Park Ward Neighbourhood Plan

HABITATS REGULATIONS ASSESSMENT SCREENING REPORT

Calderdale Metropolitan Borough Council
November 2019

Park Ward Neighbourhood Forum
Shaping Places Together

ONE DIFFERENT EVERYONE MATTERS EVERYONE

Calderdale Council

Contents

Park Ward Neighbourhood Plan
Habitats Regulations Assessment Screening Report
August 2019

1.0 Introduction

1.1 This Habitats Regulations Assessment (HRA) screening report has been undertaken by Calderdale Council in respect of the Park Ward Neighbourhood Plan which has been produced by Park Ward Neighbourhood Forum in accordance with the Neighbourhood Planning (General) Regulations 2012. This report presents the methodology and findings of the HRA screening of the Park Ward Neighbourhood Plan 2019 – 2032 Regulation 14 Draft prior to the Regulation 15 submission to the Council.

2.0 Background

2.1 The Park Ward Neighbourhood Plan[1] (PWNP) sets out policies to guide future development within the area to 2032. If the PWNP is approved by the local community through a referendum and subsequently made by Calderdale Council, it will be used in determining planning applications along with the Calderdale Local Plan (currently at Examination), for the Neighbourhood Plan Area.

2.2 As Park Ward does not have a Parish Council, the forum applied to become a designated neighbourhood planning body in May 2014. As part of the submission as a qualifying body, a map of the area was also included. Both the Forum and Neighbourhood Area were approved on 1st October 2014. The forum is likely to be re-designated in December 2019 after the Forum lapsed in October 2019.

2.3 The Park Ward Forum has prepared the Plan based upon the contributions of the members of the PWNP Steering Group and the wider Park Ward community. This included consultation with residents, businesses and community groups to ensure that local issues and priorities were reflected in the Plan. Surveys included Housing Need, Business and Retail as well as Heritage walks which were used to develop the vision for the Park Ward area and underpins the policies within the Plan.

2.4 The Park Ward area covers 220.7 hectares of land which is a densely built-up area located to the west of Halifax town centre. The Ward is a multi-cultural area with a mix of housing, industrial and commercial uses. There are two District Town Centres of Queens Road and King Cross, and out of centre retail located on Pellon Lane. At its closest point the neighbourhood area lies 4.3km south east of the South Pennine Moors.

[1] http://parkwardndp.org.uk/

3.0 HRA Legislation

3.1 Under the provisions of the EU Habitats Directive and translated into English law by the Habitats Regulations (The Conservation of Habitats and Species Regulations 2017[2]), a competent authority must carry out an assessment of whether a plan or project will significantly affect the integrity of any European Site (now called Habitat Sites in the NPPF 2018), in terms of impacting the site's conservation objectives.

3.2 HRA refers to the assessment of the potential impacts of a land use proposal against the conservation objectives of Habitat sites. Specifically, it is to ascertain whether or not a proposal (either alone or in combination with other proposals) would potentially damage the internationally designated features of that site. Habitat sites are also known as Natura 2000 sites which include Special Protection Areas (SPAs) and Special Areas of Conservation (SACs):

- SPAs are classified in accordance with Article 4(1) of the European Union Birds Directive for rare and vulnerable birds (as listed in Annex I of the Directive), and under Article 4(2) for regularly occurring migratory species not listed in Annex I. They have been identified for the international importance for the breeding, feeding, wintering or the migration of these rare and vulnerable species.

- SACs are designated under the European Habitats Directive and target particular habitat types (Annex I) and species (Annex II) (excluding birds). These habitat types are in danger of disappearance, have a small natural range, or are highly characteristic of a region. The species are those which are endangered, vulnerable, rare, or endemic.

3.3 Potential SPAs (pSPAs), candidate SACs (cSACs), Sites of Community Importance (SCIs) and Ramsar sites should also be included in the assessment.

3.4 The HRA Screening Report has been undertaken in order to support the Park Ward Neighbourhood Plan in accordance with the Neighbourhood Planning (General) Regulations 2012.

3.5 The Neighbourhood Planning (General) Regulations 2012[3] state that submitted Plans need to be accompanied by a statement explaining how the proposed Plan meets the 'basic conditions' set out in Schedule 4B of the 1990 Town and Country Planning Act. These basic conditions include a requirement to demonstrate how the Plan is compatible with EU obligations, which includes the need to undertake a HRA.

3.6 In line with the Court judgement (CJEU People Over Wind c Coillte Teoranta C-323/17[4]), mitigation measures cannot be taken into account when carrying out a screening assessment to decide whether a plan or project is likely to result in significant effects on a Natura 2000 site.

[2] http://www.legislation.gov.uk/uksi/2017/1012/contents/made
[3] http://www.legislation.gov.uk/uksi/2012/637/contents/made
[4] http://curia.europa.eu/juris/document/document.jsf?docid=200970&doclang=EN

4.0 Methodology

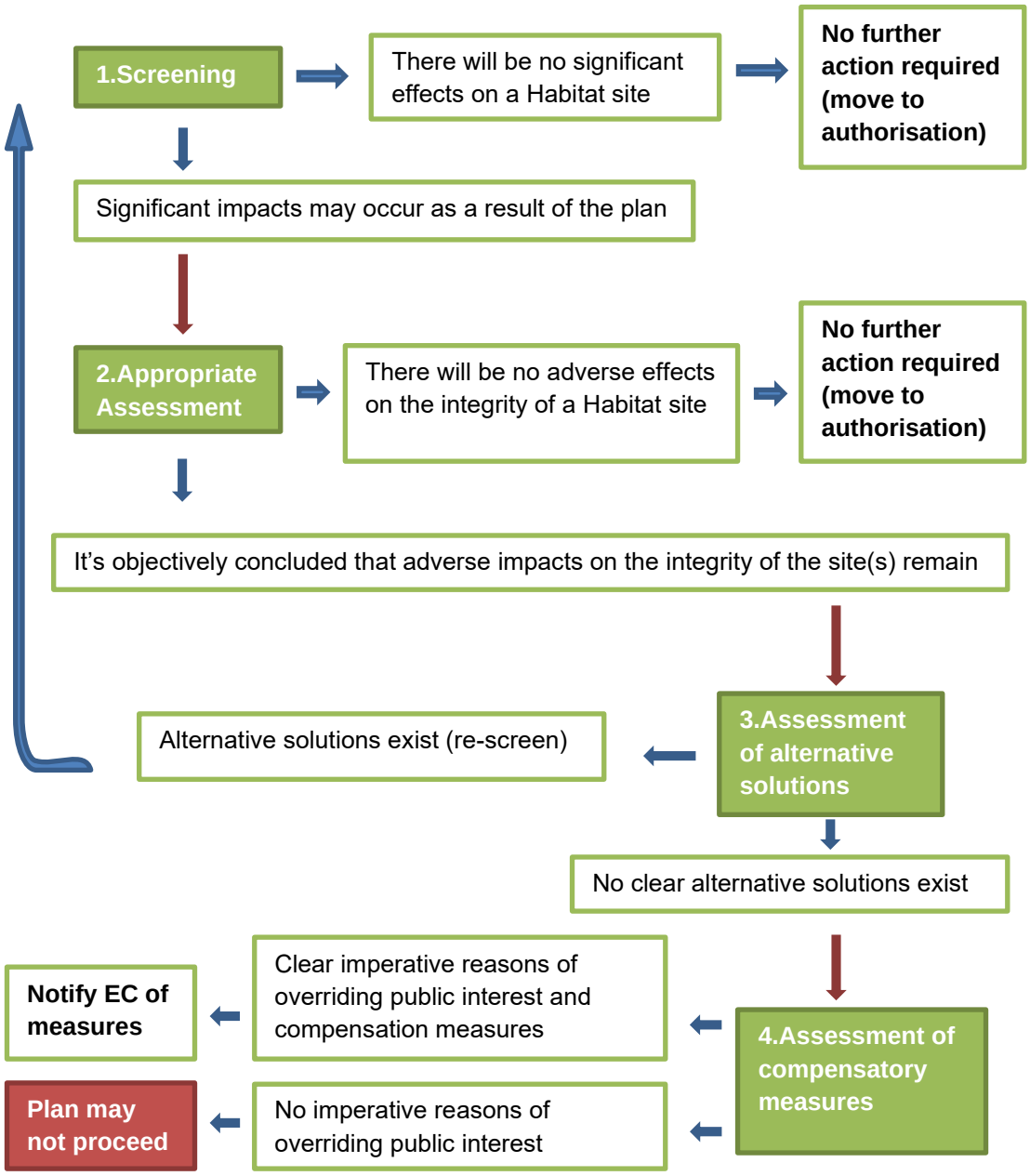
4.1 HRA screening of the NDP has been undertaken in line with current available guidance and draws upon the approach undertaken by Calderdale Local Plan HRA[5]. The following assessment structure has been adopted in order to carry out the assessments required under Article 6(3) and (4) of the Council Directive 92/43/EEC on the Conservation of Natural Habitats and of Wild Fauna and Fora and Regulation 105 ("Assessment of implications for European sites and European Offshore marine site") of the Habitats and Species Regulations 2017 (as amended) ('the Habitats Regulations').

4.2 Although there is no accepted methodology for carrying out a HRA, the general consensus is that the assessment adopts up to four stages (if necessary) in order for a plan to establish its legal compliance and obligations under the Habitats Directive and Regulation. These four stages are:

> *Stage One: Screening* — the process identifies the likely impacts of a project or plan on Habitat sites, either alone or in combination with other projects or plans, and considers whether these impacts are likely to be significant;
>
> *Stage Two: Appropriate Assessment* — the process assesses the identified impacts of the project or plan, either alone or in combination with other projects or plans with respect to the integrity of the Habitat sites, i.e. site's function and conservation objectives. Additionally, where there are adverse impacts, an assessment of the potential mitigation of those impacts;
>
> *Stage Three: Assessment of alternative solutions* — the process which examines alternative ways of achieving the objectives of the project or plan that avoid adverse impacts on the integrity of the Habitat site;
>
> *Stage Four: Assessment where no alternative solutions exist and where adverse impacts remain* — an assessment of compensatory measures where, in the light of an assessment of imperative reasons of overriding public interest (IROPI), it is deemed that the project or plan should proceed. It is unusual for a plan to get to this stage in the process.

