



Rufforth with Knapton  
Neighbourhood Plan  
Submission Version

Habitat Regulation Assessment  
Screening Report

(February 2018)

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## 1. Introduction

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- 1.1 This Habitat Regulation Assessment Screening Report has been prepared by Rufforth with Knapton Parish Council in conjunction with the City of York Council in accordance with the Neighbourhood Planning (General) Regulation 2012 and Habitat Directive to support the Rufforth with Knapton Neighbourhood Plan (RwKNP).
- 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 Sites as a result of the emerging policies set out in the pre-submission draft Neighbourhood Plan that would necessitate the production of a full Habitat 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 Rufforth with Knapton 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 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 Habitat 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 Habitat Regulations Assessment.

### **Planning Context**

- 1.9 The RwKNP, once adopted, will present planning policy and guidance for the neighbourhood area. The RwKNP is being prepared in the context of the emerging City of York Local Plan and in particular the Publication Draft (February 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).
- 1.10 Until such time as the City of York Local Plan is adopted, there is a range of relevant planning policy applicable. The saved Yorkshire and Humber RSS policies referring to York's Green Belt, including the associated proposals map sets the strategic context for the general extent of the Green Belt around York to six miles from the city centre. As part of the new Local Plan, the City of York will be defining the detailed Green Belt boundary around the city for the first time.
- 1.11 In the context of Neighbourhood Planning, this provides scope for the RwKNP to meet community aspirations for the Neighbourhood Area whilst also helping

to deliver the Local Plan's main objectives i.e. housing, employment and good transport links for the City.

## 2. Methodology

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### Identifying European Sites and their qualifying features

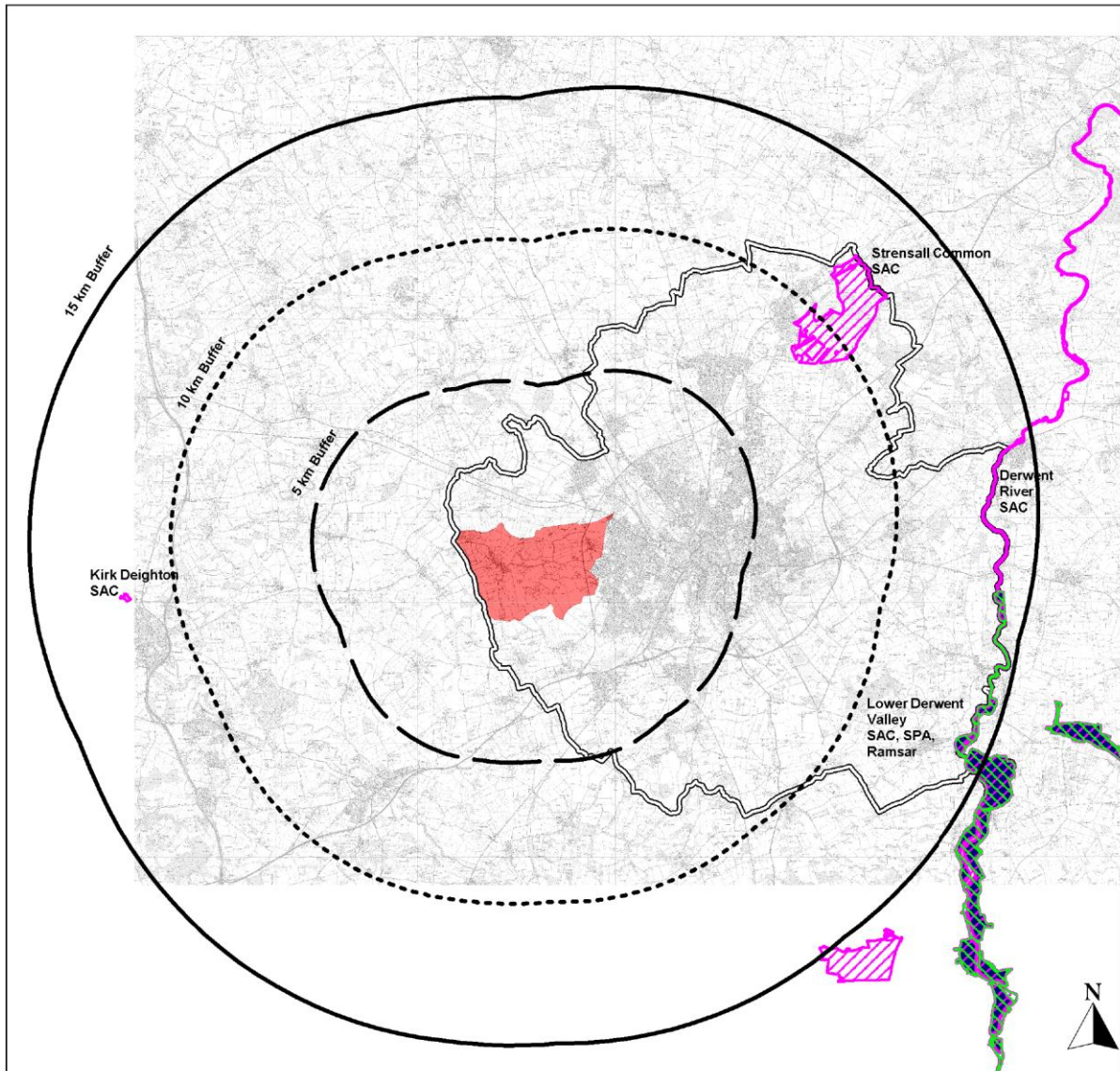
- 2.1 The first stage of preparing this Screening Report is identifying the European Designated Sites within the Neighbourhood Plan area or in close proximity to it.
- 2.2 This study considers potential effects on all European sites within 15km of the CYC boundary, together with any additional downstream 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 as shown in Figure 1 (see page 4). This identifies the following sites for consideration within the assessment:

Site name	Designation	Closest Distance (km)
Strensall Common	SAC	7.2
Kirk Deighton	SAC	13.5
River Derwent	SAC	12.3
Lower Derwent Valley	SAC, SPA, Ramsar	13.1
Humber Estuary	SAC, SPA, Ramsar	Approximately 37km downstream via River Ouse







- 2.4 Figure 2 (page 5) 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 site. More detailed information regarding the designation of each site is set out in Annex 1.

