



Pimlico Neighbourhood Plan

Habitats Regulations Assessment Screening Report of the Submission Version (Regulation 16) of the Pimlico Neighbourhood Plan

April 2021

Introduction

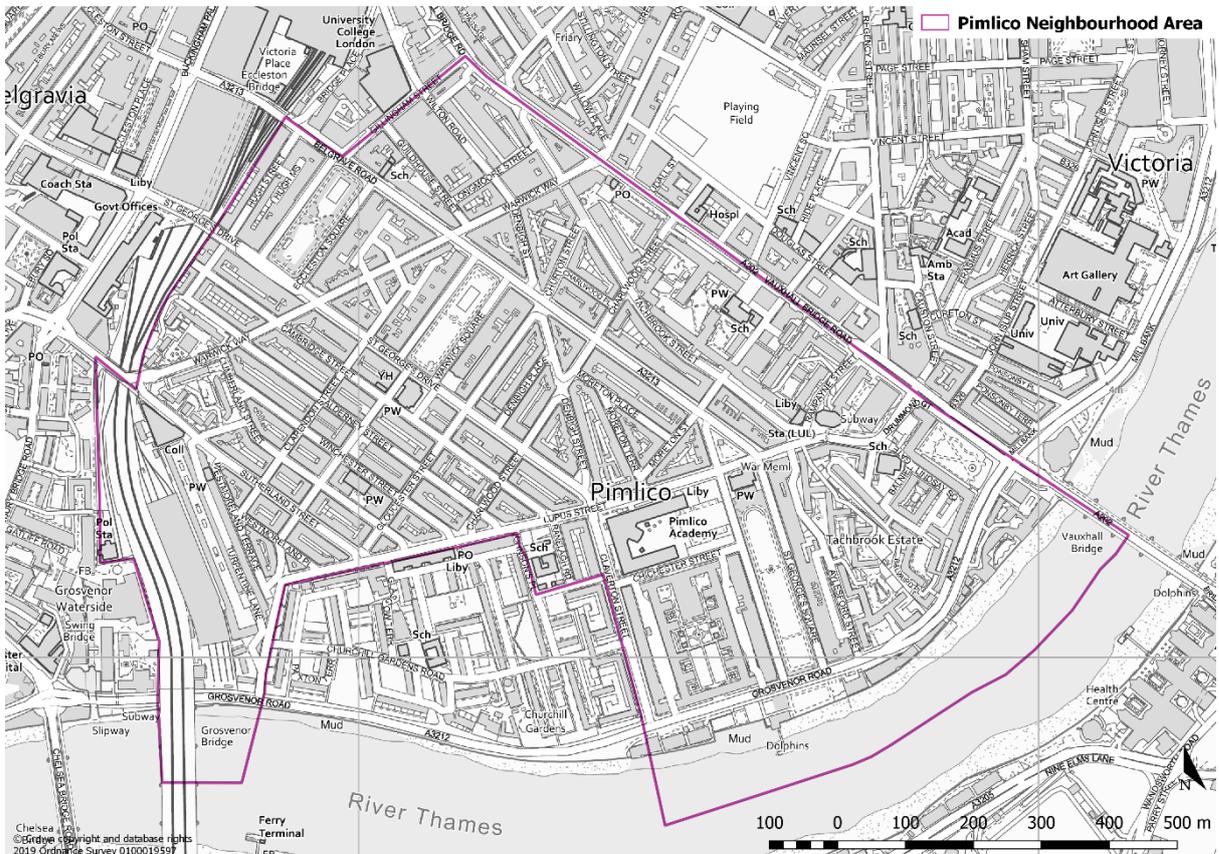
- 1.1 This report represents a screening of the need for a Habitats Regulations Assessment (HRA) under Directive 92/43/EEC, also known as the Habitats Directive¹.
- 1.2 HRA is a two-stage process to consider whether a proposed development plan or programme is likely to have significant effects on a European site designated for its nature conservation interest. Firstly, plans or programmes must be screened to determine if they are likely to have a significant effect (and are not plans connected to the management of the European site(s) in question). If it cannot be demonstrated during at the screening stage that the plan or programme will not have significant effects of the European site(s), an 'Appropriate Assessment' (AA) must then be undertaken, which is a much more detailed study of the effects of the plan or programme. The two parts together form a full HRA.
- 1.3 In determining whether a proposed development plan or programme is likely to have significant effects, the local authority must incorporate the 'precautionary principle' into its decision. This means that if there is uncertainty as to whether the plan or programme would cause significant effects on a European site, the full AA would be required.

