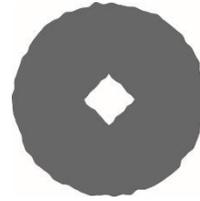


**Bakewell  
Neighbourhood  
Plan  
(Regulation 14 consultation  
version)**



**PEAK  
DISTRICT  
NATIONAL  
PARK**

**Habitat Regulations  
Assessment**

**Screening Report**

**May 2019**

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## 1.0 Introduction & Legislative Background

### Neighbourhood Planning Regulations

1.1 This report is the Habitats Regulations Assessment (HRA) 'Screening Report' of the submission draft Bakewell Neighbourhood Plan (BNP). The purpose of the report is to determine whether significant adverse effects on relevant European 'Natura 2000' sites are likely as a result of BNP, in accordance with Schedule 4B to the Town and Country Planning Act 1990:

- Para 8(2)(f) which requires BNP to not breach and be otherwise compatible with EU obligations
- Para 8(2)(g) which prescribes that the making of a neighbourhood development plan does not breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017

### European Union Obligations

1.2 The relevant EU obligations are '*Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora*' and '*Directive 2009/147/EC on the conservation of wild Birds*'.

1.3 Article 6 para 3 of Directive 92/43/EEC states:

*"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 or projects, shall be subject to appropriate assessment of its implications for the site in view of the site's conservation objectives."*

### Conservation of Habitats and Species Regulations 2017

1.4 Section 106 of the Conservation of Habitats and Species Regulations 2017 regarding '*assessment of implications for European site: neighbourhood development plans*' states:

*"A qualifying body which submits a proposal for a neighbourhood development plan must provide such information as the competent authority may reasonably require for the purposes of the assessment under regulation 105 or to enable it to determine whether that assessment is required."*

1.5 Section 105 of the Conservation of Habitats and Species Regulations 2017 regarding '*assessment of implications for European sites*' states:

*"Where a land use plan (a) is likely to have a significant effect on a European site . . . . (either alone or in combination with other plans or projects), and (b) is not directly connected with or necessary to the management of the site, the plan-making authority for that plan must, before the plan is given effect, make an appropriate assessment of the implications for the site in view of that site's conservation objectives."*

## **Natura 2000 sites**

1.6 Natura 2000 is the Europe-wide network of sites of international importance for nature conservation established under the European Council Directive on the conservation of natural habitats and of wild fauna and flora (92/43/EEC Habitats Directive).

1.7 The Natura 2000 network comprises:

- (i) Special Protection Areas (SPAs). SPAs are classified under the European Council Directive on the conservation of wild birds (79/409/EEC; 'Birds Directive') for the protection of wild birds and their habitats
- (ii) Special Areas of Conservation (SACs). SACs are designated under the Habitats Directive and target particular habitats (Annex 1) and/or species (Annex II) identified as being of European importance.
- (iii) The Government also expects candidate SACs (cSACs) & potential SPAs (pSPAs), to be included within the HRA.
- (iv) Ramsar sites. Ramsar sites support internationally important wetland habitats (Ramsar Convention, 1971).

1.8 There are 4 'Natura 2000' sites within a 15 km radius of the BNP area shown in Appendix 1:

- Pennine Moors Special Area of Conservation,
- Peak District Moors Special Protection Area and
- Peak District Dales Special Area of Conservation and
- Bee`s Nest and Green Clay Pits

## **Scope of Report**

1.9 This HRA report is a 'screening report' designed to determine whether or not significant effects (and 'in combination' effects) on the above sites are likely as a result of Bakewell Neighbourhood Plan (BNP), and whether or not an Appropriate Assessment is required. Natural England is consulted as part of this process.

## 2.0 Description of relevant Natura 200 sites<sup>1</sup>

### South Pennine Moors Special Areas of Conservation

2.1 The South Pennine Moors SAC is designated for:

- Northern Atlantic wet heaths with *Erica tetralix* for which the area is considered to support a significant presence.
- European dry heaths for which this is considered to be one of the best areas in the United Kingdom.
- Blanket bogs for which this is considered to be one of the best areas in the United Kingdom.
- Transition mires and quaking bogs for which the area is considered to support a significant presence.
- Old sessile oak woods with *Ilex* and *Blechnum* for which this is considered to be one of the best areas in the United Kingdom.

2.2 The South Pennine Moors SAC is vulnerable due to grazing and burning regimes, visitor access, & atmospheric pollution, which have led to large areas of eroded and de-vegetated peat. Much of the area is subject to intensive landscape scale conservation and regeneration delivered via numerous projects and partnerships of public, private and 3rd Sector organisations, including the national park authority.

### Peak District Moors Special Protection Area

2.3 The Peak District Moors SPA is designated for (it's 'qualifying features') its importance for several upland breeding species including: *Falco columbarius*, Merlin (Breeding); *Pluvialis apricaria*, European golden plover (Breeding); *Asio flammeus*, Short-eared owl (Breeding).

