HABITATS REGULATIONS ASSESSMENT OF THE BURY LOCAL PLAN (POLICY DIRECTIONS) CONSULTATION

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Prepared by –

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For

Bury Council

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1.0 INTRODUCTION

1.1 Article 6(3) of the European Habitats Directive dealing with the conservation of European protected sites states that:

'Any plan or project not directly connected with or necessary to the management of the site but likely to have a significant effect thereon, either individually or in combination with other plans and projects, shall be subject to assessment of its implications for the site in view of the site's conservation objectives. In light of the conclusions of the assessment of the implications for the site and subject to the provisions of paragraph 4, the competent national authorities shall agree to the plan or project only after ascertained that it will not adversely affect the integrity of the site concerned and, if appropriate, after having obtained the opinion of the general public.'

Article 6(4) states that –

'If, in spite of a negative assessment of the implications for the site and in the absence of alternative solutions, a plan or project must nevertheless be carried out for imperative reasons of overriding public interest, including those of a social or economic nature, the Member State shall take all compensatory measures necessary to ensure that the overall coherence of Natura 2000 is protected. It shall inform the Commission of the compensatory measures adopted'.

Where the site concerned hosts a priority natural habitat type and/or a priority species, the only considerations which may be raised are those relating to human health or public safety, to beneficial consequences of primary importance for the environment or, further to an opinion from the Commission, to other imperative reasons of overriding public interest.

1.2 The Bury Local Plan is a Local Development Document (a 'Plan') and therefore under the terms of the Conservation of Habitats and Species Regulations 2010 (reg. 102) is required to be subject to a Habitats Regulations Assessment (to be taken at least through the screening stage (Stage 1)).

1.3 European protected sites (the 'Natura 2000 Network') are of exceptional importance for the conservation of important species and natural habitats within the European Union. The purpose of Habitats Regulation Assessment (HRA) of land use plans is to ensure that protection of the integrity of European protected sites is an integral part of the planning process at a regional and local level. The network of European protected sites comprises Special Protection Areas (SPAs), Special Areas of Conservation (SACs) and Ramsar sites. Government guidance advises that potential SPAs (pSPA), candidate SACs (cSAC) and potential Ramsar (pRamsar) sites are also included in HRAs.

1.4 Habitats Regulation Assessments can be seen as having a number of discrete stages -

- Stage 1 - Screening
- Stage 2 – Appropriate Assessment
- Stage 3 – Assessment of Alternatives

- Stage 4 – Assessment where no alternatives are available

1.5 This document forms Stage 1 and 2 of the Habitats Regulation Assessment (HRA) process and contributes to the fulfilment of the Council's statutory duty as regards Article 6(3).

1.6 The Greater Manchester Ecology Unit (GMEU), on behalf of Bury Council, has prepared this Screening Opinion. Natural England and the JNCC were consulted for information on the conservation objectives and favourable condition tables for the European Sites concerned (the information is summarised in Appendix 1 below).

1.7 This report Screens and Assesses the Policy Directions put forward in the latest iteration of the Bury Local Plan for their potential impacts on European sites.

2.0 THE PLAN BEING ASSESSED

2.1 The Bury Local Plan (Policy Directions) Document forms a part of the developing Bury Local Plan. It sets out the proposed scope and direction of the Local Plan and takes into account comments raised in response to consultation during the previous, initial stages of the plan-making process. It sets out the broad options that have been considered in developing proposed Policy Directions for the Bury Local Plan.

Whilst the document sets out the broad Policy Directions that the Council would wish to take at the current time, it is likely that the Plan will change in light of emerging evidence, to take account of consultation responses or following independent examination.

Since the Plan currently only sets out Policy Directions at this stage it is not possible to assess the detail of any specific plans or projects.

2.2 The Policy Directions Report follows the issue of a Key Issues and Policy Framework Report (April 2017) which identified the main issues that it was considered that the Plan should address. There is no agreed time in the process of production of a Local Plan when it is considered best to prepare a Habitats Regulations Assessment (HRA); the HRA process should be iterative with Plan production so should commence at an early stage, but not so early that meaningful Assessment is not possible. It is considered that an HRA of the Policy Directions will be a meaningful starting point for an Assessment. It is an appropriate point of Plan production at which the Direction of the Plan can be influenced, although of course further iterations of the Plan will need to be assessed as the Plan progresses.

2.3 Bury Council is also contributing to the preparation of the Greater Manchester Spatial Framework (GMSF), a Strategic Plan for the future development of Greater Manchester. The GMSF and the Local Plan will both be used to guide development in Bury up to 2036. Both documents will form components of the overall Bury Development Plan, so there will clearly be a need for consistency between the two Plans. The GMSF will be subject to a separate HRA process.

3.0 IDENTIFICATION OF RECEPTORS, SOURCES AND PATHWAYS

3.1 Any competent HRA Assessment must, as a starting point, identify –

- Possible **receptors** (that is, European Protected sites that could potentially be affected by the implementation of the Plan).
- Potential **sources** of harm to the special nature conservation interests of European protected sites that could arise from the implementation of the Plan
- Potential **pathways** between sources and receptors.

Only if a Receptor, a Source *and* a Pathway exist will an effect occur.

RECEPTORS

3.2 Following methodology adopted in other strategic development plans, and considering guidance issued by the Environment Agency with regard to impacts (Environment Agency, 2008), only *Natura 2000* sites within 10km of the boundaries of Bury Council have been 'scoped into' this Assessment. Beyond this distance it is considered that effects will not occur, or will be so diffuse that it would be effectively impossible to accurately identify the source.

3.3 The 10km distance should not however be taken as definitive; there are developments which by reasons of their scale and type (for example, airports) that may have identifiable impacts beyond 10km and these exceptional developments are taken into account.

3.4 Bury's water supply currently comes in part from Thirlmere, parts of the catchment of which are European sites. In theory if the requirement for water is greatly increased as a result of the operation of the plan then more water may need to be extracted from Thirlmere, and this in turn could affect the nature conservation interest of distant Special Areas of Conservation. But the water supply from Thirlmere supplies a very wide area of Greater Manchester, not just Bury. In practice it would be very difficult to assign an increase in water abstraction in the Thirlmere catchment to a particular site or area of Bury. In any case, the relevant water company (United utilities) does not foresee any particular pressure on Thirlmere from water demand in Greater Manchester in the foreseeable future except in times of severe drought, outside of the management of this Plan.

Distant European sites around Thirlmere have therefore been screened out of the Assessment.

3.5 Following the above 10km distance threshold the European sites scoped into this Assessment are –

- **The Rochdale Canal SAC**
- **The South Pennine Moors SAC/SPA**
- **The Manchester Mosses SAC**

3.6 The citations for the above sites, the conservation objectives and the special interest features of the above European sites are described in Appendix 1.

SOURCES AND PATHWAYS

3.7 No European protected sites lie within the Bury administrative boundary and none are adjacent to the boundary; the nearest site to the Bury boundary is the Rochdale Canal SAC which at its closest point is approximately 4,700m away.

The implementation of the Plan Policies will not therefore cause any direct land-take or direct disturbance of any European Sites. The following sources can therefore be effectively screened out –

- Direct land take or direct land-use
- Direct disturbance
- Spread of invasive species

Sources that do apply will be distant and diffuse and are considered to include –

- Air Pollution
- Diffuse Water Pollution
- Recreation

Air Pollution

3.8 Air pollution can cause harm to plants. Acidification of land and water can harm plant growth by altering pH, oxides of nitrogen can cause nutrient enrichment and can change plant communities and some air pollutants are directly phyto-toxic. In particular air pollution has been linked to ill health amongst trees and in upland habitats. Diffuse air pollution could therefore cause harm to important upland habitats in the South Pennine Moors SAC.

Currently the main sources of air pollution include the burning of fossil fuels, particularly caused by road traffic, farming operations which lead to nitrate and ammonia pollution, thermal treatment of waste and industrial operations.

3.9 Emissions of, particularly, carbon dioxide and methane will contribute to Climate Change which will cause harm to habitats and species over time.

3.10 The National Expert Group on Trans-boundary (diffuse) Air Pollution (*2013*) has concluded that:

- In 1997, critical loads for acidification were already exceeded in 71% of UK ecosystems although this had declined to 47% by 2010.
- Reductions in SO^2 concentrations over the last three decades have virtually eliminated the direct impact of sulphur on vegetation.
- By 2010, deposited nitrogen was expected to be the major contributor to acidification, replacing the reductions in SO^2.
- Current nitrogen deposition is probably already changing species composition in many nutrient-poor habitats by increasing nutrient levels, and these changes may not readily be reversed. However this is a diffuse effect, difficult to link to any particular source.
- The effects of nitrogen deposition are likely to remain significant beyond 2010.
- Current ozone concentrations threaten crops and forest production nationally. The effects of ozone deposition are likely to remain significant beyond 2010.

