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MILFORD ROAD WASTEWATER TREATMENT WORKS HABITATS REGULATIONS ASSESSMENT

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1. INTRODUCTION

1.1 Background

Ramboll UK Limited (Ramboll) has been appointed by Downing Renewable Developments LLP (the 'Applicant') to provide a report to support Habitats Regulations Assessment (HRA) of the planning application for a proposed 860 kW solar PV array at Milford Road (the 'site').

The Conservation of Habitats and Species (Amendment)(EU Exit) Regulations 2019¹ is also known as the Habitats Regulations and HRA applies to plans or projects where there could be a likely significant effect on Special Protection Areas (SPAs) and Special Areas of Conservation (SACs), which are collectively known as National Site Network sites², and / or to Ramsar Sites.

1.2 Objective and Scope of Works

This report has been prepared with the aim of supporting decision making by the competent authority (in this case Hampshire County Council), in relation to the potential implications of the proposed development on the following designated sites:

- Solent and Southampton Water SPA 225 m south-west;
- Solent and Southampton Water Ramsar 225 m southwest.
- Solent and Dorset Coast SPA 2 km south;
- The New Forest SPA 4.8 km north;
- The New Forest Ramsar 4.7 km north;
- The New Forest SAC 2.1 km north-west;
- Solent and Isle of Wight Lagoons SAC 1.9 km east;
- Solent Maritime SAC 1.5 km south-east;
- Isle Of Wight Downs SAC 8.1 km south; and
- South Wight Maritime SAC 7.6 km south.

The implications of the proposed development on these designated sites have been considered due to their proximity to the application site and the potential existence of impact pathways between them and the proposed development.

The locations of these designated sites in relation to the application site are shown at Appendix 1, Figure 1.

This report also considers the following:

- The ecological interest of the sites listed above;
- The likely nature and scale of potential effects on these sites from the proposed development; and
- Consideration of the need for an appropriate assessment.

¹ The National Archives (2019) The Conservation of Habitats and Species (Amendment)(EU Exit) Regulations 2019 [online] www.legislation.gov.uk/ukxi/2019/579/contents/made#:~:text=The%20Conservation%20of%20Habitats%20and%20Species%20%28Amendment%29%20%28EU,Regulations%202019%20UK%20Statutory%20Instruments%202019%20No.%20579 [January 2023]

² Formerly known as European / Natura 2000 Sites.

Where it is considered that an appropriate assessment is not likely to be required, the reasons and evidence to support that conclusion are presented.

1.3 Limitations and Constraints

This report has been prepared by Ramboll exclusively for the intended use by the client in accordance with the agreement between Ramboll and the client defining, among others, the purpose, the scope and the terms and conditions for the services. Ramboll has been commissioned to identify potential impacts on relevant designated sites as a consequence of the proposed development. This report does not address any other potential environmental impacts that may result from the proposed development.

In preparation of the report and performance of any other services, Ramboll has relied upon publicly available information, information provided by the client and information provided by third parties. Accordingly, the conclusions in this report are valid only to the extent that the information provided to Ramboll was accurate, complete, and available to Ramboll within the reporting schedule. Ramboll does not accept any liability for the accuracy or otherwise of any information derived from secondary sources; however, reasonable endeavours have been made to verify information obtained in this way.

Ramboll's services are not intended as legal advice, nor an exhaustive review of site conditions and/or compliance.

This report is based on an assessment of the application site (the boundaries of which are as shown at Appendix 1, Figure 2). If the development extends to land additional to that shown on the drawing, or the proposals alter, the assessment and subsequent recommendations may need to be revised.

2. SITE DETAILS

2.1 Site Location and Description

The site is located at Ordnance Survey (OS) grid reference SZ309933, approximately 2.3 km to the south-west of Lymington (see Appendix 1, Figure 2).

The site is to the south-west of Lymington in Hampshire, directly adjacent to the existing Southern Water operational Wastewater Treatment Works (WTW) and existing Pennington Recycling Centre Solar Farm. The site is surrounded by agricultural fields, which are predominantly pastoral. There are several blocks of woodland within close proximity to the site and the southern coastline is approximately 1.6 km from the site at its closest point. Avon Water runs north to south through the landscape, approximately 250 m west of the site, and there are several ponds within close proximity.

Adjacent and surrounding land uses to the site include:

- North: pastoral fields and beyond those, the town of Lymington;
- East: Milford Road and the New Milton Sand and Ballast site;
- South: the Pennington Recycling Centre Solar Farm and further pastoral fields; and
- West: the existing Southern WTW and beyond that, Avon Water and associated woodland and riparian habitats.

The site comprises part of a horse-grazed grassland field, with scattered scrub at the south end and dense scrub surrounding the site, although the majority of this is outside of the application boundary (see Appendix 1, Figure 3).

There is a Public Right of Way (PRoW) running the entire length of the eastern boundary of the site, with a stock fence separating the field from the PRoW and the adjacent boundary hedgerow. There is similar stock fencing around the south and west perimeters of the field.

3. THE DEVELOPMENT

3.1 The Proposed Development

The proposed development comprises installation of a 860 kW private wire solar PV array on land adjacent to Southern Water's WTW at Milford Road.

