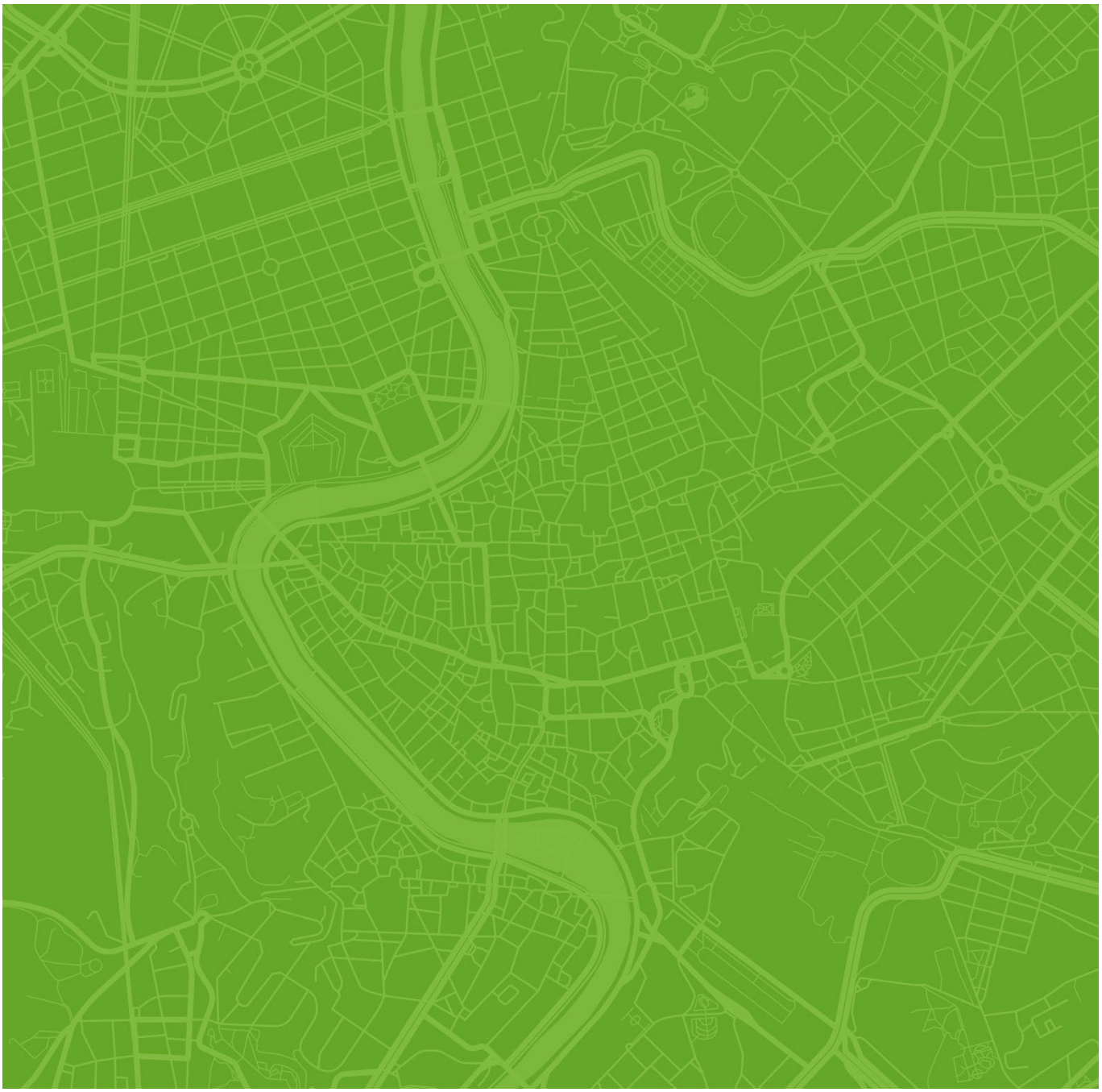
City & Country Group EPS

Land east of Trowes Lane, Swallowfield

Report to Inform a Habitats Regulations Assessment

Final report
September 2025



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Report to Inform a Habitats Regulations Assessment

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Chapter 1
Introduction

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1.1 In September 2025, LUC was appointed by City & Country Group EPS to undertake a Report to Inform HRA for the full redevelopment of land east of Trowes Lane at Swallowfield, Wokingham, hereafter referred to in this report as 'the Site', or the 'Swallowfield development'. Specifically, this was to inform an outline planning application for up to 79 dwellings (Use Class C3), together with access, landscaping and associated infrastructure, with all matters reserved except access.

1.2 This report has been prepared for the exclusive use of City & County Group EPS. No part of this report should be considered legal advice.

1.3 The Site lies in the south of Swallowfield, to the east of Trowes Lane (National Grid Reference (NGR): SU 72584 64429). The Site is primarily comprised of modified grassland seeded with an agricultural perennial rye grass and red clover mix. The field is enclosed by hedgerows with trees to the east west, residential gardens to the north, and mixed plantation woodland to the south.

The requirement to undertake Habitats Regulations Assessment

1.4 The Site is located 2.1km to the northwest of the boundary of the Thames Basin Heaths Special Protection Area (SPA) and therefore requires a Habitats Regulations Assessment (HRA) to be completed.

1.5 The requirement to undertake HRA of development plans and projects was confirmed by the amendments to the Habitats Regulations published for England and Wales in 2007[1] which is now known as the Habitats Regulations 2017 (as amended)[2]. When proposing a development project which could affect a Habitats Sites, as defined below, the applicant is required to provide the 'competent authority' (in this case

[1] The Conservation (Natural Habitats, &c.) (Amendment) Regulations 2007 (2007) (SI No. 2007/1843). TSO (The Stationery Office), London.

[2] The Conservation of Habitats and Species Regulations 2017 (2017) (SI No. 2017/1012), as amended by The Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019 (2019) (SI 2019/579).

Wokingham Borough Council (WBC) with sufficient information on which to base its decision.

1.6 Because it is the duty of WBC as the 'competent authority' to complete the HRA, the assessment presented herein is referred to as a 'Report to Inform HRA', also sometimes referred to as a 'Shadow HRA''.

1.7 WBC will consider this work and would usually only consent to a project if it considers that said project will not adversely affect the integrity[3] of any of the 'Habitats Sites' in consideration.

1.8 The requirement for authorities to comply with the Habitats Regulations when deciding on a planning application is also noted in the Government's online Planning Practice Guidance (PPG)[4].

1.9 HRA refers to the assessment of the potential effects of a development plan or project on one or more sites afforded the highest level of protection in the UK:

- Special Protected Areas (SPAs)
- Special Areas of Conservation (SACs).

1.10 These were classified under European Union (EU) legislation but since 1 January 2021 are protected in the UK by the Habitats Regulations 2017 (as amended)[5]. Although the EU Directives from which the UK's Habitats Regulations originally derived are no longer binding, the Regulations still make reference to the lists of habitats and species that the sites were designated for, which are listed in annexes to the EU Directives:

- SACs are designated for particular habitat types (specified in Annex 1 of the EU Habitats Directive[6]) and species (Annex II). The listed habitat types and species (excluding birds) are those considered to be most in need of conservation at a European level. Designation of SACs also has regard to the threats of degradation or destruction to which the sites are exposed and, before EU exit day, to the coherence of the 'Natura 2000' network of 'European sites'. After EU exit day, regard is had to the importance of such sites for the coherence of the UK's 'National Site Network'.
- SPAs are classified for rare and vulnerable birds (Annex I of the EU Birds Directive[7]), and for regularly occurring migratory species not listed in Annex I.

