



# **York Minster Precinct Neighbourhood Plan (Submission Version)**

## **Habitats Regulations Assessment Screening Report**

**April 2021**

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## 1. Introduction

- 1.1 This Habitats Regulation Assessment Screening Report has been prepared by The York Minster Precinct Neighbourhood Forum and the Chapter of York in conjunction with the City of York Council (CYC) in accordance with the Neighbourhood Planning (General) Regulation 2012 and Habitats Directive to support the York Minster Precinct Neighbourhood Plan (YMPNP).
- 1.2 The aim of this Screening Report is to assess whether there are likely to be significant effects on the qualifying features of European Designated Sites as a result of the emerging policies set out in the YMPNP that would necessitate the production of a full Habitats Regulations Assessment.
- 1.3 This report assesses, as far as practical, whether there are likely to be any significant effects on European Designated Sites within or relatively proximate to the approved Minster Precinct Neighbourhood Plan area.

### Legislative Basis

- 1.4 Article 6(3) of the EU Habitats Directive states that:  
*“Any plan or project not directly connected with, or necessary to, the management of the [European] site but likely to have a significant effect thereon, either individually or in combination with other plans or projects, shall be subject to appropriate assessment of its implications for the site in view of the site’s conservation objectives. In the 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 having 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.”*
- 1.5 The purpose of the Habitats Regulations Assessment (HRA) is therefore to ensure the protection of European Designated Sites (Natura 2000) wherever practicable. European Designated Sites are designed to form an ecologically coherent network of designated spaces across Europe.
- 1.6 European Designated Sites (Natura 2000) include **Special Protection Areas (SPAs)** and **Special Areas for Conservation (SAC)**. As a matter of policy, the government also expects authorities to treat **Ramsar sites**, **candidate Special Areas of Conservation (cSAC)** and **proposed Special Protection Areas (pSPA)** as if they are European Designated Sites for the purpose of considering development proposals that may affect them.

1.7 Definitions (taken from the DEFRA- Joint Nature Conservation Committee):

- **Special Protection Areas (SPAs)** are strictly protected sites classified in accordance with Article 4 of the EC Birds Directive, which came into force in April 1979. They are classified for rare and vulnerable birds and for regularly occurring migratory species.
- **Special Areas of Conservation (SACs)** are strictly protected sites designated under the EC Habitats Directive. Article 3 of the Habitats Directive requires the establishment of a European network of important high-quality conservation sites that will make a significant contribution to conserving the 189 habitat types and 788 species. The listed habitat types and species are those considered to be most in need of conservation at a European level (excluding birds).
- **Ramsar sites** are wetlands of international importance designated under the Ramsar Convention.

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

1.9 In April 2018, a notable judgment by the European Court of Justice gave its ruling on the *People Over Wind*<sup>1</sup> case, which provided a new interpretation of when and how mitigation measures should be considered in an HRA. In departing from previous decisions, it clearly identifies that measures designed specifically to avoid or reduce likely significant effects should not be evaluated at the screening stage but reserved for the appropriate assessment. The implications of this recent judgment are still to be fully understood in those circumstances where the Plan itself includes policies that provide for mitigation. For the avoidance of doubt this HRA Screening Report takes full account of this ruling.

1.10 HM Government has made it clear that the 2017 Regulations will be likely to remain in place for ‘some time’ following the UK’s exit from the EU. After the date of exit the Government will no longer have the power to consolidate regulations derived from EU law.

1.11 In January 2019, HM Government published the draft Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019. While these are in draft and will not take effect until the UK leaves the EU, the amended Regulations confirm that these provisions will be retained.

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<sup>1</sup> *Case C/323-17 People Over Wind*, Court of Justice of the European Union

## Planning Context

### City of York Local Plan

- 1.12 The YMPNP is being prepared in the context of the emerging City of York Local Plan, which was submitted for independent examination on 25th May 2018. The Local Plan will, when adopted, provide a strategic framework for how future development across the City of York will be planned and delivered and will be fully compliant with the National Planning Policy Framework (NPPF 2012).
- 1.13 A Habitats Regulations Assessment was submitted alongside the City of York Local Plan (2018) for independent examination. This concluded that the plan would not have an adverse effect on the integrity of European designated nature conservation sites. However, following advice by Natural England and the production of new evidence, the 2018 HRA was replaced by a new version in February 2019, which was subsequently presented during the initial stages of the Examination in Public in December 2019.
- 1.14 As the Plan and HRAs evolved, the outcomes changed. These changes are important and are summarised below.
- 1.15 The 2018 HRA concluded that the Plan would not have an adverse effect on the integrity of any European sites. However, Natural England challenged this outcome in terms of possible impacts from recreational pressure at the Strensall Common, Skipwith Common, Lower Derwent Valley and River Derwent European sites, and from air pollution on Strensall Common and the River Derwent. This prompted the production of visitor surveys and the re-evaluation of existing air quality data.
- 1.16 The changes required to take account of this new advice and evidence prompted production of the 2019 HRA which, importantly, recommended the deletion of policies SS19/ST35 'Queen Elizabeth Barracks, Strensall' and H59(A) 'Howard Road, QEB, Strensall' from the Plan. The Council accepted this recommendation and it was consequently presented as a proposed modification and consulted on in the Proposed Modifications Consultation in 2019.
- 1.17 These outcomes persist in the 2020 edition, which not only includes greater scrutiny of relevant policies but, at the request of the Inspectors, also comprises changes to confirm compliance with case law.
- 1.18 All policies and associated allocations within the Regulation 19 Publication Draft (and subsequently proposed modifications) of the Local Plan (2018) have been screened. Overall, this HRA found that likely significant effects could be ruled out for the vast majority of policies and allocations which meant they could be excluded from any further scrutiny.
- 1.19 It was not possible to rule out likely significant effects in respect of a number of policies and an appropriate assessment was carried out suggesting a schedule of modifications. Provided that all the modifications suggested were adopted, the HRA concluded that the Council could be certain to the required standard that an adverse effect on the integrity of the European sites would be avoided. However, in terms of Policies SS19/ST35 and H59(A) it was not possible to be

certain that adverse effects could be avoided because of reasonable scientific doubt concerning the effectiveness of mitigation measures at locations in such close proximity to Strensall Common SAC. Therefore, this latest HRA continues to recommend that both policies should be removed from the Plan, a position accepted by the Council and supported by Natural England.

- 1.20 At the time of writing, the York Local Plan examination is ongoing. It is considered that the changes proposed do not impact the Minster Precinct Neighbourhood Plan.

#### York Minster Precinct

- 1.21 The York Minster Precinct Neighbourhood Plan, once adopted, will present planning policy and guidance for the neighbourhood area. The YMPNP is the first time the future care and development of a heritage estate has been brought forward as a Neighbourhood Plan. Once adopted, the plan will form part of the statutory development plan framework for the York and carries significant weight in decision making on future planning applications. This plan will be in general conformity with the City of York Local Plan and be fully compliant with the NPPF 2019. The production of a Plan is of particular importance to the Chapter of York, the governing body of York Minster and its Precinct, as it will provide clarity on development parameters when securing funding for the various projects set out within the Neighbourhood Plan.
- 1.22 The decision to create a York Minster Precinct Neighbourhood Plan followed the need to create clarity around planning for future change in such a complicated and sensitive area of the city. It also forms a key objective of Chapter's 15-20 Strategic Plan where Chapter acknowledged it needed a precinct wide Masterplan. Policy SS3 of the draft Local Plan lends it support to developing a plan for the future. The Chapter of York has led the process of establishing a Neighbourhood Forum which was formally ratified by City of York Council on 14th March 2019. It was seen as a positive opportunity to create a genuinely community-led plan for the Precinct with everyone's priority being the care and future sustainability of York Minster.
- 1.23 The Neighbourhood Plan will provide the long term policy framework and a co-ordinated spatial plan against which Chapter can manage its limited resources appropriately to maintain both a viable and sustainable Precinct and business model, ensuring that future generations can enjoy the Minster. Importantly, the Neighbourhood Plan gives residents and businesses the opportunity to create a shared sustainable vision of how they would like the Precinct to develop over the next 20 years, ensuring new development or change fits in and contributes to conserve the character of the Precinct so valued by those who hold this special place in such high regard.

## 2. Methodology

### Identifying European Sites and their qualifying features

- 2.1 The first stage of preparing this Screening Report is identifying the European Designated Sites within the Neighbourhood Plan area or in close proximity to it.
- 2.2 This study considers potential effects on all European sites within 15km of the YMPNP area boundary, together with any additional downstream sites that may be hydrologically linked to the plan’s zone of influence. This is considered to be a suitably precautionary starting point for the assessment of the plan and is consistent with the draft HRA prepared for the emerging Local Plan.
- 2.3 European Designated Sites have been identified using data from Natural England (see Figure 1, page 8). This identifies the following sites for consideration within the assessment:

Site name	Designation	Closest Distance (approx.)
Strensall Common	SAC	7.5km
River Derwent	SAC	10km
Lower Derwent Valley	SAC, SPA, Ramsar	11km
Humber Estuary	SAC, SPA, Ramsar	Approximately 30km downstream via River Ouse

- 2.4 Table 1 below (see page 9), sets out an outline of the qualifying features of the identified European Sites and a summary of impacts likely to affect the integrity of the protected sites. More detailed information regarding the designation of each site is set out in Annex 1.

