

## **Stage 1 Habitat Regulations Assessment**

### **The Regulations**

1. Regulations 106 of the Conservation of Habitats and Species Regulations 2017 (as amended) relates to Neighbourhood Development Plans. It requires that “A qualifying body which submits a proposal for a neighbourhood development plan must provide such information as the competent authority may reasonably require for the purposes of the assessment under regulation 105 or to enable it to determine whether that assessment is required”.
2. Government Guidance states that a neighbourhood plan can rely on a more strategic assessment (i.e. for the Local Plan) however, the requirements for this is considered to be a high standard to meet. In order for this to be permissible the following need to be considered:
  - the strategic appropriate assessment was properly carried out;
  - it remains valid and there is no new material and relevant information that should be considered (e.g. provided by ongoing site condition monitoring, or further relevant detail that has become available at the lower, non-strategic level);
  - it specifically caters for and addresses all the impacts in the relevant area from the non-strategic plan or project (alone and in combination) and there is the necessary certainty around the use of any mitigation measures.

Where there is any doubt about this, an appropriate assessment will be required in order to test the non-strategic plan or project and any relevant mitigation measures.

3. In terms of the Skegness Neighbourhood Development Plan, the assessment of the Local Plan was properly carried out and passed through Examination. However, since that HRA was prepared and the Plan adopted, an additional Special Protection Area has been designated along the coast, which was not considered by that HRA. Also, the Skegness NDP allocates sites for development that are not included within the East Lindsey Local Plan, and the scope of some of its policies is wider than those contained in the Local Plan. For these reasons, it is not deemed that the Skegness NDP can rely on the HRA of the East Lindsey Local Plan.

### **The Habitat Regulations Assessment (HRA) Process**

4. There are four stages to a HRA. The first stage is referred to as screening. This determines whether the plan is likely, alone or in combination with other plans and programmes, to have a significant effect on European sites. This will determine whether or not a full ‘Appropriate Assessment’ is needed. If it is deemed to have significant effects, Stage 2 (Appropriate Assessment) then determines whether, in view of the sites conservation objectives, the plan would have an adverse effect on the integrity of the site. This allows the plan to be fine-tuned as it emerges to ensure significant effects on European

sites are avoided. *If stages 1 and 2 are successful in avoiding any significant effects on the integrity of international sites, Stages 3 and 4 will become unnecessary.* Stage 3 is the Assessment of Alternative Solutions. Where the plan is considered to have an adverse effect on the integrity of a site or sites, there should be an examination of alternative solutions to avoid negative impacts. Stage 4 is - Assessment where no alternative solutions remain and where adverse impacts remain. Where adverse effects remain, compensation measures are required, however, plans will only be permitted where the plan would be necessary for Imperative Reasons of Overriding Public Interest (IROPI).

5. This document represents the first stage in the process. The screening stage identifies whether a plan - either alone or in combination with other plans or projects - is likely to have a significant impact on a European site. Screening, should:

- i. Identify if there are any sites falling under the regulations, which may be affected by the proposals
- ii. Determine whether the plan is directly connected with or necessary to the management of the protected site – if it is, then no further assessment is necessary;
- iii. Describe the plan or project and other plans and projects that, ‘in combination’, have the potential to have significant effects on a European site;
- iv. Examine the conservation objectives for the site or sites;
- v. Identifying the potential effects on the European site in terms of magnitude, duration, location and extent; and
- vi. Assess the significance of any effects on the European site.

## **Screening**

6. There are ten internationally designated sites along the coast:

- Humber Estuary Special Area of Conservation (SAC)
- Humber Estuary Special Protection Area (SPA) and Ramsar sites;
- Greater Wash SPA;
- Saltfleetby-Theddlethorpe Dunes and Gibraltar Point SAC;
- Gibraltar Point SPA and Ramsar;
- The Wash and North Norfolk Coast SAC; and
- The Wash SPA and Ramsar sites.

However, the Humber Estuary SAC is almost 29km to the north of the Skegness NDP area and the SPA and Ramsar sites are almost 22km to the north. It is therefore considered that these sites are sufficiently remote as to not be affected by the NDP.

7. The other sites are significantly closer. The Greater Wash SPA and Gibraltar Point SAC run parallel to the town and the remaining designated areas are immediately at the south of the town, running along Gibraltar Road.