The aim of the project is to reduce the need to purchase energy from the national grid, with the project also contributing towards Southern Water's target of carbon zero by 2030, and helping Southern Water achieve its target of 25% of Southern Water energy consumption being generated by renewable energy at this WTW.

3.2 Construction

Solar PV arrays will be installed with shallow piles, driven into the ground in discrete locations, with grassland and topsoil left predominantly intact.

No soil stripping or earthworks are required.

3.3 The Proposed Development

The proposed development at Milford Road comprises approximately 1.8 hectares (ha) of solar PV arrays, accessed via a track to the north-east.

Occasional maintenance visits will be required to ensure that arrays remain fit for purpose.

4. ASSESSMENT METHODOLOGY

The procedure for assessment of projects that are not directly connected with, or necessary to, the management of the designation for conservation is an ordered process following a number of key stages.

4.1 Stage 1 – Screening

Under the first stage, it is necessary for the competent authority to examine if the proposals will result in any 'likely significant effect' on the internationally important features of relevant designated sites, either alone or in combination with other plans or projects.

If it can be objectively concluded that there are not likely to be significant effects on relevant designated sites, no further assessment is necessary, the outcome should be documented and agreed, and permission should not be refused under the assessment.

If any 'likely significant effects' are identified or where it remains unclear whether effects will be significant the assessment procedure should follow on to Stage 2.

Contrary to previous case law in England and Wales, following the Court of Justice of the European Union ruling (*People over Wind, Peter Sweetman v Coillte Teoranta*, Case C323/17, dated 12 April 2018), measures intended to avoid or reduce the harmful effects of a plan or project on a designated site should not be taken into account at this screening stage, and instead these must be considered as part of an Appropriate Assessment (Stage 2). An exception to this is where the mitigation proposed is integral to or embedded in the project in order for the project to ensure compliance with an identified piece of legislation (other than the Habitats Regulations) or policy, as opposed to being required to avoid or reduce impacts to the specific features of the designated site.

Should it be determined that (in the absence of mitigation/avoidance measures) a plan or project will result in 'likely significant effects' on a designated site (or that such effects cannot be ruled out), the competent authority should proceed to the next stage (Stage 2 Appropriate Assessment), where further assessment is required.

4.2 Stage 2 – Appropriate Assessment

Under the second stage, it is necessary for the competent authority to determine whether the proposals, either alone or in combination with other projects or plans, will result in any adverse effects on the integrity of the site in view of the conservation objectives of the site. The precautionary principle should be applied, and the focus should be on objectively demonstrating, with supporting evidence, that there will be no adverse effects on the integrity of the designated site. Where this is not the case, adverse effects must be assumed.

If it is considered by the competent authority that the proposal will not adversely affect the integrity of the site, permission can be granted. If this cannot be ascertained, or there is uncertainty, the assessment procedure should follow on to Stage 3.

4.3 Stage 3 Onwards

Under Stages 3 and 4, it is necessary for the competent authority to assess if there are alternative solutions and whether there are imperative reasons of overriding public interest. If these tests are passed, authorisation may be granted subject to compensation measures being secured.

5. STAGE 1 – NATIONAL SITE NETWORK AND RAMSAR SITES SCREENING ASSESSMENT

5.1 Legislative Basis for Designations

In England, Wales and Scotland, a national site network has been created comprising sites previously designated under the European Commission (EC) Nature Directives (previously referred to as “Natura 2000” sites).

These sites, which include SACs and SPAs continue to be designated through domestic legislation, comprising the Conservation of Habitats and Species (Amendment)(EU Exit) Regulations 2019 (the “2019 Habitats Regulations”) in England and Wales and the Conservation (Natural Habitats) Regulations 1994 and Conservation of Offshore Marine Habitats and Species Regulations 2017 in Scotland.

The habitat types and species for which these sites are designated are those considered to be most in need of conservation at an international level. SACs with marine components are sites that contain qualifying marine habitats or species.

Ramsar sites are designated under the Convention on Wetlands of International Importance (Ramsar Convention 1971). Although Ramsar sites do not form part of the national site network, many overlap with SAC and SPA boundaries, and Ramsar sites are in effect protected in the same way as SACs and SPAs under the 2019 Habitats Regulations as a result of policy³.

The Regulations impart a duty on competent authorities to carefully consider whether any proposals are likely to have a significant effect on a National Site Network or Ramsar site, either alone or in combination with other plans or projects.

In most circumstances, permission may only be given for a plan or project that has a likely significant effect to proceed if it has been ascertained that it will not have an adverse effect on the integrity of any such designated site.

5.2 Special Protection Areas

The application site is within 10 km of three SPAs comprising:

- Solent and Southampton Water SPA - 225 m south-west;
- Solent and Dorset Coast SPA - 2 km south; and
- The New Forest SPA - 4.8 km north.

Reasons for designation and qualifying features of each SPA are outlined in Table 5.1.