- Reduced inputs of acidity and nitrogen from the atmosphere may provide the conditions in which chemical and biological recovery from previous air pollution impacts can begin, but the timescales of these processes are very long relative to the timescales of reductions in emissions.

3.11 Grice *et al* do however suggest that air quality in the UK may improve significantly over the next 15 years due primarily to reduced emissions from road transport and power stations in processes managed by a separate legislative regime outside of the land-use planning system. Although road traffic will increase new vehicles, new control regimes will reduce harmful emissions from new vehicles and will help to remove more polluting vehicles from the road.

3.12 Nevertheless increased development and increases in the population of Bury may contribute to increased emissions of -

- **Carbon Dioxide** (CO_2) - Carbon dioxide is one of the major combustion products from burning fossil fuels. It is also produced in certain non-combustion chemical reactions, for instance in the manufacture of cement. Carbon dioxide is a long-lived pollutant and will remain in the atmosphere for between 50 and 200 years. Carbon dioxide contributes to the greenhouse effect. **Methane**, mainly produced from animal manures and farm animals, contributes to climate change.

- **Oxides of Nitrogen** (NOx) - Oxides of nitrogen are formed during high temperature combustion processes from the oxidation of nitrogen in the air. The principal source of oxides of nitrogen is road traffic, which is responsible for approximately half the emissions in Europe. NOx concentrations are therefore greatest in urban areas where traffic is heaviest. High levels of nitrogen dioxide and nitrogen monoxide can damage plant life. Nitrogen dioxide also contributes to the formation of acid rain which can cause damage to vegetation, buildings and water bodies. Nitrogen dioxide is also involved in the formation of ground level ozone which damages vegetation and other materials. Nitrogen dioxide can react with other air pollutants to form peroxyacetyl nitrates (PANs) which can then carry reactive and potentially damaging nitrogen-containing compounds for long distances. Oxides of nitrogen can also cause harm to human health and are therefore controlled through legislation controlling air pollution.

- **Ammonia** (NH_3) – This is probably the major source of nitrogen deposition to many wildlife sites, and is primarily agricultural in origin (predominantly from animal manures), although it is also produced through some industrial process and by the composting of organic matter on some waste sites. Issues with composting occur when high-nitrogen products (e.g. manures) are being added to compost and the compost is not being managed (turned) regularly. Biofilters fitted to commercial composting operations can be effective in preventing excessive ammonia release by adsorption/absorption mechanisms.

- **Low-level ozone** (O_3) – this is unlike the other pollutants mentioned, in that it is not emitted directly into the atmosphere, but is a secondary pollutant produced by a complex reaction between nitrogen dioxide (NO_2), hydrocarbons and sunlight. Unlike the other pollutants, it cannot therefore be directly related to increases in traffic etc. Although *peak* levels of ozone are generally reducing, annual *average* levels are generally increasing.

- **Hydrogen chloride and hydrogen fluoride** (HCl and HF) – Both of these chemicals are produced in small amounts as a result of certain energy from waste facilities, principally incineration. HF is the most phytotoxic of all air pollutants. It accumulates in very high concentrations in the margins of leaves. In sensitive species this may lead to distortion of the leaf shape, chlorosis (yellowing), red colouration and, in extreme cases, death of tissues. HCl can also have local, direct, effects on plants, but there is little information available about dose-response relations.

- **Dioxins** - These are long-lived organic compounds, which form when chlorinated substances in the waste, such as PVC plastic, are burnt and accumulate in the human food chain. Dioxin emissions to air from incinerators are thought to have decreased significantly in recent years. Four sources account for 74% of the total air emissions. These are legal municipal waste incineration (26%), sinter plants (18%), residential wood combustion (boilers, stoves, fireplaces, 16%) and incineration of hospital waste (14%). The incineration of hazardous industrial waste contributes less than 1%.

- **Heavy metals** – specifically Cadmium (Cd), which is a normal constituent of soil and water at low concentrations. The main sources of cadmium emissions are from waste incineration, and iron and steel manufacture. Cadmium and other heavy metals are mainly present in the ash produced by incinerators, but some is released directly to atmosphere via the exhaust stack. Emissions of cadmium have declined substantially over recent years; this is mainly attributable to the decline in coal combustion to generate power. Environmentally, cadmium is dangerous because many plants and some animals absorb it easily and it becomes concentrated in tissues.

3.13 For the following reasons, only Carbon Dioxide, Methane, NOx and Ammonia are considered further as specific pollutants (sources) in this Assessment:

- Despite the general association with nitrogen dioxide, ozone levels are not as high in urban areas (where high levels of nitrogen dioxide are emitted) as in rural areas. This is largely due to the long-range nature of this pollutant, which is sufficiently great that the source of emission and location of deposition often cross national boundaries. As such, low-level ozone can only be practically addressed at the national and international level.

- Sulphur dioxide concentrations are overwhelmingly influenced by the output of power stations and industrial processes that require the combustion of coal and oil. They are not particularly linked to general development.

- There is an enormous range in sensitivity to hydrogen chloride and hydrogen fluoride between species and habitats, and there are no commonly available critical levels for avoidance of visible injury to vegetation.

- As with ozone, the distance from emission to deposition of dioxins can be many hundreds of miles, potentially crossing trans-national boundaries, and is dependent upon meteorological conditions. Most importantly, amounts of dioxins formed in incinerators do not depend on chlorine levels, but primarily on the design and operating temperatures of the facility. It is therefore not possible to consider dioxin emissions in detail within this assessment because this would

need details of particular facilities to be available. Further, given the large distances over which dioxins can cause harm, it can be difficult to link particular sources with particular receptors. However, it is important to note that dioxins are only emitted by incineration and that incinerators are required by law to control their dioxin emissions below set thresholds.

- Since ammonia is of relevance to European sites primarily through its effect upon nitrogen deposition, it is not considered independently of nitrogen deposition in this assessment.

Consideration of NOx, Carbon Dioxide and Methane

3.14 Eutrophication of sensitive habitats through atmospheric deposition is a widely acknowledged phenomenon, although it is extremely difficult to measure or to pinpoint sources and pathways as the effects of eutrophication are often hidden by changes in local nutrients (i.e. via direct fertilisation) or by changes in grazing pressure.

3.15 The most acute impacts of NOx take place close to where they are emitted, but individual sources of pollution will also contribute to an increase in the general background levels of pollutants at a wider scale, as small amounts of NOx and other pollutants from the pollution source are dispersed more widely by the prevailing winds. Nitrogen dioxide can react with other air pollutants to form peroxyacetyl nitrates (PANs) which then carry reactive and potentially damaging nitrogen-containing compounds for very long distances.

3.16 The main sources of NOx in the UK are –

- Road and other transport (approximately 47%; greater in urban areas);
- Public power generation using fossil fuels (22%).
- Combustion in industrial processes (14%).
- Domestic and commercial sources (4%), e.g. commercial boilers in schools, hospitals etc.

3.17 By far the largest contribution to NOx will generally be made by the road traffic movements associated with new housing or employment development. It is not possible at this stage of Plan production to assess or estimate the amount of additional road traffic that will be generated by a new or extended developments in Bury, although the Plan includes Policy Directions to avoid and reduce air pollution.

3.18 Carbon dioxide is a greenhouse effect and arguably the most important threat currently to natural habitats is climate change. Carbon dioxide results from the burning of fossil fuels, is persistent in the atmosphere and can travel very long distances.

Dust from Construction Sites

3.19 Dust may arise from certain construction operations. The effects of dust will depend on the prevailing wind direction and the transport distance is related to particle size; large particles (>30um) will mostly deposit within 100m of the source, intermediate particles (10-30um) are likely to travel up to 200 - 500m. Smaller particles (<10um) can travel up to 1km from the source. Dust size and chemical composition is important as smaller particles can enter or block plant leaf stomata and thus interfere

with gas exchange, while sufficient coverage may prevent light penetration to the leaves. In prolonged cases of significant dust deposition plant death can result.

3.20 At this stage of Assessment dust impacts cannot readily be quantified beyond the broad potential distances identified above for different particle sizes.

But for the purposes of HRA since Bury is more than 4km from the boundary of any European sites dust impacts can effectively be 'screened out' as being very unlikely to contribute significant harmful impacts.

Water Pollution and Water Flows

3.21 Water pollution can have a harmful effect on habitats and species. At high levels, toxic chemicals and metals can result in immediate death of aquatic life, and can have detrimental effects even at lower levels, including increased vulnerability to disease and changes in wildlife behaviour.

3.22 Eutrophication, the enrichment of plant nutrients in water, increases plant growth and consequently results in oxygen depletion. Algal blooms, which commonly result from eutrophication, increase turbidity and decrease light penetration. The decomposition of organic wastes that often accompanies eutrophication deoxygenates water further, augmenting the oxygen depleting effects of eutrophication. In the marine environment nitrogen is the limiting plant nutrient and so eutrophication is associated with discharges containing available nitrogen.

