

Habitat Regulations Assessment of the Rossendale Local Plan 2019 - 2034 (Submission Version)

March 2019



LEPUS CONSULTING
LANDSCAPE, ECOLOGY, PLANNING & URBAN SUSTAINABILITY

Habitat Regulations Assessment of the Rossendale Local Plan 2019-2034 (Submission Version)

LC-508	Document Control Box
Client	Rossendale Borough Council
Title	HRA Appropriate Assessment of the Rossendale Local Plan
Status	Final
Filename	LC-508_Rossendale HRA_3_200319ND.docx
Date	March, 2019
Author	JE & ND
Reviewed	LB
Approved	ND

Front cover photo: Curlew by Shutterstock

About this report & notes for the reader

Lepus Consulting Ltd (Lepus) has prepared this report for the use of Rossendale Borough Council. There are a number of limitations which should be borne in mind when considering the results and conclusions of this report. No party should alter or change this report without written permission from Lepus.

©Lepus Consulting Ltd

This document constitutes a Habitat Regulations Assessment of the Submission Rossendale Local Plan. HRA is a tool for predicting potential significant effects. The actual effects may be different from those identified. Prediction of effects is made using an evidence based approach and incorporates a judgement.

The assessments are based on the best available information, including that provided to Lepus by the Council and information that is publicly available.

No attempt to verify secondary data sources have been made and they are assumed to be accurate as published.

Every attempt has been made to predict effects as accurately as possible using the available information. Many effects will depend on the size and location of development, building design, construction, proximity to sensitive receptors and the range of uses that takes place. The report was prepared in March 2019 and is subject to, and limited by, the information available during this time.

The report is not intended to be a substitute for Environmental Impact Assessment or Strategic Environmental Assessment.

Lepus Consulting Ltd, 1 Bath Street, Cheltenham,

Gloucestershire, GL50 1YE, (01242) 525 222,

enquiries@lepusconsulting.com, www.lepusconsulting.com



Contents

1	Introduction	1
1.1	Background	1
1.2	The Rossendale Local Plan 2019 - 2034	1
1.3	European sites and the Natura 2000 Network	1
1.4	The requirement for Appropriate Assessment.....	1
1.5	Appropriate Assessment 2018.....	2
1.6	Guide to the rest of this report.....	3
2	Methodology.....	4
2.1	Habitats Regulations Assessment Methodology	4
2.2	Dealing With Uncertainty.....	5
2.3	Precautionary Principle.....	5
2.4	Likely Significant Effect.....	6
2.5	Understanding and responding to identified LSEs.....	7
3	Screening.....	9
3.1	The screening process	9
3.2	About European sites.....	9
3.3	Screening report conclusions.....	11
3.4	Decision to proceed to Appropriate Assessment.....	11
4	Appropriate Assessment 2018	12
4.1	Background	12
4.2	Screening of policies.....	12
5	Changes in hydraulic and hydrological conditions.....	13
5.1	Responding to Natural England	13
5.2	Contextual SIP data.....	14
5.3	Summary conclusion.....	14
6	Physical modifications to Rochdale Canal SAC.....	15
6.1	Responding to Natural England	15
6.2	Summary conclusion.....	15
7	Recreational disturbance.....	16
7.1	Vulnerability to recreational disturbance	16
7.2	South Pennine Moors: SPA and SAC.....	18
7.3	Conservation objectives	20
7.4	Environmental conditions of the sites	21
7.5	Management of the sites.....	22
7.6	Distribution of qualifying features at South Pennine Moors Phase 2 SPA	25
7.7	Distribution of qualifying features at South Pennine Moors SAC	27

7.8	Qualifying SPA features in Rossendale	30
7.9	Visitor analysis at the South Pennine Moors SPA and SAC.....	36
7.10	Summary conclusion.....	40
7.11	Assumptions.....	40
8	In-combination assessment	43
8.1	South Pennine Moors.....	43
8.2	Assessment of effect	44
8.3	Summary conclusion.....	44
9	Local Plan Policies.....	47
9.1	Positive effects.....	47
9.2	Recommendation 1: Visitor management study specification	49
9.3	Recommendation 2: HRA screening of development proposals	49
10	Conclusions and next steps	51
10.1	Assessment findings	51
10.2	Next steps	52
	Appendix A: Natural England correspondence	53
	Response detail	53
	Appendix B: Threats and pressures	55
	Appendix C: Conservation objectives	57
	European Sites Conservation objectives.....	57
	Appendix D: Bird distribution data	59
	Distribution of lapwing, twite, curlew and snipe in and around Rossendale (Natural England data).....	59
	Appendix E: Wetland and heath network in Rossendale (LERN data)	64
	Appendix F: Policy assessments.....	65
	Summary assessment categories	65
	Summary assessment table	65

Figures

Figure 2.1: Outline of the four stage approach to the assessment of plans under the Habitats Regulations	4
Figure 2.2 Relationship of steps in the Habitats Regulations Assessment with a typical plan-making process (reproduced from DTA, 2013).....	8
Figure 3.1 European sites in relation to Rossendale Borough. Data sourced from Natural England.....	10
Figure 7.1 Condition of SSSI units near Rossendale (some SSSI units shown on the map do not correlate with a European site). Data sourced from Natural England.	23
Figure 7.2 European sites in relation to Peak District National Park. Data sourced from Natural England.....	24
Figure 7.3 Distribution of various priority habitats in the region of Rossendale and the South Pennine Moors Phase 2 SPA capable of supporting qualifying species of the SPA. Source: magic.defra.gov.uk	28
Figure 7.4 Supporting habitat distribution in South Pennine Moors SAC and beyond. Source: magic.defra.gov.uk	29
Figure 7.5 Proposed site allocations in the Regulation 19 Plan in relation to Lancashire's grassland ecological network	33
Figure 7.6 Proposed site allocations in the Regulation 19 Plan in relation to Lancashire's woodland ecological network.....	34
Figure 7.7 Moorland habitat in Rossendale in relation to the proposed site allocations in the Regulation 19 Plan. No proposed site allocations coincide with moorland habitat.	35
Figure 7.8 South Pennine Moors SAC and SPA with a 7km buffer zone in relation to Rossendale	41
Figure 7.9 Site allocations in the Rossendale Regulation 19 Local Plan in relation to the 7km buffer zone applied to South Pennine Moors SAC and South Pennine Moors Phase 2 SPA	42
Figure 8.1: Local authorities in relation to Rossendale and the European sites	46

Tables

Table 3.1 Feedback from Natural England at Regulation 18 (23 rd October, 2017) and where it has been addressed in this report.....	11
Table 7.1 Summary of potential significance of access impacts on mountain and moor, assuming a high level of use. X indicates significance.....	17
Table 7.2 Sensitivity of plants and habitats to trampling	18
Table 7.3 Breeding bird survey data for South Pennine Moors Phase 2 SPA. There were no records of the Common Sandpiper (<i>Actitis hypoleucos</i>) post-2010	25
Table 7.4 Habitat survey data for South Pennine Moors SAC	27
Table 7.5 LERN records for the breeding bird assemblage in Rossendale, with a column for records before the year 2000, post 2000 and a column of the location where the records for each species were most commonly taken.....	31
Table 7.6 WeBS data on the presence of species comprising the SPA's breeding bird assemblage within Rossendale.....	32
Table 8.1 Plans within 7km of the boundary of RBC Plan could potentially have an in-combination effect alongside the conclusions of the relevant HRA documents	44
Table 9.1 Summary of Local Plan policies relevant to biodiversity in the borough.....	48

Acronyms

AA	Appropriate Assessment
AONB	Area of Outstanding Natural Beauty
CAMS	Catchment Area Management Strategy
DEFRA	Department for Environment, Food, and Rural Affairs
DPA	Dwellings Per Annum
EA	Environment Agency
EU	European Union
GIS	Geographic Information Systems
HRA	Habitats Regulations Assessment
IROPI	Imperative Reasons of Overriding Public Interest
JNCC	Joint Nature Conservation Committee
LERN	Lancashire Environmental Records Network
LPA	Local Planning Authority
LSE	Likely Significant Effect
MENE	Monitor of Engagement with the Natural Environment
NE	Natural England
NPPF	National Planning Policy Framework
RSPB	Royal Society for the Protection of Birds
ppSPA	Possible Potential Special Protection Area
PDNP	Peak District National Park
PDNPA	Peak District National Park Authority
PRoW	Public Right of Way
RBC	Rossendale Borough Council
SAC	Special Area of Conservation
SANG	Suitable Alternative Natural Greenspace
SIP	Site Improvement Plan
SNH	Scottish Natural Heritage
SoS	Secretary of State
SPA	Special Protection Area
SSSI	Site of Special Scientific Interest
TMFTFP	The Moors for the Future Partnership
WeBS	Wetland Bird Survey

WWF

World Wide Fund for Nature

Executive Summary

- E1 Lepus Consulting has prepared this Habitat Regulations Assessment Appropriate Assessment report of the emerging Rossendale Local Plan 2019 - 2034 on behalf of Rossendale Borough Council.
- E2 It is an update to previous Appropriate Assessment work undertaken in 2018, which was informed by HRA screening in 2016.
- E3 The purpose of HRA is to help ensure the protection of the Natura 2000 Network, including all the protected species and habitats associated with it. The Natura 2000 Network is a European suite of sites comprised of Special Areas of Conservation (SAC) and Special Protection Areas (SPA).
- E4 Following consultation on the HRA Screening Report, it was agreed with Natural England that the following impacts required further investigation before a likely significant effect could be objectively ruled out:
- Natural England would like to see a full audit trail and an explanation as to why each policy and allocation will not have a significant effect;
 - Natural England agrees with the statements in the HRA but it could be an option to provide further explanation for why there are no impacts;
 - Further explanation is required to explain why no part of the Plan is likely to contribute to the pressure/threats of physical modification. This could be because of the proximity of allocations, which requires further details; and
 - Recreational disturbance has not been addressed in the HRA because of the lack of available data. Further clarification is required to explain how the HRA proposed to address recreational disturbance.
- E5 The 2018 Appropriate Assessment report investigated the above issues in more detail. Whilst the exercise was in effect partly re-screening, it was agreed with Natural England that all assessment work would be prepared as part of the Appropriate Assessment.
- E6 Natural England were satisfied with the overall conclusion of the 2018 Appropriate Assessment, but requested that some matters be clarified.
- E7 The potential impacts of the RBC Plan on visitor numbers at South Pennine Moors SPA and SAC has been carefully explored using best available data from Natural England and other sources. Similarly, all policies in the Local Plan have carefully been reviewed to ensure that they contain necessary mitigation mechanisms to avoid any adverse effects arising from the Local Plan.

- E8 It is considered unlikely that the Rossendale Local Plan will lead to adverse effects on site integrity at either the South Pennine Moors SAC or South Pennine Moors Phase 2 SPA alone or in-combination with other plans.
- E9 Similarly, no adverse effects on site integrity are associated with Rochdale Canal SAC or Manchester Mosses SAC.
- E10 This report is subject to consultation with the statutory body Natural England.
- E11 The recommendations in **Chapter 9** should be carefully considered by Rossendale Borough Council.

1 Introduction

1.1 Background

1.1.1 Lepus Consulting (Lepus) has prepared this Habitat Regulations Assessment (HRA) Appropriate Assessment (AA) report of the Submission Rossendale Local Plan 2019 - 2034 (Local Plan) on behalf of Rossendale Borough Council (RBC), in accordance with the Conservation of Habitats and Species Regulations 2017 (SI 1012).

1.2 The Rossendale Local Plan 2019 - 2034

1.2.1 The Local Plan sets out a description of the area and the current issues it is facing. It describes the kind of place Rossendale could be by 2034 and proposes a range of policies to help plan and manage growth and development.

1.2.2 The Local Plan will designate land and buildings for future uses to meet the Borough's needs and set out what developments should look like and how they should fit in with their surroundings. It is expected that the Plan will deliver 212 dwellings per annum (dpa) in the borough over the 15 year Plan period, along with new employment floorspace, in order to support a growing population and economy.

1.3 European sites and the Natura 2000 Network

1.3.1 European sites provide valuable ecological infrastructure for the protection of rare, endangered or vulnerable natural habitats and species of exceptional importance within Europe. These sites consist of Special Areas of Conservation (SACs), designated under European Directive 92/43/EEC *on the conservation of natural habitats and of wild fauna and flora* (the Habitats Directive), and Special Protection Areas (SPAs), classified under European Directive 2009/147/EC *on the conservation of wild birds* (the Birds Directive).

1.3.2 Additionally, Government policy requires that sites listed under the Ramsar Convention (The Convention on Wetlands of International Importance, especially as Waterfowl Habitat) are to be treated as if they are fully designated European sites for the purpose of considering development proposals that may affect them.

1.4 The requirement for Appropriate Assessment

1.4.1 The first stage of the HRA process, the screening exercise, was undertaken in September 2016 (see **Chapter 3** for more details). The HRA Screening Report was subject to consultation with Natural England, who responded in October 2017 (see **Appendix A**).

- 1.4.2 Whilst the screening report concluded that there were no likely significant effects alone or in-combination, Natural England requested that further evidence be supplied to add increased certainty to the conclusions.
- 1.4.3 Following discussions with Natural England¹, and in light of the recent Sweetman Ruling (see **Box 1**), the best means of undertaking this exercise was not to prepare a re-screening report but to proceed with an appropriate assessment. The basis for this decision was that the uncertainty of effect cited by Natural England needed to be explored to understand more fully any risk or possibility of a significant effect. Such a precautionary approach is facilitated by applying the precautionary principle, which itself warrants increased assessment of effects in cases of uncertainty. The best mechanism to explore the uncertainty in more detail was agreed to be an appropriate assessment. Had the screening report simply been updated, in other words re-screened, and potentially included mitigation in the form of policies, the process would have possibly been unlawful in terms of the Sweetman Ruling.
- 1.4.4 This follows the principles established by the legal precedent set through the People over Wind Case (see **Box 1**).

Box 1: The Sweetman Case (April 2018)

A recent decision by the Court of Justice of the European Union (CJEU) *People Over Wind and Sweetman v Coillte Teoranta* (C-323/17) (from here on known as the ‘Sweetman Case’) has important consequences for the HRA process in the UK.

In summary, the ruling reinforces the position that if an LSE is identified during the HRA screening stage, it is not appropriate to incorporate mitigation measures to prevent the LSE and an appropriate assessment of the potential effects and the possible avoidance or mitigation measures is required. The ‘re-screening the Plan after mitigation has been applied’ stage of **Figure 2.1** is no longer an option which would be legally compliant:

“Article 6(3) of Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora must be interpreted as meaning that, in order to determine whether it is necessary to carry out, subsequently, an appropriate assessment of the implications, for a site concerned, of a plan or project, it is not appropriate, at the screening stage, to take account of the measures intended to avoid or reduce the harmful effects of the plan or project on that site.”

The AA ensures a comprehensive approach to the HRA process, ensuring the report remains legally compliant and that the Local Plan satisfies the Habitats Regulations.

1.5 Appropriate Assessment 2018

- 1.5.1 An AA to accompany the R19 Version of the Local Plan was prepared in July 2018 by Lepus Consulting. Once again Natural England provided a helpful consultation response (see **Appendix A**).

¹ Pers comm. between Neil Davidson (Lepus) and Janet Baguley (Natural England), 21st March, 2018.

1.5.2 The purpose of this document is to provide an update to the AA in response to these comments.

1.6 Guide to the rest of this report

1.6.1 The outputs of this AA report include information in relation to:

- The HRA process;
- Methodology for HRA;
- Assessment of likely significant effects on European Sites;
- Assessment of the mitigating effects of the Local Plan policies;
- Recommendations; and
- Conclusions on site integrity.

2 Methodology

2.1 Habitats Regulations Assessment Methodology

2.1.1 All HRA work to assess the Local Plan has been prepared following the HRA Handbook prepared by DTA Publications² (2013, as updated). Part F of the guidance concerns the *Practical Guidance for the Assessment of Plans under the Regulations*.

2.1.2 HRA is a rigorous precautionary process centred on the conservation objectives of a European site's qualifying interests. It is intended to ensure that designated European sites are protected from impacts that could adversely affect their integrity, as required by the Birds and Habitats Directives. The HRA process can be understood as having four main stages. Stage 2 is the Appropriate Assessment stage (see **Figure 2.1**).

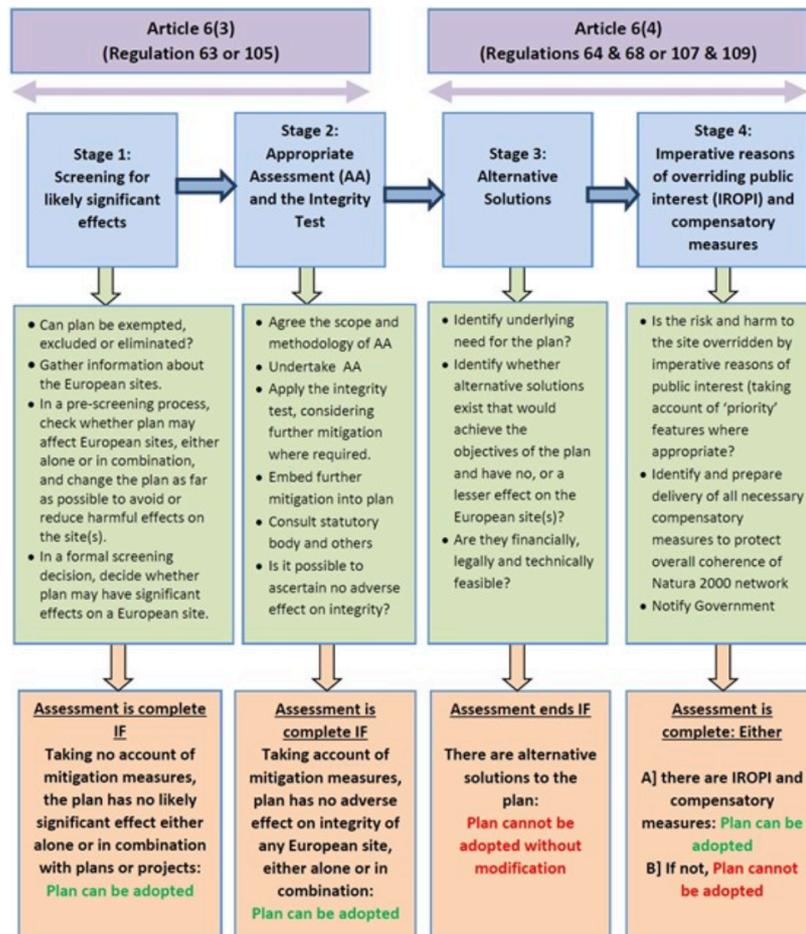


Figure 2.1: Outline of the four stage approach to the assessment of plans under the Habitats Regulations

² <https://www.dtapublications.co.uk>

2.1.3 A step-by-step guide to the HRA methodology, incorporating the four stages presented in **Figure 2.1**, is outlined in the HRA Handbook and has been reproduced in **Figure 2.2**.

2.1.4 Screening is the process of identifying uncertainties and or identifying likely significant effects. AA provides a better understanding of potential effects and their nature, magnitude and permanence in order to inform the decision making of planners.

2.2 Dealing With Uncertainty

2.2.1 Uncertainty is an inherent characteristic of HRA and decisions can be made only on the currently available and relevant information. This concept is reinforced in the 2004 'Waddenzee' ruling³:

“However, the necessary certainty cannot be construed as meaning absolute certainty since that is almost impossible to attain. Instead it is clear from the second sentence of Article 6(3) of the habitats directive that the competent authorities must take a decision having assessed all the relevant information which is set out in particular in the Appropriate Assessment. The conclusion of this assessment is, of necessity, subjective in nature. Therefore, the competent authorities can, from their point of view, be certain that there will be no adverse effects even though, from an objective point of view, there is no absolute certainty.”

2.2.2 As per WWF UK and RSPB –v- SNH, SoS Scotland, Highland Council, HIE and Cairngorm Chairlift Co Judicial Review:

“There can never be an absolute guarantee about what will happen in the future, and the most that can be expected of a competent authority [and others involved] is to identify potential risks, so far as they may be reasonably foreseeable, in light of such information as can reasonably be obtained, and put in place a legally enforceable framework with a view to preventing these risk from materializing.”

