



**Cabinet 26 June 2018**

**Appendix 3**

**HWRS Service Review**

**Habitats Regulation Assessment**

**Prepared in conjunction with**

**AECOM**

# Habitats Regulations Assessment Report

Undertaken by Competent Authority - East Sussex County Council, April 2018. AECOM were procured to provide technical advice on the logic, sense and technical justification of our proposed approach.

## 1. Introduction

- 1.1 The purpose of undertaking a Habitats Regulations Assessment (HRA) is to ensure protection of the integrity of sites protected by European Union Directives.
- 1.2 This report presents the findings from the Test of Likely Significant Effects, and where necessary, the subsequent Appropriate Assessment stage of the HRA process, identifying European protected sites which could be affected by East Sussex County Council's proposal to close two Household Waste Recycling Sites (HWRSs) at Forest Row and Wadhurst, as part of an efficiency-saving measure to reduce the number of HWRSs in the Council's network from twelve to ten sites.
- 1.3 When preparing plans or projects, member states of the European Community are required to take into account habitats and wild species of European importance through Article 6 of Council Directive 92/43/EEC on the Conservation of Natural Habitats and of wild fauna and flora (the Habitats Directive).
- 1.4 The Test of Likely Significant Effects on the protected sites caused by the closure proposals on Natura 2000 sites (or European sites) is a screening process determining whether it is necessary to carry out the subsequent stages of the HRA, namely the Appropriate Assessment (AA).
- 1.5 Natura 2000 sites include sites designated as:
  - Special Areas of Conservation (SACs) – designated for flora, fauna and habitats of community interest; and
  - Special Protection Areas (SPAs) – designated to conserve the habitat of protected wild birds.
  - RAMSAR Sites - these are designated under the International Convention on Wetlands as being of International Importance especially as Waterfowl Habitat

For the remainder of this report , SACs, SPAs and RAMSAR sites will be collectively known as 'protected sites'.

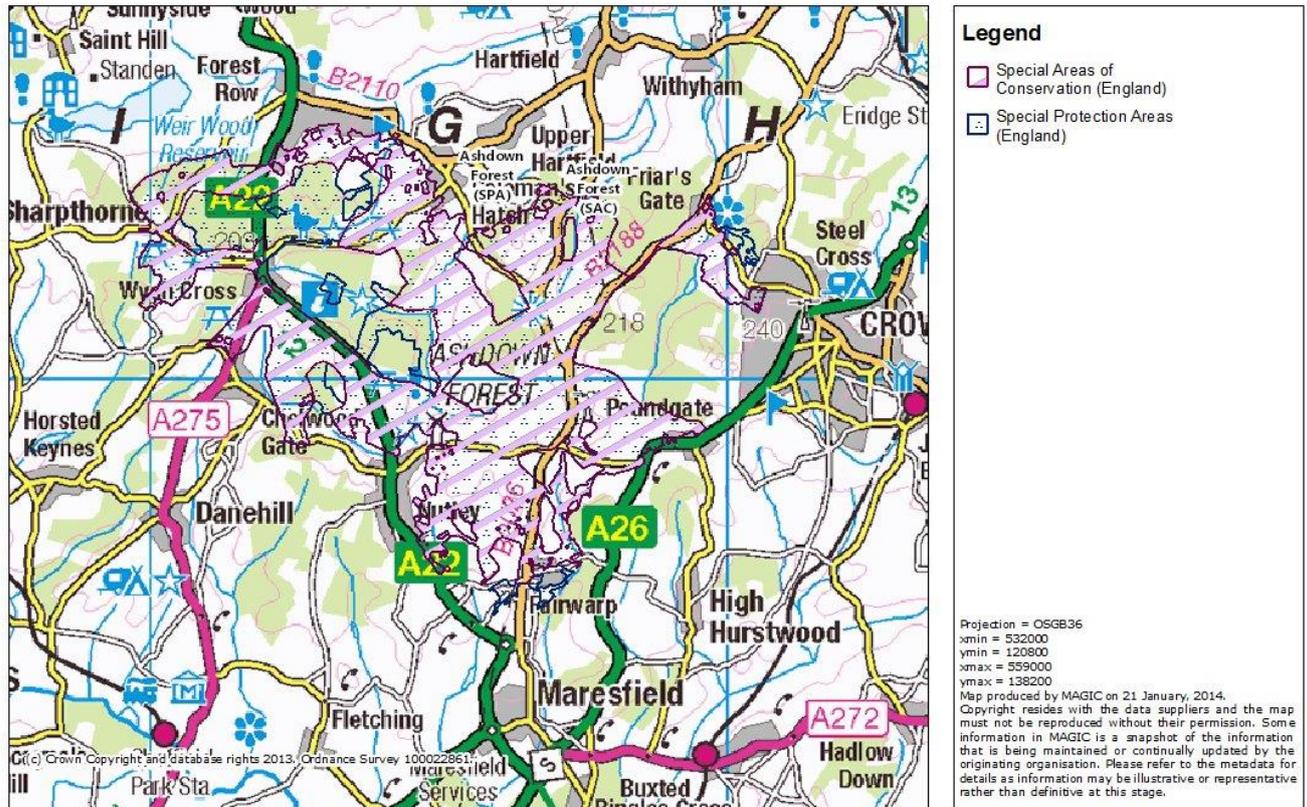
- 1.6 Other plans and strategies that could have an impact on protected sites "in combination" with the plan under production, also have to be taken into account. It may be assessed that there would be no significant effect caused by an individual plan on a particular protected site, but when considering it with a number of other plans and strategies, the cumulative outcome could be assessed to cause a likely significant effect.

