



Habitats Regulations Assessment of the North York Moors National Park Management Plan (May 2022)

April 2022

Fleming Ecology Limited

48 Larkspur Way, Wakefield, West Yorkshire WF2 0FD



Client Name: North York Moors National Park
Document Reference: NYM ManPlan v2.0
Issue date: April 2022

Issue	Date	Status/amendments	Prepared, checked and approved by
v1.0	26 January 2022	Consultation draft (for NE)	Bernie Fleming Director, Fleming Ecology
v2.0	25 April 2022	Final draft	Bernie Fleming Director, Fleming Ecology

Disclaimer

This report has been prepared by Fleming Ecology Limited, with all reasonable skill, care and diligence within the terms of the Contract with the client and taking account of the resources devoted to us by agreement with the client.

We disclaim any responsibility to the client and others in respect of any matters outside the scope of the above.

This report is confidential to the client and we accept no responsibility of whatsoever nature to third parties to whom this report, or any part thereof, is made known. Any such party relies on the report at its own risk.

Contents

SUMMARY

1. INTRODUCTION	2
2. THE NEED FOR ASSESSMENT AND IDENTIFYING EUROPEAN SITES AT RISK.....	9
3. SCREENING – PROCESS AND OUTCOMES.....	15

Figures

Figure 1 The four stage assessment of Local Plans under the Habitats Regulations	4
--	---

Tables

Table 1 European sites within the Plan area and AoS.....	9
Table 2 Potential mechanisms and the list of European sites potentially at risk.....	11
Table 3 European sites at risk and potential threats	14
Table 4 Screening categories.....	15
Table 5 Summary of screening exercise.....	17

Appendices

- A. Identification of European sites at risk
- B. European site characteristics
- C. Record of screening of proposed policies
- D. Consultation response from Natural England

SUMMARY

The North York Moors National Park Authority is preparing its new Management Plan. This will set the vision, outcomes and objectives across the National Park for the next 20 years.

The Conservation of Habitats and Species Regulations 2017 (as amended) require local authorities to assess the impact of their development plans on the internationally important sites for biodiversity in and around their administrative areas. Together, these Special Protection Areas, Special Areas of Conservation and Ramsar sites are known as 'European sites'. The task is achieved by means of a Habitats Regulations Assessment. This report is the Habitats Regulations Assessment for the Management Plan. It follows the principles of case law, both UK and EU, takes account of Government guidance and policy, and draws heavily on guidance contained within the Habitats Regulations Assessment Handbook.

A Habitats Regulations Assessment comprises a series of mandatory tests. Firstly, it "*screens*" the plan to identify which policies or objectives may have a *likely significant effect, alone or (if necessary) in combination* with other plans and projects, on the European sites. If likely significant effects can be ruled out, then the plan may be adopted but if they cannot, the plan must be subjected to the greater scrutiny of an '*appropriate assessment*' to determine if the Plan can avoid *an adverse effect on the integrity* of the European sites. If *adverse effects* cannot be ruled out, the plan cannot be adopted. If necessary, a plan should be amended to avoid or mitigate any likely conflicts. This usually means that some outcomes or objectives will need to be modified.

The Vision, six 'Outcomes' and 24 'Objectives' presented in the Management Plan were screened; the results can be found in Appendix C and are summarised in Table 5. Overall, this HRA found that likely significant effects could be ruled out for all (alone). There was no need for an in-combination assessment. Indeed, there was no need for any further assessment under the Habitats Regulations.

Although this HRA has been prepared to help the National Park Authority to discharge its duties under the Habitats Regulations, it remains the competent authority and must decide whether to adopt this report or otherwise.

1. INTRODUCTION

Background

- 1.1. The North York Moors National Park Authority (the *Authority*) is preparing its latest Management Plan (the *Plan*). The Authority regards this as the most important document it has produced. Reviewed every five years, the Plan will set the vision, outcomes and objectives across the near 1,500km² of the National Park, for it and its partners to deliver. It sits alongside a range of other documents including the Local Plan which was adopted in 2020.
- 1.2. The Conservation of Habitats and Species Regulations 2017 (as amended) (or *the Habitats Regulations*) require *competent authorities* (in this case the Authority) to assess the impact of plans or projects on the network of internationally important protected areas comprising Special Protection Areas (SPAs), Special Areas of Conservation (SACs) and Ramsar sites (or *European sites*). This requirement is delivered via a Habitats Regulations Assessment (HRA) which comprises a series of mandatory tests.
- 1.3. This report is the HRA for the Plan. It follows the principles of case law, both UK and EU, takes account of Government policy and draws heavily on guidance contained within the Habitats Regulations Assessment Handbook¹ (the *Handbook*) utilising charts, pro-forma, definitions and interpretation throughout. The Handbook draws on best practice and case law at home and across the EU to identify over 180 principles to inform the production of HRAs.
- 1.4. Government guidance² allows competent authorities to rely on the conclusions of other, relevant HRAs where there has been no material change in circumstances³. Consequently, but only where relevant, this report draws on the findings of previous HRAs including that prepared for the assessment of the Local Plan.

European sites, and the HRA of Plans and Projects

- 1.5. The network of European sites forms the cornerstone of UK nature conservation policy. Each site forms part of a '*national network*' and each is afforded the highest levels of protection in domestic policy and law. They comprise SPAs classified under the 1979 Birds Directive and SACs designated under the 1992 Habitats Directive. As a matter of policy, potential SPAs (pSPAs), possible SACs (pSACs) and those providing formal compensation for losses to European sites, are also given the same protection⁴. In England, the network of SPAs and SACs^{5,6} extends over 8% of the land area, and contributes to the safeguard of the most

¹ Tyldesley, D., and Chapman, C., (2013) The Habitats Regulations Assessment Handbook, April 2021 edition UK: DTA Publications Ltd

² Habitats regulations assessments: protecting a European site. Defra and Natural England. 24 February 2021. <https://www.gov.uk/guidance/habitats-regulations-assessments-protecting-a-european-site> (accessed 15 January 2022)

³ The suitability of earlier, or higher level assessments is subject to the decision of the CJEU in *Cooperatie Mobilisatie for the Environment UA v College van Gedeputeerde (C-293/17)* [2019] Env. L.R. 27 ("Dutch Nitrogen").

⁴ For the avoidance of doubt, the list of statutory European sites also comprises: A site submitted by the UK to the European Commission (EC) before Exit Day (a candidate SAC or cSAC) as eligible for selection as a Site of Community Importance (SCI) but not yet entered on the ECs list of SCI, until such time as the Appropriate Authority has designated the site or it has notified the statutory nature conservation body that it does not intend to designate the site. After Exit Day, no further cSACs will be submitted to the EU. Statutory European sites also include SCI included on a list of such sites by the European Commission from cSACs submitted by the UK before the UK left the EU, until such time as the UK designates the site when it will become a fully designated SAC.

⁵ <https://jncc.gov.uk/our-work/special-protection-areas-overview/> (accessed 15 January 2022)

⁶ <https://sac.jncc.gov.uk/site/england> (accessed 15 January 2022)

valuable and threatened habitats and species across Europe. Locally, components include but are not limited to the North York Moors SPA and SAC, Arncliffe and Park Hole Woods SAC, Fen Bog SAC, Teesmouth and Cleveland Coast SPA/Ramsar and the River Derwent SAC. Further afield, it also incorporates well known sites such as the Craven Limestone Complex SAC (the Yorkshire Dales) and the North Pennine Moors SAC.

- 1.6. Prior to Brexit, these comprised part of the EU-wide Natura 2000 network of SPAs and SACs which formed the largest, coordinated network of protected areas in the world. Despite the UK's departure from the EU, the SPA and SAC designations made under the European Directives still apply and the term, '*European site*' remains in use in law and elsewhere. Similarly, at present, EU case law still applies. According to long-established Government policy⁷, European sites also comprise '*Wetlands of International Importance*' (or Ramsar sites listed under the Ramsar Convention) although these do not form part of the national network.
- 1.7. The overarching objective of the national network is to maintain, or where appropriate, restore habitats and species listed in Annexes I and II of the Habitats Directive to a Favourable Conservation Status, and contribute to ensuring, in their area of distribution, the survival and reproduction of wild birds and compliance with the overarching aims of the Wild Birds Directive. The appropriate authorities must have regard to the importance of protected sites, coherence of the national site network and threats of degradation or destruction (including deterioration and disturbance of protected features) on SPAs and SACs.
- 1.8. The Habitats Regulations apply a series of mandatory tests for the HRA of plans and projects which are set out in Regulation 63 *et seq* (although local development plans are assessed under Regulation 105 *et seq*). The tests have been interpreted by European and domestic case law, supported by Government policy and guidance including the National Planning Policy Framework⁸ (paragraphs 179-182), Planning Practice Guidance⁹ and Defra Guidance¹⁰.
- 1.9. In brief, the HRA process requires the competent authority (ie the Authority) to first assess the plan or project to identify whether it is '*... likely to have a significant effect on a European Site ... either alone or in-combination with other plans or projects*'. If likely significant effects can be ruled out, the plan may be adopted or the project consented without further scrutiny. Importantly, an in-combination assessment is only required where an impact is identified which would not have an insignificant effect on its own ('*a residual effect*') but where likely significant effects could arise cumulatively with other plans or projects. Together this step is often referred to as '*Screening*'.
- 1.10. If likely significant effects cannot be ruled out, a more thorough *appropriate assessment* must be carried out to assess whether it is possible to ascertain that the Plan will have '*no adverse effect on the integrity of the site*' (AEOI). At this stage, mitigation can be applied to remove adverse effects. If mitigation is unable to rule out adverse effects, then a plan or project cannot normally be adopted or consented. If this is the case, derogations may be sought but only as a last resort and few plans or projects would be expected to pass these additional tests.
- 1.11. This approach is laid out in Fig 1 where each of the component steps are given expression.