2.3 Precautionary Principle

2.3.1 The HRA process is characterised by the Precautionary Principle. This is described by the European Commission:

³EC Case C-127/02 Reference for a Preliminary Ruling 'Waddenzee' 7th September 2004 Advocate General's Opinion (para 107)

*“If a preliminary scientific evaluation shows that there are reasonable grounds for concern that a particular activity might lead to damaging effects on the environment, or on human, animal or plant health, which would be inconsistent with protection normally afforded to these within the European Community, the **Precautionary Principle** is triggered.”*

2.4 Likely Significant Effect

2.4.1 During the first stage of HRA assessment, known as screening, the Local Plan and its component policies are assessed (screened) to determine and identify any potential for **‘likely significant effect’** (LSE) upon European sites. The guidance⁴ provides the following interpretation of LSE:

“In this context, ‘likely’ means risk or possibility of effects occurring that cannot be ruled out on the basis of objective information. ‘Significant’ effects are those that would undermine the conservation objectives for the qualifying features potentially affected, either alone or in-combination with other plans or projects... even a possibility of a significant effect occurring is sufficient to trigger an ‘Appropriate Assessment’.”

2.4.2 With reference to a species given conservation status in the Habitats or Birds Directives, the following examples would be considered to constitute a ‘significant effect’:

- Any event which contributes to the long-term decline of the population of the species on the site;
- Any event contributing to the reduction or to the risk of reduction of the range of the species within the site; and
- Any event which contributes to the reduction of the size of the habitat of the species within the site.

2.4.3 Findings from the 2012 ‘Sweetman’⁵ case provide further clarification: *“The requirement that the 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 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.”*

⁴ Tyldesley, D. (2013) The Habitats Regulations Assessment Handbook – Chapter F. DTA Publications

⁵ Source: EC Case C-258-11 Reference for a Preliminary Ruling, Opinion of Advocate General Sharpston ‘Sweetman’ delivered on 22nd November 2012 (para 48)

2.4.4 Therefore, it is not necessary for RBC to show that the Local Plan will result in no effects whatsoever on any European site. Instead, RBC is required to show that the Local Plan, either alone or in-combination with other plans and projects, will not result in an effect which undermines the conservation objectives of one or more qualifying features.

2.4.5 Determining whether an effect is significant requires careful consideration of the environmental conditions and characteristics of the European site in question, as per the 2004 'Waddenzee'⁶ case:

"in assessing the potential effects of a plan or project, their significance must be established in the light, inter alia, of the characteristics and specific environmental conditions of the site concerned by that plan or project".

2.4.6 The conservation objectives for each European site are presented in **Appendix C**. These should be read in conjunction with the Qualifying Features for each site, which are also set out in **Appendix C**. 'Conservation status' is indicative of the status for all extents of that habitat class in the UK (not just within the one European site).

2.5 Understanding and responding to identified LSEs

2.5.1 Where significant effects are likely or uncertain, plan makers must prepare an Appropriate Assessment. During the Appropriate Assessment, the process should apply a hierarchy of intervention. Firstly seek to avoid the effect through, for example, a change of policy. If this is not possible, mitigation measures should be explored through the appropriate assessment to remove or reduce the LSE. Measures should be proportionate to the level of risk, and to the desired level of protection.

2.5.2 If neither avoidance nor mitigation is possible, alternatives to the Plan should be considered (see stage 3 in **Figure 2.1**). Such alternatives should explore ways of achieving the Plan's objectives that do not adversely affect European sites. If no suitable alternatives exist, plan-makers must demonstrate under the conditions of Regulation 103 of the Habitats Regulations that there are Imperative Reasons of Overriding Public Interest (IROPI) in order to continue with the proposal.

⁶ Source: EC Case C-127/02 Reference for a Preliminary Ruling 'Waddenzee' 7th Sept 2004 (para 48)

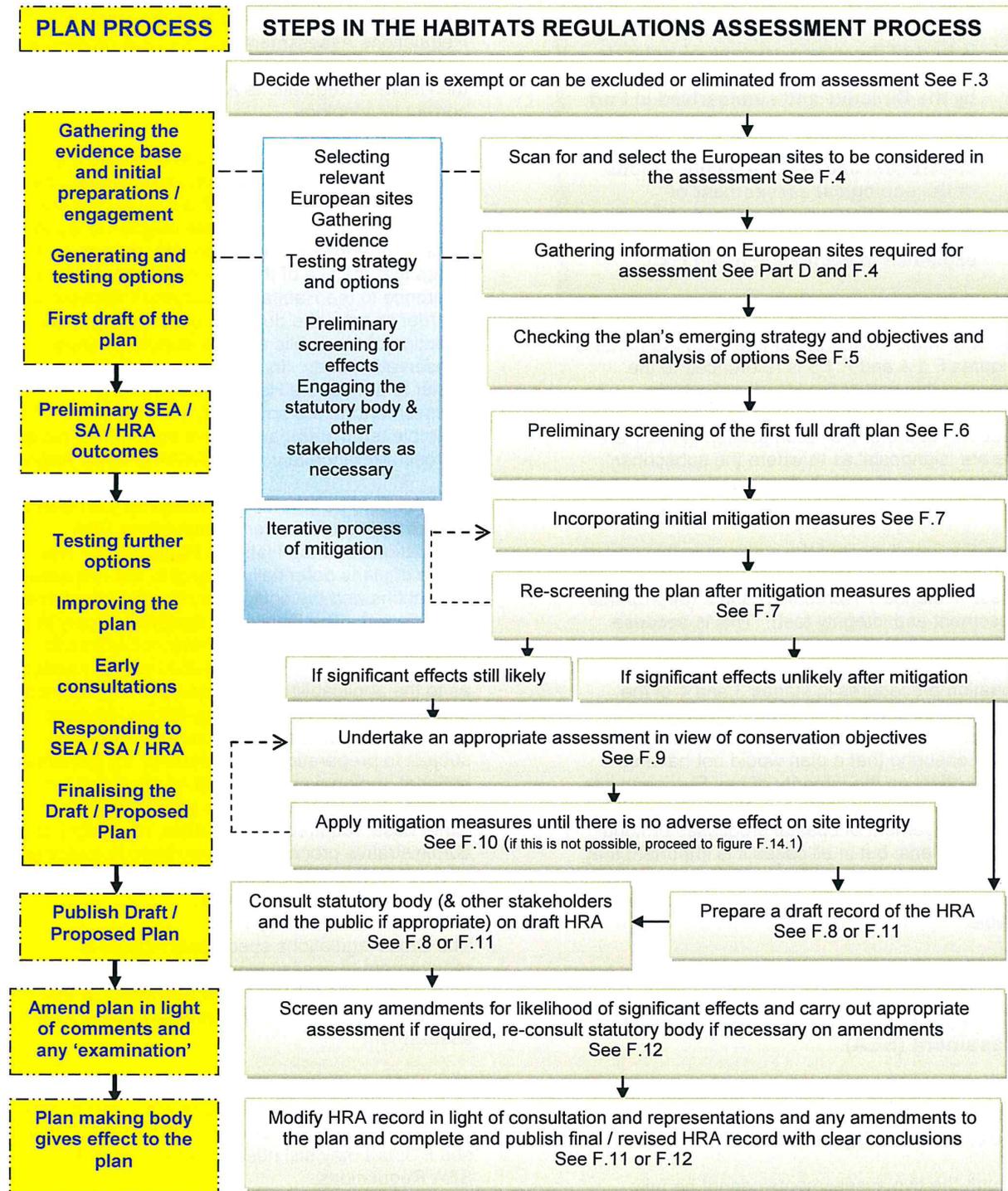


Figure 2.2 Relationship of steps in the Habitats Regulations Assessment with a typical plan-making process (reproduced from DTA, 2013⁷)

⁷ Tyldesley, D. (2013) The Habitats Regulations Assessment Handbook – Chapter F. DTA Publications

3 Screening

3.1 The screening process

3.1.1 The HRA Screening Report⁸ was prepared in September 2016 by Lepus on behalf of RBC. The Screening Report carefully considered the conservation objectives of European sites that might be impacted by proposals in the Local Plan. It also explored if any aspect of the Local Plan might undermine the conservation objectives of each European site by exacerbating known vulnerabilities, threats and pressures (see **Appendix B**).

3.1.2 The following European sites were identified within a 20km area of search from the border of the borough of Rossendale during the HRA screening (see **Figure 3.1**):

- Rochdale Canal SAC;
- South Pennine Moors SAC;
- South Pennine Moors Phase 2 SPA; and
- Manchester Mosses SAC.

3.2 About European sites

3.2.1 Each site of European importance has its own intrinsic qualities, besides the habitats or species for which it has been designated, that enables the site to support the ecosystems that it does. An important aspect of this is that the ecological integrity of each site can be vulnerable to change from natural and human induced activities in the surrounding environment. These are referred to as threats and pressures.

3.2.2 Each European site has its own set of qualifying features and conservation objectives (see **Appendix C**). Each European site therefore has its own set of threats and pressures to which they are vulnerable (**Appendix B**). This information is drawn from the Joint Nature Conservancy Council (JNCC) and Natural England (NE).

⁸ Lepus Consulting (2016) Habitat Regulations Assessment of the Rossendale Local Plan, Screening Report, September 2016. Available online at: https://www.rossendale.gov.uk/downloads/download/10831/sustainability_appraisal_and_habitats_regulation_assessment_of_the_local_plan

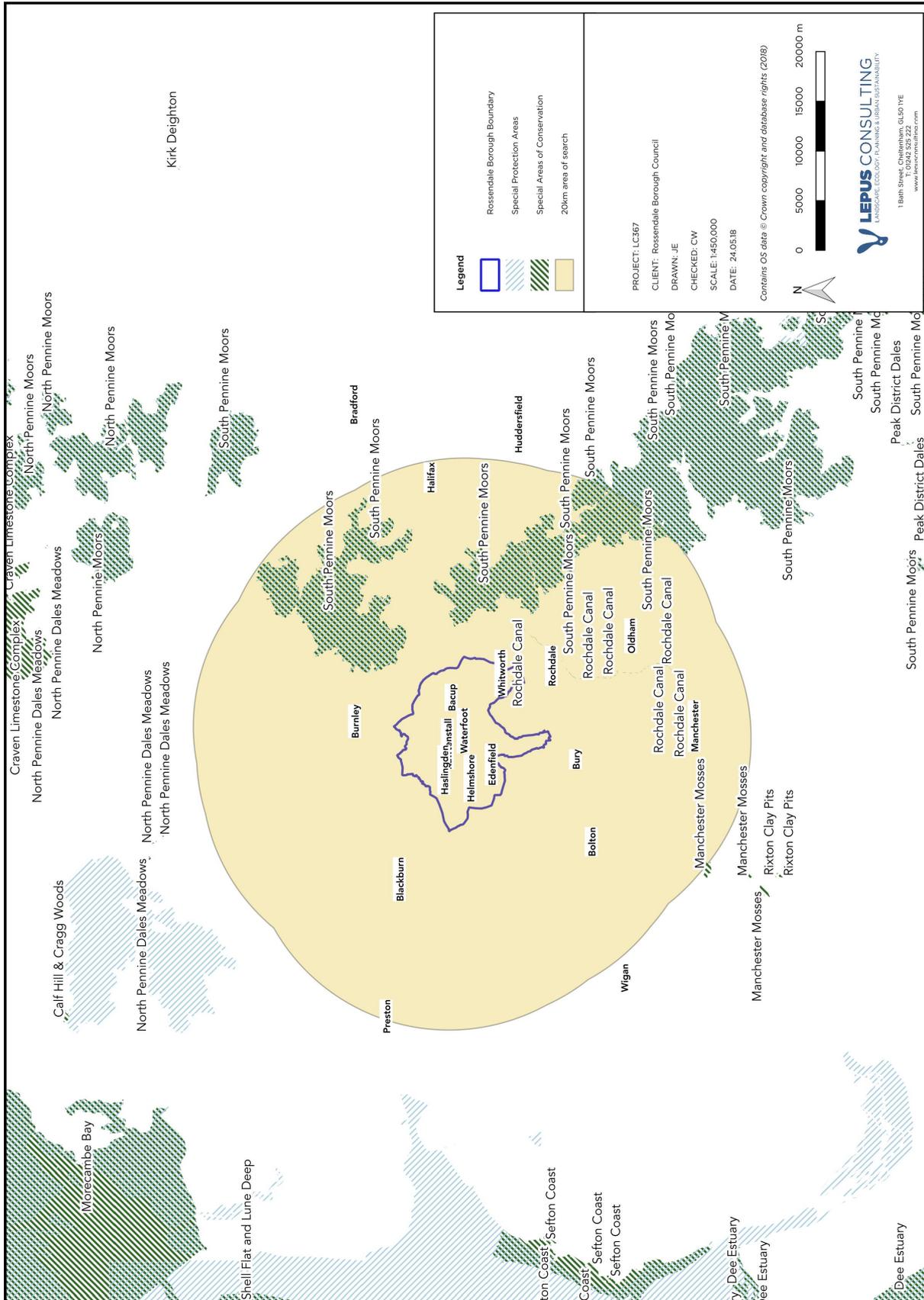


Figure 3.1 European sites in relation to Rossendale Borough. Data sourced from Natural England.

3.3 Screening report conclusions

- 3.3.1 The 2016 HRA Screening Report concluded that, based on the best available data, no part of the RBC Plan would result in an LSE at any European site. It also acknowledged that the assessment process should be revisited at the Regulation 19 stage, Publication (Pre-Submission).
- 3.3.2 The Screening report was consulted on with the statutory body, Natural England, for six weeks and their response is presented in **Appendix A**. In their response, Natural England suggested that it would be helpful to explore more fully certain potential LSEs and provide details of how each policy in the plan has been assessed through the HRA process.
- 3.3.3 The Natural England comments are summarised in **Table 3.1**. Each comment is discussed later in **Chapter 4**.

Table 3.1 Feedback from Natural England at Regulation 18 (23rd October, 2017) and where it has been addressed in this report

	Natural England Comment	Response
1	<u>The HRA has not shown how each policy and allocation has been screened out;</u> Natural England would like to see a full audit trail and an explanation for why each policy and allocation will not have a significant effect.	See Summary Screening Table, Appendix F
2	<u>Changes in hydraulic conditions;</u> Natural England agrees with the statements in the HRA but it could be an option to provide further explanation for why there are no impacts.	See Chapter 5
3	<u>Physical modification;</u> Further explanation is required to explain why no part of the Plan is likely to contribute to the pressure/threats of physical modification. This could be because of the proximity of allocations, which requires further details.	See Chapter 6
4	<u>Public access, outdoor sports and recreational activities;</u> Recreational disturbance has not been addressed in the HRA because of the lack of available data. Further clarification is required to explain how the HRA proposes to address recreational disturbance.	See Chapter 7

3.4 Decision to proceed to Appropriate Assessment

- 3.4.1 Following discussions with Natural England⁹, and in light of the recent Sweetman Ruling (see **Box 1**), it was agreed that an Appropriate Assessment exercise would be the best way to proceed with further HRA appraisal (see also **section 1.4**).

⁹ Pers comm. between Neil Davidson (Lepus) and Janet Baguley (Natural England), 21st March, 2018.

4 Appropriate Assessment 2018

4.1 Background

4.1.1 Having established that the preparation of an Appropriate Assessment was the best way to proceed from the screening stage, an AA was prepared in July 2018. This phase of assessment explored and responded to screening comments received from Natural England.

4.2 Screening of policies

4.2.1 All policies were screened using the methodology in the HRA Handbook. The results of this assessment are presented in **Appendix F**. No policies were classified as having likely significant effects either alone or in combination.

4.2.2 The following topics were explored in more detail as part of the AA:

- Changes in hydraulic and hydrological conditions;
- Physical modifications to Rochdale Canal SAC; and
- Recreational disturbances.

5 Changes in hydraulic and hydrological conditions

5.1 Responding to Natural England

- 5.1.1 Natural England advised that they agreed with the conclusion that no hydraulic condition based LSE would arise, but that further explanation could be provided for this.
- 5.1.2 All sites are associated with the threat of changes in hydraulic and/or hydrological changes according to the JNCC Natura 2000 Data Forms and Site Improvement Plan forms.
- 5.1.3 **Figure 3.1** shows the European sites in relation to Rossendale. No residential or employment sites allocated in the plan coincide with, or are adjacent to, a European site. It is therefore considered that the Rossendale Local Plan will not directly impact on the hydraulic conditions of any European site due to any specific allocation.
- 5.1.4 The Local Plan area is covered by the Northern Manchester CAMS¹⁰. Consumptive abstraction is available, for the majority of the Plan area, 95% of the time. Whilst the Plan will be likely to increase water consumption in Rossendale to some extent, water efficiency is expected to improve and there are no concerns over water availability to support the growth planned in Rossendale.
- 5.1.5 This is confirmed via the United Utilities' Water Resource Management Plan 2019 (WRMP) which has been subject to HRA during its preparation. The HRA¹¹ concludes that there will be no significant effects on European sites.
- 5.1.6 Water abstraction is therefore not anticipated to adversely affect any European site. Therefore, it is possible to conclude that the new Local Plan will not have significant effects on any of the European sites in and around Rossendale Borough as a result of increased demand for water consumption.

¹⁰ Environment Agency (2013 & 2014) Abstraction Licensing Strategies (CAMs Process) Available online at: <https://www.gov.uk/government/collections/water-abstraction-licensing-strategies-cams-process>

¹¹ United Utilities (August 2018) Revised Draft Water Resources Management Plan 2019: Habitats Regulations Assessment Screening and Appropriate Assessment.

5.2 Contextual SIP data

5.2.1 The following was taken from the Site Improvement Programme (SIP) form for each European site under 'Issues and Actions':

- **Manchester Mosses SAC SIP:** The combination of historic peat cutting, fragmentation, drainage and peat wastage and some of the early restoration work has significantly modified the hydrological function of all the component mosses. Considerable work has been done and is ongoing within the site to manage the hydrology and restore the conditions for bog development. Working with partners and stakeholders we have been able to establish hydrological buffer zones around parts of the moss. However there are still areas where agricultural and transport infrastructure requires deep drainage on adjacent land that still dries out or impacts on parts of the mosses.
- **South Pennine Moors (SAC and SPA) SIP:** The hydrological integrity of the blanket bog habitat (H7140) has been adversely affected across the site by a range of external factors, principally historic air pollution and wild fires which in some areas has been added to by historical and continuing land use management practices. Leading to areas of bare and eroding peat, surface gullying and sub-surface peat pipes, loss of peat forming species, lowered water tables and altered hydrology. Certain elements of current restoration work have a clear link to recovery of some or all of these listed factors and estimates for restoration costs assume this work is undertaken across the site. However, for some aspects of the challenge (surface vegetation, macropores, erosion gullies and subsurface peat pipes) there is insufficient understanding of the issue and this has led to trialling new restoration methods and monitoring the impacts. Consequently the extent of restoration to deliver favourable condition cannot be fully quantified. The complexity of the pattern of degraded hydrology from surface vegetation to subterranean pipes means that one, several or all of the actions described may be required; the production of a restoration plan for each blanket bog unit should provide the necessary detail.

5.2.2 The Rossendale Local Plan is unlikely to exacerbate the hydrological and/or hydraulic matters cited in this SIP data at any of the European sites where such SIP data is available. It should be noted that the Rochdale Canal SAC SIP makes no mention of hydraulic or hydrological concerns.

5.3 Summary conclusion

5.3.1 It is considered that an LSE as a result of hydrological or hydraulic changes can remain objectively ruled out for all European sites as per the original Screening findings in September 2016.

5.3.2 **On this basis there will be no adverse effects on site integrity of any European site arising in terms of any hydraulic or hydrological changes caused by the Plan.**

6 Physical modifications to Rochdale Canal SAC

6.1 Responding to Natural England

- 6.1.1 Rochdale Canal SAC is vulnerable to the threat of physical modification. The SIP for the SAC states: *“Over-shading and leaf drop from developing bank-side trees denies opportunity for Floating water plantain to establish on large and growing sections of the canal.”*
- 6.1.2 Section 4.12.4 of the HRA Screening Report states: *“It is not thought that any part of the plan is likely to contribute to the pressure/threat of physical modifications to the SAC”.*
- 6.1.3 Following consultation, Natural England requested further information for section 4.12.4 of the HRA Screening Report to explain why no part of the Plan is likely to contribute to the pressure or threats of physical modifications.
- 6.1.4 Rochdale Canal SAC sits just under 4km south of Rossendale and runs near the centre of the town of Rochdale. The nearest site allocations in the RBC Local Plan to the SAC are those in the south east of the borough, just south of Whitworth. As these sites are over 4.5km north of the SAC, it is clear that the development proposed at these locations will not result in physical modifications of the SAC. Due to the distance between the SAC and development proposals it is concluded that an LSE on Rochdale SAC as a result of physical modifications caused by the RBC Plan can be objectively ruled out at this stage.