## 2.0 Ashdown Forest Protected Site

- 2.1 There is one protected site designated as both an SAC and an SPA located within the catchment areas served by the HWRSs proposed for closure, Forest Row and Wadhurst. This site is Ashdown Forest, part of the European Natura 2000 network because it hosts some of Europe's most threatened species and habitats.
- 2.2 No other protected sites in the county are considered likely to be impacted upon from the proposed closure of the HWRSs and can be screened out. These sites are the Pevensey Levels and Lewes Downs which are a significant distance away from either Forest Row and / or Wadhurst and therefore unaffected by any closure of these two HWRS.
- 2.3 Ashdown Forest has European statutory designations as an SAC and an SPA. The reasons shown below for the site's protected designation have been taken from the descriptions provided on the Joint Nature Conservation Committee's (JNCC's) website<sup>1</sup>.
- 2.4 Ashdown Forest was classified as an SAC under the EC Habitats Directive because it has one of the largest single continuous blocks of lowland heath in south-east England, with both European dry heaths and, in a larger proportion, wet heath. The site supports important assemblages of lichens, beetles, dragonflies, damselflies and butterflies, including the nationally rare silver-studded blue, and birds of European importance, such as the Eurasian hobby.
- 2.5 Ashdown Forest was classified as an SPA under the EC Bird Directive because it supports breeding bird populations of European importance of the Dartford Warbler and Nightjar.
- 2.6 The European site conservation objectives for Ashdown Forest SAC and SPA as published by Natural England on 30 June 2014 (version 2) are listed in Appendix 1.

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<sup>1</sup> <http://jncc.defra.gov.uk/default.aspx?page=2052>  
<http://jncc.defra.gov.uk/protectedsites/sacselection/sac.asp?EUCode=UK0030080>



### 3.0 Test of Likely Significant Effects

- 3.1 In terms of the possible effects of the HWRS closure proposals, the proposals are not directly connected with, or necessary to the management of either the Ashdown Forest SAC and SPA. Nevertheless, it is still necessary to consider whether the proposals are likely to have a significant effect on the interest features of the designated sites, alone or in combination.
- 3.2 The SPA designation, arising due to the presence of ground nesting birds, is susceptible to the impact arising from increased recreational use on the Ashdown Forest. Due to the nature of the proposals subject to this Screening Opinion, it is not considered that they will give rise to any recreational impact, which could be deemed to undermine the SPA designation. The need for any Appropriate Assessment for this particular designation can therefore be screened out.
- 3.3 With regards to the SAC designation, increasing traffic on the roads running through and within 200m of the protected site could increase air pollution, negatively impacting on the integrity of the site.