1.11 The term 'European Sites' was previously commonly used in HRA to refer to 'Natura 2000' sites[8] and Ramsar sites (internationally designated under the Ramsar Convention). However, a Government Policy Paper[9] on changes to the Habitats Regulations 2017 post-Brexit states that:

- Any references to Natura 2000 in the 2017 Regulations and in guidance now refer to the new 'National Site Network';
- The National Site Network includes existing SACs and SPAs; and new SACs and SPAs designated under these Regulations; and
- Designated Wetlands of International Importance (known as Ramsar sites) do not form part of the national site network. Many Ramsar sites overlap with SACs and SPAs and may be designated for the same or different species and habitats.

1.12 Although Ramsar sites do not form part of the new National Site Network, Government guidance[10] states that:

- "Any proposals affecting the following sites would also require an HRA because these are protected by government policy:
  - proposed SACs
  - potential SPAs
  - Ramsar sites – wetlands of international importance (both listed and proposed)
  - areas secured as sites compensating for damage to a European site."

[3] The integrity of a site is the coherence of its ecological structure and function, across its whole area, that enables it to sustain the habitat, complex of habitats and/or the levels of populations of the species for which it was designated. Department for Levelling Up, Housing and Communities and Ministry of Housing, Communities and Local Government (2016, updated 2021) Planning practice guidance: The National Planning Policy Framework and relevant planning practice guidance [online]

[4] Department for Levelling Up, Housing and Communities and Ministry oof Housing, Communities and Local Government (2019) Appropriate assessment: Guidance on the use of Habitats Regulations Assessment. Available at: https://www.gov.uk/guidance/appropriate-assessment

[5] The Conservation (Natural Habitats, &c.) (Amendment) Regulations 2007 (2007) (SI No. 2007/1843). TSO (The Stationery Office), London.

[6] Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora (the 'Habitats Directive').

[7] Directive 2009/147/EC of 30 November 2009 on the conservation of wild birds (the 'Birds Directive').

[8] European Commission (2008) Natura 2000 [online] – The network of protected areas identified by the EU. Available at: https://ec.europa.eu/environment/nature/natura2000/index_en.htm

[9] Department for Environment, Food and Rural Affairs (2021) Changes to the Habitats Regulations 2017 [online]. Available at: https://www.gov.uk/government/publications/changes-to-the-habitats-regulations-2017/changes-to-the-habitats-regulations-2017

[10] Department for Environment, Food and Rural Affairs, Natural England, Welsh Government and Natural Resources Wales (2021) Habitats regulations assessments: protecting a European site [online]. Available at: https://www.gov.uk/guidance/habitats-regulations-assessments-protecting-a-european-site

1.13 Furthermore, the NPPF[11] and practice guidance[12] currently state that competent authorities responsible for carrying out HRA should treat Ramsar sites in the same way as SACs and SPAs. The legislative requirement for HRA does not apply to other nationally designated wildlife sites such as Sites of Special Scientific Interest or National Nature Reserves.

1.14 For simplicity, and in line with common usage, this report uses the term 'Habitats Site' to refer to all types of designated site within the 'National Site Network' for which Government guidance[13] requires an HRA.

The overall purpose of an HRA is to conclude whether or not a proposal, policy, or plan would adversely affect the integrity of the Habitats Site in question. This is judged in terms of the implications of the plan for a site's 'qualifying features' (i.e. those Annex I habitats, Annex II species, and Annex I bird populations for which it has been designated). Significantly, HRA is based on the precautionary principle. Where uncertainty or doubt remains, an adverse effect should be assumed.

Structure of the report

1.15 This chapter (Chapter 1) has introduced the requirement to undertake HRA of the Local Plan. The remainder of the report is structured as follows:

- **Chapter 2** describes the proposed approach to the HRA, taking into account the requirements of the Habitats Regulations and relevant case law.
- **Chapter 3: HRA Screening** describes the findings of the screening stage of the HRA. It identifies potential impacts for which 'Likely Significant Effects' cannot be ruled out, either alone, or in-combination.
- **Chapter 4: Appropriate Assessment** describes the findings of the Appropriate Assessment stage of the HRA. It concludes whether the LSEs identified in the screening stage would, in light of available avoidance and mitigation measures, result in an adverse effect on integrity, either alone or in-combination.
- **Chapter 5: Conclusion** summarises the HRA conclusions and describes the next steps to be undertaken.

1.16 The information in the main body of the report is supported by the following appendices:

- **Appendix A** presents the attributes of sites screened into the HRA.
- **Appendix B** provides supporting figures.

[11] Ministry of Housing, Communities and Local Government (2021) National Planning Policy Framework [pdf] (Paragraph 176). Available at: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1005759/NPPF_July_2021.pdf

[12] David Tyldesley & Associates (2021) The HRA Handbook (Section A3) [online] – A subscription based online guidance document. Available at: https://www.dtapublications.co.uk/handbook/European

[13] Department for Environment, Food and Rural Affairs, Natural England, Welsh Government and Natural Resources Wales (2021) Habitats regulations assessments: protecting a European site [online]. Available at: https://www.gov.uk/guidance/habitats-regulations-assessments-protecting-a-european-site

Chapter 2
Approach to HRA

This Chapter describes the approach that will be taken in preparing this report to inform an HRA of the Swallowfield development.

Stages of HRA

Requirements of the Habitats Regulations

2.1 In assessing the effects of a development project in accordance with Regulation 105 of the Conservation of Habitats and Species Regulations 2017 (as amended) (the 'Habitats Regulations'), there are potentially two tests to be applied by the competent authority: a 'Significance Test', followed if necessary, by an Appropriate Assessment which would inform the 'Integrity Test'. The relevant sequence of questions is as follows:

- Step 1: Under Reg. 105(1)(b), consider whether the project is directly connected with or necessary to the management of the sites. If not, proceed to Step 2.
- Step 2: Under Reg. 105(1)(a), consider whether the project is likely to have a significant effect on a Habitats Site , either alone or in combination with other plans or projects (the 'Significance Test'). If yes, proceed to Step 3.

2.2 [Steps 1 and 2 are undertaken as part of Stage 1: HRA Screening.]

- Step 3: Under Reg. 105(1), make an Appropriate Assessment of the implications for the Habitats Site in view of its current conservation objectives (the 'Integrity Test'). In so doing, it is mandatory under Reg. 105(2) to consult Natural England, and optional under Reg. 105(3) to take the opinion of the general public.

2.3 [This step is undertaken during Stage 2: Appropriate Assessment.]

- Step 4: In accordance with Reg. 105(4), but subject to Reg. 107, give effect to the project only after having ascertained that it would not adversely affect the integrity of a Habitats Site.

2.4 [This step follows Stage 2 where a finding of 'no adverse effect' is concluded. If it cannot be it proceeds to Step 5 as part of Stage 3 of the HRA process].