6.2 Summary conclusion

- 6.2.1 It is considered that an LSE as a result of hydrological or hydraulic changes can remain objectively ruled out for all European sites as per the original Screening findings in September 2016.
- 6.2.2 **On this basis there will be no adverse effects on site integrity at Rochdale Canal SAC.**

7 Recreational disturbance

7.1 Vulnerability to recreational disturbance

7.1.1 It is necessary to establish whether the RBC Plan could potentially increase recreational disturbances at a European site, either when considered alone or when considered in-combination with other plans and projects, to the extent that it undermines the conservation objectives of the site's qualifying features. Recreational disturbances are a potential threat to the following sites which are in proximity to Rossendale (see **Appendix B**):

- South Pennine Moors SAC; and
- South Pennine Moors Phase 2 SPA.

7.1.2 The SAC is designated for the internationally important habitats it supports, each of which is vulnerable to the threat of erosion and trampling. The SPA is classified for the breeding bird assemblage it supports, as well as for the habitats these birds rely on. These habitats are vulnerable to erosion and trampling (see **Table 7.1**). **Table 7.2** presents an overview of the relative sensitivity of each habitat type at the European sites. **Table 7.2** shows that several species associated with blanket bog and dry heath, which are both Annex 1 habitats prevalent at the SPA and SAC, have a high sensitivity to the impacts of trampling.

7.1.3 Off-path activities such as hiking and mountain biking are popular in the South Pennines. Anderson (1990) found 23.4% of visitors to be off the path, particularly near small rivers and blanket bogs¹². Some visitors choose to stray off path, even primary routes like the Pennine Way, due to the intensity of use and the ensuing erosion and boggy ground at some points of the path.

7.1.4 In addition to off-path erosion, to satisfy the growing number of visitors to the moors, the network of paths there has proliferated in extent and density whilst deteriorating in quality.

¹² Anderson P (1990): Moorland Recreation and Wildlife in the Peak District. Peak Park Joint Planning Board, Bakewell

- 7.1.5 Birds flush from their nest more readily, more frequently and at greater distances when disturbed by dogs than when disturbed by humans alone¹³. Following disturbance from a dog, birds typically spend several minutes off their nest, during which predation of eggs is a concern. The presence of dogs delays the arrival of birds at feeding areas, makes them depart feeding areas earlier and reduces the amount they eat whilst there due to increased vigilance^{14,15,16}.
- 7.1.6 Dogs are a particular concern for ground nesting birds due to the increased risk of predation and trampling.
- 7.1.7 Areas of the moors with high recreational use tend to have the lowest values for bird community diversity, evenness and richness. The sites with the highest recreational use are typically closer to towns and roads, and had good quality footpaths and car parking facilities¹⁷. An MSc thesis study into the attitudes and actions of recreational users within South Pennine Moor SPA found that of the 558 users surveyed, 59% (328) were non-local participants (travelled over three miles to get to the moors) whilst 62% of those surveyed (344) did not know the site was protected.

Table 7.1 Summary of potential significance of access impacts on mountain and moor, assuming a high level of use¹⁸. X indicates significance.

Habitat	Direct impacts		Indirect impacts	
	Trampling	Disturbance	Fire	Management
Dry dwarf-shrub heath	xx		xxx	
Wet dwarf-shrub heath	xxx		xx	
Blanket mire	xxx		xxx	
Mountain	xxx		x	
Acid grassland	xx		xx	
Calcareous grassland	xx			xx
Flushes/springs	xxx			
Rock ledges	xx			

¹³ Murison, G. (2002) The impact of human disturbance on the breeding success of nightjar *Caprimulgus europaeus* on heathlands in south Dorset, England. *English Nature*, Peterborough.

¹⁴ Yalden, P. E. and Yalden, D. W. (1990). Recreational disturbance of breeding golden plovers *Pluvialis apricarius*. *Biological Conservation* 51, 243-262.

¹⁵ Lafferty, Kevin D. "Birds at a Southern California beach: seasonality, habitat use and disturbance by human activity." *Biodiversity and Conservation* 10.11 (2001): 1949-1962.

¹⁶ Miller, Scott G., Richard L. Knight, and Clinton K. Miller. "Wildlife responses to pedestrians and dogs." *Wildlife Society Bulletin* (2001): 124-132.

¹⁷ Dowling, P. (2012). Attitudes and Actions of Recreational Users within South Pennine Moor Special Protection Area, Site of Special Scientific Interest, in Regards to Moorland Bird Conservation. MSc Thesis: Manchester Metropolitan University.

¹⁸ Anderson P (1990): Moorland Recreation and Wildlife in the Peak District. Peak Park Joint Planning Board, Bakewell AND as presented in the HRA of the Bradford Core Strategy, UE Consultants, 2015

Screes	xx			
Breeding birds		xxx	xxx	xx
Wintering birds (raptor roosts)		x		
Invertebrates	xx		xx	x
Deer		xx		
Earth heritage	x?			

Table 7.2 Sensitivity of plants and habitats to trampling¹⁹

Sensitivity	Species	Comments
Least sensitive  Most sensitive	Common bent/crested dog's tail grasses	As in some in-bye land. This species is not a major component of the SAC's Annex 1 habitats.
	Wavy hair – grass/sheep's fescue	On mineral soils. Often a minor component of SAC and dry heath habitat.
	Heather	Young and major component of Annex dry heath and blanket bog habitats.
	Mat-grass	Usually on drier, thin peats or peat mineral soils. Often a component of heavily grazed dry heath habitat.
	Purple moor-grass	Usually on wetter flushed peaty soils.
	Bracken	Young plants. Can be invasive on drier heath and acid grassland habitats.
	Heather	Major component of Annex 1 dry heath and blanket bog habitats. Important for nesting SPA species
	Crowberry/bilberry	On peat. A major component of Annex 1 dry heath and blanket bog habitats.
	Cotton-grass spp.	Cotton-grass mire on peat. A major component of Annex 1 blanket bog habitats.
	<i>Sphagma</i>	Flushes, mire on peat. Major component of blanket bogs and transition mire habitats.

7.2 South Pennine Moors: SPA and SAC

7.2.1 Visitors to the South Pennine Moors enjoy partaking in activities can have an unfortunate side effect of disturbing the local breeding bird assemblage and result in trampling, erosion and damage to habitats and the PRow. South Pennine Moors is designated as a SAC and also classified as a SPA. Both European sites share one Site Improvement Plan (SIP).

7.2.2 The SIP for South Pennine Moors states, in relation to the threat/pressure of public access/disturbance:

¹⁹ Anderson P (1990): Moorland Recreation and Wildlife in the Peak District. Peak Park Joint Planning Board, Bakewell AND as presented in the HRA of the Bradford Core Strategy, UE Consultants, 2015

“Disturbances/activities located in sensitive site areas or at sensitive times of the year (e.g. bird breeding season or during heavily waterlogged periods) can have a negative impact upon notified features. Particular activities which impact include rock climbing, walking (incl. dog walkers), legal activities (byway usage), hang-gliding and the flying of model aircrafts.”

7.2.3 South Pennine Moors SAC is designated under article 4(4) of the Directive (92/43/EEC) as it hosts the following habitats listed in Annex I²⁰:

- Blanket bogs;
- European dry heaths;
- Northern Atlantic wet heaths with *Erica tetralix*. (Wet heathland with cross-leaved heath);
- Old sessile oak woods with *Ilex* and *Blechnum* in the British Isles. (Western acidic oak woodland); and
- Transition mires and quaking bogs (Very wet mires often identified by an unstable ‘quaking’ surface).

7.2.4 South Pennine Moors Phase 2 SPA is an upland of international importance which provides a habitat for an important assemblage of breeding moorland and moorland fringe birds, including:

- Merlin (*Falco columbarius*);
- Golden plover (*Pluvialis apricaria*);
- Lapwing (*Vanellus vanellus*);
- Dunlin (*Calidris alpina*);
- Snipe (*Gallinago gallinago*);
- Curlew (*Numenius arquata*);
- Redshank (*Tringa totanus*);
- Common sandpiper (*Actitis hypoleucos*);
- Short-eared owl (*Asio flammeus*);
- Winchat (*Saxicola rubetra*);
- Wheatear (*Oenanthe oenanthe*);
- Ring ouzel (*Turdus torquatus*); and
- Twite (*Carduelis flavirostris*).

²⁰Citation for Special Area of Conservation (SAC) South Pennine Moors. Available online at: <http://publications.naturalengland.org.uk/publication/4885083764817920>

7.2.5 The combined SIP for South Pennine Moors (SAC and SPA) sets out which qualifying features are vulnerable to the threat/pressure of public access/disturbance:

- Breeding bird assemblage;
- H4010 Wet heathland with crossleaved heath;
- H4030 European dry heaths;
- H7130 Blanket bogs;
- H7140 Very wet mires often identified by an unstable `quaking` surface; and
- H9180 Mixed woodland on base-rich soils associated with rocky slopes.

7.3 Conservation objectives

7.3.1 It is therefore necessary to establish if the Rossendale Local Plan could potentially undermine the conservation objectives of one of the above listed qualifying features by exacerbating recreational disturbances.

7.3.2 The Conservation Objectives for South Pennine Moors SAC are to:

“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 the qualifying natural habitats*
- *The structure and function (including typical species) of the qualifying natural habitats, and,*
- *The supporting processes on which the qualifying natural habitats rely.”*

7.3.3 The Conservation Objectives for South Pennine Moors Phase 2 SPA are to:

“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.”*

7.4 Environmental conditions of the sites

- 7.4.1 Sites of Special Scientific Interest (SSSI) are areas in the United Kingdom designated for conservation by Natural England. SSSIs are the building blocks of site based nature conservation in the UK. Most other conservation designations, such as national nature reserves, are based on their location. SSSIs are therefore regularly found at the same location as European designated SACs and SPAs, although the reasons for its designation can be entirely different to those for which the same area is designated as a SAC or SPA.
- 7.4.2 Natural England periodically assesses the conservation conditions of each SSSI unit, assigning it a status of one of the following:
- Favourable;
 - Unfavourable – recovering;
 - Unfavourable – no change; or
 - Unfavourable – declining.
- 7.4.3 A SSSI may be in an unfavourable state due to the condition of features unrelated to its European designation. However, it is considered that the conservation status of SSSI units that overlap with European designated sites offer a useful indicator of habitat health at that location. For example, a SSSI unit in an unfavourable condition because of excess nitrogen deposition, which is resulting in changes in local flora species composition, may indicate that habitats at this location are particularly sensitive to increases in atmospheric nitrogen deposition.
- 7.4.4 European sites in the South Pennines coincide with hundreds of SSSI units, the significant majority of which are in an ‘unfavourable – recovering’ condition (see **Figure 7.1**). Recreational disturbances are not the primary cause of a lack of favourability in condition at any of the coinciding SSSI units.
- 7.4.5 Moorlands in England are typically managed for grouse shooting or sheep farming. Natural England suggest that 14% of moorland SSSIs in England are in a favourable condition, the main causes for the lack of favourability being overgrazing and inappropriate burning²¹. These causes are beyond the influence of the Rossendale Local Plan.

²¹ Moors for the Future Partnership, Sustainable Uplands & Moors for the Future Research Note No. 14. Available online at: <http://www.moorsforthefuture.org.uk/sites/default/files/documents/MFF%20RNI4%202007%20Looking%20after%20gr%20moor%20habitats.pdf>

7.5 Management of the sites

- 7.5.1 South Pennine Moors SAC partially coincides with Peak District National Park (see **Figure 7.2**). South Pennine Moors Phase 2 SPA sits just outside the National Park and adjacent to its northern perimeter.
- 7.5.2 Peak District National Park is managed by the Peak District National Park Authority (PDNPA). A key purpose of the PDNPA is to conserve and enhance the natural beauty, wildlife and cultural heritage of the Park. The 2018 – 2023 Peak District National Park Management Plan²² sets out the Park's special qualities which the PDNPA will seek to conserve and enhance and which includes internationally important and locally distinctive wildlife and habitats.
- 7.5.3 European sites within the Peak District National Park are being proactively and effectively managed to protect and enhance wildlife and biodiversity and adverse impacts caused by recreational disturbances will largely be avoided or mitigated by the PDNPA Management Plan 2018 – 2023; the plan itself is subject to HRA.
- 7.5.4 A small number of organisations, with relatively limited budgets, are tasked with protecting wildlife in the South Pennines. The South Pennines Local Nature Partnership run via Pennine Prospects²³ coordinates the South Pennine Fire Operations Group, which aims to reduce uncontrolled burning or moorland, and runs South Pennines Moorwatch, which has been set up to enable the reporting of antisocial behaviour such as illegal off-road driving.
- 7.5.5 The Moors for the Future Partnership (TMFTFP)²⁴, which includes landowners, Natural England, the RSPB and Environment Agency, works to restore and protect moorland within the Yorkshire Dales, Peak District and South Pennines, including the South Pennine Moors SAC/SPA. Visitor pressure is managed through a combination of stabilising peat, improving habitats, and path management. MoorLIFE, managed by TMFTFP, is a five year project that began in 2015 and aims to restore and protect blanket bog in the South Pennine Moors. The project includes measures to stabilise eroded peat and strategies for reducing the risk of wildfire.

²² Available online at : http://www.peakdistrict.gov.uk/__data/assets/pdf_file/0005/1133942/NPMP-18-23-V5.pdf . Accessed 31.03.18

²³ More info available on their website at: www.pennineprospects.co.uk/local

²⁴ More info available on their website at: <http://www.moorsforthefuture.org.uk/>

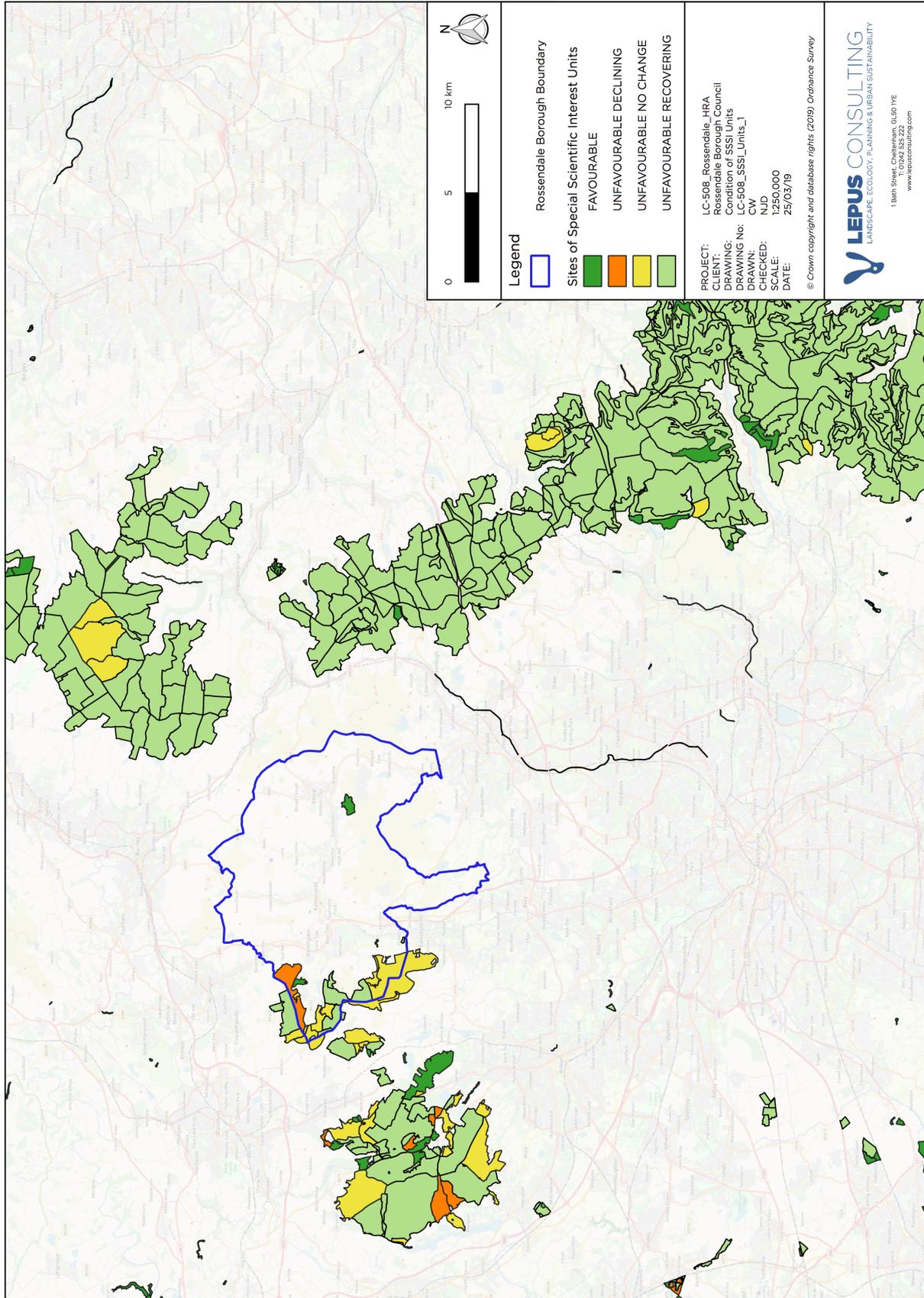


Figure 7.1 Condition of SSSI units near Rossendale (some SSSI units shown on the map do not correlate with a European site). Data sourced from Natural England.

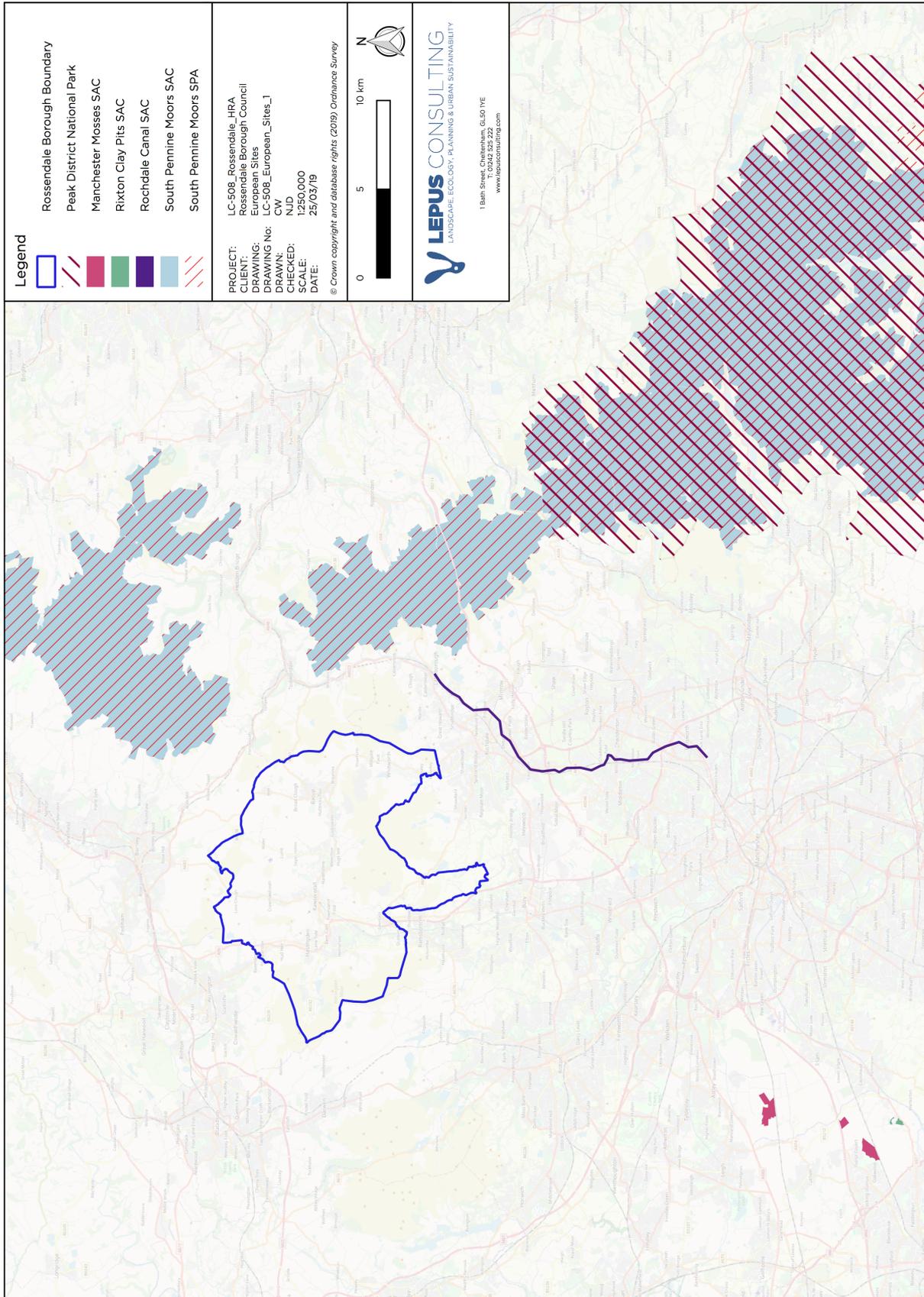


Figure 7.2 European sites in relation to Peak District National Park. Data sourced from Natural England.