3.23 Some pesticides, industrial chemicals, and components of sewage effluent are suspected to interfere with the functioning of the endocrine system, possibly having negative effects on the reproduction and development of aquatic life.

3.24 Water quality may be adversely affected by run-off from development sites through:

- Pollution through water runoff from hard surfaces carrying oils, heavy metals and/or de-icing compounds. While these effects can be dispersed throughout the downstream water catchment, they will be most visibly manifested within tens of metres to a few hundred metres of the site

- Discharges of leachate from development sites, and particularly from brownfield sites, can add ammonia, other nutrients and chemical pollutants to surface water bodies. Leachate can also penetrate groundwater.

3.25 In the area potentially affected by the Bury Plan the Rochdale Canal can be regarded as particularly sensitive to water pollution. Important qualifying species associated with the Canal include Floating Water Plantain *(Luronium natans),* a European protected plant species sensitive to eutrophication.

3.26 The most important source of water pollution in the Rochdale Canal arises from 'grey-water' and sewage arising from domestic, local sources.

3.27 There is a significant degree of separation between Bury and the Rochdale Canal, including significant built development and infrastructure, including motorways, main roads and railways. **There is no apparent hydrological connection (no Pathway) between any sites in Bury and the Rochdale Canal SAC.**

3.28 **In addition there are no apparent hydrological connections (no Pathways) between any sites in Bury and either the South Pennine Moors or the Manchester Mosses**.

In the absence of identified Pathways water pollution has been Screened Out of this Assessment as a potential cause of harm to European Protected Sites.

Species and Habitat Disturbance caused by Recreation

3.29 Increases in Public Recreation and Amenity can cause harm to sensitive habitats and disturbance to sensitive species. **Birds** are the faunal group that is most often considered in relation to disturbance, largely as this is the group on which disturbance impacts have been most studied.

3.30 Disturbance effects are of particular concern for the South Pennine Moors SPA because the qualifying species include bird species that could be vulnerable to increased disturbance. Further, some sites in the South Pennine Moors are already subject to relatively high levels of disturbance arising from public recreation.

3.31 Since the uplands surrounding the north and east of Greater Manchester are used as a recreational resource by residents of the conurbation it follows that any increase in population in a part of the conurbation (e.g. Bury) could cause increased recreational use of the uplands and therefore increased disturbance. It is acknowledged that sites in Bury are some distance (usually more than 10km) away from the most sensitive and most visited parts of the South Pennines, but nevertheless there is a source and a pathway for the impact to occur and therefore the effect and potential mitigation of the effect should be considered as part of this Assessment.

3.32 Concern regarding the effects of disturbance on bird's stems from the fact that they are expending energy unnecessarily and that the time they spend responding to disturbance is time that is not spent feeding. Disturbance therefore risks increasing energetic output while reducing energetic input, which can adversely affect the 'condition' and ultimately survival of the birds. In addition, displacement of birds from one feeding site to others can increase the pressure on the resources available within the remaining sites, as they have to sustain a greater number of birds. Moreover, the more time a breeding bird spends disturbed from its nest, the more its eggs are likely to cool and the more vulnerable they are to predators.

3.33 Human activity can affect birds either directly (e.g. through causing them to flee) or indirectly (e.g. through damaging their habitat). The most obvious direct effect is that of immediate mortality such as death by shooting, but human activity can also lead to behavioural changes (e.g. alterations in feeding behaviour, avoidance of certain areas etc.) and physiological changes (e.g. an increase in heart rate) that, although less noticeable, may ultimately result in major population-level effects by altering the balance between immigration/birth and emigration/death.

3.34 Disturbing activities are on a continuum. The most disturbing activities are likely to be those that involve irregular, infrequent, unpredictable loud noise events, movement or vibration of long duration. Birds are least likely to be disturbed by activities that involve regular, frequent, predictable, quiet patterns of sound or movement or minimal vibration. The further any activity is from the birds, the less likely it is to result in disturbance.

3.35 The factors that influence a species response to a disturbance are numerous, but the three key factors are -

- species sensitivity,

- proximity of disturbance sources and
- timing/duration of the potentially disturbing activity.

3.36 The distance at which a species takes flight when approached by a disturbing stimulus is known as the 'tolerance distance' (also called the 'escape flight distance') and differs between species to the same stimulus and within a species to different stimuli. No data could be sourced on the tolerance distances of birds in response to new development sites specifically, although the regular mechanized noise that is associated with development sites is likely to be less disturbing than the presence of visible human activity in areas in which the birds are not used to observing such activity because birds can become habituated to regular predictable noise.

3.37 The management of sites and the management of access within the South Pennines is outside of the control of the Plan being assessed. It is not possible for the Plan to avoid or mitigate the above 'direct' impacts arising from disturbance.

But it is in the control of the Plan to –

- Create locally attractive environments within the Borough to deter travel to more distant recreational resources
- Provide local resources for recreation and amenity to deter travel
- Discourage long, unsustainable journeys

These mechanisms will help to avoid any increase in recreational disturbance of the South Pennines SPA.

3.38 The special interest of the Rochdale Canal SAC is sensitive to disturbance that would be caused by increases in boat traffic. Increases in the population of Bury could in theory lead to increased use of recreational boat traffic on the Canal. But because of its important status the Canal is subject to strict management regimes. Increases in boat traffic above the level that would cause harm to the nature conservation interests of the Canal are not allowed.

3.39 The Manchester Mosses SAC do not currently offer a significant recreational resource for the population of Bury, although there are ongoing plans to restore habitats on the Mosses and attempt to attract more visitors to the area. As with the South Pennines the management of sites and the management of access within the Manchester Mosses is outside of the control of the Plan being assessed.

It is not possible for the Plan to avoid or mitigate the above 'direct' impacts arising from disturbance.

But it is in the control of the Plan to –

- Create locally attractive environments within the Borough to deter travel to more distant recreational resources
- Provide local resources for recreation and amenity to deter travel
- Discourage long, unsustainable journeys

These mechanisms will help to avoid any increase in recreational disturbance of the Manchester Mosses SAC.

Conclusions

3.40 Based on the above discussion the following **Sources** have been taken forward for consideration in this assessment.

Table 3.1 Screening - potential sources of harm and distances from European Sites at which impacts can effectively be screened out

Source/Pathway	Screening Distance from European Site
Air pollution – Carbon Dioxide and Methane	10km
Air pollution – NOx and Ammonia	10km
Disturbance from Recreation	10km

4 CONSIDERATION OF AVAILABLE MITIGATING POLICIES IN WIDER PLANS AND STRATEGIES

4.1 Carrying out this Assessment is just one part of the protection regime in place to avoid any possible harm to European Sites. European designated sites are robustly protected through a hierarchy of European and National statute, government guidance and Land-use Planning Policies (including the newly revised NPPF), Strategic Plans (*e.g.* the GMSF) and policies in other relevant Local Development Plans. Controls in these Plans and Strategies will serve to prevent (avoid) harm and to mitigate for any potentially harmful impacts that may arise from the implementation of the Bury Plan and are therefore considered to be relevant to this Assessment and worthy of mention here.

The National Planning Policy Framework (NPPF, July 2018)

4.2 The NPPF states –

> *"When determining planning applications, local planning authorities should aim to conserve and enhance biodiversity by applying the following principles:*
>
> - *if significant harm resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused;*
>
> - *development on land within or outside a Site of Special Scientific Interest likely to have an adverse effect on a Site of Special Scientific Interest (either individually or in combination with other developments) should not normally be permitted. Where an adverse effect on the site's notified special interest features is likely, an exception should only be made where the benefits of the development, at this site, clearly outweigh both the impacts that it is likely to have on the features of the site that make it of special scientific interest and any broader impacts on the national network of Sites of Special Scientific Interest;*
>
> *[SACs, SPAs and Ramsar sites are invariably also designated as SSSIs*]

4.3 The Draft GMSF

The Draft GMSF includes Policies for the protection and enhancement of designated nature conservation sites, including European protected sites. The GMSF will be subject to a separate HRA process.

4.4 Other Adopted Local Plans, Core Strategies and Development Plans

Relevant Policies in Local Plans of adjacent Boroughs that will serve to protect European Sites are listed and described in **Appendix 2**.

