

58. Appendix 6 - Baseline In-combination Assessment



SALISBURY
District Council

Planning & Regulatory Panel

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Agenda Item

to sign off. today to J

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1. Purpose of Report.

To consider the impacts that a number of major development proposals may have upon the health and integrity of the River Avon.

In particular, to determine whether the identified proposals would "alone or in combination" would be likely to have a significant effect upon the features for which the River has been designated as a candidate Special Area of Conservation (cSAC) under "The Conservation (Natural Habitats & c) Regulations 1994."

2. Background.

The River Avon and its major tributaries, the Bourne, Till, Wylfe, Nadder and Dockens Water was recommended as an eligible cSAC site in 1998 because it contains a high diversity of habitat types and species which are of European importance given that they are either rare or threatened within this wider context.

The species of European importance are:

- Atlantic Salmon, (*Salmo salar*)
- Bullhead, (*Cottus gobio*) for which the **River Avon catchment is considered to be one of the best areas in the United Kingdom,**
- Brook lamprey (*Lampetra planeri*) a small, jawless, eel like freshwater fish, for which the **River Avon catchment is considered to be one of the best areas in the United Kingdom,**
- Sea Lamprey (*Petromyzon marinus*) The largest lamprey found in the UK. Inhabits coastal waters and spawns in rivers. **The River Avon catchment is considered to be one of the best areas in the United Kingdom,** although not in the upper reaches of the River Avon.
- Desmoulin's whorl snail (*Vertigo moulinsiana*) a small snail usually found in long established environments bordering lowland rivers and lakes. Is occurs in scattered sites between the Norfolk Broads and Dorset. Within Europe, only England and Ireland have reasonable populations. **The River Avon catchment is considered to be one of the best areas in the United Kingdom,**
- Flowing water vegetation (*Ranunculon fluitantis & Callitriche-Batrachion*) Watercourses dominated by water-crowfoot species reflecting a relatively unpolluted water. **The River Avon catchment is considered to be one of the best areas in the United Kingdom.**

Within the River Avon catchment key issues to impact upon the river's condition include:

1. Land drainage,
2. Diffuse pollution from agriculture,
3. Development proposals (both construction phase and operation),
4. Abstraction levels,
5. Foul drainage treatment and discharge.

Of these, points 3 – 5 will be particularly relevant to the Local Planning Authority dealing with applications, commenting upon County Council schemes or responding to Central government proposals.

3. Salisbury District Council's responsibilities within "The Conservation (Natural Habitats & C) Regulations 1994."

Firstly, it is important to recognise that the "Habitat Regulations" do not form an integral part of the planning decision making process. The Regulations exist to protect the conservation objectives behind the cSAC's designation.

Whether or not a site has a local plan allocation is therefore not relevant to determining its acceptability within the provisions of the Habitat Regulations.

The Regulation sets out the responsibilities of Local Planning Authorities and other relevant public bodies under Regulations 48 – 51

Regulation 48 confirms that:

"A competent authority *, before undertaking or consenting a plan or project which is likely to have a significant effect (on the cSAC) and is not connected with the management of the site, shall make an "appropriate assessment" of the implications for the site in view of that site's conservation objectives."

* Competent Authorities are either public or statutory bodies capable of approving particular projects. Salisbury District Council, as a planning authority therefore represents a competent authority.

The significant effect can be either positive or negative.

Within Regulation 48 the competent authority should consult the appropriate nature conservation body (in this instance English Nature) and have regard to any representations made by them. The authority can take public opinion if this is considered appropriate.

The competent authority may only agree a plan or project having ascertained that it will not adversely affect the integrity of the European site, having regard to any conditions / restrictions which it may apply.

Regulation 49 addresses considerations of overriding public interest. Should the competent authority consider there to be imperative reasons to carry out a particular plan for which there is no alternative solution, the scheme must be referred to the Secretary of State for determination.

Regulations 50 and 51 set out the requirements for statutory bodies to review all outstanding consents likely to have a significant effect (alone or in combination) on a Natura 2000 site (such as the Avon cSAC) English Nature advises that the review of planning consents should include planning permissions granted, but not yet fully implemented. Other consent regimes required to be reviewed include foul discharges, abstraction licences and waste management for which the responsible body is generally the Environment Agency.

4. Implementation of the Appropriate Assessment.

As a competent Authority Salisbury District Council must determine whether proposals are likely to have a significant impact (alone or in combination) upon the conservation interests of any cSAC. The council should take advice from English Nature before forming a judgement.

To date, Salisbury District Council in discussion with English Nature have identified a series of schemes, generally centred on Amesbury, but including proposals to its north and south where their scale and proximity to the River Avon means that the scope for a significant effect upon the cSAC should be addressed.

Salisbury District Council has therefore facilitated a series of meetings with English Nature, as well as the Environment Agency and Wessex Water as key parties to identify the range of issues which may impact upon the cSAC as a result of each and all of the identified developments. By extending the consultation process beyond English Nature the Council has been able to develop better understanding of the current licenced abstraction levels, proposed demand and foul treatments.

The Council has also sought Counsel's opinion upon the implications of the Habitat Regulations for planning authorities as well as a guide to step by step implementation.

To undertake the Appropriate Assessment itself, the Council has briefed the relevant developers upon the process and "in combination" issues. Scoped a series of impact issues requiring further information from the scheme promoters and reviewed the submissions and clarifications of detail with English Nature and Environment Agency supported by advice from Wessex Water before drafting this report.