7.6 Distribution of qualifying features at South Pennine Moors Phase 2 SPA

7.6.1 The SPA is approximately 21,000ha in size. **Table 7.3** presents the list of species comprising the breeding bird assemblage protected at the SPA, along with their habitat requirements and counts of territories based on Natural England data.

*Table 7.3 Breeding bird survey data for South Pennine Moors Phase 2 SPA. There were no records of the Common Sandpiper (*Actitis hypoleucos*) post-2010²⁵*

Qualifying species	Habitat requirements	Territories recorded		
		1990	2004/05	2014
Golden Plover	Feeding and nesting: Mix of short and taller vegetation Roosting: Open, short vegetation and bare ground Areas with unrestricted views over an effective field size (>10ha)	435	490	n/a
Short Eared Owl	Nesting: predominantly short to medium ground vegetation, scrub or trees Feeding: Open ground Areas with unrestricted views over tree or scrub cover	19	24	n/a
Merlin	Nesting: Medium to tall ground vegetation and scattered trees Feeding: Short grassland swards	33	28	18
Curlew	Feeding: short vegetation Nesting: short with patches of taller vegetation Open terrain, relatively free of obstructions Areas with unrestricted views over an effective field size (>10ha)	295	461	456
Dunlin	Feeding: Wet fields with surface pools, ditches or channels Nesting and roosting: Open ground with dense cover of wet vegetation	52	34	46
Lapwing	Feeding: Wet fields with surface pools, ditches or channels Nesting and roosting: Open ground with dense cover of wet vegetation	41	115	133
Redshank	Feeding: Wet fields with surface pools, ditches or channels Nesting and roosting: Open ground with dense cover of wet vegetation	36	20	12
Ring Ouzel	Nesting: Heather and bracken abundance Feeding: Nearby pasture	0	14	2
Snipe	Feeding: Wet fields with surface pools, ditches or channels Nesting and roosting: Open ground with dense cover of wet vegetation 20-30% soggy or flooded, 80% vegetation cover	40	89	106

²⁵ Natural England data. South Pennine Moors SPA Statues and Management for Favourable Conservation Status. Available online at: <http://www.moorsforthefuture.org.uk/sites/default/files/2%20-%20Richard%20Pollitt.pdf>

	Areas with unrestricted views over an effective field size (>10ha)			
Twite	Nesting: Areas of bracken and heather moorland Feeding: Improved meadows and fields rich in dandelion and sorrel seeds	219	57	34
Wheatear	Nesting: Short sheep or rabbit grazed grassland with abundance of grass root caterpillars Nesting: Under rocks, in mountain screes or holes in stone walls	27	25	20
Whinchat	Nesting: Low scrub with low gorse scrub Feeding: Areas of short grass such as roadside verges	25	22	9

7.6.2 The fluctuations in population numbers for each species is largely a result of changes in land management practices, with different impacts in different locations for different species. There appears to be a slightly positive trend overall for species in the South Pennine Moors, with reductions in population numbers for Redshank, Twite and Whinchat contrasting with significant population increases for Snipe, Lapwing and Curlew. These changes have occurred over a time when the intensity of grouse-moor management in the Peak District has remained stable or increased, whilst there have been considerable reductions in sheep stocking levels, as large areas of moorland have been entered into agri-environment schemes such as ESA agreements²⁶.

7.6.3 The conservation objectives for the SPA include protecting the habitats on which the Annex 1 bird species rely. It is therefore necessary for the RBC Plan to avoid adverse impacts on the birds themselves as well as the habitats they rely on and the supporting processes for these. Natural England data shows how Snipe, Twite, Curlew and Lapwing are distributed widely throughout Rossendale and its immediate environs, as well as the European sites (see **Appendix D**).

7.6.4 Natural England also provide data on the distribution of priority habitats. **Figure 7.3** shows the prevalence of priority habitats in the region of the South Pennine Moors Phase 2 SPA which can support a range of species comprising the local breeding bird assemblage.

²⁶ Moors for the future Partnership (2006) Analysis of Moorland Breeding Bird Distribution and Change in the Peak District, available online at:
<http://www.moorsforthefuture.org.uk/sites/default/files/documents/MFF%20RR11%20Pearce-Higgins%20J%202006%20%20Analysis%20of%20moorland%20breeding%20bird%20distribution%20and%20change%20in%20the%20Peak%20District.pdf> . Accessed 23.05.18

7.7 Distribution of qualifying features at South Pennine Moors SAC

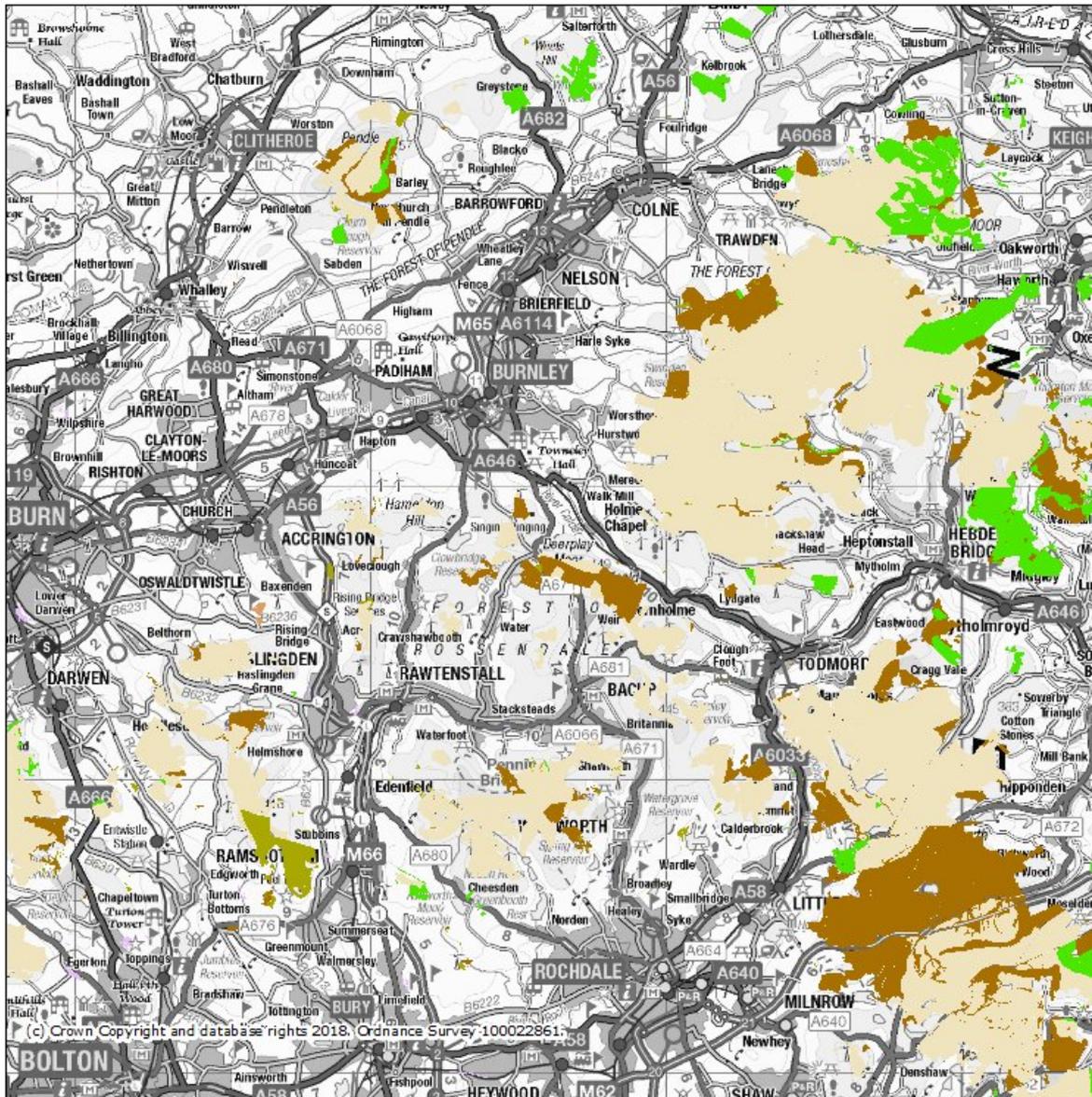
7.7.1 South Pennine Moors SAC covers 66,207ha. **Table 7.4** lists the qualifying features for the SAC with some background information on each habitat. **Figure 7.4** shows the distribution of priority habitats within the South Pennine Moors SAC.

Table 7.4 Habitat survey data for South Pennine Moors SAC²⁷

Qualifying habitats	Habitat requirements
European dry heaths	Dry heath covers extensive areas, occupies the lower slopes of the moors on mineral soils or where peat is thin and occurs in transitions to acid grassland, wet heath and blanket bogs. Upland heaths of the South Pennines are dominated by <i>Calluna vulgaris</i> .
Blanket bogs (priority feature)	South Pennine Moors represent the most south easterly extent of this habitat in Europe. Vegetation community is somewhat limited in diversity. Blanket bog and dry heath often form intimate mosaics of vegetation in the South Pennines.
Old sessile oak woods with <i>Ilex</i> and <i>Blechnum</i> in the British Isles	Stands of old sessile woods are found on the slopes and fringes of the South Pennine uplands where grasses, dwarf shrubs and ferns are common and where there is a relatively low bryophyte diversity.
Northern Atlantic wet heaths with <i>Erica tetralix</i>	Dominated by cross leaved heath, heath, grasses, sedges and bog-mosses this habitat is found in small areas of the Pennine Moors.
Transition mires and quaking bogs	With surface conditions ranging from acidic to slightly base-rich, vegetation is transitional between the acid bog and alkaline fens. The mires typically occupy the transition between bog and fen vegetation. They may also be in a process of succession from fen to bog.

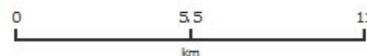
²⁷ Natural England data. South Pennine Moors SPA Statues and Management for Favourable Conservation Status. Available online at: <http://www.moorsforthefuture.org.uk/sites/default/files/2%20-%20Richard%20Pollitt.pdf>

MAGiC Priority habitats



Legend

- Priority Habitat Inventory - Lowland Heathland (England)
- Priority Habitat Inventory - Mountain Heaths and Willow Scrub (England)
- Priority Habitat Inventory - Upland Heathland (England)
- Priority Habitat Inventory - Blanket Bog (England)
- Priority Habitat Inventory - Lowland Raised Bog (England)
- Priority Habitat Inventory - Upland Flushes, Fens and Swamps (England)
- Priority Habitat Inventory - Grass Moorland (Non Priority) (England)



Projection = OSGB36

xmin = 347500

ymin = 407000

xmax = 424700

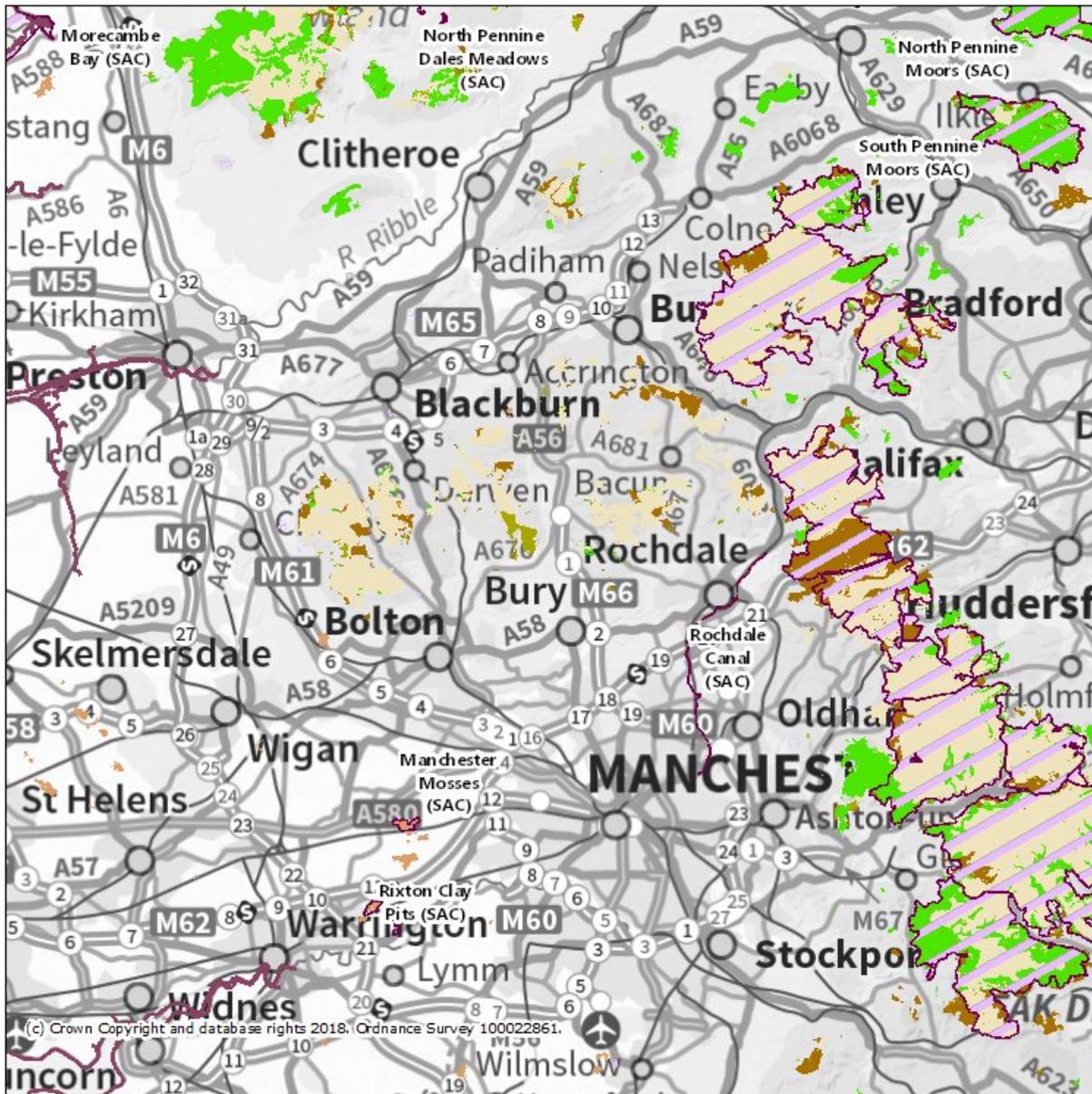
ymax = 448500

Map produced by MAGiC on 24 May, 2018.
 Copyright resides with the data suppliers and the map must not be reproduced without their permission. Some information in MAGiC is a snapshot of the information that is being maintained or continually updated by the originating organisation. Please refer to the metadata for details as information may be illustrative or representative rather than definitive at this stage.

Figure 7.3 Distribution of various priority habitats in the region of Rossendale and the South Pennine Moors Phase 2 SPA capable of supporting qualifying species of the SPA. Source: magic.defra.gov.uk

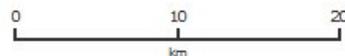
MAGiC

Priority habitats



Legend

- Special Areas of Conservation (England)
- Priority Habitat Inventory - Lowland Heathland (England)
- Priority Habitat Inventory - Mountain Heaths and Willow Scrub (England)
- Priority Habitat Inventory - Upland Heathland (England)
- Priority Habitat Inventory - Blanket Bog (England)
- Priority Habitat Inventory - Lowland Raised Bog (England)
- Priority Habitat Inventory - Upland Flushes, Fens and Swamps (England)
- Priority Habitat Inventory - Grass Moorland (Non Priority) (England)



Projection = OSGB36

xmin = 313000
 ymin = 372500
 xmax = 444800
 ymax = 460000

Map produced by MAGIC on 24 May, 2018.
 Copyright resides with the data suppliers and the map must not be reproduced without their permission. Some information in MAGIC is a snapshot of the information that is being maintained or continually updated by the originating organisation. Please refer to the metadata for details as information may be illustrative or representative rather than definitive at this stage.

Figure 7.4 Supporting habitat distribution in South Pennine Moors SAC and beyond.
 Source: magic.defra.gov.uk

7.8 Qualifying SPA features in Rossendale

7.8.1 As stated earlier, the conservation objectives for South Pennine Moors Phase 2 SPA are to:

“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.”*

7.8.2 Bird survey records are available which clearly show that Rossendale provides an important extent of supporting habitat for qualifying features of the Phase 2 SPA. It is an essential requirement of the Directive to avoid adversely impacting the population of these qualifying features (i.e. the local population of each species comprising the breeding bird assemblage).

7.8.3 The wider geographical context of the borough of Rossendale includes the coast to the west and the South Pennine Moors to the east. Many of the species comprising the breeding bird assemblage at the SPA head to the coast at winter and back to the Moors for the summer. Rossendale is therefore geographically important to the functioning of these populations and several of the species comprising the SPA's breeding bird assemblage are known to rely on supporting habitat within the borough. **Figures 7.3** and **7.4** show how suitable breeding habitats are not only prevalent in the SPA and SAC but also within Rossendale.

7.8.4 The Lancashire Environmental Record Network (LERN) has provided records for the breeding bird assemblage in Rossendale dating back to 1980 (see **Table 7.5**).

7.8.5 Of particular importance in Rossendale is 'Lee Quarry', where for several species the majority of records (with a known location) were taken. Lee Quarry is just south of Bacup, no more than 900m from the A681, and is a highly popular mountain biking location.

Table 7.5 LERN records for the breeding bird assemblage in Rossendale, with a column for records before the year 2000, post 2000 and a column of the location where the records for each species were most commonly taken

Species	Records pre- 2000	Records post-2000	Primary locations of records
Common Sandpiper	14	0	Clowbridge Reservoir
Curlew	162	171	Lee Quarry
Dunlin	5	5	Oswaltdwistle Moor, Haslingden Moor and Thirteen Stone Hill
Golden Plover	8	10	Oswaltdwistle Moor, Haslingden Moor and Thirteen Stone Hill as well as Cowpe Moss and Brandwood Moor
Lapwing	174	169	Lee Quarry, Oswaltdwistle Moor, Haslingden Moor and Thirteen Stone Hill
Merlin	10	10	Harden Moor and Brandwood Moor
Redshank	30	19	Lee Quarry, Oswaltdwistle Moor, Haslingden Moor and Thirteen Stone Hill
Ring Ouzel	39	24	Lee Quarry
Short Eared Owl	6	0	Swinshaw Moor
Snipe	89	104	Lee Quarry, Oswaltdwistle Moor, Haslingden Moor as well as Cowpe Moss and Brandwood Moor
Twite	140	112	Lee Quarry, Haslingden Moor, Oswaltdwistle Moor and Clowbridge Reservoir
Wheatear	43	50	Lee Quarry
Whinchat	8	33	Oswaltdwistle Moor, Haslingden Moor and Thirteen Stone Hill

7.8.6

In addition to LERN data there are several locations in Rossendale where bird counts have been completed by volunteers of the British Trust for Ornithology through the Wetland Bird Survey (WeBS). The survey focusses on wetland birds and therefore many of the bird species of the breeding assemblage this report is concerned with are not accounted for. However, this data does give a useful indication of the prevalence of some species within the borough. Of the WeBS survey locations in Rossendale, one is found to be supporting local populations of Curlew, Dunlin, Lapwing, Redshank and Snipe (see **Table 7.6**). This location, found at Haslingden Grane Reservoirs, is spread across three reservoirs just west of Haslingden and south of the B6232. The nearest site allocation in the RBC Plan is Haslingden Grane Village; a partially greenfield 6.6ha site, situated 100m east of the most easterly reservoir at Haslingden Grane Reservoirs, and proposed for 160 new homes.

