



Protecting the Hampshire Avon

Essential Habitats Directive advice notes for

developers

Does this affect you?

If you are considering undertaking development around the Hampshire Avon, reading this leaflet could save you time and money.

The River Avon, which flows through three counties, is protected by strong wildlife legislation. This leaflet will help reduce the cost of securing the permissions you will require by providing you with the information you need to identify whether your proposal may affect the river, where and why development proposals may be rejected, and tailor your proposals accordingly.

This information applies to all types of development that are subject to planning control, including:

- housing
- industrial
- retail
- road schemes
- agricultural
- changes of use around the river



Introduction

The beauty and wildlife value of the River Avon and its tributaries means that this site is one of our greatest environmental assets. This internationally designated area is afforded a very high level of legal protection, which places significant duties on decision-makers to prevent damage to the rivers and the wildlife communities they support, particularly with respect to development proposals.

The beauty and wildlife value of the River Avon and its tributaries means that this site is one of our greatest environmental assets. This internationally designated area is afforded a very high level of legal protection, which places significant duties on decision-makers to prevent damage to the rivers and the wildlife communities they support, particularly with respect to development proposals.

The guidance given in this leaflet has been prepared by the River Avon Planning Forum. It is aimed at individuals and organisations who may wish to undertake developments that could affect the wildlife interests of the Avon.

It is important for all development to be environmentally sustainable so that tomorrow's generations can enjoy the natural environment into the future. We believe that development can occur within the river valleys of the Avon system without detriment to the wildlife interest of the site. Even where potential impacts are identified, they can frequently be addressed through the adoption of relatively simple measures. Consulting early and providing clear supporting information will allow these measures to be identified, resulting in savings for the applicant in the time and cost of gaining planning permission. Failure to provide sufficient information can result in significant delays or the refusal of any application.

Why is the river important?

The River Avon is one of the most diverse chalk streams in the UK, with over 180 species of plants, one of the most diverse fish populations, and a wide range of aquatic invertebrates. The River Avon is a Site of Special Scientific Interest (SSSI) and therefore forms part of the nation's finest natural heritage. The site is also internationally recognised, and was confirmed as a Special Area of Conservation (SAC) in 2005. The SAC also includes a number of tributaries and adjacent habitats.

The lower reaches of the Avon Valley are also internationally designated as a Special Protection Area (SPA), for their bird interest. Issues affecting the SPA are not specifically covered by this leaflet. If you are considering development in or around the SPA, early contact with the planning authorities and English Nature is again advised.



How can development impact on the SAC and its Wildlife?

The SAC should be seen in its wider context, particularly as part of the floodplain. It is important to realise that activities which happen some distance from rivers may damage their ecology and wildlife. The location of a development is therefore often more important than its size.

For example, a single barn conversion some distance from the river with a private waste water treatment system discharging relatively nutrient rich water into the river via a ditch may have greater impact than a larger housing development located closer to the river but on mains sewerage.

The location of the proposed development should therefore be considered in detail to establish whether the river could be affected, particularly during the construction phase. For larger developments, impacts on groundwater may also need to be considered.

All potential impacts arising from a development need to be considered, both direct and indirect. Guidance on specific hazards and how the risk of them arising may be reduced is provided in the table on the centre pages. The hazards identified are:

- Siltation
- Nutrient enrichment
- Toxic contamination
- Physical changes
- Drainage
- Disturbance
- Groundwater flows

Although primarily concerned with development requiring planning permission, these principles could be applied to other works which require building regulations or other permissions, such as a Land Drainage Consent from the Environment Agency, consent from English Nature or a Felling Licence from the Forestry Commission.

Early discussions

A variety of information is required to support most applications. Each Local Authority has its own Development Plan, and all applications will be determined in the light of this and other material considerations. It is beyond the scope of this leaflet to cover all these issues and the Local Authority should be contacted for guidance on what should be addressed in your application.

However, where a proposal has the potential to affect the SAC, the resulting information requirements are potentially significant. Failure to provide the necessary information to support your application is likely to result in costly delays in determination and your application may even be refused.

In order to ensure that you have correctly identified the necessary supporting information and that it is sufficiently comprehensive, early discussions with the local authority, English Nature and the Environment Agency are essential before proposals are finalised. For larger developments which could have water supply and sewage disposal implications, water companies should also be consulted over whether existing infrastructure can accommodate increased demand (see box 2).

