



Rally Field, Breamore House

Regulation 77 application for
the use of Rally Field for use
as a rally site for 60 days in every
year

Shadow Appropriate
Assessment

For
Breamore House, SP6 2DF
March 2024
FINAL

**Rally Field, Breamore
Regulation 77 Application
Shadow Appropriate Assessment**

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Appendix 1: Natural England advice

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1.0 Introduction

- 1.1 For more than 15 years Breamore House has hosted a small number of rallies on land to the east of the Country Museum (Figure 1), which forms part of the Breamore Estate. The land is known as Rally Field.
- 1.2 Breamore House has received notification from New Forest District Council (NFDC) that prior to the further use of Rally Field for purpose of a rally, the Council must complete an assessment under Regulation 75 to 77 of the Conservation of Habitats & Species Regulations 2017 (as amended) (the Habitats Regulations). The notification advises that future use of Rally Field for rallies is dependent on NFDC concluding that the temporary use *'will not adversely affect the integrity of a European site'*.
- 1.3 Rally Field lies in close proximity to the River Avon and the crown lands of the New Forest, an extensive area of heathlands, ancient woodlands and other important habitats. This area is of international ecological importance, recognised through a number of statutory nature conservation designations.
- 1.4 Rally Field lies within 10km of seven statutory designated sites of European nature conservation importance that form part of the National Site Network (NSN), as follows:
- New Forest Special Protection Area (CLH SPA)
 - New Forest Special Area of Conservation (SM SAC)
 - River Avon Special Area of Conservation (RA SAC)
 - Avon Valley Special Protection Area (AV SPA)
 - Great Yews Special Area of Conservation (GY SAC)
 - Dorset Heathlands Special Protection Area (DH SPA)
 - Dorset Heaths Special Area of Conservation (DH SAC)
- 1.5 In addition to the site listed above, Rally Field also lies within close proximity to the New Forest Ramsar site (NF Ramsar), Avon Valley Ramsar site (AV Ramasar) and Dorset Heathlands Ramsar (DH Ramsar), which overlap with the respective SPAs.
- 1.6 The SPA's and SAC's receive statutory protection under the Conservation of Habitats and Species 2017 (as amended), (the 'Habitats Regulations'). The Habitats Regulations afford a high level of protection to sites supporting habitats or rare species (other than birds) considered scarce or vulnerable at a European

community level (SACs) and areas that hold significant populations of certain bird species (SPAs).

- 1.7 Ramsar sites are designated as wetlands of international importance and are afforded similar legislative protection to the sites within the NSN. Government has issued policy statements relating to the special status of Ramsar sites. This extends the same protection afforded to SPA's and SAC's to Ramsar sites in the UK.

The basis for grant of a LDC

- 1.8 Part 5 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (SI 2015/596) ("GPDO") allows the use of Rally Field by recreational organisations that hold a certificate of exemption where certain criteria are met.
- 1.9 However, under the Habitats Regulations, any permission granted by the General Permitted Development Order (GDPO) potentially affecting a site within the NSN can only be assumed where they are shown to be directly connected with, or necessary to site management for nature conservation, or where a Habitats Regulations Assessment (HRA) is able to conclude that there are no likely significant impacts either alone or in combination with other plans and projects. If such permission is likely to have a significant effect, either alone or in combination with other plans or projects, it must not be implemented until the developer has received written notification of the approval of the local planning authority under Regulation 77.

Scope of Habitats Regulations Assessment

- 1.10 Table 1 on the following page considers each site listed in paragraph 1.2 above to identify which require consideration as part of an HRA for Rally Field.

Table 1: Analysis to determine scope of Habitats Regulations Assessment

Site	Distance from site	Commentary	Included in HRA
New Forest SPA	1.9km to the east	Rally Field lies in close proximity to the SPA. Potential impact pathways in relation to recreational use of the New Forest resulting in disturbance of SPA populations and degradation of supporting habitat.	√
New Forest Ramsar	1.9km to the east	Rally Field lies in close proximity to the NF Ramsar. Potential impact	√

		pathways in relation to recreational use of the New Forest causing degradation of wetland habitats as well as disturbance to wetland flora and fauna for which the site qualified for designation.	
New Forest SAC	1.9km to the east	Rally Field lies in close proximity to the SAC. Potential impact pathways in relation to recreational use of the New Forest in degradation of Annex 1 habitat and disturbance to Annex 2 species.	✓
Dorset Heathlands SPA	8.6km	<p>Scoped out for the following reasons:</p> <ul style="list-style-type: none"> • Breamore House is likely to be very strong draw (and reason) for campers choosing Rally Field for holiday. • the nearest part of the Dorset heathlands is small and a fragmented part of the whole, limiting scope as a recreational opportunity and draw for visitors to Rally Field. Motivation to visit is likely to be very limited. 	x
Dorset Heathlands Ramsar	8.6km	<p>Scoped out for the following reasons:</p> <ul style="list-style-type: none"> • Breamore House is likely to be very strong draw (and reason) for campers choosing Rally Field for holiday. • the nearest part of the Dorset heathlands is small and a fragmented part of the whole, limiting scope as a recreational opportunity and draw for visitors to Rally Field. Motivation to visit is likely to be very limited. 	x
Dorset Heaths SAC	8.5km	<p>Scoped out for the following reasons:</p> <ul style="list-style-type: none"> • Breamore House is likely to be very strong draw (and reason) for campers choosing Rally Field for holiday. • the nearest part of the Dorset heathlands is small and a fragmented part of the whole, limiting scope as a recreational 	x

		opportunity and draw for visitors to Rally Field. Motivation to visit is likely to be very limited.	
River Avon SAC	0.9km	Rally Field lies approx. 630m to the west of the River Avon. Potential impact pathways exist in relation to disturbance (from recreational pressure), hydrology (phosphorous sensitive), and disturbance of habitats and species.	✓
Avon Valley SPA	6.5km	Rally Field lies approx. 6.5km to the south of the AV SPA. Potential impact pathways exist in relation to hydrology (phosphorous sensitive) and subsequent degradation of habitats supporting qualifying bird populations.	✓
Avon Valley Ramsar	6.5km	Rally Field lies approx. 6.5km to the south of the AV Ramsar. Potential impact pathways exist in relation to hydrology (phosphorous sensitive) and subsequent degradation of habitats supporting qualifying bird populations.	✓
Great Yews SAC	5.3km to the north	<p>Scoped out for the following reasons:</p> <ul style="list-style-type: none"> • No public access to woodland. • Not a destination in its own right. • Breamore House lies immediately adjacent to Rally Field and is likely to be the very strong draw (and reason) for choosing Rally Field for holiday. No reason for holiday goes to travel to Great Yews. 	✗

1.11 This document provides the basis for NFDC to determine whether the use of Rally Field for occasional rallies is likely to have a significant effect on the nature conservation sites identified in the table above, and from it, whether Appropriate Assessment is required, and forms the basis of a formal Regulation 77 application to the Council.

