



Habitat Regulations Assessment



December 2021

## Versions

<b>Document:</b>	Pendle Local Plan: Habitat Regulations Assessment
<b>Legislation:</b>	Habitats Directive and Birds Directive (part)
<b>Regulations:</b>	<u>Conservation of Habitats and Species Regulations 2017 (as amended)</u>
<b>Author:</b>	Pendle Borough Council
<b>Document Reference:</b>	LP2/EVB/005/2020

Version	Date	Detail	Prepared by	Checked by	Approved by
1.1	06.11.20	First draft	Lee Johnson	John Halton	-
1.2	08.01.21	Revised draft	Lee Johnson	John Halton & Craig Barnes	John Halton
1.3	17.11.21	Publication Draft	Craig Barnes	John Halton	John Halton

# Contents

1. Introduction .....	5
Background to Assessment.....	5
Legislation .....	5
National Guidance .....	6
2. Methodology .....	7
Screening .....	7
Appropriate Assessment.....	8
Assessment of Alternative Solutions .....	8
Consideration of Imperative Reasons of Overriding Interest.....	8
3. The Pendle Local Plan Part 2.....	9
Introduction .....	9
Policies .....	9
Settlement Hierarchy and Site Allocations .....	11
Adopted Plans and Policies.....	13
4. European and Ramsar sites which may be affected.....	14
List of Designated Sites.....	14
5. Review of Likely Significant Effects based on Policies and Allocations .....	15
Policies .....	15
Site Allocations .....	15
In-combination Effects.....	16
6. Conclusions .....	17
References.....	18
Appendix 1: Review of draft Local Plan Policies.....	20
Appendix 3: Maps of European Sites in relation to the Borough of Pendle .....	44



## 1. Introduction

- 1.1 Within this document Pendle Borough Council is referred to as “the Council”) and the area within its administrative boundary is referred to as “the Borough”.

### Background to Assessment

- 1.2 Part of the Borough is designated as a European Site<sup>1</sup> because of its value to ensuring the survival of Europe’s most valuable species and habitats. In addition, several other European Sites outside the borough could also be affected by development proposals within Pendle.
- 1.3 This Habitats Regulations Assessment (HRA) seeks to identify the Likely Significant Effects (LSE) of development on any of the Natura 2000 or European Sites (Special Areas of Conservation (SACs), Special Protection Areas (SPAs) and RAMSAR sites) either in isolation or in combination with other plans and projects of neighbouring authorities. There are a number of potential European Sites within a 50 kilometre radius of the borough.
- 1.4 In December 2015 the Council adopted *Pendle Local Plan Part 1: Core Strategy* (hereafter referred to as “the Core Strategy”). This allocated strategic sites for housing and employment and as a result [a separate HRA](#) was carried out to assess the impacts of this part of the Local Plan. This assessment found that there were no LSE’s arising from the proposals in the Core Strategy.
- 1.5 The *Pendle Local Plan Part 2: Site Allocations and Development Policies* (hereafter referred to as “the Local Plan Part 2”) builds upon the Core Strategy and allocates sites for development where there is a local need beyond that addresses by the strategic sites. It also includes further development policies that have the potential to affect the European Sites.
- 1.6 This screening report seeks to determine whether the Local Plan Part 2 is likely to have any significant environmental effects and to assess the likelihood of these having an adverse effect on a European Site within, or close to, the Borough. This assessment does not seek to assess the impact of sites that already have been granted planning permission or been allocated in another development plan document (e.g. neighbourhood plan).

### Legislation

- 1.6 Article 6(3) of the EU Habitats Directive (Council Directive 92/43/EEC) and regulation 63 of the [Conservation of Habitats and Species Regulations 2017 \(as amended\)](#) requires that an appropriate assessment of plans and programmes is carried out with regard to the conservation objectives of European Sites (Natura 2000 sites) and that other plans and projects identify any significant effect that is likely for any European Site. In the context of plan preparation, a HRA is required where the proposals within a plan are deemed likely to result in significant negative effects occurring on protected European Sites.

---

<sup>1</sup> A European Site or European Marine Site and sometimes referred to as Natura 2000 sites, are areas designated to conserve natural habitats and species of wildlife which are rare, endangered, or vulnerable within Europe. They are defined in paragraph (8) of The Conservation of Habitats and Species Regulations 2017.

## National Guidance

- 1.7 The Government [guidance on producing Habitats Regulations Assessments](#). It states:

*'If a proposed plan or project is considered likely to have a significant effect on a protected habitats site (either individually or in combination with other plans or projects) then an appropriate assessment of the implications for the site, in view of the site's conservation objectives, must be undertaken (Part 6 of the Conservation of Habitats and Species Regulations 2017). This does not apply to plans or projects directly connected to the conservation management of the features for which the site was designated.*

*A significant effect should be considered likely if it cannot be excluded on the basis of objective information and it might undermine a site's conservation objectives. A risk or a possibility of such an effect is enough to warrant the need for an appropriate assessment.*

*The conservation objectives relate to each of the habitats and species for which the site was designated and will be provided in more detail by Natural England. A competent authority must consult Natural England for the purposes of the assessment and must have regard to any representations that Natural England may wish to make within a reasonable time (as specified by the competent authority). Natural England's formal advice on conservation objectives is publicly available for both European terrestrial sites and European marine sites.*

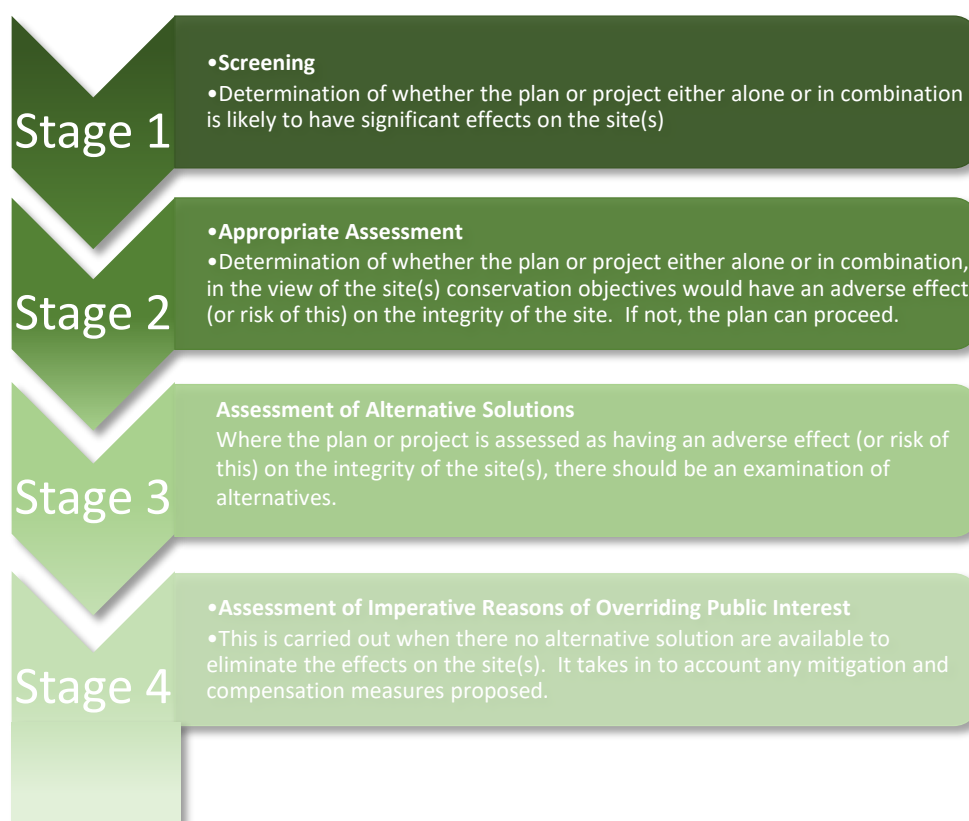
*Paragraph: 002 Reference ID: 65-002-20190722*

*Revision date: 22 07 2019'*

- 1.8 Over time the phrase Habitats Regulations Assessment has come to describe the entire process (see section 2 Methodology) leaving the term 'Appropriate Assessment' to be used specifically for the purpose of the part of the process that is defined in law.

## 2. Methodology

- 2.1 The Habitats Directive and subsequently the Conservation of Habitats and Species Regulations 2017 take a precautionary approach towards European Sites and the plans and projects that may affect them. As such plans and projects should only proceed if it can be shown they will have no significant adverse effects on the European sites that are being assessed. Plans and projects that may have an adverse effect on a European Site may still be permitted should there be adequate mitigation or compensation **and** Imperative Reasons of Overriding Public Interest (IROPI) as to why the plan or project should go ahead.
- 2.2 Habitats Regulation Assessment is multi-stage process that helps determine the Likely Significant Effects (LSE) and where appropriate assess adverse effects on the integrity of a European Site, examine the alternative solutions, and where no alternatives can be found then assess the justification for IROPI.



### Screening

- 2.3 This stage of the process is made up of two main steps. These are:
- **Collation of information** – This involves gathering evidence regarding the relevant European Sites that the plan or project may affect. This includes determining whether the plan or project is directly connected with the management of any European Site(s), the conservation objectives of the European Site(s), and details of the plan or project and of those that may, in combination, affect the site(s).

- **Assessing the Likely Significant Effects (LSE)** – This is a form of risk assessment that determines whether there is a requirement for an Appropriate Assessment. The test being;

*“Is the project, either alone or in combination with other relevant projects and plans, likely to result in a significant effect upon European sites?”*

The objective of this is to ‘screen out’ any plan or project that is likely to have a less than significant adverse effect on the European Site(s).

- 2.4 Any compensation or mitigation measures proposed cannot be taken into account at the screening phase of the HRA.

### **Appropriate Assessment**

- 2.5 At the conclusion of the screening process, if it cannot be determined that there are likely to be no significant effects on the European Site(s) then an appropriate assessment must be undertaken. At this stage compensation and mitigation measures can be taken into account in order to determine if these could eliminate any adverse effects on the integrity of the European Site(s).
- 2.6 Appropriate assessment will consider any policies or site allocations that cannot be dismissed at the screening stage in detail to determine their potential effect on the European Sites.

### **Assessment of Alternative Solutions**

- 2.7 Where the appropriate assessment is inconclusive or cannot rule out any adverse effects on a European Site an examination of alternative solutions must take place. The alternative solutions should be examined to the same degree as the appropriate assessment.

### **Consideration of Imperative Reasons of Overriding Interest**

- 2.8 Where it can be demonstrated that there are no alternatives that would lessen the impact of the plan or project on a European Site(s) then the plan or project may still go ahead providing that the Competent Authority is satisfied that the plan or project must be carried out for IROPI. The IROPI justification should be included in to the HRA report and must relate to:

- Human health, public safety or beneficial consequences of primary importance to the environment; or
- Having due regard to the opinion of the European Commission, any other reasons of IROPI.



### 3. The Pendle Local Plan Part 2

#### Introduction

- 3.1 Once adopted the Pendle Local Plan Part 2 will form part of the Statutory Development Plan for the borough. Alongside the Core Strategy, its policies and site allocations will provide the starting point for considering whether planning applications should be approved.
- 3.2 The Local Plan Part 2 builds upon the policies and strategic site allocations set out in the Core Strategy, providing detailed development policy and identifying sites for housing, community facilities, employment and green space to respond to national planning policy, up-to-date evidence, and residual needs. The Local Plan Part 2 is now at publication stage, forming its final draft before submission for examination.