### **3.4 Proposal to close Wadhurst Household Waste Recycling Site**

- 3.4.1 The Wadhurst HWRS proposed for closure, is about 13km directly from the edge of the Ashdown Forest protected site. Potential alternative recycling sites to the Wadhurst one are Heathfield, Mountfield or Crowborough in East Sussex (see map in Appendix 2), or Tunbridge Wells (a Kent County Council site). These alternative sites have been identified in terms of their proximity and available road network to Wadhurst HWRS.
- 3.4.2 The Crowborough HWRS is the nearest to the Forest at an estimated 4 km directly from the edge of the Ashdown Forest protected site, to the East. If people are using Crowborough as an alternative to the Wadhurst HWRS, vehicles would be most likely to be approaching from the East side (most likely using the B2100 that connects Crowborough to Wadhurst along a East to West route) and so not making extra journeys across the Forest. Those who live within the catchment for the Wadhurst HWRS and using Heathfield, Mountfield or Tunbridge Wells (a Kent County Council site) as an alternative site would also not be making trips across the Ashdown Forest in order to access these recycling sites. This is confirmed by both Google Maps and the AA Route Planner.

### **3.5 Proposal to close Forest Row Household Waste Recycling Site**

- 3.5.1 Forest Row HWRS is some 1 to 2 km directly from the edge of the Ashdown Forest protected site. If the Forest Row HWRS were to close, the intensification of use of other HWRS in the locality, when people take their waste to a nearby alternative HWRS, is expected.
- 3.5.2 Nearby alternative recycling sites for Forest Row HWRS users have been identified as Maresfield and Crowborough in East Sussex, and East Grinstead (a West Sussex County Council site) and Tunbridge Wells (a Kent County Council site). Both HWRSs at Maresfield and Crowborough are located approximately 4km from the boundary of the Ashdown Forest protected site. Note that there is some evidence to suggest that up to 20% of current Forest Row HWRS users live outside East Sussex<sup>2</sup>, most likely in West Sussex and to some extent in Kent. There is evidence too that some East Sussex residents currently use recycling sites in West Sussex and Kent.
- 3.5.3 For residents within the Forest Row HWRS catchment area, travelling to an alternative recycling site could lead to additional vehicle movements across, or passing within 200m of, the Ashdown Forest protected site to a greater extent than they were before when they travelled to Forest Row HWRS. However, consideration also needs to be given to trips that are currently made to the Forest Row HWRS, which go across the Ashdown Forest protected site, but would no longer take place should this proposal be implemented.

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<sup>2</sup> Based on postcode information from Forest Row site users collected by ESCC Traffic Enumerators, May 2018

### 3.6 Evaluation of likely effects on traffic movements across the protected site

#### 3.6.1 Baseline situation

Currently the Forest Row HWRS is open 3 days a week from Friday to Sunday, with alternative opening arrangements for Christmas Day and New Year's Day, as well as Christmas eve and New Year's eve if they fall on Friday to Sunday. In 2016/17, Forest Row HWRS had a throughput of 1,279 tonnes of waste with an estimated 40,788 vehicles visiting the site.

#### 3.6.2 Potential additional vehicle trips

Forest Row HWRS annual waste tonnages and numbers of vehicles bringing waste:

	2016/17 (actual or estimated)	2017/18 (forecast)	2018/19 (forecast)	2028/29 (forecast)
<b>Waste Tonnage (t)*</b>	1,279	1,242	1,246	1,354
<b>Estimated annual no. vehicles visiting the site **</b>	40,788	39,608	39,736	43,180
<b>Av. no. vehicles visiting the recycling site per day (based on annual, ie 365 days)</b>	112	109 (of which approx 1 per day is an HGV)	109	118
<b>Daily av. no. vehicle trips to and from the site by users of Forest Row HWRS</b>	223	218	218	236

\*Waste Tonnage is based on East Sussex County Council's wider tonnage forecasts relating to the Integrated Waste Management Service Contract (IWMSC) with Veolia South Downs.