2.4 The conservation objectives for the site, currently being delivered via numerous projects and partnerships of public, private and 3<sup>rd</sup> Sector organisations, including the national park authority, are to maintaining or restore:

- the extent and distribution of the habitats of the qualifying features
- the structure and function of the habitats of the qualifying features
- the supporting processes on which the habitats of the qualifying features rely
- the population of each of the qualifying features
- the distribution of the qualifying features within the site

### Peak District Dales Special Areas of Conservation

2.5 The Peak District Dales SAC is designated for:

- European dry heaths
- Semi-natural dry grasslands and scrubland facies on calcareous substrates
- Alkaline fens
- Calcareous and calcshist screes of the montane to alpine
- Calcareous rocky slopes with chasmophytic
- Tilio-Acerion forests of slopes, screes and ravines
- *Austroptamobius pallipes*

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<sup>1</sup> <http://jncc.defra.gov.uk/protectedsites>

- *Lampetra planeri*
- *Cottus gobio*

2.6 The main threats are inappropriate grazing management, water quality and low flows, and introduced disease. The ideal management for the grassland habitats for nature conservation purposes - light grazing throughout most of the year, with a break in grazing during the spring and early summer - tends to conflict with today's agricultural regimes. The result is neglect & invasion by scrub, or overgrazing and the loss of the important vegetation communities. The woodland habitats are under significant threat from Ash Dieback, and are likely to undergo major changes over the next decade and more. Work is underway to increase species diversity and improve the resilience of these woodlands in the long term. Crayfish Plague is a massive threat to the native White-clawed Crayfish and may already have eliminated it from the River Wye. Water quality, both from sewage treatment works and diffuse agricultural pollution is a threat with phosphate levels exceeded in the Wye, and low flow affects some rivers such as sections of the Lathkill.

2.7 The conservation objectives for the site are currently being delivered via numerous projects and partnerships of public, private and 3rd Sector organisations, including the national park authority.

### **Bee`s Nest and Green Clay Pits**

2.8 The Bee's Nest and Green Clay Pits is designated for:

- Inland water bodies (Standing water, Running water)
- Heath, Scrub, Maquis and Garrigue, Phygrana
- Dry grassland, Steppes Humid grassland, Mesophile grassland
- Inland rocks, Screes, Sands, Permanent Snow and ice
- Other land (including Towns, Villages, Roads, Waste places, Mines, Industrial sites)
- Semi-natural dry grasslands and scrubland facies on calcareous substrates (Festuco-Brometalia) (\* important orchid sites)
- Great crested newt

2.9 The site encompasses a series of silica sand pits supporting a complex mosaic of acidic and calcareous grassland, with small areas of heathland communities. There are also areas of open water, flushes and communities of disturbed ground. **Great crested newts *Triturus cristatus*** occur in a number of ponds on site, which vary in size, profile and vegetation cover.

### **3.0 Determination of the likeliness of significant environmental effects of Bakewell neighbourhood plan**

3.1 In the tables below Bakewell Neighbourhood Plan (BNP) policies are assessed for their likeliness of negative significant effects on Natura 2000 sites within a 15km radius of the plan area. BNP must be in general conformity with strategic planning policy so this assessment is made in the context of the Habitat Regulations Assessment (HRA) undertaken for PDNPA Core Strategy, specifically the 'summary of appropriate assessment findings' (Table 1), and 'discussion of potential impacts' (Table 2). In combination effects are also considered.

[http://www.peakdistrict.gov.uk/\\_data/assets/pdf\\_file/0018/90144/ldf-a004-habitatsassessmentappraisal.pdf](http://www.peakdistrict.gov.uk/_data/assets/pdf_file/0018/90144/ldf-a004-habitatsassessmentappraisal.pdf).

3.2 The HRA<sup>2</sup> for the PDNPA core strategy concluded:

- 15 of the total of 35 policies in the Core Strategy are unlikely to have a significant effect on Natura 2000 sites Sites, as they relate to broad strategic objectives, qualitative criteria and/or aim to protect and enhance the environment.
- More detailed assessment (Appropriate Assessment) was undertaken in relation to the remaining 20 policies and the emerging findings were discussed with Natural England.
- Of the remaining 20 policies that were subject to full Appropriate Assessment, six have been judged as unlikely to have any adverse effect on the integrity of N2K Sites

3.3 The Shadow HRA<sup>3</sup> to inform the assessment of the Development Management Policies concluded:

*'The DMP Document has been subject to screening under the Habitats Regulations. All 67 policies have been considered in respect of the potential for likely significant effects upon any European site from the document, either alone or in combination with other plans and projects. All 67 policies were screened out from the need for further assessment as they would have no likely significant effect either alone or in combination with other plans and projects.'*

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<sup>2</sup> Peak District Core Strategy Submission Draft Habitats Regulations Assessment, Land Use Consultants, August 2010.

<sup>3</sup> Shadow Habitats Regulations Assessment to inform the assessment of the Development Management Policies (part 2 of the Local Development Plan for the Peak District National park, DTA Ecology, 12 October 2016.

<b>Table 1: Assessment of the BNP policies and their likelihood of significant negative effects on Natura 2000 sites within a 15 km radius</b>					
<b>Policy from Bakewell Neighbourhood Plan</b>		<b>Summary of policy</b>	<b>Corresponding Policy from Core Strategy</b> (other Local plan document policies have been included for clarity)	<b>Summary of Core Strategy HRA (likelihood of significant negative effect)</b>	<b>Likelihood of negative significant effects of the BNP policy/proposal on Natura 2000 (N2K) sites within 15km radius of plan area.</b>
Policy	DB1: Development Boundary	To extend the settlement boundary.	Core Strategy GSP2, GSP4b, DS1, HC2 Local Plan (2001) LB1 Development Management Policy DMP1	GSP2, GSP4b, HC2, May have significant effect directly or indirectly as allows for major development within the National Park. However there are safeguarding criteria including consideration of the valued characteristics/special qualities of the National Park.	<p>Not likely. No in combination effects as BNP policy is in general conformity with strategic planning policy that restricts development to that which secures national park purposes.</p> <p>The proposed boundary extensions are 2-3k distance from N2K sites. The sites themselves are unlikely to be ecologically linked to N2K sites and have negligible inherent ecological value. Area 1 is agricultural land (improved pasture). Area 2 is playing fields Area 3 is agricultural land (species poor semi-improved pasture.)</p> <p>The extension to the development boundary does not in itself result in development. Development is subject to policies within the BNP, Core Strategy Policy L2 (Sites of biodiversity or geodiversity importance) and Development Management Policies DMC11/12 which work together to provide sufficient overarching protection to ensure this policy will not result in any likely significant effects on European sites.</p> <p>Development of Area 3 has potential to impact on the continuity of the River Wye corridor, and hence on populations of White-clawed Crayfish (if still present), Brook Lamprey or Bullhead, or may hinder their upstream migration. The small length of river affected compared to existing riverbank modifications through the town are likely to make any additional impact negligible, so it is still reasonable to conclude that there is unlikely to be a significant impact on the European sites. A 10m buffer zone to the river would strengthen this conclusion. Core Strategy policy CC5 on its own is insufficient to safeguard the ecological integrity of the river corridor.</p>

