

HABITAT REGULATIONS ASSESSMENT

17 Hardringe, Ashford, TN24 8HB

Report by

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On the instructions of Cunningham Development and
Properties Ltd.

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1 Introduction

1.1 Background and Purpose of the report

- 1.1.1 This Habitat Regulations Assessment (HRA) has been commissioned by Cunningham Development and Properties Ltd. in support of a planning application for proposed development at 17 Hardringe, Ashford, TN24 8HB (central Ordnance Survey Grid Reference: TR 01183 43091).
- 1.1.2 The purpose of this report is to enable the Competent Authority (17 Hardringe, Ashford, TN24 8HB) to carry out an HRA in accordance with the Conservation of Habitats and Species Regulations 2017 (as amended). It provides a clear, structured assessment of potential impacts on the Epping Forest Special Area of Conservation (SAC), in line with relevant local guidance and templates, particularly the London Borough of Waltham Forest's Recreational Pressure HRA Screening and Appropriate Assessment Template.

1.2 Proposed Development

- 1.2.1 The proposal involves **demolition of existing and erection of new residential dwelling with 2 residential units (Appendix 2)**. The anticipated construction zone encompasses the entire red-line boundary shown in **Figure 1**.

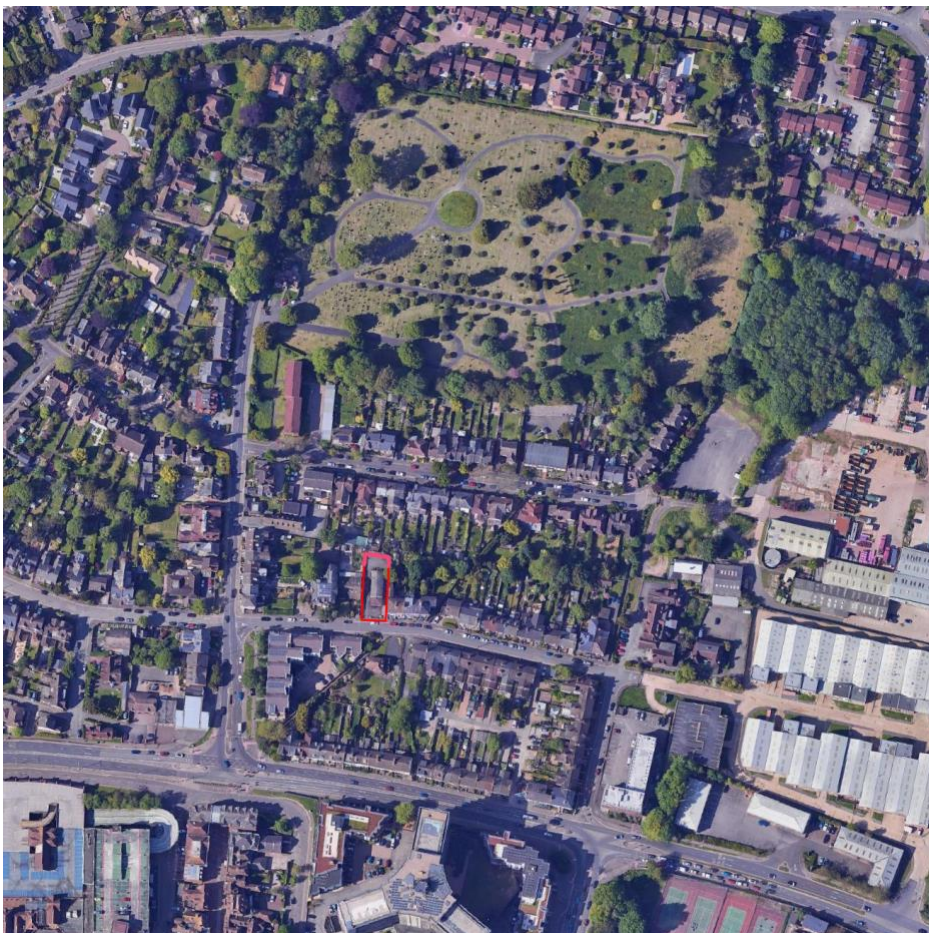


Figure 1 Site in situ highlighted red (google Earth).

