

# Copmanthorpe Neighbourhood Plan

## Part 7



# Habitat Regulation Screening Report

November 2022



# **COPMANTHORPE HABITAT REGULATION SCREENING REPORT**

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## 1. Introduction

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

### Legislative Basis

- 1.4 Article 6(3) of the EU Habitats Directive states that:  
Any plan or project not directly connected with, or necessary to, the management of the [European] site but likely to have a significant effect thereon, either individually or in combination with other plans or projects, shall be subject to appropriate assessment of its implications for the site in view of the site's conservation objectives. In the light of the conclusions of the assessment of the of the implications for the site and subject to the provisions of paragraph 4, the competent national authorities shall agree to the plan or project only after having ascertained that it will not adversely affect the integrity of the site concerned and, if appropriate, after having obtained the opinion of the general public.
- 1.5 The purpose of the Habitat Regulations Assessment (HRA) is therefore to ensure the protection of European Designated Sites (Natura 2000) wherever practicable. European Designated Sites are designed to form an ecologically coherent network of designated spaces across Europe.
- 1.6 European Designated Sites, (Natura 2000) include **Special Protection Areas** (SPAs) and **Special Areas for Conservation** (SAC). As a matter of policy the government also expects authorities to treat **Ramsar sites**, **candidate Special Areas of Conservation** (cSAC) and **proposed Special Protection Areas** (pSPA) as if they are European Designated Sites for the purpose of considering development proposals that may affect them.
- 1.7 Definitions (taken from the DEFRA- Joint Nature Conservation Committee):  
**Special Protection Areas** (SPAs) are strictly protected sites classified in accordance with Article 4 of the EC Birds Directive, which came into force in April 1979. They are classified for rare and vulnerable birds and for regularly occurring migratory species.  
**Special Areas of Conservation** (SACs) are strictly protected sites designated under the EC Habitats Directive. Article 3 of the Habitats Directive requires the establishment of a European network of important high-quality conservation sites that will make a significant contribution to conserving the 189 habitat types and 788 species. The listed habitat types and species are those considered to be most in need of conservation at a European level (excluding birds).  
**Ramsar sites** are wetlands of international importance designated under the Ramsar Convention.
- 1.8 In April 2018, a notable judgment by the European Court of Justice gave its ruling on the People Over Wind<sup>1</sup> case which provided a new interpretation of when and how mitigation measures

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<sup>1</sup> [Case C/323-17 People Over Wind](#), Court of Justice of the European Union

should be considered in an HRA. In departing from previous decisions, it clearly identifies that measures designed specifically to avoid or reduce likely significant effects should not be evaluated at the screening stage but reserved for the appropriate assessment. The implications of this recent judgment are still to be fully understood, in circumstances where the plan which the specific subject of consideration under the Directive and Regulations itself includes policies which provide for mitigation, but for the avoidance of doubt this HRA takes full account of this ruling.

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

#### Planning Context

- 1.10 The Neighbourhood Plan, once adopted, will present planning policy and guidance for the neighbourhood area. The Current City of York draft Local Plan Fourth Set of Changes was approved for Development Control Purposes at a meeting of the City of York Council (CYC) on 12th April 2005. The CNP is being prepared in the context of the emerging City of York Local Plan, which was submitted for independent Examination on 25<sup>th</sup> May 2018. The Local Plan will, when adopted, provide a strategic framework for how future development across the City of York will be planned and delivered and will be fully compliant with the National Planning Policy Framework (NPPF).
- 1.11 Until such time as the City of York Local Plan is adopted, there is a range of relevant planning policy applicable. The saved Yorkshire and Humber RSS policies referring to York's Green Belt, including the associated proposals map sets the strategic context for the general extent of the Green Belt around York to six miles from the city centre. As part of the new Local Plan, City of York will be defining the detailed Green Belt boundary around the city for the first time.
- 1.12 In the context of Neighbourhood Planning, this provides scope for the CNP to meet community aspirations for the Neighbourhood Area whilst also helping to deliver the Local Plan's main objectives i.e. housing, employment and good transport links for the City.

## 2. Methodology

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### Identifying European Sites and their qualifying features

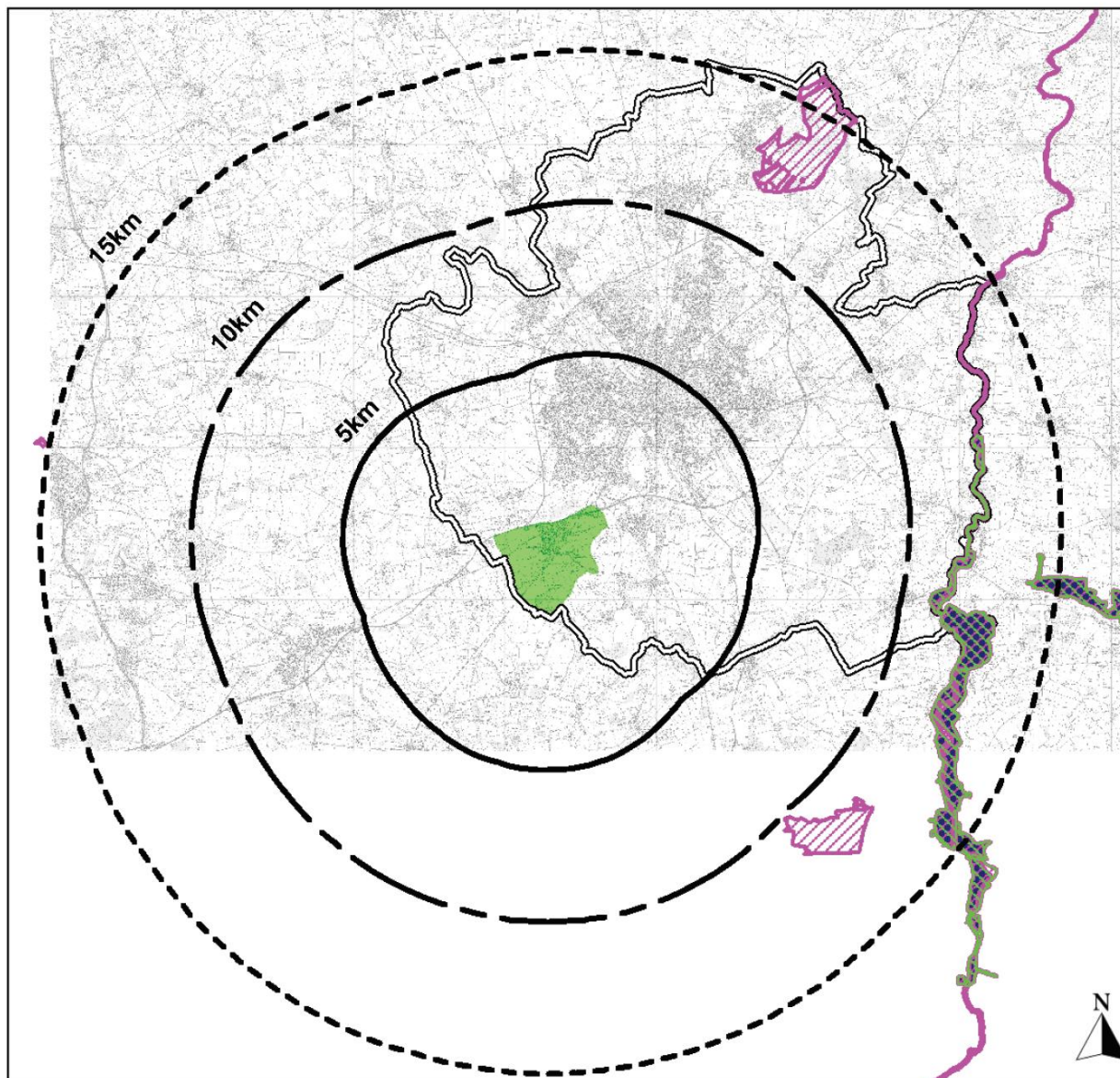
- 2.1 The first stage of preparing this Screening Report is identifying the European Designated Sites within the Neighbourhood Plan area or in close proximity to it.
- 2.2 This study considers potential effects on all European sites within 15km of the CYC boundary, together with any additional downstream sites that may be hydrologically linked to the plan's zone of influence. This is considered to be a suitably precautionary starting point for the assessment of the plan and is consistent with the draft HRA prepared for the emerging Local Plan.
- 2.3 European designated sites have been identified using data from Natural England as shown in Figure 1 (see page 4). This identifies the following sites for consideration within the assessment:








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

- 2.4 Figure 2 (page 5) sets out an outline of the qualifying features of the identified European Sites and a summary of impacts likely to affect the integrity of the protected site. More detailed information regarding the designation of each site is set out in Annex 1, page 20.

Figure2: European Designated Sites within 15km of Copmanthorpe Neighbourhood Plan Area

## Identifying European Designated Sites within 15km of Copmanthorpe Neighbourhood Plan Area



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

Source: Natural England Spatial Data Catalogue, 2017

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FIGURE 2:	Qualifying Features:	Summary of current threats and potential vulnerabilities to outcomes of the Plan:
<b>Strensall Common SAC</b>	<p>H4010. Northern Atlantic wet heaths with <i>Erica tetralix</i>; Wet heathland with cross-leaved heath</p> <p>H4030. European dry heaths</p>	<p>Approximately 570ha site supporting extensive areas of wet and dry heath (M16 <i>Erica tetralix</i> – <i>Sphagnum compactum</i> wet heath and H9 <i>Calluna vulgaris</i> – <i>Deschampsia flexuosa</i> dry heath), with complex mosaics of wet heath and transition habitats. The site is used for training by the MOD, but this is not thought to compromise the interest of the site. The main issue currently affecting habitats is a lack of management and hence scrub encroachment; this is being controlled through management agreements with the MOD and their tenants. Public access via PRowS and Permissive Paths is permitted when training is not taking place, and is subject to an integrated management plan agreed between the MOD, NE and Yorkshire Wildlife Trust; the absence of open access limits the exposure of the interest features to effects associated with visitor pressure.</p>
<b>River Derwent SAC</b>	<p>H3260 Water courses of plain to montane levels with the <i>Ranunculus fluitans</i> and <i>Callitriche-Batrachion</i> vegetation ('Rivers with floating vegetation often dominated by water-crowfoot')</p> <p>S1095 Sea lamprey <i>Petromyzon marinus</i></p>	<p>The River Derwent SAC is primarily designated for its population of River Lamprey: only the lower reaches between Ryemouth and the confluence with the Ouse are designated, reflecting the spawning distribution of this species in the Derwent system. However, the designated section supports diverse communities of aquatic flora and fauna also, including flora uncommon in Northern Britain and a diverse fish community. River and sea lamprey populations spawn in the lower reaches. The main issues affecting the SAC have been identified as excess fine sedimentation, physical modification, lack of shading and shelter in the river and its bankside and barriers to migratory fish passage. The Environment Agency and Natural England are developing a restoration plan to help the River Derwent SSSI move towards favourable condition. This includes a range of actions including fencing off sections trampled by stock to allow vegetation growth, investigation into the potential for fish passes and</p>



		improving riparian and marginal habitats by increasing tree cover. A ramp is being installed at Barmby Barrage to help lamprey movement into the river.
<b>Lower Derwent Valley SAC</b>	H6510. Lowland hay meadows ( <i>Alopecurus pratensis</i> , <i>Sanguisorba officinalis</i> ) H91E0. Alluvial forests with <i>Alnus glutinosa</i> and <i>Fraxinus excelsior</i> ( <i>Alno-Padion</i> , <i>Alnion incanae</i> , <i>Salicion albae</i> ); Alder woodland on floodplains* S1355. <i>Lutra lutra</i> ; Otter	The floodplain of the lower reaches of the River Derwent SAC is dominated by the Lower Derwent Valley SAC, Lower Derwent Valley SPA and Lower Derwent Valley Ramsar. The Lower Derwent Valley SAC supports the largest area of high-quality traditionally managed lowland hay meadows (mainly corresponding to MG4 <i>Alopecurus pratensis</i> – <i>Sanguisorba officinalis</i> grassland) in the UK. Ecological variation is well-developed, particularly in the transitions between this grassland type and other types of wet and dry grassland, swamp and fen vegetation, and there is an area of damp alder woodland at Thornton Ellers adjoining marsh and tall fen communities.  The traditionally managed lowland hay meadows of the Lower Derwent Valley SAC, the River Derwent SAC, and the associated wetland habitats (including fens, swamps, valley mires, wet woodland and other freshwater habitats lying adjacent to the River Derwent, Pocklington Canal and The Beck) support a diverse range of waterbirds throughout the year, and these sites are partly or entirely co-incident with the Lower Derwent Valley SPA. In winter the site supports large numbers of swans, ducks and waders, as well as Bittern, whilst in summer the floodplain supports breeding waders, Corncrake and Spotted Crake. The character and species composition of the grassland, fen and swamp communities is largely controlled by topography, differences in the extent of winter flooding and by the type of agricultural management.  The Ramsar site is coincident with the Lower Derwent Valley SAC (i.e. it does not include the River Derwent itself), and most of the interest features are effectively the same as those of the SPA and SAC (with the exception of the invertebrate interest).
<b>Lower Derwent Valley SPA</b>	A037 <i>Cygnus columbianus bewickii</i> ; Bewick's swan (Non-breeding) A050 <i>Anas penelope</i> ; Eurasian wigeon (Non-breeding) A052 <i>Anas crecca</i> ; Eurasian teal (Non-breeding) A056 <i>Anas clypeata</i> ; Northern shoveler (Breeding) A140 <i>Pluvialis apricaria</i> ; European golden plover (Non-breeding) A151 <i>Philomachus pugnax</i> ; Ruff (Non-breeding) Waterbird assemblage	
<b>Lower Derwent Valley Ramsar</b>	Criterion 1: One of the most important examples of traditionally managed species rich alluvial flood meadow in the UK. Criterion 2: Rich assemblage of wetland invertebrates including 16 species of dragonfly and damselfly; 15 British Red Data Book species; and (uniquely in the UK) the leafhopper <i>Cicadula ornata</i> . Criterion 4: Important site for passage migrants in spring, notably Ruff and Whimbrel. Criterion 5: Assemblages of international importance: 31942 waterfowl (5 year peak mean 1998/99-2002/2003) in winter.	