2.0 Legislative and policy framework

Statutory framework

- 2.1. Special Protection Areas (SPAs) and Special Areas of Conservation (SACs) receive statutory protection under the Habitats Regulations. The most recent amendments to this legislation reflect the changes set out in the Conservation of Habitats and Species Amendment (EU Exit) Regulations 2019. The 2019 regulations detail the amendments required to the 2017 regulations following the end of the transition period in December 2020.
- 2.2. The Habitats Regulations afford a high level of protection to sites classified as SPAs as areas that hold significant populations of certain bird species (SPAs). They also afford the same level of high protection to tracts of land supporting habitats or rare species (other than birds) considered scarce or vulnerable at a European level (SACs).
- 2.3. Regulation 75 of the Habitats Regulations imposes a condition on any permission granted by the General Permitted Development Order (GDPO) that is likely to have a significant effect on a site within the NSN, under which the permission must not be implemented until the developer has received written notification of the approval of the local planning authority under Regulation 77.
- 2.4. A significant effect is any effect that would undermine the conservation objectives for the respective European site and may include physical loss and/or damage of a habitat, disturbance effects, changes to water availability, deposition of contaminants through changes in air quality etc.
- 2.5. Guidance states that HRA judgments handed down by the European Court, and by domestic courts prior to 31 December 2020, remain relevant when interpreting the Conservation of Habitats and Species Regulations 2017 (as amended)¹. The European Court judgement known as *People Over Wind and Sweetman v Coillte Teoranta* (C-323/17) therefore remains applicable. This states that, '*measures intended to avoid or reduce impacts on a European site cannot at the same time be regarded as part of the "project"*'² and must be excluded from assessing whether a project is likely to have a significant effect, either alone or in combination with other plans and projects.

¹ <https://www.freeths.co.uk/2020/10/22/the-habitats-regulations-assessment-regime-after-31-december-2020-how-will-it-look/>

² <https://insideecology.com/2018/05/01/habitat-regulations-assessments-no-more-screening-out-with-mitigation-measures/>

- 2.6. The Habitats Regulations allow the promoter of the project to consult Natural England for a determination as to whether a likely significant effect is likely such that prior approval from the relevant local planning authority is required before the project can proceed. If Natural England determines that the project is not likely to have a significant effect, either alone or in combination on any International nature conservation site, the project can proceed without prior approval, provided that it meets all other permitted development restrictions and conditions.
- 2.7. If Natural England determines that the project is likely to have a significant effect either alone or in combination, then the project promoter must apply to the local planning authority for written approval before works can commence. The local planning authority must assess the implications of the project for the conservation objectives of the site in question, and in consultation with Natural England, determine whether or not the project will adversely affect the integrity of the site, having regard to the manner in which the project is proposed to be carried out, or to any conditions or restrictions subject to which it proposes that the consent, permission or other authorisation should be given. The local planning authority can only issue written authority where it concludes that the integrity of the site is not compromised.

Conservation objectives

- 2.8. Conservation objectives are identified for all sites with the NSN and cover all features that qualify the site for classification or designation. The conservation objectives apply under the Habitats Regulations and must be considered in addressing Regulation 75 to 77 of the Habitats Regulations.
- 2.9. For Ramsar sites, a decision has been made by Defra and Natural England not to produce Conservation Advice packages, focusing instead on the production of High Level Conservation Objectives. This is because the conservation advice available for overlapping sites is considered sufficient to support the management of Ramsar interests³.
- 2.10. As a matter of policy, the provisions of the Habitats Regulations relating to Habitat Regulations Assessments (HRAs) extend to Ramsar sites. For the purposes of this assessment, the conservation objectives of the corresponding SPA's are considered to address all relevant interest features in the corresponding Ramsar site.

³ <https://www.gov.uk/government/publications/conservation-advice-for-marine-protected-areas-project-background/marine-conservation-advice-project-summary>

Policy framework

- 2.1 An established policy framework is in place to support HRA of use of Rally Field for rallies under the Habitats Regulations.

New Forest District Local Plan

- 2.11. Policy ENV1 of the adopted New Forest District Local Plan⁴ set out NFDC's approach to the protection of International sites within the district. It sets out that development will only be permitted where NFDC is satisfied that when considered in combination with other plans and development proposals, the scheme will not be adverse effects on the integrity of relevant International Nature Conservation sites.
- 2.12. Policy ENV1 goes on to state that where proposals involve the provision of overnight visitor accommodation adverse effects can be adequately mitigated by implementing approved measures relevant to the site location, as set out in the Mitigation for Recreational Impacts SPD⁵ adopted by the Council in May 2021.

Mitigation for Recreational Impacts SPD

- 2.13. This SPD is a response to the Habitats Regulations Assessment carried out for the Local Plan, which concluded that the recreational impacts on designated sites arising from planned residential development, either alone or in combination with other plans or projects, must be addressed. For planned residential development to proceed the Habitats Regulations require that appropriate mitigation measures are in place to ensure that the proposed development can take place without a harmful impact on the integrity of protected sites.
- 2.14. The SPD sets out four main strands to a mitigation strategy:
- Provision of new areas of publicly accessible alternative natural recreational greenspace (ANRG);
 - Enhancement of existing greenspace and footpaths/rights of way in all

⁴ New Forest District Council. Local Plan 2016-2036. Part One: Planning Strategy New Forest District outside the New Forest National Park. Adopted 6th July 2020.

⁵ New Forest District Council. Mitigation for Recreational Impacts SPD. On New Forest European Sites Supplementary Planning Document. Enabling the Delivery of Green Growth. Adopted 5th May 2021.

settlements where new residential development takes place;

- Access and visitor management - measures include the provision of rangers for the New Forest European sites;
- Monitoring - the gathering of further information, including about the condition of European sites' habitats and species and visitor patterns, and to gain a better understanding of the effects of visitors and other factors influencing the condition of the protected sites; and the monitoring of progress in implementing the mitigation strategy.

2.15. NFDC uses the SPD to collect financial contributions from all developments of under 50 dwellings where recreation mitigation is not provided on-site. The contributions are spent against the measures set out in the SPD to address in combination recreational impacts on the New Forest International nature conservation sites that would otherwise accrue.

3.0 Development proposals and site description

Site description

- 3.1 Rally Field is approximately 6.8 hectares in size and comprises permanent pasture bounded by hedgerows with occasional large oaks across the site. Rally Field lies to the north west of Breamore and approximately equidistant between Downton to the north and Fordingbridge to the south (see Figure 1). Breamore House lies to the immediate north of the site, whilst Breamore's own Country Museum and the saxon church of St Mary's (also part of the Estate) sit adjacent.
- 3.2 The wider landscape comprises ancient countryside set in and around the floodplain of the River Avon, the river itself, and the heathland, woodland and grassland habitats associated with the fringes of the New Forest National Park. Small residential areas are scattered throughout.

Use of Rally Field

- 3.3 Rally Field has operated as a rally location under permitted development rights for the past 15 years (temporary use). The use includes:
- facility for up to 50 pitches for camper vans. No tents are permitted.
 - foul water storage, for removal from site when full or when the season has completed.
 - use of the existing field access onto the lane providing access to both the Country Museum and St Mary's church.
 - periodic use of the site from 1st May to mid-October, for a total number of days no greater than those allowed under permitted development rights.
- 3.4 Note that portaloos or portashowers are not provided to users of Rally Field.

Waste disposal

- 3.5 Rallies are typically attended by retirees in camper vans. No camping is permitted. Camper vans have their own toilet facilities within the vehicle and normally take waste home for disposal. Where this does not happen, a foul storage unit is provided to collect waste on site. All foul and grey waste deposited in this storage unit is, and will continue to be, collected by Robert Beale Ltd and taken for disposal at either Holdenhurst Waste Water Treatment Works (WWTW) or Trowbridge WWTW. Robert Beale Ltd has signed a Unilateral Agreement restricting the process of collected waste to these two treatment plants.

4.0 Baseline

4.1 The following section sets out the location, designation criteria and conservation objectives of the European sites to be included in this HRA. The locations of these sites relative to the application site are shown in Figure 2.