Pimlico Neighbourhood Plan

- 2.1 The purpose of the Pimlico Neighbourhood Plan (the Plan) is to provide for the sustainable development of Pimlico. It seeks to do this through a number of objectives as follows:
 - Continue to maintain the quiet village atmosphere and its largely residential nature;
 - Improve the quality of life of current and future residents by a more vibrant retail and commercial sector and enhancing leisure and cultural facilities;
 - Ensure development respects and enhances the form and setting of the conservation areas;
 - Protect the squares and green spaces and, where possible, add more of them;
 - Improve the local environmental quality by continuing to limit and, if possible, reduce the harmful effects of traffic.
- 2.2 The designated Pimlico Neighbourhood Area is shown in Figure 1.1.

¹ Directive 92/43/EEC 'on the conservation of natural habitats and of wild fauna and flora': <http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:31992L0043>.

Figure 1.1: Pimlico Neighbourhood Plan Area



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2.3 The Neighbourhood Plan covers a 19-year period from 2021 to 2040 but does not seek to establish levels of growth or to specify exact locations for development. It does provide policy principles for redevelopment of major sites including the Queen Mother Sports Centre (Policy PIM24) if they were to come forward for development. All other policies provide either an area-wide framework or focus on specific areas, e.g. specific conservation areas.

European sites potentially affected

3.1 There are five European sites within 10km of the Borough of Westminster (see Appendix A for location of sites in relation to Pimlico, description of sites and their distances from Pimlico). Some areas are covered by more than one designation. All the sites are listed below:

- Wimbledon Common SAC;
- Richmond Park SAC;
- Epping Forest SAC;
- Lee Valley SPA and RAMSAR

- Essex Thames Estuaries SPA and RAMSAR.

- 3.2 Of these five European sites, only Wimbledon Common and Richmond Park are within 10km of Pimlico.
- 3.3 The Plan focuses, amongst other things, on shaping development, and protecting, maintaining and enhancing existing green space assets. The Neighbourhood Plan does not propose specific development sites, but instead provides local criteria that should be met by any development of larger sites including the Queen Mother Sports Centre site (Policy PIM24).
- 3.4 Policies that seek to positively address the environmental aspects of sustainable development – specifically local green spaces (PIM17), public open spaces (PIM18), the crossing from Nine Elms to Pimlico (PIM20) and energy efficiency/air quality (PIM23) – are likely to serve to have a positive effect on the European sites. However, the scale of growth likely in the Neighbourhood Area and the distance of the European sites is such that any effect is not likely to be significant.
- 3.5 The Plan is unlikely to have any significant effect on the identified network of protected sites.

In-combination effects

- 4.1 Existing plans and proposals must be considered when assessing new plans or programmes for likely significant effects as they may create ‘in combination’ effects.
- 4.2 An Integrated Impact Assessment (IIA) was carried out in respect of the Westminster City Plan 2040. This included a Sustainability Appraisal (SA) / Strategic Environmental Assessment (SEA). It found that the policies in the Core Strategy/City Plan are unlikely to have significant effects on the European sites. This was due to:
- The distance of the European sites away from the borough boundary;
 - The nature of the proposed policies themselves.
- 4.3 A Habitat Regulations Assessment Screening was carried out in respect of the Westminster City Plan 2040. This report concluded that the Westminster City Plan was unlikely to have an adverse impact on any of the identified sites within approximately 10 kilometres of the boundary of the Borough.
- 4.4 The Pimlico Neighbourhood Plan addresses matters relevant to habitats at a localised scale, focusing on their protection. Specifically this is achieved through policies such as PIM17 (protection and maintenance of local green spaces), PIM18 (public open space and protecting green areas) and PIM21 (ensuring riverside activities do not have an impact on green spaces adjacent to the river). The effects are considered to be minor and will support the wider policy effects of similar policies

in the Westminster City Plan. It is therefore concluded that no significant in-combination effects are likely to occur due to the implementation of the Plan.