³ National Planning Policy Framework (Ministry of Housing, Communities and Local Government) 2023 [online] www.assets.publishing.service.gov.uk/media/64f991c99ee0f2000fb7c001/NPPF_Sept_23.pdf [March 2023]

Table 5.1: Designation Criteria and Qualifying Features of Special Protection Areas within 10 km of the Proposed Development

Special Protection Area	Reference Code	Reasons for Designation	Qualifying Features	Initial Screening of Impact Pathways (Screen IN or OUT)
Solent and Southampton Water	UK9011061	<p>This site is internationally important as it comprises a series of estuaries and adjacent coastal habitats important for breeding gulls and terns and wintering waterfowl.</p> <p>The site qualifies under Article 4.1 of the Birds Directive (79/409/EEC) as it is used by Annex 1 species comprising Mediterranean gull, sandwich tern, common tern, little tern and roseate tern.</p> <p>The site also qualifies under Article 4.2 as it is used by the migratory species including dark-bellied brent goose, teal, ringed plover and black-tailed godwit.</p>	<ul style="list-style-type: none"> • Mediterranean gull (<i>Ichthyaetus melanocephalus</i>); • Sandwich tern (<i>Thalasseus sandvicensis</i>); • Common tern (<i>Sterna hirundo</i>); • Little tern (<i>Sternula albifrons</i>); • Roseate tern (<i>Sterna dougallii</i>); • Dark-bellied brent goose (<i>Branta bernicla bernicla</i>); • Teal (<i>Anas crecca</i>); • Ringed plover (<i>Charadrius hiaticula</i>); and • Black-tailed godwit (<i>Limosa limosa</i>). 	<p>IN</p> <p>Potential impacts to qualifying features using habitat adjacent to the application site (no suitable habitat within the application site itself).</p> <p>Species including sandwich tern, common tern and little tern are screened out as there is no suitable habitat within or adjacent to the application site, and no presence within Wetland Bird Survey (WeBs) counts of these locations in the period 2017 – 2022⁴.</p>
Solent and Dorset Coast	UK9020330	<p>During the breeding season the area regularly supports the sandwich tern, common tern and the little tern.</p> <p>The site also contains estuarine, intertidal sediments and subtidal sediments.</p>	<ul style="list-style-type: none"> • Sandwich tern; • Common tern; and • Little tern. 	<p>OUT</p> <p>No impact pathways due to the size / nature of the proposed development, the distance of the application site from the designated site, and a lack of suitable habitat to support qualifying features within the application site itself.</p>
The New Forest	UK9011031	<p>In the summer this site supports breeding pairs of nightjar, woodlark, Dartford warbler, honey buzzard and kingfisher.</p> <p>In the winter this site also supports hen harrier.</p> <p>This site is important for lowland heathland breeding birds.</p> <p>It also qualifies under Article 4.2 by supporting breeding pairs of hobby, wood warbler, lapwing, redshank, curlew, snipe, stonechat and redstart.</p>	<ul style="list-style-type: none"> • Nightjar (<i>Caprimulgus europaeus</i>); • Woodlark (<i>Lullula arborea</i>); • Dartford warbler (<i>Sylvia undata</i>); • Honey buzzard (<i>Pernis apivorus</i>); • Kingfisher (<i>Alcedo atthis</i>); • Hen harrier (<i>Circus cvaneus</i>); • Hobby (<i>Falco subbuteo</i>); • Wood warbler (<i>Phylloscopus sibilatrix</i>); • Lapwing (<i>Vanellus vanellus</i>); • Redshank (<i>Tringa totanus</i>); • Curlew (<i>Numenius arquata</i>); • Snipe (<i>Gallinago gallinago</i>); • Stonechat (<i>Saxicola torquata</i>); and • Redstart (<i>Phoenicurus phoenicurus</i>). 	<p>OUT</p> <p>No impact pathways due to the size / nature of the proposed development (no residential / overnight accommodation that could lead to recreational pressures), the distance of the application site from the designated site and a lack of suitable habitat to support qualifying features within the application site itself.</p>

⁴ WeBs Core Count Data for Hurst to Lymington (17401)(2023) BTO Services Ltd (DR23/79)

5.3 Special Areas of Conservation

The application site is within 10 km of five SACs comprising:

- Solent and Isle of Wight Lagoons SAC - 1.9 km east;
- Solent Maritime SAC - 1.5 km south-east;
- Isle Of Wight Downs SAC - 8.1 km south;
- The New Forest SAC - 2.1 km north-west; and
- South Wight Maritime SAC - 7.6 km south.

Reasons for designation and qualifying features of each SAC are outlined in Table 5.2.

Table 5.2: Designation Criteria and Qualifying Features of Special Areas of Conservation within 10 km of the Proposed Development