New Forest SPA

4.2 The NF SPA qualifies under Article 4.1 of the Directive (79/409/EEC) by supporting populations of European importance of the following species listed on Annex I in any season:

- Dartford warbler - 454 pairs representing 75% of the GB breeding population
- Nightjar - 300+ pairs representing 15% of the GB breeding population
- Woodlark - 51 - 54 pairs representing 24% of the GB breeding population
- Honey buzzard (*Pernis apivorus*) - 2 pairs representing 7% of the GB breeding population
- Hen harrier - 15 individuals representing 2% of the GB wintering population

4.3 The site also qualified under Article 4.2 of the Directive (79/409/EEC) by supporting populations of European importance of the following species listed on Annex I during the breeding season:

- Hobby - 2 pairs representing 3% of the GB breeding population
- Wood warbler (*Phylloscopus sibilatrix*) - 350 pairs representing 3% of the GB breeding population

Conservation objectives

4.4 The conservation objectives of the NF SPA are set out in a Natural England publication⁶ and are set for each qualifying feature for which the site is classified. Where the objectives are met, the site will be considered to exhibit a high degree of integrity and to be contributing to achieving the aims of the Wild Birds Directive. *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), and subject to natural change:*

⁶ Natural England, 2018: European Site Conservation Objectives for Dorset Heaths Special Area of Conservation. Site Code: UK0019857.

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
- The distribution of the qualifying features within the site.

New Forest Ramsar

- 4.5 The New Forest is an area of semi-natural vegetation including valley mires, fens and wet heath within catchments whose uncultivated and undeveloped state buffer the mires against adverse ecological change. The habitats present are of high ecological quality and diversity with undisturbed transition zones.
- 4.6 The suite of mires is regarded as the locus classicus of this type of mire in Britain. Other wetland habitats include numerous ponds of varying size and water chemistry including several ephemeral ponds and a network of small streams mainly acidic in character which have no lowland equivalent in the UK. The plant communities in the numerous valleys and seepage step mires show considerable variation, being affected especially by the nutrient content of groundwater. In the most nutrient-poor zones, *Sphagnum* bog-mosses, cross-leaved heath, bog asphodel, common cottongrass and similar species predominate. In more enriched conditions the communities are more fen-like.
- 4.7 The New Forest qualifies as a Ramsar site under three criteria (1, 2, and 3):
- **Criterion 1:** Valley mires and wet heaths are found throughout the site and are of outstanding scientific interest. The mires and heaths are within catchments whose uncultivated and undeveloped state buffer the mires against adverse ecological change. This is the largest concentration of intact valley mires of their type in Britain.
 - **Criterion 2:** The site supports a diverse assemblage of wetland plants and animals including several nationally rare species. Seven species of nationally rare plant are found on the site, as are at least 65 British Red Data Book species of invertebrate.
 - **Criterion 3:** The mire habitats are of high ecological quality and diversity and have undisturbed transition zones. The invertebrate fauna of the site is important due to the concentration of rare and scarce wetland species. The whole site complex, with its examples of semi-natural habitats is essential to the genetic and ecological diversity of southern England.

- 4.8 The site supports populations of national importance of 28 higher plants, nationally important breeding populations of Dartford warbler and wintering hen harrier. Internationally important populations of southern damselfly and stag beetle (*Lucanus cervus*) are also present, as well as nationally important species of great crested newt, brook lamprey and bullhead. Over 180 notable invertebrates are listed on the Ramsar designation sheet.

The New Forest SAC

- 4.9 The Annex I habitats that are a primary reason for selection of this site are:

3110 Oligotrophic waters containing very few minerals of sandy plains:
Littorelletalia uniflorae

- 4.10 Hatchet Pond in the New Forest in the south of England is in fact three ponds, one of which is an example of an oligotrophic waterbody amidst wet and dry lowland heath developed over fluvial deposits. It contains shoreweed (*Littorella uniflora*) and isolated populations of northern species such as bog orchid and floating bur-reed (*Sparganium angustifolium*), alongside rare southern species such as Hampshire-purslane (*Ludwigia palustris*). Hatchet Pond is therefore important as a southern example of this lake type where northern species, more common in the uplands of the UK, co-exist with southern species

3130 Oligotrophic to mesotrophic standing waters with vegetation of the
Littorelletea uniflorae and/or of the *Isoeto-Nanojuncetea*.

- 4.11 In the New Forest vegetation of the *Littorelletea uniflorae* and/or of the *Isoëto-Nanojuncetea* occurs on the edge of large temporary ponds, shallow ephemeral pools and poached damp hollows in grassland, which support a number of specialist species in a zone with toad rush (*Juncus bufonius*). These include the two nationally scarce species coral-necklace (*Illecebrum verticillatum*) and yellow centaury, often in association with allseed (*Radiola linoides*) and chaffweed (*Anagallis minima*). Heavy grazing pressure is of prime importance in the maintenance of the outstanding flora of these temporary pond communities. Livestock maintain an open habitat, controlling scrub ingress, and trampling the surface. Commoners' animals also transport seed in their hooves widely from pond to pond where suitable habitat exists. Temporary ponds occur throughout the Forest in depressions capable of holding water for part of the year. Most ponds are small (between 5-10 m across) and, although great in number, amount to less than 10 ha in total area.

4010 Northern Atlantic wet heaths with *Erica tetralix*.

- 4.12 The New Forest contains the most extensive stands of lowland northern Atlantic wet heaths in southern England, mainly of the M16 *Erica tetralix* - *Sphagnum compactum* type. M14 *Schoenus nigricans* - *Narthecium ossifragum* mire is also found on this site. The wet heaths are important for rare plants, such as marsh gentian and marsh clubmoss, and a number of dragonfly species, including the scarce blue-tailed damselfly (*Ischnura pumilio*) and small red damselfly (*Ceriagrion tenellum*). There is a wide range of transitions between wet heath and other habitats, including dry heath, various woodland types, *Molinia* grasslands, fen, and acid grassland. Wet heaths enriched by bog myrtle (*Myrica gale*) are a prominent feature of many areas of the Forest. Unlike much lowland heath, the New Forest heaths continue to be extensively grazed by cattle and horses, favouring species with low competitive ability.

4030 European dry heaths

- 4.13 The New Forest represents European dry heaths in southern England and is the largest area of lowland heathland in the UK. It is particularly important for the diversity of its habitats and the range of rare and scarce species which it supports. The New Forest is unusual because of its long history of grazing in a traditional fashion by ponies and cattle. The dry heaths of the New Forest are of the H2 *Calluna vulgaris* - *Ulex minor* heath type, and H3 *Ulex minor* - *Agrostis curtisii* heath is found on damper areas. There are a wide range of transitions between dry heath and wet heath, *Molinia* grassland, fen, acid grassland and various types of scrub and woodland. Both the New Forest and the two Dorset Heath SACs are in southern England. All three areas are selected because together they contain a high proportion of all the lowland European dry heaths in the UK. There are, however, significant differences in the ecology of the two areas, associated with more oceanic conditions in Dorset and the continuous history of grazing in the New Forest.

6410 *Molinia* meadows on calcareous, peaty or clayey-silt-laden soils (*Molinia caerulea*).

- 4.14 The New Forest represents *Molinia* meadows in southern England. The site supports a large area of the heathy form of M24 *Molinia caerulea* - *Cirsium dissectum* fen-meadow. This vegetation occurs in situations of heavy grazing by ponies and cattle in areas known locally as 'lawns', often in a fine-scale mosaic with 4010 Northern Atlantic wet heaths and other mire and grassland communities. These lawns occur on flushed soils on slopes and on level terrain on the floodplains of rivers and streams. The New Forest *Molinia* meadows are unusual in the UK in terms of their species composition, management and landscape position. The grasslands are species-rich, and a particular feature is the abundance of small sedges such as carnation sedge (*Carex panacea*), common

sedge (*Carex nigra*) and yellow-sedge (*Carex viridula* ssp. *oedocarpa*), and the more frequent occurrence of mat-grass (*Nardus stricta*) and petty whin (*Genista anglica*) compared to stands elsewhere in the UK.