Criterion 6: Species/populations occurring at levels of international importance: Wigeon, Teal.

The designated sites of the Derwent system have been historically affected by water level issues (due to abstraction and control regimes) and water quality. The main threats to the Lower Derwent Valley SAC are associated with management and water levels / flooding: although most MG4 lowland hay meadow communities are associated with floodplains, they are not inundation communities and excess water associated with high water tables

is considered a greater threat to the community than soil dryness (Wheeler et al. 2004). Water levels in general are an issue in the Valley and this is being addressed by a collaborative project between Natural England, the Environment Agency and Yorkshire Water. Proposals are being developed to change river flows to improve the operation of Barmby Barrage on the River Derwent, which are aimed at improving drainage from the SACs during medium to high flows and improving passage for lamprey species.

Recreational disturbance is also identified as a potential issue for the SPA due to increased house building adjacent to the site. There is an extant planning permission for the extraction of coal by deep mining, which has been reviewed by the Minerals Planning Authority and an appropriate compensation/mitigation package has been agreed by the MPA/English Nature and the holder of the permission.

Trials are in progress on East Cottingwith flood meadow to will help to inform any management changes required to protect the integrity of the lowland hay meadows.

The site will be sensitive to a range of issues although the main current concerns are water quantity (flooding); water level management; habitat management; water quality; and recreational pressure.

Draft Supplementary Advice for Conserving and Restoring Site Features at the Lower Derwent Valley SAC were published by Natural England in June 2016. This provides more detail on the conservation objectives and the range of ecological attributes which are most likely to contribute to a site's overall integrity and the minimum targets each qualifying feature needs to achieve in order to meet the site's objectives.

<b>Humber Estuary SAC</b>	<p>H1110. Sandbanks which are slightly covered by sea water all the time; Subtidal sandbanks  H1130. Estuaries  H1140. Mudflats and sandflats not covered by seawater at low tide; Intertidal mudflats and sandflats  H1150. Coastal lagoons*  H1310. Salicornia and other annuals colonising mud and sand; Glasswort and other annuals colonising mud and sand  H1330. Atlantic salt meadows (<i>Glauco-Puccinellietalia maritima</i>)  H2110. Embryonic shifting dunes</p>	<p>The Humber is a muddy, macro-tidal estuary, fed by a number of rivers including the Rivers Ouse, Trent and Hull. It is the second largest coastal plain Estuary in the UK and supports a full range of saline conditions from the open coast to the limit of saline intrusion on the tidal rivers of the Ouse and Trent. Suspended sediment concentrations are naturally high, and are derived from a variety of sources, including marine sediments and eroding boulder clay along the Holderness coast. Wave exposed sandy shores are found in the outer/open coast areas of the estuary.</p> <p>With regard to the SAC features, the primary features (Estuaries and Intertidal mudflats and sandflats) are found throughout the main body of the estuary, along with other estuarine features (Subtidal sandbanks; Atlantic salt meadows). The inner estuary supports extensive areas of reedbed with areas of mature and developing saltmarsh backed by grazing marsh in the middle and outer estuary. The dune features are largely found in the outer estuary. The fish species include river lamprey and sea lamprey which breed in the River Derwent; Grey seals are largely restricted to the outer estuary and breeding colonies at Donna Nook.</p> <p>Approximately one-third of the estuary is exposed as mud- or sand-flats at low tide, and these support a range of benthic communities that are an important feeding resource for wintering birds and passage migrants (especially geese, ducks and waders). The extensive reedbeds of the inner estuary provide breeding habitat for Bittern and Marsh harrier; the outer estuary supports large tern colonies in the summer.</p> <p>The Ramsar site is largely coincident with the SAC or SPA, and the interest features are effectively the same as those of the SPA and SAC (with the exception of natterjack toad in the outer dunes).</p> <p>The Humber Estuary is subject to the impacts of human activities (past and present) as well as ongoing processes such as sea level rise and climate change. Key issues include coastal squeeze, impacts on the sediment budget, and geomorphological structure and function of the estuary (due to</p>
<b>Humber Estuary SPA</b>	<p>A021 <i>Botaurus stellaris</i>; Great bittern (Non-breeding)  A021 <i>Botaurus stellaris</i>; Great bittern (Breeding)  A048 <i>Tadorna tadorna</i>; Common shelduck (Non-breeding) A081  <i>Circus aeruginosus</i>; Eurasian marsh harrier (Breeding)  A082 <i>Circus cyaneus</i>; Hen harrier (Non-breeding)  A132 <i>Recurvirostra avosetta</i>; Pied avocet (Non-breeding) A132  <i>Recurvirostra avosetta</i>; Pied avocet (Breeding) A140 <i>Pluvialis apricaria</i>; European golden plover (Non-breeding)  A143 <i>Calidris canutus</i>; Red knot (Non-breeding)  A149 <i>Calidris alpina alpina</i>; Dunlin (Non-breeding) A151  <i>Philomachus pugnax</i>; Ruff (Non-breeding)  A156 <i>Limosa limosa islandica</i>; Black-tailed godwit (Non-breeding)  A157 <i>Limosa lapponica</i>; Bar-tailed godwit (Non-breeding)  A162 <i>Tringa totanus</i>; Common redshank (Non-breeding) A195  <i>Sterna albifrons</i>; Little tern (Breeding)  Waterbird assemblage</p>	
<b>Humber Estuary Ramsar</b>	<p>Criterion 1: Representative example of a near-natural estuary with dune systems and humid dune slacks, estuarine waters, intertidal mud and sand flats,</p>	

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

- 2.5 The next stage of the Screening is to understand the extent to which the Neighbourhood Plan could have a significant effect on the European Designated site. Specifically the assessment considers any potential effect that the policies may have on the 'qualifying features' and vulnerabilities of each European Designated Site.
- 2.6 All proposed policies and site allocations included within the emerging Copmanthorpe Neighbourhood Plan are therefore to be appraised against identified site's features and vulnerabilities. Cumulative effects have also been considered within of the assessment to understand whether the Neighbourhood Plan is likely to have significant effects in-combination with other plans or programs.
- 2.7 Section 3 of this report sets out the findings of this appraisal split into:
- Part 1: Assessment of the Neighbourhood Plan
  - Part 2: Cumulative effects.