SAC	Reference Code	Reasons for Designation	Qualifying Features	Initial Screening of Impact Pathways (Screen IN or OUT)
Solent and Isle of Wight Lagoons	UK0017073	This site is internationally designated for the presence of coastal lagoons. Other habitats include salt marshes, pastures, steppes, tidal rivers, estuaries, and mud and sand flats. These support a diverse fauna including large populations of three notable species, comprising the nationally rare foxtail stonewort, lagoon sand shrimp and starlet sea anemone.	<ul style="list-style-type: none"> • Foxtail stonewort (<i>Lamprot hamnium papulosum</i>); • Lagoon sand shrimp (<i>Gammarus insensibilis</i>); and • Starlet sea anemone (<i>Nematost ella vectensis</i>). 	OUT No impact pathways due to the size / nature of the proposed development, the distance of the application site from the designated site, and a lack of suitable habitat to support qualifying features within the application site itself.
Solent Maritime	UK0030059	The Solent Maritime SAC contains annual vegetation of drift lines, Atlantic salt meadows (<i>Glaucopuccinellietalia maritimae</i>), coastal lagoons, estuaries, mudflats and sandflats not covered by seawater at low tide, perennial vegetation of stony banks, <i>Salicornia</i> sp. and other annuals colonising mud and sand, sandbanks, which are slightly covered by sea water all the time, shifting dunes along the shoreline with <i>Ammophila arenaria</i> ("white dunes") and Spartina swards (<i>Spartinion maritimae</i>). Annex II species present as a qualifying feature but not primary reason for site selection include the Desmoulin's whorl snail.	<ul style="list-style-type: none"> • Desmoulin's whorl snail (<i>Vertigo moulinsiana</i>). 	OUT No impact pathways due to the size / nature of the proposed development, the distance of the application site from the designated site, and a lack of suitable habitat to support qualifying features within the application site itself.
Isle Of Wight Downs	UK0016254	This site represents one of the best examples of chalk grassland in the south of England under maritime influence, which support important assemblages of nationally rare lichens. The dry heath supports small breeding populations of Dartford warbler and a wide range of invertebrates and plants. Annex II species included as a primary reason for selection of the site comprise early gentian.	<ul style="list-style-type: none"> • Early gentian (<i>Gentianella anglica</i>). 	OUT No impact pathways due to the size / nature of the proposed development, the distance of the application site from the designated site, and a lack of suitable habitat to support qualifying features within the application site itself.
The New Forest	UK0012557	This site contains oligotrophic waters, extensive stands of lowland northern Atlantic wet heaths and European dry heaths and woodland.	<ul style="list-style-type: none"> • Southern damselfly (<i>Coenagrion mercurial</i>); 	OUT No impact pathways due to the size / nature of the proposed development (no

SAC	Reference Code	Reasons for Designation	Qualifying Features	Initial Screening of Impact Pathways (Screen IN or OUT)
		Annex II species that are a primary reason for selection of this site includes southern damselfly and stag beetle. Annex II species present as a qualifying feature, but not a primary reason for site selection include great crested newt.	<ul style="list-style-type: none"> Stag beetle (<i>Lucanus cervus</i>); and Great crested newt (<i>Triturus cristatus</i>). 	residential / overnight accommodation that could lead to recreational pressures), the distance of the application site from the designated site, and a lack of suitable habitat to support qualifying features within the application site itself.
South Wight Maritime	UK0030061	This site is designated for reefs, vegetated sea cliffs, and submerged or partially submerged sea caves.	<ul style="list-style-type: none"> Reefs; Vegetated sea cliffs; and Submerged or partially submerged sea caves. 	OUT No impact pathways due to the size / nature of the proposed development, the distance of the application site from the designated site, and a lack of suitable habitat to support qualifying features within the application site itself.

5.4 Ramsar Sites

The application site is within 10 km of two Ramsar sites comprising:

- Solent and Southampton Water Ramsar - 225 m south-west; and
- The New Forest Ramsar - 4.7 km north.

Reasons for designation and qualifying features of each Ramsar site are outlined in Table 5.3.

Table 5.3: Designation Criteria and Qualifying Features of Ramsar sites within 10 km of the Proposed Development

Ramsar	Reference Code	Reasons for Designation	Qualifying Features	Initial Screening of Impact Pathways (Screen IN or OUT)
Solent and Southampton Water	UK11063	Habitats include estuaries and adjacent coastal habitats including intertidal flats, saline lagoons, shingle beaches, reefs, saltmarsh, and reedbeds, damp woodland, and grazing marsh. These support internationally important numbers of wintering waterfowl including ringed plover teal, and dark bellied brent goose, in addition to an impressive assemblage of rare invertebrates and plants.	<ul style="list-style-type: none"> Ringed plover; Teal; and Dark bellied brent goose. 	IN Potential impacts to qualifying features using habitat adjacent to the application site (no suitable habitat within the site itself).
The New Forest	UK11047	An extensive complex of woodland, dry and wet heath and over 90 valley mires, associated seepages and peatlands situated on acidic and nutrient-poor soils. Pools in the heath-mire matrix contain nutrient-enriched water supporting a species-rich assemblage of plants. Several species of plants, invertebrates and birds occurring at the site are rare, vulnerable, endangered, or nationally scarce. The site is important for breeding, feeding and roosting birds characteristic	<ul style="list-style-type: none"> Dartford warbler; Hen harrier; Great crested newt; Brook lamprey; European bullhead (<i>Cottus gobio</i>); and A range of invertebrates. 	OUT No impact pathways due to the size / nature of the proposed development (no residential / overnight accommodation that could lead to recreational pressures), the distance of the application site from the designated site, and a lack of suitable habitat to support qualifying features

Ramsar	Reference Code	Reasons for Designation	Qualifying Features	Initial Screening of Impact Pathways (Screen IN or OUT)
		of the heathland environment and wintering raptors, with up to 15 hen harriers feeding or roosting in the area.		within the application site itself.

5.5 Justification of Likely Significant Effect

Based on the initial screening outlined above, the following designated sites have been identified as requiring further consideration to assess potentially significant effects:

- Solent and Southampton Water SPA; and
- Solent and Southampton Water Ramsar site.

Baseline information for these sites is provided at Table 5.4.

Likely significant effects on each of these sites are considered in turn in the following sections.

