



**DARTFORD BOROUGH COUNCIL &  
GRAVESHAM BOROUGH COUNCIL**

**HABITATS REGULATIONS  
ASSESSMENT  
(July 2010)**



**APPROPRIATE ASSESSMENT REPORT**



**ADDENDUM  
February 2011  
Vs 2 6.5.11**



**Produced by**

**DARTFORD  
BOROUGH COUNCIL**

*in association with*

*enfusion*



## Introduction

- 1.0 The following addendum has been produced for Dartford Borough Council in response to emerging evidence of significant declines in SPA bird species at the North Kent SPAs. This evidence has become available since the publication of the ***Dartford BC and Gravesham BC HRA Appropriate Assessment Report July 2010***. It results in a need to investigate potential causes of the decline. During the summer of 2010 members of the North Kent Planning and Environmental Group (Dartford, Gravesham, Medway, Swale and Maidstone Council's, Greening the Gateway, Royal Society for the Protection of Birds, Kent Wildlife Trust, Natural England, the Environmental Agency) agreed, as a partnership, to launch a project assessing the factors that are leading to bird decline at the North Kent SPAs. These findings will be used to help understand whether and how new development in Dartford may impact on the conservation objectives of the North Kent European protected sites and to then identify necessary avoidance and mitigation measures.
- 1.1 This addendum has been produced to update the July 2010 HRA to support the submission version of Dartford's Core Strategy. The Addendum has been produced to:
- more strongly acknowledge the evidence of bird decline and possible causes
  - provide an overview of the research that is now underway
  - re-consider the report's conclusions in the light of the above
- The Addendum should be read in conjunction with the Dartford BC and Gravesham BC Appropriate Assessment Report July 2010.
- 1.2 Version 2 of the Addendum has been amended to remove references to Gravesham Borough Council, since this Addendum has been produced specifically in relation to Dartford Council's Core Strategy.

Dartford Borough Council Addendum to Dartford Borough Council and Gravesham Borough Council Habitats Regulation Assessment: Appropriate Assessment Report July 2010

Amended /additional text shown as ***bold italics***

Deleted text shown as ~~strikethrough~~

Paragraph no.	Page no.	Proposed change
1.15	4	<p>Create new paragraph</p> <p><b><i>In response to consultation of the first edition of the final HRA alongside the publication of the Pre-Submission Core Strategy in July 2010, Natural England and other environmental bodies responded that some conclusions of the assessment should be updated to more fully reflect the lack of evidence to substantiate the level of impact from recreation activities. It was their view that research into bird disturbance was required to enable conclusions to be drawn and a mitigation strategy to be formulated. Due to this uncertainty, they considered that the HRA should identify the need for a future review of the assessment and that the Core Strategy should acknowledge the potential requirement for mitigation and avoidance measures, if future research outcomes identified that development in Dartford would result in an adverse impact on European sites.</i></b></p>
4.12	20	<p>New sentence at end of paragraph</p> <p><b><i>The ongoing Wetland and Estuarine Birds Survey (WEBS) has found that there have been declines in some wintering bird species. Although evidence does not presently exist to show that recreational disturbance is contributing to the decline in bird numbers in North</i></b></p>

		<p><b><i>Kent, evidence from other coastal and estuarine SPAs suggests that the coastal birds of the species present are affected by recreational disturbance.</i></b></p> <p><b><i>Emerging research, commissioned by Natural England, suggests that for some species, local disturbance factors are affecting decline. The interim findings indicate a number of potential issues that require further research including increasing recreational use of the area which may be linked to the existing high level of housing directly adjacent to the SPA boundary, and future issues of enhanced access as part of the Marine and Coastal Act. Alongside investigation into other potential factors, the North Kent Planning and Environment Group (NKPEG) are commissioning research to identify how recreational activity may cause bird disturbance and will assess the level and origin of disturbance activities.</i></b></p>
4.16	21	<p>Work undertaken for the Thames Basin Heaths (TBH) SPA indicated that 85% of visitors travel 5km or less for recreational activities and therefore the European sites are <b><i>likely to be</i></b> at the edge of recreational travel distance <b><i>for some types of recreational activities. Research has indicated that distances travelled to access coastal and estuarine locations can be much higher than for inland sites such as the TBH SPA. Distances travelled will often be dependent on the location and recreational activity offered. Until results of the NKPEG research are available regarding recreational impacts on SPA birds, the origin of visitors to the North Kent European sites and the recreational activities undertaken, there is uncertainty as to the level of impact that planned growth may have on protected sites.</i></b></p>
4.18	22	<p><b><i>Visitors to the estuarine European sites may take part in a variety of recreational activities and the Dartford Core Strategy contains a</i></b></p>

