

Initial Screening Opinion on the Impact of the Rochdale MBC Energy and New Development Supplementary Planning Guidance on European Protected Sites

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1 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 appropriate 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.’

The purpose of Appropriate Assessment (AA) of land use plans is to ensure that protection of the integrity of European sites is a part of the planning process at a regional and local level. Appropriate Assessment can be seen as having a number of discrete stages -

- 1 Stage 1 - Screening
- 2 Stage 2 – Appropriate Assessment
- 3 Stage 3 – Assessment of Alternatives
- 4 Stage 4 – Assessment where no alternatives are available

This document comprises Stage 1 of the Appropriate Assessment process and contributes to the fulfillment of the Councils statutory duty as regards Article 6(3); that is, it is a Screening Opinion on whether or not the Rochdale MBC Energy and New Development Supplementary Planning Guidance (hereafter referred to as ‘the Plan’) may have an impact on the special interest of any European designated protected sites and therefore whether the plan needs to undergo further Screening Opinions or more comprehensive Appropriate Assessments as the Plan develops.

- 1.2 It should be noted that this document does not comprise a full Appropriate Assessment under the terms of the Regulations. It is a screening opinion concerned with reaching an opinion as to whether the Plan needs to go forward for further, more detailed Assessment of impacts. In addition it is noted that the Plan being assessed is at the early stages of development and further screening opinions may be required as the Plan develops
- 1.3 The Greater Manchester Ecology Unit (GMEU), as the specialist ecological adviser to Rochdale MBC, 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 summarized below). GMEU ecologists, who are familiar with the European sites concerned and their special interest, reviewed the ecological information for the site. The key vulnerabilities and sensitivities of the European sites concerned are well understood by GMEU allowing for an informed assessment of the possible effects of the Plan, and any specific aims, objectives and policies contained in the Plan.

2 Brief description of the Plan

The Plan is a Supplementary Planning Document which supplements policies in the Rochdale MBC Unitary Development Plan. The Plan will:

- (i) give advice on how new developments can be constructed, designed and laid out to maximise energy efficiency and best use of passive solar design, and how

- renewable energy technologies can be utilised to reduce the predicted carbon emissions of the development
- (ii) Sets out requirements for new developments in terms of energy efficiency and the use of renewables.

The Aims of the Plan are:

- (i) To clarify the Council's requirements for new developments in respect of energy and renewable energy technologies
- (ii) To contribute to the Government's climate change programme
- (iii) To contribute to local sustainability objectives
- (iv) To assist new development in securing increasingly high levels of energy efficiency required by Building Regulations

For the purposes of this Screening Opinion the Plan is not complete; an opinion is being sought at an early stage of Plan production to ensure that the requirements to meet terms of the Regulations regarding Appropriate Assessment can be properly planned for.

2.1 Consideration of 'in-combination effects'

The impact of the Plan on the special interest of European sites has been considered 'in-combination' with other Plans listed in Appendix 1. It has been concluded that the Plan will not act in combination with these other plans and strategies to cause a harmful impact on the special interest of European sites.

3 European designated sites concerned

This Screening Opinion considers the effects of the Plan primarily on three European designated sites. These are:

- 1 The South Pennine Moors Special Area of Conservation (SAC)
- 2 The South Pennine Moors Special Protection Area (SPA)
- 3 The Rochdale Canal Special Area of Conservation (SAC)

Reasons:

- 1 The above three European designated sites are the only European designated sites located within, or partly within, the administrative boundary of Rochdale MBC
- 2 The Plan is concerned only with the control of development within the administrative boundary of Rochdale MBC
- 3 Operations controlled by the Plan (concerned with renewable energy technologies) are considered likely to have only localised negative impacts (during the installation and operation of renewable energy technologies)
- 4 Impacts of the Plan on more distant European designated sites are considered likely to be positive, since the overall aims of the Plan are to mitigate the effects of climate change. Climate change is regarded as a serious threat to the conservation of all designated European sites.

3.1 Description of the Rochdale Canal SAC

The Rochdale Canal extends approximately 20 km from Littleborough to Failsworth, passing through urban and industrialised parts 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 water quality (i.e. is moderately nutrient-rich) although there is evidence of some local enrichment.

