New and improved social and community facilities
- New and improved marine leisure facilities
- Improvements to local transport network
- Upgrades to public spaces and historic features and better connections with surrounding areas

- 3.8 The total amount of new housing development proposed in the Joint Area Action Plan is 50 units less than the amount of housing considered in the Draft JAAP (2014) which sought a figure of up to 1,450 new homes. The Joint Area Action Plan also proposes a total of 23,500m² of employment-generating floorspace within the regeneration area. This is 2,000sqm more than the amount in the

Draft JAAP (2014) - but consistent with the employment floorspace detailed in the Proposed Submission Adur Local Plan 2017.

4 HRA Screening

4.1 Table 1 lists the protected sites considered at the screening stage of the HRA processes carried out by BHCC and ADC.

Name	Reason for designation	Distance (straight line from the JAAP boundary [km])
Castle Hill SAC	<ul style="list-style-type: none"> • Semi-natural dry grasslands and scrubland facies on calcareous substrates (<i>Festuco-Brometalia</i>). • The site hosts the priority habitat type “orchid rich sites”. Chalk grassland with a mosaic of calcareous semi-natural dry grassland communities. Important assemblage of rare and scarce species including early spider orchid (<i>Ophrys sphegodes</i>) (one of the largest colonies in the UK), burnt orchid (<i>Orchis ustulata</i>) and early gentian (<i>Gentianella anglica</i>). 	9.5km
Lewes Downs SAC	<ul style="list-style-type: none"> • Semi-natural dry grasslands and scrubland facies on calcareous substrates (<i>Festuco-Brometalia</i>). • This site hosts the priority habitat type “orchid rich sites”. This chalk grassland site contains an important assemblage of rare and scarce orchids, including early spider orchid (<i>Ophrys sphegodes</i>), burnet orchid (<i>Orchis ustulata</i>) and musk orchid (<i>Herminium monorchis</i>). The colony of burnt orchid is one of the largest in the UK. 	16.5km
Arun Valley SPA / Ramsar	<ul style="list-style-type: none"> • One of the few remaining sites in the UK to support the Ramshorn snail (<i>Anisus vaticulus</i>). • Internationally important numbers of Berwick’s Swan (<i>Cygnus columbianus bewickii</i>). • The site supports seven wetland invertebrate species and the endangered swollen spire snail (<i>Pseudamnicola confuse</i>) as well as four nationally rare and four nationally scarce plant species. • Within the ditches intersecting the site there are all five British duckweed <i>Lemna</i> species, all five water-cress <i>Rorippa</i> species, and all three British water milfoils (<i>Myriophyllum</i> species), all but one of the seven British water dropworts (<i>Oenanthe</i> species), and two-thirds of the British pondweeds (<i>Potamogeton</i> species). • Nationally important populations of Eurasian wigeon 	17.5km

Name	Reason for designation	Distance (straight line from the JAAP boundary [km])
	<i>(Anas Penelope)</i> , Eurasian teal (<i>Anas crecca</i>), Northern shoveler (<i>Anas clypeata</i>) and Ruff , (<i>Philomachus pugnax</i>).	
Ashdown Forest SAC & SPA (BHCC only)	<ul style="list-style-type: none"> • One of the largest single continuous blocks of lowland heath (both dry and wet heath) in South East England. • Population of great crested newt (<i>Triturus cristatus</i>). • Nationally important breeding populations of nightjar (<i>Caprimulgus europaeus</i>) and Dartford warbler (<i>Sylvia undata</i>). 	28.5km

4.2 Ashdown Forest SAC and SPA, Pevensey Levels Ramsar, The Mens SAC and Duncton to Bignor Escarpment SAC were considered at an earlier stage of the HRA process for the Adur Local Plan 2017. These sites were ruled out due to their distance from the district.