Where a proposal has the potential to affect the SAC, the information requirements are potentially significant... Failure to provide the necessary information to support your application is likely to result in costly delays in determination and your application may even be refused.

Supporting your application

The table on pages 6 and 7 provides guidance on methods to avoid or mitigate the potentially damaging effects most commonly arising from development. Note that such a table can never be exhaustive and other considerations may be relevant to your proposal. We recommend that the table should be used to ensure that any potential hazards relating to the completed proposal or its construction are addressed, and this information used to support your application. This information should clearly show how potential impacts are to be avoided. Developments are likely to require construction method statements; larger developments may also require a Construction Environmental Management Plan (see Box 1).

Wherever possible, the developer should contribute to the sympathetic management of the river corridor. The developer has the opportunity to consider a range of habitat improvements within their plans to benefit wildlife.

Measures to reduce the overall environmental impact of your proposal, such as Sustainable Drainage Systems (SuDS), water recycling and other water efficiency measures should be put in place. The inclusion of these measures will be considered as part of the planning process.

How will this information be used?

The information will be used by the planning authority to determine whether the proposal is likely to have a significant effect on the SAC. If so, the planning authority will then undertake an 'Appropriate Assessment' to identify the implications of the proposal for the site before any permission is granted. This Appropriate Assessment is required in law. Where impacts are likely, an Environmental Impact Assessment (EIA) may also be required to be undertaken by the developer. The requirement for EIA is beyond the remit of this guidance and the Local Planning Authority should be contacted for advice on whether an EIA is needed for individual developments.



How your proposal could affect the River Avon

| Hazards | Development Activities | Potential impacts on the river |
|---------------------|---|--|
| Siltation | <ul style="list-style-type: none"> ● Exposing bare ground ● Inappropriately located stockpiles ● Discharge of silty water (e.g. pumped from excavations) | <p>Increased siltation is likely to result in smothering of the river bed, affecting survival of fish eggs and larvae and damage to river plants and habitats. It can also result in clogging of fish gills leading to increased mortality or nutrient enrichment.</p> |
| Nutrient enrichment | <ul style="list-style-type: none"> ● As for siltation ● Inappropriately located sewage treatment facilities | <p>Increased nutrient levels are likely to result in changes in the number and species of plants and algae found in the river, with negative ecological impacts.</p> |
| Toxic contamination | <ul style="list-style-type: none"> ● Poorly stored construction plant ● Poorly stored chemicals and materials, including concrete ● Careless use of chemicals around watercourses ● Solid/ liquid wastes resulting from bridge maintenance ● Contaminated surface water drainage | <p>Pollution of river via surface or groundwater, resulting in death and damage to flora and fauna.</p> |
| Physical changes | <ul style="list-style-type: none"> ● Works and works traffic close to river banks/ in floodplain ● Modification of river banks or beds e.g. retaining walls, laying of pipes across the river bed | <p>Permanent habitat loss or fragmentation should be avoided. Temporary damage to bankside or river vegetation could result in loss or disturbance of habitats if poorly timed.</p> |
| Drainage | <ul style="list-style-type: none"> ● Creation of impervious areas e.g. car parks, industrial areas, housing development ● Land drainage activity ● Road drainage | <p>Impervious surfaces may generate large pulses of potentially contaminated runoff, causing flooding and scouring problems. Large impervious areas may also reduce groundwater recharge.</p> |
| Disturbance | <ul style="list-style-type: none"> ● Temporary disturbance arising from construction activity ● Increased public access to riverside ● Permanent changes to lighting & noise levels | <p>Disturbance to flora and fauna may affect their distribution, breeding success and ultimately survival.</p> |
| Groundwater flows | <ul style="list-style-type: none"> ● Changes to groundwater flows may result from excavations below the water table e.g. tunnelling, gravel extraction, construction of foundations | <p>Changes in groundwater flow may affect flows in different sections of river and result in changes to the habitat</p> |

Steps you can take to reduce impacts

Measures to prevent silt-laden runoff affecting the site may include:

- Seeding and covering stockpiles
- Regular brushing of site roads
- Provision of a temporary drainage or settlement system

Measures to avoid nutrient enrichment may include:

- Effective silt controls (see above)
- Evidence that sewerage infrastructure will be sufficient to prevent foul drainage affecting the river

Measures to prevent any toxic contamination may include:

- Sensitive location of laydown areas, plant and machinery
- Wise use and storage of chemicals
- Clear refuelling procedures
- Established emergency procedures
- Appropriate containment systems (if working over the river)
- Incorporation of sustainable site drainage systems (SuDS) into development proposals

Measures to prevent physical damage may include:

- Avoid working on the river banks wherever possible
- Permanent modification is likely to be problematic therefore look for alternative solutions
- Limit construction areas in floodplain as far as possible
- Provide temporary fencing to restrict access to river banks
- Use geotextiles and low ground pressure vehicles to spread weight and prevent any breaking up of ground surface

Information to be provided on drainage arrangements may include:

- Details of design and capacity of proposed surface water drainage system
- Maintenance requirements and responsibilities
- Incorporate principles of sustainable drainage systems (SuDS)

Measures to prevent disturbance may include:

- Keep noisy plant as far away as possible from the river
- Consider timing and use of plant or working methods to minimise noise and vibration, particularly during the fish spawning season
- 'Buffer' areas by the river to minimise public disturbance

Depending on the scale of development a groundwater risk assessment may be necessary. This is likely to require extensive survey.

Summary

- Be aware of your environment
- Allow for early discussions with local planning authorities, English Nature, water companies and the Environment Agency
- Plan to avoid impacts
- Provide sufficiently detailed information to support your application
- There will be cost and time benefits to you in supplying the supporting information that planning authorities need up front



River Avon Planning Forum

The River Avon Planning Forum was established to help strengthen planning liaison with respect to the internationally important Hampshire/ Salisbury Avon. It was recognised that there are a large number of Authorities involved with the River Avon, each granting permission or consent for a wide range of developments. There is potential for ecological effects caused by pollution or altered hydrological regime to occur a long distance from each individual development. Consequently, determining whether effects from individual

developments will act cumulatively or in-combination is a particularly complex process – the Forum aims to coordinate and standardise this decision-making process. Membership of the Forum includes all local planning authorities involved with the river in Wiltshire, Hampshire and Dorset, English Nature, the Environment Agency, Water Companies, the Forestry Commission and the Highways Agency. It is hoped that the actions of the Forum will help protect the River Avon from the adverse effects of development in the long-term.

Box 1. Construction Method Statements and Construction Environmental Management Plans

Construction Method Statements (CMS) provide details of methods of working to prevent construction impacts. Such details can include construction site locations and boundaries, materials to be used, plant to be used on site, temporary works designs and methods of mitigation to eliminate construction impacts. The important feature of a CMS is the level of detail it contains - it must contain adequate information to provide the reassurance that construction impacts can be controlled.

Usually prepared for larger developments, a **Construction Environmental Management Plan (CEMP)** provides a framework that outlines the general approach to how construction activities will be planned and implemented in accordance with environmental legislation and commitments in the planning application and / or Environmental Statement. A CEMP should include the following information:

- Roles and responsibilities of project managers and environmental staff to ensure implementation of the CEMP.
- Procedures for training and awareness to ensure all site personnel are aware of their environmental responsibilities.
- A register of environmental commitments and risks. This register should then be used as the basis for an action plan which details the specific actions necessary to comply with all environmental requirements.
- Procedures for checking and corrective action including regular inspections and monitoring, internal audits and reporting.
- Specialist environmental procedures and guidance notes e.g. control of noise and vibration, pollution incident control and reporting.



Box 2 Organisations you may need to speak to

English Nature

Is the government agency with particular responsibility for the wildlife and geology of England. English Nature designates SSSIs and recommends the designation of internationally important sites. It has special responsibility for the conservation and enhancement of sites proposed and designated as SSSIs or as internationally important sites such as SACs. Like the Environment Agency, English Nature is a statutory consultee for planning applications which may affect these sites and can recommend to the local authority the refusal of planning permission or the imposition of certain obligations or conditions. Consent from English Nature is also needed where owners of SSSI wish to undertake certain activities about which they have been notified.

Environment Agency

Is the leading public body protecting and improving the environment in England and Wales.

It is the Environment Agency's job to make sure that air, land and water are looked after by everyone in today's society, so that tomorrow's generations inherit a cleaner, healthier world.