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5.0 Screening of Plan Policy Directions

Table 5.1 Initial Screening of Plan Policies

Policy Reference	Policy Description	Screening Outcome
OP1 Sustainable Development	It is proposed that the Local Plan should include a policy that seeks to ensure that, in dealing with planning matters, the Council will contribute towards achieving sustainable development by considering growth and development in terms of its economic, social and environmental implications.	Positive impact on European sites – screened out
OP2 Health and Well Being	It is proposed that the Local Plan should include a policy that seeks to ensure that development makes a positive contribution towards the health and wellbeing of the Borough's communities.	No impacts on European sites – screened out
OP3 Climate Change	It is proposed that the Local Plan should include a policy that seeks to take a proactive approach towards mitigating against and adapting to the cause and effects of climate change.	Positive impact on European sites – screened out
OP4 Air Quality and Pollution Control	It is proposed that the Local Plan should include a policy that seeks to prevent both new and existing development from contributing to, or being adversely affected by, unacceptable levels of pollution either individually or cumulatively with other existing or proposed developments.	Potentially positive impacts on European sites – screened out.
OP5 Flood Risk Management	It is proposed that the Local Plan should include a policy that seeks to manage flood risk from all sources by ensuring that new development complies with the flood risk management hierarchy and is not subject to unacceptable levels of risk, does not result in increased flood risk elsewhere and, where possible, achieves reductions in flood risk overall.	No impacts on European sites – screened out

OP6 Efficient Use of Land	It is proposed that the Local Plan should include a policy that seeks to ensure that all new development makes efficient use of land.	No impacts on European sites – screened out
OP7 Design and Layout of New Development	It is proposed that the Local Plan should include a policy that seeks to ensure that all new development displays high standards of design and layout and that development proposals that are considered to be of a poor standard of design and layout should be refused.	Positive impact on European sites by discouraging travel for amenity or recreation – screened out
OP8 Amenity	It is proposed that the Local Plan should include a policy that seeks to ensure that all new development does not have an adverse impact on the amenity of new and existing residents in the surrounding area.	Positive impact on European sites by discouraging travel for amenity or recreation – screened out
OP9 Planning Conditions and Obligations	It is proposed that the Local Plan should include a policy that seeks to ensure that where a development would have an adverse impact on interests of acknowledged importance or would result in an increase in needs and demands for new or improved infrastructure, services or facilities, the Council would only grant planning subject to planning conditions and/or planning obligations that would ensure that any adverse impacts are mitigated against and that the increased needs and demands are addressed through the development.	No impacts on European sites – screened out
H1 Housing Land Provision	It is proposed that, in conjunction with the GMSF, the Local Plan should include a policy, accompanied by site allocations, that seeks to encourage new housing development through the identification of good quality and deliverable housing sites, including previously-developed sites, to help meet Bury's needs.	**Potential to impact on European sites through indirect impacts arising from recreation and air pollution increases resulting from population uplift and formation of more households, and more road traffic**
H2 Windfall Housing Development	It is proposed that the Local Plan should include a policy that seeks to ensure that planning applications for housing development on sites that are not allocated for residential use will generally be allowed providing the proposal meets specific criteria.	**Potential to impact on European sites through indirect impacts arising from recreation and air pollution increases resulting from population uplift and formation of more households, and more road traffic**

H3 Housing Needs	It is proposed that the Local Plan should include a policy that seeks to ensure that housing development should provide an appropriate mix of dwellings to address the housing needs of the local community, including special needs housing in appropriate locations which will help households whose general housing needs are not being met by mainstream housing.	No impacts on European sites – screened out
H4 Affordable Housing Provision	In accordance with the NPPF, it is proposed that the Local Plan should include a policy that seeks to ensure that at least 10% of dwellings in new housing development of 10 or more houses should be affordable as well as specifying the type and nature of affordable housing that should be provided.	No impacts on European sites – screened out
H5 Special Needs Housing	It is proposed that the Local Plan should include a policy that seeks to ensure that in order to meet the needs of a growing elderly population, development that meets these needs will be supported as long as they satisfy certain criteria. Other groups with specialist housing needs should also be considered in this policy.	No impacts on European sites – screened out
H6 Self-build and custom housebuilding	It is proposed that the Local Plan should include a policy setting out the criteria that will be used to determine proposals for self-build and custom housebuilding.	No impacts on European sites – screened out
H7 Gypsies, Travellers and Showpeople	It is proposed that the Local Plan should include a policy that seeks to ensure that the needs of gypsies, travellers and travelling showpeople are addressed. The policy would include criteria against which proposals for sites for gypsies, travellers and travelling showpeople would be assessed.	No impacts on European sites – screened out
H8 the Form and Layout of New	It is proposed that the Local Plan should include a policy that seeks to ensure that residential development should be well-designed and make a positive contribution to the surrounding area. It is also considered	Positive impact on European sites by discouraging travel for amenity or recreation – screened out

Housing Development	that this policy should specify the criteria that will be used to assess all proposals for new housing.	
H9 Alterations and Extensions to Residential Properties	It is proposed that the Local Plan should include a policy setting out the criteria that will be considered when determining applications for the alteration of and extensions to residential properties.	No impacts on European sites – screened out
H10 Residential Conversions	It is proposed that the Local Plan should include a policy setting out the criteria that will be considered when determining applications to convert a building into two or more self-contained units or a House of Multiple Occupation.	No impacts on European sites – screened out
EC1 Employment Land Provision	It is proposed that, in conjunction with the GMSF, the Local Plan should include a policy, accompanied by site allocations, that seeks to encourage new office, industrial and warehousing development through the identification of good quality and deliverable employment sites to meet the needs identified in the GMSF.	**Potential to impact on European sites through indirect impacts arising from recreation* and air pollution resulting from industrial / business land uses, population uplift and increased road traffic** **** as a result of population uplift***
EC2 New Business, Industrial and Warehousing Development	It is proposed that the Local Plan should include a policy that sets out the key factors that will be taken into account in considering proposals for new office, industrial and warehousing development.	**Potential to impact on European sites through indirect impacts arising from recreation* and air pollution resulting from industrial / business land uses, population uplift and increased road traffic** **** as a result of population uplift***
EC3 Employment Generating Areas	It is proposed that the Local Plan should include a policy that seeks to ensure that the Borough's established Employment Generating Areas (EGAs) should be consolidated, retained and, where necessary, regenerated in order to help to create a sustainable, diverse and competitive local economy, to provide certainty to businesses operating from within them and to maintain existing and future employment opportunities for the Borough's local population.	**Potential to impact on European sites through indirect impacts arising from recreation* and air pollution resulting from industrial / business land uses, population uplift and increased road traffic** **** as a result of population uplift***

EC4 Employment Sites Outside Employment Generating Areas	It is proposed that the Local Plan should include a policy that seeks to ensure that, outside designated Employment Generating Areas, the Council would seek to retain existing employment sites	No impacts on European sites – screened out
TC1 Hierarchy and Role of Centres	It is proposed that the Local Plan should include a policy that seeks to maintain and enhance the vitality of the Borough's hierarchy of town, district and local centres by making them the key focus for new development involving main town centre uses.	Positive impact on European sites by discouraging travel for amenity or recreation – screened out
TC2 Town Centre Development Opportunities	It is proposed that the Local Plan should include a policy, accompanied by site allocations, that seeks to support the vitality and resilience of the Borough's town centres by encouraging the development and regeneration of key town centre sites.	Positive impact on European sites by discouraging travel for amenity or recreation – screened out
TC3 Managing the Location and Scale of Main Town Centre Uses	It is proposed that the Local Plan should include a policy that seeks to maintain and enhance the vitality of the Borough's hierarchy of centres by ensuring that proposals for town centre uses are in an appropriate location and that proposals for retail, leisure and office development are not of a scale that would have significant adverse impacts.	Positive impact on European sites by discouraging travel for amenity or recreation – screened out
TC4 Primary Shopping Areas	It is proposed that the Local Plan should include a policy that seeks to maintain retailing (Class A1) as the predominant use at ground floor level within the Primary Shopping Areas of town and district centres and that any opportunities for regeneration or redevelopment in these areas should be retail-led.	No impacts on European sites – screened out
TC5 Local and Neighbourhood Centres	It is proposed that the Local Plan should include a policy that recognises the importance of local retail facilities within the Borough's Local and Neighbourhood Centres and identifies the factors that will be considered in determining proposals for the change of use of retail (Class A1) to a non-retail use.	No impacts on European sites – screened out