		number of policies that <b>may</b> will help to mitigate the contribution of proposed development .....
4.20	23	...have been shown to be highly effective, <b>at other locations outside of the UK</b> , in the management of recreation and tourist.....
4.22	23	The Core Strategies can only mitigate adverse effects arising as a result of recreational activity through policies that provide alternative recreational spaces. and by contributions to strategic management approaches in collaboration with NE and other Local Authorities. Policy mitigation and joint working at a strategic level can help to mitigate the impacts of recreational activity to a certain extent, however; the direct impacts of recreational activity are most appropriately addressed at the site level through co-operative measures. Disturbance to protected bird species and supporting habitats by recreational activities should be tackled through management schemes for the European sites that are currently being developed by NE. <b>Local Authorities should also work with other partners to identify the causes and develop a strategic approach to avoiding potential significant impacts arising from recreational activity. This approach is being progressed through joint working at the North Kent Environment and Planning Group.</b>
4.23	24	At present there are voluntary codes of conduct and restrictions in place for water based recreation on the identified European sites - similar measures may be put in place for other types of recreation as a result of the development of European site management plans. The Core Strategy policies provide mitigation through the provision of alternative areas for recreation for some types of recreation activity. NKPEG will ensure that there is a strategic approach to management for biodiversity in North Kent, which includes the identified European sites <sup>1</sup> . <b>It has become apparent that there has been a decline in a number of important bird</b>

<sup>1</sup> Terms of Reference North Kent Environmental Planning Group – Natural England

		<p><b><i>species at the North Kent sites and that local disturbance factors may be affecting decline for some species. To support the precautionary approach set out in the Habitats and Species Regulations 2010 NKPEG have recently commissioned research to identify how recreational disturbance may be causing decline and the level and origin of this disturbance. Until research on recreational disturbance is completed it is not possible to conclude whether and to what extent planned growth in Dartford may impact on the conservation objectives of the European sites. Once the level and reasons for bird decline are evaluated a suite of local and strategic avoidance and mitigation measures, in addition to those already proposed in the Core Strategy, may be required to avoid and mitigate the effects of future development. Analysis of future impact needs to take into account additional avoidance and mitigation actions such as planned provision of more closely located alternative recreation destinations in Dartford or in other nearby districts. It is essential that the Dartford Core Strategy or later Development Plan Documents supported by a updated HRA, provide a framework identifying potential management action(s) (local/and or strategic) if the findings of current research demonstrate that the level of growth proposed in Dartford may have a significant impact on the integrity of the European sites in combination with other plans. then it is possible to assess that the Dartford and Gravesham Core Strategies will not have adverse effects on European site integrity either alone or in combination through increased levels of recreation.</i></b></p>
5.2	32	<p>This AA considered the potential effects of the Core Strategies both alone and in-combination (with development proposed in surrounding areas) on the integrity of the Medway Estuary and Marshes SPA/Ramsar and the</p>

		<p>Thames Estuary &amp; Marshes SPA/Ramsar. The findings of the AA indicate that there will not be an adverse effect on the integrity of the European sites although this will be dependent on mitigation <b>policies within the Core Strategy being brought forward in a timely manner; implementation of on-site visitor management actions and assumes that any necessary local and strategic mitigation and avoidance measures are set in place together with a management framework in the Core Strategy and later development plan documents to deal with issues arising from the ongoing NKPEG research into bird decline. The completion of the bird decline research is an essential component to enable the identification of the causes of decline and any proportionate and necessary mitigation and avoidance measures arising from this. The local authorities must ensure that this evidence is completed.</b> <del>as the policies within the Core Strategies and existing regulatory and management measures provide a sufficient level of protection to mitigate potential likely significant effects</del></p>
5.3 and 5.5	32	<p>Combine paragraphs  It is possible that future work undertaken or additional evidence obtained by the NKEPG could show that development proposed in the <del>combined</del> <b>Dartford</b>-Core Strategies might have adverse effects on the integrity of European sites. If necessary, it is recommended that Dartford and <del>Gravesham</del> Borough Council's <del>gives</del> material consideration to the findings of the work undertaken by the NKEPG and to any <b>local or strategic</b> avoidance, management actions and mitigation measures proposed to ensure that the requirements of the Habitats Directive are met.</p>