**Figure 1: European Sites within 15km of Rufforth with Knapton Neighbourhood Area**

## Identifying European Designated Sites within 15km of Rufforth with Knapton 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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<b>FIGURE 2:</b>	<b>Qualifying Features:</b>	<b>Summary of current threats and potential vulnerabilities to outcomes of the Plan:</b>
<b>Strensall Common SAC</b>	<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>
<b>Kirk Deighton SAC</b>	<p>S1166. <i>Triturus cristatus</i>; Great crested newt</p>	<p>Small site with ponds within heavily grazed pasture; water levels in main pond fluctuate considerably but support a large population of great crested newts. Site condition is principally affected by management of the pond and surrounding habitats; ELS/HLS agreement is now in place to fence main breeding pond and smaller pond within SSSI to improve breeding conditions. Site will be sensitive to: management; changes in water quality; local development affecting habitats.</p> <p>Supplementary advice on conserving and restoring site features at Kirk Deighton SAC were published by Natural England in May 2015. 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>
<b>River Derwent SAC</b>	<p>H3260 Water courses of plain to montane levels with the <i>Ranunculion fluitantis</i> and <i>Callitriche-Batrachion</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</p>

	<p>vegetation ('Rivers with floating vegetation often dominated by water-crowfoot')</p> <p>S1095 Sea lamprey <i>Petromyzon marinus</i></p>	<p>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>
<b>Lower Derwent Valley SAC</b>	<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>
<b>Lower Derwent Valley SPA</b>	<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,</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.</p> <p>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>.</p> <p>Criterion 4: Important site for passage migrants in spring, notably Ruff and Whimbrel.</p> <p>Criterion 5: Assemblages of 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>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>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).</p> <p>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 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>
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<b>Humber Estuary SAC</b>	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* H1310. <i>Salicornia</i> and other annuals colonising mud and sand; Glasswort and other annuals colonising mud and sand	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 sediments and eroding boulder clay along the Holderness coast. Wave exposed sandy shores are found in the outer/open coast areas of the estuary.

	H1330. Atlantic salt meadows ( <i>Glauco-Puccinellietalia maritimae</i> ) H2110. Embryonic shifting dunes	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.
<b>Humber Estuary SPA</b>	A021 <i>Botaurus stellaris</i> ; Great bittern (Non-breeding) A021 <i>Botaurus stellaris</i> ; Great bittern (Breeding) A048 <i>Tadorna</i> ; Common shelduck (Non-breeding) A081 <i>Circus aeruginosus</i> ; Eurasian marsh harrier (Breeding) A082 <i>Circus cyaneus</i> ; Hen harrier (Non-breeding) A132 <i>Recurvirostra avosetta</i> ; Pied avocet (Non-breeding) A132 <i>Recurvirostra avosetta</i> ; Pied avocet (Breeding) A140 <i>Pluvialis apricaria</i> ; European golden plover (Non-breeding) 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) A156 <i>Limosa islandica</i> ; Black-tailed godwit (Non-breeding) A157 <i>Limosa lapponica</i> ; Bar-tailed godwit (Non-breeding) A162 <i>Tringa totanus</i> ; Common redshank (Non-breeding) A195 <i>Sterna albifrons</i> ; Little tern (Breeding) Waterbird assemblage	Approximately one-third of the estuary is exposed as mud- or sandflats 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.  The Ramsar site is largely coincident with the SAC or SPA, and the interest features are effectively the same as those of the SPA and SAC (with the exception of natterjack toad in the outer dunes).
<b>Humber Estuary Ramsar</b>	Criterion 1: Representative example of a near-natural estuary with dune systems and humid dune slacks, estuarine waters, intertidal mud and sand flats, saltmarshes, and coastal brackish/saline lagoons. Criterion 3: Supports second largest grey seal <i>Halichoerus grypus</i> colony in England at Donna Nook. The dune slacks at Saltfleetby- theddlethorpe	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 arising from

	<p>are the most northeasterly 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>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>
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## **Appraisal of Neighbourhood Plan**

- 2.5 The next stage of the Screening is to understand the extent to which the neighbourhood plan could have a significant effect on the European Designated site. 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 site allocations included within the Rufforth with Knapton Neighbourhood Plan (Submission Version, February 2018) are therefore to be appraised against identified site's features and vulnerabilities. Cumulative effects have also been considered within of 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.

### 3. Screening Assessment

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#### 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

#### Part 1 **Rufforth with Knapton Neighbourhood Plan**<sup>[d1]</sup>

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 Rufforth with Knapton Neighbourhood Plan Submission version. The Full policies referred to are included in Annex 2.