3.3 The process aims to objectively demonstrate the following (where applicable):

[5] https://www.calderdale.gov.uk/v2/sites/default/files/Local-Plan-Appropriate-Assessment-Report-updated-2019.pdf


1.Screening
There will be no significant effects on a Habitat site
No further action required (move to authorisation)
Significant impacts may occur as a result of the plan
2.Appropriate Assessment
There will be no adverse effects on the integrity of a Habitat site
No further action required (move to authorisation)
It's objectively concluded that adverse impacts on the integrity of the site(s) remain
3.Assessment of alternative solutions
Alternative solutions exist (re-screen)
No clear alternative solutions exist
4.Assessment of compensatory measures
Clear imperative reasons of overriding public interest and compensation measures
Notify EC of measures
No imperative reasons of overriding public interest
Plan may not proceed

5.0 HRA Stage 1 – Screening

5.1 The first stage of the HRA is to test whether there is likely to be any significant effects. This is essentially a risk assessment to decide whether the full subsequent stage of an Appropriate Assessment is required. The essential question being:

> "Is the Plan, either alone or in combination with other relevant projects and plans, likely to result in a significant effect upon Habitat sites?"

5.2 The process identifies the likely impacts of the plan on Habitat sites, either alone or in combination with other projects or plans, and considers whether these impacts are likely to be significant.

5.3 The steps in the screening include:

> Step 1: Description of the development plan
>
> Step 2: Identify the Habitats (European) sites which could be affected by the Plan and identify features contributing to their integrity
>
> Step 3: Screen the Park Ward Neighbourhood Plan for its potential to impact upon European Sites
>
> Step 4: Assess the potential for in-combination effects from other projects and plans in the area

Step 1: Park Ward Neighbourhood Plan

5.4 The Park Ward Neighbourhood Plan 2019 to 2032 provides an overall vision and objectives, as well as 18 polices. These are summarized below:

5.5 The plan's vision states:

> 'Park Ward will be known as an outgoing community based on strong cultural traditions but welcoming and engaging with everyone. It will be recognised as a vital part of Halifax, offering excellent shopping and leisure facilities, employment and training for residents and visitors alike. It will have an environment to be proud of, both business-friendly and family-friendly.'

5.6 In order to achieve this vision, the plan outlines nine core objectives:

- To reduce the amount of derelict buildings and sites in order to improve the area's environment, appearance and image and encourage sustainable development
- To help meet local housing needs, particularly for affordable housing, by supporting appropriate new housing development and extensions to existing properties to assist household growth

- To address a shortage of open space for informal recreation in the north of the area, and safeguard and improve open space sites throughout the densely developed neighbourhood area
- Seek to retain valued open spaces and protect and enhance existing and new woodland, trees and hedgerows
- To improve the appearance and amenity of the area by encouraging good standards of design of new buildings, spaces and the public realm
- To support and revitalise the main shopping centres in the neighbourhood area
- To preserve or enhance the area's heritage assets, recognising their contribution to local amenity and interest and as an important visitor attraction
- To ensure the area remains an important location for business and employment, whilst reducing vehicle-pedestrian conflicts wherever possible
- To improve the main pedestrian routes between the neighbourhood area and Halifax town centre to encourage walking and make it a safer and more pleasant experience

5.7 The plan includes sixteen draft policies to achieve these objectives, which are summarized below:

- Policy D1 - Supporting sustainable development on key derelict sites
- Policy H1/H2 - Supporting new housing on mixed-use sites allocated in the Calderdale
- Policy H3 - Supporting new housing on appropriate unallocated sites
- Policy H4 - Supporting the re-use of vacant residential properties
- Policy HD1 - Design attributes for new housing
- Policy HD2 - Design attributes for dormer and other extensions
- Policy ED3 - Design attributes for industrial/manufacturing development
- Policy GS1 - Designating areas of Local Space
- Policy OS1 - Improving existing open space
- Policy RR1 - Extending the Queens Road District Centre
- Policy RR2 - Supporting new retail and commercial uses in defined centres
- Policy RR3 - Supporting residential use of vacant upper floors in retail premises
- Policy CH1 - Preserving or enhancing the character of People's Park Conservation Area
- Policy CH2 - Preserving the character of non-designated heritage assets
- Policy GA1 - Supporting enhancement of main pedestrian routes to town centre

5.8 Once made the Park Ward Neighbourhood Plan polices will be applied by Calderdale Council in consideration of any planning applications submitted within the designated PWNP area of Park Ward.

Step 2: Identification of Habitat sites which may be affected by the Neighbourhood Plan

5.9 In order to establish any likely impact of the Neighbourhood Plan on designated Habitat sites, (qualifying SPA/SAC), which may be affected, need to be identified. For the purposes of this assessment, 15km has been taken to be the threshold distance at which development could result in impact upon the SPA/SAC. This distance is derived from studies supporting the Bradford Core Strategy and has been reaffirmed in the HRA supporting the Kirklees Local Plan (March 2017).

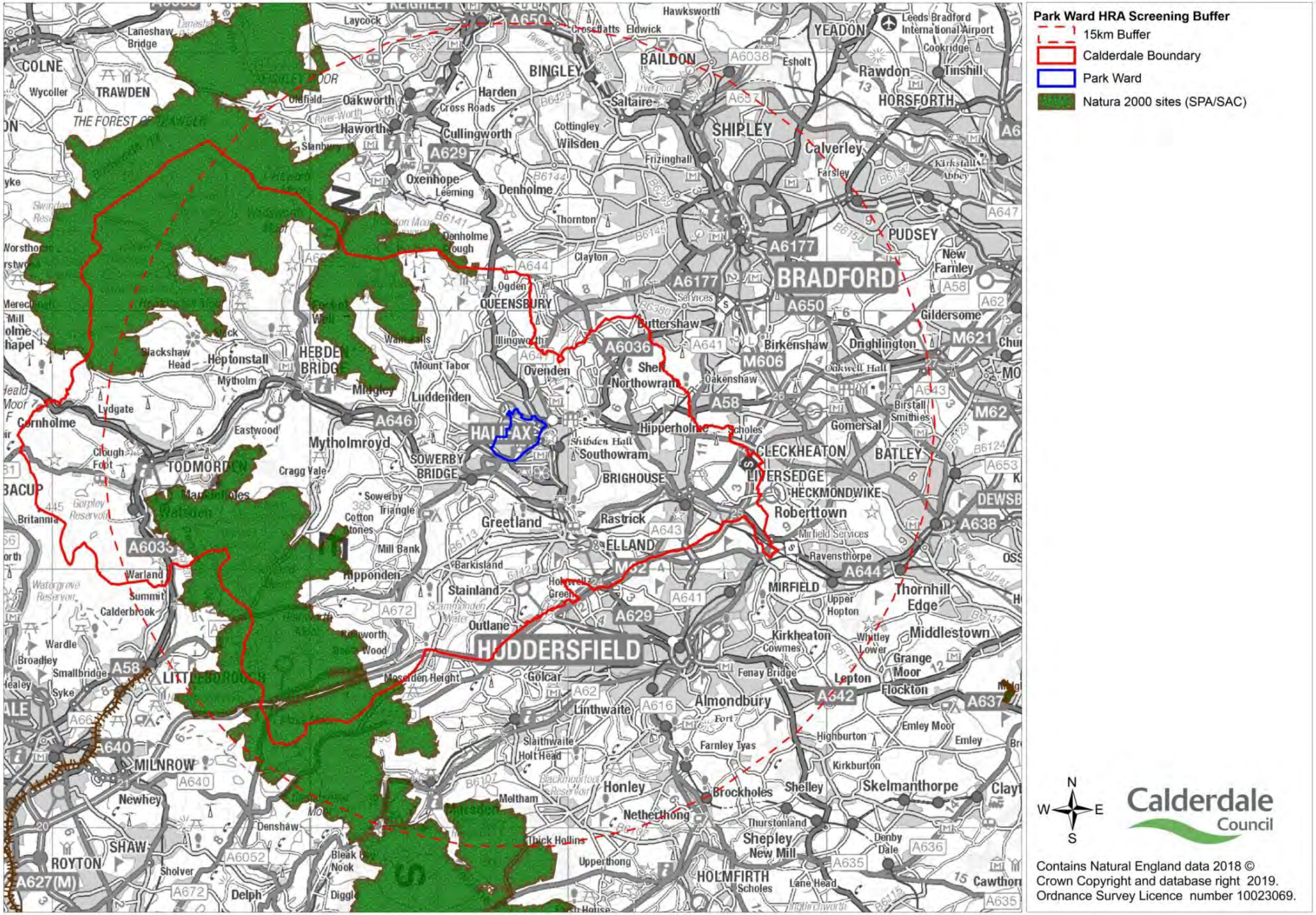
5.10 This showed that three Habitat Sites fall within the Park Ward Neighbourhood Plan Area 15km Buffer - the South Pennine Moors SAC, the South Pennine Moors SPA (Phase 2), and the Peak District Moors (South Pennine Moors Phase 1) SPA. The locations of the Natura 2000 sites are mapped in Figure 1.

5.11 The South Pennine Moors SAC was designated in 1994. It is a 65,000ha site. The primary qualifying features for the designation are the Annex I habitats: European dry heaths which is strongly dominated by heather Calluna vulgaris; Blanket bog with Hare's-tail cottongrass Eriophorum vaginatum is often overwhelmingly dominant; and Old sessile oak woods with Ilex and Blechnum in the British Isles. Annex I habitats present as a qualifying feature (not a primary selection reason) are: Northern Atlantic wet heaths with Erica tetralix (cross-leaved heath) and Transition mires and quaking bogs.

