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Habitats Regulations Assessment for the Isle of Wight Highways PFI

Appropriate Assessment Report

January 2013





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ecological consultancy

NATURAL PROGRESSION

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Appropriate Assessment of Vinci Ringway Capital Scheme Proposals

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Cover image: Flowering thrift *Armeria maritima* on the cliff face near Shippards Chine

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Abbreviations

DCLG	Department for Communities and Local Government
ECoW	Ecological Clerk of Works
HRA	Habitats Regulations Assessment
PFI	Private Finance Initiative
SAC	Special Areas of Conservation
SPA	Special Protection Areas
SSSI	Sites of Special Scientific Interest
WeBS	Wetland Bird Survey

Executive Summary

E1 Introduction

E1.1 Isle of Wight Council is undertaking a Habitats Regulations Assessment (HRA) of the forthcoming Highways Private Finance Initiative (PFI). This is a requirement of the Conservation of Habitats and Species Regulations 2010. This report represents the stage in the HRA process referred to as the 'Appropriate Assessment'.

E1.2 HRA is a requirement of the Conservation of Habitats and Species Regulations 2010 ('the Habitats Regulations'), the UK's transposition of European Council Directive 92/43/EEC *on the conservation of natural habitats and of wild fauna and flora* ('the Habitats Directive'). HRA must be applied to any plan or project in England and Wales with the potential to adversely affect the ecological integrity of any sites designated for their nature conservation importance as part of the Natura 2000 network of European sites.

E2 The HRA Process and the Purpose of this Report

E2.1 The HRA process comprises three main stages:

- ▶ **Screening:** Analysing draft options for likely significant effects on internationally designated sites;
- ▶ **Appropriate Assessment:** Ascertaining the effects on site integrity; and
- ▶ **Alternative Solutions:** Devising alternatives to the plan options, avoidance or mitigation measures.

E2.2 This report presents the Appropriate Assessment which addresses in detail how the effects of proposals made by Vinci Ringway for achieving the road improvements required by the Council through the Highways PFI could affect the Island's European sites. It also makes recommendations for avoiding and mitigating adverse effects, and restoring site integrity.

E3 Screening

E3.1 An initial screening of the proposed Highways PFI was completed in March 2012 which considered all aspects of the Highways PFI services, including a number of capital schemes. The capital schemes are essentially individual highway improvement projects that will seek to address parts of the network that the Council has assessed as 'red risk sites' (sections of the highway that are at risk of catastrophic failure within the programme's 25yr period).

E3.2 The screening exercise concluded that, of all the Highways PFI activities, eight capital schemes were considered likely to have a significant effect or it was uncertain if they would have a significant effect on three European sites; Solent and Southampton Water SPA and Ramsar, and South Wight Maritime SAC (**Table 1.1**).

E3.3 Views on the screening assessment were sought from Natural England and the Environment Agency, which broadly agreed with its conclusions. An Appropriate Assessment was therefore needed to determine if, and in what way the European sites may be negatively impacted, and if necessary devise suitable avoidance and mitigation measures to prevent these impacts having an adverse effect on the integrity of the European sites.

E4 Appropriate Assessment

E4.1 **Chapter 2** outlines the identified European sites which are likely to be affected by the Highways PFI, and their qualifying features and conservation objectives. **Chapter 3** assesses the contribution of the red risk sites to the European site designations. **Chapter 4** outlines the current geological challenges that the capital schemes seek to address, and describes Vinci Ringway's proposed engineering solutions.

E4.2 **Chapters 5 and 6** undertake a detailed assessment of the impacts of the proposed capital scheme solutions on the three European sites. **Chapter 7** summarises the assessment's conclusions regarding effects on site integrity.

E5 Summary of Effects on Site Integrity

E5.1 Assuming that the necessary piling works at Duver Road, St Helens, and Bouldnor Road, Yarmouth, can be undertaken using silent vibro-piling methods, the assessment concluded that the ecological integrity of Solent and Southampton Water SPA and Ramsar is unlikely to be adversely affected.

E5.2 The assessment concluded that Vinci Ringway's proposals for the four sites along Undercliff Drive, near Ventnor, would not negatively affect South Wight Maritime SAC.

E5.3 Findings presented during an earlier iteration of this Appropriate Assessment concluded that the proposed scheme solution for Shippards Chine, on the Military Road, would adversely affect the ecological integrity of South Wight Maritime SAC. The earlier iteration also concluded that, while the proposed scheme for Brook Chine would not adversely affect the integrity of the site during operation, there could be complications during decommissioning. These conclusions were fed back to Vinci Ringway which subsequently prepared revisions to its proposed schemes for Brook and Shippards Chines.

E5.4 This Appropriate Assessment report assesses the revised schemes for Brook and Shippards Chines and concludes that neither scheme will lead to adverse effects on site integrity at South Wight Maritime SAC.

E6 Recommendations for Avoidance, Mitigation and Restoration

- E6.1 Depending on the ground conditions found when implementing the Bouldnor Road scheme, it is possible that percussive piling will be required in order to complete the scheme. If this is the case, restrictions on the working method for the scheme should be imposed so that, should percussive piling be necessary, it is not carried out at times of year when bird populations of the SPA are most likely to be adversely affected (i.e. between July and March). Furthermore, if percussion piling is to be carried out during spring and early summer (April to June), it should not proceed until an assessment has been made of possible impacts to other nesting birds which are not protected by the SPA.
- E6.2 The proposed bridge construction at Brook and Shippards Chine, Military Road, maintains the ecological functioning of the vegetated sea cliff habitat for which this section of the coast is designated South Wight Maritime SAC. However, the effect of shading under the bridge on typical invertebrate species of this habitat type should be monitored to ensure that negative impacts do not ensue.
- E6.3 Further recommendations for restoration and improvement are made in **Chapter 8**.

E7 Conclusions

- E7.1 This report presents an Appropriate Assessment under the Conservation of Habitats and Species Regulations 2010 for the capital scheme proposals put forward by Vinci Ringway as part of the Isle of Wight Highways PFI. The Council will need to consider the findings and recommendations of this report when implementing the Highways PFI.
- E7.2 The report assesses the capital scheme proposals in relation to the conservation objectives of the Solent and Southampton Water SPA/Ramsar and South Wight Maritime SAC. South Wight Maritime SAC in particular is already being adversely affected by previous schemes, and recommendations are made for restoring the site to favourable conservation status.

E8 Consultation

- E8.1 The Appropriate Assessment Report is being made available for consultation for a period of four weeks, from 6 March 2013.
- E8.2 Responses on this consultation exercise should be sent to jonathan.murphy@iow.gov.uk or to the following address:

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