

Brentwood Local Plan

Habitat Regulations Assessment (HRA) Adoption
Statement

Brentwood Borough Council

February 2022

Quality information

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1. Adoption Statement

1. Introduction

AECOM has been assisting Brentwood Borough Council in undertaking a Habitats Regulations Assessment of the Brentwood Local Plan, which began in in 2018 with the determination of Likely Significant Effects and continued through the Main Modifications.

The need for Appropriate Assessment is set out within British law by the Conservation of Habitats and Species Regulations 2017 (as amended)¹. The Regulations apply the precautionary principle to European sites. Plans and projects can only be permitted having ascertained that there will be no adverse effect on the integrity of the site(s) in question. Plans and projects with predicted adverse impacts on European sites may still be permitted if there are no alternatives to them and there are Imperative Reasons of Overriding Public Interest (IROPI) as to why they should go ahead. In such cases, compensation would be necessary to ensure the overall integrity of the site network.

In order to ascertain whether or not site integrity will be affected, an Appropriate Assessment should be undertaken of the plan or project in question:

Box 1: The legislative basis for Appropriate Assessment:

Conservation of Habitats and Species Regulations 2017 (as amended)

The Regulations state that:

"A competent authority, before deciding to ... give any consent for a plan or project which is likely to have a significant effect on a European site ... shall make an appropriate assessment of the implications for the site in view of that site's conservation objectives... The authority shall agree to the plan or project only after having ascertained that it will not adversely affect the integrity of the European site".

The UK left the EU on 31 January 2020 under the terms set out in the European Union (Withdrawal Agreement) Act 2020 ("the Withdrawal Act"). The most recent amendments to the Habitats Regulations – the Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019 – make it clear that the need for HRA will continue after Brexit.

Over time the phrase 'Habitats Regulations Assessment' (HRA) has come into wide currency to describe the overall process set out in the Habitats Directive from screening through to Imperative Reasons of Overriding Public Interest (IROPI). This has arisen in order to distinguish the process from the individual stage described in the law as an 'Appropriate Assessment'. Throughout this report we use the term 'Habitats Regulations Assessment' for the overall process and restrict the use of 'Appropriate Assessment' to the specific stage of that name.

2. Scope of the Project

There is no guidance that dictates the physical scope of a HRA of a Development Plan Document. Therefore, in considering the physical scope of the assessment, we were guided primarily by the identified impact pathways rather than by arbitrary 'zones'. Current guidance suggests that the following European sites be included in the scope of assessment:

- All sites within the Brentwood Borough boundary; and
- Other sites shown to be linked to development within the borough boundary through a known 'pathway' (discussed below).

¹<https://www.legislation.gov.uk/ukxi/2017/1012/contents/made> [accessed 05/03/2019]. The regulations were subject to minor amendments in late 2018 but these do not affect the Local Development Plan HRA process or the tests that must be met

Briefly defined, impact pathways are routes by which a change in activity provided within a Local Development Plan document can lead to an effect upon an internationally designated site. Guidance from the Ministry of Housing Communities and Local Government² states that the HRA should be 'proportionate to the geographical scope of the [plan policy]' and that 'an AA need not be done in any more detail, or using more resources, than is useful for its purpose' (MHCLG, 2006, p.6).

No European sites are located within the Brentwood borough boundary. There are four European sites that lie beyond the borough boundary but are located within sufficient proximity that the Brentwood Local Plan could provide linking impact pathways that could impact the integrity of those European sites. These are:

- Epping Forest SAC (6km west of the borough, 9km west of the nearest small village (Navestock Heath) and 13km west of the nearest suburb (Pilgrims Hatch));
- Thames Estuary and Marshes SPA and Ramsar site (8.3km south-east);
- Essex Estuaries SAC (12.4km east);
- Crouch and Roach Estuaries SPA and Ramsar site (12.4km east);
- Benfleet and Southend Marshes SPA and Ramsar site (13.4km south-east); and
- Blackwater Estuary SPA and Ramsar site (19.8km north-east).

3. HRA Task 1: Likely Significant Effects (LSE)

Following evidence gathering, the first stage of any Habitat Regulations Assessment and the purpose of this assessment is a Likely Significant Effect (LSE) test - essentially a risk assessment to decide whether the full subsequent stage known as Appropriate Assessment is required. The essential question is:

"Is the Plan, either alone or in combination with other relevant projects and plans, likely to result in a significant effect upon European sites?"