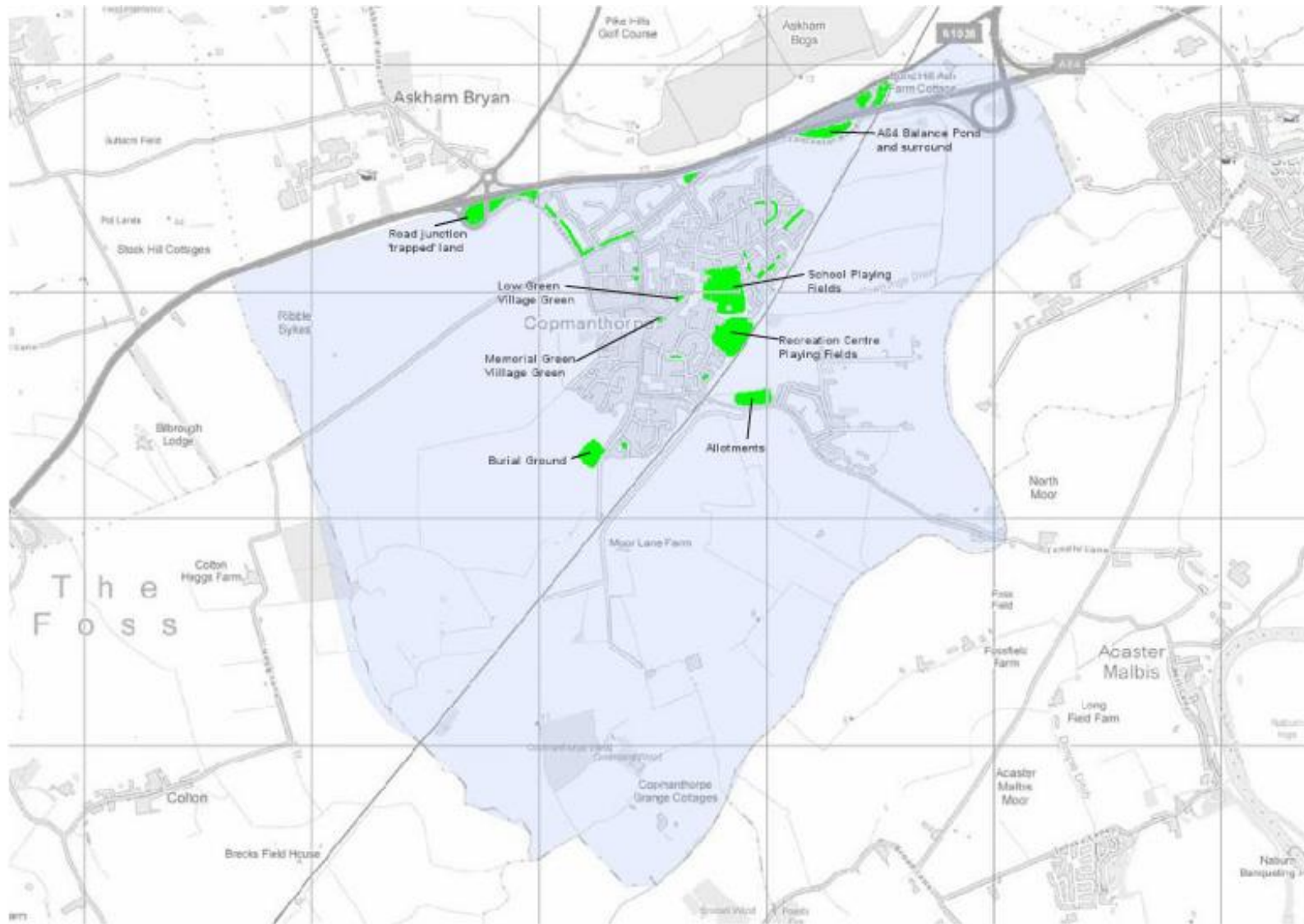




CNP9: Village Design Statement	This policy revises and renews the existing VDS whereby all new development will be required to meet the appropriate standards of design, construction, layout, sustainability and local distinctiveness as set out in the Copmanthorpe Village Design Statement (Part 2 of this Neighbourhood Plan) which, from the adoption of this Plan, will apply to the whole of the Plan area	NLSE	NLSE	NLSE	NLSE	NLSE	NLSE	NLSE	NLSE	
<b>Neighbourhood Plan Site Allocations</b>										
Site 1	This is a 3 ha site allocated for 75 homes located at the north entrance to the village along Tadcaster Road. This site is located within 2km of the Askham Bog SSSI which is not identified to have a functional link to European designated sites identified in this assessment. Due to proximity, it is not considered that this site would have significant adviser effects in relation to recreational pressure on the identified sites and there are no other pathways identified which may affect the designations. It is therefore considered that there is no likely significant effects as a result of this site allocation. See also in-combination effects with the emerging York Local Plan.	NLSE	NLSE	NLSE	NLSE	NLSE	NLSE	NLSE	NLSE	
Site 2	This is a 12 ha parcel of land allocated for recreation, leisure, openspace or allotments. This is likely to have a positive effect on recreational behaviour of residents in enhancing local provision. It is therefore considered that there is no likely significant effects as a result of this site allocation.	NLSE	NLSE	NLSE	NLSE	NLSE	NLSE	NLSE	NLSE	
Site 6	This site is a 2.5ha parcel for 60 dwellings located to the south of the village on Moor Lane. Due to proximity, it is not considered that this site would have adverse effects on the designated European sites. . It is therefore considered that there is no likely significant effects as a result of this site allocation. See also in-combination effects with the emerging York Local Plan.	NLSE	NLSE	NLSE	NLSE	NLSE	NLSE	NLSE	NLSE	