8. The LDO is not directly connected with or necessary to the management of any of these protected sites, therefore further assessment is required.

## **The Sites**

### **Greater Wash SPA**

9. The Greater Wash SPA covers circa 3,536km<sup>2</sup> and is located in the mid-southern North Sea between Bridlington Bay in the north and the Outer Thames Estuary SPA in the south. It is a marine site and protects important areas of sea used by water birds during the nonbreeding period, and for foraging terns in the breeding season. Breeding tern colonies along the coast are already protected by a number of existing classified SPAs: Humber Estuary, Gibraltar Point, North Norfolk Coast, Breydon Water and Great Yarmouth North Denes. The landward boundary of the site extends to the Mean High Water mark.

### **Conservation Objectives**

10. The Conservation Objectives for the site are to 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.

### **Qualifying Features:**

- A001 *Gavia stellata*; Red-throated diver (Non-breeding);
- A065 *Melanitta nigra*; Common scoter (Non-breeding);
- A177 *Hydrocoloeus minutus*; Little gull (Non-breeding);
- A191 *Sterna sandvicensis*; Sandwich tern (Breeding);
- A193 *Sterna hirundo*; Common tern (Breeding); and
- A195 *Sternula albifrons*; Little tern (Breeding).

11. The Greater Wash SPA is a large, predominantly marine environment, and the East Lindsey coastline is very much on its periphery. This part of the Lincolnshire Coast is heavily populated with tourism development and there are already thousands of visitors to this part of the coast at any given point over the summer months.

## Saltfleetby – Theddlethorpe Dunes and Gibraltar Point SAC

12. This collection of sites is protected as a good example of shifting dunes within a complex site that exhibits a range of dune types. Within this dune complex there are extensive areas of fixed dune vegetation within largely intact geomorphologically-active systems. The lime-rich dunes support a rich and diverse flora. The fixed dunes are part of a successional transition, and the rapidly-accreting dunes on the seaward sand bars and shingle banks make this an important site for research into the processes of coastal development.

### Conservation Objectives

13. Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the Favourable Conservation Status of its Qualifying Features, by maintaining or restoring;

- The extent and distribution of the qualifying natural habitats;
- The structure and function (including typical species) of the qualifying natural habitats; and,
- The supporting processes on which the qualifying natural habitats rely.
- The population of each of the qualifying features, and
- The distribution of the qualifying features within the site.

### Qualifying Features

- Shifting dunes along the shoreline with *Ammophila arenaria* ("white dunes");
- "Fixed coastal dunes with herbaceous vegetation ("grey dunes");
- Dunes with *Hippophae rhamnoides*; and
- Humid dune slacks

14. The site is subject to a high number of visitors, which require close management as many of the vegetation types supported by sand dunes are fragile and vulnerable to erosion from heavy trampling. It may be necessary to take steps to manage activities in vulnerable areas. Where recreation pressure is not severe, the impact of trampling can help to retain diversity on some sites – sandy tracks break up the vegetation sward and provide areas of bare sand thus increasing the diversity of habitats available.

## Gibraltar Point SPA and Ramsar

15. Gibraltar Point SPA consists of an actively accreting sand-dune system, saltmarsh and extensive intertidal flats. All stages of dune development are represented with the older dunes extensively colonised by scrub. There are also small areas of freshwater marsh and open water. The site accommodates large numbers of overwintering birds and significant colonies of breeding terns. The terns feed outside the SPA in nearby waters. The site is also important for waders during the spring and autumn passage period.

16. Gibraltar Point is also a Ramsar site and was classified for breeding little tern and non-breeding bar-tailed godwit, sanderling and grey plover. These habitats provide important feeding and breeding sites for both birds and other wildlife. The coastal waters adjacent to the SPA provide a vital food source for the breeding tern populations by supporting large populations of small fish. The sand and shingle beaches in the SPA further support breeding little terns by providing important nesting areas.