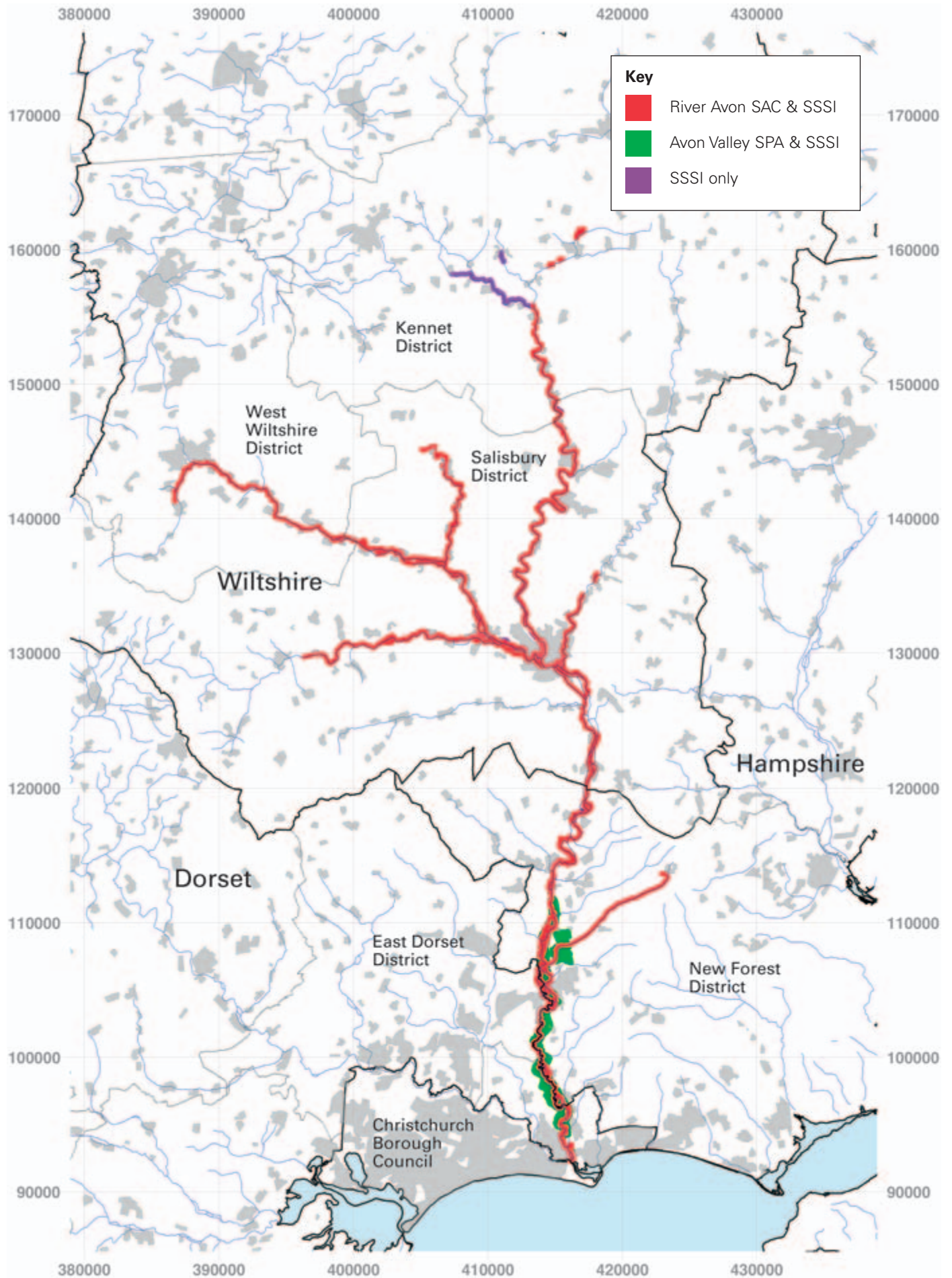
The Environment Agency is a statutory consultee with respect to planning applications that may affect rivers, floodplains or aquifers. It's work also includes tackling flooding and pollution incidents, reducing industry's impacts on the environment, cleaning up rivers, coastal waters and contaminated land, conserving natural resources and improving wildlife habitats.

Local Planning Authorities

Are responsible for considering planning applications. County Councils provide development control services for minerals, waste, highways and school projects and can provide ecological planning advice to district councils. District Councils determine all other developments (including housing and employment sites). All councils have statutory responsibilities to undertake Appropriate Assessments with respect to developments likely to have a significant effect on a European Site and must request an Environmental Impact Assessment where significant effects to the environment are predicted. Local Authorities take the advice of English Nature and the Environment Agency when making these decisions. In addition, Local Authorities have responsibilities to maintain and promote biodiversity, including during provision of public services.