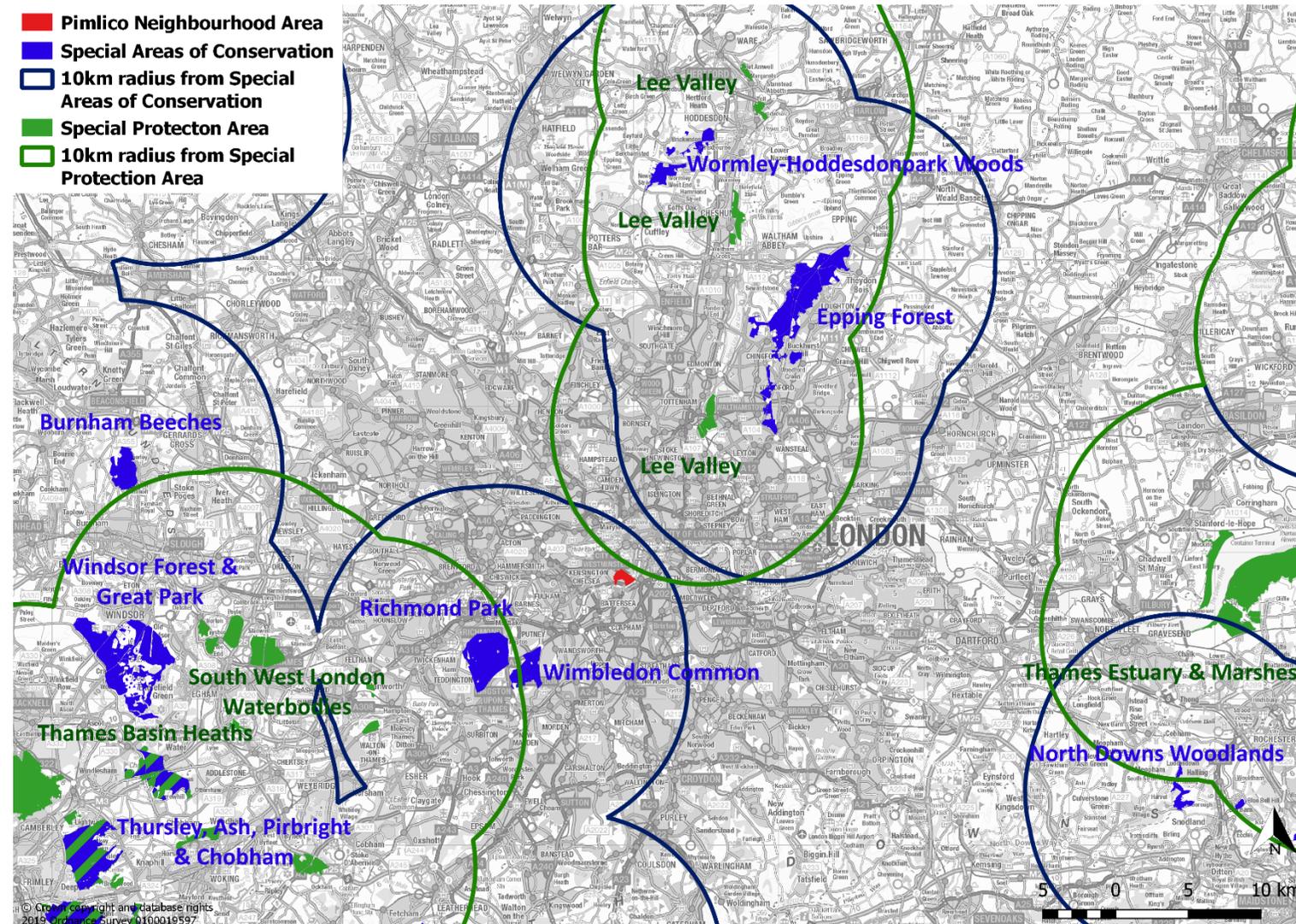
Screening outcome

- 5.1 The draft screening assessment concludes that no likely significant effects in respect of the Richmond Park and Wimbledon Common SACs will occur as a result of the implementation of the Pimlico Neighbourhood Plan.
- 5.2 This has been subject to review by Natural England and Westminster City Council and both bodies agreed with this assessment – their responses are shown in Appendix B. As such, the Plan does not require a full HRA to be undertaken.