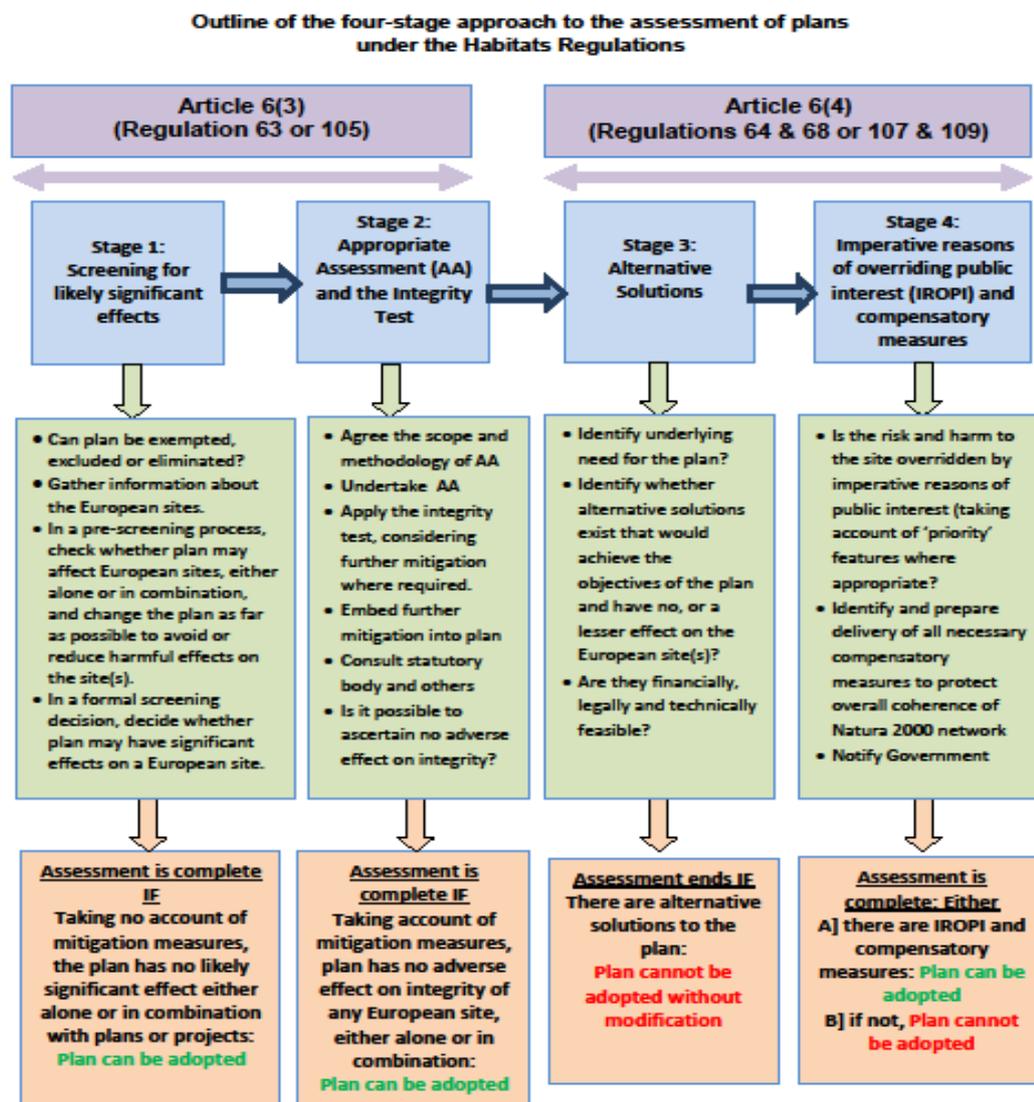
⁷ ODPM Circular 06/2005: Biodiversity and Geological Conservation – Statutory Obligations and their Impact within the Planning System (16 August 2005), to be read in conjunction with the current NPPF, other Government guidance and the current version of the Habitats Regulations.

⁸ National Planning Policy Framework: <https://www.gov.uk/government/publications/national-planning-policy-framework--2> (accessed 15 January 2022)

⁹ Planning Practice Guidance <https://www.gov.uk/guidance/appropriate-assessment> (accessed 15 January 2022)

¹⁰ <https://www.gov.uk/guidance/habitats-regulations-assessments-protecting-a-european-site#appropriate-assessment> (accessed 15 January 2022)

Figure 1 The four stage assessment of Local Plans under the Habitats Regulations



Extract from *The Habitats Regulations Assessment Handbook*, www.dtapublications.co.uk
 © DTA Publications Limited (October 2018) all rights reserved
 This work is registered with the UK Copyright Service

Definitions and Case Law

Context

- 1.12. The assessment of plans and projects is defined by Regulation 63 and the assessment of local development plans in Regulation 105. Because this is a management plan and not a development plan, it is assessed under Regulation 63 *et seq.*

Stage One - Screening

- 1.13. Regulation 63(1) states:

'A competent authority, before deciding to undertake, or give any consent, permission or other authorisation for, a plan or project which (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, must make an appropriate assessment of the implications of the plan or project for that site in view of that site's conservation objectives'.

- 1.14. Taking (b) first, this allows plans or projects to be excluded from the need for HRA, where the sole focus is the management for the benefit of the one or more of the qualifying features of the designated sites without detriment to the others. However, this rarely applies. Where it does not, an HRA is required.

- 1.15. A likely significant effect is described in Waddenzee as follows: *'likely'* is a *'risk'*, *'the occurrence of which cannot be excluded on the basis of objective information'* and *'significant'* as *'any effect that would undermine the conservation objectives'* of a European site¹¹. It can be seen that where there is any *'doubt'* as to an effect, an appropriate assessment is required.

- 1.16. In other words, this means the initial screening phase should not be exhaustive, a point candidly described by Advocate General Sharpston in paragraphs 49 of the Sweetman case¹² when describing the levels of scrutiny to be applied to each test as follows:

'The threshold at the first stage [the test for LSE] ... is thus a very low one. It operates merely as a trigger, in order to determine whether an appropriate assessment must be undertaken ... The threshold at (the second) [the appropriate assessment] stage is noticeably higher than that laid down at the first stage. That is because the question (to use more simple terminology) is not 'should we bother to check?' (the question at the first stage) but rather 'what will happen to the site if this plan or project goes ahead ...'.

- 1.17. This was amplified in the Bagmoor Wind case¹³ as follows:

'If the absence of risk ... can only be demonstrated after a detailed investigation, or expert opinion, that is an indicator that a risk exists, and the authority must move from preliminary examination to appropriate assessment'.

¹¹ Waddenzee: European Courts C-127/02 Waddenzee 7th September 2004, reference for a preliminary ruling from the Raad van State at paras 44, 47 and 48.

¹² C-258/11 Sweetman reference for a preliminary ruling from the Supreme Court of Ireland. Opinion of the Advocate General 22 November 2012

¹³ Bagmoor Wind Limited v The Scottish Ministers Court of Sessions [2012] CSIH 93

- 1.18. However, the Boggis case¹⁴ clarifies there should be “*credible evidence that there was a real, rather than a hypothetical, risk*” that the conservation objectives of a European site could be undermined so requiring only the assessment of plausible effects and not the extremely unlikely.

Stage Two – Appropriate Assessment and the Integrity Test

- 1.19. Fundamentally, the HRA process employs the precautionary principle and Regulation 63 ensures that where a plan is ‘*likely to have a significant effect*’, it can only be adopted if *the competent authority can ascertain (following an appropriate assessment) that it ‘will not adversely affect the integrity of the European site’*. In simpler terms, it is not for the competent authority to prove harm but for the plan or project proposer to demonstrate that adverse effects have been avoided.

- 1.20. The *integrity* of a European site was described by Government¹⁵ as:

‘the coherence of its ecological structure and function, across its whole area, that enables it to sustain the habitat, complex of habitats and/or the levels of populations of the species for which it was designated’.

- 1.21. Elsewhere, the Court of Justice of the European Union (CJEU) (Sweetman)¹⁶ defined integrity as:

‘the lasting preservation of the constitutive characteristics of the site ... whose preservation was the objective justifying the designation of that site’.

- 1.22. Drawing on this, the European Commission¹⁷ defined it more recently as follows:

‘The integrity of the site involves its constitutive characteristics and ecological functions. The decision as to whether it is adversely affected should focus on and be limited to the habitats and species for which the site has been designated and the site’s conservation objectives’.

- 1.23. Whilst the Supreme Court (Champion)¹⁸ has found “*appropriate*” is not a technical term and indicates no more than that the assessment should be appropriate to the task in hand, it can be seen that when compared with the test at the screening stage for likely significant effect, the ‘*appropriate assessment*’ is more thorough.

Stages Three and Four – The Derogations

- 1.24. If an adverse effect on the integrity of the site can be avoided, the plan or project can be adopted (Fig 1). If not, derogations would have to be sought to allow the plan to continue; these are regarded as a last resort and considered only in exceptional circumstances. For these to be successful it must be shown that there are no less damaging *alternative solutions*. If there are none, *imperative reasons of overriding public interest* must apply. If they do, compensatory measures must be delivered. These stages are summarised in Stages 3 & 4 of Fig 1.

¹⁴ Peter Charles Boggis and Easton Bavants Conservation v Natural England and Waveney District Council, High Court of Justice Court of Appeal case C1/2009/0041/QBACF Citation No [2009] EWCA Civ. 1061 20th October 2009

¹⁵ Habitats regulations assessments: protecting a European site. Defra and Natural England. 24 February 2021. <https://www.gov.uk/guidance/habitats-regulations-assessments-protecting-a-european-site> (accessed 15 October 2021)

¹⁶ Sweetman EU:C:2013:220 para 39

¹⁷ Managing Natura 2000 sites: The provisions of Article 6 of the Habitats Directive 92/43/EEC”, European Union. 2019.

¹⁸ R (on the application of Champion) v. North Norfolk District Council [2015] UKSC 52.

Overall approach

- 1.25. Of relevance to this HRA but drawn from case law addressing local development plans¹⁹ it is recognised by the courts that any assessment has to reflect the actual stage in the strategic planning process and the level of evidence that might or might not be available. This was given expression in the UK High Court (Feeney²⁰) which stated:

'Each ... assessment ... cannot do more than the level of detail of the strategy at that stage permits'.

- 1.26. This is where a way has to be found that whilst mindful of the need for the precautionary principle to be applied, the HRA must strive to identify only those plausible effects and not the extremely unlikely.
- 1.27. Because this is a strategic management plan, the '*objective information*'²¹ required by the HRA is typically only available at a strategic or high level, without the detail that might be expected to accompany a planning application, for instance. Consequently, the HRA is only able to assess the broad outcomes and objectives. It is anticipated that the detail of how each will be achieved in practice will be provided by a series of other, more thorough proposals which will, where necessary, be subjected to more detailed HRA.

Mitigation and recent case law

- 1.28. The *People Over Wind*²² in April 2018 the CJEU set out clear guidance as to the role of mitigation measures in an HRA. In taking a different approach from previous decisions in the UK courts, it held that measures embedded within a plan or project specifically to avoid or reduce the magnitude of likely significant effects should not be taken into account at the screening stage but reserved for the appropriate assessment. This HRA therefore restricts consideration of mitigation measures to the appropriate assessment.
- 1.29. The Court also considered the approach to mitigation at the appropriate assessment stage in *Grace & Sweetman*²³. Here, it held that it is only when it is sufficiently certain that a measure will make an effective contribution to avoiding harm, guaranteeing beyond all reasonable doubt that the project will not adversely affect the integrity of the area, that such a measure may be taken into consideration".
- 1.30. In the *Dutch nitrogen case*²⁴, the CJEU confirmed that an appropriate assessment is not to take into account the future benefits of mitigation measures if those benefits are uncertain, including where the procedures needed to accomplish them have not yet been carried out or because the level of scientific knowledge does not allow them to be identified or quantified with certainty. It is recognised that the ruling also covered the approach to "autonomous" measures which are not mitigation measures adopted as part of the plan in question, but measures which are taken

¹⁹ Opinion of advocate general Kokott, 9th June 2005, Case C-6/04. Commission of the European Communities v United Kingdom of Great Britain and Northern Ireland

²⁰ Sean Feeney v Oxford City Council and the Secretary of State CLG para 92 of the judgment dated 24 October 2011 Case No CO/3797/2011, Neutral Citation [2011] EWHC 2699 Admin

²¹ European Court of Justice Case C – 127/02 *Waddenzee* 7 September 2004

²² *People Over Wind and Sweetman v Coillte Teoranta* (C 323/17) [2018] PTSR 1668

²³ *Grace & Sweetman v An Bord Pleanala* (C-164/17) [2019] PTSR 266 at paragraphs 51-53 and 57.