\*\*Based on 10 months of traffic logger data (Nov-16 to Aug-17) uplifted to 12 months to give an annual total.

Assumptions:

1. It is estimated that people are bringing an average amount of 31.4kg of waste per trip to the Forest Row HWRS in their vehicles. This is based on vehicle numbers from a traffic logger at Forest Row and the total tonnage accepted at the recycling site over the same period.
2. Here, the worst-case scenario has been assumed: that all vehicles that would have taken household waste to Forest Row HWRS, drive through, or within 200m of, the protected site to reach an alternative HWRS in East Sussex, generating two vehicle journeys through Ashdown Forest, to the HWRS and back. And that all vehicles that currently visit Forest Row HWRS are not generating any journeys through the protected site.

3. In addition the worst-case situation has been assumed that people continue to take all the waste that they would have previously taken to Forest Row HWRS, to an alternative HWRS rather than being waste being diverted elsewhere, or reduced.

### 3.6.3 Route mapping

In the absence of technical traffic modelling software and spatial population data, a simple exercise has been undertaken using online mapping (Google Maps and AA Route Planner) to measure and map routes between destinations. We then estimated whether residents of the towns, villages and hamlets in the Forest Row HWRS catchment area would be likely to be making more, less or the same amount of journeys across, or within 200m of, the protected site en route to their nearest alternative recycling sites, see Appendix 3. It is not possible to predict which alternative site residents will decide to use, or exactly which route they will take to get there. The most likely scenario is that residents will travel to the nearest available HWRS. AA Route Planner methodology has allowed us to assess the travel times and distances to recycling sites from settlements in the Forest Row HWRS catchment area, based on average off-peak driving conditions.

1. Forest Row, Hammerwood, Highgate and Holteye residents, as well as West Sussex residents in Ashurst Wood and Brambletye would be likely to use East Grinstead recycling centre, North of the protected site, so there would be no change and no increase or decrease in journeys across the protected site.
2. Blackham residents to the East of Forest Row would be likely to use either East Grinstead or Tunbridge Wells, both journeys are likely to move away from the protected site, thereby reducing journeys close to or through it.
3. West Sussex residents of Horsted Keynes SW of Forest Row would be likely to use East Grinstead recycling centre, which reduces journeys through, or close, to the protected site as the quickest route avoids the A22.
4. Chelwood Gate, Chelwood Common and Danehill residents to the SW would be likely to use Maresfield, the routes to which come into less contact with the protected site than going to Forest Row.
5. Withyham and Balls Green residents to the East of Forest Row would be likely to use Crowborough HWRS which avoids the Forest and so reduces trips through the protected site.
6. If residents of Newbridge, Coleman's Hatch and Chuck Hatch to the South East of Forest Row use either Maresfield HWRS or Crowborough HWRS, journey length across, and close to, the protected site could increase. If they use East Grinstead recycling centre, it would remain the same.
7. If residents of Gallipot Hill, Hartfield, Hartwell and Upper Hartfield to the East of Forest Row use Maresfield HWRS, journey length could increase across,

and close to, the protected site. If they use either Crowborough or East Grinstead recycling sites, contact with the protected site would remain the same or reduce.

Although there are a number of villages and hamlets situated on the edge of the Ashdown Forest, the Forest lacks any significant settlements within its boundary, and the only town in the catchment area of the Forest Row HWRS is Forest Row itself. Population figures are available at Parish level from census data (2011), the Parishes that best map to the settlements within the Forest Row HWRS catchment area are Forest Row, Hartfield, most of Danehill, part of Withyham, the parish of Ashurst Wood in West Sussex and most of Horsted Keynes, also in West Sussex (see Appendix 4). These amount to an estimated population of approximately 12,600 within the catchment area.