5.12 The South Pennine Moors SPA (Phase 2) was classified in 1997. It is a 20,944ha site comprising predominantly of lowland heathland and woodland. The South Pennine Moors SPA (Phase 2) is an internationally important habitat classified because of the presence of Article 4.1: Annex I Birds (breeding): Falco columbarius (Merlin), Pluvialis apricaria (Golden Plover), and Vanellus vanellus (Lapwing). Also there are Article 4.2: Regularly occurring migratory birds - internationally important assemblage of breeding birds, Common Sandpiper Actitis hypoleucos, Short-eared Owl Asio flammeus, Dunlin Calidris alpina schinzii, Twite Carduelis flavirostris, Common Snipe Gallinago gallinago, Curlew Numenius arquata, Northern Wheatear Oenanthe oenanthe, Golden Plover Pluvialis apricaria, Whinchat Saxicola rubetra, Redshank Tringa tetanus, Ring Ouzel Turdus torquatus and Lapwing Vanellus vanellus.

5.13 The Peak District Moors (South Pennine Moors Phase 1) SPA was designated in 1996. It is a 45,300ha site characterized by large-scale sweeping moorlands, pastures enclosed by drystone walls and gritstone settlements contained within narrow valleys. The Peak District Moors (South Pennine Moors Phase 1) SPA is an internationally important habitat classified because of the presence of Article 4.1: Annex I Birds (breeding): Pluvialis apricaria (Golden Plover), Falco columbarius (Merlin), and Asio flammeus (Short-eared owl).

5.14 Further environmental details can be found in 'Appendix 1 Natura 2000 sites attributes and characteristics'.


Park Ward HRA Screening Buffer
15km Buffer
Calderdale Boundary
Park Ward
Natura 2000 sites (SPA/SAC)
N
W
E
S
Calderdale Council
Contains Natural England data 2018 ©
Crown Copyright and database right 2019.
Ordnance Survey Licence number 10023069.
HALIFAX
BRADFORD
HUDDERSFIELD
SHIPLEY
BINGLEY
BAILDON
YEADON
HORSFORTH
PUDSEY
COLNE
TRAWDEN
QUEENSBURY
HEBDEN BRIDGE
TODMORDEN
Mytholmroyd
SOWERBY BRIDGE
BRIGHOUSE
ELLAND
Greetland
Rastrick
CLECKHEATON
LIVERSEDGE
HECKMONDWIKE
BATLEY
MIRFIELD
LITTLEBOROUGH
MILNROW
SHAW
ROYTON
HOLMFIRTH
Almondbury
Honley
Haworth
Cullingworth
Denholme
Ovenden
Hipperholme
Southowram
Heptonstall
Luddenden
Ripponden
Stainland
Outlane
Golcar
Linthwaite

Step 3a: Screening of the Development Plan

Assessment of 'likely significant effects' of the Local Plan

5.15 Due to the uncertainty in the impact of the various aspects of the Park Ward Neighbourhood Plan on Habitat sites, a screening exercise was undertaken. In order to do this a screening matrix was constructed which is shown in table 2.

5.16 The principle of sustainable development is a golden thread that runs through the NPPF and should be an overriding principle of a Local Plan and its formation. Paragraph 177 of the 2018 NPPF states: "The presumption in favour of sustainable development does not apply where development requiring appropriate assessment under the Birds or Habitats Directives is being considered, planned or determined". Therefore the HRA has the ability to prevent development which may otherwise be acceptable under the principle of sustainable development where appropriate and necessary.

5.17 In line with Defra (2012b) and EC (2000)[6] guidance on the assessment of impacts of Natura 2000 sites, the precautionary principle will be used to assess likely impacts. It is highlighted with respect to the impacts of plan proposals; the precautionary principle should be applied under Article 6(4) of the EC Habitats Directive 92/43/EEC. Therefore an outcome of 'no significant effect' will only be applied, if it was considered very unlikely based on best available knowledge that the proposal would have a significant effect on a Habitat sites.

5.18 In order to record the likely impacts of the policies and sites within the Park Ward Neighbourhood Plan on Habitat sites, a "traffic light" approach has been adopted as indicated below:

Category	Effect	Outcome
Green	No negative effect – policies or projects that will not likely to have any negative effect on a Habitats site.	**Appropriate Assessment not required**
Amber	No likely significant effect – Policies or projects that could have an effect but would not be likely to have a significant negative effect on a Habitats site alone or in combination. This conclusion could only be reached if the effects, even in combination and taking the precautionary principle into account, are considered trivial.	**Appropriate Assessment not required**
Red	Proposal will likely have significant effects – policies or projects which are predicted to have a significant effect on their own or in combination with other plans and projects.	**Appropriate Assessment required**

(Table 1: Screening Categorisation)

[6] The EC states that and appropriate assessment should not be only triggered by a certainty but also a likelihood of significant effects and likelihood alone ('*could be')* is enough to justify such measure. This is therefore consistent with the precautionary principle.

Interpretation of 'likely significant effect'

5.19 Due to the subjective interpretation of the Habitats Regulations, applicable case law can be used to interpret when effects should be considered as a "likely significant effect", when carrying out a HRA of a land use plan. Case law is a vital source of information regarding how legislation should be correctly interpreted and applied (Chapman & Tyldesley, 2016[7]). Firstly the Waddenzee case[8], in which Landelijke Vereniging tot Behoud van de Waddenzee (National association for conservation of the Waddenzee, 'the Waddenvereniging') and the Nederlandse Vereniging tot Bescherming van Vogels (Netherlands association for the protection of birds, 'the Vogelbeschermingsvereniging') challenged the Staatssecretaris van Landbouw, Natuurbeheer en Visserij (Secretary of State for agriculture, nature conservation and fisheries, 'the Secretary of State') for the issuing of licences for the mechanical fishing of cockles in the Special Protection Area (SPA) of the Waddenzee (Holland).The European Court of Justice ruled on the interpretation of Article 6(3) of the Habitats Directive (translated into Reg. 105 in the 2017 Habitats Regulations), including that:

- An effect should be considered 'likely', "if it cannot be excluded, on the basis of objective information, that it will have a significant effect on the site" (para 44).
- An effect should be considered 'significant', "if it undermines the conservation objectives" (para 48).
- Where a plan or project has an effect on a site "but is not likely to undermine its conservation objectives, it cannot be considered likely to have a significant effect on the site concerned" (para 47).

5.20 A recent European Court judgement (Sweetman 2013[9]) confirmed the threshold of the LSE test is a low one, i.e. its purpose is to initially screen for the risk of the possibility of an effect, not to precisely establish the full extent of the effect (which is the role of the next stage of appropriate assessment). This stage is intended to ensure that all relevant plans and projects likely to have an effect on a European site are subject to further steps of Habitats Regulations Assessment by the competent authority.

5.21 If a plan or project is not connected with or necessary to the management of the site and is likely to have a significant effect, or the likelihood of significant effects is uncertain, the competent authority must carry out an Appropriate Assessment (AA) to assess the implications for the site and whether it can be ascertained that the project will not have an adverse effect on site integrity.

5.22 Another interpretation delivered to the Court of Justice of the European Union commented that:

> *"The requirement that an effect in question be 'significant' exists in order to lay down a de minimis threshold. Plans or projects that have no appreciable effect on the site are thereby excluded. If all plans or projects capable of having any effect whatsoever*

[7] http://publications.naturalengland.org.uk/file/5158169750798336
[8] ECJ Case C-127/02 "Waddenzee" Jan 2004.
[9] *Advocate General's Opinion to CJEU in Case C-258/11 Sweetman and others v An Bord Pleanala* 22nd Nov 2012.

on the site were to be caught by Article 6(3), activities on or near the site would risk being impossible by reason of legislative overkill."

5.23 This opinion therefore allows for the authorisation of plans and projects whose possible effects, alone or in combination, can be considered 'trivial' or de minimis; referring to such cases as those "that have no appreciable effect on the site". In practice such effects could be screened out as having no likely significant effect; ie they would be 'insignificant'.

5.24 If a plan or project is not connected with or necessary to the management of the site and is likely to have a significant effect, or the likelihood of significant effects is uncertain, the competent authority must carry out an Appropriate Assessment (AA) to assess the implications for the site and whether it can be ascertained that the project will not have an adverse effect on site integrity.

Screening assumptions and evidence base used to establish likely significant effects

5.25 In order to establish if and what part of the Neighbourhood Plan may have significant effects on the identified Natura 2000 sites, the HRA has screened each Neighbourhood Plan policy using the screening categorisation in table 1.

5.26 EU case law currently demands certainty provided by science, however it is argued that science can never rule out uncertainty (Opdam et al, 2009[10]). In order to screen the plan, a wide evidence base has been reviewed for the most up-to-date information relating to the impacts of development and land-use planning on both European Natura 2000 sites and the identified sites within the scope of the Plan. As well as this, primary data has been commissioned and collected to further inform the evidence base of the HRA. This information has been used to establish the screening assumptions presented in this section. Importantly, the information also seeks to establish the baseline information for the assessment process.

5.27 Appendix 2, taken from the Calderdale Local Plan Habitats Regulation Assessment shows a range of potential impacts that development and their related activities can have on Habitat sites. These can be summarized into the following categories:

- Physical loss of/damage to habitat
- Non-physical disturbance e.g. noise/vibration or light pollution.
- Air pollution
- Recreation and urban impacts
- Water quantity and quality

[10] Opdam, P. F. M., Broekmeyer, M. E. A., & Kistenkas, F. H. (2009). Identifying uncertainties in judging the significance of human impacts on Natura 2000 sites. *Environmental Science & Policy*, *12*(7), 912-921.

Step 3b: Screening Assessment

5.28 In order to establish if and what part of the Neighbourhood Plan may have significant effects on the identified Natura 2000 sites, the HRA has undertaken an initial screening assessment based on a set of screening assumptions in order to identify the potential for likely significant effects of the NDP on nearby European sites. The findings of this screening process are described below in relation to each type of potential impact that the Neighbourhood Development Plan could give rise to.

Physical loss of/damage to habitat

5.29 There is a risk of physical loss of, or damage to habitat when Habitat Sites fall within the boundary of neighbourhood areas. However, there are no Habitat Sites within the NDP area, therefore the loss of habitat from within the boundaries of a Habitats site could not occur as a result of development within the plan area. However, loss of habitat from outside of the boundaries of a European site could also affect the integrity of that site if it occurs in an area used by the qualifying species of the site (e.g. for off-site breeding, foraging or roosting). While the PWNP does not allocate any sites for development, Policies D1, H1, H2 and H3 support development. This however, is not expected to be over and above that set out in the Calderdale Local Plan. The Calderdale Local Plan was subject to a HRA which concluded that there would be no adverse impacts to the integrity of Habitat sites.