RwK 14 Re-Use of Buildings	This policy aims to define criteria for the re-use and conversion of buildings in the Green Belt in a manner which avoids adverse impact on the Green Belt. This policy is not likely to affect the qualifying features of designated sites due to proximity.	NLSE	NLSE	NLSE	NLSE	NLSE	NLSE	NLSE	NLSE	NLSE
RwK15 Infill Policy	This policy accepts the case for limited windfall or infill development and sets out criteria for such development. This policy is not likely to affect the qualifying features of designated sites.	NLSE	NLSE	NLSE	NLSE	NLSE	NLSE	NLSE	NLSE	NLSE
RwK16 Small Scale Commercial Enterprises	This policy supports agricultural development and change of use of existing buildings where the proposed use provides opportunities that meet local employment needs and is of a scale and type commensurate with a rural environment. The RwK neighbourhood plan notes the proposed major expansion of Northminster Business Park in the City of York Local Plan Publication Draft (February 2018). The Plan does not support this proposal due to its scale but would not oppose a scaled down version subject to strict criteria. This policy is not likely to affect the qualifying features of designated sites.	NLSE	NLSE	NLSE	NLSE	NLSE	NLSE	NLSE	NLSE	NLSE

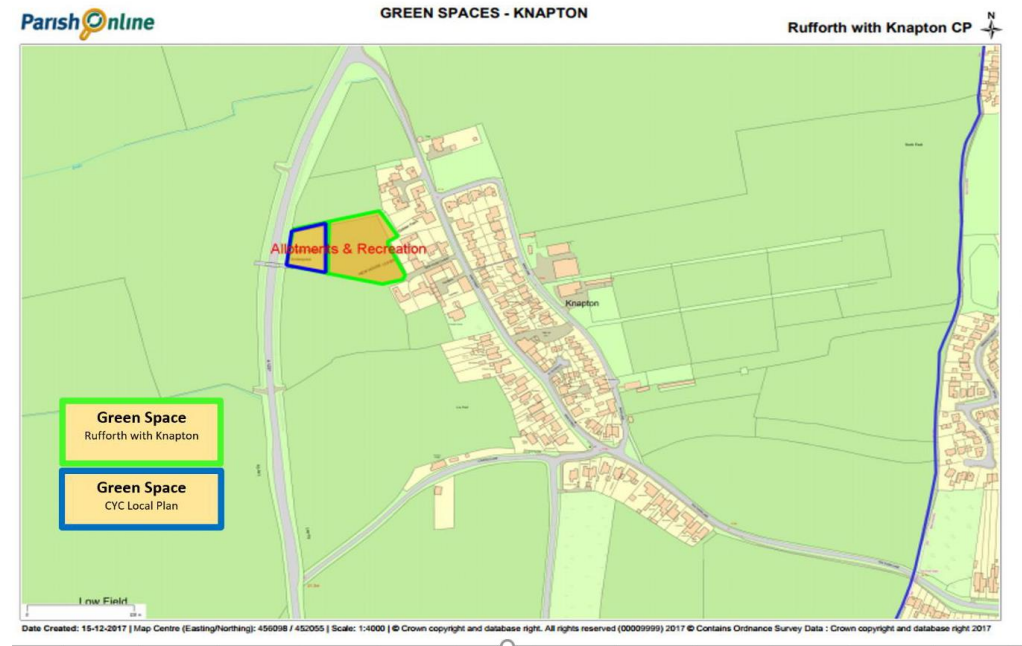
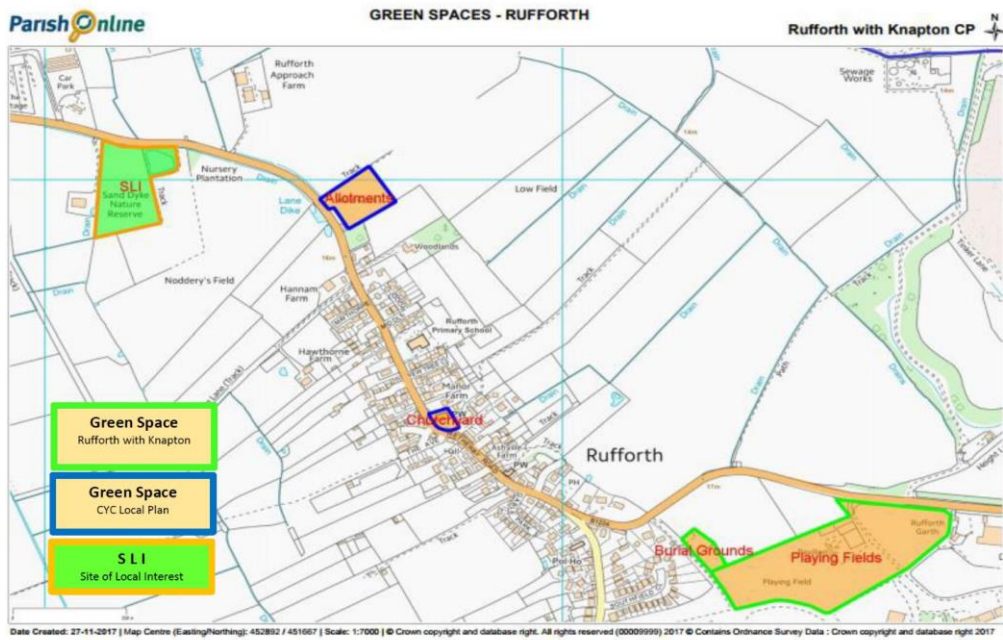
<p>RwK17 Harewood Whin</p>	<p>Harewood Whin is designated as a strategic site for waste management in the Joint Minerals and Waste Plan (2016) which also acknowledges that the site is within the Green Belt. The Policy accepts this designation but sets out key criteria to minimise the effects of any future development on the community and the environment. Harewood Whin has been operating as a landfill site for the past thirty years and its future use as a waste transfer station, followed by reclamation of the existing landfill, is likely to produce minor environmental benefits. The policy would support installation of solar panels on part of the reclaimed landfill dependent on exact location and economic circumstances The Foss Beck runs through the site and may act as a pathway for contamination/pollution to designated nature conservation sites. However, contamination and pollution from Harewood Whin is subject to management by the Environment Agency and their environmental permit regime. It is therefore not anticipated that this policy or the site will have an adverse or significant effect on the qualifying features of the designated sites. Further consideration for waste and minerals sites is set out in the HRA for</p>	NLSE	NLSE	NLSE	NLSE	NLSE	NLSE	NLSE	NLSE	NLSE
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RK H3 Land at the junction of Back Lane and Main Street in Knapton	Housing Allocation for 4 homes. The size of this site is small and it is within close proximity to existing facilities in the village. The closest designated site is approximately 7km. Consequently, there are no likely significant effects on qualifying features of European sites	NLSE	NLSE	NLSE	NLSE	NLSE	NLSE	NLSE	NLSE	NLSE
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Figure 3: Open space within the Rufforth with Knapton Neighbourhood Plan Area



## Part 2 Cumulative effects of the Neighbourhood Plan

- 3.2 It is necessary to understand whether the Neighbourhood Plan 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 effect of each Neighbourhood Plan policy on the European Designated Sites in-combination with the emerging City of York and Harrogate Local Plans.