**Figure 1**

**Identifying European Designated Sites within 10km of  
Minster Precinct Neighbourhood Plan Area**



Source: Natural England Spatial Data Catalogue, 2017

-  City of York Council Boundary
-  Special Protection Areas (SPAs)
-  Special Areas of Conservation (SACs)
-  Ramsar
-  Potential Special Protection Area (pSPA)
-  Possible Special Area of Conservation (pSAC)

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## Qualifying features of the identified European Sites and summary of impacts

Table 1

Site	Qualifying Features	Summary of current threats and potential vulnerabilities to outcomes of the Plan
<p><b>Strensall Common SAC</b></p>	<p>H4010. Northern Atlantic wet heaths with <i>Erica tetralix</i>; Wet heathland with cross-leaved heath</p> <p>H4030. European dry heaths</p>	<p>Approximately 570ha site supporting extensive areas of wet and dry heath (M16 <i>Erica tetralix</i> – <i>Sphagnum compactum</i> wet heath and H9 <i>Calluna vulgaris</i> – <i>Deschampsia flexuosa</i> dry heath), with complex mosaics of wet heath and transition habitats. The site is used for training by the MOD, but this is not thought to compromise the interest of the site. The main issue currently affecting habitats is a lack of management and hence scrub encroachment; this is being controlled through management agreements with the MOD and their tenants. Public access via PROWs and Permissive Paths is permitted when training is not taking place, and is subject to an integrated management plan agreed between the MOD, NE and Yorkshire Wildlife Trust. The absence of open access limits the exposure of the interest features to effects associated with visitor pressure.</p>
<p><b>River Derwent SAC</b></p>	<p>H3260 Water courses of plain to montane levels with the <i>Ranunculion fluitantis</i> and <i>Callitriche-Batrachion</i> vegetation ('Rivers with floating vegetation often dominated by water-crowfoot')</p> <p>S1095 Sea lamprey <i>Petromyzon marinus</i></p>	<p>The River Derwent SAC is primarily designated for its population of river lamprey: only the lower reaches between Ryemouth and the confluence with the Ouse are designated, reflecting the spawning distribution of this species in the Derwent system. However, the designated section supports diverse communities of aquatic flora and fauna also, including flora uncommon in Northern Britain and a diverse fish community. River and sea lamprey populations spawn in the lower reaches. The main issues affecting the SAC have been identified as excess fine sedimentation, physical modification, lack of shading and shelter in the river and its bankside and barriers to migratory fish passage. The Environment Agency and Natural England are developing a restoration plan to help the River Derwent SSSI move towards favourable condition. This includes a range of actions including fencing off sections trampled by stock to allow vegetation growth, investigation into the potential for fish passes and improving riparian and marginal habitats by increasing tree cover. A ramp is being installed at Barmby Barrage to help lamprey movement into the river.</p>

Site	Qualifying Features	Summary of current threats and potential vulnerabilities to outcomes of the Plan
<p><b>Lower Derwent Valley SAC</b></p>	<p>H6510. Lowland hay meadows (<i>Alopecurus pratensis</i>, <i>Sanguisorba officinalis</i>)                      H91E0. Alluvial forests with <i>Alnus glutinosa</i> and <i>Fraxinus excelsior</i> (<i>Alno-Padion</i>, <i>Alnion incanae</i>, <i>Salicion albae</i>);                      Alder woodland on floodplains                      S1355. <i>Lutra lutra</i>; Otter</p>	<p>The floodplain of the lower reaches of the River Derwent SAC is dominated by the Lower Derwent Valley SAC, Lower Derwent Valley SPA and Lower Derwent Valley Ramsar. The Lower Derwent Valley SAC supports the largest area of high-quality traditionally managed lowland hay meadows (mainly corresponding to MG4 <i>Alopecurus pratensis</i> – <i>Sanguisorba officinalis</i> grassland) in the UK. Ecological variation is well-developed, particularly in the transitions between this grassland type and other types of wet and dry grassland, swamp and fen vegetation, and there is an area of damp alder woodland at Thornton Ellers adjoining marsh and tall fen communities.</p>
<p><b>Lower Derwent Valley SPA</b></p>	<p>A037 <i>Cygnus columbianus bewickii</i>; Bewick’s swan (Non-breeding)                      A050 <i>Anas penelope</i>; Eurasian wigeon (Non-breeding)                      A052 <i>Anas crecca</i>; Eurasian teal (Non-breeding)                      A056 <i>Anas clypeata</i>; Northern shoveler (Breeding)                      A140 <i>Pluvialis apricaria</i>; European golden plover (Non-breeding)                      A151 <i>Philomachus pugnax</i>; Ruff (Non-breeding)                      Waterbird assemblage.</p>	<p>The traditionally managed lowland hay meadows of the Lower Derwent Valley SAC, the River Derwent SAC, and the associated wetland habitats (including fens, swamps, valley mires, wet woodland and other freshwater habitats lying adjacent to the River Derwent, Pocklington Canal and The Beck support a diverse range of waterbirds throughout the year, and these sites are partly or entirely co-incident with the Lower Derwent Valley SPA. In winter the site supports large numbers of swans, ducks and waders, as well as Bittern, whilst in summer the floodplain supports breeding waders, Corncrake and Spotted Crake. The character and species composition of the grassland, fen and swamp communities is largely controlled by topography, differences in the extent of winter flooding and by the type of agricultural management.</p>
<p><b>Lower Derwent Valley Ramsar</b></p>	<p>Criterion 1: One of the most important examples of traditionally managed species rich alluvial flood meadow in the UK.                       Criterion 2: Rich assemblage of wetland invertebrates including 16 species of dragonfly and damselfly; 15 British Red Data Book species; and (uniquely in the UK) the leafhopper <i>Cicadula ornata</i>.                       Criterion 4: Important site for passage migrants in spring, notably Ruff and Whimbrel.                       Criterion 5: Assemblages of</p>	<p>The Ramsar site is coincident with the Lower Derwent Valley SAC (i.e. it does not include the River Derwent itself) and most of the interest features are effectively the same as those of the SPA and SAC (with the exception of the invertebrate interest).                       The designated sites of the Derwent system have been historically affected by water level issues (due to abstraction and control regimes) and water quality. The main threats to the Lower Derwent Valley SAC are associated with management and water levels / flooding: although most MG4 lowland hay meadow communities are associated with floodplains, they are not inundation communities and excess</p>

Site	Qualifying Features	Summary of current threats and potential vulnerabilities to outcomes of the Plan
	<p>international importance: 31942 waterfowl (5 year peak mean 1998/99- 2002/2003) in winter.</p> <p>Criterion 6: Species/populations occurring at levels of international importance: Wigeon, Teal.</p>	<p>water associated with high water tables is considered a greater threat to the community than soil dryness (Wheeler <i>et al.</i> 2004). Water levels in general are an issue in the Valley and this is being addressed by a collaborative project between Natural England, the Environment Agency and Yorkshire Water. Proposals are being developed to change river flows to improve the operation of Barmby Barrage on the River Derwent, which are aimed at improving drainage from the SACs during medium to high flows and improving passage for lamprey species.</p> <p>Recreational disturbance is also identified as a potential issue for the SPA due to increased house building adjacent to the site. There is an extant planning permission for the extraction of coal by deep mining, which has been reviewed by the Minerals Planning Authority and an appropriate compensation/mitigation package has been agreed by the MPA/English Nature and the holder of the permission.</p> <p>Trials are in progress on East Cottingwith flood meadow that will help to inform any management changes required to protect the integrity of the lowland hay meadows. The site will be sensitive to a range of issues although the main current concerns are water quantity (flooding); water level management; habitat management; water quality and recreational pressure.</p> <p>Draft Supplementary Advice for Conserving and Restoring Site Features at the Lower Derwent Valley SAC were published by Natural England in June 2016. This provides more detail on the conservation objectives and the range of ecological attributes which are most likely to contribute to a site's overall integrity and the minimum targets each qualifying feature needs to achieve in order to meet the site's objectives.</p>
<p><b>Humber Estuary SAC</b></p>	<p>H1110. Sandbanks which are slightly covered by sea water all the time; Subtidal sandbanks H1130. Estuaries H1140. Mudflats and sandflats not covered by seawater at low tide; Intertidal mudflats and sandflats H1150. Coastal lagoons</p>	<p>The Humber is a muddy, macro-tidal estuary, fed by a number of rivers including the Rivers Ouse, Trent and Hull. It is the second largest coastal plain Estuary in the UK and supports a full range of saline conditions from the open coast to the limit of saline intrusion on the tidal rivers of the Ouse and Trent. Suspended sediment concentrations are naturally high and are derived from a variety of sources, including marine</p>