17. Additionally, both extensive areas of intertidal mud and sand support high densities of marine invertebrates, such as mud snails, providing a food source for internationally important populations of wading birds. Saltmarsh also provides key feeding and roosting habitats for important bird species within the site. The site is important throughout the year; during the spring and autumn passage periods and over winter the site is used by bar-tailed godwit, sanderling and grey plover that use the site for feeding and roosting. During summer Gibraltar Point is used for breeding by little tern. As a Ramsar site, Gibraltar Point was designated on two criteria: criterion 1 the dune and saltmarsh habitats present on the site are representative of all the stages of colonisation and stabilisation, and criterion 2 it supports an assemblage of wetland invertebrate species of which eight species are listed as rare in the British Red Data Book and a further four species listed as vulnerable.

#### Conservation Objectives

18. 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.

#### Qualifying Features:

- Bar-tailed godwit (*Limosa lapponica*), Non-breeding
- Grey plover (*Pluvialis squatarola*), Non-breeding
- Little tern (*Sternula albifrons*), Breeding
- Sanderling (*Calidris alba*), Non-breeding

19. This site is sensitive to erosion from heavy trampling and high levels of recreational pressures may require steps to manage access or control activities in vulnerable areas. It may also be necessary to manage access to limit the impacts of disturbance on breeding birds, for example for dog walking, bait digging etc. Saltmarsh change including coastal erosion can result from coastal flood-defence works, rising sea-levels, variations in sediment deposition, and land claim for development. The location and extent of mud or sand flats is

dependent on the extent to which the estuary or coast where they occur is constrained from responding to sea level rise and changing sediment regimes.

### The Wash and North Norfolk Coast SAC

20. The Wash and North Norfolk Coast SAC forms one of the most important marine areas in the UK and European North Sea coast. It includes extensive areas of varying, but predominantly sandy, sediments subject to a range of conditions. Communities in the intertidal area include those characterised by large numbers of polychaetes, bivalve and crustaceans. Subtidal communities cover a diverse range from the shallow to the deeper parts of the embayments and include dense brittlestar beds and areas of an abundant reef-building worm ('ross worm') *Sabellaria spinulosa*. The embayment supports a variety of mobile species, including a range of fish, otter *Lutra lutra* and common seal *Phoca vitulina*. The extensive intertidal flats provide ideal conditions for common seal breeding and hauling-out. Sandy sediments occupy most of the subtidal area, resulting in one of the largest expanses of subtidal sandbanks in the UK.

21. The subtidal sandbanks provide important nursery grounds for young commercial fish species, including plaice *Pleuronectes platessa*, cod *Gadus morhua* and sole *Solea solea*. The tide-swept approaches to the Wash include reefs which stand up to 30 cm proud of the seabed and which extend for hundreds of metres. The reefs are diverse and productive habitats which support many associated species that would not otherwise be found in predominantly sedimentary areas. Sandy flats predominate in the intertidal zone with some soft mudflats in the areas sheltered by barrier beaches and islands along the north Norfolk coast. The site contains the largest single area of saltmarsh in the UK and is one of the few areas in the UK where saltmarshes are generally accreting.

### Conservation Objectives

22. Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the Favourable Conservation Status of its Qualifying Features, by maintaining or restoring:

- The extent and distribution of qualifying natural habitats and habitats of qualifying species;
- The structure and function (including typical species) of qualifying natural habitats;
- The structure and function of the habitats of qualifying species;
- The supporting processes on which qualifying natural habitats and the habitats of qualifying species rely;
- The populations of qualifying species; and
- The distribution of qualifying species within the site.

### Qualifying Features

- Coastal lagoons

- Embryonic shifting dunes
- Fixed dunes with herbaceous vegetation (“Grey dunes”)
- Humid dune slacks
- Mediterranean and thermo-Atlantic halophilous scrubs (*Sarcocornetea fruticosi*)
- Otter (*Lutra lutra*)
- Perennial vegetation of stony banks
- Petalwort (*Petalophyllum ralfsii*)
- Shifting dunes along the shoreline with *Ammophila arenaria* (“White dunes”)

23. The site is vulnerable to natural sea level rise, storm surges and changes in erosion patterns which are increasingly likely to affect the freshwater grazing marsh and reed bed habitats. Increasing interest in abstraction of groundwater for irrigation of arable land may affect freshwater spring flows onto grazing marshes and would be addressed through application of provisions under the Habitat Regulations. The site is visited by a large number of tourists especially in the summer.