#### Policies

- 3.3 The Local Plan Part 2 contains 42 policies relating to the five themes from the Core Strategy. These are:
  - The Spatial Strategy
  - Improving the environment
  - Creating a vibrant housing market
  - Creating a dynamic and competitive economy and,
  - Creating healthy and confident community.
- 3.4 Policies SDP7, SDP8 and SPD9 add to the suite of strategic policies contained in the Core Strategy. Policy SDP7 defines the boundaries of the borough's settlements, updating as necessary those established within the saved policy. Establishing these boundaries provides certainty on where development is acceptable in principle, enabling the implementation of the presumption in favour of sustainable development. Policy SDP8 confirms how contributions towards infrastructure requirements will be sought through the development management process. Policy SDP9 sets out how development at and within close proximity to the South Pennines SPA will be treated by the Council through the development management process with policy orientated to protect the SPA from further pressures to assist ongoing conservation efforts to restore this internationally significant natural habitat.
- 3.5 Twenty one policies feature within the environmental section of the Local Plan Part 2. The policies within this part of the plan seek to conserve and enhance the built and natural environment in Pendle adopting a variety of approaches. Policies ENV8 (Open Countryside), ENV10 (AONB), ENV11 (Green Belt), ENV14 (Local Green Space) and ENV15 (Open Space) designate land within which specific restrictions apply to the location, scale, and type of development which is permitted. This helps to protect those parts of the borough which are most sensitive to new development. Policies ENV9 (Landscape Character), ENV12 (Green Infrastructure), ENV13 (Biodiversity and Ecological Networks), ENV16 (Trees and Hedgerows), ENV17 (Environmental protection), ENV18 (Contaminated and Unstable land), ENV19 (Design and Place-making), ENV21 (Historic Environment), ENV22 (Leeds and Liverpool Canal Corridor), ENV24 (Walking and Cycling), ENV27 (Towards Zero Net Carbon) and ENV28 (Resilience to Climate Change) provide specific guidance to minimise the potential for adverse effects on the environment arising from development. Where possible they seek to achieve net environmental benefits in accordance with the principles of sustainable development outlined in the NPPF. Policies ENV20 (Advertisements), ENV22 (Equestrian Development), ENV25 (Parking) and ENV26 (Taxis) relate to specific forms of development and provide guidance to control the form and

extent of these uses, to ensure that there are no adverse effects on the wider environment or other users.

- 3.6 There are nine policies in the housing section of the Local Plan Part 2. Policy LIV6 is particularly significant. This policy revises the housing requirement for Pendle, established in Policy Liv1 of the Core Strategy, from 298 dwellings per year to 240 dwellings per year. This reflects updated evidence presented in the Pendle Housing Needs Assessment (Lichfields, 2020). Policy LIV7 identifies 14 site allocations to meet residual housing needs, after accounting for completions to date and existing commitments. Policy LIV8 identifies a reserve supply of housing land to be released where supply and delivery falls short of that required at any time over the plan period. Policy LIV9 replaces and amends the Council's affordable housing policy to align with the revised NPPF introduced in February 2019. Policy LIV10 provides guidance to secure the development of quality housing, which meets the needs of the local community and supports efforts to improve the quality of housing stock within the Borough. Policy LIV11 sets out guidance to deliver self-build and custom build housing at windfall locations and allocated sites. Policy LIV12 works alongside Policies SDP7 and ENV8 to set out the type and form of housing permitted within the open countryside. Policy LIV13 sets out guidance for the development of communal living accommodation within the Borough such as Houses in Multiple Occupation (HMOs), communal accommodation for the elderly and student populations. Policy LIV14 provides guidance for the provision of gypsy and traveller pitches.
- 3.7 Seven policies are set out within the economic section of the Local Plan Part 2. These are intended to support, sustain and sustainably grow the Pendle economy. Policy WRK7 allocates land north of the existing West Craven Business Park for employment use, to meet residual employment land supply needs identified through the Core Strategy. Policy WRK8 safeguards existing strategic employment areas within Pendle from loss to other uses and promotes their redevelopment and enhancement. Policy WRK9 sets out guidance for mixed use developments within the Borough and allocates land at Ouzledale Foundry, Barnoldswick for a development that addresses local employment need alongside 87 new dwellings. Policies WRK10 and WRK11 update the Council's policies on Town Centre uses following changes made to the Use Classes Order in summer 2020, clarifying the role of town centres and the location of development falling within new Use Class E. Policy WRK12 sets out further guidance to support the sustainable expansion of the tourism sector within Pendle. Policy WRK13 sets out guidance for the development of communications infrastructure.
- 3.8 Policies SUP5 and SUP6 seek to support healthy and vibrant communities by restricting certain forms of development close to facilities regularly used by children and young people. This is a key strand in helping to address high levels of childhood obesity, and to ensure that the issue of health and well-being is adequately considered through the development process. It also promotes the sustainable delivery of community infrastructure, including local shops, to help support the vibrancy and vitality of local communities and reduce the need to travel.
- 3.9 Policies take into account legislative and planning regulations; national planning policy and guidance; and other relevant strategies plans and programmes. They are in conformity with strategic planning policy as outlined within the Core Strategy and the Council's evidence base and have been subject to Sustainability Appraisal and assessed through early engagement with key stakeholders.
- 3.10 Revisions have been made to policies and allocations of the Local Plan Part 2 following the consultation on the Preferred Options in March/April 2021. Whilst not significant, the updated HRA Screening Report takes into account these changes.

## Settlement Hierarchy and Site Allocations

- 3.11 Sites are allocated for housing through Policies LIV7 and LIV8 of the Local Plan Part 2 to respond to residual housing needs required to deliver objectively assessed housing needs identified for the remaining plan period to 2030 (as amended by Policy LIV6), as confirmed by Appendix 2 of the Local Plan Part 2 (see Table 1 overleaf). The future development needs of Pendle are distributed in line with the Spatial Development Principles outlined in policies SDP2 and SDP3 of the Core Strategy. Policy SDP2 identifies what scale of development is acceptable to help meet the need for strategic growth within the borough. These are:
- **Key Service Centres** - these provide the focus for future growth in the borough and accommodate the majority of new development (Nelson, Brierfield, Colne and Barnoldswick)
  - **Local Service Centres** – these will play a supporting role to the Key Service Centres and accommodate levels of new development to serve a localised catchment (Barrowford and Earby)
  - **Rural Service Centres** – these settlements will provide the focus for growth in Rural Pendle (Fence, Foulridge, Kelbrook, and Trawden)
  - **Rural Villages** – these settlements will accommodate development primarily to meet local needs (Barley, Blacko, Higham, Laneshaw Bridge, Newchurch-in-Pendle, Roughlee and Crow Trees, Salterforth, Sough and Spen Brook).
- 3.12 Policy SDP3 sets out to a spatial level how future housing needs will be distributed across the borough with:
- 70% of growth directed to the M65 Corridor (Nelson, Colne, Brierfield and Barrowford);
  - 18% to the West Craven Towns (Barnoldswick and Earby); and
  - 12% to Rural Pendle (rest of the borough).
- 3.13 The allocation of development through the Local Plan Part 2 plan has also taken into account the distribution of growth at a settlement level as consulted on in 2017 (see Scoping Report and Methodology Paper), with allocations largely responsive to the findings of a shortfall at a settlement specific level. The implication of this is shown in Table 1 overleaf.
- 3.14 The resulting assessment shows the need for a further 636 dwellings within the Borough, predominantly within the M65 corridor. 14 sites are allocated through Policy LIV7 in response. Allocations are made on both brownfield and greenfield land, with the development of greenfield land deemed necessary following assessment of land supply through the SHLAA and taking into account viability information. A further four sites (all greenfield) are identified as “reserve sites” to be released should supply or delivery not be at the required level and is intended to provide a level of flexibility to the plan to secure local decision making and prevent the need for an early review.
- 3.15 The Sites identified through Policies LIV7 and LIV8 (as well as WRK7) follow a comprehensive site selection process which considers the availability, deliverability and suitability of sites to meet development needs taking into account available information on accessibility, constraints and the market provided during the SHLAA process, Council prepared documents and other sources. Each site, and all “reasonable alternatives” have been assessed through the Sustainability Appraisal for their effect on 14 identified Sustainability Objectives.

## Revised distribution of new housing in Pendle 2014-2030

Housing Requirement 2011-2030 (Core Strategy)	5,662	Source: Pendle Core Strategy (December 2015)
Core Strategy Adopted Requirement Per Year	298	Source: Pendle Core Strategy (December 2015)
LPP2 Evidenced Housing Requirement	240	Source: Standard Method (August 2020) and Pendle Housing Needs Assessment (March 2020)
Small Site Allowance	245	35 dwellings per year over 7 years (from 2022/23)
Reoccupation of Long Term Empty Homes	194	As reoccupied 2014/15 to 2018/19
Adjusted Housing Requirement 2014-2030	3,691	This figure is reflected in Column A below (see note on calculation)

Spatial Area	Settlement	A	B	C							D	E	F	G	H	
				2014/15	2015/16	2016/17	2017/18	2018/19	2019/20	2020/21						Total
M65 Corridor	Nelson	2,584	904	18	9	48	10	67	30	49	231	673	331	213	129	335
	Brierfield		517	3	7	14	7	45	34	78	188	329	116	50	163	
	Colne		904	24	28	28	68	88	90	138	464	440	340	88	12	
	Barrowford		258	15	6	2	3	9	10	12	57	201	22	149	30	
West Craven Towns	Barnoldswick	664	399	11	66	20	2	27	24	32	182	217	111	0	106	252
	Earby		266	2	3	2	2	32	9	2	52	214	67		147	
Rural Pendle	Fence	443	66	3	0	13	18	3	0	1	38	28	2		26	49
	Foulridge		66	2	2	2	0	20	6	5	37	29	8		21	
	Kelbrook		66	0	0	0	2	0	0	8	10	56	5		51	
	Trawden		66	5	2	1	6	9	4	4	31	35	66		-31	
	Barley		13	0	1	7	0	0	0	0	8	5	7		-2	
	Blacko		27	0	0	0	0	0	0	2	2	25	13		12	
	Higham		27	0	1	0	2	0	1	2	6	21	0		21	
	Laneshaw Bridge		35	0	0	0	2	0	0	3	5	30	14		16	
	Newchurch and Spen Brook		13	0	0	0	0	0	0	4	4	9	31	0	-22	
	Roughlee and Crow Trees		13	0	2	0	0	1	0	0	3	10	7		3	
	Salterforth		35	0	1	31	17	9	0	1	59	-24	37		-61	
Sough	13	0	0	0	0	0	0	1	1	12	0		12			
		3,691	3,691	83	128	168	139	310	208	342	1,378	2,313	1,177	500	636	

Table 1 - Indicative Housing Distribution

### Adopted Plans and Policies

3.17 The Local Plan Part 2 works in combination with the Core Strategy and adopted Neighbourhood Plans. These have been subject to separate HRA screening. There is also a need for the cumulative effects of these plans, and those of other local authorities, to be assessed to ensure that in combination do not have a significant adverse effect on a European Sites. A list of plan documents considered can be found in Table 2 and demonstrates the scope of plans and projects taken into account.