Table 7.6 WeBS data on the presence of species comprising the SPA's breeding bird assemblage within Rossendale

Species	Curlew	Dunlin	Lapwing	Redshank	Snipe
Five year average count at Haslingden Grane Reservoirs	1	0	88	1	4

- 7.8.7 The majority of sites allocated for development in the Plan are previously undeveloped greenfield sites, many of which are outside the boundary of existing urban areas. There could therefore potentially be development occurring on land within the borough which currently provides important supporting habitat to species of the SPA's breeding bird assemblage. However, the Plan is considered to have made best efforts to direct development away from important and sensitive bird areas with the allocated sites being situated away from the moorland and heathland ecological networks.
- 7.8.8 LERN has established a grassland and woodland ecological network for the county. **Figures 7.5** and **7.6** show how sites allocated for development in the Plan are predominantly outside these ecological networks.
- 7.8.9 In 2014 LERN prepared a map of the wetland and heath network in the borough, highlighting the core areas as well as stepping stones and corridors (see **Appendix E**). No site allocation in the RBC Plan coincides with a recognised core area or stepping stone habitat. A limited number of the greenfield site allocations likely contain supporting habitat to some extent.
- 7.8.10 There is also an extent of moorland in the borough providing important supporting habitat to the moorland and fringe moorland breeding bird assemblage of the SPA. This is based on Natural England's definition for moorland as being unenclosed land of the English uplands. **Figure 5.7** shows how no site allocation proposal of the RBC Plan coincides with moorland habitat.
- 7.8.11 **It is considered to be unlikely that any development proposed in the RBC Plan will adversely impact the quality or quantity of habitat that supports the South Pennine Moors Phase 2 SPA's breeding bird assemblage.**

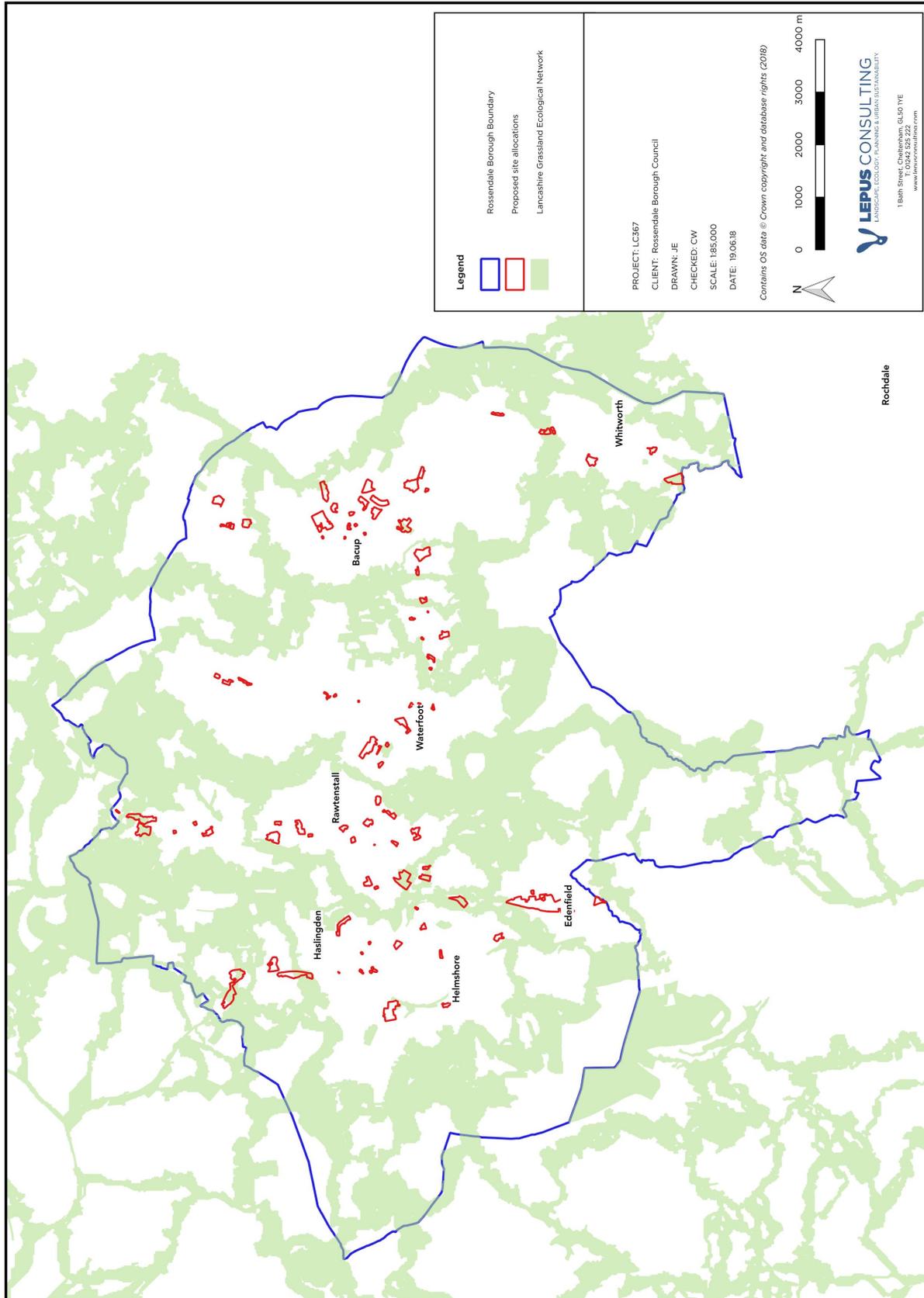


Figure 7.5 Proposed site allocations in the Regulation 19 Plan in relation to Lancashire's grassland ecological network

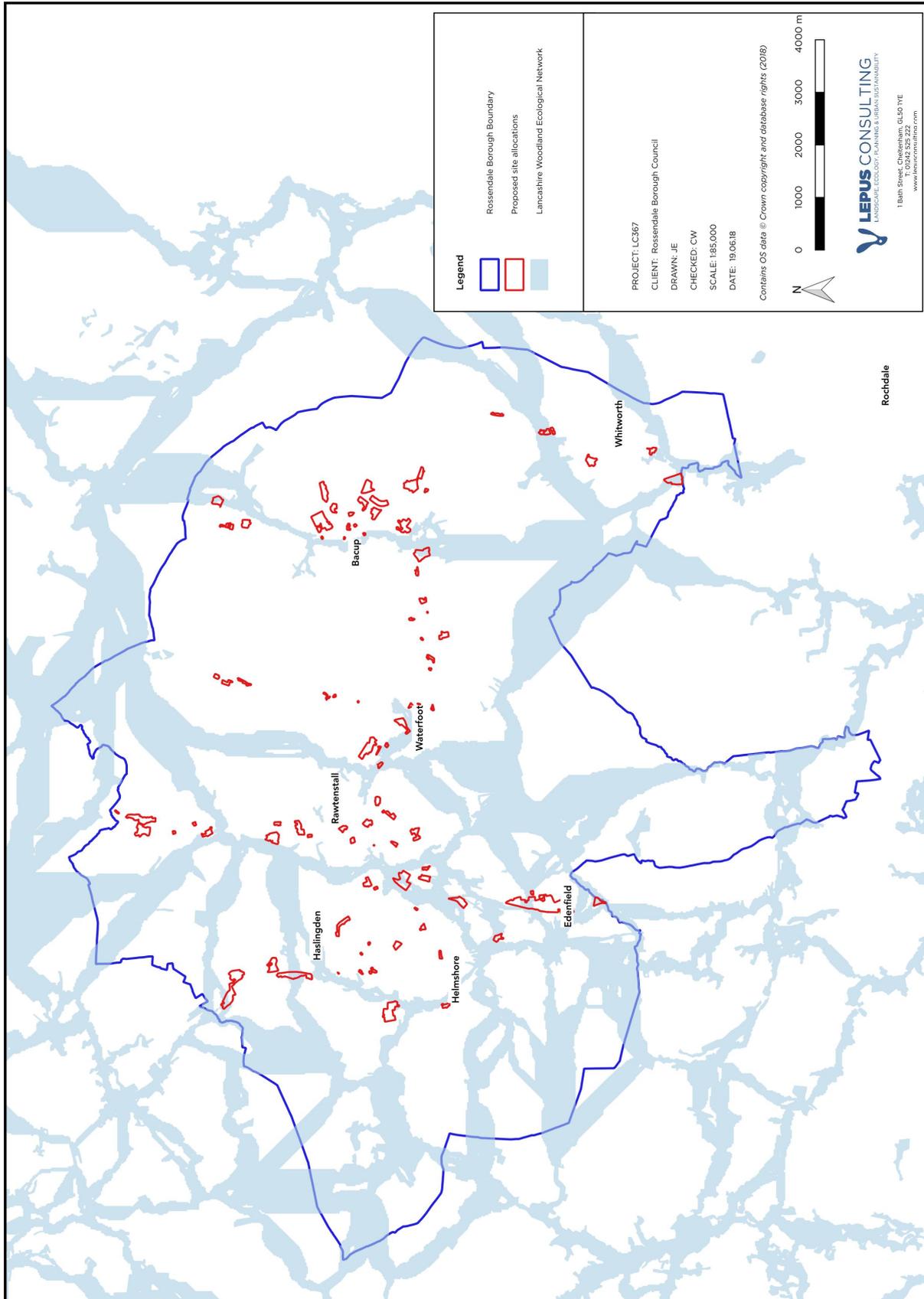


Figure 7.6 Proposed site allocations in the Regulation 19 Plan in relation to Lancashire's woodland ecological network

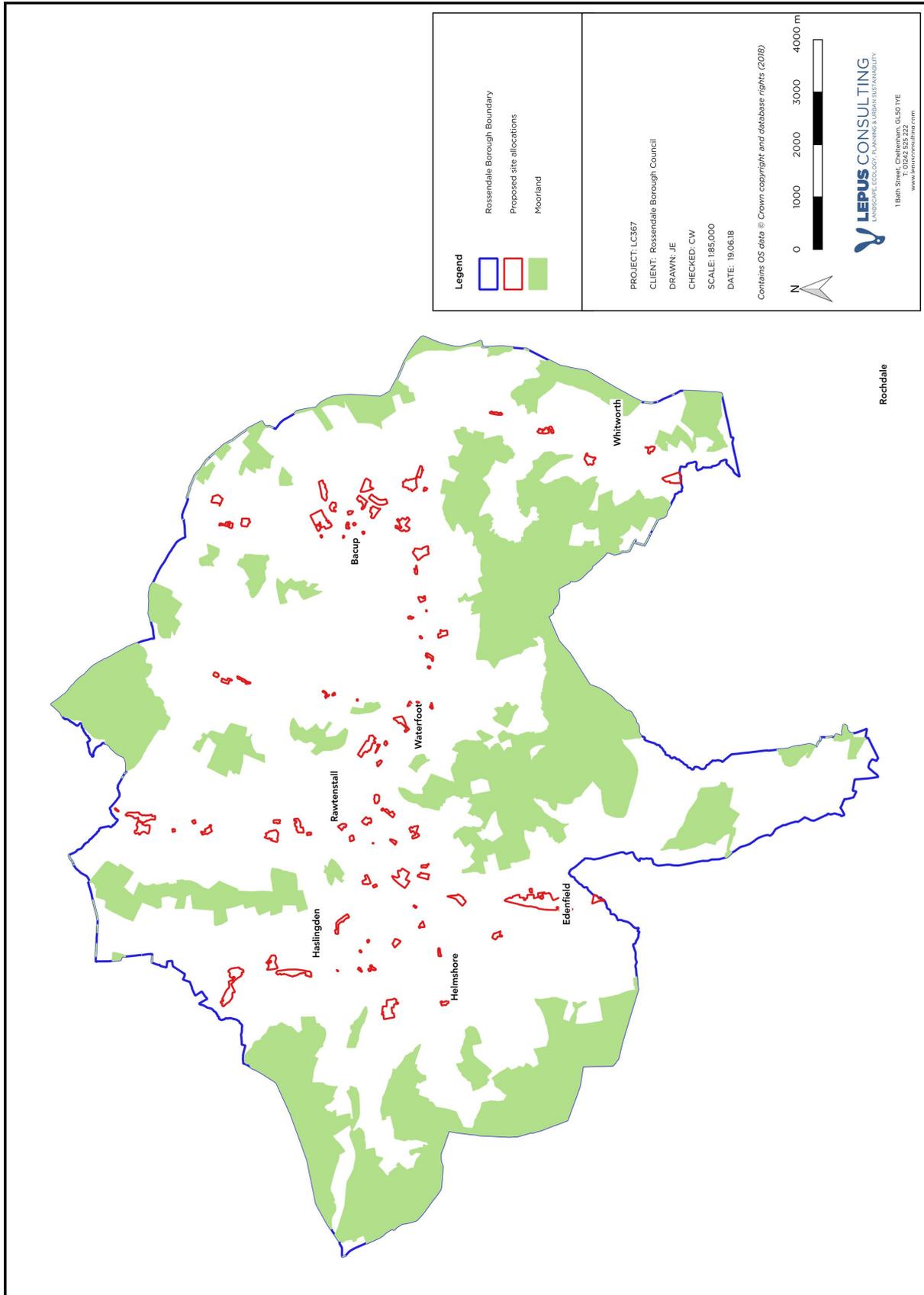


Figure 7.7 Moorland habitat in Rossendale in relation to the proposed site allocations in the Regulation 19 Plan. No proposed site allocations coincide with moorland habitat.

7.9 Visitor analysis at the South Pennine Moors SPA and SAC

7.9.1 The HRA Screening Report concluded it was considered unlikely that part of the Local Plan would cause likely significant effects arising from recreational disturbance at the South Pennine Moors SPA and SAC. However the screening report recognised that it was not possible to provide details at the screening stage of visitor analysis at the moorland SPA and SAC. This chapter explores these details in more detail; this was also a request from Natural England in their response to the Screening Report (see **Appendix A**).

7.9.2 The South Pennine Moors Integrated Management Strategy and Conservation Action Programme²⁸ identifies the following recreational activities as being popular on the South Pennine Moors:

- Walking (including dog walking);
- Horse-riding;
- Cycling/mountain biking;
- Hang gliding;
- Rock climbing;
- Model aircraft flying;
- Orienteering;
- Fell running;
- Off-road driving;
- Grouse shooting; and
- Angling.

7.9.3 These activities can result in disturbances for the breeding bird assemblage of South Pennine Moors Phase 2 SPA. Recreational activities can also result in erosion, arson and trampling of sensitive habitats such as those protected in the South Pennine Moors SAC and those supporting the breeding bird assemblage.

7.9.4 The South Pennine Moors SPA and SAC are highly accessible via road and car with numerous entrance points and car parks as well as an extensive footpath network.

²⁸ South Pennine Moors - South Pennine Moors - An Integrated Management Strategy and Conservation Action Programme LIFE95 NAT/UK/000824. Undated.

- 7.9.5 Dogs can be a particular threat to the breeding bird assemblage of the European sites. The 2014 Natural England report found 50% of those surveyed at South Pennine Moors to be 'Walking With a Dog'²⁹. A high proportion of visitors to the South Pennine Moors walk their dogs, stray off path and let their dogs off the lead. In 2015 there were approximately 8.5 million pet dogs in the UK³⁰ with 26% of households home to at least one dog (based on a sample of 4,000 people)³¹. Excluding London from consideration, approximately 30% of households are home to at least one dog³². Results from the Natural England Monitor of Engagement with the Natural Environment (MENE) survey found that in between 2014 and 2015, 92% of the 5,479 people surveyed who were walking their dog travelled no more than 8km to reach the dog walking location.
- 7.9.6 It is expected that the Plan will deliver approximately 3,180 homes over the Plan period, at a rate of 212dpa for 15 years. Assuming an average household size of 2.3 people per dwelling (the Rossendale average), the Plan could potentially contribute towards an increase in the local population by approximately 7,314.
- 7.9.7 A 2014 Natural England report on visits to the South Pennine Moors³³, based on the Monitor of Engagement with the Natural Environment (MENE), looked at the complicated nature of visitor data at the Moors. The report³⁴ provides 'visits per capita' estimates for local authorities. Lepus has discussed these figures at length with the researchers behind MENE and those who prepared the report and it has become apparent that the 'per capita' figures are inaccurate and unreliable and should not be used in this assessment.
- 7.9.8 The report also states 4.1% of those surveyed at the Moors were residents of Rossendale. Applying this to the estimated 20 million total annual visits, the report calculates there to be 820,000 annual visits to the South Pennine Moors from residents of Rossendale.

²⁹ Natural England, NECR150, Monitor of Engagement with the Natural Environment survey (2009 -2012): Visit taking in the South Pennines. Published 16 May 2014.

³⁰ RSPCA (2015) Facts and figures. Available online at: <https://media.rspca.org.uk/media/facts> . Accessed 17.05.17

³¹ Pet Food Manufacturer's Association (2015/16) Pet population 2016. Available online at: <http://www.pfma.org.uk/pet-population-2016> . Accessed 17.05.17

³² Pet Food Manufacturer's Association (2015/16) Regional pet population 2016. Available online at: <http://www.pfma.org.uk/regional-pet-population-2016> . Accessed 17.05.17.

³³ Natural England, NECR150, Monitor of Engagement with the Natural Environment survey (2009 -2012): Visit taking in the South Pennines. Published 16 May 2014.

³⁴ Natural England, NECR150, Monitor of Engagement with the Natural Environment survey (2009 -2012): Visit taking in the South Pennines. Published 16 May 2014.

- 7.9.9 The population of Rossendale is approximately 69,800³⁵. Residents of the borough currently make approximately 820,000 visits to the Moors every year and so there could be considered to be 11.75 visits per person per year (i.e. 820,000/69,800).
- 7.9.10 If the Plan increases the local population by 7,314, at 11.75 annual visits each the Plan would result in c.86,000³⁶ additional annual visits.
- 7.9.11 The South Pennine Moors currently receives 20,000,000 visits each year, spread out over 66,207ha. The SAC and SPA are relatively large European sites and are significantly greater than the size of Rossendale (see **Figure 7.8**). An increase in annual visits of 86,000 would constitute a 0.43% increase in annual visits in relation to existing levels. These visitors would be spread over several thousand hectares.
- 7.9.12 It is noted that a number of alternative recreational destinations exist in the local area eg Forest of Bowland AONB and other locations. Whilst for the purposes of this HRA an average visitor number per capita as a result of the total net increase in Rossendale's population has been assumed, it is acknowledged that this is a worst case scenario and actual visitor numbers to the SAC/SPA are likely to be less than this.
- 7.9.13 The 2014 Natural England report on visits to the South Pennine Moors found that 73% of visits involve travel distances of 8km or less. Approximately 82% involve travel journeys of less than 16km.
- 7.9.14 Recently, Habitat Regulations Assessment Screenings and Appropriate Assessments have been published for Burnley Borough Council, Kirklees Borough Council and Bradford Borough Council. Each have undertaken an assessment of the likely increase in visitor numbers at the South Pennine Moors as a result of their proposed Local Plans. The HRA for Kirklees BC³⁷ and Burnley BC³⁸ state that:

³⁵ <http://www.lancashire.gov.uk/lancashire-insight/population-and-households/population/mid-year-population-estimates>

³⁶ This number has been rounded; $7314 \times 11.75 = 85,939.5$. Population increase \times visit frequency per capita = number of annual visits.

³⁷ Land Use Consultants (March 2017), Habitats Regulations Assessment Report, Publication Draft Kirklees Local Plan

³⁸ Land Use Consultants (March, 2017), Habitats Regulations Assessment Report, Burnley Local Plan: Proposed Submission Local Plan

“7km has been taken to be the threshold distance at which development could result in impacts upon the South Pennine Moors SPA (and SAC). This is the distance at which studies supporting the Bradford Core Strategy have determined that mitigation may be required for recreation impacts. It is also a distance which encompasses most of the trips made to the South Pennines, as identified in Natural England’s visitor study”.

7.9.15 With reference to the HRAs for Burnley, Kirklees and Bradford as well as the 2014 Natural England survey, a 7km buffer has been applied to the SAC and SPA in **Figure 7.8**. The sites allocated for development in the Rossendale Regulation 19 Local Plan, which fall within the 7km buffer zone, are focused on in **Figure 7.9**. This includes the following residential site proposals:

- H21 – Old Market Hall, Bacup - 14 dwellings;
- H22 – Reed Street, Bacup - 13 dwellings;
- H23 – Former Bacup Health Centre - 22 dwellings;
- H27 – Land off Greensnook Lane - 33 dwellings;
- H29 – Sheephouse Reservoir, Britannia - 63 dwellings;
- H30 – Land off Pennine Road, Bacup - 84 dwellings;
- H31 – Tong Farm, Bacup - 76 dwellings;
- H32 – Lower Stack Farm - 10 dwellings;
- H34 – Land off Rockcliffe Road (East of Empire Theatre) - 63 dwellings;
- H35 – Land at Higher Cross Row - 17 dwellings;
- H38 – Land off Gladstone Street - 63 dwellings;
- H40 – Land off Cowtoot Lane - 151 dwellings;
- H41 – Land off Todmorden Road - 53 dwellings;
- H42 – Thorn Bank - 46 dwellings;
- H43 – Land south of the Weir Public House - 52 dwellings;
- H44 – Land west of Burnley Road, Weir - 10 dwellings;
- H45 – Irwell Springs, Weir - 46 dwellings;
- H66 – Hargreaves Fold Lane, Chapel Bridge, Lumb - 23 dwellings;
- H67 – Albert Mill, Whitworth - 49 dwellings;
- H68 – Land North of King Street - 5 dwellings;
- H69 – Land Behind Buxton Street - 28 dwellings; and
- H71 – Cowm Water Treatment Works, Whitworth - 20 dwellings.