5.30 **Likely significant effects arising from physical loss or damage to European site habitats (on-site or off-site) can therefore be screened out of further assessment.**

Non-physical disturbance e.g. noise/vibration or light pollution

5.31 Non-physical disturbances (e.g. noise and vibration effects) are most likely to occur during the construction of new developments. Such activities are most likely to disturb bird species and other fauna; therefore they are a key consideration with respect to Habitat sites where birds and other fauna are the qualifying feature(s). Reviews of multiple studies have shown the negative ecological consequences of night-time light pollution, especially with respect to encroachment of artificial light into previously unlit areas of the night-time environment. Further details on non-physical disturbance can be found in the Calderdale Local Plan HRA.

5.32 Based on the assessment of the evidence for the functionally connected land presented in the Calderdale Local Plan HRA, it is assumed that effects of none physical disturbance are most likely to be significant within land 2.5km of the Natura 2000 sites. The Habitat Sites are located further than 2.5km from the PWNP.

5.33 **Likely significant effects in relation to non-physical disturbance can therefore be screened out of further assessment.**

Air pollution

5.34 Air pollution is most likely to affect Habitat Sites where plant, soil and water habitats are the qualifying features, but some qualifying animal species may also be affected, either directly or indirectly, by any deterioration in habitat as a result of air pollution. Deposition of pollutants to the ground and vegetation can alter the characteristics of the soil, affecting the pH and nitrogen availability that can then affect plant health, productivity and species composition.

5.35 While the PWNP does not allocate any sites for development, Policies D1, H1, H2 and H3 support development, however this is not expected to be over and above that set out in spatial strategy of the Calderdale Local Plan. The Calderdale Local Plan was subject to HRA which concluded no adverse impacts on the integrity of European sites would occur.

5.36 **Therefore, likely significant effects in relation to air pollution can be screened out of further assessment.**

Recreation and urban impacts

5.37 Recreation activities and human presence can have an adverse impact on the integrity of a Natura 2000 site through physical disturbance, i.e. erosion, arson and trampling as well as disturbance to species including breeding birds. This is because these areas have been shown to be widely used by the local populations for a range of recreational activities (Clarke et al, 2006). The degree of impact and sensitivity of SAC and SPA habitats and species are summarised in the Calderdale Local Plan HRA. It shows that most habitats and bird species have a degree of direct negative impact resulting from recreational site users.

5.38 Those Habitat sites that are closest to, most accessible to, or most attractive to use by the residents of Park Ward Neighbourhood Area, are most likely to be affected by the NP. While the PWNP does not allocate any sites for development, Policies D1, H1, H2 and H3 support development, however this is not expected to be over and above that set out in spatial strategy of the Calderdale Local Plan. The Calderdale Local Plan was subject to HRA which concluded no adverse impacts on the integrity of European sites would occur.

5.39 **Therefore, likely significant effects in relation to recreation and urban impacts can be screened out of further assessment.**

Water quantity and quality

5.40 Habitat sites at which aquatic or wetland environments support qualifying features have the potential to be affected by changes in water quantity and quality. The following site close to Park Ward Neighbourhood Area have aquatic or wetland habitats:

- South Pennine Moors SAC: supports blanket bog and transition mires and quaking bogs.

5.41 While the NDP does not allocate any sites for development, Policies D1, H1, H2 and H3 support development; however this is not expected to be over and above that set out in

spatial strategy of the Calderdale Local Plan. The Calderdale Local Plan was subject to HRA which concluded no adverse impacts on the integrity of European sites would occur.

5.42 **Therefore, likely significant effects in relation to water quantity and quality can be screened out of further assessment.**

Results from HRA Screening of the Draft Neighbourhood Plan Policies

5.43 The screening exercise of each of the Park Ward Neighbourhood Plan policies explores whether there will be any likely significant effect on a Habitat Sites. The assessment can be found in table 2:

PWNP Policy	Policy Text	Commentary	Will the policy have Likely Significant Effects on the Habitat Sites?	Overall Screening Conclusion
D1	**Proposals for sustainable development on the key derelict sites listed below and shown on the Policies Map will be encouraged and supported where they enhance the amenity of the locality:** - DS1 Former garage site, Queens Road/Parkinson Lane - DS2 Cleared site - junction of Parkinson Lane/Warley Road - DS3 Derelict building – junction of Boston Street/Gibbet Street - DS4 Williamson Street - DS5 Derelict house – 164 King Cross Road - DS6 Derelict building – Leafland Street - DS7 Units behind Ryburn Terrace - DS8 Derelict building – Pellon Lane above Queens Road junction	The Policy supports new development on unallocated sites in order to improve amenity and appearance of the area. The Policy does not specifically seek to protect biodiversity or habitats.	No – 'Amber category'	The aim of the policy is to improve the appearance and amenity of the Ward by highlighting derelict sites which could achieve sustainable development. The Plan does not assign a use or capacity to these sites therefore it is not possible to determine the level of potential impact on Habitat Sites. However, as the sites are within a densely built urban area and the PWNP does not allocate above what is in the Local Plan it is unlikely to cause significant effects Therefore – **(Appropriate Assessment not required).**
H1	**Proposals for the sites listed below, allocated in the Calderdale Local Plan for mixed-use development including residential, will be supported where they include the highest proportion of new housing compatible with any other proposed uses on the site** - HS1 Former garage site, Queens Road/Parkinson Lane	The Policy supports new development where an application includes residential on sites already allocated in the Local Plan for Mixed Use. The Policy does not specifically seek to protect biodiversity or habitats.	No – 'Amber category'	The aim of this policy is to increase housing in the Park Ward area. The Plan does not assign a capacity to these sites therefore it is not possible to determine the level of potential impact on Habitat Sites.

PWNP Policy	Policy Text	Commentary	Will the policy have Likely Significant Effects on the Habitat Sites?	Overall Screening Conclusion
	- HS2 Mile Cross Road			However, as the sites are within a densely built urban area and the PWNP does not allocate above what is in the Local Plan it is unlikely to cause significant effects. Therefore – **(Appropriate Assessment not required).**
H2	**Proposals for residential development on the Armitage Road site, allocated in the Calderdale Local Plan for mixed business/ commercial use, will be supported where:** • the design and layout of the scheme clearly demonstrate that the effects of noise and traffic on residential amenity can be adequately mitigated, and • residential use will be compatible with any other uses proposed for the site	The Policy supports new development where an application includes residential on this site already allocated in the Local Plan for Mixed Use. The Policy does not specifically seek to protect biodiversity or habitats.	No – 'Amber category'	The aim of this policy is to increase housing in the Park Ward area. The Plan does not assign a capacity to this site therefore it is not possible to determine the level of potential impact on Habitat Sites. However, as the site is within a densely built urban area and the PWNP does not allocate above what is in the Local Plan it is unlikely to cause significant effects. Therefore – **(Appropriate Assessment not**

PWNP Policy	Policy Text	Commentary	Will the policy have Likely Significant Effects on the Habitat Sites?	Overall Screening Conclusion
				required).
H3	**Proposals for housing development on sites unallocated in the Calderdale Local Plan and unidentified "windfall sites" will be supported where they are suitable for residential use and comply with all relevant policies in the Neighbourhood Plan and Calderdale Local Plan**	This policy supports housing development on windfall sites where in compliance with the Neighbourhood Plan and Calderdale Local Plan. The Policy does not specifically seek to protect biodiversity or habitats.	No – 'Amber category'	This policy being similar to 'HS1 Non-Allocated Sites' of the Local Plan, supports proposals for housing on non-designated sites where they meet other Local Plan and Neighbourhood Planning Policies. Park Ward being a high density urban area, there are limited opportunities for large scale housing developments, only the opportunity to replace existing stock or small infill on derelict sites. It is therefore unlikely to cause significant effects Therefore – **(Appropriate Assessment not required).**
HD1	**All proposals for new housing, including housing in mixed-use developments, should meet the following requirements:** • be well-designed and make a positive contribution to the amenity and appearance of the surrounding area	The policy seeks to ensure that new developments are well designed and can contribute to aesthetics, amenity and sustainability.	No – 'Green category'	This Policy is unlikely to have any negative effects on Habitat sites as it does not directly result in development. It may have a positive impact due to

PWNP Policy	Policy Text	Commentary	Will the policy have Likely Significant Effects on the Habitat Sites?	Overall Screening Conclusion
	• comprise scheme design and materials sympathetic to the predominant style of existing residential development in the locality, or alternatively demonstrate outstanding or innovative design and use of materials • pay particular attention to hard and soft landscaping and boundary treatment to enhance general amenity • provide sufficient vehicle parking to Local Authority standards within the development site wherever possible; new homes provided through conversion of existing mills and similar large buildings should incorporate basement parking wherever feasible • include private garden areas and/or private communal spaces wherever possible • incorporate sustainable construction and energy efficiency measures, and • where located in the People's Park Conservation Area, preserve or enhance the special character of the area	The Policy does not specifically seek to protect biodiversity or habitats.		sustainable design and does not specifically seek to protect biodiversity or habitats. Guidance (EC, 2000) recognises that general statements of policy such as this are unlikely to have significant effects. Therefore – **(Appropriate Assessment not required).**
ED2	**Applications for dormer or other house extensions will be supported where they:** • are well-designed and respect the scale and design of the original property • use materials sympathetic to the original property, and where appropriate, any adjoining property • if located in the People's Park Conservation Area, preserve or enhance the special character of the area	The policy seeks to ensure that new development relating to dormer and other house extensions are well designed and can contribute to aesthetics, function and sustainability. The Policy does not specifically seek to protect biodiversity or habitats.	No – 'Green category'	This Policy is unlikely to have any negative effects on Habitat sites as it does not directly result in development. It may have a positive impact due to sustainable design and does not specifically seek to protect biodiversity or habitats. Guidance (EC, 2000) recognises