Authority	Plan/Project
Pendle Borough Council	<ul style="list-style-type: none"> <li>• Core Strategy</li> <li>• All DPD &amp; SPD's</li> </ul>
Trawden Forest Parish Council	<ul style="list-style-type: none"> <li>• Neighbourhood Plan</li> </ul>
Barrowford Parish Council	<ul style="list-style-type: none"> <li>• Neighbourhood Plan</li> </ul>
Burnley Borough Council	<ul style="list-style-type: none"> <li>• Local Plan</li> <li>• All DPD &amp; SPD's</li> </ul>
Ribble Valley Borough Council	<ul style="list-style-type: none"> <li>• Core Strategy</li> <li>• All DPD &amp; SPD's</li> </ul>
Lancashire County Council	<ul style="list-style-type: none"> <li>• Minerals and Waste Local Plan</li> <li>• Forest of Bowland Management Plan</li> </ul>
Bradford Metropolitan District Council	<ul style="list-style-type: none"> <li>• Local Plan</li> <li>• All DPD &amp; SPD's</li> <li>• Relevant Neighbourhood Plans</li> </ul>
Calderdale Metropolitan Borough Council	<ul style="list-style-type: none"> <li>• Draft Local Plan</li> <li>• Unitary Development Plan</li> <li>• All DPD &amp; SPD's</li> <li>• Relevant Neighbourhood Plans</li> </ul>
Craven District Council	<ul style="list-style-type: none"> <li>• Local Plan</li> <li>• All DPD &amp; SPD's</li> </ul>
North Yorkshire County Council	<ul style="list-style-type: none"> <li>• Minerals and Waste Local Plan</li> </ul>

Table 2 - Scope of plans and projects taken into consideration

## 4 European and Ramsar sites which may be affected

### List of Designated Sites

- 4.1 European Sites (Natura 2000 sites) are classified as:
- Special Protection Area (SPA)
  - Special Areas of Conservation (SAC)
- 4.2 However, the National Planning Policy Framework requires that the following types of site should also be given the same protection as European Sites:
- Potential Special Protection Area (pSPA)
  - Possible Special Areas of Conservation (pSAC)
  - Listed or proposed Ramsar sites; and
  - Sites identified, or required, as compensatory measures for adverse effects on habitat sites, pSPAs, pSACS and listed or proposed Ramsar sites
- 4.3 Although there are a number of European Sites within a 50km radius of the Borough only those sites that have an element of connectivity with Pendle (e.g. watercourses), need to be taken in to account. As a result, in addition to the South Pennine Moors four other European Sites have the potential to be affected by proposals in Local Plan Part 2 (Table 3). Some of these sites have multiple designations such as SPA and SAC. Information relating to the reason for designation of the sites, conservation objectives, requirements to maintain favourable condition status and any factors affecting the integrity of the site can be found in Appendix 2.

Site Name	Designation	Distance (km)
South Pennine Moors	SAC	Within Borough
South Pennine Moors Phase 2	SPA	Within Borough
North Pennine Moors	SAC	10.8
North Pennine Moors	SPA	10.8
North Pennine Dales Meadows	SAC	13.2
Bowland Fells	SPA	17.0
Ribble and Alt Estuaries	SPA	38.4
Ribble and Alt Estuaries	Ramsar	38.4

*Table 3 - European Sites that have the potential to be affected by the Local Plan Part 2 (Distances are measured from the point on the boundary of the site closest to Pendle).*

- 4.4 Each site is selected for its importance for wildlife and as such has a list of interest features and conservation objectives. Natural England advises on the objectives for the individual site. As such this report examines the likely impact pathways with regard to these conservation objectives.
- 4.5 The site(s) each have a Site Improvement Plan (SIP) which gives an overview of the issues affecting the condition of the site and outlines measures to improve the condition. The SIP for each of the sites has been examined in order to identify any impact pathways that the Local Plan Part 2 may have Likely Significant Effect (LSEs).

## 5 Review of Likely Significant Effects based on Policies and Allocations

### Policies

- 5.1 This section summarises the conclusions within the screening matrices that can be found in Appendix 1. Each of the designated sites conservation objectives are assessed against each of the policies that are found in Local Plan Part 2. It is important to point out that Local Plan Part 2 is not a stand-alone document and the policies that are contained should be read in conjunction with those included in the Core Strategy which, have already been subjected to Appropriate Assessment screening.
- 5.2 Analysis of the Publication Local Plan Part 2 document and consideration of all readily available evidence shows that there are no likely significant effects on the European Sites arising out of the policies and allocations.
- 5.3 While individually some policies may have some LSE's on the sites, the effect of the policies in combination with each other greatly reduces the risk of any LSE's occurring. For example, Policy ENV8 Open Countryside does allow for development within the open countryside. The scale, type and form of development must be in line with the spatial strategy set out in Policy SDP2 of the adopted Core Strategy. In addition, Policy SPD9 South Pennine Moors restricts development within 400m of the South Pennine Moors, with any development proposal within 2.5km of the SPA/SAC being required to demonstrate that it does not affect supporting feeding sites for qualifying species. Those proposals within 7km are required to consider recreational pressures and how these may be mitigated.

### Site Allocations

- 5.4 One of the key functions of the Screening Report is to assess the possible loss of land that may support the European Sites and any LSE's. The report considers whether the housing growth for each settlement can be accommodated without the loss of important off-site feeding areas.
- 5.5 Although there is a presumption in favour of sustainable development, in line with the Core Strategy the residual needs of the plan will primarily be delivered through site specific allocations in Local Plan Part 2.
- 5.6 Although the bird species that are associated with the SPA/SAC often breed in within the SPA they regularly feed on habitats outside of the designated sites, with some species such as Golden Plover moving chicks up to 2km or more to feed in near meadows which are rich in invertebrates (Byrkjedal & Thompson, 1998).
- 5.7 No site allocations occur within 2.5km of the European site and the nearest settlement boundary is in excess of 3km distant. The example in paragraph 5.3 demonstrates how the Local Plan will prevent the loss of these sites. As a result, LSE's can be ruled out.
- 5.8 It is accepted that a growth in population could lead to increased recreation pressures on the European Site.
- 5.9 Evidence published by Natural England in 2014 shows that 73% of visits to the South Pennine Moors involve travel distances of 8 kilometres or less and that 82% are less than 16 kilometres.
- 5.10 Only two locations in Pendle – Wycoller village and the Coldwell Inn – can be regarded as 'honeypot' locations likely to receive additional visitors in any numbers. Although accessible from settlements in the M65 Corridor, both are small in scale and visitor numbers are relatively modest.

- 5.11 Where a policy or site allocation in the draft Local Plan Part 2 is likely to result in an increase in the local population, the potential for adverse impacts South Pennine Moors SAC and SPA has been screened. Consideration has been given to factors such as the characteristics and current use of the site and its accessibility from potential development areas. Both urban and recreational impacts have been considered.
- 5.12 In concluding that adverse effects on the integrity of the South Pennine Moors SAC and SPA cannot be completely ruled out, Policy SDP9 in the draft Local Plan Part 2 sets out a series of measures to help avoid and/or mitigate any potential recreational impacts. Impact Risk Zones, which reflect the evidence prepared by Natural England and survey work for the Local Plans in Bradford and Kirklees, are used to ensure that these measures are proportionate:
- Zone 1 – a 400m exclusion zone around the SPA and SAC where only exceptional development will be permitted to mitigate urban edge effects
  - Zone 2 – a 2.5km zone within which important foraging areas outside the SPA will be protected
  - Zone 3 – a 7km one within which residential developments contribute to greenspace improvements that deflect visitors away from the SPA (and avoid effects), the implementation of onsite access management measures and a programme of habitat management and monitoring
- 5.13 Changes in population can also lead to an increase in air pollution, which in turn can cause eutrophication<sup>2</sup> of the heathland habitats. Data compiled by Craven District Council for their HRA showed that concentrations of NO<sub>x</sub> in the area are well below the critical levels calculated for the European Sites. In Pendle the nearest A class road (A6068) is in excess of one kilometre from the South Pennine Moors SPA/SAC. Policy ENV17: Environmental Protection in the draft Local Plan Part 2 sets out a series of measures to prevent new development contributing to a reduction in air quality.
- 5.14 Demands on water usage and drainage could also have LSE's on the European Sites and in particular the South Pennine Moors SAC. The moors occupy an elevated position, and no significant development is proposed, or likely to take place, in an upstream environment. In addition, Policy SPD9: Protecting the South Pennine Moors only allows exceptional development within 400m of the site. As such it is unlikely that drainage and demands on water usage arising from new development will affect the integrity of the site.
- 5.15 United Utilities published their most recent Water Resources Management Plan in 2019. It states that the company's water resources can be adequately managed beyond the life of the Local Plan through sustainable water abstraction, efficient use, and adaptations to climatic change. Further abstraction of water is not required and as such any LSE's with regard to water can be reduced to an acceptable level. Yorkshire Water's 2019 Resources Management Plan makes similar conclusions with shortages in supply identified in the 2030s.

### **In-combination Effects**

- 5.16 Relevant plans and projects from neighbouring districts and other organisations have been taken into account during the screening process to ensure that no in-combination effects can increase the LSE's on the European sites. A list of the plans and projects considered can be found in Table 3.

---

<sup>2</sup> Excessive plant and algal growth.



## 6 Conclusions

- 6.1 A HRA Screening Reports should consider all the evidence that is readily available and a precautionary principle applied. Where there is any uncertainty about potential effects it should be concluded that LSE's cannot be ruled out and an Appropriate Assessment undertaken.
- 6.2 This HRA Screening Report has assessed the Publication Local Plan Part 2 both in isolation and in combination with other plans and projects against the conservation objectives of the European sites that could potentially be affected by development in Pendle. The South Pennine Moors SPA/SAC is situated in the south-east of the Borough, with only 9.1% of its full extent within the Borough boundary. All other European sites are a minimum of 10.8km from the Borough boundary. As such a more detailed examination with regard to the South Pennine Moors SPA/SAC has been undertaken.
- 6.3 On the basis of the evidence available Pendle Borough Council has concluded that in Local Plan Part 2 there are no development proposals directly connected with, or necessary to the management of the South Pennine Moors SPA/SAC, and that other development proposals in the plan are not likely to have a significant effect on integrity or management objectives associated with a European Site. As such an Appropriate Assessment will not be required.

## References

- Burnley Borough Council (2021) [online] **Planning Policy**. Available at: <https://www.burnley.gov.uk/residents/planning/planning-policy> [Accessed November 2021]
- Bradford Metropolitan District Council (2021) [online] **Planning Policy**. Available at: <https://bradford.gov.uk/planning-and-building-control/planning-policy/planning-policy/> [Accessed November 2021]
- Byrkjedal, I. and Thompson, D.B.A., (1998). **Tundra Plovers: The Eurasian, Pacific and American Golden Plovers and Grey Plover**. T. & A. D. Poyser, London, England.
- Calderdale Council (2021) [online] **Planning Policy**. Available at: <https://www.calderdale.gov.uk/v2/residents/environment-planning-and-building/planning/planning-policy> [Accessed November 2021]
- Craven District Council (2021) [online] **Planning Policy**. Available at: <https://www.cravencd.gov.uk/planning/craven-local-plan/> [Accessed November 2021]
- European Commission (2009) [online] **DIRECTIVE 2009/147/EC of the European Parliament and of the Council of 30 November 2009 on the conservation of wild birds**. Available at: <https://www.legislation.gov.uk/eudr/2009/147> [Accessed November 2021]
- European Commission (1992) [online] **Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora**. Available at: <https://www.legislation.gov.uk/eudr/1992/43/contents#> [Accessed November 2021]
- HM Government (2010) [online] **The Conservation of Habitats and Species Regulations 2010**. Available at: <https://www.legislation.gov.uk/uksi/2010/490/contents/made> [Accessed November 2021]
- HM Government (1994) [online] **The Conservation (Natural Habitats, &c.) Regulations 1994**. Available at: <https://www.legislation.gov.uk/uksi/1994/2716/contents/made> [Accessed November 2021]
- HM Government (2019) [online] **National Planning Policy Framework**. Available at: [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/810197/NPPF\\_Feb\\_2019\\_revised.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/810197/NPPF_Feb_2019_revised.pdf) [Accessed November 2021]
- Joint Nature Conservation Committee (1996) [online] **Information Sheet on RAMSAR Wetlands (RIS)**. Available at: <https://jncc.gov.uk/jncc-assets/RIS/UK11057.pdf> [Accessed November 2021]
- Lancashire County Council (2019) [online] **Forest of Bowland Management Plan 2019-2024**. Available at: <https://www.forestofbowland.com/management-plan> [Accessed November 2021]
- Lancashire County Council (2009) **Minerals and Waste Local Plan: Core Strategy**. Available at: <https://www.lancashire.gov.uk/council/planning/local-planning-policy-for-minerals-and-waste/#corestrategy> [Accessed November 2021]
- Kirklees Council (2021) [online] **Planning Policy**. Available at: <https://www.kirklees.gov.uk/beta/planning-and-development.aspx> [Accessed November 2021]
- Natural England (2019) [online] **European Site Conservation Objectives: Draft Supplementary Advice on Conserving and Restoring Site Features – South Pennine Moors Special Area of Conservation (SAC)**. Available at: <http://publications.naturalengland.org.uk/file/4877034534993920> [Accessed November 2021]
- Natural England (2019) [online] **European Site Conservation Objectives: Draft Supplementary Advice on Conserving and Restoring Site Features – Peak District Moors (South Pennine Moors Phase 1) Special Protect Area (SPA)**. Available at: <http://publications.naturalengland.org.uk/file/5198073102073856> [Accessed November 2021]