Solent and Southampton Water SPA

Table 5.4: Baseline Information for the Solent and Southampton Water SPA

Baseline Information	Detail
Relationship between Designated Site and Application Site	<p>The application site is approximately 225 m north-east of the Solent and Southampton Water SPA.</p> <p>The application site itself does not provide suitable habitat, comprising a relatively small, narrow grassland field, used for horse grazing, and surrounded by scrub, hedgerows, and woodland.</p> <p>The fields on the opposite side of Milford Road are, however, identified as Core Habitats within the Solent Wader and Brent Goose Strategy⁵.</p> <p>WeBs Core Count Data for Hurst to Lymington in the period 2017 to 2022 confirm that these areas are particularly important for dark-bellied brent geese, teal, black-tailed godwit, and Mediterranean gull.</p>
Relationship with other National Site Network or Ramsar Sites	<p>The Solent and Southampton Water Ramsar Site covers the same footprint as the Solent and Southampton Water SPA and is considered at Table 5-7.</p> <p>The footprint of the Solent and Southampton Water SPA partially overlaps with the Solent and Dorset Coast SPA, which is designated for the presence of breeding populations of sandwich tern, common tern, and little tern.</p>
Qualifying features	<ul style="list-style-type: none"> • Mediterranean gull; • Sandwich tern; • Common tern; • Little tern; • Roseate tern; • Dark-bellied brent goose; • Teal; • Ringed plover; and • Black-tailed godwit.
Conservation Objectives ⁶	<p>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;</p> <ul style="list-style-type: none"> • The extent and distribution of the habitats of the qualifying features; • The structure and function of the habitats of the qualifying features;

⁵ The Solent Waders & Brent Goose Strategy Network [online] [The Solent Waders & Brent Goose Network \(arcgis.com\)](https://arcgis.com) [Dec 2023]

⁶ European Site Conservation Objectives for Solent and Southampton Water Special Protection Area Site Code: UK9011061 [online] [UK9011061-Solent-and-Southampton-Water-SPA-V2019 \(1\).pdf](#) [Dec 2023]

Baseline Information	Detail
	<ul style="list-style-type: none"> 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.
Condition	<p>Currently there is no condition assessment for the Solent and Southampton SPA, although a methodology has been agreed with Natural England and the SPA is schedule for condition assessment in 2024⁷.</p> <p>The condition assessment for Hurst Castle and Lymington River Estuary Site of Special Scientific Interest (SSSI), which is a constituent part of the SPA, includes condition status for black-tailed godwit (favourable) and dark-bellied brent geese (favourable), although there are no condition assessments for the remaining qualifying features of the SPA.</p>
Threats ⁸	<ul style="list-style-type: none"> Public access / disturbance; Coastal squeeze; Fisheries (commercial marine and estuarine); Water pollution; Changes in species distributions; Climate change; Change to site conditions; Invasive species; Biological resource use; Change in land management; Inappropriate pest control; Air pollution (impact of atmospheric nitrogen deposition); Hydrological changes; Direct impact from third party; and Other.

Table 5.5: Screening of Potential Likely Significant Effects for the Solent and Southampton Water SPA

Key Issues and Relevant Threats	Justification
Disturbance (noise / visual / vibration) pressure	<p>Construction:</p> <p>Installation of solar panels will require construction machinery, an increase in vehicular and human presence, and cause increased noise, visual and vibration disturbance to adjacent fields identified as Core Habitats for SPA bird populations (specifically dark-bellied brent geese, teal, black-tailed godwit and Mediterranean gull).</p> <p>Completed Development:</p> <p>Maintenance of solar panels and associated habitats will require increased vehicular and human presence, although the magnitude and frequency at which this will occur is not considered likely to cause significant disturbance to adjacent SPA bird populations (specifically dark-bellied brent geese, teal, black-tailed godwit and Mediterranean gull).</p>

Table 5.6: Conclusions for the Solent and Southampton Water SPA

Is the potential scale or magnitude of any effect likely to be significant?	
Alone	Significant effects likely during construction.
In combination with other plans or projects	<p>A search of the local planning portal did not provide any records of approved / in determination plans or projects likely to contribute to in-combination effects on the integrity of the relevant designated sites.</p> <p>A single refused planning application for creation of additional parking associated with the existing wastewater treatment facility was identified, although the related ecological reporting did not identify likely significant effects on the SPA, resulting in no in-combination effects should the application be resubmitted in the future.</p>

⁷ Solent Marine Sites [online] www.solentems.org.uk/sems/Condition_assessments/ [Dec 2023]

⁸ Site Improvement Plan – Solent [online] SIP141007FINALv1.0_Solent.pdf [Dec 2023]

Is the potential scale or magnitude of any effect likely to be significant?

In the absence of mitigation, are the proposals likely to have a significant effect on the designated site?

Yes - An Appropriate Assessment (Stage 2) is required.