PWNP Policy	Policy Text	Commentary	Will the policy have Likely Significant Effects on the Habitat Sites?	Overall Screening Conclusion
	• provide accommodation which meets current appropriate living space standards • do not adversely affect the amenity of adjoining properties • where appropriate, retain an adequate amount of external private garden/yard space, and • In all other respects, comply with Calderdale Local Plan policies relating to high quality design and to privacy, daylighting and amenity space			that general statements of policy such as this are unlikely to have significant effects. Therefore – **(Appropriate Assessment not required).**
ED3	**Proposals for new industrial and manufacturing operations, including vehicle repair/servicing, should meet the following requirements:** • be of good quality design and enhance the appearance of the locality • minimise any adverse environmental effects on the amenity of adjoining uses • include adequate provision for operational and visitor vehicle parking within the curtilage of the business, or if clearly demonstrated that this is not feasible, include sufficient off-site provision • provision for the parking of vehicles under repair, or unroadworthy vehicles, should be made internally or suitably screened within the curtilage of the business • include provision for waste storage within the curtilage of the business	The policy seeks to ensure that new development relating to dormer and other house extensions are well designed and can contribute to aesthetics, function and sustainability. The Policy does not specifically seek to protect biodiversity or habitats.	No – 'Green category'	This Policy is unlikely to have any negative effects on Habitat sites as it does not directly result in development. It may have a positive impact due to sustainable design and does not specifically seek to protect biodiversity or habitats. Guidance (EC, 2000) recognises that general statements of policy such as this are unlikely to have significant effects. Therefore – **(Appropriate Assessment not required).**

PWNP Policy	Policy Text	Commentary	Will the policy have Likely Significant Effects on the Habitat Sites?	Overall Screening Conclusion
GS1	**The sites listed below and identified on the Policies Map are designated as Local Green Space. These sites will be protected from inappropriate development in accordance with the provisions of the National Planning Policy Framework** - GS1.1 Shroggs Valley - GS1.2 Queens Road Community Garden - GS1.3 Raven Street Sports Field - GS1.4 St Augustine's Centre Garden - GS1.5 The Outback - GS1.6 Hanson Lane Bomb Site - GS1.7 The Gibbet - GS1.8 New Bond Street Community Garden - GS1.9 Warley Road Green Triangle - GS1.10 Conway Street Play Area - GS1.11 Vickerman Street Green Space	This Policy seeks to manage the use of designated Local Green Spaces. Proposals for development must not conflict with the purpose of the Green Space designation. The Policy does not specifically seek to protect biodiversity or habitats.	No – 'Green category'	This Policy seeks to manage the use of designated local green spaces and is unlikely to cause significant effects. It does not specifically seek to protect biodiversity or habitats. Guidance (EC 2000) recognises that general statements of policy such as this are unlikely to have significant effects. Therefore – **(Appropriate Assessment not required).**
OS1	**Queens Road Neighbourhood Centre is a key asset in the heart of the area, providing essential community services along with an important area of external open space; proposals for enhancement of the site will be supported and encouraged where:** • the open space is protected and improved to provide facilities for informal recreation/leisure use by the community • existing community services are continued or enhanced	This Policy does not propose new development. It encourages well-being, safe healthy and fulfilling active lifestyles by ensuring new developments incorporate a range of measures that support well-being in general.	No – 'Green category'	This Policy will not result in new development but aims to promote a healthy living environment/lifestyle. Guidance (EC, 2000) recognises that general statements of policy such as this are unlikely to have significant effects. It does not

PWNP Policy	Policy Text	Commentary	Will the policy have Likely Significant Effects on the Habitat Sites?	Overall Screening Conclusion
	• measures to improve accessibility to the site for all users are included, and • the proposals are designed to preserve the character and setting of this key Listed Building	The Policy does not specifically seek to protect biodiversity or habitats.		specifically seek to protect biodiversity or habitats. Therefore – **(Appropriate Assessment not required).**
RR1	**The boundary of the Queens Road District Centre as defined in the Calderdale Local Plan shall be extended to include an additional area between Hopwood Lane and Parkinson Lane identified as Queens Road South on the Policies Map.**	This Policy seeks to ensure that the vitality and viability of the Queens Road retail centre is maintained and enhanced by including this area in the hierarchy and ranking towns and villages accordingly within that hierarchy. The Policy does not specifically seek to protect biodiversity or habitats.	No – 'Green category'	This Policy seeks to ensure that the Borough's vitality and viability is maintained and to promote new development in the form of local centres. Guidance (EC, 2000) recognises that general statements of policy such as this are unlikely to have significant effects. It does not specifically seek to protect biodiversity or habitats. It is unlikely to cause significant effects. Therefore – **(Appropriate Assessment not required).**
RR2	**Applications for new retail or commercial uses, or alterations to existing premises in the defined District Centres of King Cross (within the designated neighbourhood area) and Queens Road including the**	This Policy seeks to encourage the attraction, accessibility and amenity of new development in town centres and	No – 'Green category'	This Policy does not promote new development and encourages town centre design

PWNP Policy	Policy Text	Commentary	Will the policy have Likely Significant Effects on the Habitat Sites?	Overall Screening Conclusion
	Queens Road South extension, either by new building, conversion or change of use of existing buildings, will be supported where: • their design makes a positive contribution to the appearance of the area • any existing features such as traditional shopfronts are retained or enhanced wherever possible • any proposed security shutters do not detract from the visual appearance of the premises and surrounding area, with a presumption in favour of internal security grilles or external colour-coated perforated shutters • proposed signage complements the shopfront design and avoids clutter • they comply with other policy requirements for District Centres in the Calderdale Local Plan	seeks to control the loss of town centre facilities unless they can be provided by alternative means. The Policy does not specifically seek to protect biodiversity or habitats.		to be attractive, accessible and have some amenity value. It is likely to be located away from existing Natura 2000 sites and does not specifically seek to protect biodiversity or habitats. It is unlikely to cause significant effects. Therefore - **(Appropriate Assessment not required).**
RR3	**Applications for residential use above ground floor retail and commercial premises in the defined District Centres within the designated neighbourhood area, including the Queens Road South extension, will be supported in order to enhance the viability of the business, subject to the proposals providing adequate standards of residential amenity and access and not adversely affecting the operational requirements of the business**	This Policy will not result in new development. It supports the conversion to residential of accommodation above shops and other businesses converting to residential uses subject to set criteria. The Policy does not specifically seek to protect biodiversity or habitats.	No – 'Green category'	This Policy supports the development of upper floors of commercial premises for alternative uses and residential development where it meets set criteria. It does not specifically seek to protect biodiversity or habitats. It is unlikely to cause significant effects. Therefore -

PWNP Policy	Policy Text	Commentary	Will the policy have Likely Significant Effects on the Habitat Sites?	Overall Screening Conclusion
				(Appropriate Assessment not required).
CH1	**People's Park Conservation Area is a highly-significant designated heritage asset and all proposals in, or affecting the setting of, the Conservation Area (within the boundary of the designated neighbourhood area) should be sensitively designed to take full account of its special character and, when implemented, serve to preserve or enhance its character.**	This Policy seeks to protect the heritage asset and environment that exists at present. The Policy does not specifically seek to protect biodiversity or habitats.	No – 'Green category'	This Policy supports the preservation and enhancement of the existing Asset where development meets set criteria. Guidance (EC 2000) recognises that general statements of policy such as this are unlikely to have significant effects. Therefore - **(Appropriate Assessment not required).**
CH2	**Non-designated heritage assets listed below and identified on the Policies Map, along with any others that may be formally identified during the plan period, should be conserved. Development proposals with a potential impact on the appearance or setting of such an asset will only be supported where they are sensitively designed and have due regard to the contribution these assets make to the amenity and historical interest of the locality. Development proposals which would result in the loss of, or substantial harm to a non-designated**	This Policy seeks to protect the heritage assets and environment that exists at present and to support development proposals that result in the sustainable re-use of heritage assets at risk, providing that other elements of this policy are complied with.	No – 'Green category'	This Policy supports the development of existing Assets where they meet set criteria and where proposals have a negative impact there must be sufficient justification. Guidance (EC 2000) recognises

PWNP Policy	Policy Text	Commentary	Will the policy have Likely Significant Effects on the Habitat Sites?	Overall Screening Conclusion
	heritage asset will only be supported where the applicant can demonstrate a clear over-riding public benefit. Development Proposals should where appopropraite be encouraged to consult the Historic Environmental Records (HER) held by West Yorkshire Archaeology Advisory Service (WYAAS) - CH2.1 Hanson Lane World War 2 Bomb Site - CH2.2 Perseverance Works pediment, Gibbet Street - CH2.3 Queen's Road Mill - CH2.4 Mackintosh Chocolate Works frontage, Queen's Road - CH2.5 Ukrainian Social Club, Queen's Road - CH2.6 Victorian houses, Francis Street - CH2.7 Former Summergate Farm, Parkinson Lane	The Policy does not specifically seek to protect biodiversity or habitats.		that genera l statements of policy such as this are unlikely to have significant effects. Therefore - **(Appropriate Assessment not required).**
GA1	**Proposals for sustainable development or improvements on sites adjoining the key access routes to the Town Centre identified on the Policies Map will be supported where:** • their design contributes positively to the amenity of these areas, particularly the pedestrian environment • they retain or enhance the desire line or normal pedestrian route • they retain or provide an attractive and active frontage to the route • any parking provision is located to the rear of the site, or alternatively is suitably screened	This policy seeks to define key access routes to Halifax Town Centre by improving the environment along these routes. The Policy does not specifically seek to protect biodiversity or habitats.	No – 'Green category'	This Policy is unlikely to have any negative effects on Natura 2000 sites as it does not directly result in development. It relates to the implementation of schemes to improve routes to Halifax Town Centre. Guidance (EC 2000) recognises that genera l statements of policy such as this are unlikely to have significant effects.

PWNP Policy	Policy Text	Commentary	Will the policy have Likely Significant Effects on the Habitat Sites?	Overall Screening Conclusion
	• any provision for external storage, including waste storage, is located to the rear of the site, or alternatively is suitably screened • they incorporate attractive boundary treatment fronting the route, including structural low-maintenance planting where possible • they allow for public access through the development site where appropriate and feasible			Therefore - **(Appropriate Assessment not required).**

In-combination effects

5.44 The plans or projects that are most likely to have effects in-combination with the PWNP are the Calderdale Local Plan, Local Plans of adjacent authorities and neighbourhood plans for surrounding parishes or areas. The Park Ward Neighbourhood Plan area is within the Metropolitan Borough of Calderdale and is in conformity to the draft Local Plan. PWNP area is also close to a number of other Neighbourhood Areas however, for these areas the majority of the plans and any policies have yet to be drafted. However, Sowerby Neighbourhood Plan has drafted a number of Polices which have been screened out of the HRA, therefore in-combination effects are unlikely.