TC6 Local Shops and Services	It is proposed that the Local Plan should include a policy that seeks to retain local shops and services outside recognised centres, particularly where these serve the day-to-day needs of local communities that would otherwise have limited access to such facilities.	No impacts on European sites – screened out
TC7 Upper Floors in Centres	It is proposed that the Local Plan should include a policy that seeks to support proposals which bring underused and vacant space on upper floors of premises within centres back into beneficial use.	No impacts on European sites – screened out
TO1 Tourism and Cultural Assets	It is proposed that the Local Plan should include a policy that recognises the significant contribution that tourism and culture makes towards the competitiveness and diversity of the local economy and in improving the attractiveness and quality of life within the Borough and set out the key means by which the Local Plan will endeavour to support and develop the Borough's tourism and cultural offer.	Positive impact on European sites by discouraging travel for amenity or recreation – screened out
OS1 Open Space, Sport and Recreational Provision	It is proposed that the Local Plan should include a policy that seeks to retain an adequate supply of good quality and accessible open space, sport and recreational assets and set out the circumstances where development of such sites may be acceptable in principle. The policy would also support proposals for the enhancement of existing open space, sport and recreation facilities.	Positive impact on European sites by discouraging travel for amenity or recreation – screened out
OS2 New Housing Development and the Provision of Open Space, Sport and Recreation	It is proposed that the Local Plan should include a policy that seeks to ensure that developers of all new housing would be expected to make provision for new or enhanced open space, sport and recreation to meet the needs of the prospective residents and set out the requirements for this provision.	Positive impact on European sites by discouraging travel for amenity or recreation – screened out
OS3 Recreation Routes	It is proposed that the Local Plan should include a policy that seeks to ensure that, in promoting access to the countryside, the Council would seek to establish a network of designated recreational routes to provide	Positive impact on European sites by discouraging travel for amenity or recreation – screened out

	access, where appropriate, for pedestrians, cyclists and horse riders. These routes would be safeguarded and any development which would prejudice their establishment or use would not be permitted.	
CF1 Community Facilities	It is proposed that the Local Plan should include a policy that seeks to ensure that proposals that would result in the loss of sites and premises currently or last used for the provision of community facilities or services will normally be resisted and will set out the circumstances where the loss of such facilities may be considered acceptable.	Positive impact on European sites by discouraging travel for amenity or recreation – screened out
CF2 New Housing Development and Education Provision	It is proposed that the Local Plan should include a policy that seeks to ensure that developers of new housing will be expected to make provision for new or enhanced education facilities to meet the needs of the prospective school-aged residents.	No impacts on European sites – screened out
AC1 Connectivity and Accessibility	It is proposed that the Local Plan should include a policy seeking to direct significant new development into locations which encourage sustainable transport choices and reduce the number and length of journeys, particularly by private car, setting out key areas that the Council will focus on in seeking to achieve this. If necessary, the policy should also be accompanied by relevant site allocations for proposals to improve connectivity and accessibility.	Positive impact on European sites by discouraging unsustainable travel – screened out
AC2 Transport Requirements in New Development	It is proposed that the Local Plan should include a policy that seeks to ensure that development and transport planning are co-ordinated to improve accessibility, reduce the need to travel by car and increase public transport use, cycling and walking.	Positive impact on European sites by discouraging unsustainable travel – screened out
NE1 Green Infrastructure	It is proposed that the Local Plan should include a policy that seeks to protect and enhance multi-functional green infrastructure and support proposals to improve the connectivity and quality of the network where these accord with other Local Plan policies and proposals.	Positive impact on European sites by discouraging travel for amenity or recreation – screened out

	It is considered that the policy should seek to maintain the positive role and function of the green infrastructure network and ensure that proposals for new built-development and the change of use of land and existing buildings that could result in negative impacts are resisted unless it satisfies stated criteria.	
NE2 Biodiversity	It is proposed that the Local Plan should include a policy that seeks to ensure that proposals for new development minimise impacts on the Borough's biodiversity assets and provide net gains where possible. It is considered that the policy should specify that where there is potential for new development to have an impact on any of the Borough's biodiversity assets, applicants should be expected to apply the sequential approach as outlined in national planning policy on biodiversity and geological conservation and provide evidence that any potential impact has been fully assessed and that, where potential impacts have been identified, measures have been taken to avoid, mitigate or compensate. The policy should also set out the factors that will be considered when assessing proposals that would have a potential impact on biodiversity assets.	**Positive impact on European Sites, but the Policy should refer to the protection of Biodiversity assets in general, not just in the Borough, to address possible cross-boundary impacts arising from the implementation of the Plan**
NE3 Geology and Geodiversity	It is proposed that the Local Plan should include a policy that seeks to ensure that proposals for new development minimise impacts on the Borough's geological and geomorphological assets and provide net gains where possible.	No impacts on European sites – screened out
NE4 Water Resources	It is proposed that the Local Plan should include a policy that sets out the criteria that should be taken into account when considering proposals that may have a potential impact on water resources.	No impacts on European sites – screened out
NE5 Soils	It is proposed that the Local Plan should include a policy that sets out the criteria that should be taken into account when considering proposals that may have a potential impact on soil assets.	No impacts on European sites – screened out

NE6 Landscape Character	It is proposed that the Local Plan should include a policy that seeks to protect, conserve and improve the landscape quality of the Borough, and encourage the enhancement of landscapes, where appropriate.	No impacts on European sites – screened out
NE7 Contaminated and unstable Land	It is proposed that the Local Plan should include a policy that seeks to ensure that new development will not result in the contamination of land or land stability concerns	No impacts on European sites – screened out
NE8 Minerals Development	It is proposed that the Local Plan should include a policy that seeks to ensure that proposals for development associated with minerals extraction will be considered against the policy framework established through the Greater Manchester Joint Minerals Development Plan Document which sets out the sub-regional aggregate apportionment, designates areas of search and minerals safeguarding and includes policies for determining planning applications.	No impacts on European sites – screened out
NE9 Waste Development	It is proposed that the Local Plan should include a policy that seeks to ensure that proposals for development associated with waste disposal will be considered against the policy framework established through the Greater Manchester Joint Waste Development Plan Document which sets out the future waste management requirements for Greater Manchester together with site allocations, area designations, and policies for determining planning applications.	No impacts on European sites – screened out
GB1 Development in the Green Belt	It is proposed that the Local Plan should include a policy that seeks to ensure that the development of new buildings within the Green Belt will be regarded as inappropriate unless very special circumstances can be clearly demonstrated.	No impacts on European sites – screened out
GB2 Beneficial Use of the Green Belt	It is proposed that the Local Plan should include a policy that supports proposals for the beneficial use of the Green Belt, including those that seek to improve access; opportunities for outdoor sport and recreation;	No impacts on European sites – screened out

	the retention and enhancement of landscape character, visual amenity and biodiversity; or improve derelict land provided that they do not adversely impact on the openness of the Green Belt.	
GB3 Conversion and Re-use of Buildings in the Green Belt	It is proposed that the Local Plan should include a policy that seeks to ensure that the conversion and re-use of buildings in the Green Belt is not inappropriate development and will be permitted providing that it satisfies specified criteria.	No impacts on European sites – screened out
GB4 Village Settlements in the Green Belt	It is proposed that the Local Plan should include a policy that seeks to ensure that Green Belt designations (as identified through	No impacts on European sites – screened out
GB5 Agriculture, Forestry and other Occupational Dwellings in the Green Belt	It is proposed that the Local Plan should include a policy that seeks to ensure that proposals for new dwellings to support agricultural, forestry and other occupational dwellings associated with activities acceptable in the Green Belt will only be permitted in very special circumstances, such as where they can demonstrate an essential need for rural workers to be housed at or in the immediate vicinity of their place of work.	No impacts on European sites – screened out
GB6 Agricultural Diversification in the Green Belt	It is proposed that the Local Plan should include a policy that supports proposals for agricultural diversification within the Green Belt provided that it satisfies specific criteria.	No impacts on European sites – screened out
GB7 Equestrian development in the Green Belt	It is proposed that the Local Plan should include a policy that recognises equestrian uses as being appropriate in the Green Belt providing the size, scale and materials used preserve the openness of the Green Belt and do not conflict with the purposes of including land within it.	No impacts on European sites – screened out
BH1 Conservation Areas	It is proposed that the Local Plan should include a policy highlighting a variety of actions that the Council could take in seeking to preserve or enhance the character or appearance of the Borough's Conservation Areas.	No impacts on European sites – screened out

BH2 Listed Buildings	It is proposed that the Local Plan should include a policy that seeks to ensure that the character and setting of Listed Buildings will be safeguarded by not permitting works, alterations or changes of use which would have a detrimental effect on their historical or architectural character and features and that proposals for demolition will be opposed and will only be considered where it is demonstrated conclusively that the building(s) cannot be retained.	No impacts on European sites – screened out
BH3 Scheduled Monuments	It is proposed that the Local Plan should include a policy that seeks to ensure that development proposals will not be permitted where they would adversely affect current and future scheduled monuments and their settings.	No impacts on European sites – screened out
BH4 Historic Parks	It is proposed that the Local Plan should include a policy that seeks to ensure that Philips Park, together with any other parks and gardens which may be identified in the future as being of special historic interest, will be protected as a Registered Historic Park of Special Historic Interest.	No impacts on European sites – screened out
BH5 Archaeological Features	It is proposed that the Local Plan should include a policy that recognises the importance of archaeological remains as part of the Borough's heritage and which seeks the protection of sites of archaeological importance as and where they are found.	No impacts on European sites – screened out
BH6 Local Non-Designated Heritage Assets	It is proposed that the Local Plan should include a policy that seeks to ensure that, in considering proposals that have the potential to affect non-designated heritage assets contained on the 'Local List', the Council should make a balanced judgment taking account of the potential harm and benefits arising from the proposal.	No impacts on European sites – screened out