Site	Qualifying Features	Summary of current threats and potential vulnerabilities to outcomes of the Plan
	<p>H1310. <i>Salicornia</i> and other annuals colonising mud and sand; Glasswort and other annuals colonising mud and sand</p> <p>H1330. Atlantic salt meadows (<i>Glauco-Puccinellietalia maritimae</i>) H2110. Embryonic shifting dunes</p>	<p>sediments and eroding boulder clay along the Holderness coast. Wave exposed sandy shores are found in the outer/open coast areas of the estuary.</p> <p>With regard to the SAC features, the primary features (Estuaries and Intertidal mudflats and sandflats) are found throughout the main body of the estuary, along with other estuarine features (Subtidal sandbanks; Atlantic salt meadows). The inner estuary supports extensive areas of reed bed with areas of mature and developing saltmarsh backed by grazing marsh in the middle and outer estuary. The dune features are largely found in the outer estuary. The fish species include river lamprey and sea lamprey which breed in the River Derwent; Grey seals are largely restricted to the outer estuary and breeding colonies at Donna Nook.</p>
<p><b>Humber Estuary SPA</b></p>	<p>A021 <i>Botaurus stellaris</i>; Great bittern (Non-breeding)</p> <p>A021 <i>Botaurus stellaris</i>; Great bittern (Breeding)</p> <p>A048 <i>Tadorna</i>; Common shelduck (Non-breeding)</p> <p>A081 <i>Circus aeruginosus</i>; Eurasian marsh harrier (Breeding)</p> <p>A082 <i>Circus cyaneus</i>; Hen harrier (Non-breeding)</p> <p>A132 <i>Recurvirostra avosetta</i>; Pied avocet (Non-breeding)</p> <p>A132 <i>Recurvirostra avosetta</i>; Pied avocet (Breeding)</p> <p>A140 <i>Pluvialis apricaria</i>; European golden plover (Non-breeding)</p> <p>A143 <i>Calidris canutus</i>; Red knot (Non-breeding) A149 <i>Calidris alpina</i>; Dunlin (Non-breeding) A151 <i>Philomachus pugnax</i>; Ruff (Non-breeding)</p> <p>A156 <i>Limosa islandica</i>; Black-tailed godwit (Non-breeding)</p> <p>A157 <i>Limosa lapponica</i>; Bar-tailed godwit (Non-breeding)</p> <p>A162 <i>Tringa totanus</i>; Common redshank (Non-breeding)</p> <p>A195 <i>Sterna albifrons</i>; Little tern (Breeding) Waterbird assemblage</p>	<p>Approximately one-third of the estuary is exposed as mud or sand-flats at low tide and these support a range of benthic communities that are an important feeding resource for wintering birds and passage migrants (especially geese, ducks and waders). The extensive reed beds of the inner estuary provide breeding habitat for Bittern and Marsh harrier; the outer estuary supports large tern colonies in the summer.</p> <p>The Ramsar site is largely coincident with the SAC and/or SPA and the interest features are effectively the same as those of the SAC and SPA (with the exception of natterjack toad in the outer dunes).</p> <p>The Humber Estuary is subject to the impacts of human activities (past and present) as well as ongoing processes such as sea level rise and climate change. Key issues include coastal squeeze, impacts on the sediment budget and geomorphological structure and function of the estuary (due to sea level rise, flood defence works, dredging and the construction, operation and maintenance of ports, pipelines and other infrastructure), changes in water quality and flows, pressure from additional built development and damage and disturbance</p>
<p><b>Humber Estuary Ramsar</b></p>	<p>Criterion 1: Representative example of a near-natural estuary with dune systems and humid dune slacks, estuarine waters, intertidal</p>	<p>operation and maintenance of ports, pipelines and other infrastructure), changes in water quality and flows, pressure from additional built development and damage and disturbance</p>

Site	Qualifying Features	Summary of current threats and potential vulnerabilities to outcomes of the Plan
	<p>mud and sand flats, saltmarshes, and coastal brackish/saline lagoons.</p> <p>Criterion 3: Supports second largest grey seal <i>Halichoerus grypus</i> colony in England at Donna Nook. The dune slacks at Saltfleetby - Theddlethorpe are the most north-easterly natterjack toad <i>Bufo calamita</i> breeding site in the UK.</p> <p>Criterion 5: 153,934 waterfowl (5 year peak mean 1996/97-2000/01).</p> <p>Criterion 6: Species/populations occurring at levels of international importance: Bartailed godwit; Golden plover; Shelduck; Dunlin; Knot; Black-tailed godwit; Redshank.</p> <p>Criterion 8: Important migration route for river lamprey <i>Lampetra fluviatilis</i> and sea lamprey <i>Petromyzon marinus</i> between coastal waters and their spawning areas.</p>	<p>arising from access, recreation and other activities. Coastal squeeze is being addressed through the development and implementation of the Humber Flood Risk Management Strategy. Diffuse pollution is being addressed through a range of measures including implementation of the Waste Water Framework Directive and Catchment Sensitive Farming initiatives.</p> <p>Supplementary Advice on Conserving and Restoring Site Features in the SAC was published by Natural England in March 2017. This supplementary advice to the Conservation Objectives describes in more detail the range of ecological attributes on which the qualifying features will depend and which are most likely to contribute to a site's overall integrity. It sets out minimum targets for each qualifying feature to achieve in order to meet the site's objectives.</p>

## **Appraisal of Neighbourhood Plan**

- 2.5 The next stage of the Screening is to understand the extent to which the YMPNP could have a significant effect on the European Designated Sites. Specifically, the assessment considers any potential effect that the policies may have on the 'qualifying features' and vulnerabilities of each European Designated Site.
- 2.6 All proposed policies and any site allocations included within the Minster Precinct Neighbourhood Plan are therefore to be appraised against identified site's features and vulnerabilities. Cumulative effects have also been considered within the assessment to understand whether the Neighbourhood Plan is likely to have significant effects in combination with other plans or programmes.
- 2.7 Section 3 of this report sets out the findings of this appraisal split into:

Part 1: Assessment of the Neighbourhood Plan

Part 2: Cumulative effects of the Neighbourhood Plan.

### 3. Screening Assessment

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#### Part 1 Assessment of the Minster Precinct Neighbourhood Plan

- 3.1 The table below provides an assessment of any likely significant effect of each Neighbourhood Plan policy on the European Designated Sites. For the purposes of this assessment the policies appraised are those that were issued in the York Minster Precinct Neighbourhood Plan Submission version. The Full policies referred to are included in **Error! Reference source not found.**

#### Key to the Screening Assessment

No likely significant effect (NLSE) on the site's qualifying features

Likely significant effect (LSE) on the site's qualifying features

Uncertain whether it is NSLE or LSE

Policy	Policy intention and commentary	European sites							
		Strensall Common SAC	River Derwent SAC	Lower Derwent Valley SAC	Lower Derwent SPA	Lower Derwent Valley Ramsar	Humber Estuary SAC	Humber Estuary SPA	Humber Estuary Ramsar
Policy A1 – Purpose and ambition	States that development proposals will be supported if they accord with the vision and objectives of the Plan, comply with other policies and achieve sustainable development. <i>This is a general statement of policy.</i>	NLSE	NLSE	NLSE	NLSE	NLSE	NLSE	NLSE	NLSE
Policy A2 – Sustainable Development	Establishes a presumption in favour of economically, socially and environmentally sustainable development. <i>This is a general statement of policy.</i>	NLSE	NLSE	NLSE	NLSE	NLSE	NLSE	NLSE	NLSE
		NLSE	NLSE	NLSE	NLSE	NLSE	NLSE	NLSE	NLSE
Policy A3 – Policies Map	Establishes the spatial plan which designates Areas 1-4 as being appropriate for development and enhancement. These areas are subject to separate policies PA1-4. <i>This is a general statement of policy.</i>	NLSE	NLSE	NLSE	NLSE	NLSE	NLSE	NLSE	NLSE
Policy A4 – Design Excellence	Requires all development proposals to have regard to the distinctive character of the Precinct, create a safe environment, promote accessibility and include space for waste management facilities. Also lays down design requirements, including materials, energy efficiency and presumption in favour of reusing existing buildings. <i>This policy lists general criteria for accepting the acceptability of proposals.</i>	NLSE	NLSE	NLSE	NLSE	NLSE	NLSE	NLSE	NLSE