3.1.2 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 waterplant community which also holds a wide range of pondweeds *Potamogeton* spp. The canal has predominantly mesotrophic water. This population of *Luronium* is representative of the formerly more widespread canal populations of north-west England, although the Rochdale Canal supports unusually dense populations of the plant.

3.1.3 Conservation Objective for the Rochdale Canal SAC

The conservation 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

3.1.4 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.

Luronium natans 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 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 *L. natans* 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 artificial ones, but approximately half of 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.

3.2 The South Pennine Moors SAC/SPA

3.2.1 Description of the South Pennine Moors SAC/SPA

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.

3.2.2 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.

3.2.3 Primary reason for designation of the South Pennine Moors SAC

3.2.4 The site supports the following important habitats (primary reasons for site designation)

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.

3.2.5 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:

Actitis hypoleucos, *Calidris alpina schinzii*, *Carduelis flavirostris*, *Gallinago gallinago*, *Numenius arquata*, *Oenanthe oenanthe*, *Saxicola rubetra*, *Tringa tetanus*, *Turdus torquatus*, *Vanellus vanellus*

3.2.6 Conservation Objectives for the South Pennine Moors

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

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

- dwarf shrub heath
- acid grassland

+ 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*
- old oak woods with *Ilex* and *Blechnum* in the British Isles

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

4. Possible Impacts of the Plan on the Rochdale Canal SAC

4.1 Operations that may damage the special interest of the canal include operations and activities that affect the growth and survival of *Lurionium natans*

- Dredging of the canal
- Draining of the canal
- Pollution of the canal
- Shading of the canal
- Increased boat traffic using the canal
- Use of herbicides in or adjacent to the canal

When assessing the Plan for its possible impact on the Rochdale Canal SAC the potential of the aims, objectives and policies in the Plan to cause the above listed damaging operations have been considered when reaching a decision as to whether the plan needs to undergo a full Appropriate Assessment. For example, if it is considered that a particular development described in the Plan (for example, new housing development) has the potential for causing any of the above damaging operations, and no mitigation is described, then it would be considered that either changes should be made to the plan to incorporate appropriate mitigation or the plan should be subject to full Appropriate Assessment.

4.2 Possible impacts of the Energy and New Development supplementary planning document on the special interest of the Rochdale Canal SAC

Although at this stage the Plan does not provide details of the actual operations that the plan will control and/or manage, general advice is provided as to the type of renewable energy that may be incorporated into new developments. These include wind power, wave, tidal, photovoltaics, hydrogeneration, geothermal and biomass. The potential impacts of these operations *when implemented as part of new developments* have been assessed against the potentially damaging operations for the special interest of the SAC.

It is recognised that the overall aim of the Plan is to mitigate the effects of climate change, and that the effects of climate change are a serious threat to the conservation of the SAC. This has been recognised during the preparation of the Opinion. However, in order to maximise the possible beneficial effects of the Plan on the conservation of the European special interest of the SAC it is important that operations controlled or managed by the Plan do as little harm to the SAC as possible. Further, the possible positive impact of the implementation of the Plan on the special interests of the SAC/SPA are impossible to quantify.

It is important to note that this Plan does not concern itself with the construction of ‘stand alone’ renewable energy generating sources such as large-scale wind farms or biomass power stations. It is concerned with the incorporation of relatively small-scale renewable energy sources into new developments as alternatives to conventional energy sources or small-scale additions. It is therefore considered that the Plan will not cause significant *additional* effects on the special interest of the SAC/SPA over and above those that may be caused by implementing a new development in any case.

Harmful operation	Will the Plan result in this operation being carried out?
Dredging	No
Draining	No
Pollution	No
Shading	No
Increased boat traffic	No
Use of herbicides	No

4.3 Current mitigation for potential impact on the SAC described in the Plan

The document currently proposes no mitigation for possible impacts of the Plan on the special interest of the Rochdale Canal SAC, but since no harmful impacts are envisaged from the implementation of the Plan no mitigation is required.

4.4 Recommendations for further mitigation

No specific mitigation proposals are required

4.5 Recommendations for further Screening/Appropriate Assessment

As regards the impact of the plan on the special interest of the Rochdale Canal SAC no further screening or assessment of the impact of the Plan is considered necessary.