<b>Table 1: Assessment of the BNP policies and their likeliness of significant negative effects on Natura 2000 sites within a 15 km radius</b>					
<b>Policy from Bakewell Neighbourhood Plan</b>		<b>Summary of policy</b>	<b>Corresponding Policy from Core Strategy</b> (other Local plan document policies have been included for clarity)	<b>Summary of Core Strategy HRA (likeliness of significant negative effect)</b>	<b>Likeliness of negative significant effects of the BNP policy/proposal on Natura 2000 (N2K) sites within 15km radius of plan area.</b>
Policy	ENV1: Protection and Enhancement of Bakewell's Setting	To respect the landscape's sensitivity, include appropriate landscaping, provide green infrastructure. Encourage a local Landscape Character Assessment.	Core Strategy GSP2 Development Management Policy DMC3	GSP2 May have significant effect directly or indirectly as allows for major development within the National Park. However there are safeguarding criteria including consideration of the valued characteristics/special qualities of the National Park.	Not likely. No in combination effects as BNP policy is in general conformity with strategic planning policy that restricts development to that which secures national park purposes.  Development is directed to Bakewell. Impact on the landscape is subject to consideration of the valued characteristics/special qualities of the National Park. Core Strategy Policy L2 (Sites of biodiversity or geodiversity importance) and Development Management Policies DMC11/12 work together to provide sufficient overarching protection to ensure this policy will not result in any likely significant effects on European sites.
Policy	ENV2: Protection and Enhancement of Bakewell's Special Character	Development will be expected to: Take into account the local character and topography; Contribute positively towards the built environment and public realm; Take account of relevant SPDs and CAA.	Core Strategy GSP2, L1 Development Management Policy DCM3	GSP2 May have significant effect directly or indirectly as allows for major development within the National Park. However there are safeguarding criteria including consideration of the valued characteristics/special qualities of the National Park.	Not likely. No in combination effects as BNP policy is in general conformity with strategic planning policy that restricts development to that which secures national park purposes.  Development is directed to Bakewell. Development impact on the landscape is subject to consideration of the valued characteristics/special qualities of the National Park. Core Strategy Policy L2 (Sites of biodiversity or geodiversity importance) and Development Management Policies DMC11/12 work together to provide sufficient overarching protection to ensure this policy will not result in any likely significant effects on European sites.
Policy	ENV3: Protection of Non-designated Heritage Assets	Conserve and where possible enhance non-designated heritage assets.	Core Strategy L3 Development Management Policy DMC5, DMC6, DMC7, DMC8, DMC9, DMC10	L3 Policy is not identified as having the potential for effects on N2k sites.	Not likely. No in combination effects as BNP policy is in general conformity with strategic planning policy that restricts development to that which secures national park purposes.  The policy seeks to conserve and enhance existing heritage assets.

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Policy	ENV4: Local Green Spaces	Designate Local Green Space. Development only acceptable in very special circumstances.	Core Strategy L3 Local Plan (2001) LB2 Development Management Policy DMC4(B)	L3 Policy is not identified as having the potential for effects on N2k sites.	Not likely. No in combination effects as BNP policy is in general conformity with strategic planning policy that restricts development to that which secures national park purposes.  Policy aims to conserve locally important Green Space, some of which are designated for their wildlife value. Any proposal for development would be subject to safeguarding criteria including consideration of the valued characteristics/special qualities of the National Park.
Policy	H1: Provision of Affordable Housing	Supports the provision of affordable housing of a range and number to address local need. To comply with local lettings plan.	Core Strategy DS1, HC1, HC2, HC3, HC4 Development Management Policy DMH1 Supplementary Planning Guidance 'meeting the local need for affordable housing'	DS1: Adverse effect on site integrity uncertain HC1: Unlikely as it refers to broad strategic objectives. HC2, HC3, HC4 May have significant effect directly or indirectly as allows for major development within the National Park. However there are safeguarding criteria including consideration of the valued characteristics/special qualities of the National Park.	Not likely. No in combination effects as BNP policy is in general conformity with strategic planning policy that restricts development to that which secures national park purposes.  New development would be expected to be located in or edge of the settlement boundary and would be subject to other policies which safeguard the valued characteristics/special qualities of the National Park. Comments under DB1 also apply. Core Strategy Policy L2 (Sites of biodiversity or geodiversity importance) and Development Management Policies DMC11/12 work together to provide sufficient overarching protection to ensure this policy will not result in any likely significant effects on European sites. <i>See Table 2 for details where effects of core strategy polices 'uncertain'</i>