- Step 5: Under Reg. 107, if Step 4 is unable to rule out adverse effects on the integrity of a Habitats Site and no alternative solutions exist then the competent authority may nevertheless agree to the project if it must be carried out for 'imperative reasons of overriding public interest' (IROPI).

2.5 [This step is undertaken during Stage 3: Assessment where no alternatives exist, and adverse impacts remain taking into account mitigation].

Typical stages

2.6 The following sections summarise the stages and associated tasks and outcomes typically involved in carrying out an HRA of a development project, based on various guidance documents[14] [15] [16].

Stage 1: HRA Screening

Task

- Description of the development project and confirmation that it is not directly connected with or necessary to the management of Habitats Sites.
- Identification of potentially affected Habitats Sites and their conservation objectives[17].
- Assessment of likely significant effects of the development plan alone or in combination with other plans and projects, prior to consideration of avoidance or reduction ('mitigation') measures[18].

Outcome

- Where effects are unlikely, prepare a 'finding of no significant effect report'.
- Where effects are judged likely, or lack of information to prove otherwise, proceed to Stage 2: Appropriate Assessment

Stage 2: Appropriate Assessment (where Stage 1 does not rule out likely significant effects)

Task

- Information gathering (development project proposals and Habitats Sites)[19].
- Impact prediction.
- Evaluation of impacts in view of conservation objectives of Habitats Sites.
- Where impacts are considered to directly or indirectly affect qualifying features of Habitats Sites, identify how these effects will be avoided or reduced ('mitigation').

Outcome

- Appropriate assessment report describing the plan, Habitats Site baseline conditions, the adverse effects of the plan on the Habitats Site, how these effects will be avoided or reduced, including the mechanisms and timescale for these mitigation measures.
- If effects remain after all alternatives and mitigation measures have been considered proceed to Stage 3.

Stage 3: Assessment where no alternatives exist and adverse impacts remain taking into account mitigation

Task

- Identify 'imperative reasons of overriding public interest' (IROPI).
- Demonstrate no alternatives exist.
- Identify potential compensatory measures.

[14] Department for Levelling Up, Housing and Communities and Ministry oof Housing, Communities and Local Government (2019) Appropriate assessment: Guidance on the use of Habitats Regulations Assessment. Available at: https://www.gov.uk/guidance/appropriate-assessment
[15] European Commission (2001) Assessment of plans and projects significantly affecting European Sites. Methodological guidance on the provisions of Article 6(3) and (4) of the Habitats Directive 92/43/EEC.
[16] David Tyldesley & Associates (2021) The HRA Handbook (Section A3) [online] – A subscription based online guidance document. Available at: https://www.dtapublications.co.uk/handbook/European
[17] Natural England (undated) Conservation Objectives for European Sites [online]. Available at: http://publications.naturalengland.org.uk/category/6490068894089216
[18] In line with the CJEU judgment in Case C-323/17 People Over Wind v Coillte Teoranta, mitigation must only be taken into consideration at this stage and not during Stage 1: HRA Screening.
[19] In addition to Habitats Site citations and conservation objectives, key information sources for understanding factors contributing to the integrity of Habitats Sites include (where available) conservation objectives supplementary advice and Site Improvement Plans prepared by Natural England. Natural England (Undated) Site Improvement Plans by region [online]. Available at: http://publications.naturalengland.org.uk/category/5458594975711232

Outcome

- This stage should be avoided if at all possible. The test of IROPI and the requirements for compensation are extremely onerous.

2.7 It is normally anticipated that an emphasis on Stages 1 and 2 of this process will, through a series of iterations, help ensure that potential adverse effects are identified and eliminated through the inclusion of mitigation measures designed to avoid or reduce effects. It is generally understood that so called 'imperative reasons of overriding public interest' (IROPI) are likely to be justified only very occasionally and would involve engagement with the Government.

Case Law

2.8 This HRA will be prepared in accordance with relevant case law, including most notably the 'People over Wind' and 'Holohan' rulings from the Court of Justice for the European Union (CJEU).

2.9 The People over Wind, Peter Sweetman v Coillte Teoranta (April 2018) judgment ruled that Article 6(3) of the Habitats Directive should be interpreted as meaning that mitigation measures should be assessed as part of an Appropriate Assessment and should not be taken into account at the screening stage. The precise wording of the ruling is as follows:

> "Article 6(3) ……must be interpreted as meaning that, in order to determine whether it is necessary to carry out, subsequently, an appropriate assessment of the implications, for a site concerned, of a plan or project, it is not appropriate, at the screening stage, to take account of measures intended to avoid or reduce the harmful effects of the plan or project on that site."

2.10 In light of the above, the HRA screening stage will not rely upon avoidance or mitigation measures to draw conclusions as to whether the development project could result in likely significant effects on Habitats Sites, with any such measures being considered at the Appropriate Assessment stage as relevant.

2.11 This HRA will also be undertaken in line with the Holohan v An Bord Pleanala (November 2018) judgment which stated that:

> "Article 6(3) of Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora must be interpreted as meaning that an 'appropriate assessment' must, on the one hand, catalogue the entirety of habitat types and species for which a site is protected, and, on the other, identify and examine both the implications of the proposed project for the species present on that site, and for which that site has not been listed, and the implications for habitat types and species to be found outside the boundaries of that site, provided that those implications are liable to affect the conservation objectives of the site."

2.12 In undertaking this HRA, LUC has considered the potential for effects on species and habitats, including those not listed as qualifying features, to result in secondary effects upon the qualifying features of Habitats Sites, including the potential for complex interactions and dependencies. In addition, the potential for offsite impacts, such as through impacts to functionally linked land, and or species and habitats located beyond the boundaries of Habitats Sites, but which may be important in supporting the ecological processes of the qualifying features, has also been considered in this HRA.

2.13 Similarly, effects on both qualifying and supporting habitats and species on functionally linked land (FLL) or habitat have been considered in the HRA, in line with the High Court judgment in RSPB and others v Secretary of State and London Ashford Airport Ltd [2014 EWHC 1523 Admin] (paragraph 27), which stated that:

> "There is no authority on the significance of the non-statutory status of the FLL. However, the fact that the FLL was not within a protected site does not mean that the effect which a deterioration in its quality or function could have on a protected site is to be ignored. The indirect effect was still protected. Although the question of its legal status was mooted, I am satisfied …. that while no particular legal status attaches to FLL, the fact that land is functionally linked to protected land means that the indirectly adverse effects on a protected site, produced by effects on FLL, are scrutinised in the same legal framework just as are the direct effects of acts carried out on the protected site itself. That is the only sensible and purposive approach where a species or effect is not confined by a line on a map or boundary fence. This is particularly important where the boundaries of designated sites are drawn tightly as may be the UK practice".

2.14 In addition to this, the HRA will take into consideration the 'Wealden' judgment from the CJEU.

2.15 Wealden District Council v Secretary of State for Communities and Local Government, Lewes District Council and South Downs National Park Authority (2017) ruled that it was not appropriate to scope out the need for a detailed assessment for an individual plan or project based on the annual average daily traffic (AADT) figures detailed in the Design Manual for Roads and Bridges or the critical loads

used by Defra or Environmental Agency without considering the in-combination impacts with other plans and projects.

