



Habitats Regulations Assessment Screening Statement

Shoreham Cement Works Area Action Plan (AAP)

September 2018

I. Introduction

- I.1 The purpose of this screening statement is to provide an opinion as to whether there might be any potential likely significant effects on internationally important wildlife sites (also known as European sites) that may be affected by a Shoreham Cement Works Area Action Plan, and therefore whether further Habitats Regulations Assessment work is required. The South Downs National Park Authority (SDNPA) will also be undertaking Sustainability Appraisal (SA), incorporating Strategic Environmental Assessment (SEA), of the AAP. A Scoping Report has been prepared which outlines the relevant environmental baseline data and is being consulted on at the same time as this screening opinion.

Habitats Regulations Assessment Screening

- I.2 Habitats Regulations Assessment (HRA) refers to the requirement for any plan or project to assess the potential implications for European sites. The need for HRA is set out within the EC Habitats Directive 92/43/EC which is transposed into British Law. Article 6(3) of the EU Habitats Directive provides that:

“Any plan or project not directly connected with or necessary to the management of the [European] site but likely to have a significant effect thereon, either individually or in combination with other plans or projects, shall be subject to appropriate assessment of its implications for the site in view of the site's conservation objectives. In the light of the conclusions of the assessment of the implications for the site and subject to the provisions of paragraph 4, the competent national authorities shall agree to the plan or project only after having ascertained that it will not adversely affect the integrity of the site concerned and, if appropriate, after having obtained the opinion of the general public.”

- I.3 The first stage of the HRA process involves an assessment or screening of whether the plan is likely to have a significant effect on one or more European sites either alone or in combination. This can include consideration of avoidance measures. The objective is to ‘screen out’ those plans and projects (or site allocations/policies) that can, without detailed appraisal, be said to be unlikely to result in significant adverse effects upon European sites.
- I.4 If screening determines that there is the potential for likely significant effects, further HRA work would be required in the form of an Appropriate Assessment which considers the impact on the integrity of the European site in more detail.

Screening methodology

- I.5 The methodology for the likely significant effects screening is undertaken in two parts:
- Impact pathway screening – the AAP is reviewed to identify potential impact pathways arising from the proposals in the AAP on European sites.
 - Likely significant effects screening – Where potential impact pathways are identified, these are considered further to determine if the AAP alone, or in combination with other relevant plans or projects, is likely to result in significant effects.
- I.6 The recent Sweetman II / People Over Wind European Court of Justice ruling has determined that, contrary to earlier UK court judgements, mitigation measures should not be taken into account in assessing likely significant effects. Mitigation should instead only be taken into

account at the 'appropriate assessment' stage. Appropriate assessment is not a technical term; it simply means 'an assessment that is appropriate' for the plan or project in question. This screening is a screening for likely significant effects, and therefore, in accordance with the judgement, does not take into account any potential mitigation.

- I.7 The information used for this screening statement has been gathered from the HRA for the Submitted South Downs Local Plan, which was submitted for examination in April 2018, and as such, this screening report should be read in conjunction with it. The South Downs Local Plan identifies the Shoreham Cement Works site for development (Policy SD56) and establishes a set of key principles and policy requirements. This strategic level policy was considered through the HRA that accompanies that plan.
- I.8 This screening report has regard to the conservation objectives of the relevant European sites. It also makes reference to other plans and projects, the emerging South Downs Local Plan and other Local Plans/Core Strategies as appropriate.

The Shoreham Cement Works Area Action Plan

- I.9 Shoreham Cement Works is a 44ha site including a semi-derelict cement works, inactive chalk quarry, temporary inert recycling facility and a mix of temporary business uses. The site is located about 5km north of Shoreham and 2km south of Upper Beeding.
- I.10 The Cement Works site is identified in the South Downs Local Plan (Policy SD56) as an area of significant opportunity for a mixed use development which delivers a substantially enhanced landscape and uses that are compatible with the purposes of the National Park. To help to achieve this the SDNPA has started work on an Area Action Plan (AAP) for the site, with the overall aims of:
- enhancing the visual impact of the site from both the nearby and distant public viewpoints;
 - conserving, enhancing and providing opportunities for understanding the biodiversity, geodiversity, historic significance and cultural heritage of the site;
 - ensuring the delivery of Ecosystems Services; and
 - ensuring that the design of any development is of the highest quality and appropriate to its setting within a National Park.
- I.11 The Shoreham Cement Works AAP is the second Development Plan to be prepared by the SDNPA as part of the South Downs Local Plan (SDLP) and will follow the anticipated adoption of the Authority's Local Plan in early 2019. Drawing on existing and new evidence, along with input from the site owners and the local community, the AAP will address in more detail the constraints and opportunities present. These include land restoration, environmental impacts, transport, flood risk, cultural and heritage possibilities, design considerations, viability (including identifying possible partnership funding to enable delivery of a scheme) and phasing of delivery over a number of years.

2. Stage 1: Impact pathway screening

- 2.1 The HRA Report for the Submission South Downs Local Plan identified the Castle Hill Special Area of Conservation (SAC) and the Arun Valley SAC/Ramsar sites as the nearest European sites to the Shoreham Cement Works.
- 2.2 At 16.3km and 16.8km away from the Shoreham Cement Works respectively, due to the distances involved, there are no realistic impact pathways present.
- 2.3 There are no material changes in the nature and scope of the site and the range of proposals for the AAP to change this conclusion.

3. Stage 2: Likely significant effects screening

- 3.1 No impact pathways have been identified. Therefore there are not considered to be likely significant effects on international sites arising from the proposals with the Shoreham Cement Works Area Action Plan, alone or in combination with other plans or projects.

4. Conclusion

- 4.1 Is the potential scale or magnitude of any effect likely to be significant?
 - a) Alone? **No**
 - b) In combination with other plans or projects? **No**
- 4.2 It is the conclusion of this screening statement that there are not likely to be significant effects on any European sites arising from the Shoreham Cement Works Area Action Plan. Therefore the Shoreham Cement Works Area Action Plan does not require progression to the next stage of Habitats Regulations Assessment.