Plan/ Programme	Comments	Impact
City of York Local Plan <sup>[d2]</sup>	<p>The City of York Council 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. Since then work on the emerging Local Plan has continued including the Preferred Sites Consultation report (2016), the Pre-Publication Draft Consultation (2017) and the Publication Draft (February 2018). The Publication Draft of the York Local Plan sets out policies and site allocations that will deliver a sustainable development strategy for York. This includes policy on recreation, biodiversity and transport. A full HRA has been undertaken as part of the preparation of the Local Plan Publication Draft ( February 2018 )</p> <p>The HRA produced for the Local Plan Publication Draft assesses both the draft Local Plan Policies and site allocations identifying potential impacts from recreational pressure at Skipwith Common, Strensall Common and the Lower Derwent Valley.</p> <p>The policies set out in the Neighbourhood Plan support emerging Local Plan policy at the neighbourhood level. The allocations RK H1 and RK H3 contained within the Neighbourhood Plan are also supported in the Publication Draft (February 2018) for development. These sites have been identified as part of the Local Plan HRA which concludes that the Local Plan would not likely have significant effects on the Natura 2000 network.</p>	NLSE

	<p>It is concluded that there are not likely to be significant effects to the European designated sites as a result of in-combination effects between the Local Plan and Neighbourhood Plan at this stage.</p>	
<p>Harrogate Local Plan<sup>[d3]</sup></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) which does not identify likely significant impacts as a result of the 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 6km from the boundary of the Rufforth with Knapton 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. Furthermore, policies set out within Harrogate's draft Local Plan aim to protect environmental designations as well as ensure that the needs are met where necessary on new sites.</p> <p>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 Local Plan and Neighbourhood Plan at this stage.</p>	<p>NLSE</p>
<p>Joint Minerals and Waste Local Plan</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 to provide for minerals and waste developments up to 2030. This plan covers the whole of the neighbourhood Plan area. The joint councils have recently submitted the Joint Plan and produced a 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. The Joint Waste and Minerals plan also includes a site within the neighbourhood plan area at Harewood Whin which is identified as a strategic site for waste management</p>	

	<p>but with limited potential for expansion due to its location within the Green Belt. No negative effects alone or in-combination were identified as a result of this site in the JWMP HRA Screening Assessment. No likely significant in-combination effects as a result of the JMWLP and the Rufforth with Knaption Neighbourhood Plan are identified.</p>	
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## 4. Consultation

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- 4.1 A draft HRA has been consulted on as part of the Rufforth with Knapton Neighbourhood Plan Pre-Submission Consultation between 7<sup>th</sup> July – 18<sup>th</sup> August 2017. The responses in relation to the HRA are contained at Annex 3. In summary, Natural England noted and welcomed the inclusion of the Habitats Regulations Assessment Screening Report and agrees with its conclusions.
- 4.2 The final HRA Screening report is currently being consulted on as part of the Submission consultation.
- 4.3 You can view all of the Neighbourhood planning documents out to consultation via the City of York Neighbourhood Plan webpage: [www.york.gov.uk/neighbourhoodplanning](http://www.york.gov.uk/neighbourhoodplanning) . All previous document which have been consulted on can be found at: [www.rufforth-knaptonplan.co.uk](http://www.rufforth-knaptonplan.co.uk)
- 4.4 You can submit your views via email to: [neighbourhoodplanning@york.gov.uk](mailto:neighbourhoodplanning@york.gov.uk) .
- 4.5 The consultation responses received at submission stage will be submitted for Examination.

## 5. Conclusion

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- 5.1 The appraisal in section 3 of this report ascertains that none of the policies or site allocations in the neighbourhood plan are identified to have likely significant impacts on the European designated sites within 15km of the neighbourhood area.
- 5.2 The report also identifies that no cumulative effects as a result of this plan are identified.
- 5.3 In conclusion, it is not necessary to continue to the next stage of the HRA process, an Appropriate Assessment, as part of the Rufforth with Knapton Neighbourhood Plan preparation.

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

<p><b>Strensall Common SAC</b></p> <p>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:</p> <p><b>UK0030284</b></p>
Qualifying Features	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. 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;</p> <p><b>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;</b></p> <ul style="list-style-type: none"> <li>• <b>The extent and distribution of the qualifying natural habitats</b></li> <li>• <b>The structure and function (including typical species) of the qualifying natural habitats, and,</b></li> <li>• <b>The supporting processes on which the qualifying natural habitats rely</b></li> </ul> <p>This document should be read in conjunction with the accompanying <i>Supplementary Advice</i> document, which provides more detailed advice</p>

and information to enable the application and achievement of the Objectives set out above.