Policy	Policy intention and commentary	European sites							
		Strensall Common SAC	River Derwent SAC	Lower Derwent Valley SAC	Lower Derwent SPA	Lower Derwent Valley Ramsar	Humber Estuary SAC	Humber Estuary SPA	Humber Estuary Ramsar
Policy B1 – Landscape & Biodiversity Net Gain	Requires any development proposals effecting existing trees to be subject to a tree survey, arboricultural method statements and impact assessments. Any proposals are also required to enhance biodiversity and protect existing open and green spaces. <i>This policy lists general criteria for accepting the acceptability of proposals.</i>	NLSE	NLSE	NLSE	NLSE	NLSE	NLSE	NLSE	NLSE
Policy C1 – Historic Environment	Requires applications to respond to and reinforce the significance of heritage assets, as well as enhancing public understanding of heritage. Also requires proper assessments of any harm and mitigation measures. <i>This policy lists general criteria for accepting the acceptability of proposals.</i>	NLSE	NLSE	NLSE	NLSE	NLSE	NLSE	NLSE	NLSE
Policy C2 – Listed Building Consent	Establishes the key requirements for any proposals effecting listed buildings. <i>This policy lists general criteria for accepting the acceptability of proposals.</i>	NLSE	NLSE	NLSE	NLSE	NLSE	NLSE	NLSE	NLSE
Policy C3 – Archaeology & Scheduled Monument Consent	Establishes the requirement for any proposals effecting a Scheduled Monument to receive Scheduled Monument Consent. <i>This policy lists general criteria for accepting the acceptability of proposals.</i>	NLSE	NLSE	NLSE	NLSE	NLSE	NLSE	NLSE	NLSE
Policy D1 – Wellbeing	Supports development which supports the wellbeing of York’s residents and visitors.	NLSE	NLSE	NLSE	NLSE	NLSE	NLSE	NLSE	NLSE

Policy	Policy intention and commentary	European sites							
		Strensall Common SAC	River Derwent SAC	Lower Derwent Valley SAC	Lower Derwent SPA	Lower Derwent Valley Ramsar	Humber Estuary SAC	Humber Estuary SPA	Humber Estuary Ramsar
	<i>This policy lists general criteria for accepting the acceptability of proposals.</i>								
Policy E1 – Movement & Public Realm	Lays down basic requirements for any public spaces, including security, maintenance and design. <i>This policy lists general criteria for accepting the acceptability of proposals.</i>								
Policy E2 – Accessibility & Wayfinding	Establishes a key aspiration for the Minster Precinct to become accessible to all via improvements in the public realm through any new development. The policy also establishes a priority for pedestrian movement throughout the Precinct save for reordered areas of vehicle movement PA1-2. Requires future consideration of creating appropriate cycle routes. <i>This policy lists general criteria for accepting the acceptability of proposals.</i>	NLSE	NLSE	NLSE	NLSE	NLSE	NLSE	NLSE	NLSE
Policy E3 – Electric vehicles & Parking	Establishes support for the installation of electric charging points. <i>This policy does not have any conceivable adverse effect on any European sites.</i>	NLSE	NLSE	NLSE	NLSE	NLSE	NLSE	NLSE	NLSE
Policy E4 – Green Travel Plan	Establishes a vision for York Minster to work towards a reduction in unnecessary vehicle movement and parking within the Precinct. <i>This policy does not have any conceivable</i>	NLSE	NLSE	NLSE	NLSE	NLSE	NLSE	NLSE	NLSE

Policy	Policy intention and commentary	European sites							
		Strensall Common SAC	River Derwent SAC	Lower Derwent Valley SAC	Lower Derwent SPA	Lower Derwent Valley Ramsar	Humber Estuary SAC	Humber Estuary SPA	Humber Estuary Ramsar
	<i>adverse effect on any European sites.</i>								
Policy F1 – Monitoring and Securing Delivery	Establishes the requirement for annual monitoring and periodic review of the Neighbourhood Plan and establishes a timeline of 2020-2040 for implementation. <i>This is a general statement of policy.</i>	NLSE	NLSE	NLSE	NLSE	NLSE	NLSE	NLSE	NLSE
Policy PA1 – Minster Yard and College Green	Establishes a parameters plan for development to be in accordance with along with defining key areas of supportable change. Allow for development of visitor facilities via refurbishment, and reconfiguration of boundaries and pedestrian cycle paths. <i>This policy does not have any conceivable adverse effect on any European sites.</i>	NLSE	NLSE	NLSE	NLSE	NLSE	NLSE	NLSE	NLSE
Policy PA2 – West Front and Queen Elizabeth Square	Establishes a parameters plan for development to be in accordance with along with defining key areas of supportable change. Allows for the creation of a new public square and requires design to accommodate vehicular access to existing properties and security measures as appropriate. <i>This policy does not have any conceivable adverse effect on any European sites.</i>	NLSE	NLSE	NLSE	NLSE	NLSE	NLSE	NLSE	NLSE
Policy PA3 – Learning Centre & Gardens	Establishes a parameters plan for development to be in accordance with along with defining key areas of supportable change. Creates a zone for	NLSE	NLSE	NLSE	NLSE	NLSE	NLSE	NLSE	NLSE

Policy	Policy intention and commentary	European sites							
		Strensall Common SAC	River Derwent SAC	Lower Derwent Valley SAC	Lower Derwent SPA	Lower Derwent Valley Ramsar	Humber Estuary SAC	Humber Estuary SPA	Humber Estuary Ramsar
	<p>new development at the Old Palace of museum/learning space, and the creation of wheelchair access to the City Walls.</p> <p><i>This policy does not have any conceivable adverse effect on any European sites.</i></p>								
Policy PA4 – Own Use Properties	<p>Establishes a parameters plan for development to be in accordance with along with defining key areas of supportable change. Allows for redevelopment of the Deanery garages and enhancement of the existing car park and back of house space.</p> <p><i>This policy does not have any conceivable adverse effect on any European sites.</i></p>	NLSE	NLSE	NLSE	NLSE	NLSE	NLSE	NLSE	NLSE

## Part 2 Cumulative effects of the Neighbourhood Plan

- 3.2 It is necessary to understand whether the YMPNP is likely to have significant effects in combination with other relevant plans or programmes.
- 3.3 It is most likely that in-combination effects will occur with strategic plans in place in York and adjacent authorities. The table below provides an assessment of any likely significant effects of each Neighbourhood Plan policy on the European Designated Sites in-combination with the emerging City of York (CYC), Harrogate and Selby Local Plans.

Plan/ Programme	Comments	Impact
<p><b>City of York Local Plan</b></p>	<p>CYC is currently preparing a Local Plan for the city. This will set out the policies and site allocations to meet the city’s needs over the next 20 years. A Local Plan Publication draft (2014) was halted from going to consultation following Members decision at Full Council (October 2014) to undertake further work in relation to housing demand. Subsequently, the Local Plan underwent a Preferred Sites Consultation (2016), Pre-Publication Consultation (Regulation 18) Consultation (2017) and its final Publication (Regulation 19) consultation from 21st February – 4th April 2018. The Local Plan was submitted to the Secretary of State for independent examination on 25th May 2018. The plan includes policies on housing, employment, recreation, biodiversity and transport. At the time of writing, the York Local Plan examination is ongoing.</p> <p>A Habitats Regulations Assessment was submitted alongside the City of York Local Plan (2018) for independent examination. This concluded that the plan would not have an adverse effect on the integrity of European designated nature conservation sites. However, following advice by Natural England and the production of new evidence, the 2018 HRA was replaced by a new version in February 2019, which was subsequently presented during the initial stages of the Examination in Public in December 2019.</p> <p>As the Plan and HRAs evolved, the outcomes changed. These changes are important and are summarised below.</p> <p>The 2018 HRA concluded that the Plan would not have an adverse effect on the integrity of any European sites. However, Natural England challenged this outcome in terms of possible impacts from recreational pressure at the Strensall Common, Skipwith Common, Lower Derwent Valley and River Derwent European sites, and from air pollution on Strensall Common and the River Derwent. This prompted the production of visitor surveys and the re-evaluation of existing air quality data.</p>	<p><b>NLSE</b></p>

	<p>The changes required to take account of this new advice and evidence prompted production of the 2019 HRA which, importantly, recommended the deletion of policies SS19/ST35 ‘Queen Elizabeth Barracks, Strensall’ and H59(A) ‘Howard Road, QEB, Strensall’ from the Plan. The Council accepted this recommendation and it was consequently presented as a proposed modification and consulted on in the Proposed Modifications Consultation in 2019.</p> <p>These outcomes persist in the 2020 edition, which not only includes greater scrutiny of relevant policies but, at the request of the Inspectors, also comprises changes to confirm compliance with case law.</p> <p>All policies and associated allocations within the Regulation 19 Publication Draft (and subsequently proposed modifications) of the Local Plan (2018) have been screened. Overall, this HRA found that likely significant effects could be ruled out for the vast majority of policies and allocations which meant they could be excluded from any further scrutiny.</p> <p>It was not possible to rule out likely significant effects in respect of a number of policies and an appropriate assessment was carried out suggesting a schedule of modifications. Provided that all the modifications suggested were adopted, the HRA concluded that the Council could be certain to the required standard that an adverse effect on the integrity of the European sites would be avoided. However, in terms of Policies SS19/ST35 and H59(A) it was not possible to be certain that adverse effects could be avoided because of reasonable scientific doubt concerning the effectiveness of mitigation measures at locations in such close proximity to Strensall Common SAC. Therefore, this latest HRA continues to recommend that both policies should be removed from the Plan, a position accepted by the Council and supported by Natural England.</p> <p>At the time of writing, the York Local Plan examination is ongoing. It is considered that the changes proposed do not impact the Minster Precinct Neighbourhood Plan.</p> <p>The policies set out in the YMPNP are consistent with the emerging York Local Plan policy at the neighbourhood level. For example, policies in relation to Green Infrastructure accord with strategic policies set out in the York Draft Local Plan (2018) but add detail at the neighbourhood level.</p> <p><b>Conclusion</b>  <i>It is therefore concluded that there are not likely to be any significant effects to the European Designated Sites as a result of in-combination effects between the emerging York Local Plan and YMPNP at this stage.</i></p>	
<p><b>Harrogate Local Plan</b></p>	<p>Harrogate Borough Council is currently preparing a Local Plan. The Publication Draft (January 2018) sets out strategic policies and allocations, including options for a settlement. The publication Draft is accompanied by an HRA (January 2018) that does not identify likely significant impacts as a result of the</p>	<p><b>NLSE</b></p>