²⁴ *Coöperatie Mobilisation for the Environment and Vereniging Leefmilieu* (C 293/17, C 294/17) [2019] Env. L.R. 27 at paragraph 30

outside that plan (in that case to reduce nitrogen deposition). The CJEU held that the effect of those measures could not be taken into account either if their expected benefits are not certain at the time of that assessment²⁵.

Brexit

- 1.31. The requirement for the HRA derives from the EU Habitats Directive and, notwithstanding the UK's withdrawal from the EU, UK law and policy remains currently largely unchanged, and the Conservation of Habitats and Species Regulations 2017 remain in force²⁶, other than to accommodate amendments made by the Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019.

Role of the competent authority

- 1.32. Lastly, although this HRA has been prepared to help the Authority discharge its duties under the Habitats Regulations, it remains the competent authority and it must decide whether to adopt this report or otherwise. As indicated above, it should be noted that this HRA has been prepared for the purposes of preparing the Management Plan. Individual elements of the Plan will need to be reviewed when they are formally proposed, to ensure that if further assessment under the Conservation of Habitats and Species Regulations 2017 as amended is necessary²⁷, it is undertaken in accordance with the requirements of appropriate assessment.

²⁵ See too the Compton Parish Council case, referred to above, at paragraph 207.

²⁶ See the EU (Withdrawal Agreement) Act 2020 Sch. 5(1) para. 1(1) and section 39(1). The amending regulations come into force at the end of the implementation period they generally seek to retain the requirements of the 2017 Regulations but with adjustments for the UK's exit from the EU, for example by amending references to the Natura 2000 network so that they are construed as references to the national site network: see regulation 4, which also confirms that the interpretation of these Regulations as they had effect, or any guidance as it applied, before exit day, shall continue to do so.

²⁷ See *Dutch Nitrogen*, above, at paragraphs 100-104 and 120.

2. THE NEED FOR ASSESSMENT AND IDENTIFYING EUROPEAN SITES AT RISK

Exclusion, Elimination and Exemption from the need for Assessment

- 2.1. As part of the pre-screening exercise, prior to the identification of vulnerable European sites, Stage 1 of Fig.1 (elaborated in E3.2 – E3.4 of the Handbook) encourages a brief review of the plan to explore if it can be:
- Excluded from the HRA because 'it is not a plan within the meaning and scope of the Habitats Directive', or
 - Eliminated from the HRA because it can easily be shown that although 'it is a plan ... it could not have any conceivable effect on any European site', or
 - Exempted from the HRA because it is '... directly connected with or necessary to the management of the ... European site' (ie the first formal stage of the HRA - Fig 1).
- 2.2. Taking these in turn, it is clear the Management Plan represents a project within the meaning and scope of the Habitats Directive with the potential to harm European sites and so can neither be excluded nor eliminated from the HRA. Likewise, the sole purpose of the Plan is not the nature conservation management of any European sites and so it cannot be made exempt from further assessment. Consequently, the next steps in Stage 1 of Fig 1 need to be pursued by identifying which European sites and which features may be vulnerable as follows.

European sites at risk

- 2.3. This HRA has adopted a precautionary 10km radius from the boundary of the National Park to search for European sites at risk. Based on experience elsewhere, this is to be the maximum extent that a project of this type and scale could reasonably be expected to generate measurable effects. Using data from MAGIC²⁸, sites within this Area of Search (AoS) are listed in Table 1.

Table 1 European sites within the Plan area and AoS

European site (within the National Park)	European site (outside the National Park)
North York Moors SPA/SAC	Flamborough and Filey Coast SPA
Arncliffe and Park Hole Woods SAC	Lower Derwent Valley SPA/SAC/Ramsar
Beast Cliff Whitby (Robin Hood's Bay) SAC	River Derwent SAC
Ellers Wood and Sand Dale SAC	Teesmouth and Cleveland Coast SPA/Ramsar
Fen Bog SAC	

- 2.4. To encourage a consistent, reliable and repeatable process, the Handbook identifies 22 generic criteria, listed in full in Appendix A that when evaluated generate a precautionary, 'long' list of European sites that could be affected by the Plan²⁹. However, when considered further, using readily available information and local knowledge the list of plausible threats can be refined, and the list of potentially affected sites reduced. Albeit a coarse filter, this takes account of the Boggis judgement by focusing scrutiny only on realistic and credible threats whilst avoiding the hypothetical or exceedingly unlikely. If Column 5 remains empty of European sites, then no European sites will be at risk and no further scrutiny will be required.

²⁸ Multi Agency Geographic Information for the Countryside <https://magic.defra.gov.uk> (accessed 15 January 2022)
²⁹ This table is taken from the Handbook albeit with changes to the number and titles of Columns appropriate to this HRA.

- 2.5. It is important to note that although the outcomes of this site identification task will reflect the type and location of activities proposed within the plan and/or the ecological characteristics of the European sites, it does not represent the test for likely significant effect (see section 3).
- 2.6. The exercise identified that only four of the 22 criteria, 'aquatic features' (2), 'mobile species' (5a), recreational pressure (6a) and 'changes to existing activities' (10) represented potential threats to European sites in the area. For reasons of brevity, only relevant extracts from Appendix A are presented in Table 2 below. None of the remaining 18 criteria were triggered and are removed from any further scrutiny as are all other European sites.

Table 2 Potential mechanisms and the list of European sites potentially at risk

Types of plan (or potential effects)	Sites to scan for and check	Initial list of potentially affected European sites	Additional context	European sites selected
<p>2. Plans that could affect aquatic features</p>	<p>(a) Sites upstream or downstream of the plan area in the case of river or estuary sites</p>	<p>Lower Derwent Valley SPA/SAC/Ramsar River Derwent SAC</p>	<p>Effects considered are those associated with the physical presence of built development and the <i>localised</i> effects on surface/groundwater resources and quality, resulting from changes in run-off, sedimentation, erosion etc.</p> <p>The upper reaches of the River Derwent (and the SAC) lies within the AoS and the river arises within the National Park. Consequently, it could be vulnerable to activities (eg land use changes) proposed in the Plan. Therefore, it is retained for further consideration.</p> <p>The river also provides a direct hydraulic link with the Lower Derwent Valley SPA/SAC/Ramsar which lies 30km downstream as the crow flies. However, given the distances involved, the risk of harmful effects is considered remote and so it can be ruled out of the need for further consideration.</p> <p>The Derwent also provides a direct link with the Humber Estuary European site and the North Sea though given the distance to the former, over 50km as the crow flies, the risk of harmful effects is considered remote, and it can be ruled out of any further consideration.</p> <p>More strategic aspects of the possible impacts on aquatic sites is assessed again in terms of the disposal of wastewater (see 7b)</p>	<p>River Derwent SAC</p>

Types of plan (or potential effects)	Sites to scan for and check	Initial list of potentially affected European sites	Additional context	European sites selected
<p>5. Plans that could affect mobile species</p>	<p>Sites whose qualifying features include mobile species which may be affected by the plan irrespective of the location of the plan's proposals or whether the species would be in or out of the site when they might be affected</p>	<p>North York Moors SPA</p>	<p>This considers <i>direct</i> impacts of the Development on mobile species within or outside the designated sites. Mobile species are those considered to spend part of their life-cycle on land, in water or air beyond the European site boundary. Typically, it focuses on potential impacts on <i>functionally-linked</i> land and water utilised by the birds, mammals, invertebrates and migratory fish associated with the European sites listed.</p> <p>A qualifying feature of the North York Moors SPA is the internationally important population of golden plover. Whilst these breed within the SPA, they typically leave the moorland to feed on surrounding pasture outside the SPA boundary on a daily basis.</p> <p>Various proposals are set out in the Plan which could affect this feature and so harmful effects cannot be ruled out and this is retained for further consideration.</p> <p>In contrast, the risk of harmful effects arising on the mobile species of the Tees and Flamborough/Filey European sites from activities in the Plan is considered remote given the distances from the Plan area.</p> <p>This is consistent with the outcome of criteria (3) & (4) above.</p> <p>Note that <i>indirect</i> effects on mobile species on functionally-linked land or water beyond the development site, is considered under other criteria below, such as '(6) recreational pressure', and (14) 'disturbance'</p>	<p>North York Moors SPA</p>

Types of plan (or potential effects)	Sites to scan for and check	Initial list of potentially affected European sites	Additional context	European sites selected
6. Plans that could increase recreational pressure on European sites potentially vulnerable or sensitive to such pressure	(a) Such European sites in the plan area	<p>Arncliffe & Park Hole Woods SAC</p> <p>Beast Cliff – Whitby (Robin Hood’s Bay) SAC</p> <p>Ellers Wood and Sand Dale SAC</p> <p>Fen Bog SAC</p> <p>North York Moors SPA/SAC</p>	<p>All listed European sites fall within the Management Plan area and so all are potentially vulnerable to development or activities proposed within the Plan which include aspirations to increase its status as a recreational destination.</p> <p>Therefore, harmful effects cannot be ruled out and all European sites listed are retained for further consideration</p>	<p>Arncliffe & Park Hole Woods SAC</p> <p>Beast Cliff – Whitby (Robin Hood’s Bay) SAC</p> <p>Ellers Wood and Sand Dale SAC</p> <p>Fen Bog SAC</p> <p>North York Moors SPA/SAC</p>
10. Plans that could change the nature, area, extent, intensity, density, timing or scale of existing activities or uses	Sites considered to have qualifying features potentially vulnerable or sensitive to the effects of the changes to existing activities proposed by the plan	<p>Arncliffe & Park Hole Woods SAC</p> <p>Beast Cliff – Whitby (Robin Hood’s Bay) SAC</p> <p>Ellers Wood and Sand Dale SAC</p> <p>Flamborough and Filey Coast SPA</p> <p>Fen Bog SAC</p> <p>Lower Derwent Valley SPA/SAC/ Ramsar</p> <p>North York Moors SPA/SAC</p> <p>River Derwent SAC</p> <p>Teesmouth and Cleveland Coast SPA/Ramsar</p>	<p>All European sites listed represent popular destinations with public access and all support features which are potentially vulnerable to existing levels of recreational pressure. However, it is considered this issue is adequately captured by (5) and (6) above, and so it is not included under this criterion.</p> <p>The Plan aspires to influence land use management across the terrestrial aspects of the National Park (eg woodland creation or blanket bog management amongst others). These measures have the potential to affect all European sites within the Plan area. Therefore, all are retained for further consideration.</p> <p>However, the Plan has no ability to influence land management within the AoS and so all sites beyond the Park boundary are excluded except for the River Derwent. Given the findings of Criteria (2) this arises in the National Park and is therefore considered to remain vulnerable.</p>	<p>Arncliffe & Park Hole Woods SAC</p> <p>Beast Cliff – Whitby (Robin Hood’s Bay) SAC</p> <p>Ellers Wood and Sand Dale SAC</p> <p>Fen Bog SAC</p> <p>North York Moors SPA/SAC</p> <p>River Derwent SA</p>

Extract from *The Habitats Regulations Assessment Handbook*, www.dtapublications.co.uk
 © DTA Publications Limited (November) 2019 all rights reserved
 This work is registered with the UK Copyright Service

- 2.7. The outputs of the review carried out in Appendix A and summarised in Table 2 rule out the possibility of any credible effects from any aspect of the Plan on the Lower Derwent Valley, Flamborough and Filey Coast SPA or Teesmouth and Cleveland Coast SPA/Ramsar. These sites will therefore be ruled out of any further scrutiny in this HRA.

