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**Rochford District Council**

**Outline Planning Application  
14/00813/OUT**

**Development of Land between  
Windermere Avenue, Lower Road and  
off Malyons Lane, Hullbridge**

**Habitats Regulations Assessment  
Report**

**May 2016**

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# Habitats Regulations Assessment Report

## Outline Planning Application 14/00813/OUT

<i>date:</i>	May 2016	
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## 1.0 INTRODUCTION

### Background

- 1.1 This report is the Habitats Regulations Assessment (HRA) for the outline development application 14/00813/OUT for development of Land between Windermere Avenue, Lower Road and off Malyons Lane, Hullbridge. It has been prepared by Enfusion Limited for Rochford District Council in accordance with the requirements of the Conservation of Habitats and Species Regulations 2010 (as amended) (hereinafter referred to as the Habitats Regulations).
- 1.2 Planning application **14/00813/OUT** is for the development of 500 Dwellings together with associated access, car parking, landscaping, open space, and related works. The site is within close proximity to the Crouch and Roach Estuaries Special Protection Area (SPA) and Ramsar site, and the Essex Estuaries Special Area of Conservation (SAC). Natural England (NE) have advised that further information was required in order for the Council, as the competent authority under the Habitats Regulations, to conclude that the proposed development is unlikely to have a significant effect<sup>1</sup>. Natural England (NE) recommended that an Appropriate Assessment (AA) be carried out to determine the likelihood of any adverse effects on the European site.

### Purpose and Structure of Report

- 1.3 The purpose of this report is to fulfil Rochford District Council's duties as the 'competent authority' under the Habitats Regulations by demonstrating if the outline planning application is likely to have a significant effect on any European sites. It takes into account advice from Natural England, the information provided by the Project's proponent as well as wider evidence where necessary.
- 1.4 Following this introductory section the report is organised into the following sections:
- **Section 2** summarises the requirement for HRA, background to the development proposal and consultation with Natural England.
  - **Section 3** outlines the findings of the screening and Appropriate Assessment.
  - **Section 4** summarises the findings of the HRA and any next steps.

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<sup>1</sup> Letter from Natural England (Phil Sturges) to Rochford District Council (Mike Stranks) dated 30 January 2015.

## 2.0 HABITATS REGULATIONS ASSESSMENT (HRA) AND THE PLAN

### Requirement for Habitats Regulations Assessment

- 2.1 The Conservation of Habitats and Species Regulations 2010 (as amended) [the Habitats Regulations] require that HRA is undertaken where a plan or project:
- Is likely to have a significant effect on a European site (either alone or in combination with other plans or projects); and
  - Is not directly connected with or necessary to the management of the site<sup>2</sup>.
- 2.2 The aim of the HRA process is to assess the potential effects arising from a plan or project against the conservation objectives of any site designated for its nature conservation importance.
- 2.3 The Habitats Regulations transpose the requirements of the European Directive (92/43/EEC) on the Conservation of Natural Habitats and Wild Flora and Fauna [the Habitats Directive] which aims to protect habitats and species of European nature conservation importance. The Directive establishes a network of internationally important sites designated for their ecological status. These are referred to as Natura 2000 sites or European Sites, and comprise Special Areas of Conservation (SACs) and Special Protection Areas (SPAs) which are designated under European Directive (2009/147/EC) on the conservation of wild birds [the Birds Directive]. In addition, Government guidance also requires that Ramsar sites (which support internationally important wetland habitats and are listed under the Convention on Wetlands of International Importance [Ramsar Convention]) are included within the HRA process as required by the Regulations.
- 2.4 The process of HRA is based on the precautionary principle and evidence should be presented to allow a determination of whether the impacts of a plan or project, when considered in combination with the effects of other plans and projects against the conservation objectives of a European Site; would adversely affect the integrity of that site. Where effects are considered uncertain, the potential for adverse impacts should be assumed. Based on an AA, Competent Authorities shall agree to a plan or project only after having ascertained that it will not adversely affect the integrity of the site concerned.