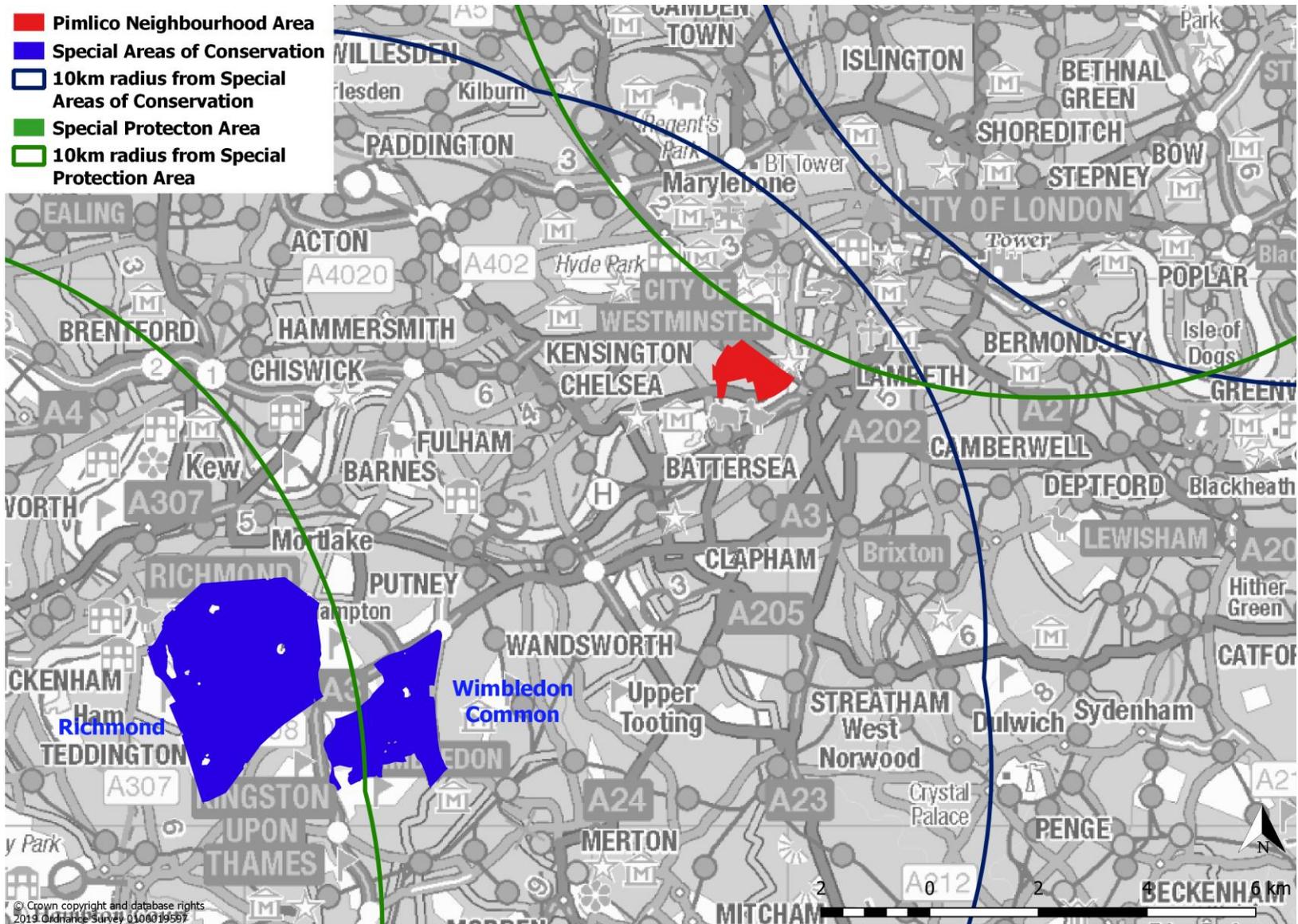
APPENDIX A - STATUTORY DESIGNATIONS

Designation relates to, or having the nature of, a statute (such as the Wildlife and Countryside Act, 1981, or the National Parks and Countryside Act, 1949). The NPPF states for plan-making that Local Plans should meet objectively assessed needs, with sufficient flexibility to adapt to rapid change, unless: specific policies in the NPPF indicate development should be restricted. For example, those policies relating to sites protected under the Birds and Habitats Directives (see paragraph 119) and/or designated as Sites of Special Scientific Interest; land designated as Green Belt, Local Green Space, an Area of Outstanding Natural Beauty, Heritage Coast or within a National Park (or the Broads Authority); designated heritage assets; and locations at risk of flooding or coastal erosion. See [circular 05/2006](#).