<b>Table 1: Assessment of the BNP policies and their likeliness of significant negative effects on Natura 2000 sites within a 15 km radius</b>					
<b>Policy from Bakewell Neighbourhood Plan</b>		<b>Summary of policy</b>	<b>Corresponding Policy from Core Strategy</b> (other Local plan document policies have been included for clarity)	<b>Summary of Core Strategy HRA (likeliness of significant negative effect)</b>	<b>Likeliness of negative significant effects of the BNP policy/proposal on Natura 2000 (N2K) sites within 15km radius of plan area.</b>
Policy	H2: Market Housing and Starter Homes	Supports redevelopment of brownfield/PDL for market and starter homes.	Core Strategy DS1, HC1	DS1: Adverse effect on site integrity uncertain. HC1: Unlikely as it refers to broad strategic objectives.	<p>Not likely. No in combination effects as BNP policy is in general conformity with strategic planning policy that restricts development to that which secures national park purposes.</p> <p>Policy supports redevelopment of existing brownfield/PDL. Policies within the Core Strategy and Development Management Policies document seek to enhance the valued characteristics/special qualities of the National Park.</p> <p>Core Strategy Policy L2 (Sites of biodiversity or geodiversity importance) and Development Management Policies DMC11/12 which work together to provide sufficient overarching protection to ensure this policy will not result in any likely significant effects on European sites.</p> <p><i>See Table 2 for details where effects of core strategy polices 'uncertain'</i></p>
Policy	H3: Age and disability related considerations	To ensure that development on flat sites accommodates the needs of Bakewell's ageing and disabled population.	Core Strategy DS1, HC1	DS1: Adverse effect on site integrity uncertain. HC1: Unlikely as it refers to broad strategic objectives.	<p>Not likely. No in combination effects as BNP policy is in general conformity with strategic planning policy that restricts development to that which secures national park purposes.</p> <p>Core Strategy Policy L2 (Sites of biodiversity or geodiversity importance) and Development Management Policies DMC11/12 which work together to provide sufficient overarching protection to ensure this policy will not result in any likely significant effects on European sites.</p> <p><i>See Table 2 for details where effects of core strategy polices 'uncertain'</i></p>

<b>Table 1: Assessment of the BNP policies and their likeliness of significant negative effects on Natura 2000 sites within a 15 km radius</b>					
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Policy	CF1: Newholme Hospital	Supports the redevelopment of the site for community/employment/housing uses.	Core Strategy DS1 Development Management Policy DMS2	DS1: Adverse effect on site integrity uncertain.	Not likely.  No in combination effects as BNP policy is in general conformity with strategic planning policy that restricts development to that which secures national park purposes.  Site is 3k from N2K sites. Core Strategy Policy L2 (Sites of biodiversity or geodiversity importance) and Development Management Policies DMC11/12 which work together to provide sufficient overarching protection to ensure this policy will not result in any likely significant effects on European sites. <i>See Table 2 for details where effects of core strategy policies 'uncertain'</i>
Policy	CF2: Development of Community, Sports and Arts Facilities	Supports the provision of these facilities within/adjacent to the development boundary with good access for all and links to existing non-vehicular routes.	Core Strategy DS1, HC4 Local Plan (2001) LB11 Development Management Policy DMS 6	DS1: Adverse effect on site integrity uncertain. HC4 May have significant effect directly or indirectly as allows for major development within the National Park. However there are safeguarding criteria including consideration of the valued characteristics/special qualities of the National Park. Uncertain.	Not likely.  No in combination effects as BNP policy is in general conformity with strategic planning policy that restricts development to that which secures national park purposes.  Could result in development on greenfield or brownfield sites but Core Strategy Policy L2 (Sites of biodiversity or geodiversity importance) and Development Management Policies DMC11/12 work together to provide sufficient overarching protection to ensure this policy will not result in any likely significant effects on European sites. <i>See Table 2 for details where effects of core strategy policies 'uncertain'</i>

<b>Table 1: Assessment of the BNP policies and their likeliness of significant negative effects on Natura 2000 sites within a 15 km radius</b>					
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Policy	CF3: Retaining Playing Fields and Sports Facilities	To prevent the loss of playing fields and sports facilities unless replacement facilities are provided of equal or better equality and access.	Core Strategy HC8 Local Plan (2001) LB11 Development Management Policy DMS7	HC8: Adverse effect on site integrity unlikely.	Not likely.  No in combination effects as BNP policy is in general conformity with strategic planning policy that restricts development to that which secures national park purposes.  Core Strategy Policy L2 (Sites of biodiversity or geodiversity importance) and Development Management Policies DMC11/12 work together to provide sufficient overarching protection to ensure this policy will not result in any likely significant effects on European sites. <i>See Table 2 for details where effects of core strategy policies 'uncertain'</i>
Policy	E1: Bakewell Central Shopping Area and Protected Shopping Frontages	To direct commercial uses to the town centre and to protect the vitality and viability of the shopping area.	Core Strategy DS1, HC9 Local Plan (2001) LB9 Development Management Policy DMS1	DS1: Adverse effect on site integrity uncertain. HC9: Allows for new retail premises in Bakewell and small scale retail in open countryside. Increased visitor pressure could have an impact.	Not likely.  No in combination effects as BNP policy is in general conformity with strategic planning policy that restricts development to that which secures national park purposes.  Policy focuses on the uses of existing buildings within the shopping area and shopping frontages. New commercial buildings are directed to the existing built up areas of the Central Shopping Area. Protected Shopping frontage policy refers to land uses within an existing built environment.