### Guidance and Good Practice

- 2.5 The key relevant guidance for project-level HRA is the European Commission guidance 'The Assessment of plans and projects significantly affecting Natura 2000 sites - methodological guidance on

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<sup>2</sup> Regulation 61 of the Conservation of Habitats and Species Regulations 2010 (as amended 2011)

the provisions of Article 6 (3) and (4) of the Habitats Directive 92/43/EEC<sup>3</sup>. It should also be noted that the Department for Environment and Rural Affairs (Defra) also published core guidance for developers, regulators & land/marine managers in December 2012.

- 2.6 The EC guidance recommends 4 key stages be followed in carrying out HRA of plans and projects:
- **Stage 1:** Screening for Likely Significant Effect
  - **Stage 2:** Appropriate Assessment
  - **Stage 3:** Assessment of alternative solutions
  - **Stage 4:** Assessment where no alternative solutions exist and where adverse effects remain.
- 2.7 In good practice HRA, both alternative solutions and avoidance/mitigation measures are considered in stage 3. If measures cannot be taken to remove adverse effects on site integrity then stage 4 should be carried out, to consider Imperative Reasons of Overriding Public Interest (IROPI) for why the plan should proceed. IROPI is only likely to be justified in a very limited set of circumstances and must be accompanied by agreed, deliverable compensation measures for the habitats and species affected. For this reason the IROPI stage is not detailed further in this report.
- 2.8 The approach taken for this HRA follows the method set out in guidance documents and is informed by recent good practice examples. The key stages of the HRA process overall, and the specific tasks undertaken for each stage are set out in **Table 2.1**.

**Table 2.1: Habitats Regulations Assessment: Key Stages**

Stages	Habitats Regulations Assessment
<b>Stage 1: Screening for Likely significant Effects</b>	1. Identify European sites in and around the plan area.
	2. Examine the conservation objectives of each interest feature of the European site(s) potentially affected.
	3. Analyse the policy/ plan and the changes to environmental conditions that may occur as a result of the plan. Consider the extent of the effects on European sites (magnitude, duration, and location) based on best available information.
	4. Examine other plans and programmes that could contribute (cumulatively) to identified impacts/ effects.
	5. Produce screening assessment based on evidence gathered and consult statutory nature conservation body on findings.
	6. If effects are judged likely or uncertainty exists – the precautionary principle applies proceed to <b>Stage 2</b> .
<b>Stage 2: Appropriate Assessment</b>	1. Agree scope and method of Appropriate Assessment with statutory nature conservation body.
	2. Collate all relevant information and evaluate potential impacts on site(s) in light of conservation objectives.
<b>Stage 3: Mitigation</b>	1. Consider how effect on integrity of site(s) could be avoided by changes to plan and the consideration of alternatives (e.g.