Table 3 European sites at risk and potential threats

European sites	Potential threats
River Derwent SAC	(2a) Aquatic features
North York Moors SPA	(5) Mobile species
Arncliffe & Park Hole Woods SAC Beast Cliff – Whitby (Robin Hood’s Bay) SAC Ellers Wood and Sand Dale SAC Fen Bog SAC	(6a) Recreational pressure
North York Moors SPA/SAC	
Arncliffe & Park Hole Woods SAC Beast Cliff – Whitby (Robin Hood’s Bay) SAC Ellers Wood and Sand Dale SAC Fen Bog SAC North York Moors SPA/SAC River Derwent SAC	(10) Changes to existing land management activities

- 2.10. The net result, and benefit to the HRA, is that the list of issues and sites potentially affected is reduced, making for a shorter and more focused HRA than would otherwise be the case.
- 2.11. However, as impacts on the several European sites cannot be ruled out, further ecological information needs to be gathered to inform subsequent tests in the HRA. Drawing on the citation, conservation objectives, supplementary advice and site improvement plans, the characteristics of these are described in Appendix B and are accompanied by observations on their sensitivity to external factors - the latter informed by Tables 2 and 3. Conservation objectives, qualifying features and threats and pressures are provided in full. Given that the HRA assesses impacts on the conservation objectives of these European sites, this information identifies the key issues for the formal screening exercise which is presented in the next section. Reference to Appendix B is encouraged for a full understanding of the constitutive characteristics and their vulnerabilities.

3. SCREENING – PROCESS AND OUTCOMES

Methodology

- 3.1. Section 2 confirmed that the Management Plan could not be excluded, eliminated or exempted from the need for HRA and clarified which European sites and which features might be vulnerable. The next step represents the screening exercise which explores if proposals in the Plan may represent credible risks that may undermine the conservation objectives of the European sites identified. It achieves this by evaluating the outcomes and objectives to identify if they should be:
- **Screened out from further scrutiny** (because the individual outcomes or objectives are considered not 'likely to have a significant effect on a European site, either alone or in combination with other plans and projects'), or
 - **Screened in for further scrutiny**, ie via an appropriate assessment (because the individual outcomes or objectives are considered 'likely to have a significant effect on a European site, either alone or in combination with other plans and projects').
- 3.2. To achieve this, the Vision, six Outcomes and 22 Objectives contained within the Plan were scrutinised in terms of the key issues from Table 3 (based on an approach drawn from section F6.3 of the Handbook³⁰) and allocated to one (or more) broad, 'pre-screening categories' (summarised in Table 5 below).

Table 4 Screening categories

Code	Category	Outcome
A	General statement of policy/general aspiration	Screened out
B	Policy listing general criteria for testing the acceptability/sustainability of the plan	Screened out
C	Proposal referred to but not proposed by the plan	Screened out
D	General plan-wide environmental protection/site safeguarding/threshold policies	Screened out
E	Policies or proposals which steer change in such a way as to protect European sites from adverse effects	Screened out
F	Policy that cannot lead to development or other change	Screened out
G	Policy or proposal that could not have any conceivable effect on a site	Screened out
H	Policy or proposal the (actual or theoretical) effects of which cannot undermine the conservation objectives (either alone or in-combination with other aspects of this or other plans or projects)	Screened out
I	Policy or proposal which may have a likely significant effect on a site alone	Screened in
J	Policy or proposal with an effect on a site but unlikely to be significant alone, so need to check for likely significant effects in-combination	Check
K	Policy or proposal unlikely to have a significant effect either alone or in-combination (screened out after the in-combination test)	Check

³⁰ It should be noted that the Handbook utilises these criteria as part of an informal 'pre-screening' exercise prior to formal screening. However, as the Regulations make no mention of such a process, the criteria are applied to the full screening exercise in this HRA.

Code	Category	Outcome
L	Policy or proposal which might be likely to have a significant effect in-combination (screened in after the in-combination test)	Check
M	Bespoke area, site or case-specific policies intended to avoid or reduce harmful effects on a European site. Excluded from formal screening but re-considered in appropriate assessment	Screened out

Extract from *The Habitats Regulations Assessment Handbook*, www.dtapublications.co.uk

- 3.3. This process provides a bespoke, precautionary and preliminary analysis for every proposal in the Plan and identifies which proposals could pose a credible threat to the European site. This initial but lengthy exercise is provided in full Appendix C. Those outcomes or objectives which are considered to represent a threat to the vulnerable qualifying features of the European sites are listed in Table 3 which provides an effective summary of the issues at stake.

Context

- 3.4. In populating Appendix C, the screening exercise took account of the fact that the Management Plan is considered to be a high-level or strategic document that is designed to set out the aspirations of the National Park Authority and its partners. Accordingly, other than indicative timetables, it largely avoids definitive targets especially where the measures proposed will take place.
- 3.5. Instead, it focuses on the ambitions of the Authority to, amongst others, address the negative impacts of climate change, maintain and restore the characteristic biodiversity and landscapes, enhance the experience of wilderness and solitude, promote social cohesion and sustainable communities. In doing so, though, no new residential, employment or tourism development was proposed that was not included in the recent Local Plan for the National Park which was adopted in 2020. This too was subjected to HRA and found not to lead to any likely significant effects.
- 3.6. These general statements of policy which set out strategic aspirations cannot have any effect on a European site because they do no more than express a general ambition.
- 3.7. That said, measures to promote positive biodiversity outcomes are given a degree of expression in the Plan via (its) Figure 1 which maps where various initiatives could take place. Although lacking detail it is clear that such measures could take place across all the European sites within the National Park. However, given statutory duties on the Authority to take full account of European site interests, it is considered highly unlikely that such measures would conflict with the conservation objectives of these sites. However, proposals to create 2,500ha of new woodland and promote 'greater diversity' which could conform to existing objectives also bring with them the potential to promote conflicts.
- 3.8. Despite this uncertainty, the screening exercise was able to conclude that there was no credible risk that the conservation objectives could be undermined, ie that likely significant effects would not arise. This is because the objectives are put forward at the broad landscape level and given their aspirational nature, it is considered implausible that any Outcomes or Objectives could lead to harm being caused. Further confidence in this conclusion can be gained from the fact that the aim of the Plan is to influence the direction of

future projects where the detail will be provided, eg any future Local Nature Recovery Strategy. The Plan is clear that each will be the subject of discussions with Natural England and others.

- 3.9. Furthermore, such projects, if taking place on or near to the suite of designated sites and not designed solely for the benefit of the qualifying features, will need to be subjected to assessment under the Habitats Regulations.
- 3.10. The Handbook makes clear that where aspirational plans are put forward as part of a hierarchy of plans or projects, that real scrutiny should take place at the lower level where the detail is provided. This takes account of Feeney, for instance, where it is made clear HRAs can only take account of the level of detail provided.
- 3.11. Consequently, likely significant effects were ruled out for all aspects of the Management plan. Because of the lack of detail, each was considered to apply 'alone'. Accordingly, there was no need for an assessment in combination with other plans or projects.
- 3.12. The results of the screening exercise are set out in full in Appendix C and summarised below in Table 5.
- 3.13. Importantly, this result complies with the People Over Wind decision and contemporary Government Guidance, by not relying on any mitigation.

Table 5 Summary of screening exercise

Screening categories	Screening conclusion for Outcomes and Objectives
A General statement of policy Screened out	Vision Outcomes: 1, 2, 3, 4, 5, 6 Objectives: 1, 12, 13, 14, 15, 16, 17, 18,19, 23
B General criteria for testing acceptability of proposals Screened out	None
C Proposal referred to but not proposed by the Plan Screened out	None
D Environmental protection policy Screened out	Objective : 2, 3, 4, 5, 6, 7, 8, 10
E Policies or proposals which steer change in such a way as to protect European sites Screened out	None
F Policy that cannot lead to development or other change Screened out	None

Screening categories	Screening conclusion for Outcomes and Objectives
G No conceivable effect on a European site Screened out	Objective : 9, 11, 20, 21, 22, 24
H Policy or proposal with unspecified location which cannot undermine the conservation objectives (either alone or in combination with other aspects of this or other plans or projects)	None
I Likely significant effect alone cannot be ruled out Screened in	None
J Likely significant effect in combination cannot be ruled out Screened in	None
K Policy or proposal with no likely significant effect alone but which lead to in combination effects	None
L Policy or proposal considered to have in combination effects	None
M Bespoke area, site or case specific policies or proposals intended to avoid or reduce harmful effects on a European site	None

Screening conclusion

- 3.14. This HRA 'subjected the North York Moors Management Plan to a screening assessment according to the statutory procedures laid out in the Habitats Regulations 2017 as amended, and the methodology laid out in the Habitats Regulations Assessment Handbook
- 3.15. This exercise found that likely significant effects could be ruled out alone for the Management Plan Vision, and all six Outcomes and 22 Objectives across all the European sites assessed. There is no need for an in-combination assessment or an appropriate assessment. No further scrutiny of the Plan is required under the Habitats Regulations.
- 3.16. The decision to adopt this HRA or otherwise now lies with the competent authority, The North York Moors National Park Authority.

Bernard Fleming CEcol MCIEEM

Director, Fleming Ecology Ltd

January 2022

APPENDICES

A. Identification of European sites at risk

Types of project (or potential effects)	Sites to scan for and check	Initial list of potentially affected European sites	Additional context	Final list of European sites selected
1. All plans (terrestrial, coastal and marine)	Sites within the geographic area covered by or intended to be relevant to the plan	<p>Arncliffe & Park Hole Woods SAC Beast Cliff – Whitby (Robin Hood's Bay) SAC Eilers Wood and Sand Dale SAC Flamborough and Filey Coast SPA Fen Bog SAC North York Moors SPA/SAC River Derwent SAC Teessmouth and Cleveland Coast SPA/Ramsar</p>	This criterion identifies all the European sites within the 10km AoS identified in this HRA. This does not indicate that any are at risk and so the final column in left blank.	
2. Plans that could affect the aquatic environment	(a) Sites upstream or downstream of the plan area in the case of river or estuary sites	River Derwent SAC	<p>Effects considered are those associated with the physical presence of built development and the <i>localised</i> effects on surface/groundwater resources and quality, resulting from changes in run-off, sedimentation, erosion etc.</p> <p>The upper reaches of the River Derwent (and the SAC) lies within the AoS and the river arises within the National Park. Consequently, it could be vulnerable to activities (eg land use changes) proposed in the Plan. Therefore, it is retained for further consideration.</p>	River Derwent SAC
	(b) Open water, peatland, fen, marsh and other wetland sites with relevant hydrological links to land within the plan area, irrespective of distance from the plan area	Lower Derwent Valley SPA/SAC/Ramsar	<p>The river also provides a direct hydraulic link with the Lower Derwent Valley SPA/SAC/Ramsar which lies 30km downstream as the crow flies. However, given the distances involved, the risk of harmful effects is considered remote and so it can be ruled out of the need for further consideration.</p> <p>The Derwent also provides a direct link with the Humber Estuary European site and the North Sea though given the distance to the former, over 50km as the crow flies, the risk</p>	