**Indication of Green Spaces within Copmanthorpe - Detailed in the Green Infrastructure Maps**



Part 2 Cumulative effects of the Neighbourhood Plan

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

Plan/ Programme	Comments	Impact
City of York Local Plan	<p>City of York Council has prepared a Local Plan for the City. This will set out the policies and site allocations to meet the city's needs over the next 20 years. A Local Plan Publication draft (2014) was halted from going to consultation following Members decision at Full Council (October 2014) to undertake further work in relation to housing demand. Subsequently, the Local Plan underwent a Preferred Sites Consultation (2016), Pre Publication Consultation (Regulation 18) Consultation (2017) and its final Publication (Regulation 19) consultation between 21<sup>st</sup> February – 4<sup>th</sup> April 2018.. The Local Plan was submitted to the Secretary of State for independent examination on 25<sup>th</sup> May 2018. City of York has been appointed 2 Planning Inspectors and is undergoing the Examination procedures. The plan includes policy on housing, employment, recreation, biodiversity and transport</p> <p>The latest Local Plan HRA to be produced is dated April 2018, which was submitted alongside the Local Plan for examination. This version of the HRA takes forward several issues to Appropriate Assessment (AA). The issues included:</p> <ul style="list-style-type: none"> <li>• Recreational Pressure, change to the hydrological regime and the effect of air pollution on Strensall Common SAC;</li> <li>• Recreational pressure at the Lower Derwent Valley SPA and the impacts on the bird communities that also utilised land beyond the European site.</li> </ul> <p>Appropriate Assessment concluded that the council could ascertain that there would be no adverse effect on the integrity of Strensall Common in terms of air pollution and effects in the aquatic environment without the need for further mitigation, other than mitigation in relation to recreational pressure provided for by minor modification to clarify wording to Policies SS13, SS18, SS19 and EC1. There were no residual effects and no need for an in-combination assessment.</p> <p>The policies set out in the Neighbourhood Plan support emerging Local Plan policy at the neighbourhood level. Housing Allocations (Sites 1 and 6) contained within the Neighbourhood Plan are also supported for housing development in the Local Plan Publication version (2018) submitted for examination. The two sites included in the Copmanthorpe Neighbourhood Plan have therefore been assessed and identified to not have likely significant effects on the European designated sites.</p> <p>It is therefore concluded that there are not likely to be that significant effects to the European designated sites as a result of</p>	NLSE

	in- combination effects between the Local Plan and Neighbourhood Plan at this stage.	
Selby Local Plan	<p>The parish of Copmanthorpe has an adjacent boundary with the district of Selby to the south.</p> <p>Selby District Council adopted their Core Strategy in October 2013. This set out their strategic ambitions, policies and strategic development sites. Several of the policies of the Submission Draft Core Strategy were identified at the screening stage to have the potential to affect Natura 2000 Sites. The designations potentially affected were:</p> <ul style="list-style-type: none"> <li>• The Lower Derwent Valley SAC, Ramsar and SPA designations;</li> <li>• Skipworth Common SAC; and</li> <li>• The Humber Estuary SAC, Ramsar and SPA designations.</li> </ul> <p>The potential impacts arising from the Core Strategy were identified as being:</p> <ul style="list-style-type: none"> <li>• An increase in housing allocations situated within 5km which could lead to increased visitor pressure to countryside sites including those covered by the Natura 2000 designations listed above;</li> <li>• An increase in economic activities that would encourage tourism generally and hence have the potential to indirectly result in increased visitor pressure to countryside sites, including the</li> <li>• sites covered by the Natura 2000 designations listed above; and</li> <li>• If wind energy sites are encouraged (as per CP14) and are situated in areas where they could affect bird populations which are designated features of the above Natura 2000 sites, this may have the potential to result in adverse effects.</li> </ul> <p>It was concluded that the strategy was unlikely to have significant adverse effects on the issues raised above as a result of policy amendments made and it was considered unlikely that a large increase in numbers would visit the sites from the new housing and economic growth. Further work was recommended in relation to visitor survey at the Lower Derwent Valley for the purposes of future monitoring of recreational pressure.</p> <p>Selby DC are currently working towards their Allocations DPD which will set out their detailed portfolio of sites for development. This is subject to its own HRA process to be completed in due course.</p> <p>It is concluded that there are not likely to be that significant effects to the European designated sites as a result of in- combination effects between the Selby Plan and the Neighbourhood Plan at this stage.</p>	NLSE
Joint Minerals and Waste Local Plan	<p>North Yorkshire County Council, City of York Council and the North York Moors National Park Authority are working together to prepare a Joint Minerals and Waste Plan to provide for minerals and waste developments up to 2030. This plan covers the whole of the Neighbourhood Plan area. The joint councils have recently consulted on preferred options and produced a HRA to assess both policies and the preferred sites. The HRA has identified a proposed new extraction site for sand and gravel at Kirk Deighton and recommends an Appropriate Assessment is undertaken to assess the site's impact on the nearby Kirk Deighton SAC. The Appropriate Assessment will focus on the possible hydrological impact of the new extraction site and given the restricted groundwater availability of the area (Nidd Magnesian Limestone Groundwater Resource Area) it will also consider in-combination</p>	

	<p>impacts with the draft Harrogate Local Plan. The Joint Waste and Minerals plan also includes a site at Duttons Farm, Upper Poppleton for the extraction of clay (MJP52/ WJP05). No negative effects alone or in- combination were identified as a result of this site.</p> <p>The JMWP is currently at Examination. Consequently, the HRA is currently being considered in light of the 'people over wind' European Judgment. This will be submitted for consideration as part of the examination in due course.</p> <p>It is concluded that there are not likely to be that significant effects to the European designated sites as a result of in- combination effects between the Selby Plan and the Neighbourhood Plan at this stage.</p>	
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#### 4. Consultation

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- 4.1 Consultation is an important part of the HRA process to ensure that the process is robust and supports the plan development process.
- 4.2 The HRA Screening Report was subject to consultation in February 2018 with Natural England.
- 4.3 The responses received through consultation and how issues raised have been addressed is appended in annex 3.
- 4.4 Natural England are satisfied with the conclusions of the report

#### 5. Conclusion

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

Annex 1: European Designated Sites Qualifying Features and Conservation Objectives

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

Area: 578.75 (ha)

Condition:

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

**Kirk Deighton SAC**

Site Size: 4.03 ha

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

Site Ref:

UK0030178

Qualifying Features	Site Description	Conservation Objectives
S1166. Triturus cristatus; Great crested newt	At just over 4 hectares in size, the site supports an exceptionally large population of great crested newt Triturus cristatus and contains a breeding pond which is shallow, seasonal in nature and varies in size from year to year. This pond is surrounded by sheep and cattle grazed pasture and mature hedgerows which provide both essential feeding and hibernating sites for the great crested newts. The pond also supports a small population of smooth newt Triturus vulgaris and common frog Rana temporaria. In addition, the site contains a smaller drainage pond also known to be used by the newts. This	With regard to the SAC and the natural habitats and/or species for which the site has been designated (the 'Qualifying Features' listed below), and subject to natural change; <b>Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the Favourable Conservation Status of its Qualifying Features, by maintaining or restoring;</b> <ul style="list-style-type: none"> <li>• The extent and distribution of the habitats of qualifying species</li> <li>• The structure and function of the habitats of qualifying species</li> <li>• The supporting processes on which the habitats of qualifying species rely</li> <li>• The populations of qualifying species, and,</li> <li>• The distribution of qualifying species within the site.</li> </ul>

	<p>main breeding pond has a water level that fluctuates widely, sometimes leading to pond desiccation. As a result, there is relatively little aquatic vegetation but egg- laying occurs and recruitment is successful intermittently; however, a large population is present, demonstrating this species' ability to thrive in temporary pond sites. Newts range across an area comprising pasture with old hedgerows.</p>	<p>This document should be read in conjunction with the accompanying Supplementary Advice document, which provides more detailed advice and information to enable the application and achievement of the Objectives set out above. This is available on the Natural England Website but has been considered in this report.</p>
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**Constituent SSSIs:**  
**Kirk Deighton SSSI**  
Area: 4.11 ha Condition:

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

<p><b>River Derwent SAC</b></p> <p>Site Size: 411.23 ha  Source: <a href="http://publications.naturalengland.org.uk/publication/4824082210095104?category=5758332488908800">http://publications.naturalengland.org.uk/publication/4824082210095104?category=5758332488908800</a></p>		<p>Site Ref:  <b>UK0030253</b></p>
Qualifying Features	Site Description	Conservation Objectives
<p><b>Qualifying habitats:</b> The site is designated under <b>article 4(4)</b> of the Directive (92/43/EEC) as it hosts the</p>	<p>The Yorkshire Derwent is considered to represent one of the best British examples of the classic river profile. This</p>	<p>With regard to the SAC and the natural habitats and/or species for which the site has been designated (the 'Qualifying Features' listed below),</p>



<p>following habitats listed in Annex I:</p> <ul style="list-style-type: none"> <li>Water courses of plain to montane levels with the Ranunculion fluitantis and Callitriche-Batrachion vegetation. (Rivers with floating vegetation often dominated by water-crowfoot)</li> </ul> <p><b>Qualifying species:</b> The site is designated under <b>article 4(4)</b> of the Directive (92/43/EEC) as it hosts the following species listed in Annex II:</p> <ul style="list-style-type: none"> <li>Bullhead <i>Cottus gobio</i></li> <li>River lamprey <i>Lampetra fluviatilis</i></li> <li>Otter <i>Lutra lutra</i></li> <li>Sea lamprey <i>Petromyzon marinus</i></li> </ul>	<p>lowland section, stretching from Ryemouth to the confluence with the Ouse, supports diverse communities of aquatic flora and fauna. Fed from an extensive upland catchment, the lowland course of the Derwent has been considerably diverted and extended as a result of glacial action in the Vale of Pickering.</p> <p>The river supports an aquatic flora uncommon in Northern Britain. Several species, including river water-dropwort <i>Oenanthe fluviatilis</i>, flowering rush <i>Butomus umbellatus</i>, shining pondweed <i>Potamogeton lucens</i>, arrowhead <i>Sagittaria sagittifolia</i>, opposite-leaved pondweed <i>Groenlandia densa</i> and narrow-leaved water-parsnip <i>Berula erecta</i> are more typically found in lowland rivers in southern England. The Derwent is noted for the diversity of its fish communities, which include river <i>Lampetra fluviatilis</i> and sea lampreys <i>Petromyzon marinus</i> populations that spawn in the lower reaches, as well as bullhead <i>Cottus gobio</i>. The diverse habitats also support otters <i>Lutra lutra</i>.</p>	<p>and subject to natural change;  <b>Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the Favourable Conservation Status of its Qualifying Features, by maintaining or restoring;</b></p> <ul style="list-style-type: none"> <li><b>The extent and distribution of qualifying natural habitats and habitats of qualifying species</b></li> <li><b>The structure and function (including typical species) of qualifying natural habitats</b></li> <li><b>The structure and function of the habitats of qualifying species</b></li> <li><b>The supporting processes on which qualifying natural habitats and the habitats of qualifying species rely</b></li> <li><b>The populations of qualifying species, and,</b></li> <li><b>The distribution of qualifying species within the site.</b></li> </ul> <p>This document should be read in conjunction with the accompanying Supplementary Advice document, which provides more detailed advice and information to enable the application and achievement of the Objectives set out above.</p>
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**Constituent SSSIs:**

**River Derwent SSSI**

Area: 407.84 ha

	% meeting area of favourable or unfavourable	Favourable	Unfavourable - Recovering	Unfavourable - No change	Unfavourable - Declining	Partially destroyed	Destroyed	Not Assessed

	<b>recovering</b>							
<b>Area (ha)</b>	406.24	25.72	380.53	1.60				
<b>Percentage</b>	99.61%	6.31%	93.30%	0.39%	0.00%	0.00%	0.00%	0.00%

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

<p><b>Qualifying species:</b> The site is designated under <b>article 4(4)</b> of the Directive (92/43/EEC) as it hosts the following species listed in Annex II:</p> <ul style="list-style-type: none"> <li>• Otter <i>Lutra lutra</i></li> </ul> <p>Annex I priority habitats are denoted by an asterisk (*).</p>		<p><b>habitats and the habitats of qualifying species rely</b></p> <ul style="list-style-type: none"> <li>• <b>The populations of qualifying species, and,</b></li> <li>• <b>The distribution of qualifying species within the site.</b></li> </ul> <p>This document should be read in conjunction with the accompanying Supplementary Advice document, which provides more detailed advice and information to enable the application and achievement of the Objectives set out above.</p>
<p><b>Lower Derwent SPA</b></p> <p>Source: <a href="http://publications.naturalengland.org.uk/publication/5660734323163136?category=5758332488908800">http://publications.naturalengland.org.uk/publication/5660734323163136?category=5758332488908800</a></p>		<p>Site Ref:</p> <p>UK9006092</p>
Qualifying Features	Site Description	Conservation Objectives
<ul style="list-style-type: none"> <li>• A037 <i>Cygnus columbianus bewickii</i>; Bewick's swan (Non-breeding)</li> <li>• A050 <i>Anas penelope</i>; Eurasian wigeon (Non-breeding)</li> <li>• A052 <i>Anas crecca</i>; Eurasian teal (Non-breeding)</li> <li>• A056 <i>Anas clypeata</i>; Northern shoveler (Breeding)</li> <li>• A140 <i>Pluvialis apricaria</i>; European golden plover (Non-breeding)</li> <li>• A151 <i>Philomachus pugnax</i>; Ruff (Non-breeding)</li> <li>• Water bird assemblage</li> </ul>	<p>The Lower Derwent Valley covers an area of 1089.4ha and consists of extensive areas of traditionally managed species rich, alluvial flood meadow of a kind now restricted in the UK.</p> <p>The boundaries of the SPA are coincident with the constituent SSSIs apart from the exclusion of the sections of the River Derwent SSSI north of Newton Mask SSSI an south of Brighton Meadows SSSI.</p> <p>The site qualifies under Article 4.1 by regularly supporting nationally important winter numbers of the Annex 1 species: <i>Cygnus columbianus bewickii</i>; Bewick swan; A140 <i>Pluvialis apricaria</i>; European golden plover (Non-breeding); A151 <i>Philomachus pugnax</i>; Ruff (Non-breeding).</p> <p>The site qualifies under Article 4.2 for regularly supporting breeding population of <i>Anas clypeata</i>;</p>	<p>With regard to the SPA and the individual species and/or assemblage of species for which the site has been classified (the 'Qualifying Features' listed below), and subject to natural change;</p> <p><b>Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the aims of the Wild Birds Directive, by maintaining or restoring;</b></p> <ul style="list-style-type: none"> <li>• <b>The extent and distribution of the habitats of the qualifying features</b></li> <li>• <b>The structure and function of the habitats of the qualifying features</b></li> <li>• <b>The supporting processes on which the habitats of the qualifying features rely</b></li> <li>• <b>The population of each of the qualifying features, and,</b></li> <li>• <b>The distribution of the qualifying features within the site.</b></li> </ul>

Northern Shoveler (Breeding).