The objective is to 'screen out' those plans and projects that can, without any detailed appraisal, be said to be unlikely to result in significant adverse effects upon European sites, usually because there is no mechanism for an adverse interaction with European sites.

4. HRA Task 2: Appropriate Assessment (AA)

Where it is determined that a conclusion of 'no likely significant effect' cannot be drawn, the analysis has proceeded to the next stage of HRA known as Appropriate Assessment. Case law has clarified that 'Appropriate Assessment' is not a technical term. In other words, there are no particular technical analyses, or level of technical analysis, that are classified by law as belonging to appropriate assessment rather than determination of likely significant effects. Therefore, it is legal to undertake the fullest level of technical assessment possible and still term the analysis an investigation into likely significant effects. Drawing the line between the studies that belong in the 'likely significant effects' section of analysis and those that belong in the 'appropriate assessment' of the analysis is therefore a judgment to be made by each competent authority. The ultimate legal requirement is that, whether the analysis is termed an investigation into likely significant effects or an appropriate assessment, the analysis supports the conclusion.

5. Consideration of Likely Significant Effects

Recreational pressure

It should be noted, that whilst the Local Plan provides both residential and employment site allocations, these have previously been subject to HRA³. As site allocations remain unchanged, these are not revisited. The HRA enabled all site allocations to be screened out when considered in isolation; however in combination effects required further consideration.

² CLG (2006) Planning for the Protection of European Sites, Consultation Paper.
http://webarchive.nationalarchives.gov.uk/20061101113831/http://www.communities.gov.uk/staging/embedded_object.asp?id=1502353

³ AECOM. (October 2019) Habitats Regulations Assessment of Brentwood Regulation 19 Local Plan

All Local Plan policies were also screened out from resulting in likely significant effects when considered in isolation. This is primarily due to the distances from Brentwood borough boundary and European designated sites. However, the Likely Significant Effects test identified that the following policies, as submitted to the SoS, (further modifications have been made since their submission, which are further discussed in section 7), had the potential to act in combination with neighbouring plans, and result in a Likely Significant Effect in combination which thus required further discussion.

Policies:

- MG01: Managing Growth: This policy allocates 7,752 net new houses during the plan period. It provides for increased recreational pressure as potential linking impact pathway to the Essex Coast European sites.
- HP07: Provision for Gypsies and Travellers. This policy allocates 13 permanent Gypsy and Traveller pitches consisting of 2 existing unauthorised sites with 8 pitches and a minimum of 5 new pitches at Dunton Hills Garden Village over the plan period. It provides for increased recreational pressure as potential linking impact pathway to the Essex Coast European sites.

Air Quality

Due to the large distances involved, it was deemed very unlikely that any individual site allocations (either employment or residential) in Brentwood would affect the integrity of a European site in isolation; however, in combination effects with other plans and projects required further consideration. The following policies could not be dismissed as being unlikely to lead to significant effects 'in combination' as a result of increased atmospheric pollution contributions. Therefore, further discussion took place in the appropriate assessment:

- MG01: Managing Growth: This policy allocates 7,752 net new houses during the plan period. This policy also allocates a total of 46.64 of employment land and 5,000 additional jobs during the plan period. It provides for atmospheric pollution as a linking impact pathway to Epping Forest SAC.
- HP07: Provision for Gypsies and Travellers. This policy allocates 13 permanent Gypsy and Traveller pitches, regularisation of 8 pitches and the incorporation of a minimum of 5 served Gypsy and Traveller pitches during the plan period. This policy also allows those sites with temporary and/or personal permissions to get permanent permission and are to be removed from the green belt. It provides for atmospheric pollution as a linking impact pathway to Epping Forest SAC.
- E11: Brentwood Enterprise Park. This policy allocates a single development site for employment purposes at the Brentwood Enterprise Park. It provides for atmospheric pollution as a linking impact pathway to Epping Forest SAC.
- PC03: Retail and Commercial Leisure Growth. This policy allocates 1,604 square metres (net) of comparison retail floorspace and 4,438 square metres (net) of convenience floorspace within Brentwood Borough. It provides for atmospheric pollution as a linking impact pathway to Epping Forest SAC.

Water Quality

Water from both Ingatestone wastewater treatment works (WwTW) (serves the settlement of Ingatestone) and Doddinghurst WwTW (serves the settlements of Doddinghurst and Kelvedon Hatch) discharges into the River Wid, and ultimately the River Chelmer before flowing into the River Blackwater and the Blackwater Estuary SPA and Ramsar site and the Essex Estuaries SAC more than 19km downstream from the Borough boundary (in a straight line). The features for which these sites are designated are likely to be affected by wastewater discharge to a much smaller extent than other estuarine sites, particularly at distances of more than 19km, with consequent extensive dilution.