Types of project (or potential effects)	Sites to scan for and check	Initial list of potentially affected European sites	Additional context	Final list of European sites selected
			<p>of harmful effects is considered remote and it can be ruled out of any further consideration.</p> <p>More strategic aspects of the possible impacts on aquatic sites is assessed again in terms of the disposal of wastewater (see 7b)</p>	
3. Plans that could affect the marine environment	Sites that could be affected by changes in water quality, currents or flows; or effects on the inter-tidal or sub-tidal areas or the seabed, or marine species		<p>Effects considered are those of a wider, more strategic scale than (2) above.</p> <p>The National Park extends to and includes a considerable stretch of the Yorkshire coast. This includes Beast Cliff – Whitby European site. However, no activities are proposed in the Plan that could affect this European site. Therefore, the risk of harmful effects arising from activities proposed on the coastal or marine environments are considered remote and can be ruled out of further consideration.</p>	None
4. Plans that could affect the coast	Sites in the same coastal 'cell', or part of the same coastal ecosystem, or where there are interrelationships with or between different physical coastal processes	<p>Beast Cliff – Whitby (Robin Hood's Bay) SAC</p> <p>Flamborough and Filey Coast SPA</p> <p>Teessmouth and Cleveland Coast SPA/Ramsar</p>	<p>The River Derwent arises in the National Park and the uppermost reaches of the designated area lie within the AoS. The river discharges to the North Sea via the Humber Estuary. However, given the distance, over 120km from the National Park as the crow flies to the end of the estuary, the risk of harmful effects on the coastal or marine environments is considered remote and can be ruled out of further consideration.</p> <p>Flamborough Head and the Filey Coast lie within the AoS from terrestrial components of the National Park to the south-east. However, given the distances involved, over 8km as the crow flies, the risk of harmful effects arising on the coastal or marine environments is remote and these sites can be removed from any further consideration.</p> <p>Similarly, the Tees estuary complex of European sites also lies within the AoS of other terrestrial elements of the National Park to the north. Again, though, given the distance, over 7km as the crow flies, the risk of harmful effects arising on these European sites is considered remote</p>	None

Types of project (or potential effects)	Sites to scan for and check	Initial list of potentially affected European sites	Additional context	Final list of European sites selected
5. Plans that could affect mobile species	Sites whose qualifying features include mobile species which may be affected by the plan irrespective of the location of the plan's proposals or whether the species would be in or out of the site when they might be affected	Arnccliffe & Park Hole Woods SAC Beast Cliff – Whitby (Robin Hood's Bay) SAC Ellers Wood and Sand Dale SAC Fen Bog SAC North York Moors SPA/SAC	<p>and these sites can be removed from any further consideration.</p> <p>This considers <i>direct</i> impacts of the Development on mobile species within or outside the designated sites. Mobile species are those considered to spend part of their life-cycle on land, in water or air beyond the European site boundary. Typically, it focuses on potential impacts on <i>functionally-linked</i> land and water utilised by the birds, mammals, invertebrates and migratory fish associated with the European sites listed.</p> <p>A qualifying feature of the North York Moors SPA is the internationally important population of golden plover. Whilst these breed within the SPA, they typically leave the moorland to feed on surrounding pasture outside the SPA boundary on a daily basis.</p> <p>Various proposals are set out in the Plan which could affect this feature and so harmful effects cannot be ruled out and this is retained for further consideration.</p> <p>In contrast, the risk of harmful effects arising on the mobile species of the Tees and Flamborough/Filey European sites from activities in the Plan is considered remote given the distances from the Plan area.</p> <p>This is consistent with the outcome of criteria (3) & (4) above. Note that <i>indirect</i> effects on mobile species on functionally-linked land or water beyond the development site, is considered under other criteria below, such as '(6) recreational pressure', and (14) 'disturbance'</p>	North York Moors SPA
6. Plans that could increase recreational pressure on European sites potentially	(a) Such European sites in the plan area	Arnccliffe & Park Hole Woods SAC Beast Cliff – Whitby (Robin Hood's Bay) SAC Ellers Wood and Sand Dale SAC Fen Bog SAC North York Moors SPA/SAC	<p>All listed European sites fall within the Management Plan area and so all are potentially vulnerable to development or activities proposed within the Plan which include aspirations to increase its status as a recreational destination.</p> <p>Therefore, harmful effects cannot be ruled out and all European sites listed are retained for further consideration</p>	Arnccliffe & Park Hole Woods SAC Beast Cliff – Whitby (Robin Hood's Bay) SAC Ellers Wood and Sand Dale SAC Fen Bog SAC

Appendices

Types of project (or potential effects)	Sites to scan for and check	Initial list of potentially affected European sites	Additional context	Final list of European sites selected
vulnerable or sensitive to such pressure	(b) Such European sites within an agreed zone of influence or other reasonable and evidence-based travel distance of the plan area boundaries that may be affected by local recreational or other visitor pressure from within the plan area	Flamborough and Filey Coast SPA River Derwent SAC Teessmouth and Cleveland Coast SPA/Ramsar	The Plan cannot influence recreational pressure on European sites outside the Plan area and so the risk is considered remote and all can be ruled out of the need for further consideration	North York Moors SPA/SAC None
	(c) Such European sites within an agreed zone of influence or other evidence-based longer travel distance of the plan area, which are major (regional or national) visitor attractions such as European sites which are National Nature Reserves where public visiting is promoted, sites in National Parks, coastal sites and sites in other major tourist or visitor destinations	Castle Eden Dene SAC Craven Limestone Complex SAC North Pennine Moors SPA and SAC Northumbria Coast SPA & Ramsar	A range of more distant European sites beyond the AoS could be considered to represent popular visitor destinations. Consequently, for this criterion the AoS has been extended to 40km to include the popular destinations (and European sites) listed. However, all either lie far distant and as no new development is proposed which would increase the resident population, the risk of harmful effects arising can be ruled out	None
7. Plans that would increase the amount of development	(a) Sites in the plan area or beyond that are used for, or could be affected by, water abstraction irrespective of distance from the plan area	Arncliffe & Park Hole Woods SAC Beast Cliff – Whitby (Robin Hood's Bay) SAC Ellers Wood and Sand Dale SAC Flamborough and Filey Coast SPA Fen Bog SAC	All the European sites listed support a range of wetland features with varying reliance on the sub-surface hydrological regime which could be affected by increased demand for water.	None

Appendices

Types of project (or potential effects)	Sites to scan for and check	Initial list of potentially affected European sites	Additional context	Final list of European sites selected
		Lower Derwent Valley SPA/SAC/ Ramsar North York Moors SPA/SAC River Derwent SAC Teessmouth and Cleveland Coast SPA/Ramsar	However, no new development is proposed and neither are any other activities which could increase the demand for water abstraction. Consequently, the risk of harmful effects can be ruled out of any further consideration	
	(b) Sites used for, or could be affected by, discharge of effluent from wastewater treatment works or other waste management streams serving the plan area, irrespective of distance from the plan area	Flamborough and Filey Coast SPA Lower Derwent Valley SPA/SAC/Ramsar River Derwent SAC Teessmouth and Cleveland Coast SPA/Ramsar	All European sites listed are potentially vulnerable to increased wastewater discharges. However, no new development is proposed. Therefore, the risk of harmful effects arising can be ruled out of any further consideration	None
	(c) Sites that could be affected by the provision of new or extended transport or other infrastructure	Arncliffe & Park Hole Woods SAC Beast Cliff – Whitby (Robin Hood's Bay) SAC Eilers Wood and Sand Dale SAC Flamborough and Filey Coast SPA Fen Bog SAC Lower Derwent Valley SPA/SAC/ Ramsar North York Moors SPA/SAC River Derwent SAC Teessmouth and Cleveland Coast SPA/Ramsar	All European sites listed are potentially vulnerable but no such infrastructure is proposed	None
	(d) Sites that could be affected by increased deposition of air pollutants arising from the proposals, including emissions from	Arncliffe & Park Hole Woods SAC Beast Cliff – Whitby (Robin Hood's Bay) SAC Eilers Wood and Sand Dale SAC Flamborough and Filey Coast SPA	All European sites listed support a range of features that are potentially vulnerable to increases in pollution which can be measurable within 200m of the busier roads.	None

Types of project (or potential effects)	Sites to scan for and check	Initial list of potentially affected European sites	Additional context	Final list of European sites selected
	significant increases in traffic	Fen Bog SAC Lower Derwent Valley SPA/SAC/ Ramsar North York Moors SPA/SAC River Derwent SAC Teesmouth and Cleveland Coast SPA/Ramsar	However, no new residential or employment development, or major recreational facilities are proposed. Therefore, the risk of harmful effects arising can be ruled out of any further consideration	
8. Plans for linear developments or infrastructure	Sites within a specified distance from the centre line of the proposed route (or alternative routes), the distance may be varied for differing types of site / qualifying features and in the absence of established good practice standards, distance(s) to be agreed by the statutory nature conservation body	Arnccliffe & Park Hole Woods SAC Beast Cliff – Whitby (Robin Hood's Bay) SAC Eilers Wood and Sand Dale SAC Flamborough and Filey Coast SPA Fen Bog SAC Lower Derwent Valley SPA/SAC/ Ramsar North York Moors SPA/SAC River Derwent SAC Teesmouth and Cleveland Coast SPA/Ramsar	All Europeans sites listed are potentially vulnerable but no such infrastructure is proposed	None
9. Plans that introduce new activities or new uses into the marine, coastal or terrestrial environment	Sites considered to have qualifying features potentially vulnerable or sensitive to the effects of the new activities proposed by the plan	Arnccliffe & Park Hole Woods SAC Beast Cliff – Whitby (Robin Hood's Bay) SAC Eilers Wood and Sand Dale SAC Flamborough and Filey Coast SPA Fen Bog SAC Lower Derwent Valley SPA/SAC/ Ramsar North York Moors SPA/SAC River Derwent SAC Teesmouth and Cleveland Coast SPA/Ramsar	All Europeans sites listed are potentially vulnerable but no such activities are proposed	None