Map showing the location of the Pimlico Neighbourhood Area within a 10km radius of SACs and SPAs



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Special Areas of Conservation

A Special Area of Conservation (SAC) is the land designated under Directive 92/43/EEC on the Conservation of Natural Habitats and of Wild Fauna and Flora.

Site characteristics and conservation objectives

The following is extracted from the Appropriate Assessment Screening Report for the NPPF revisions to the Westminster Core Strategy in relation to Special Protection Areas (SPAs), Special Areas of Conservation and wetlands of international importance.

Wimbledon Common SAC

Location of Wimbledon Common SAC	
Country	England
Unitary Authority	Merton; Wandsworth
Grid Ref*	TQ227719
Latitude	51 25 56 N
Longitude	00 14 04 W
SAC EU code	UK0030301
Status	Designated Special Area of Conservation (SAC)
Area (ha)	348.31
* This is the approximate central point of the SAC. In the case of large, linear or composite sites, this may not represent the location where a feature occurs within the SAC.	
General site character	
Inland water bodies (standing water, running water) (1%)	
Bogs. Marshes. Water fringed vegetation. Fens (0.5%)	
Heath. Scrub. Maquis and garrigue <i>Phygrana</i> (5%)	
Dry grassland. Steppes (45%)	
Improved grassland (3.5%)	
Broad-leaved deciduous woodland (45%)	
Annex I habitats that are a primary reason for selection of this site	
Not applicable	
Annex I habitats present as a qualifying feature, but not a primary reason for selection of this site	
4010 Northern Atlantic wet heaths with <i>Erica tetralix</i>	
4030 European dry heaths	
Annex II species that are a primary reason for selection of this site	
1083 Stag beetle <i>Lucanus cervus</i>	
Wimbledon Common has a large number of old trees and much fallen decaying timber. It is at the heart of the south London centre of distribution for stag beetle <i>Lucanus cervus</i> , and a relatively large number of records were received from this site during a recent nationwide survey for the species (Percy <i>et al.</i> 2000). The site supports a number of other scarce invertebrate species associated with decaying timber.	
Annex II species present as a qualifying feature, but not a primary reason for site selection	
Not applicable.	

Richmond Park SAC

Location of Richmond Park SAC	
Country	England
Unitary Authority	Richmond upon Thames
Grid Ref*	TQ199728
Latitude	51 26 27 N
Longitude	00 16 28 W
SAC EU code	UK0030246
Status	Designated Special Area of Conservation (SAC)
Area (ha)	846.68
* This is the approximate central point of the SAC. In the case of large, linear or composite sites, this may not represent the location where a feature occurs within the SAC.	
General site character	
Inland water bodies (standing water, running water) (1.5%)	
Bogs. Marshes. Water fringed vegetation. Fens (0.5%)	
Heath. Scrub. Maquis and garrigue. Phygrana (25%)	
Dry grassland. Steppes (18%)	
Humid grassland. Mesophile grassland (5%)	
Improved grassland (20%)	
Broad-leaved deciduous woodland (25%)	
Mixed woodland (5%)	
Annex I habitats that are a primary reason for selection of this site	
Not applicable	
Annex I habitats present as a qualifying feature, but not a primary reason for selection of this site	
Not applicable.	
Annex II species that are a primary reason for selection of this site	
1083 Stag beetle <i>Lucanus cervus</i>	
Richmond Park has a large number of ancient trees with decaying timber. It is at the heart of the south London centre of distribution for stag beetle <i>Lucanus cervus</i> , and is a site of national importance for the conservation of the fauna of invertebrates associated with the decaying timber of ancient trees.	
Annex II species present as a qualifying feature, but not a primary reason for site selection	
Not applicable.	