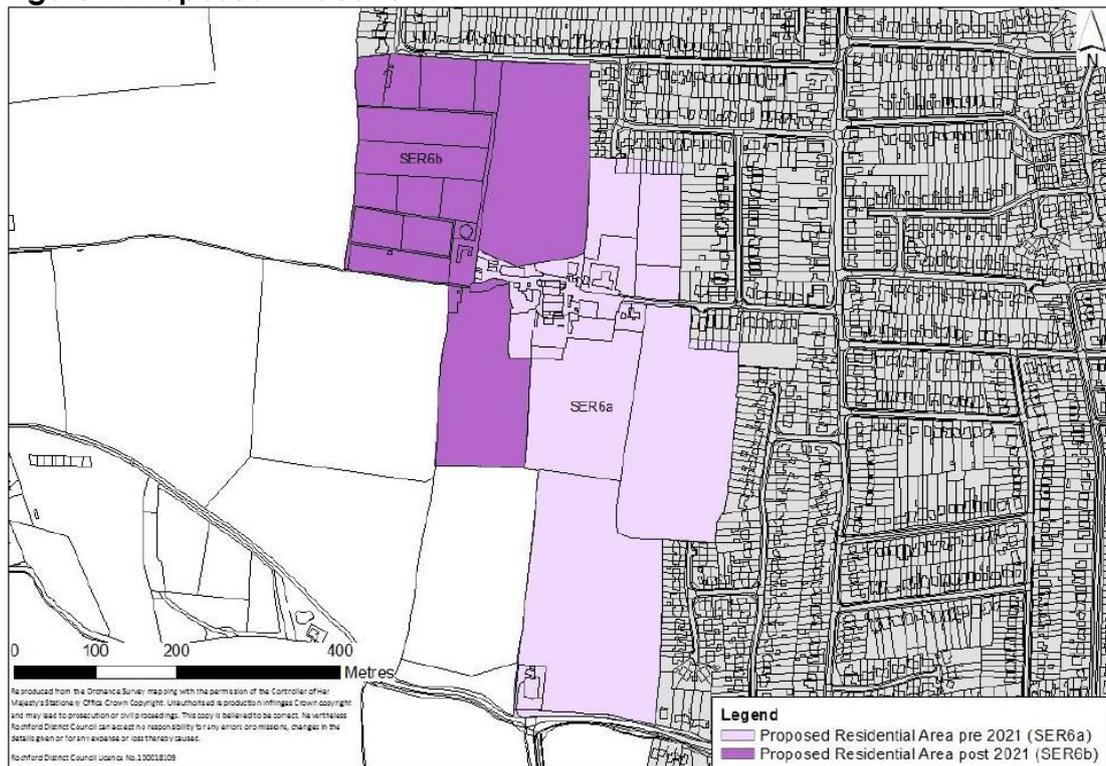
<sup>3</sup> European Commission Environment DG November 2001.

Stages	Habitats Regulations Assessment
Measures and Alternatives Assessment	an alternative policy/ spatial location). Develop mitigation measures (including timescale and mechanisms for delivery).
	2. Prepare HRA/ AA report and consult statutory body.
	3. Finalise HRA/AA report in line with statutory advice to accompany plan for wider consultation.

**The Development Proposal: Outline Planning Application 14/00813/OUT**

- 2.9 Planning application **14/00813/OUT** is for the development of 500 Dwellings together with associated access, car parking, landscaping, open space, and related works on land to the west of Hullbridge.
- 2.10 The application site was first identified within the Rochford Core Strategy adopted in 2011 within policy H2 allocating 250 dwellings 2015 to 2021, with policy H3 identifying a further 250 dwellings post-2021. The subsequent Site Allocations DPD (adopted 2014) identified the application under Policy SER6 for 500 dwellings in 2 phases as shown in figure 1 below:

**Figure 1: Proposed Allocation**



Source: Rochford District Council adopted Site Allocations DPD

- 2.11 The application site boundary is consistent with the allocation boundary above, with the exception of a very small area to the North West, which has been included in any case with the Illustrative Master Plan. A map showing the boundary of the development proposal in relation to the European sites is presented in Appendix I.

- 2.12 The site is located 0.5km south of the Crouch and Roach Estuaries (Mid-Essex Coast Phase 3) Special Protection Area (SPA) & Ramsar Site; Essex Estuaries Special Area of Conservation (SAC) and Crouch and Roach Estuaries Site of Special Scientific Interest (SSSI), which forms part of the European sites. The land proposed for development includes such habitats as improved & semi-improved grassland, hedgerows; standard trees and a farmstead<sup>4</sup>.
- 2.13 It should be noted that this proposed development site was considered through the HRA processes for both the adopted Core Strategy and Site Allocations DPD. The HRAs found that there was not likely to be a significant effects on any European sites either alone or in combination. The findings of this work were subject to consultation with NE. It should also be noted that the application site was subject to a screening request under the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations in April 2014, with Rochford District Council determining that the proposed development is not considered to be likely to have any significant environmental affects and accordingly that EIA will not be required.