2.16 In light of this judgment, the HRA will, if appropriate, consider the contribution of traffic arising from the development proposal together with the growth based on the effects of development arising from the Wokingham Local Plan.

2.17 The HRA will also take into account the Grace and Sweetman (July 2018) judgment from the CJEU which stated that:

> "there is a distinction to be drawn between protective measures forming part of a project and intended to avoid or reduce any direct adverse effects that may be caused by the project in order to ensure that the project does not adversely affect the integrity of the area, which are covered by Article 6(3), and measures which, in accordance with Article 6(4), are aimed at compensating for the negative effects of the project on a protected area and cannot be taken into account in the assessment of the implications of the project."
>
> "As a general rule, any positive effects of the future creation of a new habitat, which is aimed at compensating for the loss of area and quality of that habitat type in a protected area, are highly difficult to forecast with any degree of certainty or will be visible only in the future."
>
> "A mitigation strategy may only be taken into account at AA (a.6(3)) where the competent authority is "sufficiently certain that a measure will make an effective contribution to avoiding harm, guaranteeing beyond all reasonable doubt that the project will not adversely affect the integrity of the area."
>
> "Otherwise it falls to be considered to be a compensatory measure to be considered under a.6(4) only where there are: 'imperative reasons of overriding public interest'"

2.18 The Appropriate Assessment of the project will therefore only consider the existence of measures to avoid or reduce its direct adverse effects (mitigation) if the expected benefits of those measures are beyond reasonable doubt at the time of the assessment.

Screening Methodology

2.19 HRA Screening of the project will be undertaken in line with current available guidance and seek to meet the requirements of the Habitats Regulations.

2.20 The purpose of the screening stage is to:

- Identify all aspects of the project which would have no effect on a Habitats Site, so that that they can be eliminated from further consideration in respect of this and other plans and projects;
- Identify all aspects of the project which would not be likely to have a significant effect on a Habitats Site (i.e. would have some effect, because of links/connectivity, but which are not significant), either alone or in combination with other plans or projects, which therefore do not require 'appropriate assessment'; and
- Identify those aspects of the project where it is not possible to rule out the risk of significant effects on a Habitats Site, either alone or in combination with other plans or projects. This provides a clear scope for the impacts arising from the projects that will require appropriate assessment.

2.21 A risk-based approach, involving the application of the precautionary principle, has been adopted in the assessment, such that a conclusion of 'no significant effect' has only been reached where it is considered unlikely, based on current knowledge and the information available, that the project would have a significant effect on a Habitats Site.

2.22 The screening assessment is conducted without taking avoidance or mitigation measures (e.g. financial tariff contributions to established strategic mitigation measures such as the provision of 'Suitable Alternative Natural Greenpsace') into account, in accordance with the 'People over Wind' judgment.

2.23 For some types of impacts, the potential for likely significant effects can been determined on a proximity basis, using GIS data. However, there are many uncertainties associated with using set distances as there are very few standards available as a guide to how far impacts will travel. Therefore, where assumptions have been made or where additional information has been utilised to determine whether the project is likely to have a significant effect, these will be clearly set out where applicable.

Potential Impacts on Habitats Sites

2.24 In our experience of HRA of both development projects and Local Plans, and based on previous statutory consultee comments on HRAs undertaken elsewhere, development (and related activities) has the potential to result in the following broad types of impacts that could affect Habitats Sites:

- Physical loss of or damage to habitats e.g. from development or activities within the Habitats Sites themselves or at functionally-linked sites;

- Non-physical disturbance e.g. noise, vibration or light from construction or development in close proximity to sensitive species;
- Non-toxic contamination, e.g. from creation of dust which can smother terrestrial habitats, affect turbidity of aquatic habitats and contribute to nutrient enrichment;
- Recreation pressure, including through habitat degradation and disturbance e.g. dog walking, cycling, trampling, littering, fire, and from predation by pets;
- Air pollution, e.g. from changes in traffic volumes on roads close to sensitive habitats; and
- Changes in water quality or quantity e.g. changes in flow; pollution, abstraction/discharge, or increase nutrient loading.

2.25 These impacts could occur directly at the Habitats Sites or indirectly, for example at habitats relied on by qualifying species from the Habitats Sites – known as 'functionally linked habitat'.

2.26 Consideration is given to the type of impacts that could arise from this type of development project, and then whether there is an impact pathway to any Habitats Sites sensitive to that impact.

2.27 Further consideration of the types of impact that could be relevant to the Swallowfield development and possible impact pathways to Habitats Sites is provided in **Chapter 3.**

Identification of Habitats Sites which may be affected by the proposals

2.28 To initiate the search of Habitats Sites that could potentially be affected by the project, it is established practice in HRAs to consider Habitats Sites within a suitable buffer distance.

2.29 A distance of 10km from the site boundary has been used as a starting point to identify Habitats Sites that could be affected by impacts. The use of this distance presents given the relatively small scale nature of the proposals and the potential impacts arising from it. In addition, consideration was given to Habitats Sites beyond this distance that may be functionally connected to the plan area, for example through hydrological pathways, or known recreational zones of influence.

2.30 As shown in **Figure 1** in **Appendix B**, the only Habitat Site located within 10km of the Site is:

- Thames Basin Heaths SPA

2.31 Detailed information about the above Habitats Site is provided in **Appendix A**, described with reference to Standard Data Forms and Natural England's Site Improvement Plans, Natural England's conservation objectives, and any supplementary advice on conserving and restoring site features.

2.32 All conservation objectives state that site integrity must be maintained or restored by maintaining or restoring the habitats of qualifying features, the supporting processes on which they rely, and populations of qualifying species.

2.33 Together, the project proposals and information on the Thames Basin Heaths SPA have been used to confirm that the plan is not directly connected to or necessary for the management of any of the sites (Screening stage 3).

Functionally linked habitats

2.34 The assessment also takes into account areas within or immediately adjacent to the Site that may be functionally linked to the Thames Basin Heaths.

2.35 The term 'functional linkage' can be used to refer to the role or 'function' that land or other habitats beyond the boundary of a Habitats Site might fulfil in supporting the species populations for which the site was designated or classified. Such an area is therefore 'linked' to the site in question because it provides a (potentially important) role in maintaining or restoring a protected population at favourable conservation status.

2.36 While the boundary of a Habitats Site will usually be drawn to include key supporting habitat for a qualifying species, this cannot always be the case where the population for which a site is designated or classified is particularly mobile. Individuals of the population will not necessarily remain in the site all the time. Sometimes, the mobility of qualifying species is considerable and may extend so far from the key habitat that forms the Habitats Site that it would be entirely impractical to attempt to designate or classify all of the area that may conceivably be used by the species. HRA therefore considers whether any qualifying species of nearby (or linked) Habitats Sites make use of functionally linked habitats, and the impacts that could affect those habitats.

2.37 The Thames Basin Heaths is designated for bird species which are mobile and are likely to depend upon habitats located outside of the designated SPA boundary. Nightjar in particular is likely to utilise a wide network of semi-natural habitats beyond the SPA boundary for nocturnal foraging.