Natural England (2018) [online] **European Site Conservation Objectives: Draft Supplementary Advice on Conserving and Restoring Site Features – South Pennine Moors (Phase 2) Special Protection Area (SPA)**. Available at: <http://publications.naturalengland.org.uk/file/6057029330534400> [Accessed November 2021]

North Yorkshire County Council (2016) **Minerals and Waste Joint Plan Draft**. Available at: [https://www.northyorks.gov.uk/sites/default/files/fileroot/About%20the%20council/Partnerships/Publication\\_main\\_plan\\_document\\_%28Nov\\_2016%29.pdf](https://www.northyorks.gov.uk/sites/default/files/fileroot/About%20the%20council/Partnerships/Publication_main_plan_document_%28Nov_2016%29.pdf) [Accessed November 2021]

Pendle Borough Council (2020) **Draft Pendle Local Plan Part 2: Site Allocations and Development Policies**. Available at: [https://www.pendle.gov.uk/info/20072/planning\\_policies/275/development\\_plan\\_documents/3](https://www.pendle.gov.uk/info/20072/planning_policies/275/development_plan_documents/3) [Accessed November 2021]

Pendle Borough Council (2019) **Pendle Green Infrastructure Strategy**. Available at: [https://www.pendle.gov.uk/info/20072/planning\\_policies/277/evidence\\_base\\_documents/15](https://www.pendle.gov.uk/info/20072/planning_policies/277/evidence_base_documents/15) [Accessed November 2021]

Pendle Borough Council (2015) **Pendle Local Plan Part 1: Core Strategy 2011-2030**. Available at: [https://www.pendle.gov.uk/info/20072/planning\\_policies/275/development\\_plan\\_documents/2](https://www.pendle.gov.uk/info/20072/planning_policies/275/development_plan_documents/2) [Accessed November 2021]

Pendle Borough Council (2015) **Local Plan Part 1: Core Strategy – Habitat Regulations Assessment**. Available at: [https://www.pendle.gov.uk/downloads/file/7575/habitat\\_regulations\\_assessment](https://www.pendle.gov.uk/downloads/file/7575/habitat_regulations_assessment) [Accessed November 2021]

Pendle Borough Council (2010) **Pendle Biodiversity Audit**. Available at: [https://www.pendle.gov.uk/info/20072/planning\\_policies/277/evidence\\_base\\_documents/11](https://www.pendle.gov.uk/info/20072/planning_policies/277/evidence_base_documents/11) [Accessed November 2021]

## **Appendix 1: Review of draft Local Plan Policies**

## Assessment of Draft Local Plan Part 2 Policies and the Likely Significant Effects on European and Ramsar Sites

Policy	Policy Summary	European & Ramsar Sites affected	Potential impacts on sites	Likelihood of effects	Severity of effects	Assessment Category	Appropriate Assessment Required	Justification of finding
SDP7	<b>Settlement Boundaries</b> This policy defines the settlement boundaries.	<ul style="list-style-type: none"> <li>South Pennine Moors</li> </ul>	Development impinging on sites	None	None	None	No	<ul style="list-style-type: none"> <li>Policy defines boundaries for settlements.</li> <li>Villages and hamlets outside the settlement boundaries are classed as open countryside.</li> <li>Outside of the settlement boundary open countryside policies apply.</li> <li>Presumption in favour of sustainable development.</li> </ul>
SPD8	<b>Developer Contributions and Infrastructure</b> The policy seeks to formalise the contributions made by developers to improve physical or social infrastructure or bring about economic or environmental benefits.	<ul style="list-style-type: none"> <li>South Pennine Moors</li> </ul>	None	None	None	Positive	No	<ul style="list-style-type: none"> <li>No site specific allocations.</li> <li>Policy allows for developer contributions to be put towards environmental projects which can secure net increase in biodiversity.</li> </ul>
SPD9	<b>Protecting the South Pennine Moors</b> The policy seeks to protect the South Pennine Moors	<ul style="list-style-type: none"> <li>South Pennine Moors</li> </ul>	None	None	None	Positive	No	<ul style="list-style-type: none"> <li>Policy designed to protect the South Pennine Moors.</li> <li>No development that delivers a net increase in dwellings within 400m of the site will be allowed.</li> <li>Developments within 2.5km of the site will be considered where up-to-date evidence shows that the proposed development will not affect a foraging habitat for qualifying species of the SPA</li> <li>Developments of 10 or more dwellings within 7km of the site must consider recreational pressures on the SPA and SAC and how these can be effectively mitigated.</li> <li>Mitigation measures included in the policy including: <ul style="list-style-type: none"> <li>The provision of on-site/off-site Suitable Alternative Natural Greenspace (SANG).</li> <li>Financial contribution from the developer to fund SANG, access management measures, or habitat management.</li> </ul> </li> </ul>
ENV8	<b>Open Countryside</b> The policy defines when development outside of the settlement boundaries	<ul style="list-style-type: none"> <li>South Pennine Moors</li> </ul>	<ul style="list-style-type: none"> <li>Loss of supporting feeding sites</li> <li>Changes in hydrology</li> <li>Pet predation</li> <li>Recreational pressures</li> <li>Eutrophication of heaths from air pollution</li> </ul>	Unlikely	Low	Unlikely	No	<ul style="list-style-type: none"> <li>Policy defines boundaries for Open Countryside.</li> <li>Villages and hamlets without a defined settlement boundary are in the open countryside.</li> <li>Development will only be permitted were: <ul style="list-style-type: none"> <li>Requires a countryside location</li> <li>Meets an essential local need</li> <li>Supports rural diversification and sustainability of the countryside</li> <li>Secures the future of a historically interesting building</li> </ul> </li> </ul>
ENV9	<b>Landscape Character</b>	<ul style="list-style-type: none"> <li>South Pennine Moors</li> </ul>	Assure the protection of the landscape.	None	None	Positive	No	<ul style="list-style-type: none"> <li>No site specific allocations.</li> </ul>

Policy	Policy Summary	European & Ramsar Sites affected	Potential impacts on sites	Likelihood of effects	Severity of effects	Assessment Category	Appropriate Assessment Required	Justification of finding
	The policy seeks to protect the landscape character of the Borough							<ul style="list-style-type: none"> <li>Expectation that proposals will respect and where possible enhance the landscape.</li> </ul>
ENV10	<b>Areas of Outstanding Natural Beauty (AONB)</b> The policy seeks to conserve and enhance the scenic and natural beauty of the Forest of Bowland AONB	<ul style="list-style-type: none"> <li>North Pennine Dales Meadows</li> <li>Bowland Fells</li> </ul>	Assure protection of the landscape	None	None	Positive	No	<ul style="list-style-type: none"> <li>Policy ensures the protection of the AONB.</li> <li>The European Sites within the Forest of Bowland AONB and not located in the Borough.</li> <li>All developments should be sustainable.</li> </ul>
ENV11	<b>Green Belt</b> The policy seeks to maintain and safeguard the defined Green Belt land within the Borough	<ul style="list-style-type: none"> <li>South Pennine Moors</li> </ul>	Loss of supporting feeding sites	None	None	Positive	No	<ul style="list-style-type: none"> <li>Policy seeks to protect Green Belt areas.</li> <li>Boundary of Green Belt defined within the policy map.</li> <li>Development within the Green Belt considered inappropriate except where it complies with the NPPF (paragraphs 145 and 146).</li> <li>Green Belt designation could protect some supporting feeding sites of qualifying species.</li> </ul>
ENV12	<b>Green Infrastructure</b> The Policy seeks to protect and enhance the Borough's green infrastructure assets and where possible develop further connections.	<ul style="list-style-type: none"> <li>South Pennine Moors</li> <li>North Pennine Dales Meadows</li> <li>Bowland Fells</li> <li>Ribble &amp; Alt Estuaries</li> </ul>	Recreational pressures	None	None	Positive	No	<ul style="list-style-type: none"> <li>Policy seeks to protect and enhance Pendle's green infrastructure assets.</li> <li>The provision of accessible green infrastructure will reduce recreation impacts on European Sites.</li> </ul>
ENV13	<b>Biodiversity and Ecological Networks</b> The policy seeks to protect the Borough biodiversity and improve its ecological networks.	<ul style="list-style-type: none"> <li>South Pennine Moors</li> </ul>	Ensure protection of the site and improve connectivity.	None	None	Positive	No	<ul style="list-style-type: none"> <li>All development proposals will be expected to avoid negative impacts on irreplaceable habitats.</li> <li>All developments expected to deliver a measurable net gain for biodiversity.</li> </ul>
ENV14	<b>Local Green Space</b> The policy designates local green space and defines the circumstances under which development on the sites would be acceptable.	<ul style="list-style-type: none"> <li>South Pennine Moors</li> </ul>	Local Green Space can divert recreational activities away from the site.	None	None	Positive	No	<ul style="list-style-type: none"> <li>Policy seeks to protect local green space.</li> <li>Provision of local green space will reduce the impacts of recreation on European Sites.</li> </ul>
ENV15	<b>Open Space</b> The policy designates and protects existing open space and sets the scope for the development of new open space	<ul style="list-style-type: none"> <li>South Pennine Moors</li> <li>North Pennine Dales Meadows</li> <li>Bowland Fells</li> <li>Ribble &amp; Alt Estuaries</li> </ul>	The designation open space and the provision of new open space prevents recreational pressures on the European Sites.	None	None	Positive	No	<ul style="list-style-type: none"> <li>Policy designates sites as Open Space and offers protection.</li> <li>Allows for the creation of new Open Space sites to be developed.</li> <li>Provision of Open Space will reduce the impacts of recreation on European Sites.</li> </ul>
ENV16	<b>Trees and Hedgerows</b> The policy seeks to protect woodlands, trees and hedgerows	None	None	None	None	None	No	<ul style="list-style-type: none"> <li>No site specific allocations.</li> <li>Woodlands on the protected sites are outside the Borough Boundary.</li> </ul>
ENV17	<b>Environmental Protection</b> The policy sets the guidelines to prevent the impacts of pollution in all its forms from development.	<ul style="list-style-type: none"> <li>South Pennine Moors</li> <li>North Pennine Dales Meadows</li> <li>Bowland Fells</li> <li>Ribble &amp; Alt Estuaries</li> </ul>	<ul style="list-style-type: none"> <li>Changes in hydrology</li> <li>Eutrophication of heaths from air pollution</li> </ul>	None	None	Positive	No	<ul style="list-style-type: none"> <li>No site specific allocations.</li> <li>The policy sets to prevent cumulative effects of pollution.</li> <li>Improvement in air and water quality.</li> <li>Provides a positive response to addressing climate change.</li> </ul>