#### The Wash SPA and Ramsar

24. The Wash is the largest estuarine system in the UK and comprises very extensive saltmarshes, major intertidal banks of sand and mud, shallow waters and deep channels. The sheltered nature of The Wash creates suitable breeding conditions for shellfish which are important food sources for some water birds. The Wash is of outstanding importance for a large number of geese, ducks and waders, both in spring and autumn migration periods, as well as through the winter. The SPA is especially notable for supporting a very large proportion (over half) of the total population of Canada/Greenland breeding Knot *Calidris canutus islandica*. In summer, the Wash is an important breeding area for terns and as a feeding area for Marsh Harrier *Circus aeruginosus* that breed just outside the SPA. To the north, the coastal habitats of The Wash are continuous with Gibraltar Point SPA, whilst to the east The Wash adjoins the North Norfolk Coast SPA.

#### Conservation Objectives

25. The objectives are to ensure that, subject to natural change, the integrity of the site is maintained or restored as appropriate, and 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 populations of the qualifying features; and
- the distribution of the qualifying features within the site.

#### Qualifying Features

- Bar-tailed godwit (*Limosa lapponica*), Non-breeding
- Bewick's swan (*Cygnus columbianus bewickii*), Non-breeding
- Black-tailed godwit (*Limosa limosa islandica*), Non-breeding
- Common scoter (*Melanitta nigra*), Non-breeding
- Common tern (*Sterna hirundo*), Breeding
- Curlew (*Numenius arquata*), Non-breeding
- Dark-bellied brent goose (*Branta bernicla bernicla*), Non-breeding
- Dunlin (*Calidris alpina alpina*), Non-breeding
- Gadwall (*Mareca strepera*), Non-breeding
- Goldeneye (*Bucephala clangula*), Non-breeding
- Grey plover (*Pluvialis squatarola*), Non-breeding
- Knot (*Calidris canutus*), Non-breeding
- Little tern (*Sternula albifrons*), Breeding
- Oystercatcher (*Haematopus ostralegus*), Non-breeding
- Pink-footed goose (*Anser brachyrhynchus*), Non-breeding
- Pintail (*Anas acuta*), Non-breeding
- Redshank (*Tringa totanus*), Non-breeding
- Sanderling (*Calidris alba*), Non-breeding
- Shelduck (*Tadorna tadorna*), Non-breeding
- Turnstone (*Arenaria interpres*), Non-breeding
- Waterbird assemblage, Non-breeding
- Wigeon (*Mareca penelope*), Non-breeding

26. The biological richness of The Wash is largely dependent on the physical processes. The intertidal zone is vulnerable to coastal squeeze as a result of land-claim, coastal defence works, sea-level rise, and storm surges. Intertidal habitats are potentially affected by changes in sediment budget caused by dredging and coastal protection, construction of river training walls and flood defence works. The volume and quality of water entering The Wash is dependent on the use made of the surrounding rivers for water abstraction and agricultural and domestic effluents – such consents and licenses are managed under the provisions of the Habitats Regulations.

27. The Skegness NDP is not directly connected with or necessary to the management of the protected site therefore the screening should go on to identify the potential effects on the European site in terms of magnitude, duration, location and extent, and assess the significance of any effects on the European site.

### **The Skegness NDP**

28. The Skegness NDP sets out policy framework and site allocations for the Parish of Skegness. The Plan sets out a Vision and Objectives for the town, along with 35 policies, 4 of which relate to site allocations for development and 1 to the protection of identified areas of open spaces.



29. There are four policies focusing on Employment, Education and Skills. E1 looks to permit small starter units (Classes B1, B2 and B8) on brownfield land. E2 looks to generate employment through the extension, conversion and replacement of existing buildings or new buildings within existing employment sites or elsewhere, taking into account impact on neighbours or the locality, impact on the character of the area and traffic. It also supports new employment and retail development within the Town Centre and the Foreshore. E3 supports the reuse of buildings to create employment and addresses the loss of existing employment premises. E4 supports the development education and training establishments. None of these policies have a spatial element to them.