7150 Depressions on peat substrates of the *Rhynchosporion*

- 4.15 The New Forest, one of three sites selected in southern England, is considered to hold the largest area in England of depressions on peat substrates of the *Rhynchosporion*, in complex habitat mosaics associated primarily with the extensive valley bogs of this site. The habitat type is developed in three situations: in natural bog pools of patterned bog surfaces, in flushes on the margins of valley mires and in areas disturbed by peat-digging, footpaths, tracks, ditches etc. In places the habitat type is rich in brown mosses *Cratoneuron* spp. and *Scorpidium scorpioides*, suggesting flushing by mineral-rich waters. The mosaics in which this habitat type occurs are an important location for bog orchid.

9120 Atlantic acidophilous beech forests with *Ilex* and sometimes also *Taxus* in the shrub layer (*Quercion roburi-petraeae* or *Ilici-Fagenion*).

- 4.16 The New Forest is the largest area of mature, semi-natural beech (*Fagus sylvatica*) woodland in Britain and represents Atlantic acidophilous beechforests in the most southerly part of the habitat's UK range. The mosaic with other types of woodland and heath has allowed unique and varied assemblages of epiphytic lichens and saproxylic invertebrates to be sustained, particularly in situations where the woodland is open and the tree trunks receive plenty of light. The traditional common grazing in the Forest by cattle and ponies provides opportunities to explore the impact of large herbivores on the woodland system.

9130 *Asperulo-Fagetum* beech forests

- 4.17 The New Forest is the largest area of mature, semi-natural beech woodland in Britain; much of it is a form of W14 *Fagus sylvatica* - *Rubus fruticosus* woodland that conforms to the Annex I type *Asperulo-Fagetum* beech forests. The mosaic with other types of woodland and heath has allowed unique and varied assemblages of epiphytic lichens and saproxylic invertebrates to be sustained, particularly in situations where the woodlands are open and the tree trunks receive plenty of light. The traditional common grazing in the Forest by cattle and ponies provides opportunities to explore the impact of large herbivores on the woodland system.

9190 Old acidophilous oak woods with *Quercus robur* on sandy plains.

- 4.18 The New Forest is representative of old acidophilous oak woods in the southern part of its UK range. It is the most extensive area of active wood-pasture with old oak *Quercus* spp. and beech in north-west Europe and has outstanding invertebrate and lichen populations. This site was preferred over other sites that

lack a succession of age-classes because, although scattered over a wide area, the oak stands are found within a predominantly semi-natural landscape with a more balanced age-structure of trees. The traditional common grazing in the Forest by cattle and ponies provides opportunities to explore the impact of large herbivores on the woodland system. The New Forest has been identified as of potential international importance for its saproxylic invertebrate fauna by the Council of Europe.

91D0 Bog woodland*

- 4.19 Within the New Forest, in southern England, birch (*Betula* sp) – willow (*Salix* sp) stands occur over valley bog vegetation, with fringing alder (*Alnus glutinosa*) – *Sphagnum* stands where there is some water movement. These stands appear to have persisted for long periods in stable association with the underlying *Sphagnum* bog-moss communities. The rich epiphytic lichen communities and pollen record provide evidence for the persistence of this association. The bog woodland occurs in association with a range of other habitats for which the site has also been selected.

91E0 Alluvial forests with *Alnus glutinosa* and *Fraxinus excelsior* (Alno-Padion, *Alnion incanae*, *Salicion albae*)*

- 4.20 The New Forest contains many streams and some small rivers that are less affected by drainage and canalisation than those in any other comparable area in the lowlands of England. Associated with many of the streams, particularly those with alkaline and neutral groundwater, are strips of alder woodland which, collectively, form an extensive resource with a rich flora. In places there are examples of transitions from open water through reed swamp and fen to alder woodland. The small rivers show natural meanders and debris dams, features that are otherwise rare in the lowlands, with fragmentary ash (*Fraxinus excelsior*) stands as well as the alder strips. In other places there are transitions to 9190 Old acidophilous oak woods with *Quercus robur* on sandy plains and 9120 Atlantic acidophilous beech forests with *Ilex* and sometimes also *Taxus* in the shrub layer (*Quercion robori-petraeae* or *Ilici-Fagenion*), for which this site has also been selected.
- 4.21 Annex I habitats present as a qualifying feature but not a primary reason for the selection of the site are:
- Transition mires and quaking bogs.
 - Alkaline fens.

Annex II species that are a primary reason for the selection of the site are:

Southern damselfly

- 4.22 The New Forest in central southern England is an outstanding locality for southern damselfly, with several population centres and strong populations estimated to be in the hundreds or thousands of individuals and with a long history of records. With Preseli, Dorset Heaths and the River Itchen, it represents one of the four major population centres in the UK.

Stag beetle

- 4.23 The New Forest represents stag beetle in its Hampshire/Sussex population centre, and is a major stronghold for the species in the UK. The forest is one of the most important sites in the UK for fauna associated with rotting wood, and was identified as of potential international importance for its saproxylic invertebrate fauna by the Council of Europe.
- 4.24 The Annex II species great crested newt is present as a qualifying feature but not a primary reason for site selection.

Conservation objectives

- 4.25 The conservation objectives of the NF SAC are set out in a Natural England publication and are set for each qualifying feature (Annex 1 habitat & Annex 2 species) for which the site is classified. Where the objectives are met, the site will be considered to exhibit a high degree of integrity and to be contributing to achieving Favourable Conservation Status for that habitat type at a UK level. The term 'favourable conservation status' is defined in Article 1 of the Habitats Directive. *With regard to the SAC and the natural habitats and/or species for which the site has been designated (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 Favourable Conservation Status of its Qualifying Features, by maintaining or restoring;*

- *The extent and distribution of qualifying natural habitats and habitats of qualifying species*
- *The structure and function (including typical species) of qualifying natural habitats*
- *The structure and function of the habitats of qualifying species*
- *The supporting processes on which qualifying natural habitats and the habitats of qualifying species rely*
- *The populations of qualifying species*
- *The distribution of qualifying species within the site.*

Avon Valley SPA

4.26 The AV SPA qualifies under Article 4.1 of the Directive (79/409/EEC) by supporting populations of European importance of the following species listed on Annex I in any season:

- Bewicks' swan - 156 over wintering birds representing 2.2% of the GB breeding population in the 5-year period 1998/99 to 1992/93

4.27 The site also qualified under Article 4.2 of the Directive (79/409/EEC) by supporting populations of European importance of the following species listed on Annex I:

- Gadwall - an important wintering population representing 3.5% of the GB breeding population

Conservation objectives

4.28 The conservation objectives of the AV SPA are set out in a Natural England publication⁷ and are set for each qualifying feature for which the site is classified. Where the objectives are met, the site will be considered to exhibit a high degree of integrity and to be contributing to achieving the aims of the Wild Birds Directive. *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), 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*
- *The distribution of the qualifying features within the site.*

⁷ Natural England, 2018: European Site Conservation Objectives for Avon Valley Special Protection Area. Site Code: UK9011091.

Avon Valley Ramsar

4.29 The AV Ramsar shows a greater range of habitats than any other chalk river in Britain, including fen, mire, lowland wet grassland, and small areas of woodland. The area classified as inland and human-made wetland. It supports a diverse assemblage of wetland flora and fauna including several nationally rare species. Over the winter it supports Gadwall *Anas strepera* (667 individuals, representing 2.2% of the population).