### **Consultation**

- 2.14 NE was consulted on the outline planning application in December 2014 and advised within their response that further information was required in order for the Council, as the competent authority under the Habitats Regulations, to conclude that the proposed development is unlikely to have a significant effect. NE advised that an Appropriate Assessment (AA) is required to determine the likelihood of any adverse effects on European sites<sup>5</sup>.
- 2.15 A Draft HRA Report was sent to NE for consultation in April 2016. The comments received and how they have been taken into account are presented in Appendix III.

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<sup>4</sup> James Blake Consultancy Services (JBA) Ltd. 2014. Biodiversity Survey of Land to the south west of Hullbridge. Report Revision B, October 2014.

<sup>5</sup> Letter from Natural England (Phil Sturges) to Rochford District Council (Mike Stranks) dated 30 January 2015.

### 3.0 HABITATS REGULATIONS ASSESSMENT

#### HRA Stage 1: Screening

- 3.1 As detailed in Section 2, Table 2.1, HRA typically involves a number of stages. The aim of the screening stage is to assess in broad terms whether the proposals are likely to have a significant effect on a European site(s), and whether in the light of available avoidance and mitigation measures, an Appropriate Assessment (AA) is necessary.
- 3.2 NE's has advised that the proposal is likely to have a significant effect on the Crouch and Roach Estuaries PSA and Ramsar site and therefore an Appropriate Assessment is required<sup>6</sup>. NE advised that there is the potential for likely significant effects as the proposal is likely to generate disturbance to the over-wintering birds of the SPA and Ramsar sites. The proposal may also generate disturbance impacts (such as noise, lighting, etc.) from within the site.
- 3.3 It should be noted that NE also referred to the Essex Estuaries SAC given its proximity to the proposed development site. However, this was not in the context of there being the potential likely significant effects. The SAC is designated because of the saltmarsh and mudflat habitat that can be found within the designation. However, the saltmarsh and mudflat habitat within the section of the River Crouch that flows past and near to the proposed development, is only comprised of small marginal areas of saltmarsh and mudflat, which represent a small percentage of the whole designation (estimated at 1% of the available habitat within the SAC). The land adjacent to the proposed development is comprised of agricultural land, which is located outside the boundary of the designation. Taking this into account, along with the representation from NE, the Essex Estuaries SAC has been scoped out from further consideration within this HRA as development is not considered likely to have a significant effect.

#### ***Characteristics of the Crouch and Roach SPA & Ramsar site***

- 3.4 The Crouch and Roach Estuaries are located on the coast of south Essex in eastern England. The River Crouch occupies a shallow valley between two ridges of London Clay, whilst the River Roach is set predominantly between areas of brick earth and loams with patches of sand and gravel. The intertidal zone along the Rivers Crouch and Roach is 'squeezed' between the sea walls along both banks and the river channel. Unlike more extensive estuaries elsewhere in Essex, this leaves a relatively narrow strip of tidal mud which, nonetheless, is used by significant numbers of birds. The site is of importance for wintering waterbirds, especially Dark-bellied Brent Goose. The Crouch and Roach Estuary is an integral component of the phased Mid-Essex Coast SPA and Essex Estuaries SAC.

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<sup>6</sup> Ibid.