	<b>No traffic contact with the protected site is currently likely in travelling to Forest Row HWRS, and is not likely after proposed HWRS closure in travelling to an alternative</b>	<b>Traffic contact with the protected site is likely to reduce or be eliminated after proposed HWRS closure when travelling to an alternative</b>	<b>Traffic contact with the protected site is likely to increase <i>in the worst case scenario</i> after proposed HWRS closure when travelling to an alternative</b>
<b>Settlements within Forest Row HWRS estimated catchment area</b>	Forest Row Highgate Hammerwood Holteye Ashurst Wood Brambletye	Withyham Balls Green Blackham Chelwood Gate Chelwood Common Danehill  Horsted Keynes	Gallipot Hill Hartfield Hartwell Upper Hartfield Newbridge Coleman's Hatch Chuck Hatch
<b>Parishes mapped to catchment area &amp; their populations (2011 census data)</b>	Forest Row: 4,954 Ashurst wood: 1,833 Hartfield (1/3): 726  Total: 7,513	Withyham (1/3): 951* Danehill (3/4): 1468 Horsted Keynes (3/4): 1,190  Total: 3,609	Hartfield (2/3): 1,453  Total: 1,453
<b>Proportion of catchment area population</b>	60%	29%	12%

It can be seen from this mapping exercise, that in terms of the main settlement in the catchment area, Forest Row, along with five settlements to the North of the Forest, which are incorporated in Forest Row Parish and Ashurst Wood Parish, the likelihood is no change and no journey over the protected site. This accounts for some 60% of the catchment area population.

For three settlements to the North-East of the Forest within part of Withyham Parish, there is likely to be a reduction in contact with the protected site from the alternative journeys. Four settlements to the West of the Forest are likely to use routes that come into less contact with the protected site or avoid it altogether. These four settlements are within part of Danehill and part of the parish of Horsted Keynes in West Sussex. This accounts for some 29% of the residents of the catchment area.

In the worst case scenario, the journey length for seven other small settlements within part of Hartfield Parish could increase across, or within 200m of, the protected site, that is an estimated 12% of the catchment area's population. However it's possible that these residents could use alternative recycling sites, in which case the journey length could remain the same or decrease.

### **3.7 Evaluation of likely effects on fly tipping within the protected site**

- 3.7.1 We have considered increased fly-tipping in the protected site as one of the potential risks of the closure of Wadhurst and Forest Row HWRSSs. However, we are not aware of any evidence showing a link between the number of recycling sites and levels of fly-tipping and it is considered that an increase in fly tipping is unlikely to arise.
- 3.7.2 Should the two proposed sites close, there are easily accessible alternative options for disposing of waste, which should discourage fly-tipping. These include kerbside collection services of refuse, recycling and garden waste, bulky waste collections, local neighbourhood recycling banks and home composting, as well as travelling to the nearest alternative waste site.
- 3.7.3 Local experience shows that residents are not likely to resort to fly-tipping if they cannot use a recycling site for any reason. Since opening hours at the Forest Row, Seaford and Wadhurst recycling sites were cut in October 2014, the number of fly-tips recorded by the local authorities in East Sussex has declined. There has also been a decreasing trend in the amount of fly-tipped waste reported. See the 2017 Household Waste Recycling Site review report: [www.eastsussex.gov.uk/media/10071/hwrs-service-review-final-2017-200218.pdf](http://www.eastsussex.gov.uk/media/10071/hwrs-service-review-final-2017-200218.pdf)
- 3.7.4 If it is decided to close either of the two sites, East Sussex Council will closely monitor local fly-tip data to check for signs of an impact. The recycling sites themselves will also be monitored, particularly in the Forest Row area due to

close proximity to the European protected site, as well as the rest of the recycling site network. We will take appropriate action with relevant partner authorities and agencies to ensure implementation of proposals does not have a negative impact on the environment.