Policy	Policy Summary	European & Ramsar Sites affected	Potential impacts on sites	Likelihood of effects	Severity of effects	Assessment Category	Appropriate Assessment Required	Justification of finding
ENV18	<b>Contaminated and Unstable Land</b> The policy seeks to ensure that contaminated and unstable land is correctly treated during the development process.	<ul style="list-style-type: none"> <li>Ribble &amp; Alt Estuaries</li> </ul>	Water contamination	None	None	Positive	No	<ul style="list-style-type: none"> <li>No site specific allocations.</li> <li>The policy will reduce the risk of water contamination through seepage of harmful chemicals from soils.</li> <li>Reduces the spread of invasive species such as Giant Hogweed, Himalayan Balsam and Japanese Knotweed.</li> <li>Provides a positive approach to environmental management.</li> </ul>
ENV19	<b>Design and Placemaking</b> The policy sets the guidelines to ensure good quality design and placemaking are at the heart of every development.	None	None	None	None	None	No	<ul style="list-style-type: none"> <li>No site specific allocations.</li> <li>Presumption of sustainable developments.</li> <li>Maintain positive aspects of local environment or improve poorer ones.</li> <li>No direct development.</li> <li>Design only.</li> <li>No effect on European Sites.</li> </ul>
ENV20	<b>Advertisement and Commercial Signage</b> The policy seeks to ensure that an advertisements or commercial signage are appropriately designed and sited.	None	None	None	None	None	No	<ul style="list-style-type: none"> <li>No site specific allocations.</li> <li>No effect on European Sites.</li> </ul>
ENV21	<b>Historic Environments</b> The policy seeks to protect the historic environment including any designated or non-designated heritage assets.	None	None	None	None	None	No	<ul style="list-style-type: none"> <li>No site specific allocations.</li> <li>No effect on European Sites.</li> </ul>
ENV22	<b>Leeds and Liverpool Canal Corridor</b> The policy sets guidelines for development proposals adjacent to the canal with a focus on the protections of the asset.	<ul style="list-style-type: none"> <li>South Pennine Moors</li> <li>North Pennine Dales Meadows</li> <li>Bowland Fells</li> <li>Ribble &amp; Alt Estuaries</li> </ul>	None	None	None	Positive	No	<ul style="list-style-type: none"> <li>No site specific allocations.</li> <li>Seeks to protect and enhance the Leeds and Liverpool Canal Corridor.</li> <li>Use of the canal will reduce the impacts of recreational pressures on the European Sites.</li> </ul>
ENV23	<b>Equestrian Development</b> The policy sets the guidelines for developments within the Equestrian industry such as stables, arenas, access roads and anything ancillary to it.	<ul style="list-style-type: none"> <li>South Pennine Moors</li> </ul>	<ul style="list-style-type: none"> <li>Changes in hydrology</li> <li>Recreational pressures</li> </ul>	None	None	None	No	<ul style="list-style-type: none"> <li>No site specific allocations.</li> <li>The policy has protections where the impacts of the development must consider the ecology of the site and its impacts on the open countryside.</li> </ul>
ENV24	<b>Walking and Cycling</b> The policy seeks to protect the existing public rights of way network and where possible enhance it.	<ul style="list-style-type: none"> <li>South Pennine Moors</li> <li>North Pennine Dales Meadows</li> <li>Bowland Fells</li> <li>Ribble &amp; Alt Estuaries</li> </ul>	None	None	None	Positive	No	<ul style="list-style-type: none"> <li>No site specific allocations.</li> <li>The policy seeks to protect and improve the PROW network. This will help reduce recreational pressures on the European Sites.</li> </ul>
ENV25	<b>Parking</b> The policy sets the standards for parking of vehicles	None	None	None	None	None	No	<ul style="list-style-type: none"> <li>No site specific allocations.</li> <li>Policy has no effect on the European Sites.</li> </ul>

Policy	Policy Summary	European & Ramsar Sites affected	Potential impacts on sites	Likelihood of effects	Severity of effects	Assessment Category	Appropriate Assessment Required	Justification of finding
ENV26	<b>Taxis</b> The policy sets the standards for premises associated with the taxi industry.	None	None	None	None	None	No	<ul style="list-style-type: none"> <li>No site specific allocations.</li> <li>Policy has no effect on the European Sites.</li> </ul>
ENV27	<b>Towards Zero Net Carbon</b> Guidelines set within this policy relate to green energy production and reducing the environmental impacts of development.	<ul style="list-style-type: none"> <li>South Pennine Moors</li> </ul>	Renewable energy developments causing bird mortality/injury.	Unlikely	Low	Unlikely	No	<ul style="list-style-type: none"> <li>No site specific allocations.</li> <li>Provides a positive response to addressing climate change.</li> </ul>
ENV28	<b>Resilience to Climate Change</b> Sets out parameters for the location, design and technical specification for development in terms of its resilience to the effects of Climate Changes. Contains measures which assist the move towards low carbon development	<ul style="list-style-type: none"> <li>South Pennine Moors</li> </ul>	None	None	None	Positive	No	<ul style="list-style-type: none"> <li>Protection provided by policy to sensitive natural features which positively help to address and mitigate the effects of climate change.</li> <li>Contains measures to reduce the environmental effects caused by development, with proposals better integrated into the environments within which they sit.</li> <li>Contains measures to reduce carbon emissions to assist with the move towards low carbon development.</li> </ul>
LIV6	<b>Revised Housing Requirement</b> The policy makes the commitment to deliver 2,640 net dwellings during the life of the plan and the approach on how this will be achieved.	<ul style="list-style-type: none"> <li>South Pennine Moors</li> <li>North Pennine Dales Meadows</li> <li>Bowland Fells</li> <li>Ribble &amp; Alt Estuaries</li> </ul>	<ul style="list-style-type: none"> <li>Recreational pressures</li> <li>Air/water pollution</li> <li>Loss of supporting sites</li> <li>Changes in hydrology</li> </ul>	Unlikely	Low	Unlikely	No	<ul style="list-style-type: none"> <li>No site specific allocations.</li> <li>When the risk of LSE's read in conjunction with the other policies is greatly reduced.</li> <li>It is unlikely that critical NO<sub>x</sub> levels will be reached on any of the European Sites.</li> <li>United Utilities have sufficient strategies that do not require further abstraction of water beyond the life of Local Plan Part 2.</li> <li>Policies in place to prevent changes in water quality.</li> <li>Policies in place that help reduce the impacts of recreational pressures.</li> </ul>
LIV7	<b>Housing Site Allocations</b> This policy sets out the site allocation for new housing development.	<ul style="list-style-type: none"> <li>South Pennine Moors</li> <li>North Pennine Dales Meadows</li> <li>Bowland Fells</li> <li>Ribble &amp; Alt Estuaries</li> </ul>	<ul style="list-style-type: none"> <li>Recreational pressures</li> <li>Air/water pollution</li> <li>Loss of supporting sites</li> <li>Changes in hydrology</li> </ul>	Unlikely	Low	Unlikely	No	<ul style="list-style-type: none"> <li>When the risk of LSE's read in conjunction with the other policies is greatly reduced.</li> <li>It is unlikely that critical NO<sub>x</sub> levels will be reached on any of the European Sites.</li> <li>United Utilities have sufficient strategies that do not require further abstraction of water beyond the life of Local Plan Part 2.</li> <li>Policies in place to prevent changes in water quality.</li> <li>Policies in place that help reduce the impacts of recreational pressures.</li> </ul>
LIV8	<b>Reserve Sites for Housing</b> This policy allocates the reserve sites for new housing development.	<ul style="list-style-type: none"> <li>South Pennine Moors</li> <li>North Pennine Dales Meadows</li> <li>Bowland Fells</li> <li>Ribble &amp; Alt Estuaries</li> </ul>	<ul style="list-style-type: none"> <li>Recreational pressures</li> <li>Air/water pollution</li> <li>Loss of supporting sites</li> <li>Changes in hydrology</li> </ul>	Unlikely	Low	Unlikely	No	<ul style="list-style-type: none"> <li>When the risk of LSE's read in conjunction with the other policies is greatly reduced.</li> <li>It is unlikely that critical NO<sub>x</sub> levels will be reached on any of the European Sites.</li> </ul>



Policy	Policy Summary	European & Ramsar Sites affected	Potential impacts on sites	Likelihood of effects	Severity of effects	Assessment Category	Appropriate Assessment Required	Justification of finding
								<ul style="list-style-type: none"> <li>• United Utilities have sufficient strategies that do not require further abstraction of water beyond the life of Local Plan Part 2.</li> <li>• Policies in place to prevent changes in water quality.</li> <li>• Policies in place that help reduce the impacts of recreational pressures.</li> </ul>
LIV9	<b>Affordable Housing</b> The policy sets the guidelines for the development of affordable housing.	<ul style="list-style-type: none"> <li>• South Pennine Moors</li> <li>• North Pennine Dales Meadows</li> <li>• Bowland Fells Ribble &amp; Alt Estuaries</li> </ul>	<ul style="list-style-type: none"> <li>• Recreational pressures</li> <li>• Air/water pollution</li> <li>• Loss of supporting sites</li> <li>• Changes in hydrology</li> </ul>	Unlikely	Low	Unlikely	No	<ul style="list-style-type: none"> <li>• No site allocations.</li> <li>• When the risk of LSE's read in conjunction with the other policies is greatly reduced.</li> <li>• It is unlikely that critical NO<sub>x</sub> levels will be reached on any of the European Sites.</li> <li>• United Utilities have sufficient strategies that do not require further abstraction of water beyond the life of Local Plan Part 2.</li> <li>• Policies in place to prevent changes in water quality.</li> <li>• Policies in place that help reduce the impacts of recreational pressures.</li> </ul>
LIV10	<b>Quality Housing</b> This policy aims to sets the standards to ensure that new developments are of good quality.	None	None	None	None	Positive	No	<ul style="list-style-type: none"> <li>• No site specific allocations</li> <li>• Policy stipulates that direct or indirect impacts on biodiversity and European Sites should be avoided.</li> <li>• Sustainable design and construction required.</li> <li>• Must adequately address the need for climatic change adaption.</li> <li>• Design only.</li> </ul>
LIV11	<b>Self and Custom Build Housing</b> The policy sets out the guidelines for self-builds. It also allocates one site (Bamford Street, Nelson)	None	None	None	None	None	No	<ul style="list-style-type: none"> <li>• Should be read in conjunction with LIV7.</li> </ul>
LIV12	<b>Housing in the Countryside</b> This policy outlines the standards for the development of a residential property within the countryside.	<ul style="list-style-type: none"> <li>• North Pennine Moors</li> </ul>	<ul style="list-style-type: none"> <li>• Recreational pressures</li> <li>• Air/water pollution</li> <li>• Loss of supporting sites</li> <li>• Changes in hydrology</li> <li>• Pet predation</li> </ul>	Unlikely	Low	Unlikely	No	<ul style="list-style-type: none"> <li>• No site specific allocations.</li> <li>• Refers mainly to existing structures.</li> <li>• Where new dwellings are proposed they must be carbon neutral and consider the landscape and natural environment.</li> <li>• Other policies will reduce impacts and ensure protection of the European sites.</li> </ul>
LIV13	<b>Communal Living</b> The policy details the standards needed for communal living projects such as older person housing, houses in multiple occupations, student accommodation.	None	None	None	None	None	No	<ul style="list-style-type: none"> <li>• No site specific allocations.</li> <li>• Other policies will reduce impacts and ensure protection of the European sites.</li> </ul>
LIV14	<b>Accommodation for Travelling Communities</b> Guidelines set out in this policy determine how planning permission	None	None	None	None	None	No	<ul style="list-style-type: none"> <li>• No site specific allocations.</li> <li>• Policy includes protection for sites of high conservation or ecological value.</li> </ul>