IN1 Renewable and Low Carbon Energy Infrastructure	It is proposed that the Local Plan should include a policy that seeks to support the development of renewable and low carbon energy infrastructure, subject to schemes and proposals being in accordance with national policy and other Local Plan policies.	**Potentially positive impact on European sites by mitigating the effects of Climate Change**
IN2 Hydraulic Fracturing (Fracking)	It is proposed that the Local Plan should include a policy that, in line with national requirements, sets out the criteria against which proposals for operations connected to shale gas extraction (fracking) will be considered.	No impacts on European sites – screened out
IN3 Digital and Communications Infrastructure	It is proposed that the Local Plan should include a policy supporting the provision of enhanced electronic communications infrastructure and setting out the factors that will be taken into account in dealing with proposals for communications infrastructure.	No impacts on European sites – screened out
IN4 Public Utilities and Infrastructure	It is proposed that the Local Plan should include a policy that seeks to ensure that the development of operational facilities for public utility provision will be permitted where this is necessary to implement the development objectives of the Local Plan or to meet relevant statutory obligations and environmental standards, and is consistent with other policies and proposals of the Local Plan.	**Potential to impact on European sites through indirect impacts arising from recreation and air pollution** **** as a result of population uplift***

6 Assessment of Policies Screened In

Table 6.1 Assessment of Plan Policies Screened in to the Assessment taking into account available safeguards / mitigation

Policy	Available Safeguards / Mitigation	Assessment Outcome and Recommendation
H1	Requirements of national and international legislation, Policies within the emerging GMSF, safeguards within the NPPF and the following Policies within the Plan itself – • OP1 Sustainable Development • OP3 Climate Change • OP4 Air Quality and Pollution Control • OP6 Design and Layout of New Developments • OP7 Amenity • H8 Form and Layout of new Housing Developments • TC1 Hierarchy and Role of Centres • TC2 Town Centre Development • TC3 Location and Scale of main Town Centre Uses • AC1 Connectivity and Accessibility • NE1 Green Infrastructure • NE2 Biodiversity – **with recommended amendment** • IN1 Renewable and low Carbon Infrastructure	With the safeguards applied it is concluded that the implementation of the Policy will not have any significant impact on European sites. It is recommended that Policy NE2 to include all biodiversity assets, not just those within the Borough
H2	Requirements of national and international legislation, Policies within the emerging GMSF, safeguards within the NPPF and the following Policies within the Plan itself – • OP1 Sustainable Development • OP3 Climate Change • OP4 Air Quality and Pollution Control • OP6 Design and Layout of New Developments	With the safeguards applied it is concluded that the implementation of the Policy will not have any significant impact on European sites.

	• OP7 Amenity • H8 Form and Layout of new Housing Developments • TC1 Hierarchy and Role of Centres • TC2 Town Centre Development • TC3 Location and Scale of main Town Centre Uses • AC1 Connectivity and Accessibility • NE1 Green Infrastructure • NE2 Biodiversity – **with recommended amendment** • IN1 Renewable and low Carbon Infrastructure	It is recommended that Policy NE2 to include all biodiversity assets, not just those within the Borough
EC1	Requirements of national and international legislation, Policies within the emerging GMSF, safeguards within the NPPF and the following Policies within the Plan itself – • OP1 Sustainable Development • OP3 Climate Change • OP4 Air Quality and Pollution Control • OP6 Design and Layout of New Developments • OP7 Amenity • H8 Form and Layout of new Housing Developments • TC1 Hierarchy and Role of Centres • TC2 Town Centre Development • TC3 Location and Scale of main Town Centre Uses • AC1 Connectivity and Accessibility • NE1 Green Infrastructure • NE2 Biodiversity – **with recommended amendment** • • IN1 Renewable and low Carbon Infrastructure	With the safeguards applied it is concluded that the implementation of the Policy will not have any significant impact on European sites. It is recommended that Policy NE2 to include all biodiversity assets, not just those within the Borough
EC2	Requirements of national and international legislation, Policies within the emerging GMSF, safeguards within the NPPF and the following Policies within the Plan itself – • OP1 Sustainable Development • OP3 Climate Change • OP4 Air Quality and Pollution Control • OP6 Design and Layout of New Developments • OP7 Amenity • H8 Form and Layout of new Housing Developments • TC1 Hierarchy and Role of Centres • TC2 Town Centre Development • TC3 Location and Scale of main Town Centre Uses • AC1 Connectivity and Accessibility • NE1 Green Infrastructure	With the safeguards applied it is concluded that the implementation of the Policy will not have any significant impact on European sites. It is recommended that Policy NE2 to include all biodiversity assets, not just those within the Borough

	• NE2 Biodiversity – **with recommended amendment** • IN1 Renewable and low Carbon Infrastructure	
EC3	Requirements of national and international legislation, Policies within the emerging GMSF, safeguards within the NPPF and the following Policies within the Plan itself – • OP1 Sustainable Development • OP3 Climate Change • OP4 Air Quality and Pollution Control • OP6 Design and Layout of New Developments • OP7 Amenity • H8 Form and Layout of new Housing Developments • TC1 Hierarchy and Role of Centres • TC2 Town Centre Development • TC3 Location and Scale of main Town Centre Uses • AC1 Connectivity and Accessibility • NE1 Green Infrastructure • NE2 Biodiversity – **with recommended amendment** • IN1 Renewable and Low Carbon Infrastructure	With the safeguards applied it is concluded that the implementation of the Policy will not have any significant impact on European sites. It is recommended that Policy NE2 to include all biodiversity assets, not just those within the Borough
IN4	Requirements of national and international legislation, Policies within the emerging GMSF, safeguards within the NPPF and the following Policies within the Plan itself – • OP1 Sustainable Development • OP3 Climate Change • OP4 Air Quality and Pollution Control • OP6 Design and Layout of New Developments • OP7 Amenity • H8 Form and Layout of new Housing Developments • TC1 Hierarchy and Role of Centres • TC2 Town Centre Development • TC3 Location and Scale of main Town Centre Uses • AC1 Connectivity and Accessibility • NE1 Green Infrastructure • NE2 Biodiversity – **with recommended amendment** • IN1 Renewable and Low Carbon Infrastructure	With the safeguards applied it is concluded that the implementation of the Policy will not have any significant impact on European sites. It is recommended that Policy NE2 to include all biodiversity assets, not just those within the Borough

7.0 IN COMBINATION EFFECTS WITH OTHER PLANS AND POLICIES

7.1 It is a requirement of the Habitats Directive that an analysis undertaken of whether there is scope for an interaction with other relevant projects and plans that may result in a likely significant effect 'in combination'.

7.2 The Assessment needs to be proportionate to the Strategic nature of the Plan.

Other appropriate relevant Plans include –

Rochdale Local Plan (Core Strategy)

The HRA of the Rochdale Core Strategy (adopted in 2016) concluded that the implementation of the Plan would not have any significant impacts on the nature conservation interests of any European sites

Manchester Local Plan

The HRA of the Manchester City Council Core Strategy (2012) concluded that the implementation of the Plan would not have any significant impacts on the nature conservation interests of any European sites

Bolton Local Plan

The HRA of the Bolton Council Core Strategy (2011) concluded that the implementation of the Plan would not have any significant impacts on the nature conservation interests of any European sites

Rossendale Local Plan

The HRA of the Rossendale Council Core Strategy (2011) concluded that the implementation of the Plan would not have any significant impacts on the nature conservation interests of any European sites

Greater Manchester Joint Waste Development Plan

The HRA of the GM Joint Waste Plan (2012) concluded that the implementation of the Plan would not have any significant impacts on the nature conservation interests of any European sites

Greater Manchester Joint Minerals Development Plan

The HRA of the GM Joint Minerals Plan (2012) concluded that the implementation of the Plan would not have any significant impacts on the nature conservation interests of any European sites

GMSF

At the time of writing (September 2018) the HRA of the GM Spatial Framework had not been published

7.3 Since none of the above Plans will have any impact on the special nature conservation interest of any European Protected Site, and since it has been concluded that, providing available safeguards and mitigation measures are effectively applied, the Bury Plan (Policy Directions) will not have any impacts it is concluded that cumulative effects will not apply.

8.0 CONCLUSIONS AND RECOMMENDATIONS

8.1 Any potential harmful impacts on the nature conservation value of European sites that could arise from the implementation of the Bury Local Plan (Policy Directions) can be avoided or mitigated.

Providing that currently available safeguards and mitigation measures are effectively applied, and providing that the recommendation in para. 8.2 below are adopted, the implementation of the Policy Directions of the Bury Local Plan will not cause any significant harm to the special nature conservation interest of any designated European Sites.