It was identified that the Council needed confidence in the deliverability of its housing allocations. In light of the fact that Ingatestone, Doddinghurst, Upminster and Brentwood WwTW's have been modelled to have insufficient capacity to support the planned level of development without technical interventions, it was recommended that the Council liaise with Thames Water and Anglian Water to ensure that development is delivered in locations that can accommodate increased sewage inputs. If upgrades to two WwTW, or novel treatment solutions, were required then the housing trajectory should reflect the need for those upgrades by (for example) avoiding front-loading of growth in the catchments of these WwTWs. This discussion took place and no amendments to the housing trajectory were deemed necessary.

Due to the large distances involved, it is very unlikely that any individual site allocations (either employment or residential) in Brentwood would affect the integrity of a European site in isolation; however, in combination effects with other plans and projects required further consideration. The following policies could not be dismissed as being unlikely to lead to significant effects 'in combination' as a result of potential for water quality impacts. Therefore, further discussion took place in the appropriate assessment:

- **MG01: Managing Growth:** This policy allocates 7,752 net new houses during the plan period. This policy also allocates a total of 46.64 of employment land and 5,000 additional jobs during the plan period. It provides adverse water quality as potential linking impact pathways to the Essex Coast European sites.
- **HP07: Provision for Gypsies and Travellers.** This policy allocates 13 permanent Gypsy and Traveller pitches, regularisation of 8 pitches and the incorporation of a minimum of 5 served Gypsy and Traveller pitches during the plan period. This policy also allows those sites with temporary and/or personal permissions to get permanent permission and are to be removed from the green belt. It provides for adverse water quality as potential linking impact pathways to the Essex Coast European sites.
- **E11: Brentwood Enterprise Park.** This policy allocates a single development site for employment purposes at the Brentwood Enterprise Park. It provides adverse water quality as a potential linking impact pathways to the Essex Coast European sites.
- **PC03: Retail and Commercial Leisure Growth.** This policy allocates 1,604 square metres (net) of comparison retail floorspace and 4,438 square metres (net) of convenience floorspace within Brentwood Borough. It provides adverse water quality as a potential linking impact pathways to the Essex Coast European sites.

6. Findings of Appropriate Assessment

The HRA for the submitted Local Development Plan included both consideration of likely significant effects as summarised above, and an appropriate assessment in combination with other plans and projects, particularly regarding growth in adjacent local authorities' Local Plans. The appropriate assessment concluded no adverse effect on the integrity of Thames Estuary and Marshes SPA and Ramsar site, Crouch and Roach Estuaries SPA and Ramsar site, Benfleet and Southend Marshes SPA and Ramsar site or Blackwater Estuary SPA and Ramsar site through any pathway of impact.

In addition, it concluded that should the measures recommended within the HRA be undertaken for Epping Forest SAC with regards to recreational pressure and air quality and Essex Estuaries SAC with regards to recreational pressure the Brentwood Local Development Plan would have a suitable framework in place to ensure that development delivered would not affect the integrity of any European sites either alone or 'in-combination' with other plans and projects. The conclusion for Epping Forest SAC and Essex Estuaries SAC was based on the following considerations.

Recreational Pressure on Essex Coastal European Sites

It was identified that coastal European sites in Essex are vulnerable to increased recreational pressure. As such Natural England has worked with neighbouring district, borough, and county authorities to devise a strategic mitigation strategy to ensure that the increase in residential development within these authorities does not affect the sensitive European sites. In November 2017, Natural England issued interim advice regarding the 'Essex Recreational Disturbance Avoidance and Mitigation Strategy (RAMS)'. A final version of the strategy was produced in January 2019 and signed off by Natural England in March 2019. A draft SPD resulted from this process which went into public consultation in early 2020.