Epping Forest SAC

Location of Epping Forest SAC	
Country	England
Unitary Authority	Essex
Grid Ref*	TQ399959
Latitude	51 38 39 N
Longitude	00 01 21 E
SAC EU code	UK0012720
Status	Designated Special Area of Conservation (SAC)
Area (ha)	1604.95
* This is the approximate central point of the SAC. In the case of large, linear or composite sites, this may not represent the location where a feature occurs within the SAC.	
General site character	
Inland water bodies (standing water, running water) (6%)	
Bogs. Marshes. Water fringed vegetation. Fens (0.2%)	
Heath. Scrub. Maquis and garrigue. Phygrana (3.8%)	
Dry grassland. Steppes (20%)	
Broad-leaved deciduous woodland (70%)	
Annex I habitats that are a primary reason for selection of this site	
9120 Atlantic acidophilous beech forests with <i>Ilex</i> and sometimes also <i>Taxus</i> in the shrublayer (<i>Quercion robori-petraeae</i> or <i>Ilici-Fagenion</i>)	
Epping Forest represents Atlantic acidophilous beech forests in the north-eastern part of the habitat's UK range. Although the epiphytes at this site have declined, largely as a result of air pollution, it remains important for a range of rare species, including the moss <i>Zygodon forsteri</i> . The long history of pollarding, and resultant large number of veteran trees, ensures that the site is also rich in fungi and dead-wood invertebrates.	
Annex I habitats present as a qualifying feature, but not a primary reason for selection of this site	
4010 Northern Atlantic wet heaths with <i>Erica tetralix</i>	
4030 European dry heaths	
Annex II species that are a primary reason for selection of this site	
1083 Stag beetle <i>Lucanus cervus</i>	
Epping Forest is a large woodland area in which records of stag beetle <i>Lucanus cervus</i> are widespread and frequent; the site straddles the Essex and east London population centres. Epping Forest is a very important site for fauna associated with decaying timber, and supports many Red Data Book and Nationally Scarce invertebrate species.	
Annex II species present as a qualifying feature, but not a primary reason for site selection	
Not applicable.	

Special Protection Areas/RAMSAR

A Special Protection Area (SPA) is a designation under the European Union Directive on the Conservation of Wild Birds. Under the Directive, Member States of the European Union (EU) have a duty to safeguard the habitats of migratory birds and certain particularly threatened birds.

A Ramsar site is a wetland site designated to be of international importance under the Ramsar Convention. The Convention on Wetlands, known as the Ramsar Convention, is an intergovernmental environmental treaty established in 1971 by UNESCO, which came into force in 1975. It provides for national action and international cooperation regarding the conservation of wetlands, and wise sustainable use of their resources. Ramsar identifies wetlands of international importance, especially those providing waterfowl habitat.

Thames Estuary and Marshes SPA and RAMSAR site

The Thames Estuary and Marshes SPA includes both marine and terrestrial habitats, and the marine area is also termed a European Marine Site. The marshes extend for around 15 km along the south side of the estuary, and also include some intertidal areas found on the north bank. It encompasses brackish, floodplain grazing marsh ditches and saline lagoons as well as intertidal saltmarsh and mudflat. This site was classified as both an SPA and a Ramsar Site (which covers approximately 5,500 hectares) on 31 March 2000.

The Thames Estuary and Marshes SPA qualifies under Article 4.1 of the EU Birds Directive as it supports internationally important populations of the regularly occurring Annex 1 species avocet and hen harrier. This Site also qualifies as an SPA under Article 4.2 of the EU Birds Directive as it supports internationally important populations of regularly occurring migratory species including Ringed Plover, Grey Plover, Dunlin, Knot, Black-tailed Godwit and Redshank. This SPA site also supports an internationally important assemblage of waterfowl as stated in Section 4.2 of the Directive, which include Gadwall, Shoveler, Tufted duck and Pochard.

The Thames Estuary and Marshes RAMSAR site qualifies under Criterion 2 as it supports 1 nationally rare and 14 nationally scarce plant species, as well as 1 endangered, 10 vulnerable and 12 rare invertebrate species. It also qualifies under Criterion 5 for its internationally important assemblage of waterfowl, and Criterion 6 for its internationally important numbers of over-wintering waterfowl.

The Thames Estuary and Marshes SPA is in the same location as the Essex Estuaries SAC.

Lee Valley SPA and RAMSAR site

The Lee Valley SPA is designated for internationally important numbers of breeding and wintering wildfowl, especially Gadwall and Shoveler and for wintering Bittern.

Special Protection Areas within Lee Valley Regional Park include Amwell Quarry, Rye Meads, Turnford and Cheshunt Pits and Walthamstow Reservoirs SSSIs.