4.3 The following table is adapted from the Brighton & Hove City Plan Part One (2016) Appropriate Assessment. This shows Policy DA8 - Shoreham Harbour and any potential environmental effects on European Sites:

Policy	Summary Description	Potential environmental impacts of relevance to this HRA
DA8 - Shoreham Harbour Area	Long-term regeneration of Shoreham Port and immediately surrounding area to deliver a series of appropriately located high quality sustainable mixed use developments including new housing, employment space, leisure opportunities, improved public realm. Consolidation and enhancement of Shoreham	Increased resource use – water, hydrocarbons. Increased traffic volumes Air pollution Increased recreational pressure

	Port. Within Brighton and Hove ; approximately 300 new residential units and 7,500 ^{m2} of net additional employment floorspace.	
--	-------------------------------------------------------------------------------------------------------------------------------------------	--

4.4 The following table is adapted from the Adur district council HRA. This shows those policies that are relevant to Shoreham Harbour and any potential environmental effects on European Sites. (As this referred to a previous draft of the Adur local plan, the current policy 4 is referred to here as Policy 6):

Policy reference	Policy summary	HRA screening option
Policy 2 – Spatial Strategy	Shoreham Harbour will be the focus of a significant level of development to facilitate regeneration of the Harbour and neighbouring communities, which will be delivered through an Area Action Plan to be prepared jointly between Adur District Council, Brighton & Hove City Council and West Sussex County Council.	This policy sets out the overall scale and strategy regarding development in the County until 2028. However given the distances of the European designated sites, no pathways of impact are likely to impact upon these sites, as such this policy can be screened out.
Policy 8 – Shoreham Harbour Regeneration Area	Shoreham Harbour Regeneration Area is identified as a broad location for change within this Local Plan. This policy identifies the regeneration proposals for the Shoreham Harbour Regeneration Area that will be delivered over the plan period.	Shoreham harbour is situated a significant distance from any European designated sites, therefore no pathways of impact are likely to occur, as such this policy can be screened out.
Policy 6 – Planning for Economic Growth	To facilitate regeneration and ensure a sustainable economy, up to 66,000 square metres of land will be allocated for appropriate employment generating uses in Adur up to 2028 at the following locations: <ul style="list-style-type: none"> • Shoreham Airport (up to 30,000m²) • New Monks Farm (up to 10,000m²) • Shoreham Harbour Regeneration Area (up to 26,000m² within Adur) 	Regeneration to ensure sustainable development is likely to increase the demand for recreational facilities, water supply and treatment, and to increased road traffic. However given the distances of the European

		designated sites, no pathways of impact are likely to impact upon these sites, as such this policy can be screened out
--	--	------------------------------------------------------------------------------------------------------------------------

5 HRA Findings

5.1 The following table presents a summary of the Joint Area Action Plan area wide policies and any potential environmental effects on European Sites. However, given the distances of the European designated sites, no pathways of impact are likely to impact upon these sites :

Policy	Summary	Potential environmental impacts of relevance
SH1 Climate change, energy and sustainable building	<p>To minimise carbon emissions, address the challenges of climate change and create a renewable energy hub.</p> <p>To ensure all new developments use energy and water as efficiently as possible</p> <p>To maximise opportunities to deliver sustainability objectives through large-scale zero and low-carbon energy technologies to serve the harbour and wider area.</p>	<p>New residential development is likely to increase the demand for recreational facilities, water supply and treatment, and to increased road traffic.</p> <p>Potential for reduced water resource use – water, hydrocarbons.</p>
SH2 Shoreham Port	To facilitate the delivery of the adopted Port Masterplan, the provision of a modernised, consolidated and sustainable port and to promote the important role of the Port in the local and wider economy.	<p>Increased traffic volume</p> <p>Air pollution</p>
SH3 Economy and employment	To provide new, high quality employment floorspace and improve the business environment to support the needs of local employers. To equip local communities with the training and skills required to access existing and future employment opportunities.	Regeneration to ensure sustainable development is likely to increase the demand for recreational facilities, water supply and treatment, and to increased road traffic and air pollution.
SH4 Housing and community	To provide new homes and contribute to meeting housing need	Delivering new houses is likely to increase the demand for recreational facilities, water supply and treatment, and to increased road traffic and air pollution.
SH5 sustainable	To improve connections and promote sustainable transport choices	Possible increase in demand for recreational facilities, and to