This work identified core recreational catchments or 'Zone of Influence' (ZoI) for the Essex Coastal sites as follows:

Table 1: The Recreational Zone of Influence for Essex Coastal European Sites

European Site	Zone of Influence (km)	Distance from the Borough Boundary (km)
*Colne Estuary SPA and Ramsar site and the portion of Essex Estuaries SAC that coincides	9.7	>37

* Foulness Estuary SPA and Ramsar and the portion of Essex Estuaries SAC that coincides	13	>27
*Dengie SPA and Ramsar and the portion of Essex Estuaries SAC that coincides	20.8	>35
Thames Estuary and Marshes and SPA	8.1	8.3
*Crouch and Roach Estuaries and SPA and the portion of Essex Estuaries SAC that coincides	4.5	12.4
Benfleet and Southend Marshes and SPA	4.3	13.4
*Blackwater Estuary Ramsar and the portion of Essex Estuaries SAC that coincides	22	19.8

* The Essex Estuaries SAC comprise the Colne Estuary, Blackwater Estuary, Dengie, Crouch and Roach Estuaries and Foulness Estuary and so follow the respective ZOIs throughout

Table 1 identified that two European sites have a recreational ZOI that extends to Brentwood Borough. These are the Blackwater Estuary Ramsar site and SPA (with a Recreational Zone of Influence of 22km) and the portion of the Essex Estuary that coincides with the SPA and Ramsar site (with the same ZOI as the corresponding SPA/Ramsar site; in this case the Blackwater Estuary). Due to the distances involved any potential effect on the remaining Essex Coastal sites discussed in Table 1 could be dismissed.

The Council produced protective policies that safeguard the local environment and the European Sites that lies within catchment of the Brentwood Borough. In the submitted Local Plan, these policies and policy text included:

- NE01: Protecting and Enhancing the Natural Environment:
 - 'A. New residential development within the RAMS Zone of Influence will be subject to proportionate contributions to deliver all mitigation measures identified (including strategic measures) through project level HRAs, to mitigate any recreational disturbance impacts in compliance with the Habitat Regulations and Habitats Directive.*
 - B. *Proposals will need to implement on-site options for avoidance and/or reduction in recreational disturbance impact through sensitive layout and design measures and green and blue infrastructure proportionate to the scale of the development.*
 - C. *The Council will seek appropriate financial contributions towards off-site mitigation as prescribed in the Essex Coastal RAMS mitigation strategy and the Epping Forest RAMS mitigation strategy (as applicable)...*
- NE01: Protecting and Enhancing the Natural Environment:
 - 'A. The Council will support proposals which minimise the use of natural resources and proactively conserve and enhance the quality of the natural environment according to their international, national and local significance, aiming to achieve::..*
 - d habitat and species conservation and enhancement (both statutory and non-statutory, including priority habitats and species) of international, national and local importance commensurate with their status..'*
 - *'C. Development should avoid adverse impact on existing natural heritage assets as a first principle and enable net gains by designing in landscape and biodiversity features and enhancements. Where adverse impacts are unavoidable, they must be adequately and proportionately mitigated in accordance*

with their international, national and local significance. Proposals must demonstrate how they have taken all necessary steps of avoidance, minimisation and then mitigation; if insufficient to fully address adverse impacts, consideration will be given to compensation measures. Following this process, a proposal will only be supported subject to the following hierarchy:

- a. *where a site of international importance, being a Special Area of Conservation (SAC), Special Protection Area (SPA) or Ramsar site, would be affected, there has to be exceptional overriding reasons of human health, public safety or environmental benefit; impact on these international (European) sites will also be subject to Policy NE02...'*

The text of these policies was refined in the Main Modifications process for the Local Plan. The issue of recreational pressure on the Essex Coastal European sites, is thus resolved by the Council's participation in a mitigation strategy and which is reflected in Local Plan policy. This leads to the conclusion that increased recreational pressure stemming from increased residential development provided by the Plan will not affect the integrity of any of the Essex Coastal European sites in combination.

Water Quality within Essex Coastal European Sites

It is ultimately of the responsibility of the competent authority (in this case the Environment Agency) and water company to determine headroom capacities of WwTW such as Ingatestone and Doddinghurst and it is the Environment Agency's Review of Consents process that will ultimately determine whether amended consents can be granted. However, the Council needs confidence in the deliverability of its housing allocations. In light of the fact that Ingatestone, Doddinghurst, Upminster and Brentwood WwTW's have been modelled to have insufficient capacity to support the planned level of development without technical interventions, it was recommended that the Council liaise with Thames Water and Anglian Water to ensure that development is delivered in locations that can accommodate increased sewage inputs. If upgrades to two WwTW, or novel treatment solutions, are required then it was recommended that the housing trajectory should reflect the need for those upgrades by (for example) avoiding front-loading of growth in the catchments of these WwTWs.