8.2 Policy NE2 of the Plan could provide an important safeguard for European sites but currently it refers only to Biodiversity assets within the borough, failing to recognise that the effects of Plan implementation may cross administrative boundaries. It is **recommended** that the Policy be amended to include protection for all Biodiversity wherever found, not just Biodiversity within the Borough. This is so that potentially distant effects are properly taken into account.

8.3 As further iterations of the Plan emerge they will need to be subject to further, development-specific and more detailed Assessment under the terms of the Regulations as they come forward.

9.0 REFERENCES

Air Quality Expert group – Nitrogen Dioxide in the United kingdom DEFRA 2004

Scott Wilson (2006) Appropriate Assessment of the Draft South East Plan, Scott Wilson Levett Threivel, October 2006.

Environment Agency (2008) Environmental Permitting Regulations, H1 Environmental Risk Assessment Part 1.

English Nature (1997) Habitats Regulations Guidance note (HRGN1), The Appropriate Assessment (Regulation 48), The Conservation (Natural Habitats & c) Regulations, 1994.

DCLG (2006) Planning for the Protection of European Sites: Appropriate Assessment Guidance for Regional Spatial Strategies and Local Development Documents, DCLG, August 2006.

The North London Waste Plan Habitats Regulations Assessment: Screening Submission Statement February 2012

The Habitats Regulations Assessment Handbook DTA Publications 2015 (and additions)

Advanced Thermal treatment of Waste –Defra Guidance 2013

Environment Agency Work Instruction (Appendix 6) : Further Guidance applying the Habitats Regulations to Waste Management Facilities (EA, 2005).

MAPS and FIGURES

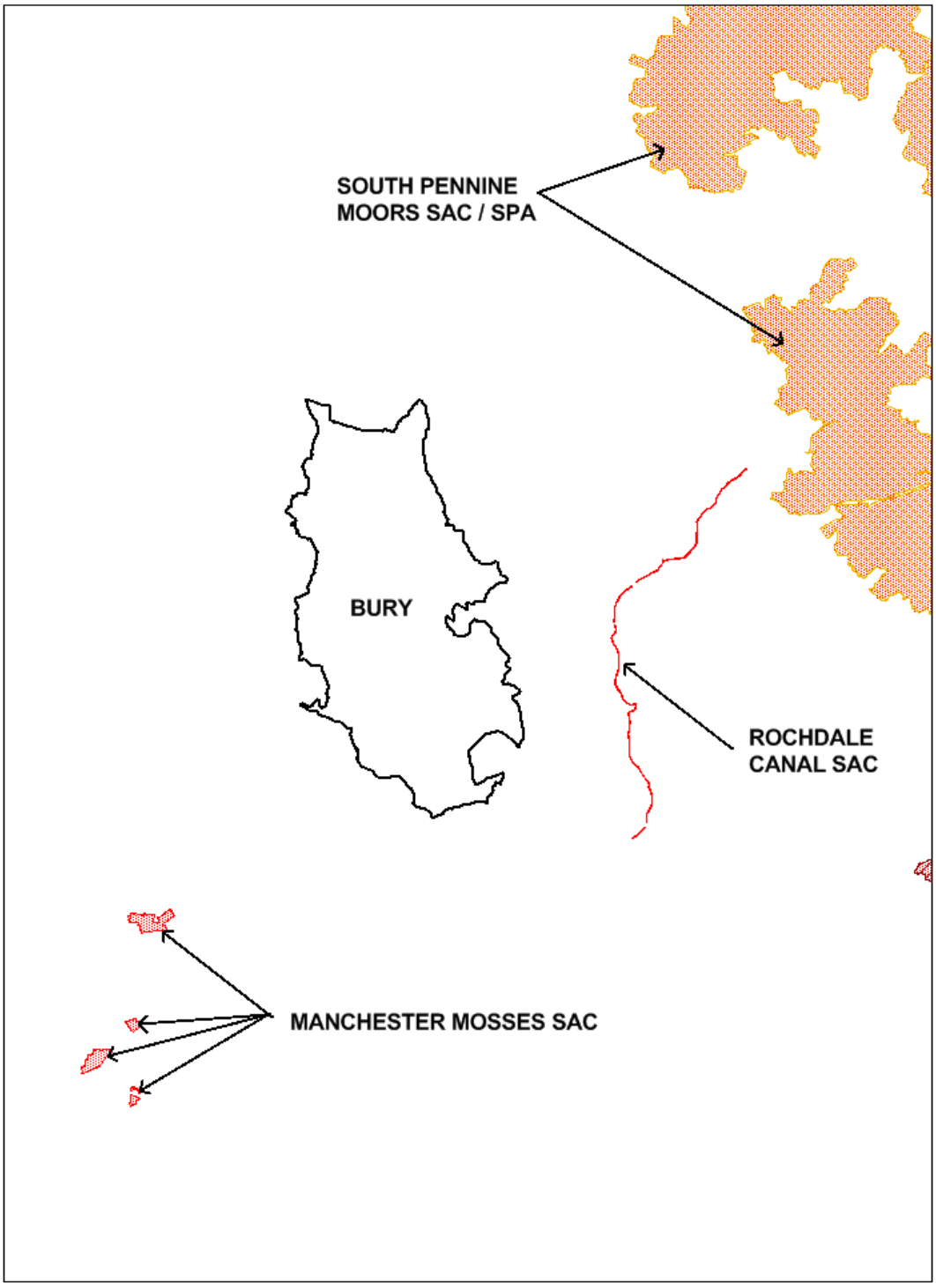

FIG 1 Locations of European protected sites in relation to Bury

Scale 1cm = 2km

APPENDIX A

Details of relevant European Sites (adapted from information available from Natural England and the JNCC)

A1 The Nature Conservation Interest of Rochdale Canal SAC

The Rochdale Canal SAC extends approximately 20 km from Littleborough at Ben Healey Bridge to Failsworth, passing through urban and industrialised parts of the Metropolitan Boroughs of Rochdale and Oldham and the intervening areas of agricultural land (mostly pasture). Water supplied to the Rochdale Canal in part arises from the Pennines. This water is acidic and relatively low in nutrients, while water from other sources is mostly high in nutrients. The aquatic flora of the canal is thus indicative of a mesotrophic waterbody (i.e. is moderately nutrient-rich), although there is evidence of some local enrichment. The canal continues through Failsworth and terminates at Castlefield in Manchester City, although this section of the canal is not included within the SAC.

Primary reason for designation of the Rochdale Canal as a European protected site

The Rochdale Canal supports a significant population of **floating water-plantain *Luronium natans*** in a botanically diverse water-plant community, which also holds a wide range of *Potamogeton* spp pondweeds. The canal has predominantly mesotrophic water. This population of *Luronium* is representative of the formerly more widespread canal populations of this species found in northwest England. However the Rochdale Canal supports unusually dense populations of the plant.

Conservation Objective for the Rochdale Canal SAC

Although formal conservation objectives are still awaited from Natural England, it has been taken that the objective for the European interest of the SAC is to maintain, in favourable condition, the habitats for the population of floating water-plantain (*Luronium natans*). Maintenance implies restoration if the feature is not currently in favourable condition.

Floating water-plantain - description and ecological characteristics

Floating water-plantain (*Luronium natans*) occurs in a range of freshwater situations, including nutrient-poor lakes in the uplands and slowly-flowing lowland rivers, pools, ditches and canals that are moderately nutrient-rich (mesotrophic).

Floating water plantain occurs as two forms: in shallow water with floating oval leaves, and in deep water with submerged rosettes of narrow leaves. The plant thrives best in open situations with a moderate degree of disturbance, where the growth of other emergent vegetation is held in check. Populations fluctuate greatly in size, often increasing when water levels drop to expose the bottom of the water body. Populations fluctuate from year to year, and at many sites records of floating water plantain have been infrequent, suggesting that only small populations occur, in some cases possibly as transitory colonists of the habitat. Populations tend to be more stable at natural sites than at artificial ones, but approximately half of the recent (post-1980) records are from canals and similar artificial habitats. Its habitat in rivers has been greatly reduced by channel-straightening, dredging and pollution, especially in lowland situations.

Possible Impacts of Development on the Rochdale Canal SAC

Operations that may damage the special interest of the canal include operations and activities that affect the growth and survival of *Luronium natans.* These have been identified as;-

- Dredging of the canal
- Draining of the canal
- Pollution of the canal
- Shading of the canal
- Increased boat traffic using the canal, increasing both water turbidity and disturbance of substrates
- Use of herbicides in or adjacent to the canal

When assessing the possible impacts of a proposal on the Rochdale Canal SAC, the potential of the proposal to cause the above listed damaging operations has been considered when reaching a decision as to whether the plan needs to undergo a full Appropriate Assessment.