5.45 The screening assessment above demonstrates that the PWNP will not give rise to any effects on Habitat sites. As such, there is no potential for likely in-combination effects to arise.

Screening Conclusion

5.46 A screening assessment that has been undertaken is set out in this chapter, This assessment is based on a set of screening assumptions, in order to identify the potential for likely significant effects of the Neighbourhood Plan on nearby Habitat sites. Overall, no significant effects are considered likely, this being mainly because the Neighbourhood Plan does not allocate development sites. Those policies which support development are limited to developments within the existing urban area, which do not include any land within or adjacent to the European sites. Furthermore, it should be noted that the Neighbourhood Plan is in conformity with the Calderdale Local Plan and development proposals in the Park Ward area would be subject to the policies in both the Local Plan and the Neighbourhood Plan. The development supported through the Neighbourhood Plan is not over and above that set out in the Calderdale Local Plan. The Calderdale Local Plan was subject to a HRA which concluded that the plan would have no likely adverse effects on the integrity of any Habitat sites.

Significant effects likely

5.47 None of the policies in the Neighbourhood Plan are considered likely to result in significant effects on the Habitat sites within 15km of Park Ward.

Significant effects unlikely

5.48 Significant effects are considered unlikely in relation to all of the Neighbourhood Plan policies, this is because the policies will not result in new development over and above that set out in the Calderdale Local Plan, and therefore will not have an effect on Habitat sites. Even those policies (Policies D1, H1, H2 and H3) which support developments within the

existing urban areas, do not go over and above what is set within the Local Plan. The Calderdale Local Plan was subject to HRA which concluded no adverse impacts on the integrity of Habitat sites would occur.

6.0 Conclusion

6.1 The HRA screening of the Park Ward Neighbourhood Plan (2019 to 2032) has been undertaken in accordance with currently available guidance and is based on a precautionary approach as required under the Habitats Regulations.

6.2 The HRA screening has concluded that likely significant effects on the integrity of Habitat sites within 15km of Park Ward from policies in the Neighbourhood Plan will not occur in relation to:

- Physical loss of/damage to habitat
- Non-physical disturbance e.g. noise/vibration or light pollution
- Air pollution
- Recreation and urban impacts
- Water quantity and quality

6.3 Although Policies D1, H1, H2 and H3 support development within the existing urban areas, this is not expected to be over and above that set out in the spatial strategy of the Calderdale Local Plan. As such, the Neighbourhood Plan does not propose any additional development; rather it will guide and inform that development as it comes forward. The Calderdale Local Plan was subject to HRA which concluded no adverse impacts on the integrity of Habitat sites would occur. Therefore the Park Ward Neighbourhood Development Plan does not need to be assessed further.

6.4 In conclusion, the Park Ward Neighbourhood Plan (2019-2032) will not give rise to likely significant effects on Habitat sites, either alone or in-combination with other plans or projects, and Appropriate Assessment is therefore not required.

7.0 Appendices

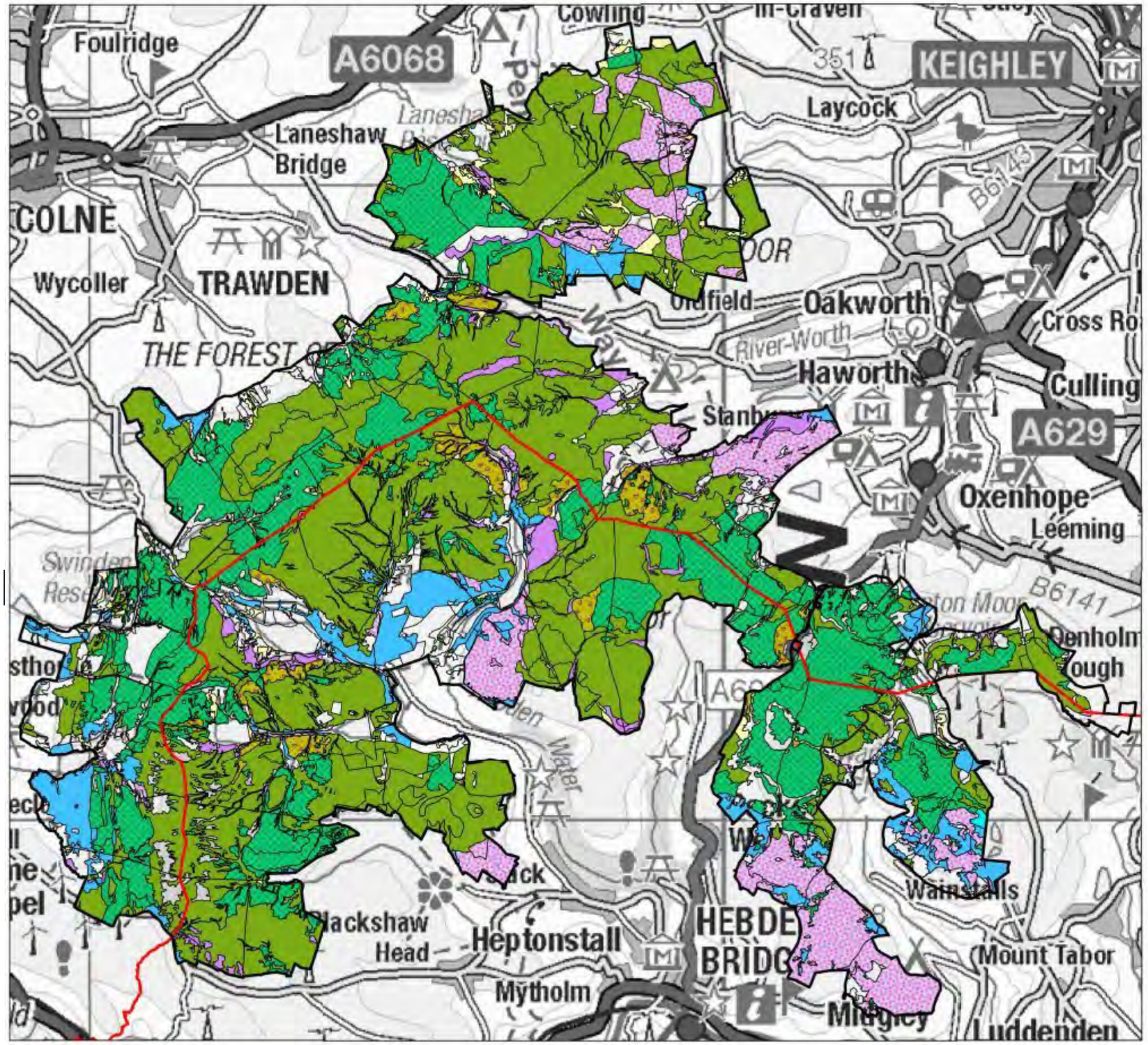
Appendix 1 - Natura 2000 sites attributes and characteristics

Natura 2000 sites are designated due to their attributes. These include certain species and habitats listed in the Habitats Directive and or the species listed in the Bird Directive, when in certain abundances. The attributes also contribute and define the integrity of the sites. The attributes of the identified sites for the HRA process are listed below in table 1[11].

Table 1: European site (within 15k buffer) qualifying features

South Pennine Moors SAC[1]	South Pennine Moors Phase 2 SPA[2]	Peak District Moors (South Pennine Moors Phase 1) SPA	Denby Grange Colliery Ponds SAC[4]	Rochdale Canal SAC[5]
Annex I habitats (primary selection reason) 4030 European dry heaths 7130 Blanket bogs (priority feature) 91A0 Old sessile oak woods with Ilex and Blechnum in the British Isles **Annex I habitats present as a qualifying feature (not a primary selection reason)** 4010 Northern Atlantic wet heaths with *Erica tetralix* (cross-leaved heath) 7140 Transition mires and quaking bogs	**Article 4.1: Annex I Birds (breeding)** A098 *Falco columbarius (*Merlin) A140 *Pluvialis apricaria* (Golden Plover) **Article 4.2: Regularly occurring migratory birds - internationally important assemblage of breeding birds** Common Sandpiper *Actitis hypoleucos* Short-eared Owl *Asio flammeus* Dunlin *Calidris alpina schinzii* Twite *Carduelis flavirostris* Common Snipe *Gallinago gallinago* Curlew *Numenius arquata* Northern Wheatear *Oenanthe oenanthe* Golden Plover *Pluvialis apricaria* Whinchat *Saxicola rubetra* Redshank *Tringa tetanus* Ring Ouzel *Turdus torquatus* Lapwing *Vanellus vanellus*	**Article 4.1: Annex I Birds (breeding)** A098 *Falco columbarius (*Merlin) A082 - *Circus cyaneus* (Hen Harrier) A140 *Pluvialis apricaria* (Golden Plover) A103 - *Falco Peregrinus* (Peregrine Falcon) **Article 4.2: Regularly occurring migratory birds - internationally important assemblage of breeding birds** No species are listed on the Peak District Moors SPA citation as qualifying under Article 4.2	**Annex II species (primary selection reason)** 1166 *Triturus cristatus* (Great crested newt)	**Annex II species (primary selection reason)** 1831 *Luronium natans* (Floating water-plantain)
[1]JNCC (2016a)	[2]SPA citation	[3]SPA citation	[4]JNCC (2016b)	[5]JNCC (2016c)

[11] It is important to note that information as to European site qualifying features for the South Pennine Moors are conflicting with different sources citing different species, most recently the 2015 standard data form. This issue was raised with Natural England during the early stages of the Calderdale HRA process who advised that the species listed on the original SPA citation should be used in the assessment. Natural England stressed that the original citations are the only citations to date and therefore hold the only legal stature. They did also advise however that a SPA review was currently being implemented.