5 Possible impacts of the Plan on the special interests of the South Pennine Moors SAC/SPA

5.1 Operations that may damage the European special interest of the SAC include

- Cultivation
- Grazing
- Mowing or cutting
- Application of manure, fertilisers or lime
- Application of pesticides

- Burning
- Drainage
- 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
- Recreational activities
- Agricultural intensification leading to loss of bird feeding areas outside the designated site

When assessing the Plan for its possible impact on the South Pennine Moors SAC/SPA the potential of aims, objectives and policies in the Plan to cause the above listed damaging operations have been considered when reaching a decision as to whether the plan needs to undergo a full Appropriate Assessment. For example, if it is considered that a particular development described in the Plan (for example, new housing development) has the potential for causing any of the above damaging operations, and no mitigation is described, then it would be considered that either changes should be made to the plan to incorporate appropriate mitigation or the plan should be subject to full Appropriate Assessment.

5.2 Possible impacts of the Energy and New development supplementary planning document on the special interest of the South Pennine Moors SAC/SPA

Although at this stage the Plan does not provide details of the actual operations that the plan will control and/or manage, general advice is provided as to the type of renewable energy developments that may be incorporated into new developments. These include ‘micro-generation’ of wind power, wave, tidal, photovoltaics, hydrogeneration, geothermal and biomass. The potential impacts of these operations *when implemented as part of new developments* have been assessed against the potentially damaging operations for the special interest of the SAC.

It is recognised that the overall aim of the Plan is to mitigate the effects of climate change, and that the effects of climate change are a serious threat to the conservation of the SAC. This has been recognised during the preparation of the Opinion. However, in order to maximise the possible beneficial effects of the Plan on the conservation of the European special interest of the SAC it is important that operations controlled or managed by the Plan do as little harm to the SAC as possible. Further, the possible positive impact of the implementation of the Plan on the special interests of the SAC/SPA are impossible to quantify.

It is important to note that this Plan does not concern itself with the construction of ‘stand alone’ renewable energy generating sources such as large-scale wind farms or biomass power stations. It is concerned with the incorporation of relatively small-scale renewable energy sources into new developments as alternatives to conventional energy sources or small-scale additions. It is therefore considered that the Plan will not cause significant *additional* effects on the special interest of the SAC/SPA over and above those that may be caused by implementing a new development in any case.

Harmful operation	Will the Plan result in this operation being carried out?
Cultivation	No
Grazing	No
Mowing or cutting	No
Application of manure, fertilizers or lime	No
Application of pesticides	No
Burning	No

Drainage	No
Extraction of minerals including peat, topsoil and subsoil	No
Construction or removal of roads, tracks, walls, fences, hardstands, banks, ditches or other earthworks or the laying or removal of pipelines and cables	No
Erection of permanent structures	No
Use of vehicles likely to damage the vegetation	No
Pollution	No
Recreational activities	No
Agricultural intensification	No

5.3 Current mitigation for potential impact on the SAC/SPA described in the Plan

The document currently proposes no mitigation for possible impacts of the Plan on the special interest of the South Pennine Moors SAC/SPA, but since no harmful impacts are envisaged from the implementation of the Plan no mitigation is required.

5.4 Recommendations for further mitigation

No specific mitigation proposals are required

5.5 Recommendations for further Screening/Appropriate Assessment

As regards the impact of the plan on the special interest of the South Pennine Moors SAC/SPA no further screening or assessment of the impact of the Plan is considered necessary.

6 Overall conclusions and recommendations

The implementation of a supplementary planning document concerned with Energy in New Developments in Rochdale Borough will not cause significant harm to the special interests of any European protected sites.

No further screening or assessment under the terms of the European Habitats Directive is therefore considered necessary.

ANNEXE 1

Plans and strategies considered for 'in-combination' effects on this Plan

North West Regional Spatial Strategy

Rochdale MBC replacement Unitary Development Plan

Rochdale MBC supplementary planning document 'Energy and New Development'
Rochdale MBC supplementary planning document 'Provision of Recreational Open Space in New Housing Developments'
Rochdale MBC supplementary planning for the development of 'East Central Rochdale'
Rochdale MBC supplementary planning document 'Biodiversity and Development'