travel		increased road traffic and air pollution. There are no direct transport links between the regeneration area and the European designated sites.
SH6 Flood risk and sustainable drainage	To reduce the risk of flooding and adapt to climate change	This is a policy that does not affect the quantum and location of development. The policy contains planting requirements which will also have additional benefits relating to biodiversity, land pollution, open space, design and health.
SH7 Natural environment, biodiversity and green infrastructure	To add to the natural capital of the Shoreham Harbour Regeneration Area by delivering net gains to biodiversity and a multifunctional green infrastructure network.	Measures such as improvement to green infrastructure will have a positive impact through deflecting recreational pressure from European designated sites situated outside of the regeneration area.
SH8 Recreation and leisure	To enhance and activate the harbour for leisure, recreation and tourism and encourage active, healthy lifestyles.	Possible reduction in recreational pressure on European designated sites.
SH9 Place making and design quality	To promote high design quality and improve townscape	This is a policy that does not affect the quantum and location of development.
SH10 infrastructure requirements	How the proposals in this plan will be delivered on the ground and how progress will be monitored over time.	This policy for delivering infrastructure would not have a negative effect on the designated sites due to the significant distances of the sites to the regeneration area

5.2 The following table presents a summary of the Joint Area Action Plan character area policies and any potential environmental effects on European Sites. However, given the distances of the European designated sites, no pathways of impact are likely to impact upon these sites :

Policy	Summary	Potential environmental impacts of relevance
CA1: South Quayside	<p>To support Shoreham Port Authority in improving operational efficiency, developing new trade and exploring opportunities for sustainable energy generation, in line with the adopted Port Masterplan.</p> <p>To improve Basin Road South as a popular recreational route for walking and cycling, providing access to the beaches.</p>	<p>Increased traffic volume</p> <p>Air pollution</p> <p>Possible reduction in recreational pressure on European designated sites sites.</p>
CA2: Aldrington Basin	<p>To designate Aldrington Basin as an allocation for new mixed use development. To designate a strategic employment/mixed-use area (Allocations AB1 to AB4).</p> <p>To enhance biodiversity by creating and improving habitats and improved green infrastructure links, including a green corridor along the A259.</p> <p>To support the delivery of the England Coast Path through the Aldrington Basin area.</p>	<p>Regeneration to ensure sustainable development and deliver new houses is likely to increase the demand for recreational facilities, water supply and treatment, and to increased road traffic and air pollution.</p> <p>Measures such as improvement to green infrastructure will have a positive impact through deflecting recreational pressure from European designated sites situated outside of the regeneration area.</p>
CA3: North Quayside and South Portslade	<p>To designate South Portslade as an allocation for new mixed use development. To designate a strategic employment/mixed-use area (Allocations SP 1 to SP7).</p> <p>To enhance biodiversity by creating and</p>	<p>Regeneration to ensure sustainable development and deliver new houses is likely to increase the demand for recreational facilities, water supply and treatment, and to increased road traffic and air</p>

	<p>improving habitats and improved green infrastructure links, including a green corridor along the A259.</p>	<p>pollution.</p> <p>Measures such as improvement to green infrastructure will have a positive impact through deflecting recreational pressure from European designated sites situated outside of the regeneration area.</p>
<p>CA4: Portslade and Southwick</p>	<p>To seek improvements to the quality, access, appearance and maintenance of the public right of way, beach promenade, public areas and beach environment</p> <p>To support the delivery of the England Coast Path along the beaches</p> <p>To protect and enhance important habitats and species, such as coastal vegetated shingle as part of a green corridor along the beaches</p>	<p>Measures such as improvement to green infrastructure will have a positive impact through deflecting recreational pressure from European designated sites situated outside of the regeneration area.</p>
<p>CA5: Fishersgate and Southwick</p>	<p>To designate Southwick Waterfront as an allocation for new mixed use development.</p> <p>To improve sustainable transport links with surrounding communities.</p> <p>To enhance biodiversity by creating and improving habitats and improved green infrastructure links, including landscape enhancements to social housing estates.</p>	<p>Regeneration to ensure sustainable development and deliver new houses is likely to increase the demand for recreational facilities, water supply and treatment, and to increased road traffic and air pollution.</p> <p>There are no direct transport links between the character area and the European designated sites.</p> <p>Measures such as improvement to green infrastructure will have a positive impact through deflecting recreational pressure from European designated sites situated outside of the regeneration area.</p>