Types of project (or potential effects)	Sites to scan for and check	Initial list of potentially affected European sites	Additional context	Final list of European sites selected
10. Plans that could change the nature, area, extent, intensity, density, timing or scale of existing activities or uses	Sites considered to have qualifying features potentially vulnerable or sensitive to the effects of the changes to existing activities proposed by the plan	Arncliffe & Park Hole Woods SAC Beast Cliff – Whitby (Robin Hood's Bay) SAC Ellers Wood and Sand Dale SAC Flamborough and Filey Coast SPA Fen Bog SAC Lower Derwent Valley SPA/SAC/ Ramsar North York Moors SPA/SAC River Derwent SAC Teesmouth and Cleveland Coast SPA/Ramsar	<p>All European sites listed represent popular destinations with public access and all support features which are potentially vulnerable to existing levels of recreational pressure. However, it is considered this issue is adequately captured by (5) and (6) above, and so it is not included under this criterion.</p> <p>The Plan aspires to influence land use management across the terrestrial aspects of the National Park (eg woodland creation or blanket bog management amongst others). These measures have the potential to affect all European sites within the Plan area. Therefore, all are retained for further consideration.</p> <p>However, the Plan has no ability to influence land management within the AoS and so all sites beyond the Park boundary are excluded except for the River Derwent. Given the findings of Criteria (2) this arises in the National Park and is therefore considered to remain vulnerable.</p>	Arncliffe & Park Hole Woods SAC Beast Cliff – Whitby (Robin Hood's Bay) SAC Ellers Wood and Sand Dale SAC Fen Bog SAC North York Moors SPA/SAC River Derwent SAC
11. Plans that could change the quantity, quality, timing, treatment or mitigation of emissions or discharges to air, water or soil	Sites considered to have qualifying features potentially vulnerable or sensitive to the changes in emissions or discharges that could arise as a result of the plan	Arncliffe & Park Hole Woods SAC Beast Cliff – Whitby (Robin Hood's Bay) SAC Ellers Wood and Sand Dale SAC Flamborough and Filey Coast SPA Fen Bog SAC Lower Derwent Valley SPA/SAC/ Ramsar North York Moors SPA/SAC River Derwent SAC Teesmouth and Cleveland Coast SPA/Ramsar	All European sites listed are potentially vulnerable but no such activities are proposed	None
12. Plans that could change the quantity, volume, timing, rate, or	Sites whose qualifying features include the biological resources which the plan may affect, or whose	Arncliffe & Park Hole Woods SAC Beast Cliff – Whitby (Robin Hood's Bay) SAC Ellers Wood and Sand Dale SAC Flamborough and Filey Coast SPA	All European sites listed are potentially vulnerable but no such activities are proposed	None

Types of project (or potential effects)	Sites to scan for and check	Initial list of potentially affected European sites	Additional context	Final list of European sites selected
other characteristics of biological resources harvested, extracted or consumed	qualifying features depend on the biological resources which the plan may affect, for example as prey species or supporting habitat or which may be disturbed by the harvesting, extraction or consumption	Fen Bog SAC Lower Derwent Valley SPA/SAC/ Ramsar North York Moors SPA/SAC River Derwent SAC Teesmouth and Cleveland Coast SPA/Ramsar		
13. Plans that could change the quantity, volume, timing, rate, or other characteristics of physical resources extracted or consumed	Sites whose qualifying features rely on the non-biological resources which the plan may affect, for example, as habitat or a physical environment on which habitat may develop or which may be disturbed by the extraction or consumption	Arnccliffe & Park Hole Woods SAC Beast Cliff – Whitby (Robin Hood's Bay) SAC Eilers Wood and Sand Dale SAC Flamborough and Filey Coast SPA Fen Bog SAC Lower Derwent Valley SPA/SAC/ Ramsar North York Moors SPA/SAC River Derwent SAC Teesmouth and Cleveland Coast SPA/Ramsar	All European sites listed are potentially vulnerable but no such activities are proposed	None
14. Plans which could introduce or increase, or alter the timing, nature or location of disturbance to species	Sites whose qualifying features are considered to be potentially sensitive to disturbance, for example as a result of noise, activity or movement, or the presence of disturbing features that could be brought about by the plan	Flamborough and Filey Coast SPA Fen Bog SAC Lower Derwent Valley SPA/SAC/ Ramsar North York Moors SPA River Derwent SAC Teesmouth and Cleveland Coast SPA/Ramsar	All European sites listed represent popular destinations and provide relatively open access; all also support features (ie birds, otters) which could be vulnerable to disturbance. However, it is considered this issue is adequately captured by (5) and (6(b)) above, and so it is not included under this criterion. No other sources of disturbance are identified.	None

Types of project (or potential effects)	Sites to scan for and check	Initial list of potentially affected European sites	Additional context	Final list of European sites selected
15. Plans which could introduce or increase or change the timing, nature or location of light or noise pollution	Sites whose qualifying features are considered to be potentially sensitive to the effects of changes in light or noise that could be brought about by the plan	Arncliffe & Park Hole Woods SAC Beast Cliff – Whitby (Robin Hood’s Bay) SAC Ellers Wood and Sand Dale SAC Flamborough and Filey Coast SPA Fen Bog SAC Lower Derwent Valley SPA/SAC/ Ramsar North York Moors SPA/SAC River Derwent SAC Teesmouth and Cleveland Coast SPA/Ramsar	All European sites listed are potentially vulnerable but no such activities are proposed	None
16. Plans which could introduce or increase a potential cause of mortality of species	Sites whose qualifying features are considered to be potentially sensitive to the source of new or increased mortality that could be brought about by the plan	Arncliffe & Park Hole Woods SAC Beast Cliff – Whitby (Robin Hood’s Bay) SAC Ellers Wood and Sand Dale SAC Flamborough and Filey Coast SPA Fen Bog SAC Lower Derwent Valley SPA/SAC/ Ramsar North York Moors SPA/SAC River Derwent SAC Teesmouth and Cleveland Coast SPA/Ramsar	All European sites listed are potentially vulnerable but no such activities are proposed	None

Extract from *The Habitats Regulations Assessment Handbook*, www.dtapublications.co.uk
 © DTA Publications Limited (September) 2013 all rights reserved
 This work is registered with the UK Copyright Service

B. European site characteristics

Description (including summary of qualifying features)	Conservation objectives	Pressures and threats (P/T)
<p>River Derwent SAC</p> <p>Stretching from Ryemouth in the north to its confluence with the Ouse in the south, the River Derwent is considered to represent one of the best examples in England of a lowland river. Whilst a relatively short length also lies within the Lower Derwent Valley National Nature Reserve, not all of the river is designated, and a small stretch through Malton and Norton-upon-Derwent is excluded, reflecting its urbanised location here.</p> <p>It supports diverse communities of flora, notably floating vegetation dominated by water crowfoot, and fauna, comprising river lamprey, sea lamprey, bullhead and otter. The latter are mobile species with the potential/need to utilise extensive stretches of the river throughout the catchment beyond the boundaries of the SAC and are critically dependent on the maintenance of a favourable hydrological (including physical and chemical) conditions throughout their range. They are therefore vulnerable to pollution events and the creation of physical or chemical barriers; for instance, lamprey migrate to the open sea via the Humber Estuary. In addition, otters also exploit riparian habitats for resting and breeding.</p> <p>The Derwent is meso/eutrophic and carries a high nutrient load providing a degree of resilience against air pollution, and whilst otter can be considered resilient, the floating vegetation communities and fish populations may be vulnerable. Overall though, the site can be considered relatively robust but vulnerable to changes in water quality (especially inputs of phosphate) from wastewater disposal, for instance.</p> <p>Restricted access to the river along much of its length reduces the impact of existing recreational pressure and the simple width of the channel effectively rules out harmful impacts on bullhead, both species of lamprey and the floating vegetation community. However, the otter population remains more vulnerable to disturbance.</p> <p>Natural England has assessed 99.2% of the River Derwent SSSI to be in 'favourable' or 'unfavourable recovering' condition; 0.8% is 'unfavourable no change' but the threat level is considered to be 'high' across a much wider area.</p>	<p>Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the Favourable Conservation Status of its Qualifying Features, by maintaining or restoring:</p> <p>The extent and distribution of qualifying natural habitats and habitats of qualifying species;</p> <p>The structure and function (including typical species) of qualifying natural habitat;</p> <p>The structure and function of the habitats of qualifying species;</p> <p>The supporting processes on which qualifying natural habitats and the habitats of qualifying species rely;</p> <p>The populations of qualifying species, and,</p> <p>The distribution of qualifying species within the site.</p> <p>Qualifying habitats: The site is designated under article 4(4) of the Directive (92/43/EEC) as it hosts the following habitats listed in Annex I:</p> <ul style="list-style-type: none"> <input type="checkbox"/> Water courses of plain to montane levels with the <i>Ranunculion fluitantis</i> and <i>Callitricho-Batrachion</i> vegetation. (Rivers with floating vegetation often dominated by water-crowfoot) <p>Qualifying species: The site is designated under article 4(4) of the Directive (92/43/EEC) as it hosts the following species listed in Annex II:</p> <ul style="list-style-type: none"> <input type="checkbox"/> Bullhead <i>Cottus gobio</i> <input type="checkbox"/> River lamprey <i>Lampetra fluviatilis</i> <input type="checkbox"/> Otter <i>Lutra</i> <input type="checkbox"/> Sea lamprey <i>Petromyzon marinus</i> 	<ul style="list-style-type: none"> • Physical modification (P/T); • Water pollution (T); • Invasive species (T); • Change in land management (T); • Water abstraction (T).

Description (including summary of qualifying features)	Conservation objectives	Pressures and threats (P/T)
<p>North York Moors SPA</p> <p>The SPA hosts the largest tract of upland heather moorland in England supporting extensive areas of both dry and wet heath, with smaller areas of blanket bog.</p> <p>These habitats support an important breeding bird community, notably merlin and golden plover.</p> <p>Qualifying features comprise:</p> <p>Breeding populations of:</p> <ul style="list-style-type: none"> • Merlin, and • Golden plover <p>The breeding bird communities would normally be expected to be vulnerable to increased recreational pressure but it is not listed as a threat in the SIP. The supporting habitats remain vulnerable though to air pollution.</p>	<p>Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the aims of the Wild Birds Directive, by maintaining or restoring;</p> <ul style="list-style-type: none"> <input type="checkbox"/> The extent and distribution of the habitats of the qualifying features <input type="checkbox"/> The structure and function of the habitats of the qualifying features <input type="checkbox"/> The supporting processes on which the habitats of the qualifying features rely <input type="checkbox"/> The population of each of the qualifying features, and, <input type="checkbox"/> The distribution of the qualifying features within the site. 	<ul style="list-style-type: none"> • Air pollution • Planning permissions • Energy production • Wildfire/arson
<p>North York Moors SAC</p> <p>The SPA hosts the largest tract of upland heather moorland in England supporting extensive areas of both dry and wet heath, with smaller areas of blanket bog.</p> <p>These habitats support an important breeding bird community, notably merlin and golden plover.</p> <p>Qualifying features comprise:</p> <ul style="list-style-type: none"> • Blanket bog • European dry heath, and • Northern Atlantic wet heaths <p>All three habitat features are potentially vulnerable to recreational pressure and air pollution although the former is not listed as a threat in the SIP.</p>	<p>Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the Favourable Conservation Status of its Qualifying Features, by maintaining or restoring;</p> <ul style="list-style-type: none"> <input type="checkbox"/> The extent and distribution of the qualifying natural habitats <input type="checkbox"/> The structure and function (including typical species) of the qualifying natural habitats, and, <input type="checkbox"/> The supporting processes on which the qualifying natural habitats rely 	<ul style="list-style-type: none"> • Air pollution • Planning permissions • Energy production • Wildfire/arson