4.30 The Avon Valley qualifies as a Ramsar site under three criteria (1, 2, and 3):

- **Criterion 1a:** the site shows a greater range of habitats than any other chalk stream in Britain, including fen, mire, lowland wet grassland and small areas of woodland.
- **Criterion 2s:** The site supports a diverse assemblage of wetland
- **Criterion 3c:** Over winter, the site regularly supports internationally important populations of Gadwall *Anas strepera*.

River Avon SAC

4.31 The Annex I habitats that are a primary reason for selection of this site are: 3260 Water courses of plain to montane levels with the *Ranunculus fluitantis* and *Callitriche-Batrachion* vegetation

The Avon in southern England is a large, lowland river system that includes sections running through chalk and clay, with transitions between the two. Five aquatic *Ranunculus* species occur in the river system, but stream water-crowfoot *Ranunculus penicillatus* ssp. *pseudofluitans* and river water-crowfoot *R. fluitans* are the main dominants. Some winterbourne reaches, where *R. peltatus* is the dominant water-crowfoot species, are included in the SAC.

4.32 The Annex II species that are a primary reason for selection of this site are as follows:

1016 Desmoulin's whorl snail *Vertigo moulinsiana*

There is an extensive population of Desmoulin's whorl snail *Vertigo moulinsiana* along about 20 km of the margins and associated wetlands of the Rivers Avon, Bourne and Wylde. This is one of two sites representing the species in the south-western part of its range, in chalk stream habitat. It occurs here in a separate catchment from the Kennet and Lambourn, within an environment more heavily dominated by arable agriculture.

1095 Sea lamprey *Petromyzon marinus*

The Avon represents sea lamprey *Petromyzon marinus* in a high-quality river in the southern part of its range. There are excellent examples of the features that the

species needs for survival, including extensive areas of sand and gravel in the middle to lower reaches of the river where sea lampreys are known to spawn.

1096 Brook lamprey *Lampetra planeri*

The Avon is a high-quality river that represents the southern part of the range of brook lamprey *Lampetra planeri*. A healthy, stable population occurs in the main river and in a number of tributaries. The main river, and in particular its tributaries, provides clean beds of gravel for spawning and extensive areas of fine silt for juveniles to burrow into.

1106 Atlantic salmon *Salmo salar*

The Avon in southern England represents a south coast chalk river supporting Atlantic salmon *Salmo salar*. The salmon populations here are typical of a high-quality chalk stream, unaffected by the introduction of genetic stock of non-native origin. The Avon has an excellent mosaic of aquatic habitats, which include extensive areas of gravels essential for spawning and growth of juvenile fry. There has been limited modification of the river course by comparison with many other southern lowland rivers in England.

1163 Bullhead *Cottus gobio*

The Avon represents bullhead *Cottus gobio* in a calcareous, relatively unmodified river in the southern part of its range in England. The River Avon has a mosaic of aquatic habitats that support a diverse fish community. The bullhead is an important component of this community, particularly in the tributaries.

Conservation objectives

4.33 The conservation objectives of the RA SAC are set out in a Natural England publication⁸ and are set for each qualifying feature (Annex 1 habitat & Annex 2 species) for which the site is classified. Where the objectives are met, the site will be considered to exhibit a high degree of integrity and to be contributing to achieving Favourable Conservation Status for that habitat type at a UK level. The term 'favourable conservation status' is defined in Article 1 of the Habitats Directive. *With regard to the SAC and the natural habitats and/or species for which the site has been designated (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 Favourable Conservation Status of its Qualifying Features, by maintaining or restoring;*

- *The extent and distribution of qualifying natural habitats and habitats of qualifying species*
- *The structure and function (including typical species) of qualifying natural*

⁸ Natural England, 2018: European Site Conservation Objectives for River Avon Special Area of Conservation. Site Code: UK0013016

habitats

- *The structure and function of the habitats of qualifying species*
- *The supporting processes on which qualifying natural habitats and the habitats of qualifying species rely*
- *The populations of qualifying species*
- *The distribution of qualifying species within the site.*

5.0 Likely significant effect test

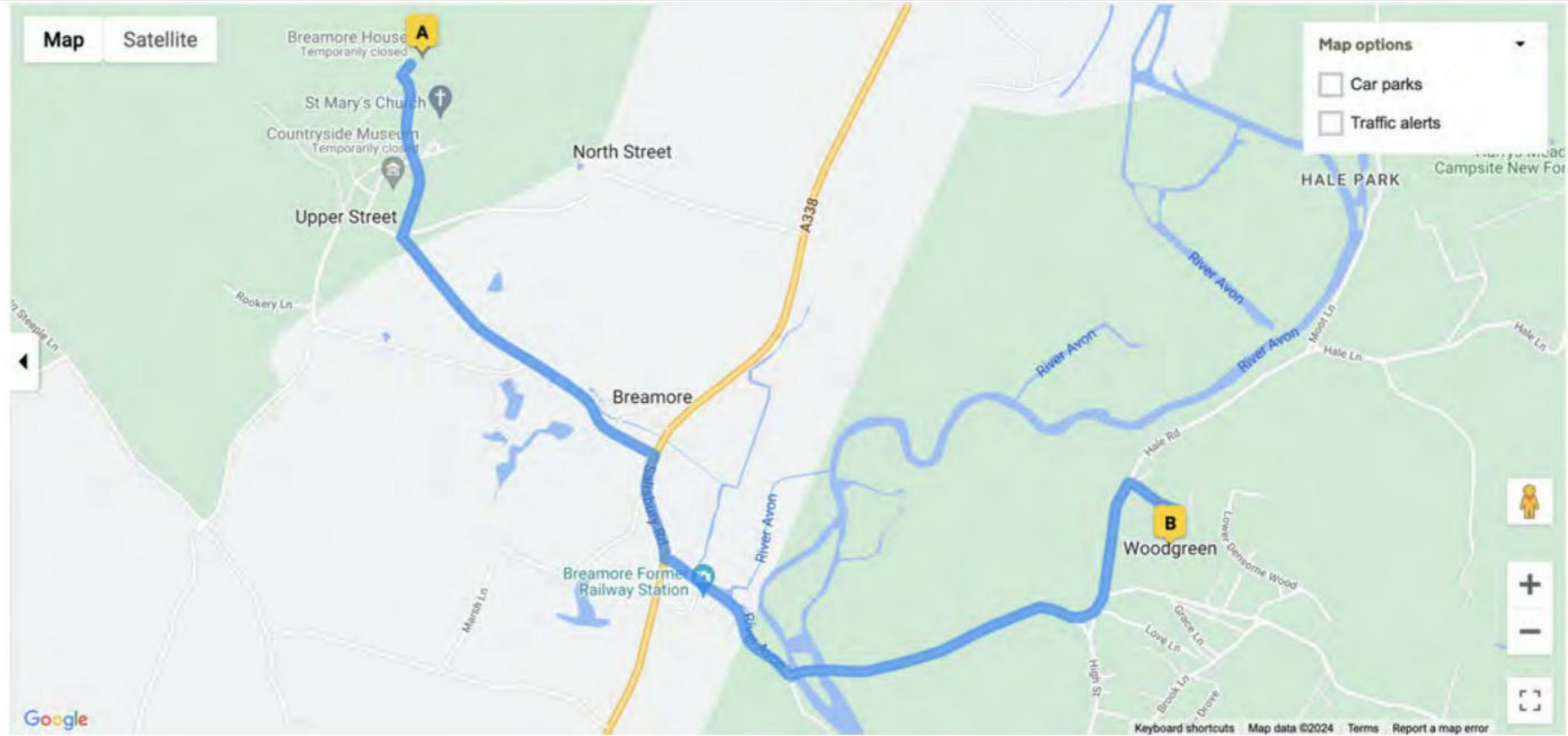
- 5.1 The first test of Regulation 75 of the Habitats Regulations requires an assessment of whether the on-going use of Rally Field for camper van rallies is likely to have a significant effect on the NSN sites in question, either alone or in combination with other plans and projects. Mitigation cannot be considered within this test (see para 2.5).
- 5.2 Table 2 on the following page shows the potential pathways through which impacts could arise on the sites identified through use of the Rally Fields on a 60-day basis.