Policy	Policy Summary	European & Ramsar Sites affected	Potential impacts on sites	Likelihood of effects	Severity of effects	Assessment Category	Appropriate Assessment Required	Justification of finding
	will be granted for gypsy, traveller, and travelling showpeople.							
WRK7	<b>Employment Site Allocations</b> This policy allocates sites for employment. One site is allocated in the West Craven Area.	None	None	None	None	None	No	<ul style="list-style-type: none"> <li>Allocates site for development.</li> <li>Not located in an area where it is likely to have impacts on European sites.</li> </ul>
WRK8	<b>Protected Employment Areas</b> The policy sets out the guidelines for the employment areas already in existence and protects them from change of use.	None	None	None	None	None	No	<ul style="list-style-type: none"> <li>Positive contribution to environmental protection.</li> <li>To be read in conjunction with other policies which afford environmental protection and enhancement.</li> </ul>
WRK9	<b>Mixed Use Development</b> Guidelines set out in this policy determine mixed use development when the occupants fall into more than one use class.	None	None	None	None	None	No	<ul style="list-style-type: none"> <li>Allocated site is not located in an area where it is likely to have impacts on European sites.</li> <li>Sequential test focused on town and local shopping centres and areas of major new development.</li> </ul>
WRK10	<b>Vibrant Town Centres</b> Policy sets out the criteria for development within the Town Centres	None	None	None	None	None	No	<ul style="list-style-type: none"> <li>Boundaries for town and local shopping centres defined.</li> <li>Sequential test focused on town and local shopping centres.</li> </ul>
WRK11	<b>Retail and Commercial Uses Outside Town and Local Shopping Centres</b> Policy sets out the criteria for retail and commercial development outside of the town centres	None	None	None	None	None	No	<ul style="list-style-type: none"> <li>Policy limits development to local frontages (defined on the Policies Map), existing retail parks where Class E is permitted and small scale rural.</li> <li>Where rural development is proposed it must be limited to a maximum of 280m<sup>2</sup> and meet the requirements of Policies ENV8, WRK12 and SUP6.</li> </ul>
WRK12	<b>Tourist Facilities and Accommodation</b> The policy seeks to define where development for tourism growth will be supported.	<ul style="list-style-type: none"> <li>South Pennine Moors</li> </ul>	<ul style="list-style-type: none"> <li>Recreational pressures</li> <li>Air/water pollution</li> <li>Loss of supporting sites</li> <li>Changes in hydrology</li> </ul>	Unlikely	Low	Unlikely	No	<ul style="list-style-type: none"> <li>No site specific allocations.</li> <li>Rural tourism must protect local landscape character and not have any adverse effects on designated environmental sites.</li> </ul>
WRK13	<b>Digital and Electronic Communications</b> This policy seeks to define when the installation digital and electronic communications infrastructure would be supported.	<ul style="list-style-type: none"> <li>South Pennine Moors</li> </ul>	<ul style="list-style-type: none"> <li>Loss of supporting sites</li> <li>Changes in hydrology</li> </ul>	Unlikely	Low	Unlikely	No	<ul style="list-style-type: none"> <li>No site specific allocations.</li> <li>Policy includes protections for areas of ecological or geodiversity interest.</li> </ul>
SUP5	<b>Supporting Healthy Places and Lifestyles</b> The aim of this policy is to ensure the health and well-being of residents.	None	None	None	None	None	No	<ul style="list-style-type: none"> <li>No site specific allocations.</li> <li>Has no effect on European Sites.</li> </ul>
SUP6	<b>Support for Local Communities</b> This policy aims to support local communities and defines where development of neighbourhood shops, community, social and health facilities will be supported	None	None	None	None	None	No	<ul style="list-style-type: none"> <li>No site specific allocations.</li> <li>Has no effect on European Sites.</li> </ul>

Key to Assessment Categories	
Positive	No likely significant effects on the European Site(s). Policy is likely to have positive benefits for the site(s).
None	No likely significant effects on the European Site(s).
Unlikely	It is unlikely that there will be and significant effects on the European Site(s).
Uncertain	Likely significant effects on European Site(s) cannot be ruled out. Appropriate Assessment is required.
LSE	There is likely to be significant effects on European Site(s) from the policy. Appropriate Assessment is required.

## **Appendix 2: Description of European Sites and Analysis of Likely Effects**

Name	South Pennine Moors Phase I & II SAC/SPA	
<b>Authority Area(s)</b>	Lancashire County Council, North Yorkshire County Council, West Yorkshire Combined Authority Council, Greater Manchester Combined Authority, Derbyshire Council	
<b>Site Description</b>	SAC	The site covers the key moorland blocks of the Southern Pennines from Ilkley Moors in the north to the Peak District in the south. The moorlands are on a rolling dissected plateau formed from rocks of Millstone Grit at altitudes of between 300 and 600 metres and a highpoint of over 630 metres at Kinder Scout. The greater part of the gritstone is overlain by blanket peat with coarse gravely mineral soils occurring only on the lower slopes. The moorlands as a whole support a breeding bird community of national and international importance.
	SPA	The site is the largest unenclosed moorland within West Yorkshire and contains the most diverse and extensive examples of upland plant communities in the county. Extensive areas of blanket bog occur on the upland plateaux and are punctuated by species rich acidic flushes and mires. There are also wet and dry heaths and acid grasslands.
<b>Qualifying features</b>	SAC	<p>The site hosts the following habitats listed under Annex I of article 4(4) of the Directive (92/43/EEC):</p> <ul style="list-style-type: none"> <li>• Blanket bogs</li> <li>• European dry heaths</li> <li>• North Atlantic wet heaths with <i>Erica tetralix</i> (wet heathland with cross-leaved heath)</li> <li>• Old Sessile Oak woods with <i>Ilex</i> and <i>Blechnum</i> in the British Isles (western acidic Oak woodland)</li> <li>• Transition mires and quaking bogs (very wet mires often identified by an unstable 'quaking' surface).</li> </ul>
	SPA	<p>The mosaic of habitats supports a moorland breeding bird assemblage which, because of the range of species and number of breeding birds it contains, is of regional and national importance. The qualifying individual species are:</p> <ul style="list-style-type: none"> <li>• Merlin (<i>Falco columbarius</i>)</li> <li>• Golden Plover (<i>Pluvialis apricaria</i>)</li> <li>• Short-eared Owl (<i>Asio flammeus</i>)</li> </ul> <p>The qualifying breeding bird assemblage is made up of:</p> <ul style="list-style-type: none"> <li>• Golden Plover (<i>Pluvialis apricaria</i>)</li> <li>• Common Sandpiper (<i>Actitis hypoleucos</i>)</li> <li>• Dunlin (<i>Calidris alpina schinzii</i>)</li> <li>• Twite (<i>Carduelis flavirostris</i>)</li> <li>• Snipe (<i>Gallinago gallinago</i>)</li> <li>• Curlew (<i>Numenius arquata</i>)</li> <li>• Wheatear (<i>Oenanthe oenanthe</i>)</li> <li>• Whinchat (<i>Saxicola rubetra</i>)</li> <li>• Redshank (<i>Tringa tetanus</i>)</li> <li>• Ring Ouzel (<i>Turdus torquatus</i>)</li> <li>• Lapwing (<i>Vanellus vanellus</i>)</li> <li>• Short-eared Owl (<i>Asio flammeus</i>)</li> </ul> <p>The SPA is the only UK site where Twite breed.</p>

<b>Non-qualifying species of interest</b>		
<b>Unit site</b>	SAC	64,983.13ha
	SPA	66,264.98ha
<b>Vulnerabilities</b>	Maintenance of the eco-systems on which the birds depend relies on appropriate grazing levels and burning regimes and overgrazing by sheep is a key pressure. Management of grazing is further complicated by the presence of a large number of commons within the SPA. Pressures outside the site, in particular the loss of bird feeding areas through agricultural intensification, increase the vulnerability of the bird populations. Status of units within the Pendle boundary is Unfavourable Recovering as assessed by Natural England (compiled July 2020).	
<b>Conservation Objectives</b>	SAC	<ul style="list-style-type: none"> <li>To maintain the current extent of blanket bog habitats.</li> <li>For there to be no loss of ancient semi natural woodland stands.</li> <li>To maintain the current extent of dry heath habitats.</li> <li>To maintain the current extent of wet heath habitats.</li> </ul>
	SPA	To maintain the mosaic of upland habitats including acid grassland, bog, bracken, heathlands, fen, rivers and streams. The extent of these habitats should be maintained unless loss is as a result of restoration to another notified habitat type.

Potential Effects on the site	Likely Significant Effects due to Local Plan Part 2?	Possible effects in combination with other plans and/or projects	Conclusion
<p>Loss of supporting feeding sites outside of SPA associated with the following parts of Local Plan Part 2:</p> <ul style="list-style-type: none"> <li>LIV6: A revised housing requirement for Pendle</li> <li>LIV7: Housing site allocations</li> <li>LIV8: Reserve sites for housing</li> <li>LIV9: Affordable housing</li> <li>LIV12: Housing in the countryside</li> <li>WRK7: Employment site allocations</li> </ul>	<p>None. The draft Local Plan Part 2 does not allocate sites close to the European Sites. Policy ENV13: Biodiversity and Ecological Networks requires that all development proposals deliver a measurable biodiversity net gain and avoid any negative impacts on irreplaceable habitats.</p>	<p>None. Neighbouring districts have policies in place that protect the sites and priority habitats that may serve as feeding sites.</p> <ul style="list-style-type: none"> <li>Craven – Policy ENV4 requires development to achieve net gain and avoid loss of priority habitats.</li> <li>Burnley – Policy NE1 requires appropriate assessment for any development that is likely to have an effect on a European Site. The policy also requires priority habitats to be retained and enhanced within development sites.</li> <li>Ribble Valley Core Strategy – Policy</li> </ul>	<p>No significant LSE. Policies of both Pendle and neighbouring districts seek to protect the European Sites and the priority habitats that are likely to serve as supporting feeding sites.</p>

		<p>EN4 requires developments to achieve net gain and avoid loss of priority habitats.</p> <ul style="list-style-type: none"> <li>Bradford Core Strategy – Policy EN2 states that developments that are likely to effect the SPA/SAC require an appropriate assessment.</li> <li>Calderdale Draft Local Plan – Policy GN3 prevents any development that is likely to have an effect on the European Site. The policy also prevents development of priority habitats unless there are exceptional circumstances</li> </ul>	
Inappropriate management	None	None	No LSE. The local plan does not affect the management of the site.
Changes in hydrology and water quality	None. Water management is addressed in the Core Strategy with a requirement for Sustainable Drainage Systems (SuDS).	<p>United Utilities Water Resources Management Plan (2019) states that the water supply shortages can be managed by addressing leakages, managing demand, and securing enhancements in the efficient use of water.</p> <p>Policies encouraging sustainable drainage systems are in neighbouring district plans.</p>	<p>No LSE. Policies of both Pendle and neighbouring districts encourage sustainable drainage systems.</p> <p>United Utilities have sufficient strategies that do not require further abstraction of water beyond the life of Local Plan Part 2</p>
Pet predation	None. Housing development is directed close to the existing settlements. No sites are allocated within 400m of the European Sites	None. No sites in neighbouring districts are allocated within 400m of the European Sites.	No LSE

<p>Recreation – Disturbance of ground nesting birds and vegetation associated with the following policies:</p> <ul style="list-style-type: none"> <li>• Policy SDP7: Settlement Boundaries</li> <li>• Policy LIV6: A revised housing requirement for Pendle</li> <li>• Policy LIV7: Housing allocations</li> <li>• LIV8: Reserve site for housing</li> <li>• LIV9: Affordable housing</li> <li>• Policy LIV12: Housing in the countryside</li> <li>• Policy WRK12: Tourist facilities and accommodation</li> </ul>	<p>Policy SDP9 within the draft Local Plan Part 2 that seek to avoid or mitigate recreational pressures on the European Sites. Impact Zones, which reflect the evidence prepared by Natural England and survey work for the Local Plans in Bradford and Kirklees are used to ensure that these measures are proportionate:</p> <ul style="list-style-type: none"> <li>• Zone 1 – a 400m exclusion zone around the SPA and SAC where only exceptional development will be permitted to mitigate urban edge effects</li> <li>• Zone 2 – a 2.5km zone within which important foraging areas outside the SPA will be protected</li> <li>• Zone 3 – a 7km zone within which residential developments contribute to greenspace improvements that deflect visitors away from the SPA (and avoid effects), the implementation of onsite access management measures and a programme of habitat management and monitoring</li> </ul>	<p>None. Bradford, Kirklees and Craven Plans have taken recreational pressure into account within their plans. It is expected that other authorities in preparing their plans will produce similar policies.</p>	<p>No LSE. Only two ‘honey pot’ sites are located in Pendle those being Wycoller and Coldwell Inn. These are relatively small in size and as such restrict the amount of visitors to the area.</p> <p>Policy in place to alleviate or avoid recreational pressures.</p>
--	--	--	---