Assessment of 'likely significant effect'

2.38 As required under Regulation 105 of The Conservation of Habitats and Species Regulations 2017 (SI 2017/1012), as amended by The Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019 (SI 2019/579), an assessment will be undertaken of the 'likely significant effects'

of the potential impacts arising from the Swallowfield development.

2.39 A risk-based approach involving the application of the precautionary principle will be adopted in the assessment, such that a conclusion of 'no significant effect' will only be reached where it is considered very unlikely, based on current knowledge and the information available, that a potential impact arising from the project would have a significant effect on the integrity of the Thames Basin Heaths SPA.

Interpretation of 'likely significant effect'

2.40 Relevant case law helps to interpret when effects should be considered as a Likely Significant Effect (LSE), when carrying out HRA of a land use plan.

2.41 In the Waddenzee case[20], the European Court of Justice ruled on the interpretation of Article 6(3) of the Habitats Directive (translated into Reg. 102 in the Habitats Regulations), including that:

2.42 An effect should be considered 'likely', "if it cannot be excluded, on the basis of objective information, that it will have a significant effect on the site" (para 44);

2.43 An effect should be considered 'significant', "if it undermines the conservation objectives" (para 48); and

2.44 Where a plan or project has an effect on a site "but is not likely to undermine its conservation objectives, it cannot be considered likely to have a significant effect on the site concerned" (para 47).

2.45 An opinion delivered to the Court of Justice of the European Union[21] commented that:

> "The requirement that an effect in question be 'significant' exists in order to lay down a de minimis threshold. Plans or projects that have no appreciable effect on the site are thereby excluded. If all plans or projects capable of having any effect whatsoever on the site were to be caught by Article 6(3), activities on or near the site would risk being impossible by reason of legislative overkill."

2.46 This opinion (the 'Sweetman' case) therefore allows for the authorisation of plans and projects whose possible effects, alone or in combination, can be considered 'trivial' or de minimis; referring to such cases as those "which have no appreciable effect on the site". In practice such effects could be screened out as having no likely significant effect; they would be 'insignificant'.

2.47 The HRA screening assessment therefore considers whether the Swallowfield development could result in likely significant effects either alone or in combination.

In-combination effects

2.48 Regulation 105 of the Habitats Regulations 2017 requires an Appropriate Assessment where "a *land use plan is likely to have a significant effect on a European site (either alone or in combination with other plans or projects) and is not directly connected with or necessary to the management of the site*". Therefore, the Screening assessment must consider whether any impacts identified from the project may combine with other plans or projects to give rise to significant effects in-combination.

2.49 If the HRA Screening determines that the project will have a particular type of effect on its own but it is not likely to be significant, the in-combination assessment at Screening stage will need to determine whether there may also be the same type of effect from other plans or projects that could combine to produce a significant effect. If so, this likely significant effect arising from the project in combination with other plans or projects would then need to be considered through the Appropriate Assessment stage to determine if it would have an adverse effect on integrity of the relevant Habitats Site. However, if the screening assessment concludes that there is no impact pathway by which development could affect the conditions necessary to maintain qualifying features of a Habitats Site, then there will be no in-combination effects to assess at the Screening or Appropriate Assessment stage. This approach accords with recent guidance on HRA[22].

2.50 If impact pathways are found to exist for a particular type of effect but it is not likely to be significant from the development project alone, the in-combination assessment will identify which other plans and projects could result in the same impact on the same Habitats Site. This will focus on planned growth (e.g. including housing) around the affected site.

2.51 The need for in-combination assessment also arises at the Appropriate Assessment stage, as discussed in the Appropriate Assessment section below.

[20] European Court of Justice in Case C-127/02 Landelijke Vereniging tot Behoud van de Waddenzee.
[21] Advocate General's Opinion to CJEU in Case C-258/11 Sweetman and others v An Bord Pleanala 22nd Nov 2012.
[22] David Tyldesley & Associates (2021) The HRA Handbook (Section A3) [online] – A subscription based online guidance document. Available at: https://www.dtapublications.co.uk/handbook/European

Appropriate Assessment methodology

2.52 Following the screening stage, if likely significant effects on the Habitats Site (Thames Basin Heaths SPA) are unable to be ruled out, the competent authority (Wokingham Borough Council) is required under Regulation 105 of the Habitats Regulations 2017 to make an 'Appropriate Assessment' of the implications of the proposal for the Habitats Site, in view of their conservation objectives. European Commission Guidance states that the Appropriate Assessment should consider the impacts (either alone or in combination with other projects or plans) on the integrity of the Habitats Site with respect to their conservation objectives and to their structure and function.

Assessing the effect on site integrity

2.53 A site's integrity depends on it being able to sustain its 'qualifying features' (i.e. those Annex 1 habitats, Annex II species, and Annex 1 bird populations for which it has been designated) and to ensure their continued viability. The 'Holohan' judgement also clarifies that effects on species and habitats not listed as qualifying features, but which could result in secondary effects upon the qualifying features of Habitats Sites also need to be considered. The Appropriate Assessment, if required, will build upon the information set out in Appendix A of this report, to consider the characteristics of supporting habitats and species that could be affected by impacts identified at the screening stage.

2.54 A high degree of integrity is considered to exist where the potential to meet a site's conservation objectives is realised and where the site is capable of self-repair and renewal with a minimum of external management support.

2.55 A conclusion needs to be reached as to whether or not the development proposal would adversely affect the integrity of the Habitats Site. As stated in the European Commission Guidance, assessing the effects on the site(s) integrity involves considering whether the predicted impacts of the development proposal (either alone or in combination) has the potential to:

- Cause delays to the achievement of conservation objectives for the site;
- Interrupt progress towards the achievement of conservation objectives for the site;
- Disrupt those factors that help to maintain the favourable conditions of the site;
- Interfere with the balance, distribution and density of key species that are the indicators of the favourable condition of the site;
- Cause changes to the vital defining aspects (e.g. nutrient balance) that determine how the site functions as a habitat or ecosystem;
- Change the dynamics of relationships that define the structure or function of the site (e.g. relationships between soil and water, or animals and plants);
- Interfere with anticipated natural changes to the site;
- Reduce the extent of key habitats or the population of key species;
- Reduce the diversity of the site;
- Result in disturbance that could affect the population, density or balance between key species;
- Result in fragmentation; or
- Result in the loss of key features.

2.56 The conservation objectives for the Thames Basin Heaths (**Appendix A**) are generally to maintain the qualifying features in favourable condition. The Site Improvement Plan provides a high-level overview of the issues (both current and predicted) affecting the condition of the European features on the site(s) and outline the priority measures required to improve the condition of the features. These have been drawn on to help to understand what is needed to maintain the integrity of the Thames Basin Heaths.

2.57 Where an uncertain or likely significant effect is identified in relation to the Swallowfield development, the potential impacts will be set out and judgements made (based on the information available) regarding whether the impact will have an adverse effect on the integrity of the Thames Basin Heaths SPA. Consideration will be given to the potential for mitigation measures to be implemented that could reduce the likelihood or severity of the potential impacts, or eradicate them altogether, such that there would not be an adverse effect on the integrity of the site.