7.9.16 These sites propose a total of 941 new dwellings. Assuming a 2.3 average dwelling occupancy, 941 new homes could be expected to result in 2,164 new residents situated within the 7km buffer zone. At 11.75 annual visits per person per year, this would increase the number of annual visits to the Moors by approximately 25,430 which, as a proportion of existing levels, would constitute a 0.14% increase during the plan period.

7.9.17 Approximately 1,927ha of the SPA and SAC are within 7km of sites proposed for residential development (new homes) in the RBC Plan. The Plan may therefore result in an additional 25,430 annual visits to the European designations, primarily distributed across 1,927ha of the Moors, which equates to a 14 additional annual visits per hectare.

7.9.18 It can be stated with confidence that the increase in visitor numbers anticipated for the Moors to be caused by the Rossendale Local Plan will include an increase in the number of people walking their dogs and therefore an increased risk of disturbance. If the RBC Local Plan was to increase annual visits to South Pennine Moors by 25,430³⁹ – 86,000⁴⁰, the number of people walking a dog at the Moors could potentially increase by 10,500 – 43,000.

7.10 Summary conclusion

7.10.1 The above calculations on the likely increase in visitors to the SAC and SPA as a result of development proposed in the Rossendale Local Plan are estimates based on the best available data with a degree of uncertainty. However, the approximate calculations show that:

- As a proportion of existing levels, the increase in annual visits would be likely to be relatively negligible and to constitute less than a 0.5% increase; and
- The additional annual visits will be distributed across several thousand hectares of land, with a very low increase in annual visits when considered 'per hectare'. It should be noted that there will be likely to be larger numbers of visitors at honey pots such as popular walking paths or renowned views.

7.10.2 **The Rossendale Local Plan will not have any adverse effect on site integrity at South Pennine Moors Phase 2 SPA or South Pennine Moors SAC, alone. There is a small scale effect taking place in terms of recreational disturbance but it is unlikely to be significant. It is therefore necessary to consider in-combination effects with other plans and programmes.**

7.11 Assumptions

7.11.1 The assumptions made in this report have been prepared using best available data. New primary data in the form of an up to date visitor survey would provide more accurate data. However, it should be noted that the estimated numbers cited in this assessment have been derived on a worst case scenario to facilitate the precautionary principle; it is unlikely that all new residents living in Rossendale as a result of the Local Plan will visit the South Pennine Moors, nor own a dog.

³⁹ Estimated increase in total visits to the SAC or SPA each year based on new residents living in a 7km zone of influence from the SAC and SPA.

⁴⁰ Estimated increase in total visits from the borough each year based on new residents living in anywhere in Rossendale.

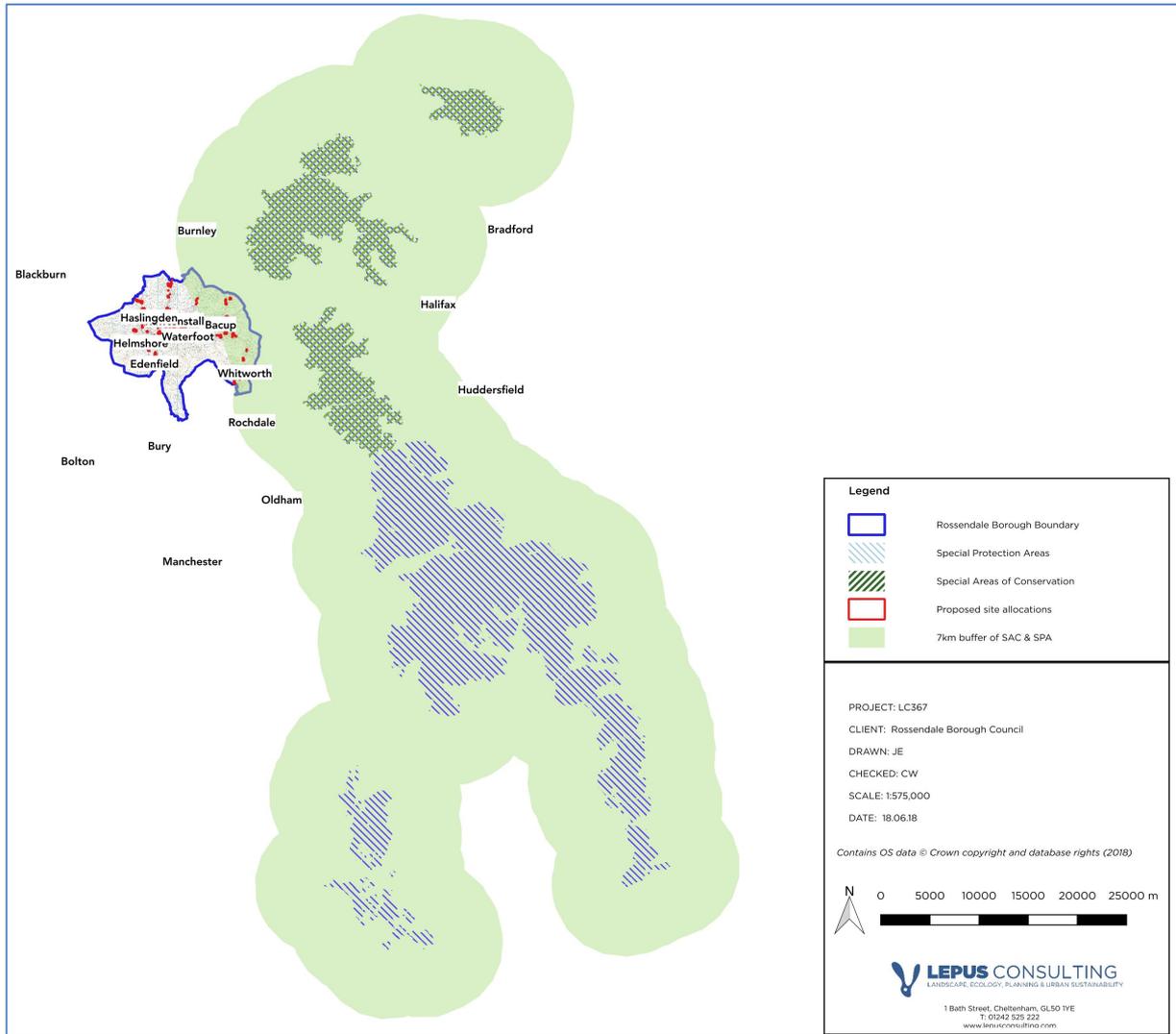


Figure 7.8 South Pennine Moors SAC and SPA with a 7km buffer zone in relation to Rossendale

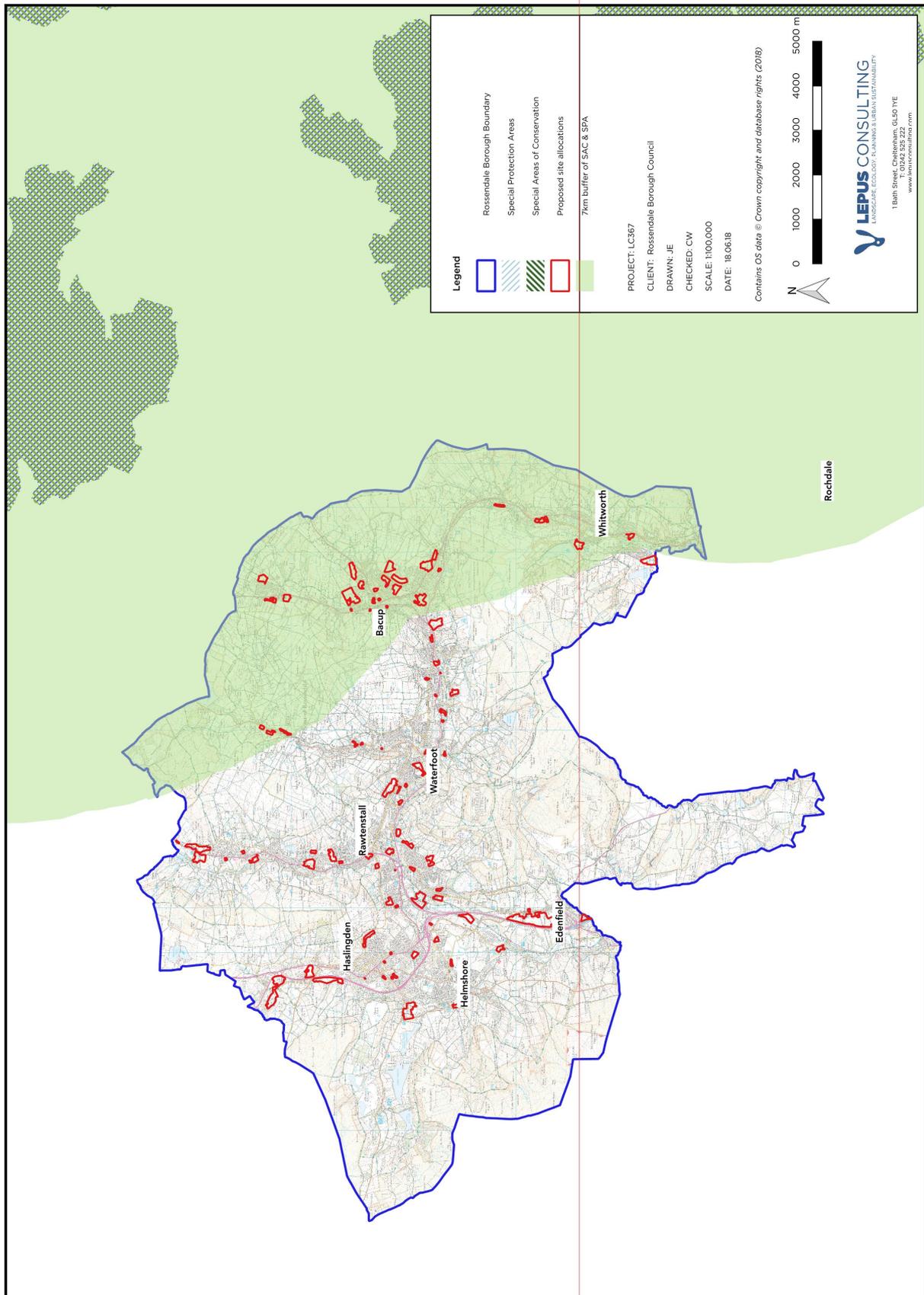


Figure 7.9 Site allocations in the Rossendale Regulation 19 Local Plan in relation to the 7km buffer zone applied to South Pennine Moors SAC and South Pennine Moors Phase 2 SPA

8 In-combination assessment

8.1 South Pennine Moors

8.1.1 This report has established no in-combination effects at Rochdale SAC or Manchester Mosses SAC arising from the Rossendale Local Plan. This chapter evaluates the likelihood of in-combination effects arising from the Rossendale Local Plan due to recreational impacts in-combination with other local plans at South Pennine Moors SAC and South Pennine Moors Phase 2 SPA.

8.1.2 The Local Plan for Rossendale proposes less development, at locations generally further away from the European sites, than most other local authorities in the area. Applying the assumption that 8km is the maximum distance that dog walkers are prepared to travel to the countryside (see **section 7.9.5**), a search of administrations that lie within this area around the borough and which are coincident with the two European sites (see **Figure 7.10**) includes:

- Burnley;
- Calderdale;
- Oldham; and
- Rochdale.

8.1.3 Development Plan activities at each administration have included preparing HRA work; this has been reviewed in **Table 8.1**.

8.1.4 The review shows the following summary results.

- The HRA report for Burnley has concluded no adverse effect on site integrity from recreation in-combination, through the use of mitigation measures in the form of a visitor management plan.
- The HRA of the Calderdale Plan currently concludes that an LSE on the Phase 2 SPA, as a result of recreational disturbances alone, cannot be ruled out yet but that Calderdale is in the process of preparing targeted visitor surveys to inform a mitigation strategy.
- The HRAs for Oldham and Rochdale both concluded that their plans would not lead to adverse effects on site integrity alone or in-combination as a result of recreational pressure at either the SAC or the SPA protections within the South Pennine Moors.

8.1.5 Of the relevant LPAs, where plans may potentially have an adverse impact on the South Pennine Moors, appropriate avoidance and mitigation schemes have been adopted to help ensure they do not arise, such as at Burnley. Calderdale are presently preparing visitor survey studies.

8.2 Assessment of effect

8.2.1 It is therefore uncertain if there will be an in-combination effect with Calderdale’s Local Plan. To overcome the uncertainty the Council has included, in policy ENV4, a commitment to *“work with other authorities and partner organisations in the South Pennines to develop a Visitor Management Plan for the South Pennines Special Protection Area (SPA).”*

8.2.2 The visitor management plan is ongoing. In terms of the Precautionary Principle, the ongoing visitor survey work embodied in Policy ENV4 and commitment to any necessary mitigation requirements that are identified as a consequence of the project findings, should enable the Council to address any in-combination effects that might emerge as more details become available.

8.3 Summary conclusion

8.3.1 **It is considered unlikely that the Rossendale Local Plan will lead to adverse effects on site integrity at either the South Pennine Moors SAC or South Pennine Moors Phase 2 SPA in-combination with other plans.**

Table 8.1 Plans within 8km of the boundary of RBC Plan could potentially have an in-combination effect alongside the conclusions of the relevant HRA documents

Local Planning Authority	Expected level of growth	Plan & HRA latest
Calderdale Metropolitan Borough	The Local Plan will seek to deliver 1,125dpa over until 2032 for a total of 16,871 new dwellings.	<p>Calderdale Council are in the process of preparing their Calderdale Local Plan, aiming for approval in 2019.</p> <p>The 2019 HRA for Calderdale concludes that an LSE on South Pennine Moors SAC/SPA, as a result of air pollution as well as recreational disturbances, cannot be objectively ruled out at that time: <i>‘However it is still uncertain at this stage as to whether some elements of the plan have the potential to result in significant adverse effects to the South Pennine Moors (phase 2) SPA & SAC. This is the result of the impact of air pollution from traffic and recreational impact on the moor.’</i>⁴¹</p> <p>Para 10.28 of the 2019 HRA report states that <i>‘Such visitor survey work is however being undertaken by Calderdale Council with the aim of filling these gaps in the evidence base and inform the mitigation needed’</i>.</p>

⁴¹ See para 11.3 of the 2019 Calderdale HRA Report. ‘Regulation 19 Publication Version Update 2019 Habitats Regulations Assessment (HRA) – Appropriate Assessment Report January 2019’.

Burnley Borough	The Burnley Local Plan Proposed Main Modifications sets out a minimum of 3,880 new dwellings over the 2012 – 2032 Plan period.	<p>The Burnley Local Plan was adopted on 31st July 2018.</p> <p>The HRA calculated that the Burnley Plan could potentially result in an additional 100,000 annual visits to the South Pennine Moors SPA and SAC. The HRA concluded, in relation to South Pennine Moors Phase 2 SPA and South Pennine Moor SAC, that for an LSE through recreational disturbances (i.e. an increase in visitor numbers) to be avoided the Council should commit to a 'Visitor Management Plan' for the South Pennine Moors. The Visitor Management Plan, for which details are not currently available from Burnley BC or Burnley's HRA consultants, will include the following objectives:</p> <ul style="list-style-type: none"> • To understand the spatial use of the site by qualifying species • To understand the condition of qualifying habitats • To understand primary visitor access locations and from where visitors travel • To understand the primary recreational activities undertaken at the site • To actively manage visitor access to avoid spatial and temporal ecological sensitivities. • To develop and fund appropriate habitat management and restoration where required, on an ongoing basis • To develop on-site visitor education to encourage sensitive recreational use of the site.
Oldham Metropolitan Borough	The Site Allocations DPD will seek to deliver 289dpa for a total of 4,624 new dwellings by 2025/26.	<p>The Council are in the process of preparing their Site Allocations Development Plan Document to accompany the Joint DPD.</p> <p>The HRA ruled out an LSE on all European sites.</p>
Rochdale Borough	The Core Strategy seeks to deliver 460dpa over 15 years for a total of 6,900 new dwellings.	<p>Rochdale adopted their Core Strategy in 2016.</p> <p>The 2013 HRA Report concluded that, providing the recommended mitigation measures, which take the form of amending and controlling development in the strategic locations through the Plan and amending the core policies, are put into place, controlled development within the identified areas can proceed without harm being caused to the special interests of any Natura 2000 sites.</p>

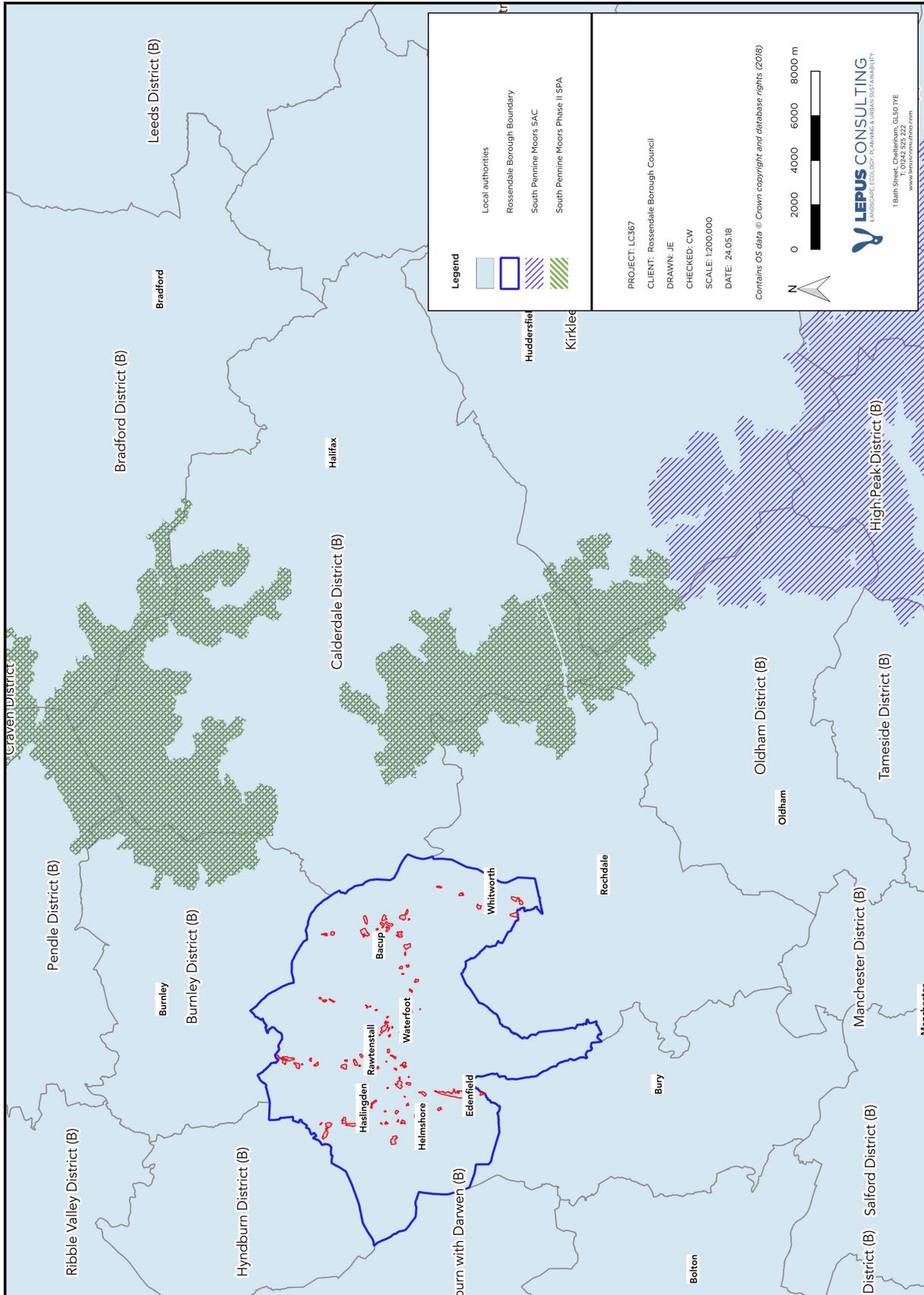


Figure 8.1: Local authorities in relation to Rossendale and the European sites

9 Local Plan Policies

9.1 Positive effects

9.1.1 The Local Plan proposes a range of development management policies, some of which will be likely to help ensure that the predicted level of recreational impacts, such that they are, remain insignificant (see **Table 7.7**).

9.1.2 A range of policies proposed in the RBC Local Plan are designed to help ensure that important biodiversity assets in the borough are protected and enhanced as a result of development and adverse impacts on sensitive and important bird habitats are highly unlikely as a consequence.

9.1.3 Policies proposed in the Plan will also help to ensure that new and existing residents have excellent access to a diverse range of high quality and distinctive natural habitats and outdoor greenspaces. These spaces will be closer and more accessible to Rossendale's residents than the South Pennine Moors and will therefore reduce the likelihood of new and existing residents relying on the Moors for outdoor recreational purposes.