The site qualifies under Article 4.2 as an area for of international importance to waterfowl by regularly supporting over 20,000 waterfowl in winter, including Anas Penelope; Eurasian wigeon (Non-breeding) and Anas crecca; Eurasian teal (Non-breeding). The site also supports nationally important migratory species.

This document should be read in conjunction with the accompanying Supplementary Advice document, which provides more detailed advice and information to enable the application and achievement of the Objectives set out above.

**Constituent SSSIs:**

**Derwent Ings SSSI**

Area: 666.18ha

Condition:

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

**Brighton Meadows SSSI**

Area: 38.39 ha

Condition:

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

**Melbourne and Thornton Ings SSSI**

Area: 200.37 ha

Condition:

	% meeting area of favourable or unfavourable recovering	Favourable	Unfavourable - Recovering	Unfavourable - No change	Unfavourable - Declining	Partially destroyed	Destroyed	Not Assessed
<b>Area (ha)</b>	200.37	84.58	115.79					
<b>Percentage</b>	100.00%	42.21%	57.79%	0.00%	0.00%	0.00%	0.00%	0.00%

**Newton Mask SSSI**

Area: 17.78 ha

Condition:

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

**Humber Estuary SAC**

Site size: 36,657.15 ha

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

Site Ref:

**UK00300170**

Qualifying Features	Site Description	Conservation Objectives
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<p><b>Qualifying habitats:</b> The site is designated under <b>article 4(4)</b> of the Directive (92/43/EEC) as it hosts the following habitats listed in Annex I:</p> <ul style="list-style-type: none"> <li>• Atlantic salt meadows (Glauco-Puccinellietalia maritimae)</li> <li>• Coastal lagoons*</li> <li>• Dunes with Hippophae rhamnoides</li> <li>• Embryonic shifting dunes</li> <li>• Estuaries</li> <li>• Mudflats and sandflats not covered by seawater at low tide</li> <li>• Fixed dunes with herbaceous vegetation ('grey dunes')*</li> <li>• Salicornia and other annuals colonising mud and sand</li> <li>• Sandbanks which are slightly covered by sea water all the time</li> <li>• Shifting dunes along the shoreline with Ammophila arenaria ('white dunes')</li> </ul> <p><b>Qualifying species:</b> The site is designated under <b>article 4(4)</b> of the Directive (92/43/EEC) as it hosts the</p>	<p>The Humber is the second largest coastal plain <b>Estuary</b> in the UK, and the largest coastal plain estuary on the east coast of Britain. The estuary supports a full range of saline conditions from the open coast to the limit of saline intrusion on the tidal rivers of the Ouse and Trent. The range of salinity, substrate and exposure to wave action influences the estuarine habitats and the range of species that utilise them; these include a breeding bird assemblage, winter and passage waterfowl, river and sea lamprey, grey seals, vascular plants and invertebrates.</p> <p>The Humber is a muddy, macro-tidal estuary, fed by a number of rivers including the Rivers Ouse, Trent and Hull. Suspended sediment concentrations are high, and are derived from a variety of sources, including marine sediments and eroding boulder clay along the Holderness coast. This is the northernmost of the English east coast estuaries whose structure and function is intimately linked with soft eroding shorelines. The extensive mud and sand flats support a range of benthic communities, which in turn are an important feeding resource for birds and fish. Wave exposed sandy shores are found in the outer/open coast areas of the estuary. These change to the more moderately exposed sandy shores and then to sheltered muddy shores within the main body of the estuary and up into the tidal rivers.</p> <p>Habitats within the Humber Estuary include <b>Atlantic salt meadows</b> and a range of sand dune types in the outer estuary, together with <b>Sandbanks which are slightly covered by sea water all the time</b>, extensive intertidal mudflats, <b>Salicornia and other annuals colonising mud and sand</b>, and <b>Coastal lagoons</b>. As salinity declines upstream, reedbeds and brackish saltmarsh communities fringe the estuary. These are best-represented at the confluence of the Rivers Ouse and Trent at Blacktoft Sands.</p> <p>Upstream from the Humber Bridge, the navigation channel undergoes major shifts from north to south banks, for reasons that have yet to be fully explained. This section of the estuary is also noteworthy for extensive mud and sand bars, which in places form semi-permanent islands. The sand dunes are features of the outer</p>	<p>With regard to the natural habitats and/or species for which the site has been designated (the 'Qualifying Features' listed below), and subject to natural change;</p> <p><b>Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the Favourable Conservation Status of its Qualifying Features, by maintaining or restoring;</b></p> <ul style="list-style-type: none"> <li>• <b>The extent and distribution of qualifying natural habitats and habitats of qualifying species</b></li> <li>• <b>The structure and function (including typical species) of qualifying natural habitats</b></li> <li>• <b>The structure and function of the habitats of qualifying species</b></li> <li>• <b>The supporting processes on which qualifying natural habitats and habitats of qualifying species rely</b></li> <li>• <b>The populations of qualifying species, and,</b></li> <li>• <b>The distribution of qualifying species within the site.</b></li> </ul> <p>This document should be read in conjunction with the accompanying Supplementary Advice document, which provides more detailed advice</p>
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<p>following species listed in Annex II:</p> <ul style="list-style-type: none"> <li>• Grey seal <i>Halichoerus grypus</i></li> <li>• River lamprey <i>Lampetra fluviatilis</i></li> <li>• Sea lamprey <i>Petromyzon marinus</i></li> </ul> <p>Annex I priority habitats are denoted by an asterisk (*)</p>	<p>estuary on both the north and south banks particularly on Spurn peninsula and along the Lincolnshire coast south of Cleethorpes. Examples of both <b>Fixed dunes with herbaceous vegetation</b> (‘grey dunes’) and <b>Shifting dunes along the shoreline with <i>Ammophila arenaria</i></b> (‘white dunes’) occur on both banks of the estuary and along the coast. Native sea buckthorn <b>Dunes with <i>Hippophae rhamnoides</i></b> also occurs on both sides of the estuary. Significant fish species include <b>river lamprey</b> <i>Lampetra fluviatilis</i> and <b>sea lamprey</b> <i>Petromyzon marinus</i> which breed in the River Derwent, a tributary of the River Ouse. <b>Grey seals</b> <i>Halichoerus grypus</i> come ashore in autumn to form breeding colonies on the sandy shores of the south bank at Donna Nook.</p>	<p>and information to enable the application and achievement of the Objectives set out above.</p>
<p><b>Humber Estuary SPA (Including Humber Estuary Ramsar)</b></p> <p>Source: <a href="http://publications.naturalengland.org.uk/publication/5382184353398784?category=5758332488908800">http://publications.naturalengland.org.uk/publication/5382184353398784?category=5758332488908800</a></p>		<p>Site Ref: UK9006111</p>
Qualifying Features	Site Description	Conservation Objectives
<p>The site qualifies under <b>article 4.1</b> of the Directive (79/409/EEC) as it is used regularly by 1% or more of the Great Britain populations of the following species listed in Annex I in any season:</p> <ul style="list-style-type: none"> <li>• A021 <i>Botaurus stellaris</i>; Great bittern (Non-breeding)</li> <li>• A021 <i>Botaurus stellaris</i>; Great bittern (Breeding)</li> <li>• A048 <i>Tadorna tadorna</i>; Common shelduck (Non-breeding)</li> <li>• A081 <i>Circus aeruginosus</i>; Eurasian marsh harrier (Breeding)</li> <li>• A082 <i>Circus cyaneus</i>; Hen harrier (Non-breeding)</li> <li>• A132 <i>Recurvirostra avosetta</i>; Pied avocet (Non-breeding)</li> <li>• A132 <i>Recurvirostra avosetta</i>; Pied avocet (Breeding)</li> <li>• A140 <i>Pluvialis apricaria</i>; European golden plover (Non-breeding)</li> <li>• A143 <i>Calidris canutus</i>; Red knot (Non-breeding)</li> </ul>	<p>The Humber Estuary is located on the east coast of England and comprises extensive wetland and coastal habitats. The inner estuary supports extensive areas of reedbed, with areas of mature and developing saltmarsh backed by grazing marsh in the middle and outer estuary. On the north Lincolnshire coast, the saltmarsh is backed by low sand dunes with marshy slacks and brackish pools. Parts of the estuary are owned and managed by conservation organisations. The estuary supports important numbers of water birds (especially geese, ducks and waders) during the migration</p>	<p>With regard to the SPA and the individual species and/or assemblage of species for which the site has been classified (the ‘Qualifying Features’ listed below), and subject to natural change;</p> <p><b>Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the aims of the Wild Birds Directive, by maintaining or restoring;</b></p> <ul style="list-style-type: none"> <li>• <b>The extent and distribution of the habitats of the qualifying features</b></li> <li>• <b>The structure and function of the habitats of the qualifying features</b></li> <li>• <b>The supporting processes on</b></li> </ul>