<p>Renewable energy developments causing bird mortality/injury.</p>	<p>None. Policy ENV27 of Local Plan Part 2 and ENV3 of the core strategy prevent the development of wind turbines in unsuitable locations. Policy SDP9 prevent development within the three zones of influence with sufficient mitigation except where an exemption applies.</p>	<p>None. It is unlikely that projects in neighbouring authorities would be granted planning permission which would also have this potential effect.</p>	<p>None. Policies adequate to protect the European Sites.</p>
<p>Eutrophication of wet and dry heaths due to air pollution associated with the following policies:</p> <ul style="list-style-type: none"> <li>• Policy SDP7: Settlement Boundaries</li> <li>• Policy LIV6: A revised housing requirement for Pendle</li> <li>• Policy LIV7: Housing allocations</li> <li>• Policy LIV8 – Reserve sites for housing</li> <li>• Policy LIV9 – Affordable housing</li> <li>• Policy LIV12 – Housing in the countryside</li> <li>• Policy WRK7 – Employment site allocations</li> </ul>	<p>None. Policies in place that require that developments minimise pollutant emissions (ENV5 of the Core Strategy and ENV17 of Local Plan Part 2). The most likely source of air pollution is from traffic. There are no A class roads within 200m of the European Sites in the Borough.</p>	<p>None. Work carried out by Craven District Council demonstrate that it is unlikely that air pollution is likely to have a significant effect of the European Sites. With levels of NO<sub>x</sub> well below critical levels for the latest available records (2013-15)</p>	<p>None. No A class roads within 200m of the European Sites.</p>

Name	North Pennine Moors SAC/SPA	
<b>Authority Area(s)</b>	Lancashire County Council, North Yorkshire County Council, Cumbria County Council, Durham, Northumberland.	
<b>Site Description</b>	SAC	The site covers the key moorland blocks of the Northern Pennines from Embsay Moor in the south through the Yorkshire Dales to Cumbria and Northumberland in the north.
	SPA	<p>The site is largely heather moorland, either as blanket bog or drier heathland, with smaller associated areas of wetland, grassland, bracken, scrub, woodland and cliff. The SPA comprises of some of the highest moorland within the UK with very few settlements. The main land use is grazing livestock and driven grouse shooting. Due to the topography of the land it is subject to high rainfall, low temperatures and strong winds year round.</p> <p>Moor House – Upper Teesdale National Nature Reserve lies at the heart of the SPA.</p>
<b>Qualifying features</b>	SAC	<p>The site hosts the following habitats listed under Annex I of article 4(4) of the Directive (92/43/EEC):</p> <ul style="list-style-type: none"> <li>• Northern Atlantic wet heaths with <i>Erica tetralix</i>; ‘Wet heathland with cross-leaved heath’</li> <li>• European dry heaths</li> <li>• <i>Juniperus communis</i> formations on heaths or calcareous grasslands; ‘Juniper on heaths or calcareous grasslands’</li> <li>• Calaminarian grasslands of the <i>Violetalia calaminariae</i>; ‘Grasslands on soils rich in heavy metals’</li> <li>• Siliceous alpine and boreal grasslands; ‘Montane acid grasslands’</li> <li>• Semi-natural dry grasslands and scrubland facies: on calcareous substrates (<i>Festuco-Brometalia</i>); ‘Dry grasslands and scrublands on chalk or limestone’</li> <li>• Blanket bogs</li> <li>• Petrifying springs with tufa formation (Cratoneurion); ‘Hard-water springs depositing lime</li> <li>• Alkaline fens; ‘Calcium-rich spring water-fed fens’</li> <li>• Siliceous scree of the montane to snow levels (<i>Androsacetalia alpinae</i> and <i>Galeopsietalia ladani</i>); ‘Acidic scree’</li> <li>• Calcareous rocky slopes with chasmophytic vegetation; ‘Plants in crevices in base-rich rocks’</li> <li>• Siliceous rocky slopes with chasmophytic vegetation; ‘Plants in crevices on acid rocks’</li> <li>• Old sessile oak woods with <i>Ilex</i> and <i>Blechnum</i> in the British Isles; ‘Western acidic oak woodland’</li> </ul> <p>... and qualifying species</p> <ul style="list-style-type: none"> <li>• <i>Saxifraga hirculus</i>; Marsh saxifrage</li> </ul>
	SPA	<p>Qualifying species listed under Annex I of the Wild Birds Directive:</p> <ul style="list-style-type: none"> <li>• Golden plover (<i>Pluvialis apricaria</i>)</li> <li>• Hen harrier (<i>Circus cyaneus</i>)</li> <li>• Merlin (<i>Falco columbarius</i>)</li> </ul>

<b>Non-qualifying species of interest</b>		
<b>Unit site</b>	SAC	103109.42ha
	SPA	147246.41
<b>Vulnerabilities</b>	Maintenance of the eco-systems on which the birds depend relies on appropriate grazing levels and burning regimes and overgrazing by sheep is a key pressure. Management of grazing is further complicated by the presence of a large number of commons within the SPA. Pressures outside the site, in particular the loss of bird feeding areas through agricultural intensification, increase the vulnerability of the bird populations.	
<b>Conservation Objectives</b>	SAC	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; <ul style="list-style-type: none"> <li>• The extent and distribution of qualifying natural habitats and habitats of qualifying species</li> <li>• The structure and function (including typical species) of qualifying natural habitats</li> <li>• The structure and function of the habitats of qualifying species</li> <li>• The supporting processes on which qualifying natural habitats and the habitats of qualifying species rely</li> <li>• The populations of qualifying species, and;</li> <li>• The distribution of qualifying species within the site</li> </ul>
	SPA	To maintain and enhance the mosaic of upland habitats to ensure to support and increase the breeding populations of the qualifying species. This also includes the reduction of human interference by disturbance.

Potential Effects on the site	Likely Significant Effects due to Local Plan Part 2?	Possible effects in combination with other plans and/or projects	Conclusion
Loss of supporting feeding sites outside of SPA associated with the following parts of Local Plan Part 2: <ul style="list-style-type: none"> <li>• Policy LIV6: A revised housing requirement for Pendle</li> <li>• Policy LIV7: Housing site allocations</li> <li>• Policy LIV8: Reserve sites for housing</li> <li>• Policy LIV9: Affordable housing</li> <li>• Policy LIV12: Housing in the countryside</li> <li>• Policy WRK7: Employment site allocations</li> </ul>	None. The draft Local Plan Part 2 does not allocate sites close to the European Sites. Policy ENV13: Biodiversity and Ecological Networks requires that all development proposals deliver a measurable biodiversity net gain and avoid any negative impacts on irreplaceable habitats.	None. Neighbouring districts have policies in place that protect the sites and priority habitats that may serve as feeding sites. <ul style="list-style-type: none"> <li>• Craven – Policy ENV4 requires development to achieve net gain and avoid loss of priority habitats.</li> <li>• Burnley – Policy NE1 requires appropriate assessment for any development that is likely to have an effect on a European Site. The policy also requires priority habitats to be retained and</li> </ul>	No significant LSE. Policies of both Pendle and neighbouring districts seek to protect the European Sites and the priority habitats that are likely to serve as supporting feeding sites.

		<p>enhanced within development sites.</p> <ul style="list-style-type: none"> <li>• Ribble Valley Core Strategy – Policy EN4 requires developments to achieve net gain and avoid loss of priority habitats.</li> <li>• Bradford Core Strategy – Policy EN2 states that developments that are likely to effect the SPA/SAC require an appropriate assessment.</li> <li>• Calderdale Draft Local Plan – Policy GN3 prevents any development that is likely to have an effect on the European Site. The policy also prevents development of priority habitats unless there are exceptional circumstances</li> </ul>	
Inappropriate management	None	None	No LSE. The local plan does not affect the management of the site.
Changes in hydrology and water quality	None. Water management is addressed in the Core Strategy with a requirement for Sustainable Drainage Systems (SuDS).	<p>United Utilities Water Resources Management Plan (2019) states that the water supply shortages can be managed by addressing leakages, managing demand, and securing enhancements in the efficient use of water.</p> <p>Policies encouraging sustainable drainage systems are in neighbouring district plans.</p>	<p>No LSE. Policies of both Pendle and neighbouring districts encourage sustainable drainage systems.</p> <p>United Utilities have sufficient strategies that do not require further abstraction of water beyond the life of LP2</p>
Pet predation	None. Housing development is directed close to the existing	None. No sites in neighbouring districts are allocated within	No LSE

	<p>settlements. No sites are allocated within 400m of the European Sites</p>	<p>400m of the European Sites.</p>	
<p>Recreation – Disturbance of ground nesting birds and vegetation associated with the following policies:</p> <ul style="list-style-type: none"> <li>• Policy SDP7: Settlement Boundaries</li> <li>• Policy LIV6 – A revised housing requirement for Pendle</li> <li>• Policy LIV7 – Housing Allocations</li> <li>• Policy LIV8 – Reserve sites for housing</li> <li>• Policy LIV9 – Affordable housing</li> <li>• Policy LIV12 – Housing in the countryside</li> <li>• Policy WRK7 – Employment site allocations</li> <li>• Policy WRK12 – Tourist facilities and accommodation</li> </ul>	<p>Policy SDP9 within the draft Local Plan Part 2 that seek to avoid or mitigate recreational pressures on the European Sites. Impact Zones, which reflect the evidence prepared by Natural England and survey work for the Local Plans in Bradford and Kirklees are used to ensure that these measures are proportionate:</p> <ul style="list-style-type: none"> <li>• Zone 1 – a 400m exclusion zone around the SPA and SAC where only exceptional development will be permitted to mitigate urban edge effects</li> <li>• Zone 2 – a 2.5km zone within which important foraging areas outside the SPA will be protected</li> <li>• Zone 3 – a 7km zone within which residential developments contribute to greenspace improvements that deflect visitors away from the SPA (and avoid effects), the implementation of onsite access management measures and a programme of habitat</li> </ul>	<p>None. Bradford, Kirklees and Craven Plans have taken recreational pressure into account within their plans. It is expected that other authorities in preparing their plans will produce similar policies.</p>	<p>No LSE. Only two ‘honey pot’ sites are located in Pendle those being Wycoller and Coldwell Inn. These are relatively small in size and as such restrict the amount of visitors to the area.</p> <p>Policy in place to alleviate or avoid recreational pressures.</p>

	management and monitoring		
Renewable energy developments causing bird mortality/injury.	None. Policy ENV27 of Local Plan Part 2 and ENV3 of the core strategy prevent the development of wind turbines in unsuitable locations. Policy SDP9 prevent development within the three zones of influence with sufficient mitigation except where an exemption applies.	None. It is unlikely that projects in neighbouring authorities would be granted planning permission which would also have this potential effect.	None. Policies adequate to protect the European Sites.
<p>Eutrophication of wet and dry heaths due to air pollution associated with the following policies:</p> <ul style="list-style-type: none"> <li>• Policy SDP7: Settlement Boundaries</li> <li>• Policy LIV6: A revised housing requirement for Pendle</li> <li>• Policy LIV7: Housing Allocations</li> <li>• Policy LIV8: Reserve sites for housing</li> <li>• LIV9: Affordable housing</li> <li>• Policy LIV12: Housing in the countryside</li> <li>• Policy WRK7: Employment site allocations</li> </ul>	None. Policies in place that require that developments minimise pollutant emissions (ENV5 of the Core Strategy and ENV17 of Local Plan Part 2). The most likely source of air pollution is from traffic. There are no A class roads within 200m of the European Sites in the Borough.	None. Work carried out by Craven District Council demonstrate that it is unlikely that air pollution is likely to have on European Sites. With levels of NO <sub>x</sub> well below critical levels for the latest available records (2013-15)	None. No A class roads within 200m of the European Sites.