Table 2 New Forest SPA, SAC & Ramsar - assessment of likely significant effects

√ Likely significant adverse effect on the NSN site - The principle is not relevant to the screening exercise					
x Not likely to have a significant adverse effect on the NSN site ? Uncertain effect on the Natura 2000 site					
Check list of change	Reduction in area of Annex 1 habitats?	Direct effects on the populations of species for which the site is designated	Indirect effects on the populations of species for which the site was designated or classified due to loss or degradation of their habitat (quantity/quality)?	Changes to the composition of the habitats for which the site was designated (e.g. reduction in species structure, abundance or diversity that comprises the habitat over time)?	Interruption or degradation of the physical, chemical or biological processes that support habitats and species for which the site was designated or classified?
Potential impacts					
Land take	-	X	-	-	-
	Rally Field lies outside the boundary of the SPA, SAC & Ramsar. No land take within the designations is required, & no direct impacts on populations or habitats for which the NSN sites are designated will occur.				
Increased recreational disturbance	-	-	X	X	X
			Increased recreational pressures on the New Forest risk adversely affecting the qualifying features of the SPA, SAC and Ramsar through increased erosion and structural changes to habitats and can arise from the following recreational activities: <ul style="list-style-type: none"> • walking • dog walking • jogging 		

		<ul style="list-style-type: none"> • cycling • fire, from BBQ's (although these are prohibited on the Forest). <p>In addition, recreational activities can result in direct disturbance to breeding bird populations for which the SPA is designated and other qualifying animal and invertebrate species that form the basis of the SAC and Ramsar designations.</p> <p>Notwithstanding this, it is very unlikely that those attending rallies at Rally Field will travel to the New Forest for recreational purpose because the location offers a destination in its own right. People attend rallies at Rally Field because of the opportunity to access the Breamore Estate and the focus that it provides. Rallies are typically attended by retirees in camper vans, who park up for the duration of the rally and do not seek to travel beyond the Estate boundaries. Instead, those attending take the opportunity to explore:</p> <ul style="list-style-type: none"> • Breamore House which lies immediately adjacent to Rally Field and is open to those attending a rally • Countryside Museum • Café and Farm Shop • Blue bell walks • 12 century Miz-maze • Neolithic Giants Grave <p>It is therefore rare that a camper van moves from position once arrived at the Rally, with all attractions accessible by bike (brought on the back of the camper van) or foot. Furthermore, Rally Field lies 1.9km to the west of the New Forest SPA & Ramsar boundary (straight line distance). More relevant is road distance, which is recorded at 3.5km by AA Route Finder⁹, with the more substantive New Forest substantially further east still. Access by bike or foot to the meaningful part of the Forest is therefore a significant undertaking, and unlikely to compete with the immediate attractions of the Estate, especially for an older population. The A338 also acts as a physical barrier as the screenshot below (taken from AA Route Finder) clearly shows.</p>
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⁹ <https://www.theaa.com/route-planner/route?from=Breamore%20House,%20Breamore,%20Fordingbridge,%20UK&to=Woodgreen,%20Fordingbridge,%20UK>



For these reasons, the use of Rally Field for occasional rallies across the summer and early autumn period are unlikely to increase recreational pressures and disturb breeding birds on the New Forest.

No likely significant effect in combination with other plans and projects

			X	X	X
Wintering birds: increased recreational disturbance	-	-	<p>The site will only be open during the summer months when wintering birds are not present. There is no potential for impact.</p> <p>No likely significant effect in combination with other plans and projects.</p>		

Hydrological changes, including: <ul style="list-style-type: none"> • water quality • flows • abstraction • nutrient levels 	X	X	X	X	X
			<p>Water quality: the site does not lie within the catchment of the New Forest rivers. No likely significant effect in combination with other plans and projects.</p> <p>Foul water: all foul and grey water will be tankered offsite using Robert Beale Ltd, who will dispose of collected waste at Holdenhurst WWTW or Trowbridge WWTW. The process of foul waste has no implications for the habitats on which the qualifying bird populations of the NF SPA and Ramsar. No likely significant effect in combination with other plans and projects.</p> <p>Surface water drainage: There will be no change to the drainage profile of surface waters. The rally site will not involve any new hard standing or hard infrastructure. The site does not lie within the catchment of the New Forest rivers. No likely significant effect in combination with other plans and projects.</p> <p>Water abstraction: the proposals do not require the abstraction of water from any of the New Forest rivers. No likely significant effect in combination with other plans and projects.</p>		
Air quality changes	-	-	X	X	X
			<p>The potential impact of decreased air quality on the NF SPA is considered negligible on account of the temporary and small scale nature of the proposals. No likely significant effect in combination with other plans and projects.</p>		

Table 3: Avon Valley SAC - assessment of likely significant effects

Check list of change		Reduction in area of Annex 1 habitats?	Direct effects on the populations of species for which the site is designated	Indirect effects on the populations of species for which the site was designated or classified due to loss or degradation of their habitat (quantity/quality)?	Changes to the composition of the habitats for which the site was designated (e.g. reduction in species structure, abundance or diversity that comprises the habitat over time)?	Interruption or degradation of the physical, chemical or biological processes that support habitats and species for which the site was designated or classified?
√	Likely significant adverse effect on the Natura 2000 site			x	Not likely to have a significant adverse effect on the Natura 2000 site	
-	The principle is not relevant to the screening exercise			?	Uncertain effect on the Natura 2000 site	
Potential impacts						
Land take	X	X	-	-	-	-
	The site lies outside the boundary of the SAC. No land take within the SAC is required, & no direct impacts on populations or habitats for which the SAC is designated will occur.					
Increased damage from recreational activity	-	-	X	X	X	
			<p>The River Avon lies to the east of Rally Field (c650m) with no direct footpath access. Access is not easily achieved by users of the Rally Field and as for the New Forest, it is not a natural destination when the purpose and focus of rallies is to explore the attractions of Breamore Estate. These pull rally attendees in the opposite direction, to the west, away from the river.</p> <p>For these reasons, additional recreational pressure along the river is unlikely. Furthermore, the qualifying features of the River Avon SAC are not species vulnerable to recreational disturbance (river flora, fish and Desmoulin's whorl snail).</p> <p>No likely significant effect in combination with other plans and projects.</p>			
	-	-	X	X	X	