	<p>draft strategy on any of the European sites identified in this report.</p> <p>One of the options for a new settlement is at Green Hammerton along the A59 which is approximately 20km from the boundary of the Minster Precinct Neighbourhood area. It is unlikely that there would be in-combination significant effects as a result of this on the sites identified due to proximity.</p> <p><b>Conclusion</b>  <i>It is therefore concluded that there are not likely to be any significant effects to the European Designated Sites as a result of in-combination effects between the Harrogate Local Plan and YMPNP at this stage.</i></p>	
<p><b>Selby Local Plan</b></p>	<p>Selby District Council (SDC) adopted their Core Strategy in October 2013. This set out their strategic ambitions, policies and strategic development sites. Several of the policies of the Submission Draft Core Strategy were identified at the screening stage to have the potential to affect <i>Natura 2000</i> sites. The designations potentially affected were:</p> <ul style="list-style-type: none"> <li>• The Lower Derwent Valley SAC, Ramsar and SPA designations</li> <li>• Skipwith Common SAC</li> <li>• The Humber Estuary SAC, Ramsar and SPA designations</li> </ul> <p>The potential impacts arising from the Core Strategy were identified as being:</p> <ul style="list-style-type: none"> <li>• An increase in housing allocations situated within 5km which could lead to increased visitor pressure to countryside sites including those covered by the <i>Natura 2000</i> designations listed above</li> <li>• An increase in economic activities that would encourage tourism generally and hence have the potential to indirectly result in increased visitor pressure to countryside sites, including the sites covered by the <i>Natura 2000</i> designations listed above</li> <li>• If wind energy sites are encouraged (as per CP14) and are situated in areas where they could affect bird populations, which are designated features of the above <i>Natura 2000</i> sites, this may have the potential to result in adverse effects.</li> </ul> <p>It was concluded that the strategy was unlikely to have significant adverse effects on the issues raised above as a result of policy amendments made and it was considered unlikely that a large increase in numbers would visit the sites from the new housing and economic growth. Further work was recommended in relation to visitor survey at the Lower Derwent Valley for the purposes of future monitoring of recreational pressure.</p> <p>SDC are currently working towards a new Local Plan which will set out their detailed portfolio of sites for development. This is subject to its own HRA process to be completed in due course, which will also consider the Visitor Survey results for the Lower Derwent Valley (SPA) and Skipwith Common (SAC).</p> <p><b>Conclusion</b></p>	<p><b>NLSE</b></p>

	<p><b><i>It is concluded that there are not likely to be that significant effects to the European Designated Sites as a result of in-combination effects between the Selby Local Plan and the YMPNP at this stage.</i></b></p>	
<p><b>Joint Minerals and Waste Local Plan</b></p>	<p>North Yorkshire County Council, the City of York Council and the North York Moors National Park Authority are working together to prepare a Joint Minerals and Waste Plan (JMWP) to provide for minerals and waste developments up to 2030. This plan covers the whole of the YMPNP area. The joint councils have recently submitted the Joint Plan and produced an HRA to assess both policies and the preferred sites. The HRA has identified a proposed new extraction site for sand and gravel at Kirk Deighton and recommends an Appropriate Assessment is undertaken to assess the site's impact on the nearby Kirk Deighton SAC. The Appropriate Assessment will focus on the possible hydrological impact of the new extraction site and given the restricted groundwater availability of the area (Nidd Magnesian Limestone Groundwater Resource Area) it will also consider in-combination impacts with the draft Harrogate Local Plan. At the time of writing the Joint Minerals and Waste Plan examination is ongoing.</p> <p><b>Conclusion</b>  <b><i>It is therefore concluded that there are not likely to be any significant effects to the European Designated Sites as a result of in-combination effects between the JMWP and YMPNP at this stage.</i></b></p>	<p><b>NLSE</b></p>

## 4. Consultation

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- 4.1 Consultation is an important part of the HRA process to ensure that the process is robust and supports the plan development process.
- 4.2 The HRA Screening Report is subject to consultation. The responses received through consultation and issues raised will be addressed in finalising the YMPNP HRA.
- 4.3 Neighbourhood planning documents out to consultation may be viewed via CYC Neighbourhood Plan webpage:  
[www.york.gov.uk/neighbourhoodplanning](http://www.york.gov.uk/neighbourhoodplanning).
- 4.4 All documents which have been consulted on can be found at:  
[yorkminster.org/about-us/master-planning/](http://yorkminster.org/about-us/master-planning/)
- 4.5 Views or comments on this work may be submitted via email to:  
[neighbourhoodplanning@york.gov.uk](mailto:neighbourhoodplanning@york.gov.uk) or via the York Minster Neighbourhood Plan feedback portal [yorkminster.org/about-us/master-planning/](http://yorkminster.org/about-us/master-planning/)

## 5. Conclusion

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- 5.1 On the basis of the Minster Precinct Neighbourhood Plan Habitats Regulation Screening Assessment the conclusion is that there are not likely to be significant (adverse) effects as a result of the Plan and that it is not necessary to continue to the next stage of the HRA process, an Appropriate Assessment.
- 5.2 The main reasons for this are:
- a) Section 3 of this report ascertains that none of the policies in the YMPNP are identified to have likely significant impacts on the European Designated Sites within 10km of the YMPNP area; and
  - b) The report also identifies that no cumulative effects as a result of this plan are identified.
- 5.3 For the avoidance of doubt, it is confirmed that the YMPNP is not seeking to allocate sites and has updated the HRA Screening report in line with latest guidance from CYC.
- 5.4 Under Regulation 11 of the Environmental Assessment of Plans and Programmes (2004) relevant statutory consultation bodies (Historic England, Natural England and the Environment Agency) will be notified of the outcome of the screening determination process following finalising the report.

**April 2021**

## Annex 1: European Designated Sites Qualifying Features and Conservation Objectives

<p><b>Strensall Common SAC</b>                  Site size: 569.63 ha                  Source:  <a href="http://publications.naturalengland.org.uk/publication/6310049894891520?category=5758332488908800">http://publications.naturalengland.org.uk/publication/6310049894891520?category=5758332488908800</a></p>		<p>Site Ref:  <b>UK0030284</b></p>
Qualifying Features/Habitats	Site Description	Conservation Objectives
<p>The site is designated under <b>article 4(4)</b> of the Directive (92/43/EEC) as it hosts the following habitats listed in Annex I:</p> <ul style="list-style-type: none"> <li>• H4030: European dry heaths.</li> <li>• H4010: Northern Atlantic wet heaths with <i>Erica tetralix</i> (wet heathland with cross-leaved heath).</li> </ul>	<p>Strensall Common is an example of acidic lowland heath represented predominantly by <i>Erica tetralix</i> – <i>Sphagnum compactum</i> wet heath, although its extent has been reduced by drainage. It is a noted locality for marsh gentian <i>Gentiana pneumonanthe</i>, narrow buckler-fern <i>Dryopteris carthusiana</i> and the dark-bordered beauty moth <i>Epione vespertaria</i> as it is associated with creeping willow <i>Salix repens</i> on the wet heath.</p> <p>There is also a complex mosaic of wet heaths with <i>Erica tetralix</i> and dry heath elements. The <i>Calluna vulgaris</i> – <i>Deschampsia flexuosa</i> dry heath is noted for petty whin <i>Genista anglica</i> and bird’s-foot <i>Ornithopus perpusillus</i>.</p>	<p>With regard to the SAC and the natural habitats and/or species for which the site has been designated (the ‘Qualifying Features’ listed below), and subject to natural change;                  Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the Favourable Conservation Status of its Qualifying Features, by maintaining or restoring;</p> <ul style="list-style-type: none"> <li>• The extent and distribution of the qualifying natural habitats</li> <li>• The structure and function (including typical species) of the qualifying natural habitats, and,</li> <li>• The supporting processes on which the qualifying natural habitats rely</li> </ul> <p>This document should be read in conjunction with the accompanying <i>Supplementary Advice</i> document, which provides more detailed advice.</p>

**Constituent SSSIs: Strensall Common**

Area: 578.75 ha

Condition:

	% meeting area of favourable or unfavourable recovering	Favourable	Unfavourable - Recovering	Unfavourable - No change	Unfavourable - Declining	Partially destroyed	Destroyed	Not Assessed
<b>Area (ha)</b>	572.80	184.51	388.28					
<b>Percentage</b>	100.00%	32.21%	67.79%	0.00%	0.00%	0.00%	0.00%	0.00%

<p><b>Skipwith Common SAC</b></p> <p>Site Size: 29.2ha                  Source: <a href="http://publications.naturalengland.org.uk/publication/5391567648980992?category=5758332488908800">http://publications.naturalengland.org.uk/publication/5391567648980992?category=5758332488908800</a></p>		<p>Site Ref:  <b>UK0030276</b></p>
Qualifying Features/Habitats	Site Description	Conservation Objectives
<p>The site is designated under <b>article 4(4)</b> of the Directive (92/43/EEC) as it hosts the following habitats listed in Annex I:</p> <ul style="list-style-type: none"> <li>• European dry heaths</li> <li>• Northern Atlantic wet heaths with <i>Erica tetralix</i>. (Wet heathland with cross-leaved heath)</li> </ul>	<p>The wet heath at Skipwith Common is the most extensive of its type in the north of England. The <i>Erica tetralix – Sphagnum compactum</i> community is dominated by cross-leaved heath <i>Erica tetralix</i> and purple moor-grass <i>Molinia caerulea</i>. There is a small population of marsh gentian <i>Gentiana pneumonanthe</i>. The wet heath is part of transitions from open water, fen, reed and swamp to dry heaths and other habitats. The dry heath element is a representative of <i>Calluna vulgaris – Deschampsia flexuosa</i> heath dominated by heather <i>Calluna vulgaris</i>.</p>	<p>With regard to the SAC and the natural habitats and/or species for which the site has been designated (the ‘Qualifying Features’ listed below), and subject to natural change;</p> <p>Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the Favourable Conservation Status of its Qualifying Features, by maintaining or restoring;</p> <ul style="list-style-type: none"> <li>• The extent and distribution of the qualifying natural habitats</li> <li>• The structure and function (including typical species) of the qualifying natural habitats and,</li> <li>• The supporting processes on which the qualifying natural habitats rely</li> </ul> <p>This document should be read in conjunction with the accompanying <i>Supplementary Advice</i> document, which provides more detailed advice and information to enable the application and achievement of the Objectives set out above.</p>

**Constituent SSSIs:**

**Skipwith Common**

Area: 295.3 ha

Condition:

Source:

<https://designatedsites.naturalengland.org.uk/ReportUnitCondition.aspx?SiteCode=S1003243&ReportTitle=Skipwith%20Common%20SSSI>

	% meeting area of favourable or unfavourable recovering	Favourable	Unfavourable - Recovering	Unfavourable - No change	Unfavourable - Declining	Partially destroyed	Destroyed	Not Assessed
<b>Area (ha)</b>	295.3	141.6	153.7					
<b>Percentage</b>	100.00%	47.96%	52.04%	0.00%	0.00%	0.00%	0.00%	0.00%

<b>River Derwent SAC</b> Site Size: 411.23 ha Source: <a href="http://publications.naturalengland.org.uk/publication/4824082210095104?category=5758332488908800">http://publications.naturalengland.org.uk/publication/4824082210095104?category=5758332488908800</a>		Site Ref: <b>UK0030253</b>
Qualifying Features/Habitats	Site Description	Conservation Objectives
<p><b>Qualifying habitats:</b> The site is designated under <b>article 4(4)</b> of the Directive (92/43/EEC) as it hosts the following habitats listed in Annex I:</p> <ul style="list-style-type: none"> <li>Water courses of plain to montane levels with the <i>Ranunculion fluitantis</i> and <i>Callitricho-Batrachion</i> vegetation. (Rivers with floating vegetation often dominated by water-crowfoot)</li> </ul> <p><b>Qualifying species:</b> The site is designated under <b>article 4(4)</b> of the Directive (92/43/EEC) as it hosts the following species listed in Annex II:</p> <ul style="list-style-type: none"> <li>Bullhead <i>Cottus gobio</i></li> <li>River lamprey <i>Lampetra fluviatilis</i></li> <li>Otter <i>Lutra lutra</i></li> <li>Sea lamprey <i>Petromyzon marinus</i></li> </ul>	<p>The Yorkshire Derwent is considered to represent one of the best British examples of the classic river profile.</p> <p>This lowland section, stretching from Ryemouth to the confluence with the Ouse, supports diverse communities of aquatic flora and fauna. Fed from an extensive upland catchment, the lowland course of the Derwent has been considerably diverted and extended as a result of glacial action in the Vale of Pickering.</p> <p>The river supports an aquatic flora uncommon in Northern Britain. Several species, including river water-dropwort <i>Oenanthe fluviatilis</i>, flowering rush <i>Butomus umbellatus</i>, shining pondweed <i>Potamogeton lucens</i>, arrowhead <i>Sagittaria sagittifolia</i>, opposite-leaved pondweed <i>Groenlandia densa</i> and narrow-leaved water-parsnip <i>Berula erecta</i> are more typically found in lowland rivers in southern England.</p> <p>The Derwent is noted for the diversity of its fish communities, which include river <i>Lampetra fluviatilis</i> and sea lampreys <i>Petromyzon marinus</i></p>	<p>With regard to the SAC and the natural habitats and/or species for which the site has been designated (the 'Qualifying Features' listed below), and subject to natural change;</p> <p>Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the Favourable Conservation Status of its Qualifying Features, by maintaining or restoring;</p> <ul style="list-style-type: none"> <li>The extent and distribution of qualifying natural habitats and habitats of qualifying species</li> <li>The structure and function (including typical species) of qualifying natural habitats</li> <li>The structure and function of the habitats of qualifying species</li> <li>The supporting processes on which</li> </ul>

	<p>populations that spawn in the lower reaches, as well as bullhead <i>Cottus gobio</i>. The diverse habitats also support otters <i>Lutra lutra</i>.</p>	<p>qualifying natural habitats and the habitats of qualifying species rely</p> <ul style="list-style-type: none"> <li>• The populations of qualifying species and,</li> </ul> <p>The distribution of qualifying species within the site. This document should be read in conjunction with the accompanying <i>Supplementary Advice</i> document, which provides more detailed advice and information to enable the application and achievement of the Objectives set out above.</p>
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**Constituent SSSIs:**

**River Derwent SSSI**

Area: 407.84 ha

	% meeting area of favourable or unfavourable recovering	Favourable	Unfavourable - Recovering	Unfavourable - No change	Unfavourable - Declining	Partially destroyed	Destroyed	Not Assessed
<b>Area (ha)</b>	406.24	25.72	380.53	1.60				
<b>Percentage</b>	99.61%	6.31%	93.30%	0.39%	0.00%	0.00%	0.00%	0.00%

<p><b>Lower Derwent SAC</b>                  Site Size: 915.91 ha                  Source:  <a href="http://publications.naturalengland.org.uk/publication/5660734323163136?category=5758332488908800">http://publications.naturalengland.org.uk/publication/5660734323163136?category=5758332488908800</a></p>		<p>Site Ref:   <b>UK0012844</b></p>
Qualifying Features/Habitats	Site Description	Conservation Objectives
<p><b>Qualifying habitats:</b> The site is designated under <b>article 4(4)</b> of the Directive (92/43/EEC) as it hosts the following habitats listed in Annex I:</p> <ul style="list-style-type: none"> <li>• Alluvial forests with <i>Alnus glutinosa</i> and <i>Fraxinus excelsior</i> (<i>Alno-Padion</i>, <i>Alnion incanae</i>, <i>Salicion albae</i>). (Alder woodland on floodplains)*</li> <li>• Lowland hay meadows (<i>Alopecurus pratensis</i>, <i>Sanguisorba officinalis</i>).</li> </ul> <p><b>Qualifying species:</b> The site is designated under <b>article 4(4)</b> of the Directive (92/43/EEC) as it hosts the following species listed in Annex II:</p> <ul style="list-style-type: none"> <li>• Otter <i>Lutra lutra</i></li> </ul> <p>Annex I priority habitats are denoted by an asterisk (*).</p>	<p>The Lower Derwent Valley contains a greater area of high-quality examples of lowland hay meadows than any other UK site and encompasses the majority of this habitat type occurring in the Vale of York. The abundance of the rare narrow- leaved water-dropwort <i>Oenanthe silaifolia</i> is a notable feature. Traditional management has ensured that ecological variation is well-developed, particularly in the transitions between this grassland type and other types of wet and dry grassland, swamp and fen vegetation. Additionally there is an area of damp alder woodland at Thornton Ellers adjoining marsh and tall fen communities.</p>	<p>With regard to the SAC and the natural habitats and/or species for which the site has been designated (the ‘Qualifying Features’ listed below), and subject to natural change; Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the Favourable Conservation Status of its Qualifying Features, by maintaining or restoring;</p> <ul style="list-style-type: none"> <li>• The extent and distribution of qualifying natural habitats and habitats of qualifying species</li> <li>• The structure and function (including typical species) of qualifying natural habitats</li> <li>• The structure and function of the habitats of qualifying species</li> <li>• The supporting processes on which qualifying natural habitats and the habitats of qualifying species rely</li> <li>• The populations of qualifying species, and,</li> <li>• The distribution of qualifying species within the site.</li> </ul> <p>This document should be read in conjunction with the accompanying <i>Supplementary Advice</i> document, which provides more detailed advice and information to enable the application and achievement of the Objectives set out above.</p>