**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
Area (ha)	572.80	184.51	388.28					
Percentage	100.00%	32.21%	67.79%	0.00%	0.00%	0.00%	0.00%	0.00%

**Kirk Deighton SAC**

Site Size: 4.03 ha

Source:

<http://publications.naturalengland.org.uk/publication/4695122595807232?category=5758332488908800>

Site Ref:

**UK0030178**

Qualifying Features	Site Description	Conservation Objectives
S1166. <i>Triturus cristatus</i> ; Great crested newt	At just over 4 hectares in size, the site supports an exceptionally large population of great crested newt <i>Triturus cristatus</i> and contains a breeding pond which is shallow, seasonal in nature and varies in size from year to year. This pond is surrounded by sheep and cattle grazed pasture and mature hedgerows which provide both	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; <b>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;</b>

	<p>essential feeding and hibernating sites for the great crested newts.</p> <p>The pond also supports a small population of smooth newt <i>Triturus vulgaris</i> and common frog <i>Rana temporaria</i>. In addition, the site contains a smaller drainage pond also known to be used by the newts. This main breeding pond has a water level that fluctuates widely, sometimes leading to pond desiccation. As a result, there is relatively little aquatic vegetation but egg-laying occurs and recruitment is successful intermittently; however, a large population is present, demonstrating this species' ability to thrive in temporary pond sites. Newts range across an area comprising pasture with old hedgerows.</p>	<ul style="list-style-type: none"> <li>• <b>The extent and distribution of the habitats of qualifying species</b></li> <li>• <b>The structure and function of the habitats of qualifying species</b></li> <li>• <b>The supporting processes on which the habitats of qualifying species rely</b></li> <li>• <b>The populations of qualifying species, and,</b></li> <li>• <b>The distribution of qualifying species within the site.</b></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. This is available on the Natural England Website but has been considered in this report.</p>
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**Constituent SSSIs:**

**Kirk Deighton SSSI**

Area: 4.11 ha

Condition:

	% meeting area of favourable or unfavourable recovering	Favourable	Unfavourable - Recovering	Unfavourable - No change	Unfavourable - Declining	Partially destroyed	Destroyed	Not Assessed
Area (ha)	4.11		4.11					
Percentage	100.00%	0.00%	100.00%	0.00%	0.00%	0.00%	0.00%	0.00%

**River Derwent SAC**

Site Ref:



Site Size: 411.23 ha

Source:

<http://publications.naturalengland.org.uk/publication/4824082210095104?category=5758332488908800>

UK0030253

Qualifying Features	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>Callitriche-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. 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. The Derwent is noted for the diversity of its fish communities, which include river</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><b>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;</b></p> <ul style="list-style-type: none"><li>• <b>The extent and distribution of qualifying natural habitats and habitats of qualifying species</b></li><li>• <b>The structure and function (including typical species) of qualifying natural habitats</b></li><li>• <b>The structure and function of the habitats of qualifying species</b></li><li>• <b>The supporting processes on which qualifying natural habitats and the habitats of qualifying species rely</b></li><li>• <b>The populations of qualifying species, and,</b></li><li>• <b>The distribution of qualifying species within the site.</b></li></ul>

	<i>Lampetra fluviatilis</i> and sea lampreys <i>Petromyzon marinus</i> 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> .	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.
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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%

<b>Lower Derwent SAC</b>		Site Ref:
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>		<b>UK0012844</b>
<b>Qualifying Features</b>	<b>Site Description</b>	<b>Conservation Objectives</b>

<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;</p> <p><b>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;</b></p> <ul style="list-style-type: none"> <li>• <b>The extent and distribution of qualifying natural habitats and habitats of qualifying species</b></li> <li>• <b>The structure and function (including typical species) of qualifying natural habitats</b></li> <li>• <b>The structure and function of the habitats of qualifying species</b></li> <li>• <b>The supporting processes on which qualifying natural habitats and the habitats of qualifying species rely</b></li> <li>• <b>The populations of qualifying species, and,</b></li> <li>• <b>The distribution of qualifying species within the site.</b></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>
<p><b>Lower Derwent SPA</b></p> <p>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>UK9006092</b></p>

Qualifying Features	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 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><b>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;</b></p> <ul style="list-style-type: none"> <li>• <b>The extent and distribution of the habitats of the qualifying features</b></li> <li>• <b>The structure and function of the habitats of the qualifying features</b></li> <li>• <b>The supporting processes on which the habitats of the qualifying features rely</b></li> <li>• <b>The population of each of the qualifying features, and,</b></li> <li>• <b>The distribution of the qualifying features within the site.</b></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>
<p><b><u>Constituent SSSIs:</u></b></p>		

**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
<b>Area (ha)</b>	666.18	397.68	268.50					
<b>Percentage</b>	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
<b>Area (ha)</b>	38.39	35.65	2.74					
<b>Percentage</b>	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					

Percentage	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
Area (ha)	17.78	17.78						
Percentage	100.00%	100.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%

### Humber Estuary SAC

Site size: 36,657.15 ha

Source:

<http://publications.naturalengland.org.uk/publication/5009545743040512?category=5758332488908800>

Site Ref:

**UK00300170**

Qualifying Features	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>Glaucopuccinellietalia maritimae</i>)</li> <li>Coastal lagoons*</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</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; <b>Ensure that the integrity of the site is maintained or</b></p>