APPENDIX B RESPONSE BY STATUTORY BODIES TO DRAFT HRA SCREENING ASSESSMENT

Date: 03 February 2021
Our ref: 337519
Your ref: Pimlico Neighbourhood Plan – SEA & HRA Screening



Mr P Ruback
Chair
Pimlico Neighbourhood Forum

Hornbeam House
Crewe Business Park
Electra Way
Crewe
Cheshire
CW1 6GJ

BY EMAIL ONLY
email@pimlicoforum.org

T 0300 060 3900

Dear Mr Ruback

Pimlico Neighbourhood Plan – SEA & HRA Screen

Thank you for your consultation request on the above dated and received by Natural England on 15th December 2020.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

Screening Request: Strategic Environmental Assessment

It is our advice, on the basis of the material supplied with the consultation, that, in so far as our strategic environmental interests (including but not limited to statutory designated sites, landscapes and protected species, geology and soils) are concerned, that there are unlikely to be significant environmental effects from the proposed plan.

Habitats Regulations Assessment

We agree with the conclusions of the HRA screening that there is no Likely Significant Effect on European sites and that a further appropriate assessment is not required.

Neighbourhood Plan

Guidance on the assessment of Neighbourhood Plans, in light of the Environmental Assessment of Plans and Programmes Regulations 2004 (as amended), is contained within the [National Planning Practice Guidance](#). The guidance highlights three triggers that may require the production of an SEA, for instance where:

- a neighbourhood plan allocates sites for development
- the neighbourhood area contains sensitive natural or heritage assets that may be affected by the proposals in the plan
- the neighbourhood plan may have significant environmental effects that have not already been considered and dealt with through a sustainability appraisal of the Local Plan.

We have checked our records and based on the information provided, we can confirm that in our view the proposals contained within the plan will not have significant effects on sensitive sites that Natural England has a statutory duty to protect.

We are not aware of significant populations of protected species which are likely to be affected by the policies / proposals within the plan. It remains the case, however, that the responsible authority should provide information supporting this screening decision, sufficient to assess whether protected species are likely to be affected.

Notwithstanding this advice, Natural England does not routinely maintain locally specific data on all potential environmental assets. As a result the responsible authority should raise environmental issues that we have not identified on local or national biodiversity action plan species and/or habitats, local wildlife sites or local landscape character, with its own ecological and/or landscape advisers, local record centre, recording society or wildlife body on the local landscape and biodiversity receptors that may be affected by this plan, before determining whether an SA/SEA is necessary.

Please note that Natural England reserves the right to provide further comments on the environmental assessment of the plan beyond this SEA/SA screening stage, should the responsible authority seek our views on the scoping or environmental report stages. This includes any third party appeal against any screening decision you may make.

For any new consultations, or to provide further information on this consultation please send your correspondences to consultations@naturalengland.org.uk

Yours sincerely

Sharon Jenkins
Operations Delivery
Consultations Team
Natural England

Westminster City Council
westminster.gov.uk



City of Westminster

Planning Policy Team
Westminster City Council
17th Floor, City Hall 64 Victoria Street
London SW1E 6QP

13th January 2021

Mr Peter Ruback
Pimlico Neighbourhood Forum

Dear Mr Ruback,

Westminster City Council comments on the Habitats Regulation Assessment (HRA) and Strategic Environment Assessment (SEA) screenings supporting the Pimlico Neighbourhood Plan (Reg 16 version)

Thank you for your email dated 15th December regarding the Habitats Regulation Assessment (HRA) and Strategic Environment Assessment (SEA) screening reports supporting the Regulation 16 version of the Pimlico Neighbourhood Plan.

Although your email is primarily directed towards the relevant statutory consultees, you have also requested the council to provide comments on both the HRA and SEA screening reports.

Officers agree there is no need for the Pimlico Neighbourhood Forum to carry out a full HRA or SEA. Nevertheless, officers have a series of minor comments on both reports that can be found in Appendices 1 and 2.

As you are aware, the council's City Plan 2019-2040 is currently undergoing examination in public. Although the hearing sessions have now closed, the examination will not finish until the Planning Inspectors publish their report. The council is currently consulting on the Main Modifications recommended by the Inspectors. The Inspectors consider the modifications are required to make the Plan sound before it is adopted. More information can be found on the council's website.

We are committed to working constructively with you to ensure the Pimlico Neighbourhood Plan smoothly proceeds to independent examination.