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Policy	E2: Employment sites	To safeguard existing employment sites for primarily B uses and to allocate 1 employment site.	Core Strategy DS1, E2, Local Plan (2001) LB6 Development Management Policy DME3, Development Management Policy Chapter 8, para 8.4	DS1: Adverse effect on site integrity uncertain. E2: Permits small scale employment in DS1 settlements.	<p>Not likely to affect N2K sites due to distance (3k). This conclusion is further strengthened if policy requires that any development maintains and where possible enhances the continuity and integrity of the river corridor.</p> <p>No in combination effects as BNP policy is in general conformity with strategic planning policy that restricts development to that which secures national park purposes.</p> <p>Core Strategy Policy L2 (Sites of biodiversity or geodiversity importance) and Development Management Policies DMC11/12 work together to provide overarching protection to ensure this policy will not result in any likely significant effects on European sites.</p> <p>However the 'Cintride' and 'Riverside' employment sites are located adjacent to the River Wye and development here has the potential to impact on the continuity of the River Wye Corridor.</p> <p>New development would be subject to Core Strategy policy CC5 which protects the functionality of the river and safeguards the valued characteristics/special qualities of the National Park. Core Strategy CC5 on its own may not protect the ecological integrity and continuity of the river corridor. Development should be required to maintain and where possible enhance the continuity and integrity of the river corridor.</p> <p>Part of 'Cintride' site 1 is subject to a blanket TPO so local effects on wildlife may occur.</p> <p><i>See Table 2 for details where effects of core strategy polices 'uncertain'</i></p>

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Policy	TC1: Improvements for Non-Car Users	Proposals for development to demonstrate how they make a positive contribution to improving access for pedestrians and cyclists.	Core Strategy T1, T6, Local Plan (2001) LB3	T6: Unlikely to lead to development itself.	Not likely  No in combination effects as BNP policy is in general conformity with strategic planning policy that restricts development to that which secures national park purposes.  Policy seeks to readdress the balance between vehicular and non-vehicular access.  <i>See Table 2 for details where effects of core strategy polices 'uncertain'</i>
Policy	TC2: Car and Cycle Parking	Protect existing car parking provision and to support increased provision of cycle parking.	Core Strategy T7 Local Plan (2001) LB4 Development Management Policy DMT5&6	T7: Permits traffic management schemes and transport infrastructure.	Not likely. Policy protects existing car parking facilities and supports cycle parking within Bakewell.
Policy	TC3: Reopening the Matlock – Buxton Railway	Supports the reinstatement of the railway subject to re-providing the existing recreation route and local green space.	Core Strategy T5 Local Plan (2001) LB5 Development Management Policy DMT3	T5: Could result in direct impact to habitats, increased visitor pressure and impact to air quality. Policy includes site criteria to ensure that any detrimental effects are outweighed by significant benefits.	Not likely.  No in combination effects as BNP policy is in general conformity with strategic planning policy that restricts development to that which secures national park purposes.  Policy supports the Core Strategy policy. Core Strategy Policy L2 (Sites of biodiversity or geodiversity importance) and Development Management Policies DMC11/12 work together to provide sufficient overarching protection to ensure this policy will not result in any likely significant effects on European sites.
Policy	TC4: Broadband	Improved broadband connection.	Core Strategy T12 Development Management Policy DMU4	T12: Supports utility infrastructure providing pipelines do not have negative impacts in environmentally sensitive areas.	Not likely.  No in combination effects as BNP policy is in general conformity with strategic planning policy that restricts development to that which secures national park purposes.

Table 2: Analysis of <b>BNP</b> in relation to issues of concern raised in HRA of <b>core strategy</b>		
<b>Core Strategy Issue of concern</b>	<b>Extract from HRA of <b>core strategy</b> highlighting issues of concern where there is direct link between core strategy and BNP.</b>	<b>Is core strategy issue also of concern in Bakewell Neighbourhood Plan?</b>
Impact on drainage	<p>“Other policies allowing for development may have some potential to affect drainage including Policy DS1 Development Strategy, Housing for key workers (Policy HC1) and businesses in the countryside (Policy E2).”</p> <p><b>Mitigation</b> Policy safeguards within the Core Strategy and consultation with Natural England on specific proposals should ensure that any adverse effects on the integrity of Peak District Dales SAC are avoided.</p>	<p>The allocated employment site is proposed in/adjacent to the catchment of the River Wye.</p> <p>The settlement boundary is to be extended in/adjacent to the catchment of the River Wye.</p> <p>Policy DB1 includes 10m buffer zone.</p>
Impact on water quality	<p>“ . . . discharges into the River Wye within the Peak District SAC are impacting water quality (particularly in relation to phosphorous levels) in the context of the freshwater SAC species which the river is known to support.”</p> <p>“Additional development as a result of a range of policies including DS1 Development Strategy, policies associated with recreation and tourism (RT1, 2 and 3) and business development (E1 and E2) could potentially exacerbate this pressure via sewage discharges.”</p>	<p>The allocated employment site is proposed in/adjacent to the catchment of the River Wye.</p> <p>The settlement boundary is to be extended in/adjacent to the catchment of the River Wye.</p> <p>Policy DB1 includes 10m buffer zone</p> <p>Policy E2 requires development to maintain and where possible enhance the continuity and integrity of the river corridor.</p>
Impact on air quality	<p>“Modelling of air quality has predicted that Nitrogen/acid deposition is likely to have exceeded critical loads at Peak District Dales SAC, South Pennine Moors SAC &amp; Peak District Moors SPA”</p> <p>“A number of these sites are in close proximity to settlements named within Policy DS1 where new build development will be acceptable for affordable housing, community facilities and small-scale retail and</p>	<p>BNP may result in slightly increased traffic flow both locally and on the main A roads in and out of Bakewell due to the expansion of the development boundary under Policy DB1.</p>