Chapter 3
HRA Screening

This Chapter assesses potential impacts arising from the Swallowfield development project and whether they could result in 'Likely Significant Effects' on the Thames Basin Heaths SPA, either alone or in-combination.

Physical damage and loss of habitat

3.1 Any construction resulting in damage and loss from the Swallowfield development would take place within the Site.

3.2 The habitats present within the Site include modified grassland (regularly mown), tree lines and densely planted mixed woodland which are considered unlikely to represent functionally linked land for the Thames Basin Heaths bird species, on the basis of distance (over 2km) and the low suitability of the habitat (e.g densely planted single age structure woodland).

Therefore, no likely significant effect associated with physical damage and loss of habitat is predicted either alone or in-combination.

Non-physical disturbance

3.3 The site is located 2.1km from the Thames Basin Heaths SPA and the habitats present within and immediately adjacent to the Site are considered of unlikely to represent functionally linked land upon which the SPA birds depend.

Therefore, no likely significant effects associated with non-physical disturbance is predicted either alone or in-combination.

Air pollution (vehicle emissions)

3.4 Air pollution can be caused by the deposition of pollutants to the ground and vegetation, which can alter the

characteristics of the soil, affecting the pH and nitrogen (N) availability that can then affect plant health, productivity and species composition.

3.5 Air pollution is most likely to affect Habitats Sites where nitrogen limited terrestrial habitats or plants are the qualifying features. However, some qualifying animal species may also be affected directly or indirectly, by deterioration in habitat as a result of air pollution.

3.6 In terms of vehicle emissions, nitrogen oxides (NOx, i.e. NO and NO2) are considered to be the key pollutants. Deposition of nitrogen compounds may lead to both soil and freshwater acidification, and NOx can cause eutrophication of soils and water. The HRA will refer to the UK Air Pollution Information System (APIS)[23] to determine whether concentrations of NOx at the Habitats Sites are currently exceeding critical loads or not.

3.7 The JNCC's 'Guidance on decision-making thresholds for air pollution'[24] states that, when assessing the air pollution impacts of a development, 10km should be used as a zone of influence within which the plan is likely to have significant effects on air quality, i.e. Habitats Sites beyond 10km from the plan area can be screened out in relation to air pollution.

3.8 Based on the Highways Agency Design Manual for Road and Bridges (DMRB) Document LA105: Air Quality[25] (which was produced to provide advice regarding the design, assessment and operation of trunk roads, including motorways), it is assumed that air pollution from roads is unlikely to be significant beyond 200m from the road itself. Where increases in traffic volumes are forecast, or likely this 200m buffer needs to be applied to the relevant roads in order to make a judgement about the likely geographical extent of air pollution impacts.

3.9 The DMRB Guidance for the assessment of local air quality in relation to highways developments provides criteria that should be applied to ascertain whether there are likely to be significant impacts associated with routes or corridors. Based on the DMRB guidance, roads that should be assessed are those where:

- Daily traffic flows will change by 1,000 AADT (Annual Average Daily Traffic) or more; or
- Heavy duty vehicle (HDV) flows will change by 200 AADT or more; or
- Daily average speed will change by 10km/hr or more; or
- Peak hour speed will change by 20km/hr or more; or
- Road alignment will change by 5m or more.

3.10 In line with the Wealden judgment[26], where the road traffic effects of other plans or projects are known or can be reasonably estimated (including those of adopted plans or consented projects), then these should be included in road traffic modelling by the local authority whose local plan or project is being assessed. The screening criteria of 1,000 AADT should then be applied to the traffic flows of the plans in combination.

3.11 Typically, it is the roads forming part of the strategic road network (motorways and trunk roads) that experience a significant increase in vehicle traffic as a result of development (i.e. greater than 1,000 AADT etc.), although there are sometimes exceptions. The 'affected road network' may require confirmation through traffic modelling, in line with DMRB guidance[27].

3.12 The location and scale of the Swallowfield development is such that the proposals alone will not result in AADT increases above the thresholds. As a result, the proposals alone will not result in LSEs. It is therefore necessary to consider the potential for the development to result in LSEs in combination with other plans and projects.

3.13 Nightjar, woodlark and Dartford warbler, the qualifying species of the Thames Basin Heaths SPA, are not directly sensitive to air pollution but nitrogen deposition has the potential to affect them via changes in habitat structure and composition, for example as a result of nutrient enrichment.

3.14 APIS highlights that European dry heaths, upon which the qualifying bird species depend, have a critical nitrogen load of 5-15 kg N/ha/yr. Exceedance of this critical load could lead to increased grass dominance and a reduction in the extent or quality of heathland habitat.

3.15 The current background atmospheric nitrogen deposition rate for the heathland components of the Thames Basin Heaths SPA is a maximum of 16 kgN/ha/yr, thus currently exceeding the critical load.

[23] Air Pollution Information System website, available at: https://www.apis.ac.uk/
[24] JNCC (2021) Guidance on decision-making thresholds for air pollution, available at: https://hub.jncc.gov.uk/assets/6cce4f2e-e481-4ec2-b369-2b4026c88447
[25] Standards for Highways (2019) LA 105 – Air quality [online]. Available at: https://www.standardsforhighways.co.uk/dmrb/search/10191621-07df-44a3-892e-c1d5c7a28d90
[26] Wealden District Council v. (1) Secretary of State for Communities and Local Government; (2) Lewes District Council; (3) South Downs National Park Authority and Natural England.
[27] Standards for Highways (2019) LA 105 – Air quality [online]. Available at: https://www.standardsforhighways.co.uk/dmrb/search/10191621-07df-44a3-892e-c1d5c7a28d90

3.16 Several parts of the SPA are located adjacent to the major road network likely to facilitate significant journeys to work routes for residents within Wokingham Borough.

3.17 Strategic roads of relevance to this assessment, that are within 200m of the Thames Basin Heaths include:

- A30 between Hartfordbridge and Blackbushe Airport (SPA adjacent to road)
- A327 north of Camp Plantation (SPA adjacent to road)
- B3011 at Hazeley Heath between Heckfield and Hartley Witney (SPA adjacent to road).

3.18 Further consideration is required at the appropriate assessment stage to review the potential for the development to contribute to in-combination effects. This will include a review of recent road traffic and air quality modelling completed as part of the Wokingham Local Plan Update Regulation.19 HRA.

There is potential for the Swallowfield development to result in LSEs on the Thames Basin Heaths as a result of air pollution from road traffic, in-combination with other plans and projects. Further consideration at the Appropriate Assessment stage is required to determine whether the project would result in adverse effects on the integrity of the Thames Basin Heaths, either alone or in-combination.

Recreation impacts

3.19 Recreational activities and human presence can result in significant effects on Habitats Sites as a result of erosion and trampling, associated impacts such as fire and vandalism or disturbance to sensitive features, such as birds. The Thames Basin Heaths SPA is particularly sensitive to recreational pressures and the Site Improvement Plan highlights that the SPA is subject to high levels of recreational use likely to adversely affect the success of its Annex I bird species.