Manchester Mosses SAC

Mossland formerly covered a very large part of low-lying Greater Manchester, Merseyside and southern Lancashire, and provided a severe obstacle to industrial and agricultural expansion. While most of the mossland has been converted to agriculture or lost to development, several examples have survived as degraded raised bog, such as Astley & Bedford Mosses (Wigan), Risley Moss (Warrington) and Holcroft Moss (Warrington) on the Mersey floodplain. Their surfaces are now elevated above surrounding land due to shrinkage of the surrounding tilled land, and all except Holcroft Moss have been cut for peat at some time in the past. While past drainage has produced dominant purple moor grass (Molinia caerulea), bracken (Pteridium aquilinum) and birch (Betula) spp. scrub or woodland, wetter pockets have enabled the peat-forming species to survive. Recent rehabilitation management on all three sites has caused these to spread. These sites form part of the Chat Moss complex, parts of which lie within Salford.

Primary Reason For Designation of the Manchester Mosses SAC

The site(s) supports degraded bog still capable of natural regeneration (JNCC code 7120), which has the potential to be restored to active raised bog (JNCC code 7110).

SAC sites have been selected on a site-by-site basis and according to the Interpretation manual of European habitats (European Commission DG Environment 1999); “where the hydrology can be repaired and where, with appropriate rehabilitation management, there is a reasonable expectation of re-establishing vegetation with peat-forming capability within 30 years".

Conservation Objective of the Manchester Mosses SAC

The Conservation Objective for the Manchester Mosses SAC is to maintain the bog habitat, subject to natural change, in favourable condition (Natural England 2007).

On this site favourable condition requires the maintenance of the extent of each designated habitat type. Maintenance implies restoration if evidence from a condition assessment suggests a reduction in extent. A series of site-specific standards defining favourable condition has been produced by Natural England. However these relate to management of the habitats on the site and are not particularly applicable to assessing the effects of development proposals on the SAC. Therefore in order to consider these potential impacts the operations that may damage the special interest of the SAC have to be considered.

These potentially damaging operations include:

- Cultivation
- Grazing
- Mowing or cutting
- Application of manure, fertilisers or lime
- Application of pesticides
- Burning
- Drainage, both within and outside the boundaries of the site
- Extraction of minerals including peat, topsoil and subsoil
- Construction or removal of roads, tracks, walls, fences, hardstands, banks, ditches or other earthworks or the laying or removal of pipelines and cables
- Erection of permanent structures
- Use of vehicles likely to damage the vegetation
- Pollution including atmospheric pollutants and NOx's
- Recreational activities

(Adapted from information available from Natural England)

South Pennine Moors SAC/SPA

Description of the South Pennine Moors SAC

This very large site forms part of the Southern Pennines lying between Ilkley in the north and the Peak District National Park boundary in the south. The majority of the site is within West Yorkshire but it also covers areas of Lancashire, Greater Manchester and North Yorkshire. The largest moorland blocks are Ilkley Moor, the Haworth Moors, Rishworth Moor and Moss Moor. The underlying rock is Millstone Grit which outcrops at Boulsworth Hill and on the northern boundary of Ilkley Moor. The moorlands are on a rolling dissected plateau between 300m and 450m AOD with a high point of 517m at Boulsworth Hill. The greater part of the gritstone is overlain by blanket peat with the coarse gravely mineral soils occurring only on the lower slopes. The site is the largest area of 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. Three habitat types which occur on the site are rare enough within Europe to be listed on

Annex 1 of the EC habitats and Species Directive (92/43) EEC. These communities are typical of and represent the full range of upland vegetation classes found in the South Pennines. This 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 large numbers of breeding merlin *Falco columbarius*, golden plover *Pluvialis apricaria* and twite *Carduelis flavirostris* are of international importance.

Description of the South Pennine Moors SPA

Special Protection Areas (SPAs) are strictly protected sites classified in accordance with Article 4 of the EC Directive on the conservation of wild birds, also known as the Birds Directive, which came into force in April 1979. They are classified for rare and vulnerable birds, listed in Annex I to the Birds Directive, and for regularly occurring migratory species. The South Pennine Moors SPA includes the major moorland blocks of the South Pennines from Ilkley in the north to Leek and Matlock in the south. It covers extensive tracts of semi-natural moorland habitats including upland heath and blanket mire. The site is of European importance for several upland breeding bird species including birds of prey and waders.

Primary reason for designation of the South Pennine Moors SAC

The site supports the following important habitats

European Dry Heath

The site is representative of upland dry heath at the southern end of the Pennine range, the habitat's most south-easterly upland location in the UK. Dry heath covers extensive areas, occupies the lower slopes of the moors on mineral soils or where peat is thin, and occurs in transitions to acid grassland, wet heath and blanket bogs. The upland heath of the South Pennines is strongly dominated by heather *Calluna vulgaris*. Its main NVC types are H9 *Calluna vulgaris – Deschampsia flexuosa* heath and H12 *Calluna vulgaris – Vaccinium myrtillus* heath. More rarely H8 *Calluna vulgaris – Ulex gallii* heath and H10 *Calluna vulgaris – Erica cinerea* heath are found. On the higher, more exposed ground H18 *Vaccinium myrtillus – Deschampsia flexuosa* heath becomes more prominent. In the cloughs, or valleys, which extend into the heather moorlands, a greater mix of dwarf shrubs can be found together with more lichens and mosses. The moors support a rich invertebrate fauna, especially moths, and important bird assemblages.

Blanket Bog

This site represents blanket bog in the south Pennines, the most south-easterly occurrence of the habitat in Europe. The bog vegetation communities are generally botanically poor. Hare's-tail cottongrass *Eriophorum vaginatum* is often overwhelmingly dominant, although bog-building *Sphagnum* mosses are present. Where the blanket peats are slightly drier, heather *Calluna vulgaris*, crowberry *Empetrum nigrum* and bilberry *Vaccinium myrtillus* become more prominent. The uncommon cloudberry *Rubus chamaemorus* is locally

abundant in bog vegetation. Bog pools provide diversity and are often characterised by common cottongrass *E. angustifolium*. Substantial areas of the bog surface are eroding, and there are extensive areas of bare peat. In some areas erosion may be a natural process reflecting the great age (9000 years) of the south Pennine peats.

Old Sessile Oak Woods

Around the fringes of the upland heath and bog of the south Pennines are blocks of old sessile oak woods, usually on slopes. These tend to be dryer than those further north and west, such that the bryophyte communities are less developed (although this lowered diversity may in some instances have been exaggerated by the effects of 19th century air pollution). Other components of the ground flora such as grasses, dwarf shrubs and ferns are common. Small areas of alder woodland along stream-sides add to the overall richness of the woods.

Primary reason for the designation of the South Pennine Moors SPA

The site qualifies for the designation by supporting populations of European importance of the following species listed on Annex I of the Directive:

During the breeding season:

Golden plover *Pluvialis apricaria*, at least 3.3% of the breeding population in Great Britain
Merlin *Falco columbarius*, at least 5.9% of the breeding population in Great Britain
Peregrine *Falco peregrinus*, at least 1.4% of the breeding population in Great Britain
Short-eared owl *Asio flammeus*, at least 2.5% of the breeding population in Great Britain

The SPA supports an internationally important assemblage of birds. During the breeding season the area regularly supports:

Common sandpiper *Actitis hypoleucos,* Dunlin *Calidris alpina schinzii,* Twite *Carduelis flavirostris,* Snipe *Gallinago,* Curlew *Numenius arquata,* Wheatear *Oenanthe,* Redshank *Tringa totanus,* Ring ouzel *Turdus torquatus,* Lapwing *Vanellus*

Conservation Objectives of the South Pennine Moors

Natural England lists the conservation objectives for the South Pennine Moors as follows:

To maintain*, in favourable condition, the habitats for the populations of Annex 1 species + of European importance, with particular reference to:

- blanket mire
- dwarf shrub heath

- acid grassland
- gritstone edges

+ golden plover, merlin, short-eared owl

To maintain*, in favourable condition, the:

- blanket bog (active only)
- dry heaths
- Northern Atlantic wet heaths with *Erica tetralix*
- transition mires and quaking bogs
- old oak woods with *Ilex* and *Blechnum* in the British Isles

* maintenance implies restoration if the feature is not currently in favourable condition.

The potentially damaging operations for the South Pennines include:

- Cultivation
- Grazing
- Mowing or cutting
- Application of manure, fertilisers or lime
- Application of pesticides
- Burning
- Drainage, both within and outside the boundaries of the site
- Extraction of minerals including peat, topsoil and subsoil
- Construction or removal of roads, tracks, walls, fences, hardstands, banks, ditches or other earthworks or the laying or removal of pipelines and cables
- Erection of permanent structures
- Use of vehicles likely to damage the vegetation
- Pollution including atmospheric pollutants and NOx's
- Recreational activities causing disturbance
- Introduction of invasive species