### Designated Features

- 3.5 The designated features under the SPA are as follows:
- Over winter the area regularly supports (Article 4.1):
    - *Circus cyaneus* 2.5% of the population in GB
  - Over winter the area regularly supports (Article 4.2):
    - *Branta bernicla bernicla* 1% of the population in GB
  - Article 4.2 Qualification: An internationally important assemblage of birds:
    - Over winter the area regularly supports 18,607 waterfowl.
- 3.6 The designated features under the Ramsar site are as follows:
- **Ramsar criterion 2** - Supports an appreciable assemblage of rare, vulnerable or endangered species or subspecies of plant and animal including 13 nationally scarce plant species.
  - **Ramsar criterion 5** - Assemblages of international importance: Species with peak counts in winter: 16,970 waterfowl (5 year peak mean 1998/99-2002/2003)
  - **Ramsar criterion 6** - Qualifying Species/populations (as identified at designation): Species with peak counts in winter: Dark-bellied brent goose (*Branta bernicla bernicla*) 2,103 individuals, representing an average of 2.1% of the GB population (5 year peak mean 1998/9-2002/3)

### Conservation Objectives

The Conservation objectives for the SAC and SPA are as follows<sup>7</sup>:

'With regard to the SPA and the individual species and/or assemblage of species for which the site has been classified (the 'Qualifying Features' listed below), and subject to natural change;

**Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the aims of the Wild Birds Directive, by maintaining or restoring;**

- **The extent and distribution of the habitats of the qualifying features**
- **The structure and function of the habitats of the qualifying features**
- **The supporting processes on which the habitats of the qualifying features rely**
- **The population of each of the qualifying features, and,**
- **The distribution of the qualifying features within the site'.**

### Screening Opinion

- 3.7 Based on NE advice<sup>8</sup>, the HRAs for the adopted Core Strategy and Site Allocations DPDs, the development proposed and European site

<sup>7</sup> Natural England – European Site Conservation Objectives for Crouch and Roach Estuaries (Mid-Essex Coast Phase 3) Special Protection Area.

<sup>8</sup> Letter from Natural England (Phil Sturges) to Rochford District Council (Mike Stranks) dated 30 January 2015.

information available, it is considered that there is the potential for likely significant effects on the Crouch and Roach Estuaries SPA and Ramsar site as a result of the following:

- **Habitat Loss** - development has the potential to result in the loss of important supporting habitats outside the European site.
- **Disturbance** - development could generate disturbance, in particular additional recreational disturbance, to the over-wintering birds on the European site itself.

3.8 As a result a Stage 2 Appropriate Assessment has been undertaken to consider the potential effects identified above on the Crouch and Roach Estuaries SPA and Ramsar site.

### **HRA Stage 2: Appropriate Assessment**

3.9 This stage of the HRA process considers if the likely significant effects on European Sites identified through the first screening stage have the potential to adversely affect European site integrity. The likely significant effects identified through the screening stage above are investigated in further detail below.

#### **Habitat Loss**

3.10 The proposed development is not located immediately adjacent to the European sites, and will not result in the direct loss of their associated habitats. The majority of the habitat to be lost, as part of the development, is comprised of improved and semi-improved grassland fields<sup>9</sup>. It has been well documented that Brent Geese utilise grassland fields to varying degrees through the winter months, to supplement their dietary needs when their coastal food becomes depleted in the later months of winter i.e. *Zostera sp.* (Owens, 1977)<sup>10</sup>. However, the grassland fields to be lost are located adjacent to the current Hullbridge town boundary and as such the utilisation of these fields, by large numbers of Brent Geese, would be unlikely given their proximity to the existing development causing restricted views (for the birds) and increased disturbance (Lighting, noise, movement from people and vehicles etc.).

3.11 It was evident from a review of the Winter Bird Survey conducted by Essex Ecology Services Limited at the Hayes Farm Caravan Park, Battlesbridge (conducted along the northern bank of the River Crouch) between December 2011 and February 2012 that the sections of the River Crouch located adjacent to Hullbridge do not support large numbers of Brent Geese<sup>11</sup>. In fact the survey did not record any bird

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<sup>9</sup> James Blake Consultancy Services (JBA) Ltd. 2014. Biodiversity Survey of Land to the south west of Hullbridge. Report Revision B, October 2014.