To aid this decision, process it is noted that Plan policy provides the following protective policies:

- BE02: Water Efficiency and Management, Criterion 3 (*Previously separate NE06: Flood Risk, and since has had wording refined*) and reiterated by Policy BE05: Sustainable Drainage, Criterion 6:
- *'D. Applications will need to demonstrate that the sewerage provider has been contacted to identify whether the sewerage network has adequate capacity both on and off-site to serve the development and to assess the need to contribute to any additional connections for the development to prevent flooding or pollution of land and water courses.*
- *E Where sewerage capacity is identified as insufficient, development will only be permitted if it is demonstrated that improvements will be completed prior to occupation of the development.'*

It was considered that a conversation between the Council and the relevant water companies is also required at a strategic level. This discussion took place and no amendments to the housing trajectory were deemed necessary. It could therefore be confirmed that no adverse effect on integrity would arise from the Brentwood Local Plan.

Air Quality within Epping Forest SAC

Epping Forest SAC is known to be adversely affected by relatively poor local air quality alongside the roads that traverse the SAC, and this has been demonstrated to have negatively affected the epiphytic lichen communities of the woodland. The nature of the road network around Epping Forest SAC is such that journeys between a number of key settlements around the Forest by car, van or bus effectively necessitate traversing the SAC. Modelling undertaken for the West Essex/East Hertfordshire Housing Market Area (HMA) authorities in 2016 indicated that even on B roads through the SAC vehicle flows are substantial (e.g. a 2014 base case of c.20,000 AADT on the B1393) while the A121 between Wake Arms Roundabout and the M25 had 2014 base flows of 25,000 AADT. Moreover, queues are known to build around most arms of Wake Arms Roundabout, which increases emissions compared to the same volume and composition of free-flowing traffic. In response to this, the HMA Authorities have co-signed a Memorandum of Understanding⁴ (MoU) that identified the need for a mitigation strategy to address potential increases in atmospheric pollution at Epping Forest SAC as a result of planned development. The

⁴ MoU on. Managing the impacts of growth within the West Essex/ East Hertfordshire Housing Market Area on Epping Forest Special Area of Conservation (draft September 2016)

modelling results were published as part of the Epping Forest Local Plan HRA in early 2019. Epping Forest has since devised an interim Air Pollution Mitigation Strategy (APMS).

The modelling clearly indicates that for the key roads through the SAC in Essex projected housing and employment growth arising from outside the HMA plays a negligible contribution in forecast changes in traffic and thus roadside air quality. This is due to the minimal role that the modelled roads play in journeys to work for people resident outside the West Essex/East Herts HMA. Indeed, changes in traffic flows on the modelled roads are overwhelmingly dominated by housing and employment growth in Epping Forest District itself, with even other parts of the same HMA (Harlow, East Herts and Uttlesford) playing a minimal role.

While parts of the SAC also lie within 200m of the A12 and A406 in the London Borough of Waltham Forest, 2011 Census data indicate that only 305 road-based journeys to work currently arising from Brentwood borough are to destinations which *might* involve using those routes i.e., destinations in the London Boroughs of Waltham Forest, Haringey, or Hackney. This is less than 2% of the 17,752 daily journeys to work to other districts that arise from Brentwood and is likely to be considerably less than 1% of all journeys to work for Brentwood residents when one adds in those people who both live and work in Brentwood. In short, routes through Epping Forest SAC play a negligible role in journeys to work for Brentwood residents and there is no reason to expect this pattern to change.

It was therefore considered that a conclusion of no adverse effects on integrity alone or in combination can be reached with regard to the Brentwood Plan.

Recreational Pressure on Epping Forest SAC

Epping Forest SAC receives a great many visits per year (estimated at over 4 million) and discussions with the City of London Corporation have identified long-standing concerns about increasing recreational use of the Forest resulting in damage to its interest features. A programme of detailed formal visitor surveys has been undertaken in recent years. A 2011 visitor survey report⁵ identified that those living within 2km of the edge of the Forest comprise at least 95% of all visitors. However, further analysis of these data was undertaken by Footprint Ecology in September 2016⁶. This further analysis identified that, although the scale of the data was substantial (in 2014 alone almost 900 questionnaires were returned) the catchment appeared to be larger than suggested by previous reports. A new survey was therefore undertaken in late 2017 and this identified that 75% of visitors live within 6.2km of the SAC, although visitor origin is not evenly distributed around the SAC; in Essex the major points of visitor origin are within 3km of the SAC, while in London the points of visitor origin are much more dispersed.