3.20 The Swallowfield site is located within the Thames Basin Heaths zone of influence and therefore needs to accord with the agreed mitigation approach, as outlined by the Thames Basin Heaths Joint Strategic Partnership Board in 2009[28]. The strategy identifies mitigation zones as follows:

- Within 400m of the SPA – An exclusion zone with no net new residential development
- Between 400m and 5km - All residential development to contribute to Strategic Access Management and Monitoring (SAMM) measures, and provision of Suitable Alternative Natural Greenspace (SANG) either bespoke or utilising strategic SANG.
- Between 5km and 7km - developments of 50 dwellings or more - to contribute to Strategic Access Management and Monitoring (SAMM) measures, and provision of Suitable Alternative Natural Greenspace (SANG) either bespoke or utilising strategic SANG.

3.21 As specific herein, mitigation and avoidance measures cannot be relied upon at the HRA Screening stage and therefore recreation impacts require further consideration at the Appropriate Assessment stage.

Likely significant effects on the Thames Basin Heaths SPA as a result of recreation impacts in-combination with other plans and projects cannot be ruled out. Further consideration at the Appropriate Assessment stage is required to determine whether the project would result in adverse effects on the integrity of the Thames Basin Heaths, either alone or in-combination.

Water quality and quantity

3.22 The Site is located 2.1km from the Thames Basin Heaths SPA and there is no impact pathway by which polluted surface water run-off could reach the SPA, or habitats upon which the qualifying bird species depend. Furthermore, the heathland and plantation woodland habitats upon which the SPA birds depend are not dependent on ground or surface water resources.

Therefore, no likely significant effect associated with water quality or quantity is predicted either alone or in-combination.

Summary of HRA Screening

3.23 The HRA Screening has concluded that LSEs can be ruled out for the following impact types:

- Physical damage and loss of habitat
- Non-physical disturbance
- Water quality and quantity

3.24 LSEs could not be ruled out as a result of potential in-combination effects for the following impact types:

[28] https://www.wokingham.gov.uk/planning-policy/advice-developers/thames-basin-heath-special-protection-area

- Air pollution
- Recreation Impacts

Further consideration is required at the Appropriate Assessment stage to determine whether the Swallowfield proposals will result in an adverse effect on the integrity of the Thames Basin Heaths SPA as a result of recreation impacts and air pollution, in-combination with other plans and projects.

Chapter 4
Appropriate Assessment

This Chapter assesses whether, the in-combination effects identified at the HRA Screening stage would result in an adverse effect on the integrity of the Thames Basin Heaths SPA, and if so, whether mitigation and avoidance measures can be applied to ensure such an effect would be avoided.

Air pollution

4.1 The HRA Screening identified that the Swallowfield development would not result in LSEs on the Thames Basin Heaths SPA alone because of the de minimis level of traffic arising from the project. However, it could not rule out the potential for increased traffic to contribute to LSEs in-combination with other plans and projects.

4.2 A review of the recently prepared road traffic and air quality modelling completed as part of the Wokingham Borough Local Plan Update (WBLPU) Regulation 19 HRA[29] was completed. The HRA assessed changes in air quality from road traffic as a result of the Local Plan, in combination with other plans and projects, to the year 2040. The assessment reviewed the effects of changes in NOx, ammonia, nitrogen deposition, and acid deposition.

4.3 The air quality findings of the WBLPU HRA of relevance to this report are summarised below.

NOx

4.4 The WBLPU concluded that '*At no point on any transect is the annual average NOx forecast expected to exceed the critical level by 2040 even in combination with other plans and projects*'. And therefore, the potential small contribution to road traffic as a result of the Swallowfield development would

[29] AECOM (February 2025); *Wokingham Local Plan Update Reg.19 HRA*, Wokingham Borough Council

not be capable of contributing to adverse effects on integrity as a result of NOx pollution from vehicle emissions.

Ammonia

4.5 The WBLPU HRA concluded that '*at 10m from the roadside the contribution of the WBLPU to NH3 concentrations by 2040 was modelled to be less than 0.01µgm and this was considered too small to show in the model for most transects*'. Some exceptions were identified where exceedances were predicted when using a lower NH3 critical level of 1µgm, but this lower threshold relates to heathland SACs where bryophytes and lichens are qualifying features. For the transects which related purely to the Thames Basin Heaths it was considered appropriate to use the upper NH3 critical level of 3 µgm because lichen and bryophyte interest is not relevant to the ability of these areas to support SPA birds. When the higher critical level was applied, none of these transects were forecast to have their total NH3 concentrations exceed the critical level even 'in combination' with other projects or plans. And therefore, the potential small contribution to road traffic as a result of the Swallowfield development would not be capable of contributing to adverse effects on integrity as a result of NOx pollution from vehicle emissions.

Nitrogen Deposition

4.6 The WBLPU HRA concluded that '*for the vast majority of the Thames Basin Heaths SPA transects the forecast nitrogen due to the WBLPU is effectively zero being between 0.00 and 0.05 kg N/ha/yr. This is almost too small to show in the model and is well within the limits of normal background variation in deposition rates*'.

4.7 Exceptions were identified at transect locations where nitrogen deposition due to the WBLPU at 10m from the road ranged from 0.06 kg N/ha/yr to 0.15 kg N/ha/yr. Crucially, none of these locations supported heathland habitats, instead comprising of extensive managed coniferous plantation woodland. Coniferous plantation woodland is a managed resource and localised changes in air quality would not be expected to affect the habitat to any degree which would reduce its suitability for supporting the SPA birds, nightjar and woodlark which will nest within such habitat. Furthermore, because this is a managed forestry resource, there is no likelihood of it becoming heathland habitat in the future. This is supported by the Natural England Site Improvement Plan which states that '*Large parts of Thames Basin Heaths are occupied by commercial forestry plantations where the maintenance of suitable conditions for Annex 1 birds is dependent upon rotational felling*'.

Summary

4.8 In summary, whilst the WBLPU did not include these Swallowfield development proposals within the in-combination calculations, the contribution from the project is predicted to be very small and would represent a de-minimis contribution. This accords with the ruling in Wealden v SSCLG [2017] EWHC 351 (Admin) (2017), which specifically concerned the need for in combination assessment in air quality modelling for European sites. Mr. Justice Jay accepted that if the contribution of an individual plan or project to traffic growth or resulting air quality effects was 'very small indeed', it could be legitimately and legally excluded from in combination assessment.

4.9 Furthermore, the majority of transect locations calculated as part of WBLPU study show the critical levels are well below thresholds for Nitrogen deposition, or where they are close to or exceed the thresholds, the habitats present within the SPA comprises commercial plantation forestry which would not be degraded by air quality changes associated with road traffic.

Conclusion

The Swallowfield proposals will not result in adverse effects on the integrity of the Thames Basin Heaths SPA as a result of changes in air quality, either alone or in-combination with other plans and projects. .

Recreation impacts

4.10 The Site Improvement Plan for Thames Basin Heaths identifies recreational impacts resulting from housing growth as a key threat to the qualifying bird species, nightjar, woodlark and Dartford warbler which nest on or close to the ground and are therefore particularly susceptible. Dog walking is a particular risk, leading to birds being disturbed during the sensitive nesting period, together with nest trampling, flushing of birds and chick predation.

4.11 Visitor surveys completed by Natural England between 2005-2023 have been instrumental in understanding the nature of recreational impacts and in informing appropriate strategic mitigation and avoidance measures.