<sup>10</sup> Owens, N. W. 1977 – Responses of wintering Brent Geese to human disturbance. *Wildfowl* 28 (1977): 5-14

<sup>11</sup> Essex Ecology Services Ltd (EECOS). 2012. Hayes Farm Caravan Park, Battlesbridge. Winter Bird Survey. April 2012.

species occurring in internationally or nationally important numbers. A plan showing the area surveyed as part of the 2012 EECOS study is included as Appendix II - this shows that the survey area incorporates the estuary and banks north of Hullbridge.

- 3.12 In total only two records of Brent Geese were recorded during the EECOS surveys. The first being a single bird located west of the caravan park in December, whilst the second was a group of 38 birds that flew in from fields located north of the River Crouch onto a section of river located north east of Hullbridge. These birds only stayed for a short period of time before returning to the fields in the north where they came from. The section of the River Crouch that was surveyed included the area that is in closest proximity to the proposed development, located 0.5km north east of site, which is the area of relevance to this assessment (see extracted location map, Appendix II).
- 3.13 It is evident from the available baseline information (e.g. JBA 2014, EECOS 2012, aerial images) that this section of the Crouch and Roach Estuaries designations has limited intertidal habitat (1% (18 hectares) of the entire SPA (1,735 hectares) referenced in EECOS 2012) with relatively narrow margins of saltmarsh and exposed intertidal mudflats on low tide. The resources available to the wintering birds (associated with the designations) to exploit, along this stretch of river are far less, and as such this translated to smaller numbers of these birds observed during the 2012 survey. Owens (1977) identified that the Crouch estuary's restricted views and greater 'edge effect', caused by a smaller feeding area, also explained why the Brent Geese population was fewer in this area.
- 3.14 The EECOS 2012 report also identified that the Low tide count data included in *Waterbirds in the UK* for 2004/05 & 2009/10 showed that the majority of the Brent Goose activity in the Crouch and Roach Estuaries was focussed around Foulness Island, North Fambridge and the Blue House Farm Essex Wildlife Trust reserve. The wintering bird surveys (EECOS, 2012) and Low Tide Data also identified that the majority of the records of Hen Harrier within the SPA designation were associated with a roost in Foulness Island and occasional sightings in Blue House Farm on Wallasea Island. The River Crouch and area surrounding the development did not possess habitat that was deemed particularly suitable for Hen Harrier and they were not recorded during the wintering survey (EECOS, 2012) and were not considered to be limiting factor with regards developments in the area. The Low Tide Data also identified that the majority of wintering bird species, with the majority of the significant bird numbers located on other locations within the designations.
- 3.15 Taking the above into account, it is concluded that the proposed development will not result in the loss of any important supporting habitats for the designated bird species and will therefore not have an adverse effect on the integrity of the Crouch and Roach Estuaries SAC as a result of habitat loss.

### **Disturbance**

- 3.16 It is predicted that the construction of 500 new dwellings will result in approximately 1,200 new residents (based on occupancy of 2.4 per dwelling) within the Hullbridge area. Therefore, the proposed development at this site is likely to increase the population of Hullbridge from 6,527<sup>12</sup> to 7,727, if all 500 homes are built. Research estimates that 46% of UK households own pets. Of these 24% own dogs and 17% own cats<sup>13</sup>. We therefore assume that of the 500 new homes, 230 (46%) are likely to own a pet. Based on the previous estimates it is therefore assumed that of the 230 pet owning households, 55 will own a dog and 39 will own a cat.
- 3.17 It should be noted that in response to the Draft HRA Report, NE stated that the number of additional dogs as a result of proposed development is likely to be higher as the figures above do not take into account that a significant proportion of dog-owning households will actually own more than one dog. Based on information from the 2011 Census and a RSPCA Report NE suggest that the number of additional dogs is likely to be closer to around 170. However, it is important to note that the general disturbance activity does not increase proportionally, as the householder will walk the dogs simultaneously often equating to a single disturbance event.
- 3.18 While there is likely to be an increase in recreational activity, such as walking, jogging, dog walking etc, the statistics show that there is only likely to be a minimal increase in the number of dog walkers. Event aking account of the higher figure of potential additional dogs proposed by NE. There is a greater uncertainty with regard to the potential increase in the number of walkers or joggers; however, this is not considered to be of significance. It is acknowledged that a proportion of this increase could utilise the existing public footpath which runs along the southern bank on the River Crouch. However, it is important to note that Hullbridge residents currently cause frequent and regular disturbance along the southern bank, as noted during the Hayes Farm Caravan Park Winter Bird Survey (EECOS, 2012).
- 3.19 The new residents to the area will not significantly increase the disturbance to the southern bank given the intensity of its current use by Hullbridge residents (including using/maintaining boats moored in the river channel), and the estimated increase in footfall detailed above. The close proximity of the southern bank walkway to the marginal saltmarsh and mudflats and the relatively small area of these habitats (estimated at 1% of the available habitat within the SPA) already limits the viable foraging habitat available to geese due to the least amount of human activity causing disturbance to adjacent birds, and this impart reflects the carrying capacity of wintering birds. Any