<p>CA6: Harbour mouth</p>	<p>To support the conservation of Shoreham Fort.</p> <p>To enhance connections between Shoreham town centre, Shoreham Beach and Shoreham Fort through environmental and landscaping improvements.</p> <p>To support Adur Homes in exploring options for redevelopment of housing sites.</p> <p>To explore options for the future use of the Albion Street lorry park.</p>	<p>Regeneration to ensure sustainable development and deliver new houses is likely to increase the demand for recreational facilities, water supply and treatment, and to increased road traffic and air pollution.</p> <p>There are no direct transport links between this character area and the European designated sites.</p>
<p>CA7: Western Harbour Arm</p>	<p>To designate Western Harbour Arm Waterfront as an allocation for new mixed use development.</p> <p>To improve legibility, permeability and connectivity through high quality building design, townscape and public realm, ensuring to respect and complement the character of surrounding areas.</p> <p>To deliver a comprehensive flood defence solution integrated with a publicly accessible waterfront route including pedestrian / cycle way and facilities for boat users.</p> <p>To enhance the area's natural biodiversity by incorporating multi-functional green space, creating and improving habitats and improved green infrastructure links.</p> <p>To support the delivery of the England Coast Path through the Western Harbour Arm area.</p>	<p>Regeneration to ensure sustainable development and deliver new houses is likely to increase the demand for recreational facilities, water supply and treatment, and to increased road traffic and air pollution.</p> <p>There are no direct transport links between the character area and the European designated sites.</p> <p>Measures such as improvement to green infrastructure will have a positive impact through deflecting recreational pressure from European designated sites situated outside of the regeneration area.</p>

5.3 Potential impacts identified include urbanisation (including fly-tipping and cat predation), increased water abstraction, increased air pollution and increased recreational pressure. Of these: Urbanisation effects are unlikely to derive from development located over 500m from a protected site.

- Water abstraction would not have a significant effect on any protected site because there are no such sites which are vulnerable to water abstraction within the water catchment area of the regeneration area
- Despite policies which promote travel choice and minimise air pollution, it is possible that air pollution may worsen as a result of the Joint Area Action Plan. However localised air pollution of this nature would not have a significant effect on any protected site, according to Natural England advice.
- Recreational pressure on downland may increase as a consequence of the local plans. However only one of the protected sites (Ashdown Forest) is vulnerable to recreational pressure. This site is far enough away to conclude that there would be no significant recreational impacts.

5.4 Shoreham Harbour is situated a significant distance from any European designated sites, therefore no pathways or impact are likely to occur. As such, the proposals can be screened out.

5.5 All possible impacts on any protected site resulting from the Joint Area Action Plan were discounted at the screening stage of this HRA.

5.6 The Adur Local Plan HRA Addendum published in March 2016 assessed the amendments taken forward in the Proposed Submission Adur Local Plan (2016). It reflected that the number of dwellings proposed at Shoreham Harbour within Adur had increased by 50 from 1050 to 1100. However it noted that the plan sought a total of 3,609 new dwellings which would be less than the amount of dwellings that was previously considered under Option B (3685 dwellings) in the 2012 HRA. It took into account the proposed 16,000sqm employment floorspace at Shoreham Harbour. It also noted that overall the total amount of employment-generating floorspace proposed in Adur had notably decreased from 66,000sqm to 41,000sqm. It concluded that no significant changes to the Plan or increase in the quantum of development was proposed and therefore there was no need to update the 2012 HRA Screening report and that the Proposed Submission Adur Local Plan (2016) could be screened out of the requirement for an 'Appropriate Assessment'.

6 Conclusion

- 6.1 This HRA has built upon the separate HRAs carried out for the Brighton & Hove City Plan Part One (2016) and the Adur Local Plan 2017. These have all found there to be no significant adverse effects on any of the identified protected sites. The plans have therefore been screened out entirely without the need for amendments or Appropriate Assessment.
- 6.2 The Shoreham Harbour Joint Area Action Plan is consistent with the policies contained in the two local plans and provides further detail rather than proposing additional development. As such the findings of the HRAs carried out remain relevant to the Joint Area Action Plan. It is therefore considered that the possibility of negative effects on any protected site resulting from the Joint Area Action Plan can be discounted.
- 6.3 In respect of the Adur Estuary SSSI which lies just outside the regeneration area. There are policies in the Joint Area Action Plan to protect this area. The regeneration area is within the Impact Risk Zone for the SSSI and therefore any detailed masterplan and/or planning application (especially at the Western Harbour Arm) would be required to consult Natural England and address impacts on the SSSI.

Adur District Council

Portland House
44 Richmond Road
Worthing
West Sussex
BN11 1HS

Brighton & Hove City Council

Hove Town Hall
Norton Road
Hove
East Sussex
BN3 4AH