Description (including summary of qualifying features)	Conservation objectives	Pressures and threats (P/T)
<p>Arncliffe and Park Hole Woods SAC</p> <p>The site comprises ancient semi-natural and ancient replanted woodland supporting upland oak woodland with holly <i>Ilex aquifolium</i>, hard fern <i>Blechnum spicant</i> and a species-rich fern community. Of particular interest is a large population of the Killarney Fern <i>Trichomanes speciosum</i>, an internationally rare species and one of only four known outstanding localities in the UK.</p> <p>Qualifying features comprise:</p> <ul style="list-style-type: none"> • Old sessile oak woods with <i>Ilex</i> and <i>Blechnum</i> in the British Isles • Killarney fern <i>Trichomanes speciosum</i> <p>All features are potentially vulnerable to air pollution and increased residential pressure.</p>	<p>Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the Favourable Conservation Status of its Qualifying Features, by maintaining or restoring;</p> <ul style="list-style-type: none"> <input type="checkbox"/> The extent and distribution of qualifying natural habitats and habitats of qualifying species <input type="checkbox"/> The structure and function (including typical species) of qualifying natural habitats <input type="checkbox"/> The structure and function of the habitats of qualifying species <input type="checkbox"/> The supporting processes on which qualifying natural habitats and the habitats of qualifying species rely <input type="checkbox"/> The populations of qualifying species, and, <input type="checkbox"/> The distribution of qualifying species within the site. 	<ul style="list-style-type: none"> • Forestry and woodland management; • Air Pollution: impact of atmospheric nitrogen deposition
<p>Beast Cliff - Whitby (Robin Hood's Bay) SAC</p> <p>This site comprises a complex of hard and soft cliffs. The combination of geology, topography and plant communities found on the site are unique and it is one of the best examples of vegetated sea cliffs on the north-east coast of England.</p> <p>The qualifying feature is:</p> <p>Vegetated sea cliffs of the Atlantic and Baltic coasts</p> <p>This feature is potentially vulnerable to vulnerable to air pollution and increased residential pressure.</p>	<p>Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the Favourable Conservation Status of its Qualifying Features, by maintaining or restoring;</p> <ul style="list-style-type: none"> <input type="checkbox"/> The extent and distribution of qualifying natural habitats <input type="checkbox"/> The structure and function (including typical species) of qualifying natural habitats, and <input type="checkbox"/> The supporting processes on which qualifying natural habitats rely 	<ul style="list-style-type: none"> • Inappropriate coastal management

Description (including summary of qualifying features)	Conservation objectives	Pressures and threats (P/T)
<p>Ellers Wood and Sand Dale SAC</p> <p>This SAC comprises a series of springs and associated fen dominated by rushes, sedges and bryophytes. A population of Geyer's whorl snail <i>Vertigo geyeri</i> exists at this site in a tufa-rich flush.</p> <p>Qualifying features comprise:</p> <ul style="list-style-type: none"> • Petrifying springs with tufa formation (<i>Cratoneurion</i>). (Hard-water springs depositing lime)* • Geyer's whorl snail <i>Vertigo geyeri</i> <p>All features are potentially vulnerable to air pollution (and in the case of <i>V. geyeri</i>, its supporting habitat) and increased residential pressure.</p>	<p>Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the Favourable Conservation Status of its Qualifying Features, by maintaining or restoring;</p> <ul style="list-style-type: none"> <input type="checkbox"/> The extent and distribution of qualifying natural habitats and habitats of qualifying species <input type="checkbox"/> The structure and function (including typical species) of qualifying natural habitats <input type="checkbox"/> The structure and function of the habitats of qualifying species <input type="checkbox"/> The supporting processes on which qualifying natural habitats and the habitats of qualifying species rely <input type="checkbox"/> The populations of qualifying species, and, <input type="checkbox"/> The distribution of qualifying species within the site. 	<ul style="list-style-type: none"> • Air Pollution: impact of atmospheric nitrogen deposition
<p>Fen Bog SAC</p> <p>Fen Bog, is an oligotrophic valley mire supporting an uncommon but characteristic flora which reflects changes in the hydrological regime and water chemistry</p> <p>The qualifying feature is:</p> <p>Transition mires and quaking bogs</p> <p>This feature is potentially vulnerable to vulnerable to air pollution and increased residential pressure</p>	<p>Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the Favourable Conservation Status of its Qualifying Features, by maintaining or restoring;</p> <ul style="list-style-type: none"> <input type="checkbox"/> The extent and distribution of the qualifying natural habitats <input type="checkbox"/> The structure and function (including typical species) of the qualifying natural habitats, and, <input type="checkbox"/> The supporting processes on which the qualifying natural habitats rely. 	<ul style="list-style-type: none"> • Public Access/Disturbance • Air Pollution: impact of atmospheric nitrogen deposition

Description (including summary of qualifying features)	Conservation objectives	Pressures and threats (P/T)
<p>Teesmouth and Cleveland Coast SPA/Ramsar</p> <p>The SPA comprises several discrete sites which support a breeding bird community and over 20,000 wintering waterbirds across a range of estuarine habitats.</p> <p>SPA qualifying features comprise:</p> <ul style="list-style-type: none"> • Breeding <i>Sterna albifrons</i>: Little tern • Non-breeding <i>Calidris canutus</i>: Red knot • Non-breeding <i>Tringa totanus</i>: Common redshank • Passage <i>Sterna sandvicensis</i>: Sandwich tern (NB) • Passage <i>Charadrius hiaticula</i>: Ringed plover • Waterbird assemblage <p>Ramsar features are restricted to the same waterbird assemblage and the populations of redshank and knot.</p> <p>All breeding and non-breeding bird populations are potentially vulnerable to disturbance caused by increased recreational pressure. However, the individual species and high nutrient status of the supporting habitats introduces greater resilience to air pollution and rules it out as a threat.</p> <p>It should be noted that Natural England has consulted on both marine and terrestrial extensions to this site and the addition of new features – breeding avocet and breeding common tern.</p>	<p>Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the aims of the Wild Birds Directive, by maintaining or restoring;</p> <ul style="list-style-type: none"> <input type="checkbox"/> The extent and distribution of the habitats of the qualifying features <input type="checkbox"/> The structure and function of the habitats of the qualifying features <input type="checkbox"/> The supporting processes on which the habitats of the qualifying features rely <input type="checkbox"/> The population of each of the qualifying features, and, <input type="checkbox"/> The distribution of the qualifying features within the site. 	<ul style="list-style-type: none"> • Physical modification • Public Access/Disturbance • Air Pollution: impact of atmospheric nitrogen deposition

C. Record of screening of proposed policies

Policy	Rationale	Screening outcome
Vision	<p>This statement represents a vision or aspiration for the National Park and introduces a series of broad, high-level outcomes.</p> <p>It does not directly lead to development and cannot have any effect on a European site</p>	<p>A</p> <p>No likely significant effect</p>
<p>Outcome 1:</p> <p>A resilient landscape at the forefront of addressing climate change and nature recovery</p>	<p>This outcome represents a vision or aspiration for the National Park and introduces a series of high-level objectives to address the negative consequences of climate change.</p> <p>It does not directly lead to development and cannot have any effect on a European site</p>	<p>A</p> <p>No likely significant effect</p>
<p>Objective 1:</p> <p>The National Park should play a significant part in achieving the regional ambition of being a carbon negative economy by 2040</p>	<p>This objective represents a time-limited aspiration for the National Park to deliver broad environmental benefits in the context of addressing the negative consequences of climate change. However, it is unsupported by the identification of any plans, project or activities on the ground</p> <p>It does not directly lead to development and cannot have any effect on a European site</p>	<p>A</p> <p>No likely significant effect</p>
<p>Objective 2:</p> <p>Capture and store carbon by creating at least 2,500 hectares of additional wooded habitats by 2032</p>	<p>This objective represents a clear, quantified aspiration for the National Park to deliver broad environmental benefits in the context of addressing the negative consequences of climate change.</p> <p>Though this is given some expression by a map (Figure 1 of the Plan) which includes several European sites, this identifies only broad areas where such activities could be carried out. It remains unsupported by the identification of any plans, project or activities on the ground.</p> <p>Such detail will only be provided in subsequent initiatives or projects which, depending on the proposals will require project-level HRA if there is a credible risk that European sites could be affected.</p> <p>It does not directly lead to development or activities and cannot have any effect on a European site</p>	<p>D</p> <p>No likely significant effect</p>
<p>Objective 3:</p> <p>Capture and store carbon by ensuring all degraded blanket bog and peat habitats in the National Park under active restoration by 2032.</p>	<p>This objective represents a clear, time-limited aspiration for the National Park to deliver broad environmental benefits in the context of addressing the negative consequences of climate change.</p> <p>Though this is given some expression by a map (Figure 1 of the Plan) which includes several European sites, this identifies only broad areas where such activities could be carried out. It remains unsupported by the identification of any plans, project or activities on the ground.</p> <p>Such detail will only be provided in subsequent initiatives or projects which, depending on the</p>	<p>D</p> <p>No likely significant effect</p>

Policy	Rationale	Screening outcome
	<p>proposals will require project-level HRA if there is a credible risk that European sites could be affected.</p> <p>It does not directly lead to development or activities and cannot have any effect on a European site</p>	
<p>Objective 4: Protect, restore and improve soils across the National Park</p>	<p>This objective represents a broad aspiration for the National Park to deliver broad environmental benefits in the context of addressing the negative consequences of climate change.</p> <p>Though this is given some expression by a map (Figure 1 of the Plan) which includes several European sites, this identifies only broad areas where such activities could be carried out. It remains unsupported by the identification of any plans, project or activities on the ground.</p> <p>Such detail will only be provided in subsequent initiatives or projects which, depending on the proposals will require project-level HRA if there is a credible risk that European sites could be affected.</p> <p>It does not directly lead to development or activities and cannot have any effect on a European site</p>	<p>D No likely significant effect</p>
<p>Objective 5: Achieve good ecological status for all water bodies by 2027 and support the improvement of the marine and coastal habitat</p>	<p>This objective represents a quantified and time-limited aspiration for the National Park to deliver broad environmental benefits in the context of addressing the negative consequences of climate change.</p> <p>Though this is given some expression by a map (Figure 1 of the Plan) which includes several European sites, this identifies only broad areas where such activities could be carried out. It remains unsupported by the identification of any plans, project or activities on the ground.</p> <p>Such detail will only be provided in subsequent initiatives or projects which, depending on the proposals will require project-level HRA if there is a credible risk that European sites could be affected.</p> <p>It does not directly lead to development or activities and cannot have any effect on a European site</p>	<p>D No likely significant effect</p>
<p>Outcome 2: A nature rich, more biodiverse landscape</p>	<p>This outcome represents a vision or aspiration for the National Park and introduces a series of high-level objectives to deliver a more bio-diverse landscape.</p> <p>It does not directly lead to development and cannot have any effect on a European site</p>	<p>A No likely significant effect</p>
<p>Objective 6: Create bigger, better and more joined-up habitats, with nature-rich wildlife corridors extending beyond the National Park boundaries</p>	<p>This objective represents a broad aspiration for the National Park to implement a broad range of activities to deliver biodiversity benefits.</p> <p>Though this is given some expression by a map (Figure 1 of the Plan) which includes several European sites, this identifies only broad areas where such activities could be carried out. It remains unsupported by the identification of any plans, project or activities on the ground.</p>	<p>D No likely significant effect</p>