	<p>business premises.”</p> <p>“Transport policies of the plan are generally aimed at reducing the amount of traffic in the Park, although Policy T2 does allow for transport developments in exceptional circumstances where there would be a net environmental benefit and public interest would exceed a negative impact on the National Park.”</p>	
Human activity	<p>“Human activity is a key pressure for the South Pennine Moors SAC, South Pennine Moors Phase 2 SPA and Peak District Moors SPA and can lead to impacts such as disturbance, predation and fires, although there is no detailed evidence to back this up. Human activity could increase where development is likely to take place in close proximity to these N2K Sites, for example, as a result of Policy DS1 Development Strategy.”</p>	<p>No. Any development permitted by BNP will be at a location removed from the SAC/SPA sites, to have a negligible effect on human activity.</p>
Hydrology	<p>“Peak District Moors SPA and South Pennine Moors Phase 2 SPA are sensitive to changes in hydrology - the Derbyshire Dales CAMS and Tame, Goyt and Etherow CAMS outline that catchments within the SPA are already over abstracted and over licensed. Increased demand on resources resulting from a larger population could heighten over- abstraction problems, particularly during summer months. There is potential for this to take place as a result of proposals in Policy DS1 Development Strategy.”</p>	<p>Whilst BNP does not allocate sites for housing, the settlement boundary is extended to accommodate growth, if needed which could have an impact on demand for resources.</p> <p>Policy DB1 includes 10m buffer zone</p> <p>Policy E2 requires development to maintain and where possible enhance the continuity and integrity of the river corridor.</p>
Small scale wind turbine development	<p>“Low carbon and renewable energy development can affect biodiversity in a number of ways including barrier effects, potential for collisions between turbine blades and birds, disturbance and physical damage during construction. East Midlands RSS HRA states that species that are qualifying features of Peak District Moors SPA and South Pennine Moors Phase 2 SPA are sensitive to wind turbine development (golden plover being vulnerable to barrier effects and disturbance, and owls being vulnerable to collisions).”</p> <p>“Policy CC2 allows for low carbon and renewable energy development, subject to a number of criteria. Although only small scale wind turbine developments will be permitted, taking account of cumulative impacts, potential effects on key bird breeding areas remains an issue.”</p>	<p>No. BNP supports PDNPA’s Supplementary Planning Document for Climate Change and Sustainable Building (2013) and core strategy policies CC1, CC2, CC5.</p>

## 4. Conclusion of screening process

4.1 There are likely to be **no significant effects, and no 'in combination effects'** of Bakewell Neighbourhood Plan policies on the European sites and therefore no further assessment is required.

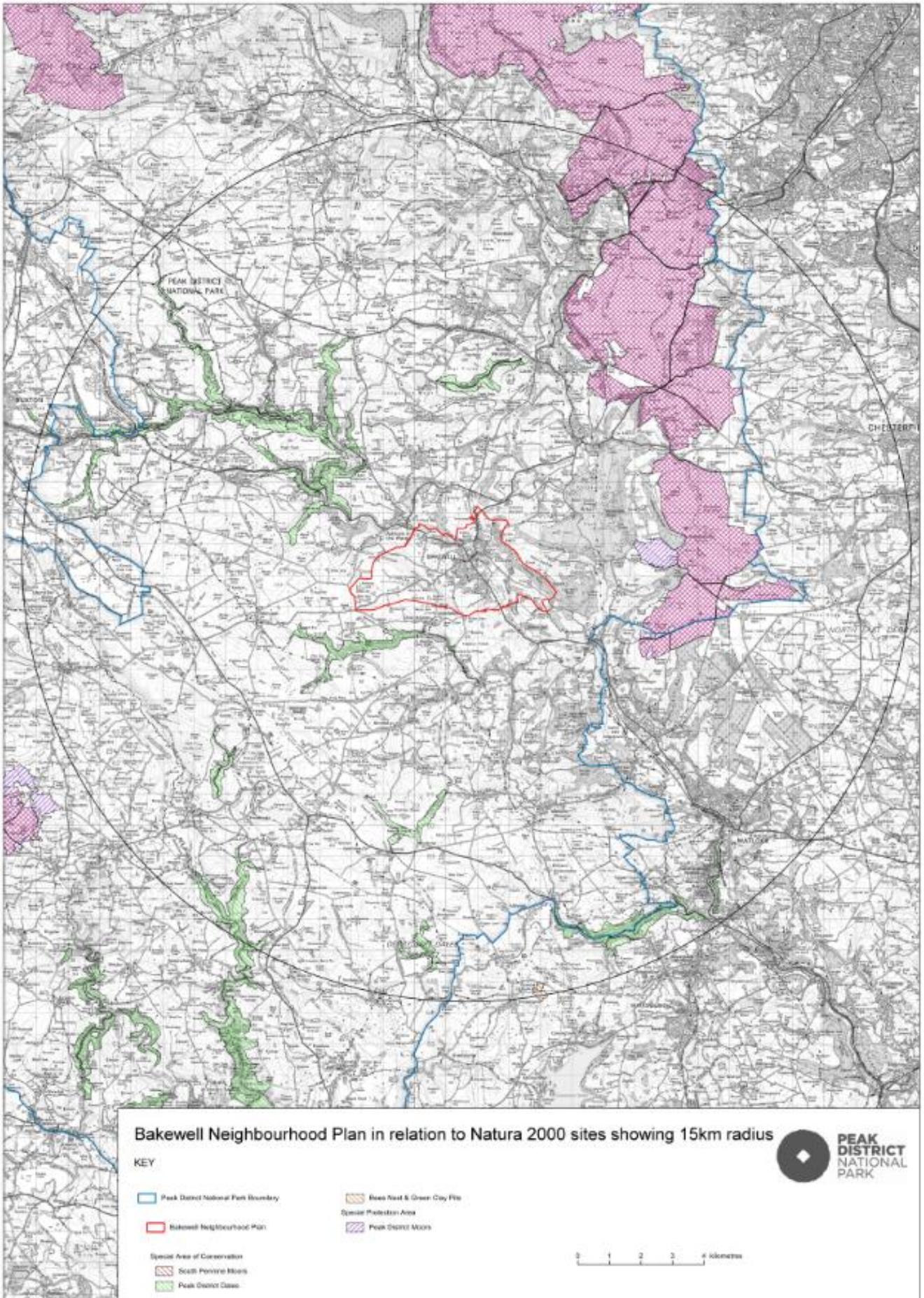
4.2 This report has been subject to the scrutiny of and amended in accordance with the Peak District National Park Authority's *Natural Environment and Rural Economy Team Manager* (Rhodri Thomas) – see Appendix 2. Any recommendations to amend the draft Plan have been made accordingly.