1.3 Identification of Protected sites

- 1.3.1 Ashford Green Corridors Local Nature Reserve (LNR) lies within 2 km of the site and forms part of a connected network of open spaces associated with the River Stour and its tributaries. These green spaces support locally important habitats including wet grassland, riverbanks, and scrub, providing valuable corridors for wildlife movement. While not subject to statutory protection under the Habitats Regulations, potential indirect effects on the LNR (such as lighting, surface water discharge, or recreational use) will be considered through sensitive site design and mitigation where necessary.
- 1.3.2 Wye and Crundale Downs Special Area of Conservation (SAC) is located approximately 5 km north of the site, Wye and Crundale Downs SAC is designated for its chalk grassland habitats and associated calcareous scrub communities, which support a range of rare plant species and invertebrates. While the site is not hydrologically linked to the development, potential impact pathways include increased recreational pressure and air quality deterioration resulting from additional vehicular traffic. These risks are generally low for small-scale residential developments but must be considered in combination with other local growth.
- 1.3.3 Stodmarsh Special Area of Conservation (SAC) is 11.5 km east of the site, Stodmarsh SAC is directly hydrologically connected via the Stour catchment. The site contains internationally important wetland habitats, including calcareous fen and alkaline mire systems, which are highly sensitive to nutrient enrichment from treated wastewater. Development at the site contributes to additional nitrogen and phosphorus loading into the river network via the Ashford Wastewater Treatment Works, triggering the need for nutrient neutrality assessment under the Habitats Regulations.
- 1.3.4 Stodmarsh Special Protection Area (SPA) overlaps with the SAC and is designated for its significant populations of overwintering and breeding waterbirds, including shoveler, gadwall, and other migratory species. The integrity of these populations depends on the quality of aquatic habitats and invertebrate food sources, both of which are vulnerable to eutrophication. Due to the established hydrological link with the Stour catchment, any residential development that increases nutrient input to wastewater systems may adversely affect SPA features without appropriate mitigation.
- 1.3.5 Stodmarsh Ramsar Site, designated under the Ramsar Convention on wetlands of international importance, encompasses the same wetland complex as the SAC and SPA. It is recognised for its biological diversity and regular support of more than 20,000 waterfowl. The site is sensitive to changes in water chemistry and ecological functioning caused by nutrient pollution. Development at 17 Hardringe must therefore demonstrate that it will not contribute to further nutrient loading unless fully mitigated through nutrient neutrality measures.

2 Stage 1 Screening Assessment

2.1 Assessment of Impact Pathways

2.1.1 The potential pathways through which the proposed development may affect above sites were considered:

- **Direct habitat loss** resulting from land take or construction activities.
- **Air pollution** associated with increased traffic or emissions during and post-development.
- **Physical disturbance** to designated habitats or species arising from recreational activity or development-related pressures.
- **Hydrological impacts and water quality effects** via wastewater discharge.

2.1.2 These pathways have been assessed in line with the requirements of the **Conservation of Habitats and Species Regulations 2017 (as amended)**.

2.2 Direct Habitat loss

2.2.1 There are no semi-natural habitats, green infrastructure, or habitat features on-site that would contribute to the ecological network or provide connectivity to adjacent habitats. Furthermore, the site does not form part of, or lie adjacent to, any statutory or non-statutory designated site.

2.2.2 The proposed demolition of the existing building and erection of a new residential dwelling with two units will therefore result in **no measurable habitat loss**.

2.2.3 The proposed demolition of the existing building and erection of a new residential dwelling with two units will therefore result in **no measurable habitat loss**. As the existing baseline is entirely sealed surface, the proposal may offer an opportunity to deliver a **net gain** in biodiversity value if soft landscaping, permeable surfaces are incorporated into the design.

2.2.4 Given the current land classification and condition, the development is not considered to have any direct impact on habitats of ecological or conservation significance, nor will it contribute to the degradation or fragmentation of habitats supporting European designated sites..