4.12 As a result of this work, Authorities that contribute to recreational pressures on the Thames Basin Heaths SPA combined to form the Thames Basin Heaths (TBH) Joint Strategic Partnership Board (JSPB), comprised of eleven local authorities and two County Councils. This led to the creation of the Thames Basin Heaths Delivery Framework (TBHDF), which details the necessary approach to avoidance and mitigation based on visitor survey data and the establishment of zones of influence. This subsequently informed the

preparation of relevant Local Plans to ensure that the measures are embedded as a requirement in the planning process.

4.13 With regard to the WBLPU, Policy NE3 (Thames Basin Heaths Special Protection Area) states that development proposals which are likely to result in adverse effects on the integrity of the SPA will be refused if appropriate avoidance or mitigation measures are not delivered.

4.14 The TBHDF and WBLPU, identify an appropriate approach within specific buffer zones around the SPA. These zones have been identified as follows:

- Within 400m - No net increase in residential development permitted.
- 400m-5km – A requirement for all residential development to provide, or contribute to the provision of:
  - Strategic Access Management and Monitoring (SAMM).
  - Suitable Alternative Natural Greenspace (SANG).
- 5km-7km – Assessment and provision on a case-by-case basis for residential development over 50 dwellings.

Mitigation

On-site greenspace provision

4.15 The Swallowfield development has been designed from the outset to incorporate extensive areas of on-site natural greenspace including meadows, wetlands and woodlands totalling in excess of 3Ha and incorporating over 1km of accessible paths within area of natural greenspace. This natural greenspace will undoubtedly provide a similar function to SANG by attracting local residents for recreational activities in preference to visiting the Thames Basin Heaths SPA. Nevertheless, it cannot be considered a formal SANG because it lacks certain key requirements, including most notably a full 2.3km circular path. As a result, there will be a requirement for the Swallowfield development to contribute to the strategic SANG network through the provision of appropriate financial contributions secured via a Section 106 agreement, and it would be logical that the level of financial contribution to strategic SANG should have regard to the fact that the proposed development includes the provision of extensive natural greenspace and accessible paths with a similar function to SANG, which will reduce the need for future residents of the development to travel to alternative natural greenspace and cause additional recreational impacts on the SPA.

Strategic mitigation

4.16 In accordance with the requirements of the Thames Basin Heaths Delivery Framework and planning policy within the Wokingham Borough Council local plan, the Swallowfield development will need to contribute to the following strategic mitigation and avoidance measures:

- SAMM
- Strategic SANG provision

4.17 These contributions will need to be agreed with Wokingham Borough Council and secured by appropriate legal mechanism to ensure their effectiveness.

4.18 In accordance with the delivery framework, the provision of these strategic mitigation measures would ensure that adverse effects on the integrity of the Thames Basin Heaths SPA as a result of in-combination recreational impacts would be avoided.

Conclusion

Providing the Swallowfield development provides the necessary financial contributions to strategic mitigation and avoidance measures in the form of SAMM and SANG, no adverse effect on the integrity of the Thames Basin Heaths SPA will arise as a result of recreational impacts, either alone or in-combination.

Chapter 5
Conclusion and next steps

This 'Report to Inform HRA' is intended to enable Wokingham Borough Council to discharge its duty in determining whether the project will adversely affect the integrity of the Thames Basin Heaths SPA

5.1 The Screening Stage identified that the development proposals alone would not result in likely significant effects (LSEs) but that there is potential to contribute to LSEs in-combination with other plans and projects as a result of:

- Air pollution associated with increases in road traffic
- Recreational Impacts

5.2 These LSEs were carried forward for further consideration at the Appropriate Assessment stage to determine whether they would contribute to adverse effects on integrity (AEoI) of the Thames Basin Heaths Special Protection Area (SPA).

5.3 In terms of air pollution, the Appropriate Assessment at section 4 of this report concludes that the proposed development at Swallowfield would not result in AEoI due to evidence provided as part of recent road traffic and air quality modelling completed as part of the Wokingham Local Plan Update Regulation.19 HRA. This HRA identified that exceedances above the critical load thresholds would only occur at a small number of specific locations along roads in proximity to the SPA. These locations were reviewed in detail and it was confirmed that the constituent habitats at these locations comprised rotationally managed conifer plantation, which is not susceptible to changes in air quality to a degree which would affect SPA birds. Therefore, any road traffic at these locations arising as a result of the proposed Swallowfield development would not contribute to degradation in habitat as a result of air quality change. The proposed Swallowfield development will therefore not result in AEoI on the Thames Basin Heaths SPA, either alone, or in-combination with other plans and projects.

5.4 With regards to recreational impacts, it is well documented in planning policy, and as set out in the Thames Basin Heaths Delivery Framework and Policy NE3 of the WBLPU, that net increases in residential dwellings up to 7km from the SPA are likely to contribute to recreational visits to the SPA and thereby require appropriate avoidance and mitigation measures in the form of:

- Strategic Access Management and Monitoring (SAMM) contributions.
- Suitable Alternative Natural Greenspace (SANG) provision.

5.5 In light of the requirements set out in the Delivery Framework, local authorities, including Wokingham, have progressed the creation of a strategic SANG network, funded by developer contributions to enable residential developments to come forward without adversely affecting the Thames Basin Heaths SPA. The Swallowfield project intends to rely upon providing an appropriate financial contributions towards SAMM and strategic SANG delivery, and will also provide bespoke onsite greenspace which would provide a SANG function. As a result, there is certainty that the Swallowfield proposals would avoid adverse effects on the integrity of the Thames Basin Heaths SPA, either alone, or in-combination as a result of recreational impacts.

Next steps for HRA

5.6 This 'report to inform HRA' will be submitted to WBC for consideration, and will also be shared with Natural England as the statutory consultee.

5.7 The next steps will require discussion with WBC to agree the details for providing contributions to SAMM and strategic SANG, including identifying and agreeing an strategic SANG site which has capacity and is appropriately located in relation to the Swallowfield site. Appropriate mechanisms for delivery (e.g. Section 106 agreement) will also require agreement.

Appendix A

Attributes of Habitats Sites

Thames Basin Heaths SPA

Site description

- This is an extensive complex of lowland heathland, acid grassland, mire and commercial conifer plantations in south east England.

Qualifying features

- Nesting nightjar, woodlark and Dartford warbler.

Key Vulnerabilities

- Public access / disturbance
- Undergrazing
- Forestry and woodland management
- Inappropriate scrub control
- Wildfire / arson
- Air pollution: Impact of atmospheric nitrogen deposition
- Military actions
- Habitat fragmentation

Conservation Objectives

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

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

Non-qualifying habitats and species upon which the qualifying habitats and/or species depend

5.9 In general, the qualifying bird species of the SPA rely on:

- The sites ecosystem as a whole;
- Maintenance of populations of invertebrate species (diurnal and nocturnal) that they feed on;
- Off-site habitat, which provide foraging habitat for these species including networks of open woodland (nightjar).

Appendix B
Figures

B.1 Habitats Sites within 10km of the Swallowfield Site

Land East of Trowes Lane, Swallowfield
City & Country Bramshill Ltd

LUC

Figure 1: European Sites within 10km of the Site