South Pennine Moors SAC
Annex 1 Habitats

- Blanket Bog: M19 Calluna vulgaris – Eriophorum vaginatum blanket mire
- Blanket Bog: M20 Eriophorum vaginatum blanket and raised mire
- Blanket Bog other spp.*
- European Dry Heaths: H12 Calluna vulgaris-Vaccinium myrtillus
- European Dry Heaths: H9 Calluna vulgaris – Eriophorum Vaginatum
- Molina Wet Heath (not annex 1 and mostly degraded)
- North Atlantic Wet Heath: M16/M15 Erica tetralix
- Transition Mire: M4 Carex rostrata-Sphagnum recurvum
- Bare Peat

* Scirpus cespitosus- Eriophorum vaginatum M17; Erica tetralix - Sphagnum papillosum M18; Molinia caerulea - Potentilla erecta M25

- SPA/SAC Boundary
- Calderdale Boundary

N W E S

Calderdale Council

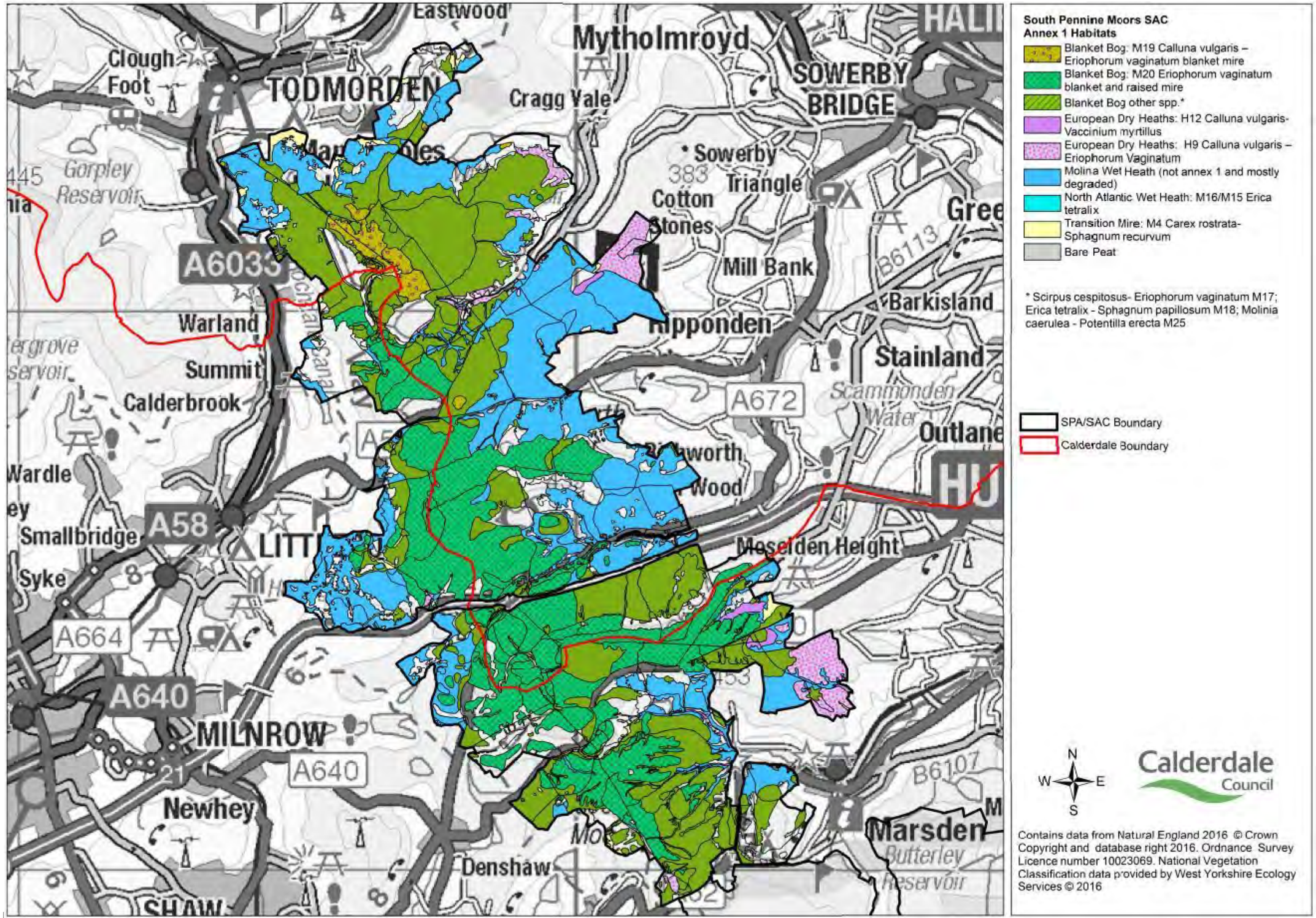


Figure 2b: Habitat and vegetation mapping of the South Pennine Moors SAC (lower) adapted from the National Vegetation Classification survey. **(*Data supplied by West Yorkshire Ecology Services)***

A detailed breakdown of the five identified Natura 2000 sites applicable to this HRA process are shown in Appendix 3 of the Local Plan[12]. This identifies the site qualifications, habitat classification and coverage, current threat and pressures and the conservation objectives of the sites.

Habitat Communities

In terms of Habitats the Natura 2000 sites most likely to be impacted by the plan are those that fall directly within the boundary of a Plan. Figure 2 shows the detailed habitat vegetation mapping of the South Pennines SAC modified from the National Vegetation Classification survey data supplied by West Yorkshire Ecology. This is the most detailed habitat survey data available at the time of the HRA production. The mapping also shows a further breakdown of the habitats to species level. These key habitats are listed and described below[13]. It is important to note that whereas Old sessile oak woods with Ilex and Blechnum are features on the SAC citation, these habitats are not known to be found within the Calderdale SAC area.

A Blanket Bog (priority feature)

Blanket bog is the dominant habitat community found on the South Pennine Moors SAC. It is a peatland habitat restricted to cool, wet climates. In the UK it is one of the most extensive semi-natural habitats. Depths typically range from 0.3 – 5m but can often extend to greater than 5m. In terms of being defined as a EC Habitats Directive Priority Habitat, the habitats have to be defined as 'Active' and therefore supporting a significant area of vegetation that would be normally peat-forming (JNCC, 2001). Communities often occur alongside blanket bog flush, fen and swamp. The total coverage of blanket bog is not agreed, however it is estimated that England supports approximately 215,000 ha. Historical trends show that blanket bog has reduced by approximately 20 % during the last century, which is attributed to drainage and heavy grazing, peat cutting and atmospheric pollution in the Pennines. This habitat supports a high species richness including terrestrial and aquatic vertebrates and invertebrates. They are especially important for supporting Eurasian golden plover Pluvialis apricaria, which is listed as qualifying species for the South Pennine Moors Phase 2 SPA. Importantly, blanket bog is considered a significant carbon store acting as an important habitat for climate change mitigation.

B Northern Atlantic wet heaths (Upland Heathland)

Northern Atlantic wet heaths occur on acidic, nutrient-poor substrates, such as shallow peats or sandy soils with impeded drainage. The vegetation is typically dominated by mixtures of cross-leaved heath Erica tetralix, heather Calluna vulgaris, grasses, sedges and Sphagnum bog-mosses. This habitat supports an important assemblage of birds, in particular Merlin Falco columbarius which is listed as qualifying species for the South Pennine Moors Phase 2 SPA. In the uplands they occur most frequently in gradients between dry heath, or other dry acid habitats and Blanket bogs. This habitat type is estimated to cover an estimated 450,000 ha in Great Britain with the majority in Scotland. The habitat is recognised as being internationally important because they are largely confined within Europe. As with blanket bog there has been a considerable loss of this habitat in recent times,

[12] https://www.calderdale.gov.uk/v2/sites/default/files/Local-Plan-Report-Appendix-1-4-updated-2019.pdf
[13] Information adapted from Maddock (2011) unless stated otherwise.

accounting for the loss of approximately 20% during the last century which is largely attributed to heavy grazing by sheep and afforestation.

C European dry heaths (grass moorland)[14]

This habitat type accounts for the second most abundant within the Natura 2000 sites found in Calderdale, especially in the south of the district. European dry heaths are usually found on freely-draining, acidic to circumneutral soils with generally low nutrient content. Ericaceous dwarf-shrubs dominate the vegetation, the most common of which is heather Calluna vulgaris. The majority of dry heaths are semi-natural, deriving from woodland through a long history of grazing and burning. Dry heaths in upland areas are often managed as grouse moors. This habitat is still widely distributed within its current range, and no evidence of substantive loss for the South Pennines is recorded. The main pressures on this habitat are a result of over-grazing, invasive species (namely the heather beetle Lochmaea suturali), burning and air pollution. Throughout the South Pennine Moors, its cover occurs mainly on the lower slopes of the moors on mineral soils or where peat is thin. They support a rich invertebrate fauna, especially moths, and important bird assemblages (designated under the SPA).

D Old sessile oak woods with Ilex and Blechnum[15]

Old sessile oak woods is a habitat type comprising predominantly of Oak (Quercus robur and/or Q. petraea) and birch (Betula pendula and/or B. pubescens). It is often found in areas of base-poor soils in areas of at least moderately high rainfall. The remaining examples of this habitat type in Great Britain are fragmentary, and have been substantially modified by human activity. Within the South Pennines, this habitat type is found around the fringes of the upland heath and bogs. It should be noted that this type of habitat is not found within the Natura 2000 sites that are within Calderdale's boundary.

E Transition mires and quaking bogs

This habitat type relates to vegetation that in floristic composition and general ecological characteristics is transitional between acid bog and Alkaline fens, in which the surface conditions range from markedly acidic to slightly base-rich.

Bird Communities[16]

In order to assess the impact of the plan of the qualifying bird species it is important to investigate the current population status, trends and wider ecology of the SPA bird species[17].

A Merlin

[14] Information adapted from the JNCC accessed at: http://jncc.defra.gov.uk/ProtectedSites/SACselection/habitat.asp?FeatureIntCode=H4030
[15] Information adapted from the JNCC accessed at: http://jncc.defra.gov.uk/protectedsites/sacselection/habitat.asp?FeatureIntCode=H91A0
[16] All bird population estimates are for breeding pair numbers
[17] Information adapted from Stroud et al (2001) (JNCC The UK SPA network: its scope and content) as well as additionally cited research.