4.3 This report was subject to consultation with Natural England for a 6 week period from 21 May 2019 to 3<sup>rd</sup> July 2019. A reply was received (See Appendix 3) stating:

*“Natural England (also) agrees with the report’s conclusions that the Bakewell Neighbourhood Plan would not be likely to result in a significant effect on any European Site either alone or in combination and therefore no further assessment work under the Habitats Regulations would be required.”*



**Appendix 1: Map of Bakewell neighbourhood plan area in relation to Natura 2000 sites**



## Appendix 2

### **COMMENTS ON BAKEWELL NEIGHBOURHOOD PLAN AND ASSOCIATED DOCUMENTS**

#### 1. SUBMITTED NEIGHBOURHOOD PLAN SEPT 2018

**Policy DB1-** Area 1 appears from aerial photographs to be improved grassland, Area 2 is amenity grassland and Area 3 is species-poor semi-improved grassland. All three areas are therefore likely to be of limited ecological interest and I have reflected that in my comments below on the sustainability Appraisal. However Site 3 obviously abuts the River Wye and development here could impact on the river corridor. Core Strategy policy CC5 requires a set-back distance to allow adequate maintenance of watercourses, but not necessarily to protect the ecological integrity and continuity of the river corridor. I would therefore support the recommendation set out in the Sustainability Appraisal to amend the policy to require a buffer zone to the banks of the River Wye, but would recommend a 10 metre buffer rather than an 8 metre buffer, in line with recent development on the Cintride site.

**Policy ENV1-** This refers to the provision of new native street trees within the development boundary. Native trees may be most appropriate in and around the local green spaces, but in the context of more built-up areas they may not necessarily be the most appropriate from an amenity/landscape point of view, nor be better for wildlife. I suspect some of the important existing townscape trees in Bakewell are not native, for example. I would therefore suggest not limiting this to native trees but referring to “trees of an appropriate scale, form and species”, to which could possibly be added “favouring native trees particularly in less formal settings”.

**Policy ENV2A-** Same comment about native trees as for ENV1 above.

**Policies ENV1 or ENV2-** Consideration might be given to incorporating a policy around any development providing a proportionate net gain for landscape and biodiversity as part of one or other of these policies. Taken in conjunction, this could then allow some of the other policies which are shown by the Sustainability Appraisal to have negative effects, to have neutral or even positive effects (but perhaps Core Strategy Policies L1 and L2, which refer to enhancement, are deemed sufficient to address this?)

**Policy ENV4-** “Important for wildlife” could be added to Sites 2 and 29 in Table 1. Both have areas of species-rich grassland. Site 13 could usefully be extended to include the two fields outlined red below, which are unimproved/semi-improved grassland of wildlife importance with a public footpath through them.



**Policy CF1-** The policy itself doesn't refer to native trees but the preceding text (para. 5.11) does. Same comments apply as for ENV1 above.

**Policy E2-** Both the Riverside Business Park and Cintride sites have potential to impact on the River Corridor. Although Core Strategy policy CC5 requires a set-back distance to allow adequate maintenance of watercourses, this may not necessarily to protect the ecological integrity and continuity of the river corridor. I would therefore suggest that Policy E2 might usefully include a policy for any development to "maintain and where possible enhance the continuity and integrity of the river corridor, including associated watercourses", with a buffer zone of 10 metres from the river and millstream (in line with recent development on the Cintride site). I also support the suggestion that the TPO on the site needs to be recognized and the policy therefore amended to include both the safeguarding of existing trees on site, and for any development to be accompanied by suitable landscaping and planting to ensure long-term continuity beyond the life of the existing trees.

## 2. HABITAT REGULATIONS ASSESSMENT SCREENING REPORT

I agree with the conclusion of the HRA that there is likely to be no significant effect of the BNP on the European sites, which are remote from and generally ecologically unconnected with the BNP area. The possible exception is the River Wye but the BNP sections are downstream from the SAC and likely impacts of the BNP on the Wye are limited. I therefore have only a few minor suggested amendments to the text:

- **Para 2.5 (p. 5)-** should read "The Peak District Dales SAC", not SPA.
- **Para 2.6 (p. 6)-** not sure what the source was for identifying threats to the SAC but they only cover the threats to the grassland habitats, not other SAC features. This doesn't materially affect the HRA Assessment but shouldn't really stand as a record of the threats. I would therefore suggest the following amendment:

*The main threats are inappropriate grazing management, water quality and low flows, and introduced disease. The ideal management for the grassland habitats for nature conservation purposes...[retain existing text re grazing, then add...]. The woodland habitats are under significant threat from Ash Dieback, and are likely to undergo major changes over the next decade and more. Work is underway to increase species diversity and improve the resilience of these woodlands in the long term. Crayfish Plague is a massive threat to the native White-clawed Crayfish and may already have eliminated it from the River Wye. Water quality, both from sewage treatment works and diffuse agricultural pollution, is a threat with phosphate levels exceeded in the Wye, and low flow affects some rivers such as sections of the Lathkill.*