<ul style="list-style-type: none"> <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 dunes')</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>• 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>assemblage, winter and passage waterfowl, river and sea lamprey, grey seals, vascular plants and invertebrates.</p> <p>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.</p> <p>Habitats within the Humber Estuary include <b>Atlantic salt meadows</b> and a range of sand dune types in the outer estuary, together with <b>Sandbanks which are slightly covered by sea water all the time</b>, extensive intertidal mudflats, <b><i>Salicornia</i> and other annuals colonising mud and sand</b>, and <b>Coastal lagoons</b>. 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 <b>Fixed dunes with herbaceous vegetation ('grey dunes')</b> and <b>Shifting dunes along the shoreline with <i>Ammophila arenaria</i> ('white dunes')</b> occur on both banks of the estuary and along the coast. Native sea</p>	<p><b>restored as appropriate, and ensure that the site contributes to achieving the Favourable Conservation Status of its Qualifying Features, by maintaining or restoring;</b></p> <ul style="list-style-type: none"> <li>• <b>The extent and distribution of qualifying natural habitats and habitats of qualifying species</b></li> <li>• <b>The structure and function (including typical species) of qualifying natural habitats</b></li> <li>• <b>The structure and function of the habitats of qualifying species</b></li> <li>• <b>The supporting processes on which qualifying natural habitats and habitats of qualifying species rely</b></li> <li>• <b>The populations of qualifying species, and,</b></li> <li>• <b>The distribution of qualifying species within the site.</b></li> </ul> <p>This document should be read in conjunction with the</p>
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	<p>buckthorn <b>Dunes with <i>Hippophae rhamnoides</i></b> also occurs on both sides of the estuary.</p> <p>Significant fish species include <b>river lamprey <i>Lampetra fluviatilis</i></b> and <b>sea lamprey <i>Petromyzon marinus</i></b> which breed in the River Derwent, a tributary of the River Ouse.</p> <p><b>Grey seals <i>Halichoerus grypus</i></b> come ashore in autumn to form breeding colonies on the sandy shores of the south bank at Donna Nook.</p>	<p>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>
<p><b>Humber Estuary SPA (Including Humber Estuary Ramsar)</b></p> <p>Source:  <a href="http://publications.naturalengland.org.uk/publication/5382184353398784?category=5758332488908800">http://publications.naturalengland.org.uk/publication/5382184353398784?category=5758332488908800</a></p>		<p>Site Ref:  <b>UK9006111</b></p>
Qualifying Features	Site Description	Conservation Objectives
<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;</p> <p><b>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;</b></p> <ul style="list-style-type: none"> <li>• <b>The extent and distribution of the habitats of the qualifying features</b></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>.</p> <p><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>• <b>The structure and function of the habitats of the qualifying features</b></li> <li>• <b>The supporting processes on which the habitats of the qualifying features rely</b></li> <li>• <b>The population of each of the qualifying features, and,</b></li> <li>• <b>The distribution of the qualifying features within the site.</b></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

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%

## Annex 2: Rufforth with Knapton Neighbourhood Plan Planning Policies<sup>[d4]</sup>

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Source:

Rufforth with Knapton Neighbourhood Plan (Submission Version, February 2018)

**Policy No. RwK 01 - Draft Green Belt** - The Plan supports and re-affirms the continued designation of Green Belt land preventing coalescence with the main urban area of York and aims to preserve the character and setting of the three communities in the Parish. The Plan supports the designation of the Interim Draft Green Belt and the Interim village envelopes as detailed on Maps Fig (h) & Fig (i). No development outside the Village Envelopes will be supported other than that considered appropriate in the Green Belt as defined in the National Planning Policy Framework (NPPF).

The Plan's Interim Green Belt Policy aims to preserve the character and setting of the three communities in the Parish.

**Policy No. RwK 02 - Local Green Space** - Existing green spaces (as shown on Maps Fig b & c) and those identified below will be protected and where possible enhanced.

The following to be designated as green spaces under National Planning Policy Framework (NPPF 77) "where green areas are demonstrably special and hold local significance..." in Rufforth, the Burial Ground and Natural Burial Ground on Southfield Lane, and the playing fields. In Knapton, the recreational field.

Development proposals that would have an adverse effect on an identified Local Green Space will not be supported unless in very special circumstances in accordance with National and CYC planning policies.

**Policy No. RwK03 – Heritage** - Development proposals that would have significant adverse effects on any listed building, named significant Parish features or SLI's would not be supported

**Policy No. RwK 04 - Biodiversity** - Development proposals that conserve or enhance wildlife, wild flowers, hedgerows and trees will be encouraged.

**Policy No. RwK 05 - Footpaths and Cycle Ways** - The Parish Council will actively seek to work with City of York Council and other relevant agencies to encourage opportunities to secure improvements in the network of footpaths and cycle ways, including through developer contributions. The Plan supports the implementation of improvements in the network of footpaths and cycle ways as outlined in figures 4, 5 & 6.

Development proposals that result in the loss of, or have a significant adverse effect on, the network of footpaths and bridleways will not be supported.

All Public Rights of Way (footpaths, bridleways, cycle ways and byways) should be legally defined, kept free from obstruction and their character maintained. Where applicable these should provide a valuable link with surrounding countryside, especially by creating safe access to land beyond the B1237, York's outer ring road.

**Policy No. RwK 06 - Traffic Management** - The Parish Council will actively seek to work with the City of York Council and other authorities and stakeholders to bring forward traffic management measures to improve vehicular and pedestrian safety and movement, especially in Rufforth, including through the use of developer contributions.

Development proposals should be able to demonstrate that any traffic generation created by the proposal does not result in severe direct or cumulative impact on congestion, or road and pedestrian safety, specifically in the village of Rufforth.

**Policy No. RwK 07 - Public Transport** - The Parish Council will actively seek to work with the City of York Council and other authorities and stakeholders to maintain and, where possible, improve the availability of public transport services.

**Policy No. RwK 08 - Parking** - Development proposals that result in the loss of car parking provision in the villages of Rufforth and Knapton will not be supported unless:

- it can be demonstrated to the satisfaction of the Highway Authority in consultation with the Parish Council, that the loss of parking will not have a severe adverse impact on parking provision and road safety in the village
- adequate garaging or off-road parking is provided to obviate the need for further on road parking
- the Parish Council will work with the relevant authorities to take measures to prevent “part on pavement parking”

**Policy No. RwK 09 - Drainage** - The Parish Council will work with CYC and Yorkshire Water to ensure regular maintenance and repairs are undertaken over all parts of the drainage system.