Yours sincerely,

Marina Mollà Bolta

Marina Mollà Bolta

Planning Policy Officer

Appendix 1: Comments on the HRA

Section	Comment
Throughout the document	<p>The document sometimes references the “Regulation 15” version of the Plan and sometimes the “Regulation 16” version. For consistency, we recommend you follow the same terminology.</p> <p>The time period for the Plan is unclear. Although the Plan itself says it is “2020-2040”, references in this document say it is “2019-2040”. For consistency, we recommend you use the same period in all documents.</p>
Paragraphs 4.1 to 4.3	<p>These paragraphs reference Westminster’s Core Strategy screening documents. As a new City Plan 2019-2040 is now being examined, we recommend these paragraphs are deleted. You should focus on the most recent screenings. Please see documents EV_ENV_004 - Habitats Regulation Assessment Screening Report (WCC, June 2019) and CORE_006 - Integrated Impact Assessment (WCC, June 2019) that can be found on the new City Plan Examination Library.</p>
Paragraph 4.5	<p>The Examination of Westminster’s new City Plan 2019-2040 has not finished yet. The Examination will end when the Planning Inspectors publish the Inspector’s Report. Until then, the Examination remains open.</p>
Paragraph 4.5	<p>Typo: The word “Plabn” should be spelled “Plan”.</p>
Paragraphs 4.5 and 4.6	<p>These paragraphs read as if this HRA was an assessment of a Local Plan rather than a Neighbourhood Plan. We suggest you better explain why the Pimlico Neighbourhood Plan will not contribute to in-combination effects (by referencing what its policies do).</p>
Appendix – First paragraph	<p>Text is sometimes a bit unclear. It is not 100% clear which “framework” the paragraph is talking about.</p>
Appendix – Site characteristics and conservation objectives	<p>As explained above, the document should reference the new City Plan 2019-2040 HRA as it is more recent.</p>
Appendix – Special Protection Areas/RAMSAR	<p>This section would benefit from a short introduction explaining what the SPAs and RAMSAR are (like the one for the SACs).</p>
Maps	<p>The map called “Map showing the location of the Pimlico Neighbourhood Area within a 10km radius of SACs and SPAs” does not show where the Thames Estuary and Marshes SPA and RAMSAR site is. If this map shows the location of all the sites discussed in the report, there is no need for other maps to be included within it.</p>

Appendix 2: Comments on the SEA

Section	Comment
Throughout the document	<p>The document sometimes references the “Regulation 15” version of the Plan and sometimes the “Regulation 16” version. For consistency, we recommend you follow the same terminology.</p> <p>The time period for the Plan is unclear. Although the Plan itself says it is “2020-2040”, references in this document say it is “2019-2040”. For consistency, we recommend you use the same period in all documents.</p>
Paragraph 2.5	Typo: The reference should read “NPPF National Planning Practice Guidance”
Paragraph 4.3	Source needed.
Paragraph 4.7	This paragraph references Westminster’s Core Strategy screening documents. As a new City Plan 2019-2040 is now being examined, we recommend these paragraphs are deleted. You should focus on the most recent screenings. Please see documents EV_ENV_004 - Habitats Regulation Assessment Screening Report (WCC, June 2019) and CORE_006 - Integrated Impact Assessment (WCC, June 2019) that can be found on the new City Plan Examination Library.
Paragraph 4.8	Source needed.
Paragraphs 4.9 to 4.11	<p>Please note the council has now published more up to date information in relation to flood risk. For more information, please see proposed modification MM35 in CORE_028_V2 - Schedule of Main Modifications (Nov, 2020) that can be found on the new City Plan Main Modifications Consultation page.</p> <p>Officers can provide an updated map.</p>
Paragraph 4.14	Source needed.
Paragraph 4.15	Source needed.
Paragraph 4.19	Source needed.
Paragraph 5.2 – Table, question 4	Officers agree there is no need to carry out a full HRA.
Table 5.1 – 1 D	It is unclear what “Any existing environmental problems could be tackled” means.
Table 5.1 – 2 A	<p>The text reads as if development always has negative effects when it can also have positive effects.</p> <p>Officers disagree with the outcome of this assessment. Development on the Queen Mother’s Sport Centre site could bring some positive effects and will not only be negative.</p>
Table 5.1 – 2 D	The text reads as if the assessment was on the development proposed and it should be on the policies.
Table 5.1 – 2 E	Source needed.
Table 5.1 – 2 F	This section could reference Pimlico’s HRA.
Table 6.1 - iv	This section would benefit from a reference to policy PIM24.
Table 6.1 - vii	It is unclear what “sensitive heritage assets” are. You could also explain that higher level Plans like the new City Plan provide significant protection to heritage assets.
Appendix	See comments in Appendix 1.