Solent and Southampton Water Ramsar Site

Table 5.7: Baseline Information for the Solent and Southampton Water Ramsar Site

Baseline Information	Detail
Relationship between Designated Site and Application Site	<p>The application site is approximately 225 m northeast of the Solent and Southampton Water SPA.</p> <p>The application site itself does not provide suitable habitat, comprising a relatively small, narrow grassland field, used for horse grazing, and surrounded by scrub, hedgerows, and woodland.</p> <p>The fields on the opposite side of Milford Road are, however, identified as Core Habitats within the Solent Wader and Brent Goose Strategy.</p> <p>WeBs Core Count Data for Hurst to Lymington in the period 2017 to 2022 confirm that these areas are particularly important for dark-bellied brent geese, teal and black-tailed godwit.</p>
Relationship with other National Site Network or Ramsar Sites	<p>The Solent and Southampton Water SPA covers the same footprint as the Solent and Southampton Water Ramsar Site and is considered at Table 5-4.</p> <p>The footprint of the Solent and Southampton Water Ramsar Site partially overlaps with the Solent and Dorset Coast SPA, which is designated for the presence of breeding populations of sandwich tern, common tern, and little tern.</p>
Qualifying features ⁹	<ul style="list-style-type: none"> • Dark-bellied brent goose; • Teal; and • Black-tailed godwit.
Conservation Objectives	There are no conservation objectives for Ramsar Sites.
Condition	<p>Currently there is no condition assessment for the Solent and Southampton Ramsar Site, although a methodology has been agreed with Natural England and the Ramsar Site is scheduled for condition assessment in 2024¹⁰.</p> <p>The condition assessment for Hurst Castle and Lymington River Estuary Site of Special Scientific Interest (SSSI), which is a constituent part of the SPA, includes condition status for black-tailed godwit (favourable) and dark-bellied brent geese (favourable), although there are no condition assessments for the remaining qualifying features of the SPA.</p>
Factors adversely affecting the site's character	<ul style="list-style-type: none"> • Erosion

Table 5.8: Screening of Potential Likely Significant Effects for the Solent and Southampton Water Ramsar Site

Key Issues and Relevant Threats	Justification
Disturbance (noise / visual / vibration) pressure	<p>Construction:</p> <p>Installation of solar panels will require construction machinery, an increase in vehicular and human presence, and cause increased noise, visual and vibration disturbance to adjacent fields identified as Core Habitats for Ramsar Site bird populations (specifically dark-bellied brent geese, teal and black-tailed godwit).</p> <p>Completed Development:</p> <p>Maintenance of solar panels and associated habitats will require increased vehicular and human presence, although the magnitude and frequency at which this will occur is not considered likely to cause significant disturbance to adjacent Ramsar Site bird populations (specifically dark-bellied brent geese, teal and black-tailed godwit).</p>

⁹ Information Sheet on Ramsar Wetlands – Solent and Southampton Water [online] www.rsis Ramsar.org/RISapp/files/RISrep/GB965RIS.pdf [Dec 2023]

¹⁰ Solent Marine Sites [online] www.solentems.org.uk/sems/Condition_assessments/ [Dec 2023]

Table 5.9: Conclusions for the Solent and Southampton Water Ramsar Site

Is the potential scale or magnitude of any effect likely to be significant?	
Alone	Significant effects likely during construction.
In combination with <i>other</i> plans or projects	<p>A search of the local planning portal did not provide any records of approved / in determination plans or projects likely to contribute to in-combination effects on the integrity of the relevant designated sites.</p> <p>A single refused planning application for creation of additional parking associated with the existing wastewater treatment facility was identified, although the related ecological reporting did not identify likely significant effects on the Ramsar Site, resulting in no in-combination effects should the application be resubmitted in the future.</p>
In the absence of mitigation, are the proposals likely to have a significant effect on the designated site?	
Yes - An Appropriate Assessment (Stage 2) is required.	

6. STAGE 2 – APPROPRIATE ASSESSMENT

6.1 Designated Sites with Likely Significant Effects

The Stage 1 Screening Assessment identified the following designated sites where there is potential for significant effects to occur in the absence of mitigation:

- Solent and Southampton Water SPA; and
- Solent and Southampton Water Ramsar site.

An assessment of effects on integrity in view of each National Site Network site’s conservation objectives is set out below, to inform an appropriate assessment of the proposed works.

6.2 Solent and Southampton Water SPA and Ramsar Site

The proposed development has the potential to affect the integrity of the Solent and Southampton Water SPA and Ramsar site due to increased disturbance pressure during the construction phase. These potential effects on integrity are assessed further within this section.

Table 6.1: Information for Appropriate Assessment for the Solent and Southampton Water SPA and Ramsar site

Conservation Objectives – Key Issues and Relevant Threats	Impacts on Integrity of the Designated Site in the Absence of Mitigation
Conservation Objectives / Issue / Threat	<p>Construction:</p> <p>In the absence of mitigation, the construction stage has potential to impact the integrity of the SPA / Ramsar Site via increased disturbance pressure (noise, visual, vibration, and vehicular and human presence) on between 11% to 43% of the over-wintering bird populations (specific percentage dependent on individual species) for which the SPA and Ramsar site are designated.</p> <p>Increased disturbance at habitats identified as Core Areas for these populations can force geese to find and use alternative (and potentially sub-optimal) grazing resources, with an associated increase of energy expenditure, and potential to reduce the reproductive success or survival of individuals.</p> <p>Completed Development:</p> <p>The operational stage is considered unlikely to impact the integrity of the SPA / Ramsar Site, due to the low magnitude and frequency of potential disturbance impacts as a result of solar panel and habitat management and maintenance. The modification of habitat (grassland beneath solar panels) will have no effect due to the lack of suitability of the baseline habitats for the SPA / Ramsar Site species.</p>

6.3 Scheme of Mitigation

To avoid impacts on qualifying features of the SPA and Ramsar site (specifically wintering populations of brent geese using adjacent fields), the construction phase (i.e., installation of solar panels and cabling) should take place outside of the wintering bird season (October to March inclusive).