Water Companies

Private water companies supply water and sewerage provision in England and Wales. Each water company has the statutory duty to develop and maintain an efficient and economical system for water supply and sewerage provision in its area. Water companies decide how to manage their supply-demand balance according to the values of the company and the needs of their customers, and should be involved in discussions over provision of services to major developments.



River Avon Planning Forum: Contact details for member organisations

Wiltshire English Nature

Prince Maurice Court
Hambleton Avenue
Devizes
Wilts, SN10 2RT
T: 01380 726 344
F: 01380 721 411
www.english-nature.org.uk

Environment Agency

South Wessex Area
Blandford
Dorset, DT11 8ST
T: 08708 506 506
F: 01258 455 998
www.environment-agency.gov.uk

Environmental Services Department Wiltshire County Council

County Hall
Trowbridge
Wiltshire, BA14 8JD
T: 01225 713 000
F: 01225 713 400
www.wiltshire.gov.uk

New Forest District Council

Appletree Court
Lyndhurst
Hants, SO43 7PA
T: 023 8028 5356
F: 023 8028 5223
www.nfdc.gov.uk

East Dorset District Council

Council Offices
Furzehill
Wimborne
Dorset, BH21 4HN
T: 01202 886 201
F: 01202 849 182
www.dorsetforyou.com

Dorset English Nature

Slepe Farm
Arne
Wareham
BH20 5BN
T: 01929 557 473
F: 01929 554 752
www.english-nature.org.uk

Salisbury District Council

61 Wyndham Road
Salisbury
Wilts, SP1 3AH
T: 01722 434 541 (Development Services)
T: 01722 434 362 (Forward Planning)
F: 01722 434 520
www.salisbury.gov.uk

West Wiltshire District Council

Bradley Road
Trowbridge
Wiltshire
BA14 0RD
T: 01225 776655
F: 01225 770 314
www.westwiltshire.gov.uk

Dorset County Council

Dorset County Council
Environmental Services
County Hall
Colliton Park
Dorchester
DT1 1XJ
T: 01305 251 000
F: 01305 224 838
www.dorsetforyou.com

Wessex Water

Claverton Down Road
Bath
BA2 7WW
T: 01225 526 000
F: 01225 528 000
www.wessexwater.co.uk

Hampshire English Nature

Avon Valley and West Hampshire
1 Southampton Road
Lyndhurst
Hampshire
SO43 7BU
T: 023 8028 6424
F: 023 8028 3834

Kennet District Council

Browfort
Bath Road
Devizes
Wilts, SN10 2AT
T: 01380 724 911
F: 01380 729 146
www.kennet.gov.uk

Hampshire County Council

Hampshire County Council
Environment Department
The Castle
Winchester
Hampshire
SO23 8UD
T: 01962 846 770
F: 01962 847 051
www.hants.gov.uk

Christchurch Borough Council

Civic Offices
Bridge Street
Christchurch
Dorset, BH23 1AZ
T: 01202 495 000
F: 01202 474 457
www.dorsetforyou.com

Bournemouth & West Hampshire Water

George Jessel House
Francis Avenue
Bournemouth
Dorset
BH11 8NB
T: 01202 590 059
F: 01202 597 022
<http://www.bwhwater.co.uk>

Thames Water

EQS
Clearwater Court (RBH2)
Vastern Road
Reading
Berks, RG1 8DB
www.thameswater.co.uk

Defence Estates

Westdown Camp
Tilshead
Salisbury
Wilts, SP3 4RS
01980 674 778
www.defence-estates.mod.uk

SSR - Environment Group, Highways Agency

Room 2/28H, Temple Quay House
2 The Square, Temple Quay
Bristol BS1 6HA
T: 08459 55 65 75
www.highways.gov.uk

Forestry Commission (Wiltshire) South West England Conservancy

Postern Hill Lodge
Postern Hill
Marlborough
SN8 4ND
T: 01672 511 767
www.forestry.gov.uk

Forestry Commission (Dorset)

The Castle,
Mamhead,
Exeter,
Devon.
EX6 8HD.
T: 01626 890666
www.forestry.gov.uk