## **4.0 Appropriate Assessment**

### **4.1 Consideration of the effects of vehicle movements**

- 4.1.1 Not all vehicles that would have taken household waste to Forest Row HWRS will need to make additional journeys through, or within 200m of, the protected site to reach an alternative HWRS in East Sussex. It is likely that a significant proportion of journey routes taken to alternative recycling sites will reduce the need to travel via, or close to, the protected site. Several settlements in the Forest Row HWRS catchment area can reach either Maresfield, Crowborough, Tunbridge Wells or East Grinstead HWRS without crossing or passing close to the protected site. The mapping exercise above shows that no change in, or a reduction in, journey-length across and within 200m of the protected site could be expected for the majority of HWRS trips. Therefore it seems likely that the reduction in HWRS journey lengths within and close to the protected site for some 29% of the catchment area (by population) could outweigh any likely increase in HWRS journey lengths for around 12% of the catchment area (by population).
- 4.1.2 Furthermore, people will not continue to take all the waste that they would have previously taken to Forest Row HWRS to an alternative HWRS. Evidence from other local authorities has shown that when recycling sites close, waste taken to HWRSs is likely to decrease due to diversion to other disposal routes, (which could include green waste and bulky waste kerbside collections) or home composted. This could reduce the number of vehicle journeys to HWRSs.
- 4.1.3 People may also hold on to their household waste for longer if they need to drive further and therefore make less journeys.
- 4.1.4 In terms of impact on Heavy Duty Vehicle (HDV) flows, in 2017/18, 340 of the total number of vehicles visiting the Forest Row HWRS, were HGV (Heavy Goods Vehicle) servicing trips to and from Maresfield waste transfer station. These were trips that are likely to have crossed, or passed within 200m of, the protected site at one or more points. These trips will cease if the recycling site closes (staff journeys to and from the HWRS will also cease, although the number of these are considered to be insignificant). Some of the additional servicing trips to and from the alternative recycling site at Crowborough could involve passing close to the protected site via the A26, although the road only comes within 10m of the protected site for a short 30m stretch, at this point the protected site is elevated above the road with a thick belt of trees separating the two.

- 4.1.5 Vehicular emissions from HDVs are considerably greater (due to the larger diesel engines) than those of LDVs (Light Duty Vehicles such as small vans and cars). As such the removal of a single HDV from roads within 200m of the European site (such as a HGV used to collect waste from Forest Row HWRS) will have a greater positive effect on air quality within the European site within 200m of an affected road (and thus nitrogen deposition within Ashdown Forest) than the removal of a single LDV from roads within 200m of the European site
- 4.1.6 Whilst we cannot be certain about the degree to which background pollutant concentrations will decrease, it is likely there will be cleaner cars and better air quality by 2030, due to improving emissions technology and stricter standards.

## **4.2 Consultation with Natural England and AECOM**

- 4.2.1 East Sussex County Council sought the input, comment and advice of AECOM and their expertise in Strategic Environmental Assessment. An AECOM senior ecologist reviewed this report and agreed with the approach taken and the outcome concluded with regard to the closure of the Forest Row and Wadhurst Household Waste Recycling Sites and the potential for effects on the Ashdown Forest SPA and SAC.
- 4.2.2 East Sussex County Council have provided Natural England with this report and they have been invited to comment. East Sussex County Council previously engaged with Natural England in a similar way when the HWRS Service was last reviewed in 2013/14.

## **4.3 Conclusions**

### **4.3.1 Wadhurst closure proposal**

In respect of the Wadhurst HWRS closure proposal, the impact of the Project can be considered neutral in terms of local air quality because no additional journeys are considered likely across, or within 200m of, the protected site as a result, and so no further assessment is needed for this proposal.

### **4.3.2 Forest Row closure proposal**

1. It is considered that the reduction in HWRS journey lengths across and within 200m of the protected site as a result of implementing the Project could potentially outweigh a likely increase. Furthermore, there will be additional factors affecting vehicle movements to the overall benefit of the protected site, including diversion of waste to other disposal routes which don't involve a journey to an HWRS; reduction of waste through increased home composting; a reduction in journeys if people hold on to their waste for longer; cessation of the HDV vehicle trips servicing Forest Row recycling site; and future improvements to emissions technology and standards for vehicles.