New development should be designed to maximise retention of surface water on the development site and to minimise “runoff”. Sustainable Drainage Systems (SuDS) capable of handling a 1 in 100 year event with attenuation and storage should be incorporated. Where required, flood attenuation features should be used positively to enhance biodiversity and the public realm.

Landscaping should be designed to reduce surface water flooding and to enhance local biodiversity. Areas of hard standing such as driveways and parking areas should be minimised and porous materials used where possible.

**Policy No. RwK 10 - Design** - Development proposals must demonstrate high quality design, form and layout that respects the distinctive character of the Parish having regard to scale, density, massing height landscape, materials and access as appropriate.

Proposals should have regard to the design principles set out in the Rufforth Village Design Statement and Knapton Village Design Statement, and:

- should follow traditional design and the preferred building material should be a good quality, chosen to blend with the character of the neighbouring buildings
- extensions must be in keeping with the original building and building materials should complement the age of the building
- satellite dishes should be located discreetly
- the height of new development (including extensions) should be restricted to two storeys. This still permits loft extensions, providing they do not increase the height of the existing property
- the existing roofline should be respected
- sources of alternative energy, such as solar panels, should be sympathetically installed so as not to damage the architectural integrity of the locality

gardens and open spaces between buildings contribute to the rural charm of the villages and should be retained

**Policy No RwK 11 – Community Amenities** – Development proposals that would result in either the loss of, or have a significant adverse effect on, an identified community amenity will not be supported unless it can clearly be demonstrated that it's continued use is no longer viable, or it is no longer required by the community, or, an equivalent or better alternative provision in terms of quantity and quality and in an equally suitable location within the Parish, can be provided.

**Policy No. RwK 12 - Housing Mix** - Housing development proposals should provide a mix of housing types and sizes, specifically to meet an identified local need in the Parish. Priority should be given to smaller family homes suitable for families with young children and properties for older people who are downsizing.

**Policy No RwK 13 – Housing** – Three potential sites for housing development have been allocated.

RK H1 - Land at the end of Middlewood Close and behind the primary school in Rufforth for approximately 28 dwellings and with the provision of a rear pedestrian entrance to the school

RK H2 - Land at the end of Milestone Avenue for approximately 9 dwellings

RK H3 - Land at the junction of Back Lane and Main Street in Knapton for approximately 4 dwellings

**Policy RwK 14 – Re –Use of Buildings** - Outside defined settlement limits planning permission for the re-use of buildings within the Green Belt will be supported provide that it:

- The re-use doesn't have a materially greater impact than the present use on the openness of the Green Belt
- The buildings are of permanent and substantial construction and are capable of conversion without major or complete reconstruction
- The proposed re-use will generally take place within the fabric of the existing building and will not require extensive alteration, rebuilding or extension
- The form, bulk and general design of the buildings are in keeping with their surroundings and sympathetic to the character of the building
- Any residential buildings are not in close proximity to intensive livestock units or other uses which may result in a poor level of amenity for the occupier of the building
- There is already a clearly defined curtilage

**Policy No. RwK 15 - Infill** - Development proposals for small scale 'windfall', will be supported, provided it is within the Interim village envelopes as defined in the Plan and provided that it:

- meets the criteria as set out in the Housing Policy above
- reflects the size, character, appearance and level of service provision and infrastructure in the settlement in which it is to be located and the wider Parish
- is appropriate to the Green Belt status of the villages
- informal building lines will be maintained and new infill should not be so intensive as to change the open weave or character of the villages
- does not reduce garden/green space to an extent where it would significantly adversely affect the rural character of the villages, or the amenity of the proposed occupiers of the new development or adjacent properties/uses

**Policy No. RwK 16 - Small Scale Commercial Enterprises** – Agricultural development, change of use and conversion of existing buildings will be supported subject to the following criteria:

- The proposed use should provide opportunities that meet local employment needs and be of a scale and type commensurate with a rural environment.
- There is no significant increase in air or noise pollution.
- There is no significant adverse impact of traffic movement, with regard to HGVs, or on road or pedestrian safety.
- Conversions are within the dimensions of the existing building and of a style sympathetic to existing buildings and the surrounding countryside.
- There are no significant adverse impacts on drainage.

Generally, respects the character of its surroundings and Green Belt Location by way of its scale and design, is compatible with the surrounding landscape, and safeguards residential amenity and road safety.

**Policy No. RwK 17 – Operation of Harewood Whin** - All land surrounding the site is in the Green Belt as defined in the City of York Local Plan Publication Draft (February 2018) and this status is vital in protecting the character and setting of the village of Rufforth and therefore any future development must be within the current operational site footprint (see fig m)

- The Yorwaste Liaison Committee will ensure that Harewood Whin is operated to the standards set out in the RwKNP and in the Operating Agreement
- Any future proposed changes to the operation of the Harewood Whin site will be reviewed by the Yorwaste Liaison Committee.
- Site management should ensure that by a combination of physical means and work instructions HGVs travelling to and from the site must not do so via the village of Rufforth other than in exceptional circumstances as defined by Yorwaste and the Parish Council.
- Following reclamation of the landfill the Plan would support the installation of solar panels on a proportion of the site dependent on its exact location and economic circumstances.
- All land surrounding the site is in the Interim Draft Green Belt as defined in the Plan and this status is vital in protecting the character and setting of the village of Rufforth

n.b. Any reference to maps or figures (Fig) relate to those maps in the Neighbourhood Plan.

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## **Annex 3: Consultation Comments on draft HRA (May 2017)**

### **Natural England**

BY EMAIL ONLY

Dear Sir/ Madam

#### **Planning consultation: Rufforth with Knapton Neighbourhood Plan Consultation Location: Rufforth with Knapton**

Thank you for your consultation on the above which was received by Natural England on 07 July 2017

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.