<p>Hydrological changes, including:</p> <ul style="list-style-type: none"> • water quality • flows • abstraction • nutrient levels 			<p>Water quality: there is no direct water course linkage between Rally Field and the River Avon and therefore no potential for the proposals to implicate the qualifying Annex 1 habitats or Annex 2 species of the river through changes to water quality. No likely significant effect in combination with other plans and projects.</p> <p>Foul water: all foul and grey water will be collected and tankered offsite by Robert Beale Ltd for disposal and treatment at either the Trowbridge WWTW or Holdenhurst WWTW. Neither discharges treated effluent into the catchment of the River Avon or any other river catchments whose special ecological interest is sensitive to nutrient loading. Trowbridge WWTW discharges into the River Biss, a tributary of the Bristol Avon, whilst Holdenhurst WWTW discharges into the River Stour.</p> <p>Robert Beale Ltd has signed a Unilateral Agreement that guarantees all waste will be disposed of at either one of these two treatment works. Phosphate issues associated with the River Avon SAC are not therefore relevant whilst Rob Beale Ltd is contracted to remove grey and foul waste from the proposed rally site. However, there is a risk that Rob Beale Ltd is not used for the process of waste, in which case another operator may take the waste to an alternative treatment works whose effluent outfalls to the River Avon catchment (the most likely as it is the most local). For this reason, it is necessary to identify the potential for a likely significant effect on the River Avon SAC. Alone, the impact is unlikely to be significant. However when considered in combination with the process of waste from other schemes increasing overnight residential accommodation within the catchment of the River Avon, the potential for likely significance is established. Likely significant effect alone or in combination with other plans and projects.</p> <p>Surface water drainage: There will be no change to the drainage profile of surface waters. The rally site will not involve any new hard standing or hard infrastructure. No likely significant effect in combination with other plans and projects.</p> <p>Water abstraction: the proposals do not require the abstraction of water from the River Avon. No likely significant effect in combination with other plans and projects.</p>		
	-	-	X	X	X

Air quality changes			The potential impact of decreased air quality on the AV SAC is considered negligible on account of the little traffic that it will generate over the course of the year and the temporary and small scale nature of the proposals. No likely significant effect in combination with other plans and projects.
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Table 3: Avon Valley SPA & Ramsar - assessment of likely significant effects

Check list of change		Reduction in area of Annex 1 habitats?	Direct effects on the populations of species for which the site is designated	Indirect effects on the populations of species for which the site was designated or classified due to loss or degradation of their habitat (quantity/quality)?	Changes to the composition of the habitats for which the site was designated (e.g. reduction in species structure, abundance or diversity that comprises the habitat over time)?	Interruption or degradation of the physical, chemical or biological processes that support habitats and species for which the site was designated or classified?
√	Likely significant adverse effect on the Natura 2000 site			x	Not likely to have a significant adverse effect on the Natura 2000 site	
-	The principle is not relevant to the screening exercise			?	Uncertain effect on the Natura 2000 site	
Potential impacts						
Land take	X	X	-	-	-	-
	The site lies outside the boundary of the SPA & Ramsar. No land take within the designated sites is required, & no direct impacts on populations or habitats for which the SAC is designated will occur.					
Increased damage from recreational activity	-	-	X	X	X	
			The Avon Valley SPA & Ramsar lies downstream of Rally Field by 6.5km and is distant from the site. No direct footpath exists from Rally Field to the designated sites. Users of Rally Field are very unlikely to travel to the SPA/Ramsar on account of their focus being elsewhere, centred instead on the Breamore Estate. No likely significant effect in combination with other plans and projects.			
Hydrological changes, including: • water quality • flows	-	-	X	X	X	
			Water quality: there is no direct water course linkage between Rally Field and the River Avon and therefore no potential for the proposals to implicate the downstream qualifying features of the SPA/Ramsar site through changes to water quality. No likely significant effect in combination with other plans and projects.			

<ul style="list-style-type: none"> • abstraction • nutrient levels 				<p>Foul water: all foul and grey water will be collected and tankered offsite by Robert Beale Ltd for disposal and treatment at either the Trowbridge WWTW or Holdenhurst WWTW. Neither discharges treated effluent into the catchment of the River Avon or any other river catchments whose special ecological interest is sensitive to nutrient loading. Trowbridge WWTW discharges into the River Biss, a tributary of the Bristol Avon, whilst Holdenhurst WWTW discharges into the River Stour.</p> <p>Robert Beale Ltd has signed a Unilateral Agreement that guarantees all waste will be disposed of at either one of these two treatment works. Phosphate issues associated with the River Avon SAC are not therefore relevant whilst Rob Beale Ltd is contracted to remove grey and foul waste from the proposed rally site. However, there is a risk that Rob Beale Ltd is not used for the process of waste, in which case another operator may take the waste to an alternative treatment works whose effluent outfalls to the River Avon catchment (the most likely as it is the most local). For this reason, it is necessary to identify the potential for a likely significant effect on the River Avon SAC. Alone, the impact is unlikely to be significant. However when considered in combination with the process of waste from other schemes increasing overnight residential accommodation within the catchment of the River Avon, the potential for likely significance is established.</p> <p>Likely significant effect alone or in combination with other plans and projects.</p>		
<p>Air quality changes</p>	-	-	X	X	X	
			<p>The potential impact of decreased air quality on the AV SAC is considered negligible on account of the little traffic that it will generate over the course of the year and the temporary and small scale nature of the proposals.</p> <p>No likely significant effect in combination with other plans and projects.</p>			

- 5.3 The analysis in Tables 3 and 4 establish a potential pathway for the increase in phosphorous to the RA SAC and AV SPA and Ramsar in the event that a waste carrier other than Rob Beale Ltd is used for the disposal of waste waters.
- 5.5 In the absence of being able to consider any form of mitigation, the application is therefore considered likely to have a significant effect both alone and in combination with other projects on the:
- Avon Valley Special Protection Area,
 - Avon Valley Ramsar site
 - River Avon Special Area of Conservation
- 5.4 This conclusion generates a requirement for an appropriate assessment to address the impact of increasing phosphorous loading on the integrity of the River Avon (see Section 6.0). Appropriate Assessment is required.

6.0 Appropriate assessment

- 6.1 Section 5 set out an analysis to identify impact pathways likely to have a significant effect on the National Site Network, either alone or in combination with other projects. In the absence of mitigation, the analysis identified the need for appropriate assessment of the impacts of increased phosphorous on the RA SAC, and AV SPA & Ramsar site to establish whether the proposals will have an adverse effect on integrity of these sites, either alone or in combination with other projects.

Implications of Rally Field for the NSN sites of the Hampshire Avon

- 6.10 Rally Field operates with a waste disposal strategy that requires for grey and foul waters not taken offsite by people attending rallies through their own private facilities, to be collected by, and disposed of, by Robert Beale Ltd. This operator has been selected as for use because collected waste is guaranteed for disposal at either Trowbridge WWTW or Holdenhurst WWTW, neither of which outfall treated effluent to nutrient sensitive catchments. The guarantee is secured by a Unilateral Undertaking.
- 6.11 This waste disposal strategy avoids impact on the RA SAC, AV SPA & Ramsar site and other nutrient sensitive catchments. As a strategy therefore, it is effective in avoiding the input of nutrients to the River Avon. However, it is vulnerable to variation in two ways:
- Robert Beale Ltd could go bust, or may not be available for waste disposal
 - a change in management, or decision-making of the management may result in other waste disposal operations being favoured in place of Robert Beale Ltd.
- 6.12 In this instance, the process of waste could occur at a treatment plant that outfalls into the River Avon, or other nutrient sensitive systems. In this instance, Rally Field could not be considered nutrient neutral.

Mitigation

- 6.13 The uncertainty around future waste disposal can be controlled through use of a Unilateral Undertaking to commit Breamore House to using either Robert Beale Ltd for the disposal of grey water and foul waste, or any other operator able to demonstrate that waste will be disposed of at either Trowbridge WWTW or Holdenhurst WWTW. Prior to the start of each season, the Breamore House will confirm the operator for waste disposal to

NFDC and will provide copies of all receipts of collection and disposal for purpose of NFDC monitoring on request.