As such it is this distance of 6.2km from Epping Forest SAC site boundary that is considered to be the recreational Zone of Influence (Zoi). Brentwood borough just clips this zone (as noted in the Natural England advice); however, the area within the 6.2km Zoi is (from review of freely available online imagery and mapping) woodland and arable farmland located in a rural setting and is highly unlikely to receive net new residential development (as opposed to replacement dwellings) within the Plan period; certainly, none is allocated.

The nearest area that *might* receive a very small net increase in dwellings during the plan period due to (for example) windfall is Navestock Heath but this is a very small village and is situated well outside the 6.2km zone, being 9km from the SAC at its closest. The nearest suburban or urban area to the SAC (most likely to receive net new housing) is Pilgrims Hatch located 13km from the SAC. It is therefore concluded that recreational pressure on Epping Forest SAC is not a realistic linking impact pathway linking to the Brentwood Plan. In the event that the 6.2km core recreational catchment of the SAC changes sufficiently to include settlements in Brentwood following update visitor surveys currently being undertaken, this eventuality is already covered by NE01 Protecting and Enhancing the Natural Environment (*Previously separate Policy NE02: Recreational Disturbance Avoidance and Mitigation Strategy (RAMS)*), which includes the statement that '*The Council will seek appropriate financial contributions towards off-site mitigation as prescribed in the Essex Coastal RAMS mitigation strategy and the Epping Forest RAMS mitigation strategy (as applicable)*

It is therefore considered that a conclusion of no adverse effects on integrity alone or in combination can be reached with regard to the Brentwood Plan because the 6.2km core catchment of the SAC only clips a small part of Brentwood where no allocations are proposed and little if any development is likely to come forward.

⁵ Alison Millward Associates. 2011. Epping Forest Visitor Survey 2011: Results Summary

⁶ Footprint Ecology (2016). Initial review of current visitor data for Epping Forest

7. Main Modifications

Following the Examination into the Brentwood Local Plan the Inspector recommended a series of Main and Minor Modifications to be made to the Plan. It was therefore necessary for those modifications to be analysed in order to confirm that they will not themselves introduce new likely significant effects that were not thoroughly investigated for the HRA of the submitted Local Plan.

In particular Main Modification 74 involved the creation of a new Policy NE01 which included the following text regarding European sites:

'B. When determining planning applications, the council will apply the principles relevant to habitats and biodiversity as set out in National Planning Policy.

International Designated Sites

C. Where a proposed development is likely to have an adverse impact on European Designated Site (whether individually or in combination with other plans or proposals) permission will not be granted unless there is due compliance with the requirements of the Habitats Regulations.

D. New residential development within the Essex RAMS and Epping Forest SAC Zones of Influence will be required to provide appropriate on-site measures for the avoidance of, and/or reduction in, recreational disturbance on European Designated Sites through the incorporation of recreational opportunities, including the provision of green space and footpaths in the proposals. Proposals will be required to follow the mitigation hierarchy by seeking to avoid creating recreational impacts first and foremost, with mitigation measures considered separately to avoidance'.

Further explanatory text was also added to the supporting text for this policy.

Following the analysis of the Main and Minor Modification it was concluded that they will not lead to likely significant effects on European sites and do not undermine the conclusions of the HRA of the Local Development Plan. Indeed, some of the changes strengthen and reinforce the conclusions of that HRA that the Local Development Plan will not have adverse effects on the integrity of any European sites.

The four issues relevant to the Plan included:

- Recreational pressure on the Essex Coastal European sites, which is resolved by the Council's participation in a mitigation strategy, and which is reflected in Local Plan policy;
- Water quality issues on the Essex Coastal European sites, which is resolved by a conversation between the Council and the relevant water companies required at a strategic level to determine headroom capacities of WwTW;
- Air quality issues on Epping Forest SAC, which are dismissed for the reason that routes through Epping Forest SAC play a negligible role in journeys to work for Brentwood residents and there is no reason to expect this pattern to change; and
- Recreational pressure on Epping Forest SAC, which are dismissed because the 6.2km core catchment of the SAC only clips a small part of Brentwood where no allocations are proposed and little if any development is likely to come forward.

The Main Modifications HRA concluded that while the number of dwellings allocated in several sites has increased, this has no negative HRA implications because individual sites are screened out due to the long distances to the relevant European sites. Given the overall quantum of growth remains unchanged, the in-combination Appropriate Assessment undertaken for the Regulation 19 Local Plan can continue to be relied upon.

8. Conclusion

In conclusion therefore the Brentwood Local Plan, as modified, meets its legal requirements in ensuring that no adverse effect on the integrity of any European sites will arise from its adoption, either alone or in combination with other plans or projects.