7. CONCLUSION

This report has been prepared to provide information to the competent authority regarding the potential for the proposed development to have effects on designated sites, in accordance with the HRA process required under the Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019.

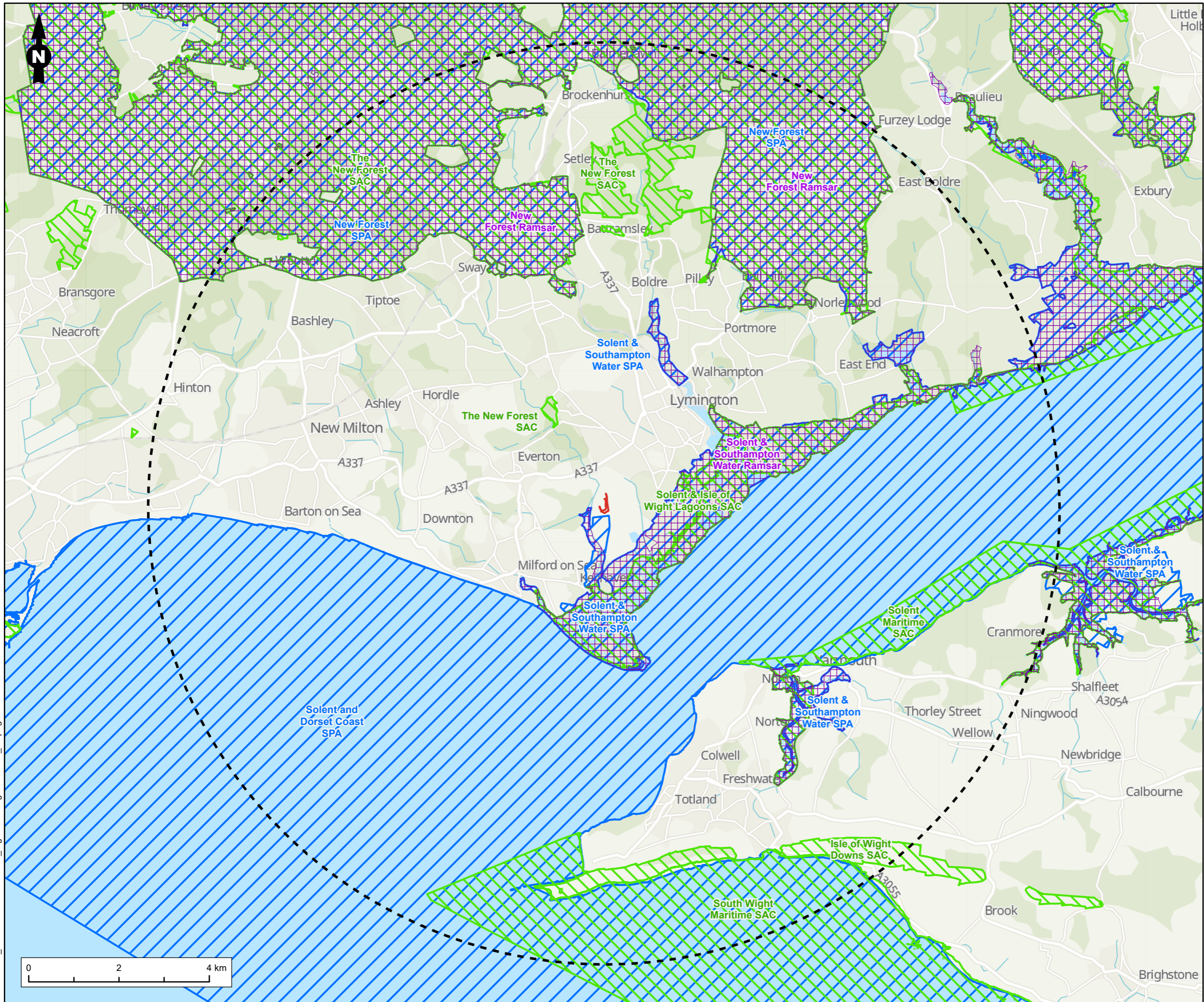
The effects of the proposed development have been discussed using the available information and professional judgement.

In the absence of mitigation, a likely significant effect on the Solent and Southampton Water SPA is anticipated during the construction stage, due to increased disturbance pressure on qualifying features (specifically over-wintering brent geese, teal and black-tailed godwit) using fields adjacent to the application site, which have been identified as Core Areas in the Solent Waders and Brent Goose Strategy.

After the implementation of mitigation (comprising appropriate timing of works for construction / installation of solar panels and cabling), it is not considered that the proposed development (either alone or in-combination with other plans or projects) will result in an adverse effect on the integrity of relevant designated sites.

In conclusion, with required mitigation there would be **no adverse effect on the integrity** of relevant designated sites during either the construction or operational stages of development.