30. Three policies focus on Tourism and Visitor Economy. V1 supports leisure, cultural and tourism development relating to cultural and heritage assets, in particular Skegness Esplanade, Tower Gardens and the Foreshore; and development which takes into account quality of the public realm, scale, design, movement of pedestrian and cyclists, preserve or enhance the link between the Foreshore and the town centre, respect existing open spaces and do not adversely affect existing environmental designations or flood defences. Applications for new caravan sites, or extensions to existing will be allowed with seasonal occupancy conditions. Applications for development that seeks to attract visitors throughout the year will be supported. There is no spatial element to the majority of the policy. Policy V2 seeks to protect existing serviced holiday accommodation. Policy V3 supports the development of new serviced holiday accommodation in areas defined in the East Lindsey Local Plan and elsewhere dependent on design, opening up sea views, character, amenity and no loss of retail floorspace in the town centre.

31. There are three policies relating to the town centre. TC1 seeks to retain active shopping frontage in the town centre and A1 uses in the primary shopping frontages. Elsewhere in the town centre loss of A1 retail development will be permitted where it results in a positive benefit to the vitality and viability of the town centre. TC2 Supports residential development on upper floors in the town centre. TC3 seeks to create active and quality frontage in the town centre and Foreshore.

32. There are twelve policies relating to transport infrastructure. INF1 supports applications that minimise the need to travel and incorporate safe, attractive, accessible cycle and pedestrian routes and links to such routes, or public transport. Policies INF2 – INF5 sets car parking standards for new residential development; Houses in Multiple Occupation; hotels, guest houses and B&Bs; non-residential development. INF6 relates to parking on public highways. INF7 deals with parking for service and delivery vehicles. INF8 sets disabled parking standards for new developments. INF9 relates to motorcycle parking and INF10 cycle parking. INF11 sets requirements for ultra-low emission charging points. INF12 relates to public car parking provision.

33. There are three housing policies. H1 sets criteria for the reuse of buildings for affordable housing. H2 sets criteria for up to nine dwellings on brownfield land and H3 relates to Older Persons Accommodation.

34. The Plan contains three policies on Community, Health and Well-Being. Policy C1 looks to retain community facilities and open spaces and sets criteria for considering applications which result in their loss. C2 sets criteria relating to applications for new community facilities and public spaces, including relationship to Skegness and accessibility. C3 deals with the retention and provision of community health facilities, again requiring accessibility and the submission of a health impact assessment.

35. There are four policies in the Plan in the Design and Developments chapter. D1 is design in New Development; D2 Car Park design; D3 design of Gateway and edge of settlement sites; and D4 the protection of Local Green Spaces.

36. The remaining policies relate to specific site allocations in the Plan: the Council Offices on North Parade; the Fire Station and Fireman's Houses on Churchill Avenue; Land north of Wainfleet Road; and the Household Waste Recycling Centre on Warth lane. Three of the four site allocations are small brownfield sites. In two cases, the uses on site will already utilise resources (such as water) and create impacts such as sewage. The other brownfield site is mainly hardstanding with containers, along with one small administrative building. The fourth site is a greenfield site of approximately 9ha. Applications for employment use and/or a Park and Ride facility on this site will be supported provided a number of criteria are met, including those in relation to parking, flood risk, highway safety, drainage.

### **Test of Likely Effects**

#### **Identify the potential effects on the European site**

37. The international designations along this part of the coast are made up of the Greater Wash SPA, Gibraltar Point SPA and Ramsar Site, The Wash SPA and Ramsar Site, Saltfleetby – Theddlethorpe Dunes and Gibraltar Point SAC, The Wash and North Norfolk Coast SAC.

38. The Greater Wash SPA extends along the majority of the Lincolnshire coast, finishing at Gibraltar Point in the south. It has qualifying features made up of three species of non-breeding birds and three species of breeding birds. Data for the non-breeding species shows that they are present in the winter months as either part of their migratory passage or overwintering. These species are largely present off-shore and, where they do reach the shore, they are in small clusters. In the case of one species in the range of 10.52 – 14.83 birds per km<sup>2</sup> around Skegness, including Gibraltar Point. The breeding species are present in the summer months.

39. Gibraltar Point SPA and Ramsar site have a number of bird species as qualifying features. Most of these are non-breeding, with 1 breeding. The breeding season is during the spring/summer months (April – July) with the five non-breeding species present in the winter months. Most of the species use the area for foraging, mainly in the intertidal area. One of the species has overwintering roosts at Gibraltar Point between the dunes and saltmarsh. Disturbance from visitors could present a threat.