#### **Strategic Environmental Assessment Screening**

Natural England notes and welcomes the inclusion of the Strategic Environment Assessment report. Where Neighbourhood Plans could have significant environmental effects, they may require a Strategic Environmental Assessment (SEA) under the Environment Assessment of Plans and Programmes Regulations 2004. Further guidance on deciding whether the proposals are likely to have significant environmental effects and the requirements for consulting Natural England on SEA are set out in the National Planning Practice Guidance at: <http://planningguidance.communities.gov.uk/blog/guidance/strategic-environmental-assessmentand-sustainability-appraisal/sustainability-appraisal-requirements-for-neighbourhood-plans>

#### **Habitats Regulations Assessment Screening**

The inclusion of the Habitats Regulations Assessment Screening Report is noted and welcomed; Natural England agrees with its conclusions. Where a neighbourhood plan could potentially affect a European protected site, it will be necessary to screen the plan in relation to the Conservation of Habitats and Species Regulations (2010), as amended (the 'Habitats Regulations'). One of the basic conditions that will be tested at Examination is whether the making of the plan is compatible with European obligations and this includes requirements relating to the Habitats Directive, which is transposed into the Habitats Regulations.

In accordance with Schedule 2 of The Neighbourhood Planning (General) Regulations 2012, a neighbourhood plan cannot be made if the likelihood of significant effects on any European Site, either alone (or in combination with other plans and projects) cannot be ruled out. Therefore, measures may need to be incorporated into the neighbourhood plan to ensure that any likely significant effects are avoided in order to secure compliance with the Regulations.



## Soil and Agricultural Land Quality

The Local Plan should give appropriate weight to the roles performed by the area's soils. These should be valued as a finite, multi-functional resource which underpins our well-being and prosperity.

Decisions about development should take full account of the impact on soils, their intrinsic character and the sustainability of the many ecosystem services they deliver, for example: 1. Soil is a finite resource that fulfils many important functions and services (ecosystem services) for society; for instance as a growing medium for food, timber and other crops, as a store for carbon and water, as a reservoir of biodiversity and as a buffer against pollution. It is therefore important that the soil resources are protected and used sustainably. The Natural Environment White Paper (NEWP) 'The Natural Choice: securing the value of nature' (Defra, June 2011), emphasises the importance of natural resource protection, including the conservation and sustainable management of soils, for example:

- A Vision for Nature: 'We must protect the essentials of life: our air, biodiversity, soils and water, so that they can continue to provide us with the services on which we rely' (paragraph 2.5). □ Safeguarding our Soils: 'Soil is essential for achieving a range of important ecosystem services and functions, including food production, carbon storage and climate regulation, water filtration, flood management and support for biodiversity and wildlife' (paragraph 2.60). 'Protect 'best and most versatile' agricultural land' (paragraph 2.35).
- The conservation and sustainable management of soils also is reflected in the National Planning Policy Framework (NPPF), particularly in paragraphs 109 and 112. When planning authorities are considering land use change, the permanency of the impact on soils is an important consideration. Particular care over planned changes to the most potentially productive soil is needed, for the ecosystem services it supports including its role in agriculture and food production. Plan policies should therefore take account of the impact on land and soil resources and the wide range of vital functions (ecosystem services) they provide in line with paragraph 17 of the NPPF, for example to:
- Safeguard the long term capability of best and most versatile agricultural land (Grades 1, 2 and 3a in the Agricultural Land Classification) as a resource for the future. Avoid development that would disturb or damage other soils of high environmental value (e.g. wetland and other specific soils contributing to ecological connectivity, carbon stores such as peatlands etc.) where development is proposed. Ensure soil resources are conserved and managed in a sustainable way.
- To assist in understanding agricultural land quality within the plan area and to safeguard 'best and most versatile' agricultural land in line with paragraph 112 of the National Planning Policy Framework, strategic scale Agricultural Land Classification (ALC) Maps are available. Natural England also has an archive of more detailed ALC surveys for selected locations. Both these types of data can be supplied digitally free of charge by contacting Natural England. Some of this data is also available on the [www.magic.gov.uk](http://www.magic.gov.uk) website. The planning authority should ensure that sufficient site specific ALC survey data is available to inform decision making. For example, where no reliable

information was available, it would be reasonable to expect that developers should commission a new ALC survey, for any sites they wished to put forward for consideration in the Local Plan

- General mapped information on soil types is available as 'Soilscapes' on the [www.magic.gov.uk](http://www.magic.gov.uk) and also from the LandIS website <http://www.landis.org.uk/index.cfm> which contains more information about obtaining soil data.
- Further guidance for protecting soils (irrespective of their ALC grading) both during and following development is available in Defra's Construction Code of Practice for the Sustainable Use of Soils on Construction Sites, to assist the construction sector in the better protection of the soil resources with which they work, and in doing so minimise the risk of environmental harm such as excessive run-off and flooding. The aim is to achieve positive outcomes such as cost savings, successful landscaping and enhanced amenity whilst maintaining a healthy natural environment, and we would advise that the Code be referred to where relevant in the development plan.

### **Other advice**

Natural England notes the inclusion of a number of key policies within the plan, including Green Infrastructure, Biodiversity, Green Belt, and Footpaths and Cycle ways. These policies can help enhance the natural environment and improve access and engagement, and are therefore strongly welcomed.

Further general advice on the consideration of Neighbourhood planning and the natural environment is provided at Annex A.

Should the proposal change, please consult us again.

If you have any queries relating to the advice in this letter please contact me on 02080 254530

We really value your feedback to help us improve the service we offer. We have attached a feedback form to this letter and welcome any comments you might have about our service.

Yours sincerely

Oliver Walton  
Yorkshire and Northern Lincolnshire Area Team