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<sup>12</sup> Based on the Office for National Statistics 2011 Census data.

<sup>13</sup> Pet Food Manufacturers' Association: <http://www.pfma.org.uk/statistics/>

additional increase in human activity will not significantly increase the disturbance on the birds.

- 3.20 The additional footfall created by the new residents will not necessarily impact the exposed southern bank of the River Crouch, with no direct public access from the development site to the river bank walkway located to the east of Hullbridge; and green/public open spaces incorporated into the development masterplan. The natural progression of any residents from the development site, seeking to pursue a recreational activity (walking, running etc.), would currently be past the Kendal Park Local Nature Reserve (LNR), which would provide an alternative leisure resource, alleviating some of the visible human disturbance along the southern bank of the River Crouch. It is also important to note that there is a significant level of green and public open space being provided as part of the development (22.38 ha). A large area of flexible public open space is being provided in the north west of the site and there are links/connections from this area to the majority of other GI and open space being provided as part of development.
- 3.21 The increased recreational disturbance along the southern bank will not be a constant occurrence during the winter months, due to the weather and short daylight hours being limiting factors. The phased progression of the low tide period will also be offset by the available daylight hours. It also important to note that the development will be phased with 250 dwellings being delivered before 2021 and the remaining 250 after this date. This will help to reduce the potential significance of increased recreational activity as a result of the proposed development.
- 3.22 As described in the previous paragraphs, there are no significant numbers of geese and/or key species recorded utilising this area of the designations; and the increase in human disturbance will be limited due to a number of factors. No public access is proposed to the agricultural fields north west of the application site maintaining these areas for occasional foraging for birds. Owens (1977) describes how geese utilise these inland habitats as their natural food sources on the estuaries become depleted and how smaller flocks become more tolerant of human disturbance when energy requirements exceed disturbance responses and they become habituated to the perceived threats. This is particularly true for the smaller groups of geese, which have been recorded utilising the area. Any increase in disturbance within the latter months of the winter can be compensated in part by the utilisation of alternative grassland fields within the area, and adopting nocturnal feeding behaviour as is common in the species within the latter part of the winter season.
- 3.23 Taking the above into account, it is concluded that proposed development will not have an adverse effect on the integrity of the Crouch and Roach Estuaries SAC as a result of increased disturbance. **However, in order to address representations from NE, it is**

recommended that the Council should apply a planning condition to secure the detailed design of the on-site green infrastructure, to ensure that opportunities are taken to design-in circular walks / dog-walking routes and associated facilities as an alternative to walking along the SPA / Ramsar site.