APPENDIX 1 FIGURES



Legend

- Site Boundary
- Study Area (10 km)

Designated Sites

- RAMSAR
- Special Area of Conservation (SAC)
- Special Protection Area (SPA)

Figure Title
Statutory Designated Sites within 10 km

Project Name
Milford Road

Project No./Filey ID
1620015344-002 / REH2023N04158

Date	Figure No.	Revision
January 2024	1	1.0

Prepared By	Scale
AB	1:80,000 @A3

Client
Downing LLP



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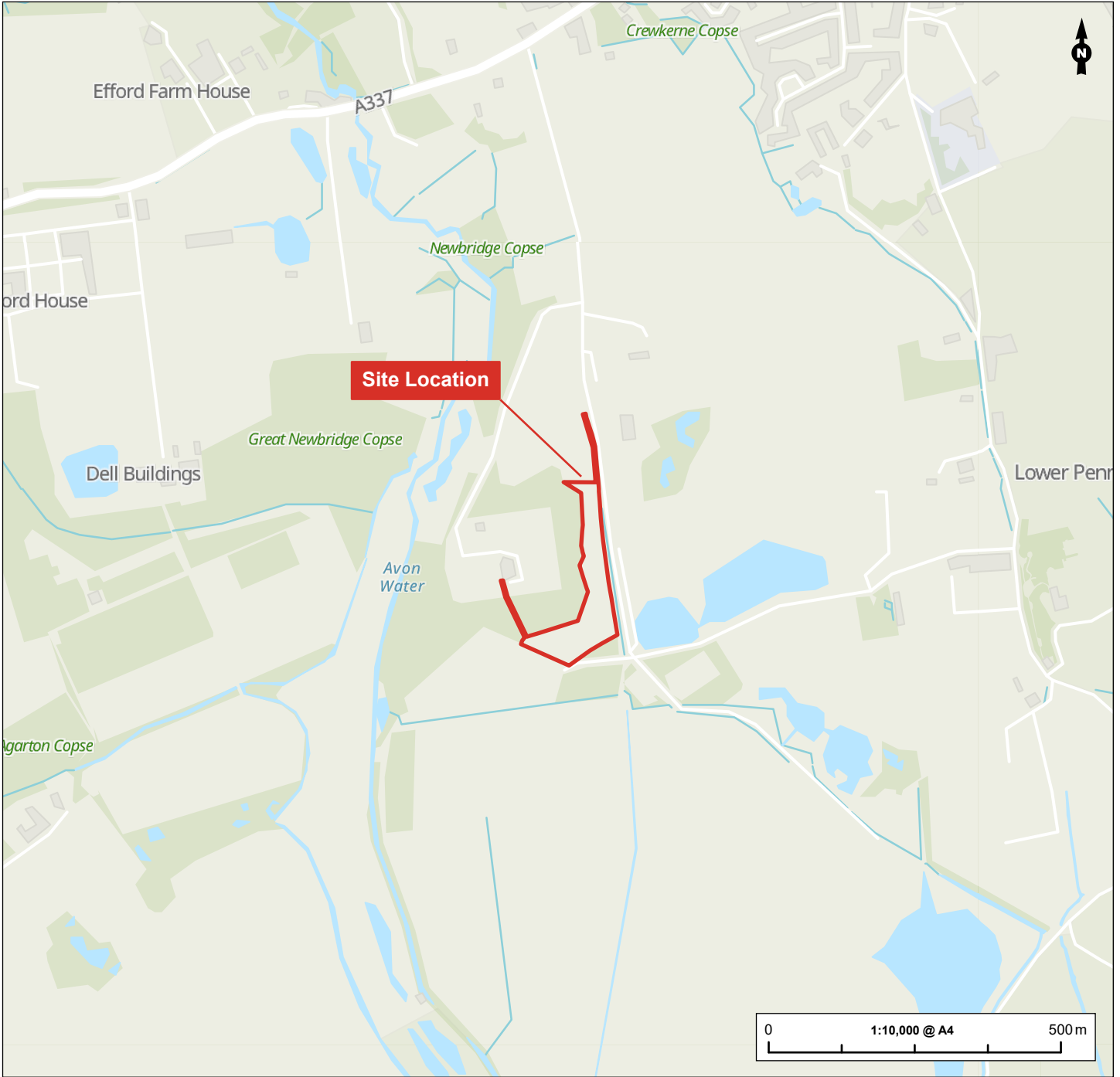
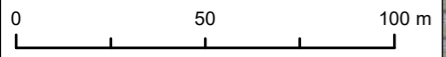


	Figure Title Site Location	Project Name Milford Road	Date January 2024	
	Client Downing LLP	Project No./Filey ID 1620015344-002 / REH2023N04158	Prepared By AB	Figure No. 2
			Scale As Shown	Revision 1.0

1620015344_002-RAM-MA-IA-00007_Fig2SiteLocation_02.pptx



1620015344_002-RAM-MA-1A-00008_Fig3BaselineUKHabPlan_02.pagx



Legend

- Site Boundary
- Access Point
- Proposed Cable Route

UKHab

- g3c - Other Neutral Grassland
- h3h - Mixed Scrub
- u1b - Developed Land, Sealed Surface

Figure Title
Baseline UKHab Habitat Plan

Project Name
Milford Road

Project No./Filey ID
1620015344-002 / REH2023N04158

Date	Figure No.	Revision
January 2024	3	1.0

Prepared By	Scale
AB	1:2,000 @A3

Client
Downing LLP