Lower Derwent SPA		Site Ref:  <b>UK9006092</b>
Source: <a href="http://publications.naturalengland.org.uk/publication/5660734323163136?category=5758332488908800">http://publications.naturalengland.org.uk/publication/5660734323163136?category=5758332488908800</a>		
Qualifying Features/Habitats	Site Description	Conservation Objectives
<ul style="list-style-type: none"> <li>• A037 <i>Cygnus columbianus bewickii</i>; Bewick's swan (Non-breeding)</li> <li>• A050 <i>Anas penelope</i>; Eurasian wigeon (Non-breeding)</li> <li>• A052 <i>Anas crecca</i>; Eurasian teal (Non-breeding)</li> <li>• A056 <i>Anas clypeata</i>; Northern shoveler (Breeding)</li> <li>• A140 <i>Pluvialis apricaria</i>; European golden plover (Non-breeding)</li> <li>• A151 <i>Philomachus pugnax</i>; Ruff (Non-breeding)</li> <li>• Waterbird assemblage</li> </ul>	<p>The Lower Derwent Valley covers an area of 1089.4ha and consists of extensive areas of traditionally managed species rich, alluvial flood meadow of a kind now restricted in the UK.</p> <p>The boundaries of the SPA are coincident with the constituent SSSIs apart from the exclusion of the sections of the River Derwent SSSI north of Newton Mask SSSI and south of Brighton Meadows SSSI.</p> <p>The site qualifies under Article 4.1 by regularly supporting nationally important winter numbers of the Annex 1 species: <i>Cygnus columbianus bewickii</i>; Bewick's swan; A140 <i>Pluvialis apricaria</i>; European golden plover (Non-breeding); A151 <i>Philomachus pugnax</i>; Ruff (Non-breeding).</p> <p>The site qualifies under Article 4.2 for regularly supporting breeding population of <i>Anas clypeata</i>; Northern shoveler (Breeding).</p> <p>The site qualifies under Article 4.2 as an area for of international importance to waterfowl by regularly supporting over 20,000 waterfowl in winter, including <i>Anas penelope</i>; Eurasian wigeon (Non-breeding) and <i>Anas crecca</i>; Eurasian teal (Non-breeding). The site also supports nationally important migratory species.</p>	<p>With regard to the SPA and the individual species and/or assemblage of species for which the site has been classified (the 'Qualifying Features' listed below), and subject to natural change;</p> <p>Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the aims of the Wild Birds Directive, by maintaining or restoring;</p> <ul style="list-style-type: none"> <li>• The extent and distribution of the habitats of the qualifying features</li> <li>• The structure and function of the habitats of the qualifying features</li> <li>• The supporting processes on which the habitats of the qualifying features rely</li> <li>• The population of each of the qualifying features, and,</li> <li>• The distribution of the qualifying features within the</li> </ul>

		<p>site.</p> <p>This document should be read in conjunction with the accompanying <i>Supplementary Advice</i> document, which provides more detailed advice and information to enable the application and achievement of the Objectives set out above.</p>
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**Constituent SSSIs:**

**Derwent Ings SSSI**

Area: 666.18ha

Condition:

	% meeting area of favourable or unfavourable recovering	Favourable	Unfavourable - Recovering	Unfavourable - No change	Unfavourable - Declining	Partially destroyed	Destroyed	Not Assessed
Area (ha)	666.18	397.68	268.50					
Percentage	100.00%	59.70%	40.30%	0.00%	0.00%	0.00%	0.00%	0.00%

**Brighton Meadows SSSI**

Area: 38.39 ha

Condition:

	% meeting area of favourable or unfavourable recovering	Favourable	Unfavourable - Recovering	Unfavourable - No change	Unfavourable - Declining	Partially destroyed	Destroyed	Not Assessed
Area (ha)	38.39	35.65	2.74					
Percentage	100.00%	92.86%	7.14%	0.00%	0.00%	0.00%	0.00%	0.00%

**Melbourne and Thornton Ings SSSI**

Area: 200.37 ha

Condition:

	% meeting area of favourable or unfavourable recovering	Favourable	Unfavourable - Recovering	Unfavourable - No change	Unfavourable - Declining	Partially destroyed	Destroyed	Not Assessed
<b>Area (ha)</b>	200.37	84.58	115.79					

<b>Percentage</b>	100.00%	42.21%	57.79%	0.00%	0.00%	0.00%	0.00%	0.00%
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**Newton Mask SSSI**

Area: 17.78 ha

Condition:

	% meeting area of favourable or unfavourable recovering	Favourable	Unfavourable - Recovering	Unfavourable - No change	Unfavourable - Declining	Partially destroyed	Destroyed	Not Assessed
<b>Area (ha)</b>	17.78	17.78						
<b>Percentage</b>	100.00%	100.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%

<p><b>Humber Estuary SAC</b></p> <p>Site size: 36,657.15 ha</p> <p>Source: <a href="http://publications.naturalengland.org.uk/publication/5009545743040512?category=5758332488908800">http://publications.naturalengland.org.uk/publication/5009545743040512?category=5758332488908800</a></p>		<p>Site Ref: <b>UK00300170</b></p>
Qualifying Features/Habitats	Site Description	Conservation Objectives
<p><b>Qualifying habitats:</b> The site is designated under <b>article 4(4)</b> of the Directive (92/43/EEC) as it hosts the following habitats listed in Annex I:</p> <ul style="list-style-type: none"> <li>• Atlantic salt meadows (<i>Glauco-Puccinellietalia maritimae</i>)</li> <li>• Coastal lagoons*</li> <li>• Dunes with <i>Hippophae rhamnoides</i></li> <li>• Embryonic shifting dunes</li> <li>• Estuaries</li> <li>• Mudflats and sandflats not covered by seawater at low tide</li> <li>• Fixed dunes with herbaceous vegetation ('grey dunes')*</li> <li>• <i>Salicornia</i> and other annuals colonising mud and sand</li> <li>• Sandbanks which are slightly covered by sea water all the time</li> <li>• Shifting dunes along the shoreline with <i>Ammophila arenaria</i> ('white</li> </ul>	<p>The Humber is the second largest coastal plain <b>Estuary</b> in the UK, and the largest coastal plain estuary on the east coast of Britain. The estuary supports a full range of saline conditions from the open coast to the limit of saline intrusion on the tidal rivers of the Ouse and Trent. The range of salinity, substrate and exposure to wave action influences the estuarine habitats and the range of species that utilise them; these include a breeding bird assemblage, winter and passage waterfowl, river and sea lamprey, grey seals, vascular plants and invertebrates. The Humber is a muddy, macro-tidal estuary, fed by a number of rivers including the Rivers Ouse, Trent and Hull. Suspended sediment concentrations are high, and are derived from a variety of sources, including marine sediments and eroding boulder clay along the Holderness coast. This is the northernmost of the English east coast estuaries whose structure and function is intimately linked with soft eroding shorelines. The extensive mud and sand flats support a range of benthic communities, which in turn are an important feeding resource for birds and fish. Wave exposed sandy shores are found in the outer/open coast areas of the estuary. These change to the more moderately exposed sandy shores and then to sheltered muddy shores within the main body of the estuary and up into the tidal rivers. Habitats within the Humber Estuary include Atlantic salt meadows</p>	<p>With regard to the natural habitats and/or species for which the site has been designated (the 'Qualifying Features' listed below), and subject to natural change; Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the Favourable Conservation Status of its Qualifying Features, by maintaining or restoring;</p> <ul style="list-style-type: none"> <li>• The extent and distribution of qualifying natural habitats and habitats of qualifying species</li> <li>• The structure and</li> </ul>