2.3 Recreational Pressure

2.3.1 The proposed development involves the replacement of an existing dwelling with a new residential building comprising two units, resulting in a net increase of one residential unit. The site is located within a densely developed urban area of Ashford, and lies approximately **500 metres west of the Ashford Green Corridors Local Nature Reserve (LNR)** — a well-established, accessible green space running along the River Stour and its tributaries.

- 2.3.2 The **Stodmarsh SAC/SPA/Ramsar complex**, located over **11 km east** of the site, is not readily accessible on foot or by casual local recreation. Access to Stodmarsh generally requires intentional travel, and small-scale residential developments such as this are unlikely to influence visitation patterns. The **availability of high-quality, accessible local greenspace** within walking distance of the site provides a viable and attractive alternative for local recreational use, effectively minimising the potential for increased visitor pressure on designated European sites.
- 2.3.3 Given the minor scale of population increase, the urban location, and the presence of nearby informal open space, the risk of adverse effects from recreational disturbance to sensitive European habitats and bird species is considered **negligible**. This impact pathway is therefore **not significant** and does not require mitigation.

2.4 Atmospheric Pollution

- 2.4.1 The proposed development involves the demolition of one dwelling and construction of a replacement building comprising two residential units. This minor net increase in residential occupancy is not expected to generate a significant change in vehicular traffic or associated emissions. Natural England's Impact Risk Assessment thresholds for air quality effects apply primarily to developments likely to increase Annual Average Daily Traffic (AADT) by more than 1,000 vehicle movements on roads within 200 metres of European designated sites.
- 2.4.2 The nearest air-quality-sensitive site is Wye and Crundale Downs SAC, located approximately 6.5 km north of the site. No new traffic routes from the proposed development would pass within 200 metres of this or any other European designated site, and the traffic generated by two residential units falls well below significance thresholds. Furthermore, the proposed development does not include industrial processes, combustion sources, or major infrastructure changes.
- 2.4.3 As such, air pollution as a result of vehicle emissions or construction activity is not considered a significant impact pathway, and no further assessment or mitigation is required in relation to European sites.

2.5 Hydrological Impact

- 2.5.1 The application site lies within an established residential area and is currently classified as **developed land with sealed surface (hardstanding)**. The proposed development will replace an existing dwelling with a new building comprising two residential units. There are no watercourses, ponds, ditches, or wetlands on or adjacent to the site, and no direct surface water connectivity to any European designated site.
- 2.5.2 Surface water runoff from the development will be managed via existing urban drainage infrastructure or sustainable drainage systems (SuDS) in line with national and local policy. The site is not located within a flood risk zone, a groundwater protection zone, or any hydrologically sensitive designation, and does not overlay any known hydrological linkage to **Stodmarsh SAC/SPA/Ramsar** or other European sites by surface water pathways.
- 2.5.3 Accordingly, the development is **not expected to result in any changes to surface water flow, quality, or volume** that could affect the integrity of designated habitats. Hydrological impacts are therefore **not considered a significant pathway**, and no mitigation is required in this regard.

3 Stage 2 – Appropriate Assessment

- 3.1.1 As identified during screening, recreational pressure from new residential development is a likely significant effect requiring mitigation. In line with guidance from Natural England and local planning policy, the development will contribute to strategic mitigation measures.

3.2 Mitigation measures

- 3.2.1 The only identified impact pathway requiring mitigation is **nutrient enrichment via wastewater discharge**, due to the site's location within the **Stour Upper Operational Catchment** and its hydrological connection to **Stodmarsh SAC/SPA/Ramsar**. The proposed development results in a net increase of one residential unit, which may contribute to increased nitrogen and phosphorus loading via treated effluent at the Ashford Wastewater Treatment Works. To address this, the following mitigation measures will be implemented:

- **Nutrient Budget Calculation**
A nutrient budget has been (or will be) prepared in accordance with Natural England's guidance for Kent, calculating total nitrogen and phosphorus output based on proposed land use and occupancy assumptions. This establishes the precise mitigation requirement.
- **Nutrient Neutrality through Off-Site Mitigation**
The applicant will secure **off-site nutrient mitigation credits** from a recognised scheme, such as the **Kent Nutrient Trading Platform** or equivalent private provider. These credits will offset the calculated nutrient loading associated with the additional residential unit and will be sufficient to achieve nutrient neutrality.
- **Securing Mitigation via Legal Agreement**
The mitigation measures will be secured through a **Section 106 agreement**, Unilateral Undertaking, or a planning condition, in line with Ashford Borough Council's nutrient neutrality strategy. The agreement will ensure that the mitigation is Legally enforceable; Delivered prior to occupation; Maintained for a minimum period of **80–120 years**, as per Natural England requirements
- **Sustainable Drainage Systems (SuDS)**
The development will incorporate appropriate SuDS features (e.g. permeable paving, soakaways) to manage surface water on-site, reduce runoff volume, and enhance filtration. While not directly linked to European sites, this supports general good practice and climate resilience.

- 3.2.2 With these measures in place, the proposed development will not result in adverse effects on the integrity of any European designated site, either alone or in combination with other plans or projects.

- 3.2.3 Air pollution effects were screened out based on the scale of development (a single dwelling under 0.2 ha) and thresholds set by the EFDC HRA site-specific assessment process.

- 3.2.4 To prevent any risk of indirect impacts, standard pollution prevention and ecological protection measures will be implemented during construction. These include installation of sediment and runoff controls, restriction of construction activity to within the site boundary, and the adoption of wildlife-sensitive lighting. These measures ensure that no direct or adjacent degradation of habitats will occur, in line with the precautionary principle under the Conservation of Habitats and Species Regulations 2017 (as amended).

4 Conclusion

- 4.1.1 A screening assessment has identified one credible impact pathway requiring further consideration: **nutrient enrichment via wastewater**, which may contribute to eutrophication within the designated Stodmarsh sites. All other impact pathways, including direct habitat loss, recreational pressure, air pollution, and hydrological change via surface water, have been assessed as **not significant** due to the urban location, small scale of development, and distance from sensitive European sites.
- 4.1.2 To address the identified risk, the applicant will deliver **nutrient neutrality** through the purchase of appropriate **off-site mitigation credits**, secured via a legal mechanism (e.g. Section 106 agreement or Unilateral Undertaking), in accordance with Natural England's guidance and Ashford Borough Council's requirements.
- 4.1.3 With this mitigation in place, it is concluded that the development will **not result in adverse effects on the integrity** of any European designated site, either alone or in combination with other plans or projects. The Local Planning Authority may therefore lawfully grant planning permission in accordance with Regulation 63 of the Conservation of Habitats and Species Regulations 2017 (as amended).

Appendix 1 – References

1. The Conservation of Habitats and Species Regulations 2017 (as amended):
<https://www.legislation.gov.uk/ukxi/2017/1012/contents/made>
2. EU Habitats Directive (92/43/EEC):
<https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:31992L0043>
3. Planning Practice Guidance (PPG): Appropriate Assessment:
<https://www.gov.uk/guidance/appropriate-assessment>
4. Natural England (2022) SAC Site Improvement Plan: Epping Forest (SIP189):
<https://designatedsites.naturalengland.org.uk/SiteDetail.aspx?SiteCode=UK0012720>
5. Epping Forest District Council – Interim Approach to Managing Recreational Pressure on the Epping Forest SAC (2023):
<https://www.eppingforestdc.gov.uk/planning-and-building/planning-policy/hra/>
6. EFDC Habitats Regulations: Site-Specific Assessment Process (2021):
<https://www.eppingforestdc.gov.uk/wp-content/uploads/2021/03/HRA-site-specific-assessment-process-note.pdf>
7. Epping Forest District Local Plan 2011–2033 Submission Version (Policy DM2, SP7):
<https://www.efdclocalplan.org/local-plan/>
8. Joint Nature Conservation Committee (JNCC) SAC Data Form – Epping Forest SAC:
<https://sac.jncc.gov.uk/site/UK0012720>
9. Natural England (2020) Site Nitrogen Deposition Tool / Impact Risk Zones (IRZs):
<https://designatedsites.naturalengland.org.uk/>
10. DEFRA (2010) Air Pollution: Impacts on Nature Sites:
https://uk-air.defra.gov.uk/assets/documents/reports/cat09/1007261455_APISSummaryreport.pdf



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Appendix 2 – Proposed Development Drawings