- **Table 1 Policy DB1 (p. 9)-** Development of Site 3 has potential to impact on the continuity of the River Wye corridor, and hence on populations of White-clawed Crayfish (if still present), Brook Lamprey or Bullhead, or may hinder their upstream migration. The small length of river affected compared to existing riverbank modifications through the town are likely to make any additional impact negligible, so it is still reasonable to conclude that there is unlikely to be a significant impact on the European sites. However the recommended amendment to this policy in the Sustainability Appraisal, to provide a buffer zone to the river, would strengthen this conclusion (subject to comments on the Sustainability Appraisal below re the extent of the buffer). Core Strategy policy CC5 on its own is insufficient to safeguard the ecological integrity of the river corridor (see comments on the Submitted Neighbourhood Plan (Policy DB1) above).
- **Table 1 Policy DB1 (p. 9)-** 2 further suggested minor amendments in last column- I would hesitate to describe any site as having no ecological value, so would recommend this says "...and have negligible inherent ecological value." Related to this, Site 3 should be described as "species-poor semi-improved grassland" rather than improved.
- **Table 1 Policy E2 (p. 20)-** 2 of the sites (Cintride and Riverside) have potential to impact on the continuity of the River Wye corridor, so the comments above re Policy DB1 (Site 3) also apply to this policy. Again I would consider it reasonable to conclude that there is unlikely to be a

significant impact on the European sites as the policy stands, but my comments on the Submitted Neighbourhood Plan (Policy E2) above would strengthen that conclusion.

### 3. SUSTAINABILITY APPRAISAL

- **Protect, Maintain and enhance biodiversity, flora and fauna and geological interests: Policy DB1 (p. 8)-** Suggest low negative impact and following amends (in red) to text in column 3:

*The development boundary is extended into 'green field' areas on the edge of Bakewell. Existing information suggests these sites are of limited ecological interest. Sites with the most ecological interest are protected by Policy ENV4 (green spaces) and Policy ENV1 requires ecologically appropriate landscaping, so any potential adverse effects are minimised. Site 3 is adjacent to the River Wye so development could have a minor impact on the river corridor. An amendment to retain a buffer zone to the river would mitigate the potential impact. In addition to these policies PDNPA Core Strategy policy L2 protects sites of biodiversity or geodiversity and Policy DMC11 of PDNPA Part 2 Local Plan (Development Management Policies) requires development proposals to achieve no net loss of biodiversity.*

- **Protect, Maintain and enhance biodiversity, flora and fauna and geological interests: Policy ENV1 or ENV2 (p. 9)-** including a policy of net gain (see comments on Submitted Neighbourhood Plan above) could increase the positive effect of these policies.
- **Protect, Maintain and enhance biodiversity, flora and fauna and geological interests: Policy CF2 (p. 9)-** including a policy of net gain in ENV1 or ENV2 (see comments on Submitted Neighbourhood Plan above) could shift this from low negative to neutral or low positive.
- **Protect, Maintain and enhance biodiversity, flora and fauna and geological interests: Policy E2 (pp. 9-10)-** Suggest following amend (in red) to text in column 3:

*Although most sites are already in employment use, one site is partly green field (site 1, former Cintrides Site). The policy could lead to development on a green field site and impact on the river corridor. The site is subject to a 'blanket' TPO.*

Again comments on the Submitted Neighbourhood Plan (Policy E2) above, together with a "net gain" policy under ENV1 or ENV2, could address this and reduce the impact to neutral or low positive.

- **Options and Alternatives: negative effects (pp 35-36)-** The possible negative effects of the following policies on biodiversity could be mitigated by incorporation of a "net gain" policy in ENV1 or ENV2: DB1; H1; H2; CF2; CF3; E2; TC3
- **Options and Alternatives: reasonable alternatives (p 37)-** Given the limited ecological interest of Site 3 I agree with the assessment that excluding the whole of this site from the development boundary is not a reasonable alternative, and that the option (as recommended on p.41) of leaving a buffer zone is a reasonable alternative. However in line with recent development on the Cintride site, I would recommend a buffer zone of 10 metres rather than 8 metres.
- **Conclusions and Recommendations: Policy DB1-** As indicated above, I welcome the suggested amendment to include a buffer zone to the banks of the Wye but would recommend 10 metres, in line with recent development on the Cintride site.
- **Conclusions and Recommendations: Policy E2-** I recommend a buffer zone of 10 metres to the river at Site 1 (former 'Cintride' site) and to the river and millstream on Site 4 (Riverside) if these areas are currently undeveloped, in line with recent development on the Cintride site. I

also support the idea that the TPO covering Site 1 should be recognized and the policy amended to include safeguarding and long-term enhancement of the tree cover on the site, as part of any development proposals.

**Rhodri Thomas**  
**13 May 2019**

Appendix 3



Date: 03 July 2019  
Our ref: 283305  
Your ref: Bakewell Neighbourhood Plan - Draft

Adele Metcalfe  
Peak District National Park Authority  
**BY EMAIL ONLY**

Hornbeam House  
Crewe Business Park  
Electra Way  
Crewe  
Cheshire  
CW1 6GJ  
T 0300 060 3900

Dear Adele

**Bakewell Neighbourhood plan – DRAFT**

Thank you for your consultation on the above dated 21 May 2019  
Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

Natural England is a statutory consultee in neighbourhood planning and must be consulted on draft neighbourhood development plans by the Parish/Town Councils or Neighbourhood Forums where they consider our interests would be affected by the proposals made.

Natural England does not have any specific comments on this draft neighbourhood plan. However, we refer you to the attached annex which covers the issues and opportunities that should be considered when preparing a Neighbourhood Plan.

**Bakewell Neighbourhood Plan HRA Screening Assessment**

Natural England welcomes the Screening Report which assesses the requirement for Habitat Regulations Assessment (HRA) for the Bakewell Neighbourhood Plan.

Natural England also agrees with the report's conclusions that the Bakewell Neighbourhood Plan would not be likely to result in a significant effect on any European Site either alone or in combination and therefore no further assessment work under the Habitats Regulations would be required.

For any further consultations on your plan, please contact:  
[consultations@naturalengland.org.uk](mailto:consultations@naturalengland.org.uk).

Yours sincerely  
Andy Stubbs  
Lead Adviser, Planning and Licensing, Area Delivery  
East Midlands Area Team