### ***In combination Effects***

- 3.24 In their response to the outline application in January 2015, NE referred to an application on the opposite side of the estuary to the north-west in Chelmsford City Borough that could potentially have in combination effects with development proposed as part of the application being considered through this HRA. Hayes Leisure Park applied for extended winter occupancy of caravans (14/00722/FUL). The application was supported by a winter bird survey (April 2012).
- 3.25 The in combination effect of the proposed Hullbridge development and the extended occupancy of the Hayes Farm Caravan Park, through the winter months, will potentially increase the human activity disturbance along the River Crouch. However, the combined increase in disturbance is not considered to be of significance, due to the relative few occupants within the caravan park utilising the extension in residency within the winter months, the availability of alternative public open space in close proximity to the Hullbridge site and the relatively small numbers of birds recorded within this part of the estuary.
- 3.26 It is therefore concluded that the proposed development will not have adverse in combination effects on the Crouch and Roach Estuaries SAC and Ramsar site.

## 4.0 HRA CONCLUSIONS

- 4.1 NE was consulted on the outline planning application in December 2014 and advised within their response that further information was required in order for the Council, as the competent authority under the Habitats Regulations, to conclude that the proposed development is unlikely to have a significant effect. NE advised that an Appropriate Assessment (AA) was required to determine the likelihood of any adverse effects on European sites<sup>14</sup>.
- 4.2 Based on existing evidence along with NE's response (Jan 2015) it was determined that there was the potential for likely significant effects on the Crouch and Roach Estuaries SPA and Ramsar site as a result of habitat loss (off the European sites) and increased disturbance to the designated bird species (both on and off the European sites).
- 4.3 An Appropriate Assessment was carried out to consider the potential likely significant effects in more detail. The assessment found the following:
- Evidence suggests that the sections of the River Crouch located adjacent to Hullbridge do not support large numbers of bird species designated under the SPA and Ramsar site;
  - Proposed development will not result in the loss of any important supporting habitats for the designated bird species under the SPA and Ramsar site;
  - There is limited intertidal habitat (1% (18 hectares) of the entire SPA (1,735 hectares)) to the north of Hullbridge with relatively narrow margins of saltmarsh and exposed intertidal mudflats on low tide;
  - The level of increased recreation as a result of proposed development is unlikely to be of significance;
  - Evidence suggests that Hullbridge residents currently cause frequent and regular disturbance along the southern bank;
  - The close proximity of the southern bank walkway to the marginal saltmarsh and mudflats and the relatively small area of these habitats (estimated at 1% of the available habitat within the SPA) already limits the viable foraging habitat available to geese due to the least amount of human activity causing disturbance to adjacent birds, and this in part reflects the carrying capacity of wintering birds.
  - There will be no direct public access from the development to the river bank walkway or to the agricultural fields north west of the application site maintaining these areas for occasional foraging for birds;
  - There is a significant level of green and public open space being provided as part of the development (22.38 ha);
  - Development will be phased with half of the dwellings delivered post 2021.

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<sup>14</sup> Letter from Natural England (Phil Sturges) to Rochford District Council (Mike Stranks) dated 30 January 2015.

- 4.4 Taking the above into account the assessment concluded that the proposed development alone will not have adverse effects on the integrity of the Crouch and Roach Estuaries SPA and Ramsar site as a result of habitat loss or increased disturbance. In order to address representations from NE, the HRA recommended that the Council should apply a planning condition to secure the detailed design of the on-site green infrastructure, to ensure that opportunities are taken to design-in circular walks / dog-walking routes and associated facilities as an alternative to walking along the SPA / Ramsar site.
- 4.5 In their response to the outline application in January 2015, NE referred to an application on the opposite side of the estuary to the north-west in Chelmsford City Borough that could potentially have in combination effects with development proposed as part of the application being considered through this HRA. The Appropriate Assessment found that the combined increase in disturbance is not likely to be of significance, due to the relative few occupants within the caravan park utilising the extension in residency within the winter months, the availability of alternative public open space in close proximity to the Hullbridge site and the relatively small numbers of birds recorded within this part of the estuary.
- 4.6 This HRA (AA) Report has been informed by representations from the statutory nature conservation body NE.