2. Taking into account these factors, even if in the worst case scenario that some trips across (and within 200m of) the protected site are extended, it is thought that alternative routing of Forest Row HWRS-user traffic is unlikely to increase traffic overall, across or in the close vicinity of the protected site, i.e. on the minor localised access routes that pass within 200m of the site's boundaries or the A22, or A26 at Ashdown Forest. So the Project will not adversely affect the ecological integrity of Ashdown Forest.
3. Therefore it is not considered that there will be a likely significant effect on the protected site from this Project (Forest Row HWRS closure proposal) whether alone or as an 'in combination' impact. As such, no further assessment is required.
4. The Project may proceed therefore on the basis of no likely significant effect on the Ashdown Forest protected site.

## Appendix 1: European Site Conservation Objectives

### *European Site Conservation Objectives for Ashdown Forest SAC<sup>3</sup>*

With regard to the SAC and the natural habitats and/or species for which the site has been designated (the 'Qualifying Features' listed below), and subject to natural change;

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:

Wet heathland with cross-leaved heath  
European dry heaths  
Great crested newt

### *European Site Conservation Objectives for Ashdown Forest SPA<sup>4</sup>*

With regard to the SPA and the individual species and/or assemblage of species for which the site has been classified (the 'Qualifying Features' listed below), and subject to natural change;

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:

European nightjar (Breeding)  
Dartford warbler (Breeding)

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<sup>3</sup> <http://publications.naturalengland.org.uk/file/6746917321048064>

<sup>4</sup> <http://publications.naturalengland.org.uk/file/6291482747076608>

## Appendix 2

Map of Household Waste Recycling Site network



### Appendix 3: Routes to HWRS and journey times

Using AA Route Planner

Parish	Settlement	Forest Row HWRS		East Grinstead HWRS		Maresfield HWRS		Crowborough HWRS		Tunbridge Wells HWRS	
		Km	Time (mins)	Km	Time (mins)	Km	Time (mins)	Km	Time (mins)	Km	Time (mins)
Forest Row	Forest Row	0.6	2	7.4	12	13.8	15	19.5	24		
Forest Row	Highgate	1.4	4	8.1	13	14.7	17	18.3	26		
Hartfield	Hammerwood	7.7	13	9.2	15	21.9	24	19.7	26		
Hartfield	Holteye	6.4	10	5.9	10	23.6	24	21.4	26		
Danehill	Chelwood Gate	6.9	9	11.5	16	8.7	11	14.7	20		
Danehill	Chelwood Common	8	11	12.6	17	9.7	12	15.8	21		
Danehill	Danehill	8.8	10	13.4	17	10.4	12	17.3	23		
Withyham	Withyham	9.1	12	17.5	21	15.5	17	9.7	15		
Withyham	Balls Green	10	14	17.3	22	16.7	18	9.9	15		
Withyham	Blackham	13.5	18	15.3	20	19.9	22	15.4	23	12.9	22
Hartfield	Gallipot Hill	5.8	8	13.4	18	14	14	13	19		
Hartfield	Hartfield	7.2	10	15.9	20	13.6	15	11.8	18		
Hartfield	Hartwell	9	13	15.2	19	15.4	17	13.2	19		
Hartfield	Coleman's Hatch	3.4	5	11	16	11.9	13	14.3	18		
Hartfield	Upper Hartfield	5.3	7	13	18	14.4	15	13.5	19		
Hartfield	Newbridge	4.8	7	13.4	18	10.5	11	12.8	16		
Hartfield	Chuck Hatch	8.3	12	16.9	22	10.6	12	13	17		
Ashurst Wood	Ashurst Wood (W. Sussex)	2.1	4	6.1	9	15.5	17	19.1	26		
Ashurst Wood	Brambletye (W. Sussex)	2.3	5	7.3	11	15.7	19	19.3	27		
Horsted Keynes	Horsted Keynes (W. Sussex)	10.4	14	11.2	16	12.7	16	22	27		

## Appendix 4

Map of Parishes (Source: NOMIS) – estimation of Forest Row HWRS catchment area served