9.1.4 Overall, the RBC Plan alone is expected to result in a negligible/minor increase in visitor numbers at South Pennine Moors Phase II SPA and SAC, with the additional annual visits spread out over a vast distance. Local Plan policies will also be likely to limit the increase in visitor numbers and to protect qualifying features in the borough.

9.1.5 It is recognised that a Visitor Management Plan for the SPA/SAC which studies, manages and mitigates the impacts of visitors (from anywhere) would be a useful tool for local planning authorities to use when considering the protection and management of the SAC and SPA. Policy ENV4 includes a commitment to this initiative:

"The Council will work with other authorities and partner organisations in the South Pennines to develop a Visitor Management Plan for the South Pennines Special Protection Area (SPA)."

9.1.6 This policy is necessary to mitigate potential in-combination effects.

Table 9.1 Summary of Local Plan policies relevant to biodiversity in the borough

Policy	Effectiveness
Biodiversity, Geodiversity and Ecological Networks	<p>This policy requires all development proposals which may adversely affect a nationally or locally designated site to be accompanied by the relevant surveys and assessments detailing the impacts. Proposals are expected to accord with the avoid > mitigate > compensate hierarchy. Development which harms a SSSI (including Lee Quarry) will not be permitted. This policy also sets out protection for the ecological networks within the borough, for which a Supplementary Planning Document will be produced to more fully set out the elements of this protection. Overall, it is unlikely that development which adversely impacts the ecological networks in the borough will be permitted.</p> <p>The protection and enhancement of green spaces and biodiversity assets under this policy will help to ensure existing and new residents have access to high quality green spaces and natural habitats within the borough, thereby reducing the likelihood of them visiting European sites on a regular basis.</p> <p>Through this policy, RBC set out the requirement for development proposals of 100 homes or more to prepare an appropriate assessment of the likely development impacts on the Breeding Bird Assemblage in Rossendale.</p> <p>RBC intend to seek out provisions for the creation of Suitable Alternative Natural Greenspaces (SANGs) where proposals may result in an individual or cumulative impact on Priority Species in the Borough.</p> <p>Through this policy, RBC set out their commitment to work with other authorities and partner organisations in the South Pennines to develop a Visitor Management Plan for the South Pennine Moors SPA.</p>
Private Residential Garden Development	<p>This policy will help to protect residential gardens from being lost to development, thereby protecting open and green spaces in the borough.</p>
Open Space Requirements in New Housing Developments	<p>This policy will require housing developments of ten or more dwellings to make provision for open space and recreation facilities where there are deficiencies. This will help to ensure new residents have good access to high quality green and outdoor spaces as well as potentially natural habitats, thereby potentially reducing the likelihood of new residents visiting sensitive bird areas or European sites. It would help if these locations can provide dog walking opportunities as well.</p>
High Quality Development in the Borough	<p>This policy sets out a range of requirements for development in the borough which will, amongst other things, help to ensure that new development protects local biodiversity and green infrastructure assets. As all proposals will be required to show that there is no adverse impact to the natural environment, or that any such impacts will be adequately mitigated, there will be limited scope adverse impacts on biodiversity in the borough, as a result of development, to occur.</p>
Green Infrastructure Networks	<p>In accordance with this policy, development proposals will be expected to support, protect, manage, enhance and connect the green infrastructure network in the borough. This will help to protect important bird areas from the adverse impacts of development, as well as to conserve outdoor green spaces and natural habitats – thereby reducing the reliance of residents on European sites for recreational purposes.</p>

Footpaths,
Cycleways and
Bridleways

In accordance with this policy, the Council will seek to help develop and enhance a strategic Public Rights of Way (PRoW) network in the borough, including surfacing, signage and feeder routes.

Residents in the borough have excellent access to high quality and distinctive landscapes of a countryside nature prevalent throughout the borough typified by valleys with enclosed uplands. These areas are likely to be highly attractive destinations for residents pursuing outdoor activities such as dog walking.

This policy will improve the accessibility of outdoor greenspaces and natural habitats in the borough, which will reduce the likelihood of residents relying on European sites for outdoor recreational activities.

9.2 Recommendation 1: Visitor management study specification

9.2.1 It is recommended Policy ENV4 expands the supporting text so that that the Visitor Management Plan is better defined. For example, it should set out the aims and purposes of the initiative as follows:

- To understand the condition of qualifying habitats;
- To understand the spatial use of the site by qualifying species;
- To understand primary visitor access locations and from where visitors travel on a seasonal basis so as to capture trend data;
- To understand the primary recreational activities undertaken at the site;
- To actively manage visitor access to avoid spatial and temporal ecological sensitivities;
- To develop and fund appropriate habitat management and restoration where required, on an ongoing basis; and
- To develop on-site visitor education to encourage sensitive recreational use of the site.

9.2.2 It should also set out a timetable for the initiative.

9.3 Recommendation 2: HRA screening of development proposals

9.3.1 Policy ENV4 makes it clear that '*Development proposals that have potential to affect a national or locally-designated site as shown on the Policies Map and its immediate environs or on protected habitats or species will be expected to be accompanied by relevant surveys and assessments detailing likely impacts*'.

9.3.2 In other words, development proposals are required to demonstrate that there will be no adverse effect on European sites. The HRA screening process is the best mechanism for this.

- 9.3.3 Policy ENV4 goes on to provide additional guidance in respect of development proposals anywhere in the district which contain proposals for more than 100 homes. Given that the policy already directs planning applicants to screen proposals for effects on European sites, the threshold appears unnecessary. This policy wording could be reviewed in light of this before adoption.
- 9.3.4 In terms of the cited 'relevant surveys' in ENV4, It is recommended that these assessments carefully consider the likely development impacts on:
- The breeding bird assemblage (comprising the twelve species listed in **Table 5.3**) for which South Pennine Moors Phase 2 SPA is classified; and
 - The habitats and supporting processes on which these birds rely.
- 9.3.5 Common impacts of construction include loss of habitat, direct harm to habitats, loss of supporting habitats and increased disturbance.
- 9.3.6 Common impacts of new residents in the vicinity of important bird areas of principle concern is the increased risk and regularity of disturbance from people and their pets (including increased risk of predation by pet cats and disturbance from pet dogs off the lead).
- 9.3.7 Proposals which would adversely impact the breeding bird assemblage, or the habitats on which they rely, without following the necessary avoid > mitigate > compensate hierarchy, should not be supported in principle.

10 Conclusions and next steps

10.1 Assessment findings

10.1.1 Lepus Consulting (Lepus) has prepared this Habitat Regulations Assessment (HRA) Appropriate Assessment (AA) report of the emerging Rossendale Local Plan 2019 - 2034 (Local Plan) on behalf of Rossendale Borough Council (RBC).

10.1.2 It is an update to previous Appropriate Assessment work undertaken in 2018, which was informed by HRA screening in 2016.

10.1.3 Following consultation on the HRA Screening Report, it was agreed with Natural England that the following impacts required further investigation before an LSE could be objectively ruled out:

- Natural England would like to see a full audit trail and an explanation for why each policy and allocation will not have a significant effect;
- Natural England agrees with the statements in the HRA but it could be an option to provide further explanation as to why there are no impacts;
- Further explanation is required to explain why no part of the Plan is likely to contribute to the pressure/threats of physical modification. This could be because of the proximity of allocations, which requires further details; and
- Recreational disturbance has not been addressed in the HRA because of the lack of available data. Further clarification is required to explain how the HRA proposed to address recreational disturbance.

10.1.4 The 2018 Appropriate Assessment report investigated the above issues in more detail. Whilst the exercise was in effect partly re-screening, it was agreed with Natural England that all assessment work would be prepared as part of the Appropriate Assessment.

10.1.5 Natural England were satisfied with the overall conclusion of the 2018 Appropriate Assessment, but requested that some matters be clarified.

10.1.6 The potential impacts of the RBC Plan on visitor numbers at South Pennine Moors SPA and SAC has been carefully explored using best available data from Natural England and other sources. Similarly, all policies in the Local Plan have carefully been reviewed to ensure that they contain necessary mitigation mechanisms to avoid any adverse effects arising from the Local Plan.

10.1.7 **It is considered unlikely that the Rossendale Local Plan will lead to adverse effects on site integrity at either the South Pennine Moors SAC or South Pennine Moors Phase 2 SPA alone or in-combination with other plans.**

10.1.8 **Similarly, no adverse effects on site integrity are associated with Rochdale Canal SAC or Manchester Mosses SAC.**

10.2 **Next steps**

10.2.1 This report is subject to consultation with the statutory body Natural England.

10.2.2 The recommendations in **Chapter 9** should be carefully considered by Rossendale Borough Council.

Appendix A: Natural England correspondence

Response detail

Extract from a Natural England letter regarding the 2016 HRA Screening Report (September, 2016). Dated 23rd October, 2017.

Habitats Regulation Assessment (HRA)

Natural England has the following comments with regards to the HRA:

The HRA has not shown how each policy and allocation has been screened out. Natural England would like to see a full audit trail and an explanation for why each policy and allocation will not have a significant effect.

Changes in hydraulic conditions (4.7)

Natural England agrees with the statements in the HRA but it could be an option to provide further explanation for why there are no impacts.

Public access, outdoor sports and recreational activities (4.9)

Recreational disturbance has not been addressed in the HRA because of the lack of available data. Further clarification is required to explain how the HRA proposed to address recreational disturbance.

Physical modification (4.12)

Further explanation is required for point 4.12.4 to explain why no part of the plan is likely to contribute to the pressure/threats of physical modifications. This could be because of the proximity of allocations, which requires further details.

Extract from a Natural England letter regarding the 2018 HRA Appropriate Assessment Report (July, 2018). Dated 5th October, 2018.

Habitat Regulations Assessment - Appropriate Assessment

Natural England are satisfied with the overall conclusion of the Appropriate Assessment (AA) but have some specific comments to make where we feel additional detail or further clarification is required.

The Habitats Regulations Assessment should ideally be presented as a whole and include the Screening stage so that it is clear how and why the AA was needed.

Table 5.7 Likely mitigating impact of Local Plan policies

Private Residential Garden Development – Whilst residential gardens bring many positive benefits, we disagree that they would have any bearing on sensitive bird areas.

Open Space Requirements in New Housing Developments – This should include areas suitable for dog walking in order to reduce pressure on bird sensitive areas.

5.10.6 – The AA is concluding no 'likely significant effect' (LSE) in-combination with other Plans/Projects. This is confusing since LSE is the term used at Screening stage, this is an AA so the term that should be used is 'adverse impact on site integrity' (AIOSI). It is also a little confusing that the AA goes on to propose measures to mitigate for in-combination impacts. Rossendale do not need to include Plans/Projects that have concluded AIOSI 'alone' as they will be required to come up with measures to mitigate the impacts. Plans/Projects that conclude no LSE 'alone' do need to be included in the in-combination assessment. It is not clear if the other Plans/Projects in-combination assessments included accurate housing numbers for Rossendale or did that information become available at a later stage?

6.1.1 – 'significant effect' is the incorrect term to use in an AA. It is confusing to refer to mitigation when no adverse impact has been identified even though we support the proposed safeguarding measures.

It is not clear if the AA is concluding an in-combination impact.

Box 6.1 Mitigation recommendations

It is not clear if the mitigation recommendations are required in order to mitigate for in-combination impacts, some clarification is needed.

Visitor Management Strategy – If this is considered to be necessary in order to mitigate for in-combination impacts then some more detail is needed in order to provide confidence that this can be delivered. Details on progress and time lines should be provided.

Appendix B: Threats and pressures

Table B.1: Threats and pressures for each European site identified as potentially being affected by the Rossendale Local Plan

Threats & pressures	Rochdale Canal SAC	South Pennine Moors SAC	South Pennine Moors Phase 2 SPA	Manchester Mosses SAC
Air pollution	✓ ^{ab} All qualifying features	✓ ^{ab} All qualifying features	✓ ^b All qualifying features	✓ ^{ab} All qualifying features
Changes in hydraulic conditions	✓ ^a	✓ ^{ab} Wet Heathland with cross-leaved heath Blanket bogs Very wet mires often an unstable 'quaking' surface	✓ ^{ab} Golden Plover Breeding bird assemblage	✓ ^{ab} All qualifying features
Wildfire and arson		✓ ^{ab} All qualifying features	✓ ^{ab} All qualifying features	
Managed rotational burning		✓ ^b Wet Heathland with cross-leaved heath European dry heaths Blanket bogs	✓ ^b All qualifying features	
Agriculture activities		✓ ^a		
Public access, outdoor sports and recreational activities		✓ ^{ab} Wet Heathland with cross-leaved heath European dry heaths Blanket bogs Very wet mires often identified by an unstable 'quaking' surface	✓ ^{ab} Breeding bird assemblage	
Low breeding success			✓ ^{ab} Merlin	
Inappropriate management practices		✓ ^b All qualifying features	✓ ^{ab} All qualifying features	
Vehicles		✓ ^b Wet Heathland with cross-leaved heath	✓ ^b All qualifying features	

		European dry heaths Blanket bogs Very wet mires often identified by an unstable 'quaking' surface		
Grazing regime (over- and undergrazing)		✓ ^b All qualifying features	✓ ^b Merlin Breeding bird assemblage	
Forestry and woodland management		✓ ^b Old sessile/acidic oak woods		
Changes in species distributions			✓ ^b Merlin Breeding bird assemblage	
Disease		✓ ^b European dry heaths Blanket bogs Old sessile/acidic oak woods		
Invasive species		✓ ^b Wet Heathland with cross-leaved heath European dry heaths Old sessile/acidic oak woods		
Planning permission: general			✓ ^b Merlin Golden Plover	
Physical modification	✓ ^b All qualifying features			

^a Indicates that this is highlighted as a threat / pressure in the relevant Natura 2000 Data Form

^b Indicates that this is highlighted as a threat in the relevant Site Improvement Plan

Appendix C: Conservation objectives

European Sites Conservation objectives

* Denotes a priority natural habitat or species

Rochdale Canal SAC

Conservation objectives:

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 the habitats of the qualifying species
- The structure and function of the habitats of the qualifying species
- The supporting processes on which the habitats of the qualifying species rely
- The populations of qualifying species, and,
- The distribution of the qualifying species within the site.

Qualifying Features:

- S1831: Luronium natans; Floating water-plantain

South Pennine Moors SAC

Conservation objectives:

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 the habitats of the qualifying features;
- The structure and function (including typical species) of the habitats of the qualifying natural habitats; and,
- The supporting processes on which the qualifying natural rely.

Qualifying Features:

- H4010. Northern Atlantic wet heaths with Erica tetralix; Wet heathland with cross-leaved heath
- H4030. European dry heaths
- H7130. Blanket bogs*
- H7140. Transition mires and quaking bogs; Very wet mires often identified by an unstable `quaking` surface
- H91A0. Old sessile oak woods with Ilex and Blechnum in the British Isles

South Pennine Moors Phase 2 SPA

Conservation objectives:

Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving 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 populations of each of the qualifying features, and,
- The distribution of the qualifying features within the site.

Qualifying Features:

- A098 *Falco columbarius*; Merlin (Breeding)
- A140 *Pluvialis apricaria*; European golden plover (Breeding)
- A6.96 *Asio flammeus*; Short-eared Owl (Breeding)
- Breeding bird assemblage

Manchester Mosses SAC

Conservation objectives:

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
- The structure and function (including typical species) of qualifying natural habitats, and,
- The supporting processes on which the qualifying natural habitats rely

Qualifying Features:

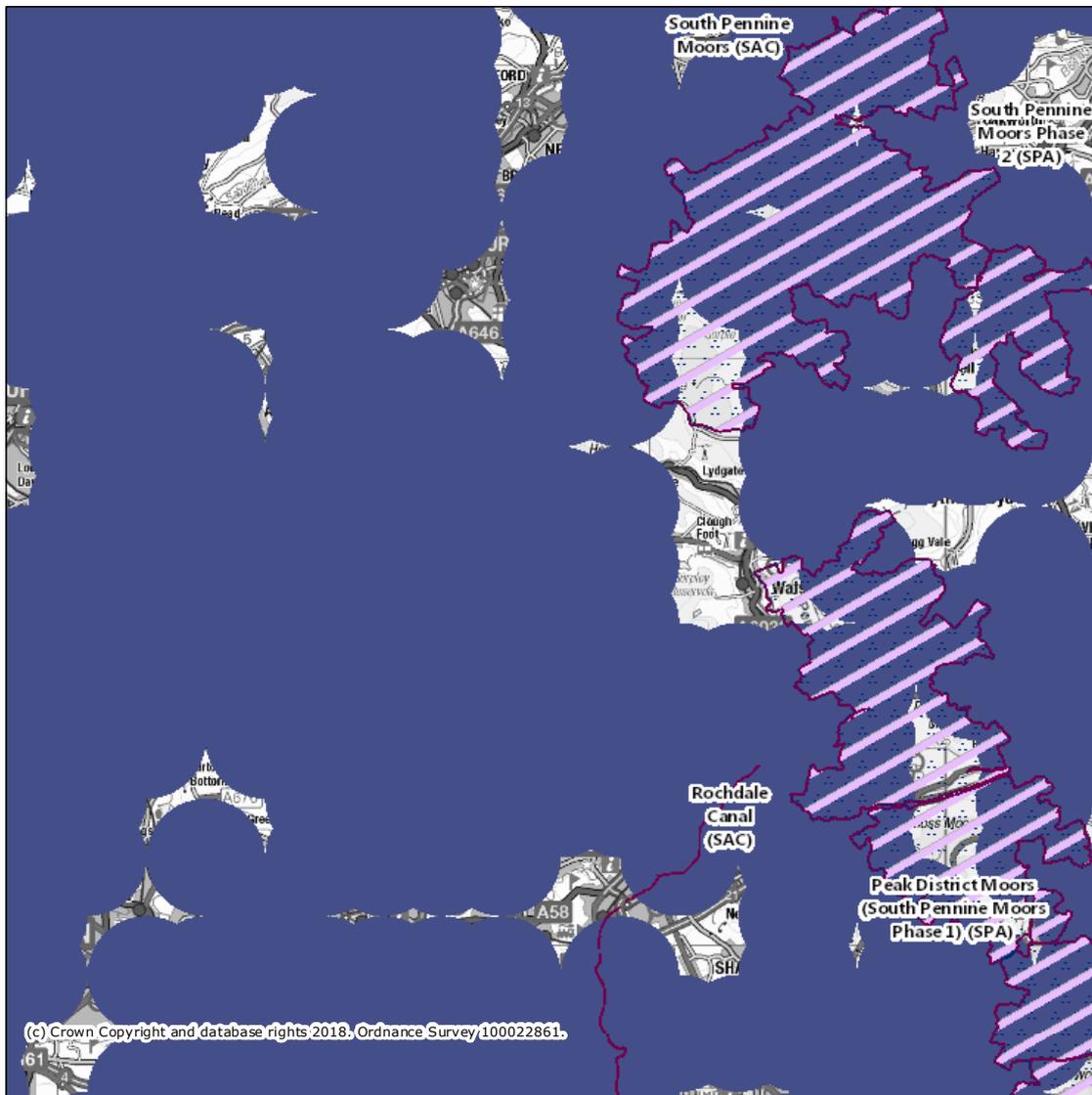
- H7120. Degraded raised bogs still capable of natural regeneration

Appendix D: Bird distribution data

**Distribution of lapwing, twite, curlew and snipe in and around Rossendale
(Natural England data)**

MAGiC

Lapwing

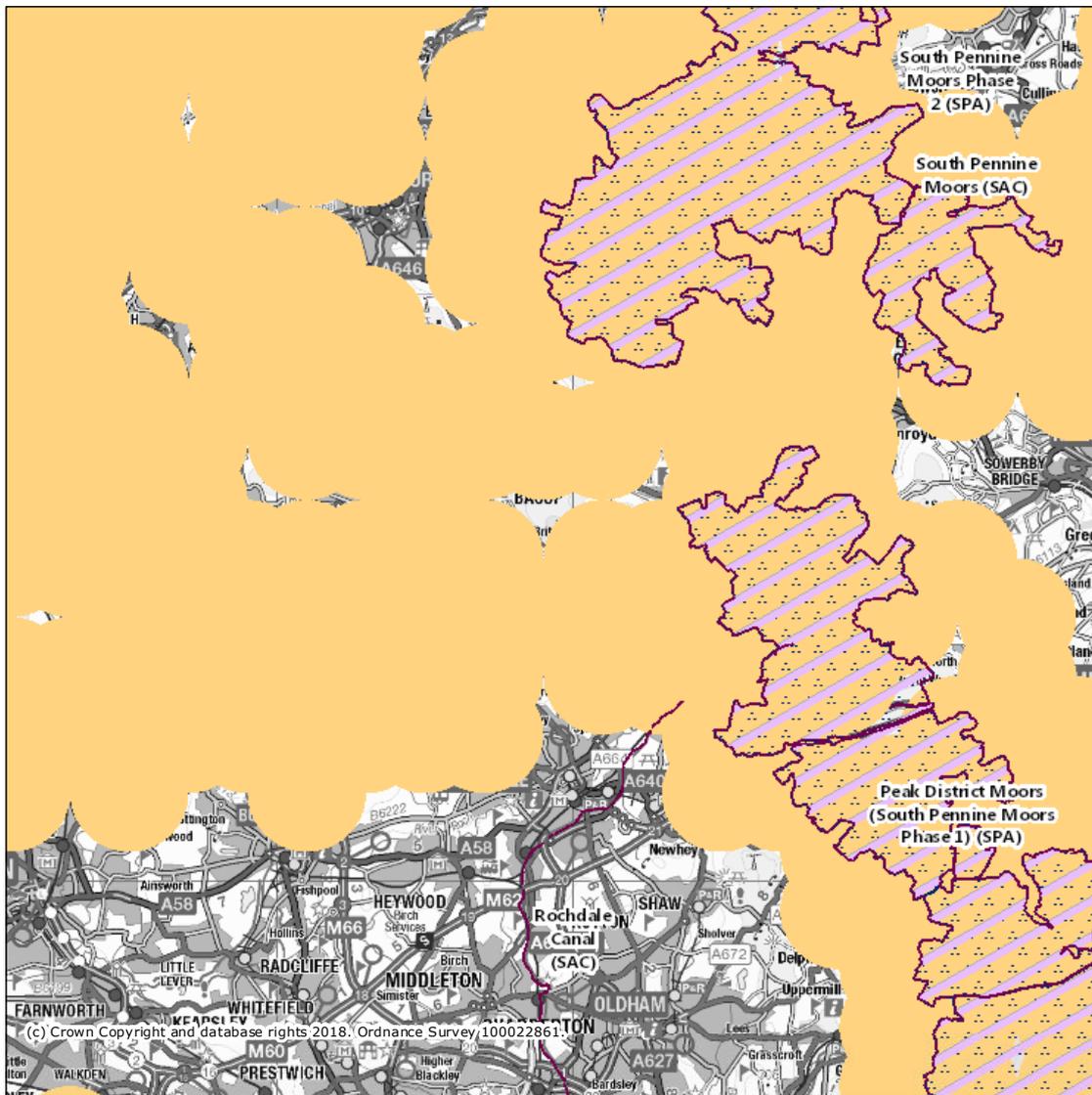


(c) Crown Copyright and database rights 2018, Ordnance Survey 100022861.