The Merlin is listed as an Annex 1 (breeding) species under the Birds Directive and qualifying features for the South Pennine Moors Phase 2 SPA designation. They are small, agile falcons, and have been of long-standing conservation concern in Britain (Ewing et al, 2008). In Britain they mostly breed in heather moorland areas, mainly in the uplands. Their range also extends to some lowland moorland. The estimated European breeding population of the species is approximately 10,166-16,612, however as shown in the table below the UK population accounts for less than 10% of this and is in moderate long-term decline. Ewing et al (2008) attributed most of this decline to northern England. In recent years habitat loss, related to the conversion of heather moorland to grass moorland, has been identified as the main reason for a reduction in breeding range. Almost half of the UK population is found within UK SPA, therefore highlighting their importance for the species. Ewing et al (2008) estimated 29 breeding pair are found within the Southern Pennines. However a recent survey by Natural England of the birds of the South Pennine Moors SPA only showed 13 sightings.

Species	UK Population Estimate	Trend classification
Falco columbarius	1,100	Moderate long-term decrease
*Data taken from Hayhow et al (2014) (RSPB - The state of the UK's birds 2017)		

B Golden Plover

Golden plovers are listed as an annex 1 (breeding) species under the Birds Directive and qualifying features for the South Pennine Moors Phase 2 SPA designation. They are ground nesting birds which primarily breed on heather moorland, blanket bog and acidic grasslands. Individuals often fly about 1–4 km from the nest in order to forage (Pearce-Higgins & Yalden, 2003). Adjacent pastures with abundant earthworms and tipulid larvae are important for feeding adults. As shown in the table below the UK population is relatively high, however in recent years the number of breeding pairs has decreased. The UK's SPA site supports, on average, 5,907 pairs, which accounts for an estimated 26% of the UK breeding population. The South Pennines provide habitat for an estimated 3.2% of the UK Golden Plover population and is therefore significant for the conservation of the species (Pearce-Higgins & Yalden, 2003). A recent survey by Natural England of the birds of the South Pennine Moors SPA only showed 259 sightings. Reductions in the UK have been attributed to a reduction of moorland burning, resulting in the development of tall vegetation that is avoided by breeding birds, and reduced predator control.

Species	UK Population Estimate	Trend classification
Pluvialis apricaria	38,000-59,000 pairs	Moderate long-term decrease
*Data taken from Hayhow et al (2014) (RSPB - The state of the UK's birds 2017)		

C South Pennine Moors Internationally Important Assemblage of Birds

As well as the two listed Article 4.1: Annex I Birds (breeding) species listed in the SPA citation, twelve other species are also listed as components of the Internationally Important Assemblage of Birds

within the South Pennine Moors (Phase 2) SPA citation. These can be sub-divided into the following groups;

D Breeding waders

Under article 4.2 of the Birds Directive the Common Sandpiper, Dunlin, Common Snipe, Curlew, Golden Plover, Lapwing and Redshank have been listed and identified within the internationally important assemblage of birds. The Dunlin is found in upland and moorland habitats, which marks the species UK distribution. The species has an estimated breeding population of 9150 pairs. Defra (2015) states the species status is in weak long term decline, but showing stable trends in recent years. Of the UK population 74% is found with SPA sites, with the South Pennine Moors accounting for approximately 140 breeding pairs.

The Curlew preferred breeding habitats are fens, peat-bogs, heathlands, coastal marshes, large swampy river valleys, and damp steppe, however it has also adapted well to agricultural grasslands and arable fields (EC – Environment, 2007). The estimated breeding population in the UK is 33,000. Defra (2015) states that the species is in a stable population trend with little to no long-term or short-term change in the UK. SPA's in the UK account for approximately 12% of the population. However there is not significant breeding abundances of the species in the South Pennine Moors.

Common Sandpiper, Snipe, Lapwing and Redshank are not found in high enough breeding abundances to UK SPA to meet the 1% population thresholds for their citation, however they are still categorised within the South Pennine Moors Internationally Important Assemblage of Birds for their reliance on the sites for foraging. Of these species Defra (2015) states that the common sandpiper, lapwing and redshank are in weak long term decline as well as strong short-term decline. Snipe is listed as being in strong long-term and short-term decline. Therefore the integrity of the SPA is important to help mitigate the decline of the species.

E Breeding passerines

Under article 4.2 of the Birds Directive the Northern Wheatear, Ring Ouzel, Whinchat and Twite have been listed and identified within the internationally important assemblage of birds. These four species have very different breeding requirements associated with the heathland, acid grassland and scrub habitats found within the SPA.

The estimated UK breeding population of Twite is 7,842 and has experienced major long-term decrease (Hayhow et al, 2014). McGhie et al (1994) produced a comprehensive study of breeding ecology of Twite commissioned by English Nature which focused on Twite nesting on the South Pennines in West Yorkshire. They found that nests were predominantly located in areas of bracken and heather moorland, but the birds travelled up to 4km from the nest site to forage on fields with un-ripened dandelion seeds and sorrel seeds. Their long term population decrease is attributed to conversion to farmland and farming practices. Hayhow et al (2014) highlights the strong need to protect and sympathetically manage habitat for this vulnerable species.

The Northern Wheatear often nest in areas of short grazed grassland where there is grass root caterpillars to forage. Numbers of Wheatear have declined in the UK and it is an Amber listed species.

Whinchats are often found in low scrub, with low gorse scrub being the preferred nesting habitat. They feed in areas of short grass and regularly by roadside verges. Defra (2015) lists the Whinchat is in strong long-term decline and weak short-term decline.

The Ring Ouzel is considered a rare UK breeding bird often found in rock outcrops and steep valley sides. It has an estimated population of 5,332 and in major long-term population decrease by approximately 74% (Hayhow et al, 2014). Therefore it is important to protect the integrity of the SPA in relation to the conservation of the species.

F Breeding Owls

The Short-eared Owl is the only owl listed. It is important to note that whilst not originally being in high enough abundances to be listed as **Article 4.1** as a site qualifying feature, it has such been established that its abundance does qualify, and has since been listed on the JNCC site page for the South Pennine Moors (Phase 2) SPA[18].

The Short-eared owl is a small to medium sized owl which frequently occupies moor, heath, afforested hillsides, marsh and bog habitat. The species is an opportunistic feeder, heavily reliant upon vole and mice populations, upon which its distribution and nesting success tend to revolve. Short-eared Owls have a scattered breeding distribution in Western Europe, occurring in upland, moorland and heathland areas of Britain, the Low Countries, Denmark and Germany. The UK breeding population is estimated to be approximately 1,100, which is relatively low compared to the rest of Europe. Numbers and local distribution also fluctuate greatly in association with periodic cyclical changes in populations of prey species. The UK's SPA site for Short-eared Owls supports, on average about 13 pairs. This amounts to about 13% of the British breeding population.

[18] http://jncc.defra.gov.uk/page-2001

Appendix 2: Screening assumptions and evidence base used to establish likely significant effects

In order to establish if and what part of the Plan may have significant effects on the identified Natura 2000 sites, the HRA has screened each Plan policy. Where proximity factors need to be accounted for, GIS software has been used. In order to assess the sites in this way, the following evidence has been drawn upon in order to establish set distances and likely effects.

EU case law currently demands certainty provided by science, however it is argued that science can never rule out uncertainty (Opdam et al, 2009). In order to screen the plan, a wide evidence base has been reviewed for the most up-to-date information relating to the impacts of development and land-use planning on both European Natura 2000 sites and the identified sites within the scope of the Plan. As well as this, primary data has been commissioned and collected to further inform the evidence base of the HRA. This information has been used to establish the screening assumptions presented in this section. Importantly, the information also seeks to establish the baseline information for the assessment process.

The table below show a range of potential impacts that development and their related activities can have on Natura 2000 sites.

Potential impacts and activities adversely affecting Natura 2000 sites	
Broad Categories and examples of potential impacts of Natura 2000 sites	**Examples of activities responsible for Impacts**
Physical loss • Removal (including offsite effects, e.g. foraging habitat) • Mine collapse • Smothering • Habitat degradation	• Development (e.g. housing, employment infrastructure, tourism) • Infilling (e.g. of mines, water bodies) • Alterations or works to disused quarries • Structural alterations to buildings (bat roosts) • Afforestation • Tipping • Cessation of or inappropriate management for nature conservation
Physical damage • Sedimentation / silting • Prevention of natural processes • Habitat degradation • Erosion • Trampling • Fragmentation • Severance / barrier effect • Urban edge effects • Fire	• Flood defences • Dredging • Mineral extraction • Recreation (e.g. motor cycling, cycling, walking, horse riding, water sports, caving) • Development (e.g. infrastructure, tourism, adjacent housing etc.) • Vandalism • Arson • Cessation of or inappropriate management for nature conservation
Non-physical disturbance • Noise • Vibration • Visual presence • Human presence • Light pollution	• Development (e.g. housing, industrial) • Recreation (e.g. dog walking, water sports) • Industrial activity • Mineral extraction • Navigation • Vehicular traffic • Artificial lighting (e.g. street lighting)
Water table/availability • Drying • Flooding / stormwater • Water level and stability • Water flow (e.g. reduction in • velocity of surface water • Barrier effect (on migratory species)	• Water abstraction • Drainage interception (e.g. reservoir, dam, infrastructure and other development) • Increased discharge (e.g. drainage, runoff)

Toxic contamination • Water pollution • Soil contamination • Air pollution	• Agrochemical application and runoff • Navigation • Oil / chemical spills • Tipping • Landfill • Vehicular traffic • Industrial waste / emissions
Non-toxic contamination • Nutrient enrichment (e.g. of soilsand water) • Algal blooms • Changes in salinity • Changes in thermal regime • Changes in turbidity • Air pollution (dust)	• Agricultural runoff • Sewage discharge • Water abstraction • Industrial activity • Flood defences • Navigation • Construction
Biological disturbance • Direct mortality • Out-competition by non-native species • Selective extraction of species • Introduction of disease • Rapid population fluctuations • Natural succession	• Development • Predation by domestic pets • Introduction of non-native species • Hunting • Agriculture • Changes in management practices • Collision and displacement as a result of wind turbine development