5. Geographic and administrative extent of the River Avon cSAC Appropriate Assessment.

As mentioned earlier, the Habitat Regulations relate to the management of European sites as a whole, rather than to the administration of geographical areas establishing local authority boundaries.

The River Avon cSAC extends from the Upper Avon, through Hampshire, Wiltshire and Dorset finishing at Christchurch.

Within the "in combination" Appropriate Assessment, therefore Salisbury District Council, as a competent authority may need to consider the impact of schemes within its own control in combination with schemes located within other Districts or Counties. As a result, individual plans or projects may be subject to more than one Appropriate Assessment as differing competent authorities undertake their own assessments.

6. Schemes considered within the River Avon cSAC Appropriate Assessment.

Salisbury District Council having taken advice from English Nature identified the following schemes as requiring consideration to determine whether or not they will need further assessment under the "In Combination Appropriate Assessment." Following further assessment and submission of additional information it has been possible to delete some of the initial schemes as set out later in this report.

Plan or project	Competent Authorities
Project Allenby, re-development of Salisbury Plain Garrisons at Tidworth, Bulford & Larkhill.	Salisbury District Council Kennet District Council Ministry of Defence
Training Estate, Salisbury Plain, Allenby related EIA submitted to local authorities addressing post Strategic Defence Review use of the plain which is also a cSAC	Salisbury District Council Ministry of Defence
Solstice Business Park, Amesbury & associated works to Folly bottom A.303 junction.	Salisbury District Council
Housing development on land south of Boscombe Road, Amesbury	Salisbury District Council
Stonehenge Visitors Centre, adjoining Countess Road, Amesbury	Salisbury District Council English Heritage
Undergrounding proposals for the A.303 running through World Heritage site.	Salisbury District Council Highways Agency
Wylve Valley Relief Road, route options.	Salisbury District Council Wiltshire County Council
Brunel Link and Harnham Relief Road	Salisbury District Council Wiltshire County Council
The Maltings city re-development	Salisbury District Council
Retailing re-development Ringwood, New Forest	Salisbury District Council New Forest District Council

As this table shows, Salisbury District Council is the single competent authority for these schemes. This does not take away the responsibility for other public bodies or local authorities, where necessary, to undertake their own appropriate assessments of these projects in due course.

Salisbury District Council's consideration of proposals such as:

- EIA for Salisbury Plain training, (MoD)
- undergrounding of the A.303, (HA)
- route options for the Wylve Valley relief road, (WCC)
- proposals for the Brunel Link and Harnham Relief Road, (WCC) and
- redevelopment of Ringwood (NFDC)

will serve to inform the Council's decisions as a competent authority. A further responsibility will lie with the determining body to assess the particular schemes impact as that body moves towards its own determination process.

7. Impacts to be assessed.

The likely impacts upon the River Avon cSAC arising from this range of construction proposals are likely to include:

- Runoff, spillage or leakage directly or via groundwater polluting the river during construction,
- Run off during operational use of the development,
- Increased demand upon water resources arising from increased resident, working and visitor populations,

- Increased sewerage disposal impact upon
 - capacity of existing treatment works,
 - quality / quantity of discharge into the Avon
 - need for additional works to treatment works
- Direct loss of habitat
- Indirect pressures on the river system if floodplain dynamics are altered.

A table setting out the likely issues arising from each of the developments is attached as Appendix 1.

8. Assessment of the relevant schemes.

8.1 Project Allenby (Tidworth, Larkhill & Bulford.) Impact upon the River Avon cSAC.

Relevant impacts.

Surface runoff during construction
 Control over surface drainage and operational / servicing locations
 Impact upon effluent volumes arising from additional staffing (Tidworth & Bulford)
 Increased demands for water arising from additional staffing.
 Impact upon groundwater flows/ concentration of pollutants.

Assessment.

The garrison elements of Tidworth, Larkhill and Bulford have some degree of physical separation between them and the cSAC river Avon although Nine Mile River flows within 200 metres of the camp fence.

The MoD has indicated that it will impose requirements upon bidders for the PPP contract to achieve best practice during construction and refurbishment works. This issue has also been addressed within the "Notice of Proposed Development" response drafted by SDC in response to the Circular 18/84 submissions.

The Allenby proposal includes a requirement for bidders to introduce "Sustainable Urban Drainage" designs aimed at returning runoff to ground at source through soakaways and swales. The scope to use these solutions across hardstanding areas will need evaluating against risk of pollution from standing / servicing of vehicles.

In terms of effluent and water demand, Larkhill will not result in additional staffing. Bulford will receive some 700 additional on site staff. The bulk of additional staffing (some 1,600 personnel) will be based at Tidworth.

Allenby does target current inefficient water usage and management as a key area for improvement. Current high levels of leakage between source and camp are being addressed in Project Aquitaine whilst leakage and currently inefficient water fittings will be addressed within the new build / refurbishment programme, predicting 15% water savings per head. The Environmental Statement submitted in support of the Allenby proposals concludes that notwithstanding the increase in personnel, the project could result in a lower level of abstraction than currently takes place. Foul waste is anticipated to rise by 4% over existing levels.

Conclusion.

Allenby represents an opportunity to improve existing surface water site drainage and water quality. The proposal will increase sewerage output but may reduce overall abstraction levels.