Legend	
Special Areas of Conservation (England)	Projection = OSGB36 xmin = 353400 ymin = 402600 xmax = 420000 ymax = 444100
Special Protection Areas (England)	Map produced by MAGIC on 24 May, 2018. Copyright resides with the data suppliers and the map must not be reproduced without their permission. Some information in MAGIC is a snapshot of the information that is being maintained or continually updated by the originating organisation. Please refer to the metadata for details as information may be illustrative or representative rather than definitive at this stage.
Lapwing (England)	

MAGiC

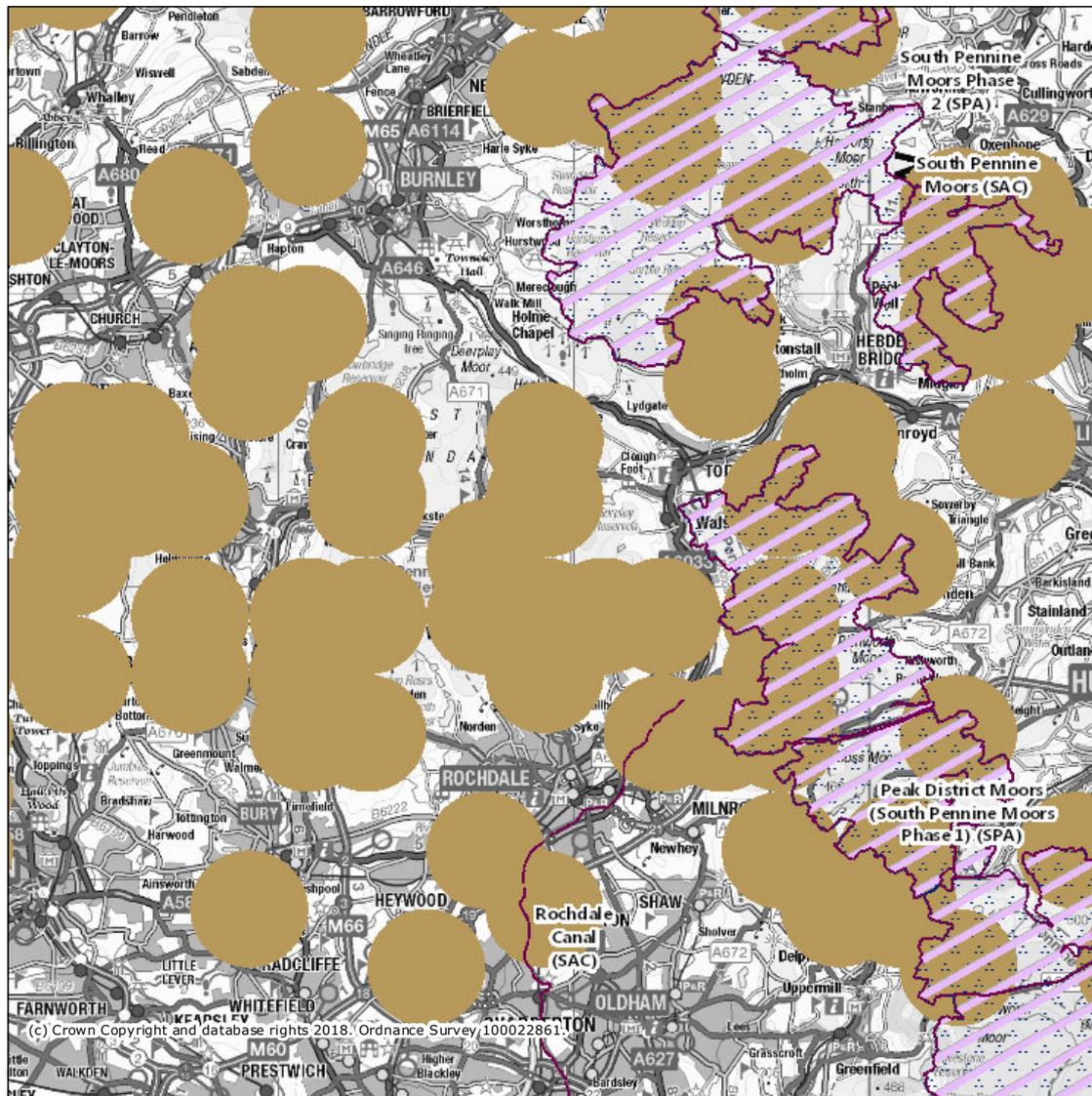
Curlew



(c) Crown Copyright and database rights 2018. Ordnance Survey 100022861

Legend	
Special Areas of Conservation (England)	
Special Protection Areas (England)	
Curlew (England)	
	Projection = OSGB36 xmin = 356000 ymin = 400400 xmax = 422600 ymax = 441900 Map produced by MAGIC on 24 May, 2018. Copyright resides with the data suppliers and the map must not be reproduced without their permission. Some information in MAGIC is a snapshot of the information that is being maintained or continually updated by the originating organisation. Please refer to the metadata for details as information may be illustrative or representative rather than definitive at this stage.

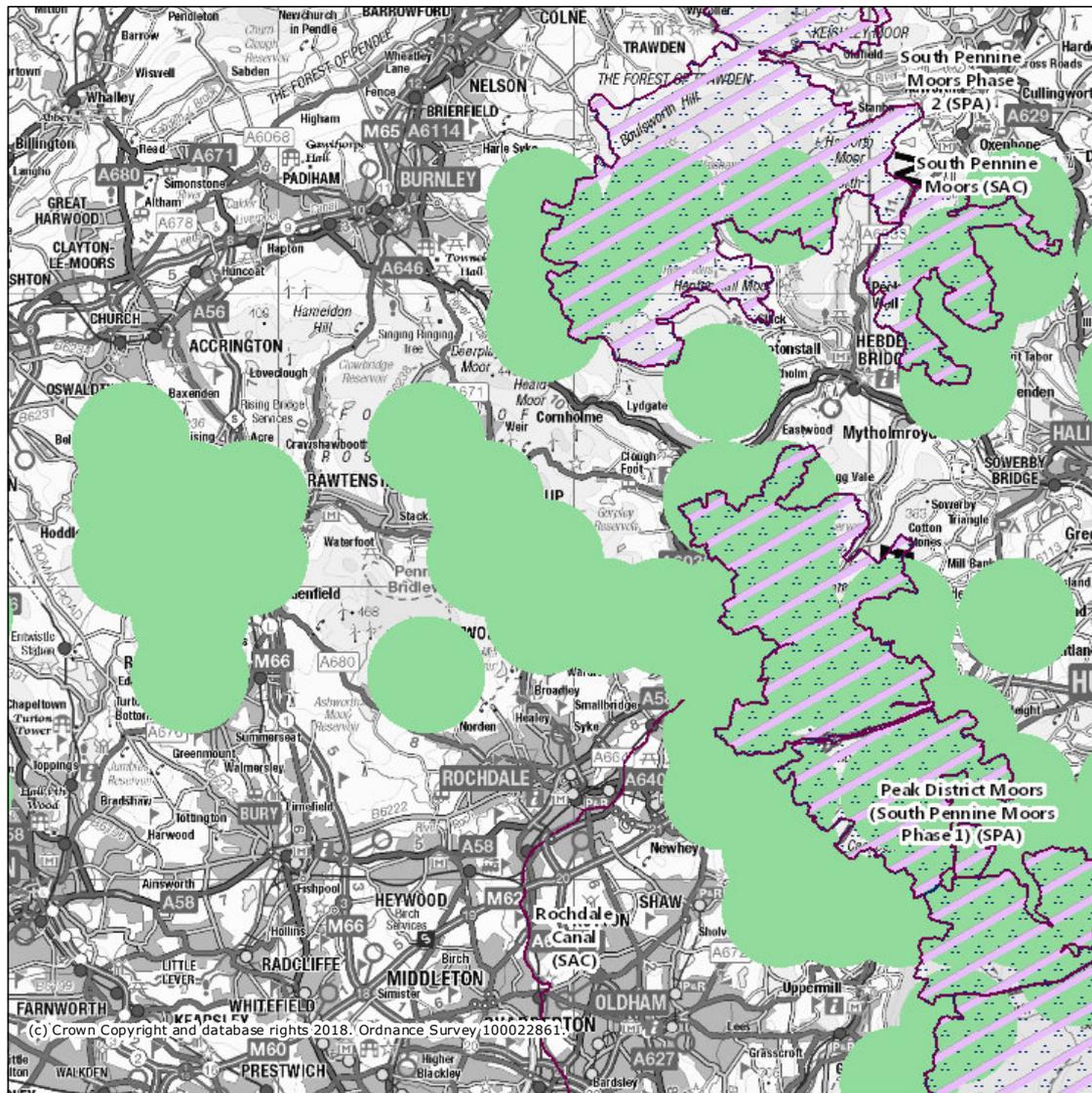
MAGiC Snipe



(c) Crown Copyright and database rights 2018. Ordnance Survey 100022861

<p>Legend</p>	
<p> Special Areas of Conservation (England)</p>	<p>Projection = OSGB36</p>
<p> Special Protection Areas (England)</p>	<p>xmin = 356000</p>
<p> Snipe (England)</p>	<p>ymin = 400400</p>
	<p>xmax = 422600</p>
	<p>ymax = 441900</p>
	<p>Map produced by MAGiC on 24 May, 2018. Copyright resides with the data suppliers and the map must not be reproduced without their permission. Some information in MAGiC is a snapshot of the information that is being maintained or continually updated by the originating organisation. Please refer to the metadata for details as information may be illustrative or representative rather than definitive at this stage.</p>

MAGiC Twite



Legend

-  Special Areas of Conservation (England)
-  Special Protection Areas (England)
-  Twite (England)



Projection = OSGB36

xmin = 356000

ymin = 400400

xmax = 422600

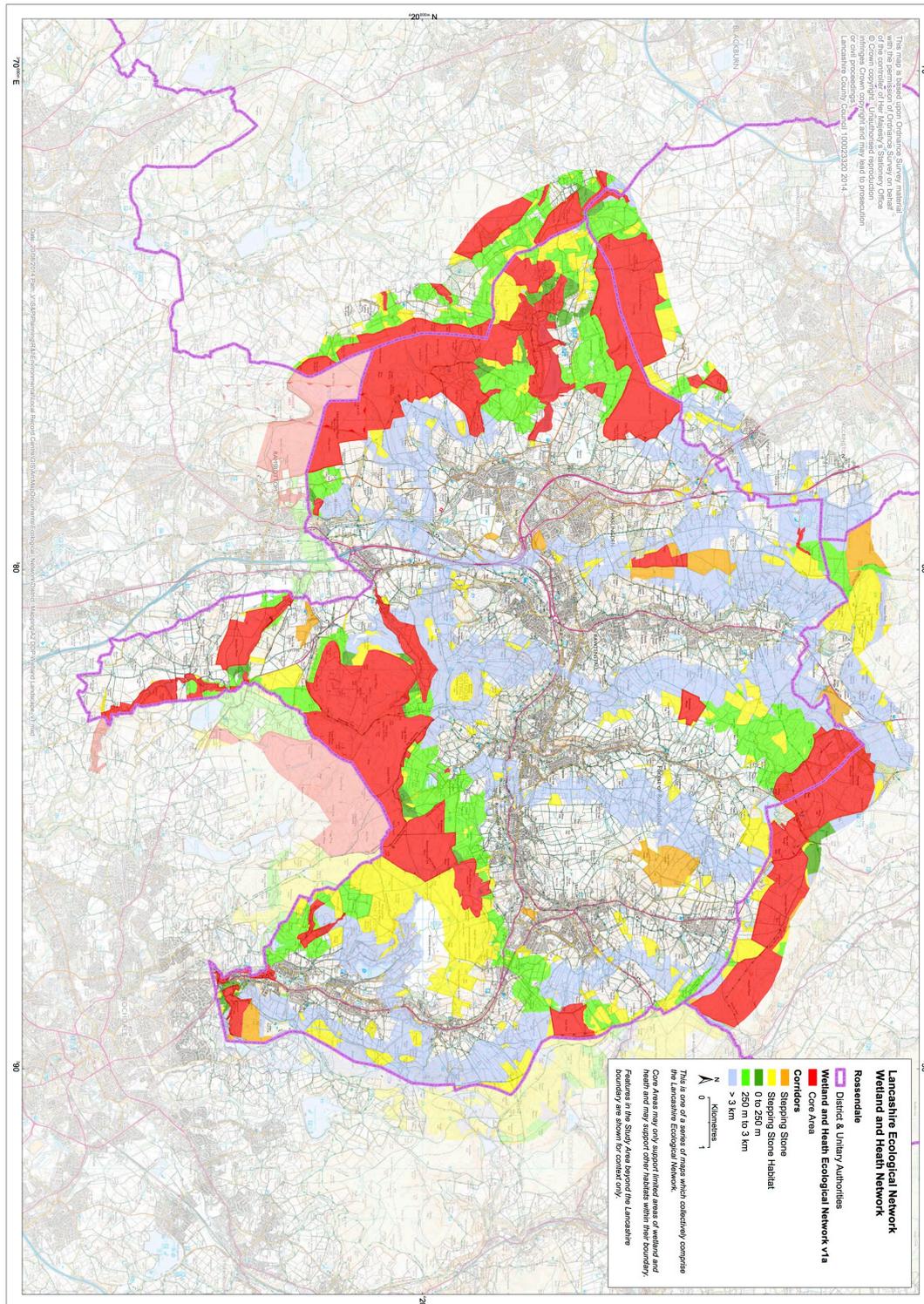
ymax = 441900

Map produced by MAGIC on 24 May, 2018.

Copyright resides with the data suppliers and the map must not be reproduced without their permission.

Some information in MAGIC is a snapshot of the information that is being maintained or continually updated by the originating organisation. Please refer to the metadata for details as information may be illustrative or representative rather than definitive at this stage.

Appendix E: Wetland and heath network in Rossendale (LERN data)



Appendix F: Policy assessments

Summary assessment categories

Assessment and reasoning categories from Chapter F of The Habitats Regulations Assessment Handbook (DTA Publications, 2013):

- A. General statements of policy / general aspirations
- B. Policies listing general criteria for testing the acceptability / sustainability of proposals
- C. Proposal referred to but not proposed by the plan
- D. Environmental protection / site safeguarding policies
- E. Policies or proposals that steer change in such a way as to protect European sites from adverse effects
- F. Policies or proposals that cannot lead to development or other change
- G. Policies or proposals that could not have any conceivable or adverse effect on a site
- H. Policies or proposals the (actual or theoretical) effects of which cannot undermine the conservation objectives (either alone or in combination with other aspects of this or other plans or projects)
- I. Policies or proposals with a likely significant effect on a site alone
- J. Policies or proposals not likely to have a significant effect alone
- K. Policies not likely to have a significant effect either alone or in combination
- L. Policies or proposals likely to have a significant effect in combination

Summary assessment table

Policy ref.	Policy name	Assessment category
SS	Spatial strategy	A
SD1	Presumption in Favour of Sustainable Development	D
SD2	Urban Boundary and Green Belt	D
HS1	Meeting Rossendale's Housing Requirement	A
HS2	Housing Site Allocations	K
HS3	Edenfield	K
HS4	Affordable Housing	G
HS5	Housing Density	G
HS6	Housing Standards	D
HS7	Private Residential Garden Development	D
HS8	Open Space Requirements in New Housing Developments	D
HS9	Playing Pitch Requirements in New Housing Developments	D
HS10	Private Outdoor amenity space	D
HS11	House Extensions	G
HS12	Replacement Dwellings	K
HS13	Rural Affordable Housing – Rural Exception Sites	K

HS14	Conversion and Re-Use of Rural Buildings in the Countryside	K
HS15	Rural Workers Dwellings	K
HS16	Gypsies, Travellers and Travelling Showpeople	K
HS17	Specialist Housing	K
HS18	Self-Build and Custom Built Houses	K
EMP1	Provision for Employment	K
EMP2	Employment Site Allocations	K
EMP3	Employment Site and Premises	K
EMP4	Development Criteria for Employment Generating Development	K
EMP5	Employment Development in non-allocated employment areas	K
EMP6	Futures Park	K
EMP7	New Hall Hay	K
R1	Retail and Other Town Centre Uses	G
R2	Rawtenstall Town Centre Extension	G
R3	Development and Change of Use in District and Local Centres	G
R4	Existing Local shops	G
R5	Hot Food Takeaways	G
R6	Shopfronts	G
ENV1	High Quality Development in the Borough	D
ENV2	Heritage Assets	G
ENV3	Local List	G
ENV4	Landscape Character and Quality	D
ENV5	Biodiversity, Geodiversity and Ecological Networks	D
ENV6	Green Infrastructure	D
ENV7	Environmental Protection	D
ENV8	Wind Turbine Areas of Search	K
ENV9	Wind Farms and Individual Turbines	K
ENV10	Other forms of Renewable Energy generation	G
ENV11	Surface Water Run-Off, Flood Risk, Sustainable Drainage and Water Quality	D
ENV12	Trees and Hedgerows	D
LT1	Protection of Playing Pitches, Existing Open Space and Sport and Recreation Facilities	D
LT2	Community Facilities	G
LT3	Tourism	D
LT4	Overnight Visitor Accommodation	K

LT5	Equestrian Development	K
LT6	Farm Diversification	K
TR1	Strategic Transport	G
TR2	Footpaths, Cycleways and Bridleways	D
TR3	Road Schemes and Development Access	G
TR4	Parking	G

Habitat Regulations Assessments

Sustainability Appraisals

Strategic Environmental Assessments

Landscape Character Assessments

Landscape and Visual Impact Assessments

Green Belt Reviews

Expert Witness

Ecological Impact Assessments

Habitat and Ecology Surveys



LEPUS CONSULTING
LANDSCAPE, ECOLOGY, PLANNING & URBAN SUSTAINABILITY

© Lepus Consulting Ltd

1 Bath Street Cheltenham GL50 1YE

T: 01242 525222

E: enquiries@lepusconsulting.com

www.lepusconsulting.com

CHELTENHAM



Lepus Consulting
1 Bath Street
Cheltenham
Gloucestershire GL50 1YE

t: 01242 525222
w: www.lepusconsulting.com
e: enquiries@lepusconsulting.com