40. The Wash SPA and Ramsar sites contain a large number of qualifying bird species. Some of the species are more prevalent off shore, or in other parts of the Wash, or use the area for foraging, this includes surrounding fields. Two species have also been identified as having developed saltmarsh roosts in areas along the coast, although these are away from the main access point at Gibraltar Point.
41. The qualifying features for the Wash SAC relate to the land based biodiversity of the area: Atlantic salt meadows; Coastal lagoons; Large shallow inlets and bays; Mediterranean and thermo-Atlantic halophilous scrubs; Mudflats and sand flats not covered by seawater at low tide; Reefs; Salicornia and other annuals colonising mud and sand; Sandbanks which are slightly covered by sea water all the time – as well as Harbour (common) seal and Otter.
42. Similarly, the qualifying features of the Saltfleetby – Theddlethorpe Dunes and Gibraltar Point SAC are also land based: Embryonic shifting dunes; Shifting dunes along the shoreline with *Ammophila arenaria* ("white dunes"); Fixed coastal dunes with herbaceous vegetation ("grey dunes"); Dunes with *Hippophae rhamnoides*; Humid dune slacks.
43. The site sensitivities of these designations include the number of visitors to the sites and this requires close management as many of the vegetation types supported by sand dunes are fragile and vulnerable to erosion from heavy trampling.
44. The vision and objectives of the Skegness NDP are largely neutral. There is some uncertainty over the location of development that the Plan seeks to attract but this is addressed through the policies of the Plan. The majority of the policies in the Skegness NDP are also neutral in terms of the designated sites, as they focus on issues such as design, parking standards, reuse of existing buildings, protection of existing land uses and open space.
45. The closest part of Skegness to the designated sites is Skegness Foreshore. The Foreshore abuts the Saltfleetby-Theddlethorpe Dunes & Gibraltar Point Special Conservation Area. There are three policies that refer specifically to development on the Foreshore.
46. Policy TC3 relates to the design of shop fronts and is not likely to affect the designated site or the sites further from the foreshore.
47. Policy V1 seeks to encourage, support and promote the town's leisure, cultural and tourism offer in the town, including by sustainable tourism which promotes the built and natural environment of the Skegness Foreshore. Increasing the number of visitors in this area increases the potential for threat from trampling and disturbance of the designated sites. However, the policy has included a criterion which specifically seeks to mitigate this, seeking to ensure that development does not "adversely affect existing environmental designations". This policy is then likely to have a neutral impact on the designated sites.
48. The third policy is E2 which seeks to support new employment floorspace within Use Classes B1 (Business- offices, research and development and any industrial process which can be carried out in a residential area), B2 (General Industry) and B8 (Storage and Distribution). One of the locations that the policy identifies for such opportunities is the

Foreshore. This policy approach differs from the East Lindsey Local Plan (which has been subject to its own HRA) and which does not positively support these uses within the Foreshore area, and contains a criterion relating to the habitats associated within the Foreshore. The East Lindsey Local Plan also includes an overarching biodiversity policy which grants the highest level of protection to such sites. There are no criteria in Policy E2 relating to the scale of development in these use classes, the locations within the Foreshore that this may take place or that the development should not adversely affect the designated sites it abuts. The policy of supporting industrial uses on the Foreshore has not been tested in terms of its impact on the adjacent designated sites. As a result, significant effects on these habitats and species cannot be ruled out. Policy E2 warrants further assessment and in these circumstances a full 'appropriate assessment' cannot be ruled out.

49. The Skegness NDP also contains four allocations which are not present in the East Lindsey Local Plan and therefore have not been subject to HRA.

50. Site NDP1 Skegness Council Offices, North Parade. This policy supports leisure, tourism and/or community use or affordable housing, subject to meeting other policies of the Plan. The policy also includes a requirement to demonstrate that the Sequential and Exception Test is satisfied and for adequate flood mitigation, the need for a Transport Assessment and the need to meet Lincolnshire County Council's Development Design and Sustainable Drainage Guide and the submission of a Drainage Strategy. This site is located less than 200 metres from the Greater Wash Special Protection Area, 1.5km from the Gibraltar Point Special Area of Conservation, 3.1km from Gibraltar Point Special Protection Area and Ramsar site, and the Wash and North Norfolk Special Area of Conservation and 6.4km from the Wash Special Protection Area and Ramsar Site. The current use of the site is office and meeting space. While the leisure and community uses of the site are not likely to increase the impact on the designated site, reuse of the site for affordable housing could bring potential for more people accessing the sites for recreational use all year round. However, the impact is not likely to be significant.