<p>dunes')</p> <p><b>Qualifying species:</b> The site is designated under <b>article 4(4)</b> of the Directive (92/43/EEC) as it hosts the following species listed in Annex II:</p> <ul style="list-style-type: none"> <li>• Grey seal <i>Halichoerus grypus</i></li> <li>• River lamprey <i>Lampetra fluviatilis</i></li> <li>• Sea lamprey <i>Petromyzon marinus</i></li> </ul> <p>• Annex I priority habitats are denoted by an asterisk (*)</p>	<p>and a range of sand dune types in the outer estuary, together with Sandbanks which are slightly covered by sea water all the time, extensive intertidal mudflats, <i>Salicornia</i> and other annuals colonising mud and sand, and Coastal lagoons. As salinity declines upstream, reedbeds and brackish saltmarsh communities fringe the estuary. These are best- represented at the confluence of the Rivers Ouse and Trent at Blacktoft Sands.</p> <p>Upstream from the Humber Bridge, the navigation channel undergoes major shifts from north to south banks, for reasons that have yet to be fully explained. This section of the estuary is also noteworthy for extensive mud and sand bars, which in places form semi-permanent islands. The sand dunes are features of the outer estuary on both the north and south banks particularly on Spurn peninsula and along the Lincolnshire coast south of Cleethorpes. Examples of both Fixed dunes with herbaceous vegetation ('grey dunes') and Shifting dunes along the shoreline with <i>Ammophila arenaria</i> ('white dunes) occur on both banks of the estuary and along the coast. Native sea buckthorn Dunes with <i>Hippophae rhamnoides</i> also occurs on both sides of the estuary. Significant fish species include river lamprey <i>Lampetra fluviatilis</i> and sea lamprey <i>Petromyzon marinus</i> which breed in the River Derwent, a tributary of the River Ouse. Grey seals <i>Halichoerus grypus</i> come ashore in autumn to form breeding colonies on the sandy shores of the south bank at Donna Nook.</p>	<p>function (including typical species) of qualifying natural habitats</p> <ul style="list-style-type: none"> <li>• The structure and function of the habitats of qualifying species</li> <li>• The supporting processes on which qualifying natural habitats and habitats of qualifying species rely</li> <li>• The populations of qualifying species, and,</li> <li>• The distribution of qualifying species within the site.</li> </ul> <p>This document should be read in conjunction with the accompanying <i>Supplementary Advice</i> document, which provides more detailed advice and information to enable the application and achievement of the Objectives set out above.</p>
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<b>Humber Estuary SPA (Including Humber Estuary Ramsar)</b>		Site Ref:
Source: <a href="http://publications.naturalengland.org.uk/publication/5382184353398784?category=5758332488908800">http://publications.naturalengland.org.uk/publication/5382184353398784?category=5758332488908800</a>		<b>UK9006111</b>
<b>Qualifying Features/Habitats</b>	<b>Site Description</b>	<b>Conservation Objectives</b>
<p>The site qualifies under <b>article 4.1</b> of the Directive (79/409/EEC) as it is used regularly by 1% or more of the Great Britain populations of the following species listed in Annex I in any season:</p> <ul style="list-style-type: none"> <li>• A021 <i>Botaurus stellaris</i>; Great bittern (Non-breeding)</li> <li>• A021 <i>Botaurus stellaris</i>; Great bittern (Breeding)</li> <li>• A048 <i>Tadorna</i>; Common shelduck (Non-breeding)</li> <li>• A081 <i>Circus aeruginosus</i>; Eurasian marsh harrier (Breeding)</li> <li>• A082 <i>Circus cyaneus</i>; Hen harrier (Non-breeding)</li> <li>• A132 <i>Recurvirostra avosetta</i>; Pied avocet (Non-breeding)</li> <li>• A132 <i>Recurvirostra avosetta</i>; Pied avocet (Breeding)</li> <li>• A140 <i>Pluvialis apricaria</i>; European golden plover (Non-breeding)</li> <li>• A143 <i>Calidris canutus</i>; Red knot (Non-breeding)</li> <li>• A149 <i>Calidris alpina</i>; Dunlin (Non-breeding)</li> <li>• A151 <i>Philomachus pugnax</i>; Ruff (Non-breeding)</li> </ul>	<p>The Humber Estuary is located on the east coast of England, and comprises extensive wetland and coastal habitats. The inner estuary supports extensive areas of reed bed, with areas of mature and developing saltmarsh backed by grazing marsh in the middle and outer estuary. On the north Lincolnshire coast, the saltmarsh is backed by low sand dunes with marshy slacks and brackish pools. Parts of the estuary are owned and managed by conservation organisations. The estuary supports important numbers of water birds (especially geese, ducks and waders) during the migration periods and in winter. In summer, it supports important breeding populations of bittern <i>Botaurus stellaris</i>, marsh harrier <i>Circus</i></p>	<p>With regard to the SPA and the individual species and/or assemblage of species for which the site has been classified (the 'Qualifying Features' listed below), and subject to natural change; Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the aims of the Wild Birds Directive, by maintaining or restoring;</p> <ul style="list-style-type: none"> <li>• The extent and distribution of the habitats of the qualifying features</li> </ul>

<ul style="list-style-type: none"> <li>• A156 <i>Limosa limosa islandica</i>; Black-tailed godwit (Non-breeding)</li> <li>• A157 <i>Limosa lapponica</i>; Bar-tailed godwit (Non-breeding)</li> <li>• A162 <i>Tringa totanus</i>; Common redshank (Non-breeding)</li> </ul> <p>A195 <i>Sterna albifrons</i>; Little tern (Breeding)</p> <p><b>Assemblage qualification:</b> The site qualifies under <b>article 4.2</b> of the Directive (79/409/EEC) as it is used regularly by over 20,000 waterbirds (waterbirds as defined by the Ramsar Convention) in any season: In the non-breeding season, the area regularly supports 153,934 individual waterbirds (five year peak mean 1996/97 – 2000/01), including dark-bellied brent goose <i>Branta bernicla bernicla</i>, shelduck <i>Tadorna tadorna</i>, wigeon <i>Anas penelope</i>, teal <i>Anas crecca</i>, mallard <i>Anas platyrhynchos</i>, pochard <i>Aythya ferina</i>, scaup <i>Aythya marila</i>, goldeneye <i>Bucephala clangula</i>, bittern <i>Botaurus stellaris</i>, oystercatcher <i>Haematopus ostralegus</i>, avocet <i>Recurvirostra avosetta</i>, ringed plover <i>Charadrius hiaticula</i>, golden plover <i>Pluvialis apricaria</i>, grey plover <i>P. squatarola</i>, lapwing <i>Vanellus vanellus</i>, knot <i>Calidris canutus</i>, sanderling <i>C. alba</i>, dunlin <i>C. alpina</i>, ruff <i>Philomachus pugnax</i>, black-tailed godwit <i>Limosa limosa</i>, bar-tailed godwit <i>L. lapponica</i>, whimbrel <i>Numenius phaeopus</i>, curlew <i>N. arquata</i>, redshank <i>Tringa totanus</i>, greenshank <i>T. nebularia</i> and turnstone <i>Arenaria interpres</i>. <b>Non-qualifying species of interest:</b> The SPA is used by non-breeding merlin <i>Falco columbarius</i>, peregrine <i>F. peregrinus</i> and short-eared owl <i>Asio flammeus</i>, and breeding common tern <i>Sterna hirundo</i> and kingfisher <i>Alcedo atthis</i> (all species listed in Annex I to the EC Birds Directive) in numbers of less than European importance (less than 1% of the GB population).</p>	<p><i>aeruginosus</i>, avocet <i>Recurvirostra avosetta</i> and little tern <i>Sterna albifrons</i>.</p>	<ul style="list-style-type: none"> <li>• The structure and function of the habitats of the qualifying features</li> <li>• The supporting processes on which the habitats of the qualifying features rely</li> <li>• The population of each of the qualifying features, and,</li> <li>• The distribution of the qualifying features within the site.</li> </ul> <p>This document should be read in conjunction with the accompanying <i>Supplementary Advice</i> document, which provides more detailed advice and information to enable the application and achievement of the Objectives set out above.</p>
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**Constituent SSSIs:**

**Humber Estuary SSSI**

Area: 37,000.60 ha

Condition:

	% meeting area of favourable or unfavourable recovering	Favourable	Unfavourable - Recovering	Unfavourable - No change	Unfavourable - Declining	Partially destroyed	Destroyed	Not Assessed
<b>Area (ha)</b>	36,536.67	2,789.45	33,747.22	61.45	402.46			
<b>Percentage</b>	98.75%	7.54%	91.21%	0.17%	1.09%	0.00%	0.00%	0.00%

**North Killingholme Haven Pitts SSSI**

Area: 21.63 ha

Condition:

	% meeting area of favourable or unfavourable recovering	Favourable	Unfavourable - Recovering	Unfavourable - No change	Unfavourable - Declining	Partially destroyed	Destroyed	Not Assessed
<b>Area (ha)</b>	16.08		16.08	5.55				
<b>Percentage</b>	74.35%	0.00%	74.35%	25.65%	0.00%	0.00%	0.00%	0.00%

**Saltfleetby SSSI-Threddlethorpe Dunes SSSI**

Area: 971.86 ha

Condition:

	% meeting area of favourable or unfavourable recovering	Favourable	Unfavourable - Recovering	Unfavourable - No change	Unfavourable - Declining	Partially destroyed	Destroyed	Not Assessed
<b>Area (ha)</b>	971.86	765.61	206.25					
<b>Percentage</b>	100%	78.78%	21.22 %	0.00%	0.00%	0.00%	0.00%	0.00%

**The Lagoons SSSI**

Area: 70.19 ha

Condition:

	% meeting area of favourable or unfavourable recovering	Favourable	Unfavourable - Recovering	Unfavourable - No change	Unfavourable - Declining	Partially destroyed	Destroyed	Not Assessed
<b>Area (ha)</b>	70.19		70.19					
<b>Percentage</b>	100.00%	0.00%	100.00%	0.00%	0.00%	0.00%	0.00%	0.00%