Appendices

Policy	Rationale	Screening outcome
	<p>Such detail will only be provided in subsequent initiatives or projects which, depending on the proposals will require project-level HRA if there is a credible risk that European sites could be affected.</p> <p>It does not directly lead to development or activities and cannot have any effect on a European site</p>	
Objective 7: Restore wilder and more naturally functioning ecosystems on at least 2,000 hectares in the National Park.	<p>This objective represents a quantified and time-limited aspiration for the National Park to implement a broad range of activities to deliver biodiversity benefits.</p> <p>Though this is given some expression by a map (Figure 1 of the Plan) which includes several European sites, this identifies only broad areas where such activities could be carried out. It remains unsupported by the identification of any plans, project or activities on the ground.</p> <p>Such detail will only be provided in subsequent initiatives or projects which, depending on the proposals will require project-level HRA if there is a credible risk that European sites could be affected.</p> <p>It does not directly lead to development or activities and cannot have any effect on a European site</p>	<p>D</p> <p>No likely significant effect</p>
Objective 8: Work with our moorland community to support the sustainable management of moorland to ensure it retains its intrinsic character and supports a greater variety and abundance of species and habitats.	<p>This objective represents a broad aspiration for the National Park to implement a broad range of activities to deliver biodiversity benefits.</p> <p>Though this is given some expression by a map (Figure 1 of the Plan) which includes several European sites, this identifies only broad areas where such activities could be carried out. It remains unsupported by the identification of any plans, project or activities on the ground.</p> <p>Such detail will only be provided in subsequent initiatives or projects which, depending on the proposals will require project-level HRA if there is a credible risk that European sites could be affected.</p> <p>It does not directly lead to development or activities and cannot have any effect on a European site</p>	<p>D</p> <p>No likely significant effect</p>
Outcome 3: A landscape rich in heritage and highly valued for its sense of remoteness and tranquillity	<p>This outcome represents a vision or aspiration for the National Park and introduces a series of high-level objectives to promote positive changes in the landscapes of the National Park.</p> <p>It does not directly lead to development and cannot have any effect on a European site</p>	<p>A</p> <p>No likely significant effect</p>
Objective 9: Increase the intrinsic darkness of the National Park International Dark Sky Reserve by expanding the current dark sky score zone by 20% by 2027	<p>This objective seeks to protect the natural environment via expansion of the dark skies reserve.</p> <p>It does not lead to development and cannot have a negative effect on any European site</p>	<p>G:</p> <p>no likely significant effect</p>

Policy	Rationale	Screening outcome
Objective 10: Work to maintain and improve the sense of peace and tranquillity, including through the protection of its remotest areas.	This objective seeks to protect the natural environment via expansion of the dark skies reserve. It does not lead to development and cannot have a negative effect on any European site	D: no likely significant effect
Objective 11: Ensure that our historic environment is better understood, conserved, explained and under appropriate management; and work with partners to reduce the number of identified Designated Heritage Assets at Risk.	This objective seeks to protect and interpret the historic built environment via broad, albeit quantified and time-limited measures. However, it remains unsupported by the identification of any plans, project or activities on the ground. It does not lead to development and cannot have a negative effect on any European site	G: no likely significant effect
Outcome 4: A place that lifts the nation's health and well-being	This outcome represents a vision or aspiration for the National Park and introduces a series of high-level objectives to promote positive changes in the social and health related aspects of its residents and communities. It does not directly lead to development and cannot have any effect on a European site	A No likely significant effect
Objective 12: Create specific, targeted opportunities to improve mental and physical health and well-being by connecting people with nature	This objective represents an aspiration to provide broad health benefits via exposure to nature. It remains unsupported by the identification of any plans, project or activities. It does not directly lead to development or activities on the ground and cannot have any effect on a European site	A No likely significant effect
Objective 13: Increase awareness of, and access to, the National Park among underserved communities, particularly those in the surrounding area	This objective represents an aspiration for the National Park to secure greater inclusion across communities by promoting greater awareness of its special characteristics. It remains unsupported by the identification of any plans, project or activities. It does not directly lead to development or activities on the ground and cannot have any effect on a European site	A No likely significant effect
Objective 14: Inspire the next generation to enjoy, learn about and care for the National Park, and support young people's direct involvement in decision-making about its future	This objective represents a vision or aspiration for the National Park and seeks to promote positive changes in the engagement of the younger members of the community in the Park's management and future. It does not directly lead to development and cannot have any effect on a European site	A No likely significant effect

Policy	Rationale	Screening outcome
<p>Objective 15:</p> <p>Ensure that all members of the public are able to enjoy the National Park using easy-to-use, well-marked rights of way and open access land</p>	<p>This objective represents a vision or aspiration for the National Park and seeks to improve the ease of access to the countryside.</p> <p>This has the potential to affect several European sites, the proposal, it remains unsupported by the identification of any plans, project or activities on the ground.</p> <p>Such detail will only be provided in subsequent initiatives or projects which, depending on the proposals will require project-level HRA if there is a credible risk that European sites could be affected.</p> <p>It does not directly lead to development and cannot have any effect on a European site</p>	<p>A</p> <p>No likely significant effect</p>
<p>Objective 16:</p> <p>Promote the North York Moors National Park as the premier recreational/family cycling destination in the north of England</p>	<p>This objective represents a vision or aspiration for the National Park and seeks to increase its popularity as a tourism destination.</p> <p>Both the number/frequency of visits and mountain biking can lead to disturbance and erosion amongst other factors and clearly represent a credible risk to those European sites within the Park.</p> <p>However, the proposal remains unsupported by the identification of any plans, project or activities on the ground.</p> <p>Such detail will only be provided in subsequent initiatives or projects which, depending on the proposals will require project-level HRA if there is a credible risk that European sites could be affected.</p> <p>At present, the objective cannot directly lead to development and cannot have any effect on a European site</p>	<p>A</p> <p>No likely significant effect</p>
<p>Objective 17:</p> <p>Work with businesses to establish regenerative tourism as a guiding principle and encourage visitors to make a positive contribution to the National Park</p>	<p>This objective represents a vision or aspiration for the National Park and seeks to increase its popularity as a regenerative tourism destination where destinations are left in a better condition than before.</p> <p>The proposal remains unsupported by the identification of any plans, project or activities on the ground but if achieved can have no harmful effects on a European site.</p> <p>Therefore, the objective cannot directly lead to development and cannot have any effect on a European site</p>	<p>A</p> <p>No likely significant effect</p>
<p>Outcome 5:</p> <p>A place that supports a more diverse and innovative low carbon economy</p>	<p>This outcome represents a vision or aspiration for the National Park and introduces a series of high-level objectives to promote positive changes in the ability of the communities to maintain existing and develop new skills and attributes.</p> <p>It does not directly lead to development and cannot have any effect on a European site</p>	<p>A</p> <p>No likely significant effect</p>
<p>Objective 18:</p>		

Policy	Rationale	Screening outcome
Provide opportunities that attract, upskill and retain a local workforce working in high-value, knowledge-intensive jobs and the 'green' or 'landscape' economy	<p>This objective represents a vision or aspiration for the National Park and seeks to promote positive changes in the ability of the communities to maintain existing and develop new skills and attributes.</p> <p>It does not directly lead to development and cannot have any effect on a European site</p>	<p>A</p> <p>No likely significant effect</p>
<p>Objective 19:</p> <p>Maintain a strong and viable farming and land management community that delivers more for climate, nature, people and places</p>	<p>This objective represents a vision or aspiration for the National Park and seeks to promote positive changes in the ability of the communities to maintain existing and develop new skills and attributes.</p> <p>It does not directly lead to development and cannot have any effect on a European site</p>	<p>A</p> <p>No likely significant effect</p>
<p>Objective 20</p> <p>Increase opportunities for residents and visitors to travel sustainably in the National Park.</p>	<p>This objective represents a vision or aspiration for the National Park and seeks to promote positive changes in the ability of the people to travel more sustainably within and to and from the National Park. It is hoped that this objective will encourage more facilities to promote low carbon modes of transport over those of fossil-fuelled vehicles. Consequently, this policy should lead to a positive impact compared to alternatives and hence there is no likely significant impact arising from this objective.</p> <p>It does not directly lead to development and cannot have any effect on a European site</p>	<p>G</p> <p>No likely significant effect</p>
<p>Outcome 6:</p> <p>A place of great beauty where local communities thrive</p>	<p>This outcome represents a vision or aspiration for the National Park and introduces a series of high-level objectives to promote positive changes in the social cohesion of communities via the provision of services and infrastructure.</p> <p>It does not directly lead to development and cannot have any effect on a European site</p>	<p>A</p> <p>No likely significant effect</p>
<p>Objective 21:</p> <p>Increase the delivery of affordable housing above 2010-2020 levels to build at least 100 affordable homes in villages across the National Park by 2027; and lobby central government to agree to introduce a mechanism to control the conversion of existing housing to second or holiday homes</p>	<p>This objective seeks to influence the housing mix of future residential development. It does not change the level of housebuilding proposed in the current Local Plan.</p> <p>It does lead directly to development and so cannot have any effects on a European site.</p>	<p>G</p> <p>No likely significant effect</p>
<p>Objective 22:</p> <p>Work to establish the North York Moors National Park as a leader in low cost,</p>	<p>This objective represents an aspiration for the National Park to encourage the delivery of broad environmental benefits by promoting low cost and low carbon buildings.</p>	<p>G</p> <p>No likely significant effect</p>

Policy	Rationale	Screening outcome
<p>low-carbon housing design through the development of at least one new-build exemplar scheme; and promote the deployment of sustainable materials and responsible retrofitting measures in existing historic buildings</p>	<p>It remains unsupported by the identification of any plans, project or activities.</p> <p>It does not directly lead to development or activities on the ground and cannot have any effect on a European site</p>	
<p>Objective 23: Enable resilient communities where residents are able to meet their basic needs, by identifying any existing gaps in provision and developing community hubs to service a wider catchment or areas where services can be shared</p>	<p>This objective represents an aspiration for the National Park to secure socially sustainable communities by promoting the provision of suitable services.</p> <p>It remains unsupported by the identification of any plans, project or activities.</p> <p>It does not directly lead to development or activities on the ground and cannot have any effect on a European site</p>	<p>A No likely significant effect</p>
<p>Objective 24: Facilitate local solutions to ensure superfast broadband and/or mobile phone coverage is available to 100% of households in the National Park by 2030</p>	<p>This objective represents an aspiration, though quantified, for the National Park to deliver suitable infrastructure to help support sustainable communities.</p> <p>It remains unsupported by the identification of any plans, project or activities.</p> <p>It does not directly lead to development or activities on the ground and cannot have any effect on a European site</p>	<p>G No likely significant effect</p>

D. Consultation response from Natural England

Date: 04 March 2022
Our ref: 381653



Paul Fellows
Head of Strategic Policy
North York Moors National Park Authority
The Old Vicarage
Bondgate
Helmsley
York
YO62 5BP

Customer Services
Hornbeam House
Crewe Business Park
Electra Way
Crewe
Cheshire
CW1 6GJ

T 0300 060 3900

BY EMAIL ONLY

Dear Mr Fellows

Planning consultation: North York Moors National Park Draft Management plan - Draft Habitats Regulation Assessment Consultation

Thank you for your consultation on the above which was received by Natural England on 26th January 2022.

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 agrees with the screening conclusions reached in North York Moors National Park Draft Management plan - Draft Habitats Regulation Assessment Consultation.

The plan currently has no specific detailed works proposed that could be screened in. If any revisions are made to the North York Moors Management Plan and it includes SMART objectives and work actions as we have recommended, then the HRA would need to consider these in more detail.

For any queries relating to the specific advice in this letter only please contact Kate Wheeler on 07769918711. For any new consultations, or to provide further information on this consultation please send your correspondences to consultations@naturalengland.org.uk.

Yours sincerely

Kate Wheeler
Yorkshire and Northern Lincolnshire Area