51. Site NDP2 Skegness Fire Station and 8no. Firemen Houses, Churchill Avenue. This policy supports employment use or affordable housing subject to meeting other policies of the Plan. The policy also includes a requirement to demonstrate that the Sequential and Exception Test is satisfied and for adequate flood mitigation, the need for a Transport Assessment and the need to meet Lincolnshire County Council's Development Design and Sustainable Drainage Guide and the submission of a Drainage Strategy. This site is 1.35km from the Greater Wash Special Protection Area, 2.1km from the Gibraltar Point Special Area of Conservation, 3.6km from the Gibraltar Point Special Protection Area and Ramsar site, and 3.7km from the Wash and North Norfolk Special Area of Conservation, and 6.6km from the Wash Special Protection Area and Ramsar Site. The site is currently mixed use with residential and employment uses. While the redevelopment of the site may bring about an intensification of one of the uses over the other, it is not considered that it will have a significant negative effect of the designated sites.

52. Site NDP3 Land north of Wainfleet Road. The policy relates to 9ha of agricultural land and supports employment use or a Park and Ride facility subject to meeting other policies of

the Plan. The policy also includes a requirement to demonstrate that the Sequential and Exception Test has been satisfied and adequate flood mitigation, the need for a Transport Assessment and the need to meet Lincolnshire County Council's Development Design and Sustainable Drainage Guide and the submission of a Drainage Strategy. This site lies approximately 2km from the Greater Wash Special Protection Area and Gibraltar Point Special Area of Conservation; 2.7km from the Gibraltar Point Special Protection Area and Ramsar site, 3km from the Wash and North Norfolk Special Area of Conservation, and 5.2km from the Wash Special Protection Area and Ramsar Site. At 9ha, the site could provide a range of employment uses or a large park and ride facility; or a combination of both. Direct impacts on the designated sites are not considered to be significant due to the distance from the designated areas and the intervening development. There could be some indirect impact from the park and ride facility attracting more people to the town and the beach areas where the designation lie. However, this has to be balanced with the fact that a successful park and ride may reduce that amount of parking close to the designated sites. The impact is therefore not considered to be significant in HRA terms.

53. Site NDP4 Skegness Household Waste Recycling Centre, Warth Lane. The policy supports employment use or affordable housing subject to meeting other policies of the Plan. The policy also includes requirement to demonstrate that the Sequential and Exception Test have been met and adequate flood mitigation, the need for a Transport Assessment and the need to meet Lincolnshire County Council's Development Design and Sustainable Drainage Guide and the submission of a Drainage Strategy. This site lies approximately 2km from the Greater Wash Special Protection Area, 2.6km from the Gibraltar Point Special Area of Conservation; 3.7km from the Gibraltar Point Special Protection Area and Ramsar site, 3.9km from the Wash and North Norfolk Special Area of Conservation, and 6.5km from the Wash Special Protection Area and Ramsar Site. The site is currently a hardened area with containers for the disposal of waste and a small administrative block. The site is small and redevelopment for alternative uses is not likely to bring about a significant change in its impact on the designated sites and, combined with its distance from them, is unlikely to bring about a significant negative impact.

#### In combination effects

54. There are no other Neighbourhood Development Plans likely to play an in combination role with the Skegness NDP. Any in-combination effects will come from the relationship with the East Lindsey Local Plan. The Local Plan has been subject to HRA and found to not have any significant effects on the designated areas. The majority of the policies, and the allocations in the NDP, are unlikely to create any in combination effects.

#### Conclusion

55. Following the screening, the policy of supporting industrial uses on the Foreshore (Policy E2) has not been tested in terms of its impact on the adjacent designated site, namely the Saltfleetby-Theddlethorpe Dunes & Gibraltar Point Special Conservation Area; or the other designated sites nearby. Significant effects on these habitats and species cannot

be ruled out. Policy E2 warrants further assessment and in these circumstances a full 'appropriate assessment' cannot be ruled out.