<b>Name</b>	<b>North Pennine Dales Meadows SAC</b>
<b>Authority Area(s)</b>	Lancashire County Council and North Yorkshire
<b>Site Description</b>	<p>The North Pennine Dales Meadows SAC is a series of isolated fields located in the higher parts of enclosed valley bottoms throughout the north Pennine and Cumbrian valleys. The SAC is made up of 58 component Sites of Special Scientific Interest (SSSI). These are located in the counties of Lancashire, Cumbria, North Yorkshire, Durham and Northumberland.</p> <p>The SAC contains a major part of the remaining mountain hay and purple grass meadows in the UK.</p> <p>Not all parts of the SAC have the potential to be affected by the Development Plan. As a result, those SSSI units closest to the Borough have been taken into account. These include Bell Sykes Meadows, Langcliff Cross Meadow and Myttons Meadows.</p>
<b>Qualifying features</b>	<p>The site hosts the following habitats listed under Annex I of article 4(4) of the Directive (92/43/EEC):</p> <ul style="list-style-type: none"> <li>• Mountain hay meadows</li> <li>• Molinia meadows on calcareous, peaty or clayey-silt-laden soils (<i>Molinia caeruleae</i>); Purple moor-grass meadows</li> </ul>
<b>Non-qualifying species of interest</b>	
<b>Unit site</b>	497.09ha
<b>Condition</b>	<p>Hay meadows are a man-made habitat that depend on low fertility soils and traditional methods of management. They are grazed over the winter months predominantly by cattle and then closed during spring and summer when a hay crop is taken in July/August. This type of management prevents species dominating and allows a diverse sward. Species rich meadows can support up to 30 species per square metre and up to 120 species per field.</p> <p>This type of management is no longer economic and more modern forms of management result in the destruction of this valuable habitat.</p>
<b>Conservation Objectives</b>	The conservation objectives of these sites is to maintain and enhance the meadows.

Potential Effects on the site	Likely Significant Effects due to Local Plan Part 2?	Possible effects in combination with other plans and/or projects	Conclusion
Loss of extent of the area covered by the meadows	None	None	None. The plan or others in combination will affect the extent of the meadows.
Inappropriate Management	None	None	No LSE. The plan will not affect the management of the site. The SAC is isolated from any settlements within the Borough.

<b>Name</b>	<b>Bowland Fells SPA</b>
<b>Authority Area(s)</b>	Lancashire County Council
<b>Site Description</b>	<p>The Bowland Fells SPA is contiguous of the Bowland Fells SSSI. The fells form the main upland block of moorland within Lancashire known as the Forest of Bowland.</p> <p>The fells are made up of peat bog and moorland with the occasional gritstone outcrop and is characterised by fell top plateaus above 250m dissected by stream and river valleys. The highest point is Wards Stone (561m).</p>
<b>Qualifying features</b>	<p>Qualifying species listed under Annex I of the Wild Birds Directive:</p> <ul style="list-style-type: none"> <li>• Hen harrier (<i>Circus cyaneus</i>)</li> <li>• Merlin (<i>Falco columbarius</i>)</li> </ul>
<b>Non-qualifying species of interest</b>	
<b>Unit site</b>	16002.31ha
<b>Vulnerabilities</b>	Favourable nature conservation status of the site depends on appropriate levels of sheep grazing, sympathetic moorland burning practice, sensitive water catchment land management practices and ongoing species protection.
<b>Conservation Objectives</b>	<ul style="list-style-type: none"> <li>• Restore the size of the breeding populations of Hen Harrier populations to above 12 breeding pairs.</li> <li>• Restore the size of the breeding populations of Merlin populations to above 21 breeding parks.</li> <li>• Maintenance and restoration of habitats that support both species.</li> </ul>

Potential Effects on the site	Likely Significant Effects due to Local Plan Part 2?	Possible effects in combination with other plans and/or projects	Conclusion
Changes in land management	None	None	No LSE. The plan will not affect the management practices.
Inappropriate management	None	None	No LSE. The plan will not affect the management of the site.
Game management (Grouse)	None	None	No LSE. The plan will not affect the management of the site.
<p>Recreation – Disturbance of ground nesting birds and vegetation associated with the following policies:</p> <ul style="list-style-type: none"> <li>• Policy SDP7: Settlement Boundaries</li> <li>• Policy LIV6: A revised housing requirement for Pendle</li> </ul>	<p>Policy SDP9 within the draft Local Plan Part 2 that seek to avoid or mitigate recreational pressures on the European Sites. Impact Zones, which reflect the evidence prepared by Natural England and survey work for the Local Plans in Bradford and Kirklees are used to ensure that these measures are proportionate:</p>	<p>None. Bradford, Kirklees and Craven Plans have taken recreational pressure into account within their plans. It is expected that other authorities in preparing their plans will produce similar policies.</p>	<p>No LSE. Only two ‘honey pot’ sites are located in Pendle those being Wycoller and Coldwell Inn. These are relatively small in size and as such restrict the amount of visitors to the area.</p> <p>Policy in place to alleviate or avoid recreational pressures.</p>



<ul style="list-style-type: none"> <li>• Policy LIV7: Housing allocations</li> <li>• Policy LIV8: Reserve sites for housing</li> <li>• Policy LIV9: Affordable housing</li> <li>• Policy LIV12: Housing in the countryside</li> <li>• Policy WRK7: Employment site allocations</li> <li>• Policy WRK12: Tourist facilities and accommodation</li> </ul>	<ul style="list-style-type: none"> <li>• Zone 1 – a 400m exclusion zone around the SPA and SAC where only exceptional development will be permitted to mitigate urban edge effects</li> <li>• Zone 2 – a 2.5km zone within which important foraging areas outside the SPA will be protected</li> <li>• Zone 3 – a 7km zone within which residential developments contribute to greenspace improvements that deflect visitors away from the SPA (and avoid effects), the implementation of onsite access management measures and a programme of habitat management and monitoring</li> </ul>		
---	---	--	--

Name	Ribble and Alt Estuaries SPA and RAMSAR	
Authority Area(s)	Lancashire County Council and Merseyside Combined Authority	
Site Description	SPA	The Ribble and Alt Estuaries SPA lies on the coast of Lancashire and Sefton. The site consists of extensive areas of sandflats and mudflats, as well as large areas of saltmarsh, particularly in the Ribble. There are also areas of coastal grazing marsh.
	RAMSAR	A large area including two estuaries which form part of the chain of west coast sites which fringe the Irish Sea. The site is formed by extensive sand and mudflats backed, in the north, by the saltmarsh of the Ribble Estuary and, to the south, the sand dunes of the Sefton Coast. The tidal flats and saltmarsh support internationally important populations of waterfowl in winter and the sand dunes support vegetation communities and amphibian populations of international importance.
Qualifying features	SPA	<p>Qualifying species listed under Annex I of the Wild Birds Directive:</p> <ul style="list-style-type: none"> <li>• Bewick's Swan (<i>Cygnus columbianus bewickii</i>)</li> <li>• Whooper Swan (<i>Cygnus cygnus</i>)</li> <li>• Pink-footed Goose (<i>Anser brachyrhynchus</i>)</li> <li>• Common Shelduck (<i>Tadorna tadorna</i>)</li> <li>• Eurasian Wigeon (<i>Anas penelope</i>)</li> <li>• Eurasian Teal (<i>Anas crecca</i>)</li> <li>• Northern Pintail (<i>Anas acuta</i>)</li> <li>• Eurasian Oystercatcher (<i>Haematopus ostralegus</i>)</li> <li>• Ringed Plover (<i>Charadrius hiaticula</i>)</li> <li>• European Golden Plover (<i>Pluvialis apricaria</i>)</li> <li>• Grey Plover (<i>Pluvialis squatarola</i>)</li> <li>• Red Knot (<i>Calidris canutus</i>)</li> <li>• Sanderling (<i>Calidris alba</i>)</li> <li>• Dunlin (<i>Calidris alpina alpina</i>)</li> <li>• Ruff (<i>Philomachus pugnax</i>)</li> <li>• Black-tailed Godwit (<i>Limosa islandica</i>)</li> <li>• Bar-tailed Godwit (<i>Limosa lapponica</i>)</li> <li>• Common Redshank (<i>Tringa tetanus</i>)</li> <li>• Lesser Black-backed Gull (<i>Larus fuscus</i>)</li> <li>• Common Tern (<i>Sterna hirundo</i>)</li> </ul> <p>And also water bird and sea bird assemblages</p>
	RAMSAR	<ul style="list-style-type: none"> <li>• Supports up to 40% of the Great Britain population of Natterjack toad (<i>Bufo calamita</i>)</li> <li>• Bird assemblage of international importance</li> <li>• Qualifying species: <ul style="list-style-type: none"> <li>• Bewick's Swan (<i>Cygnus columbianus bewickii</i>)</li> <li>• Whooper Swan (<i>Cygnus cygnus</i>)</li> <li>• Pink-footed Goose (<i>Anser brachyrhynchus</i>)</li> <li>• Common Shelduck (<i>Tadorna tadorna</i>)</li> <li>• Eurasian Wigeon (<i>Anas penelope</i>)</li> <li>• Eurasian Teal (<i>Anas crecca</i>)</li> <li>• Northern Pintail (<i>Anas acuta</i>)</li> <li>• Eurasian Oystercatcher (<i>Haematopus ostralegus</i>)</li> <li>• Ringed Plover (<i>Charadrius hiaticula</i>)</li> <li>• European Golden Plover (<i>Pluvialis apricaria</i>)</li> </ul> </li> </ul>

		<ul style="list-style-type: none"> <li>• Grey Plover (<i>Pluvialis squatarola</i>)</li> <li>• Red Knot (<i>Calidris canutus</i>)</li> <li>• Sanderling (<i>Calidris alba</i>)</li> <li>• Dunlin (<i>Calidris alpina alpina</i>)</li> <li>• Ruff (<i>Philomachus pugnax</i>)</li> <li>• Black-tailed Godwit (<i>Limosa islandica</i>)</li> <li>• Bar-tailed Godwit (<i>Limosa lapponica</i>)</li> <li>• Common Redshank (<i>Tringa tetanus</i>)</li> <li>• Lesser Black-backed Gull (<i>Larus fuscus</i>)</li> <li>• Common Tern (<i>Sterna hirundo</i>)</li> </ul>
<b>Non-qualifying species of interest</b>		
<b>Unit site</b>	SPA	12,449.92ha
	RAMSAR	13,464.1ha
<b>Vulnerabilities</b>		Coastal erosion and reduction of sand dune habitat due to pine plantations.
<b>Conservation Objectives</b>	SPA	<p>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;</p> <ul style="list-style-type: none"> <li>• The extent and distribution of the habitats of the qualifying features</li> <li>• The structure and function of the habitats of the qualifying features</li> <li>• The supporting processes on which the habitats of the qualifying features rely</li> <li>• The population of each of the qualifying features, and,</li> <li>• The distribution of the qualifying features within the site.</li> </ul>

Potential Effects on the site	Likely Significant Effects due to Local Plan Part 2?	Possible effects in combination with other plans and/or projects	Conclusion
Water quality	None. Policy ENV17 of Local Plan Part 2 and Policy ENV5 of the Core Strategy require that all developments minimise the risk of pollution.	None.	No LSE. Policies are adequate to prevent instances of pollution resulting from development.
Inappropriate management	None	None	No LSE. The plan will not affect the management of the site.
Loss of habitat	None	None	No LSE. The SPA/RAMSAR site is outside the Borough Boundary.

### **Appendix 3: Maps of European Sites in relation to the Borough of Pendle**



**Pendle Council**  
**Planning, Economic Development and Regulatory Services**  
**Town Hall**  
**Market Street**  
**Nelson**  
**Lancashire**  
**BB9 7LG**

**Tel: 01282 661330**

**Email [ldf@pendle.gov.uk](mailto:ldf@pendle.gov.uk)**

**Website: [www.pendle.gov.uk/ldf](http://www.pendle.gov.uk/ldf)**



**If you would like this information in a way which is better for you, please telephone us.**

اگر آپ یہ معلومات کسی ایسی شکل میں چاہتے ہیں، جو کہ آپ کے لئے زیادہ مفید ہو تو برائے مہربانی ہمیں ٹیلیفون کریں۔