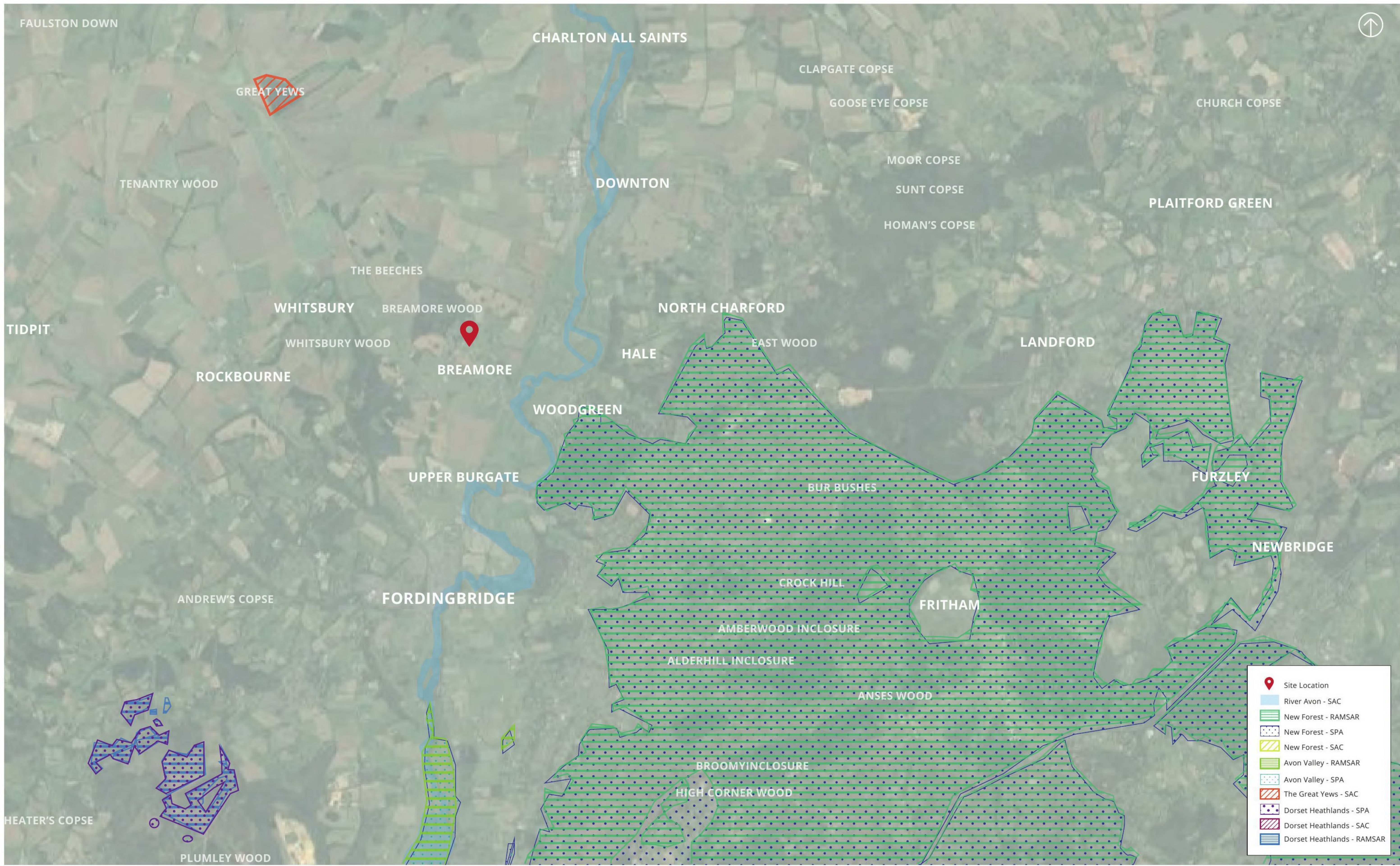
- 6.14 The obligation in the Unilateral Undertaking will ensure that all waste is disposed of in a way that avoids impact on the River Avon SAC, Avon Valley SPA or Ramsar site, or any other nutrient sensitive catchments and rivers. This will allow NFDC to conclude that the scheme will not have an adverse effect on the integrity of the NSN sites of the River Avon, either alone or in combination with other plans and projects.
- 6.15 This conclusion is fully consistent with advice received from John Stobart at Natural England, which states that if waste water is to transported to a WWTWs that discharge outside the Avon catchment (or other nutrient constrained catchments ie in this area Solent and Poole Harbour), and provided the LPA is satisfied that this arrangement can be secured, then the scheme does not need to mitigate for its additional nutrient loads (see Appendix 1).

7.0 Conclusion

- 7.1 Having concluded that the application is likely to have a significant effect on the River Avon SAC and the Avon Valley SPA in the absence of avoidance and mitigation measures, this document sets out a Shadow Appropriate Assessment of Rally Field, in accordance with Regulation 75 to 77 of the Conservation of Habitats and Species Regulations 2017 (as amended).
- 7.2 The assessment has concluded that the likely significant effects arising from the proposal are consistent with, and inclusive of potential impacts detailed in all relevant policy documents and that the proposal is compliant with the necessary measures to prevent adverse impacts on site integrity.
- 7.3 All mitigation measures necessary to prevent an adverse impact on the integrity of the relevant sites can be secured through a Unilateral Agreement.
- 7.4 This Shadow Appropriate Assessment is also relevant to consideration of the impact of the proposals on the NF Ramsar site as a matter of Government policy, as set out in the NPPF 2023¹⁰.
- 7.5 On this basis, it is concluded that the use of Rally Field as a rally site for up to 60 days in any one year will not have an adverse effect on the integrity of the designated sites identified above, either alone or in combination with other plans and projects.
- 7.6 As Competent Authority, NFDC must undertake its own independent appropriate assessment. It may adopt this document as the Authority's own following professional and independent scrutiny to confirm the findings of this analysis. Alternatively, it can use the information presented in this document to prepare the Authority's own Appropriate Assessment.

¹⁰ Ministry of Housing, Communities and Local Government, 2023. National Planning Policy Framework.





Appendix 1
Natural England advice

Subject: RE: Breamore Estate campervan rallies
Date: Thursday, 7 March 2024 at 14:35:15 Greenwich Mean Time
From: Stobart, John
To: Westrow Hulse
Attachments: image001.png

Hello

If the waste water was transported to a WWTWs that discharged outside the Avon catchment (or other nutrient constrained catchments ie in this area Solent and Poole Harbour) and provided the LPA were satisfied this arrangement could be secured then the scheme would not need to mitigate for its additional nutrient loads.

To do this you'll need to identify the WWTWs that will be used and the LPA may require evidence (ie documentation) that this has happened.

John

John Stobart
Planning and Conservation Senior Advisor

From: Westrow Hulse [REDACTED]
Sent: Thursday, February 22, 2024 3:54 PM
To: Stobart, John [REDACTED]
Subject: Breamore Estate campervan rallies

[REDACTED]

Dear John

Emma Tomlin recommended that I get in touch as I had a couple of questions regarding a field, we've been using to hold campervan rallies in for the last 15 years.

Our site is about 1.5 miles from the river, and we have foul water storage on site, which is disposed of in a wastewater treatment facility. If we were to dispose of the water outside the Avon catchment area in neighbouring Dorset, would that still be considered to have a detrimental impact on a designated European-level wildlife site?

If so, could you please advise me on what we need to do to mitigate this?

I should note that we are only looking for the days allowed under permitted development, which provide a much-needed boost to our countryside museum and farm shop.

Best,
Westrow Hulse
Director



BREAMORE HOUSE

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