<ul style="list-style-type: none"> <li>• A149 <i>Calidris alpina alpina</i>; Dunlin (Non-breeding)</li> <li>• A151 <i>Philomachus pugnax</i>; Ruff (Non-breeding)</li> <li>• A156 <i>Limosa limosa islandica</i>; Black-tailed godwit (Non-breeding)</li> <li>• A157 <i>Limosa lapponica</i>; Bar-tailed godwit (Non-breeding)</li> <li>• A162 <i>Tringa totanus</i>; Common redshank (Non-breeding)</li> </ul> <p>A195 <i>Sterna albifrons</i>; Little tern (Breeding)</p> <p><b>Assemblage qualification:</b> The site qualifies under <b>article 4.2</b> of the Directive (79/409/EEC) as it is used regularly by over 20,000 water birds (water birds as defined by the Ramsar Convention) in any season: In the non-breeding season, the area regularly supports 153,934 individual water birds (five year peak mean 1996/97 – 2000/01), including dark-bellied Brent goose <i>Branta bernicla bernicla</i>, shelduck <i>Tadorna tadorna</i>, wigeon <i>Anas penelope</i>, teal <i>Anas crecca</i>, mallard <i>Anas platyrhynchos</i>, pochard <i>Aythya ferina</i>, scaup <i>Aythya marila</i>, goldeneye <i>Bucephala clangula</i>, bittern <i>Botaurus stellaris</i>, oystercatcher <i>Haematopus ostralegus</i>, avocet <i>Recurvirostra avosetta</i>, ringed plover <i>Charadrius hiaticula</i>, golden plover <i>Pluvialis apricaria</i>, grey plover <i>P. squatarola</i>, lapwing <i>Vanellus vanellus</i>, knot <i>Calidris canutus</i>, sanderling <i>C. alba</i>, dunlin <i>C. alpina</i>, ruff <i>Philomachus pugnax</i>, black-tailed godwit <i>Limosa limosa</i>, bar-tailed godwit <i>L. lapponica</i>, whimbrel <i>Numenius phaeopus</i>, curlew <i>N. arquata</i>, redshank <i>Tringa totanus</i>, greenshank <i>T. nebularia</i> and turnstone <i>Arenaria interpres</i>. <b>Non-qualifying species of interest:</b> The SPA is used by non-breeding merlin <i>Falco columbarius</i>, peregrine <i>F. peregrinus</i> and short-eared owl <i>Asio flammeus</i>, and breeding common tern <i>Sterna hirundo</i> and kingfisher <i>Alcedo atthis</i> (all species listed in Annex I to the EC Birds Directive) in numbers of less than European importance (less than 1% of the GB population).</p>	<p>periods and in winter. In summer, it supports important breeding populations of bittern <i>Botaurus stellaris</i>, marsh harrier <i>Circus aeruginosus</i>, avocet <i>Recurvirostra avosetta</i> and little tern <i>Sterna albifrons</i>.</p>	<p><b>which the habitats of the qualifying features rely</b></p> <ul style="list-style-type: none"> <li>• <b>The population of each of the qualifying features, and,</b></li> <li>• <b>The distribution of the qualifying features within the site.</b></li> </ul> <p>This document should be read in conjunction with the accompanying Supplementary Advice document, which provides more detailed advice and information to enable the application and achievement of the Objectives set out above.</p>
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**Constituent SSSIs:****Humber Estuary SSSI**

Area: 37,000.60 ha

Condition:

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

**North Killingholme Haven Pitts SSSI**

Area: 21.63 ha

Condition:

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

**Saltfleetby SSSI-Threddlethorpe Dunes SSSI**

Area: 971.86

Condition:

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

**The Lagoons SSSI**

Area: 70.19 ha

Condition:

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

Source: Copmanthorpe Neighbourhood Plan (May 2022)

<p><b>Policy CNP1: HOUSING QUANTITY</b></p> <p>Up to 135 dwellings will be permitted within the Parish of Copmanthorpe within the plan period and development of these will only be permitted on the two allocated sites set out in Policy CNP2. Development that is likely to breach this overall level will not be permitted except in the case of small scale development of five units or less which can be satisfactorily integrated into the existing built-up area of the village.</p>																								
<p><b>POLICY CNP2: ALLOCATED SITES</b></p> <p>1. The following sites will be allocated for the uses and the maximum level of development as shown below:</p> <table border="1"> <thead> <tr> <th><u>Site</u></th> <th><u>Use</u></th> <th><u>Size</u></th> <th><u>No of Units</u></th> <th><u>Notes</u></th> </tr> </thead> <tbody> <tr> <td>Site 1</td> <td>Housing</td> <td>3ha</td> <td>75</td> <td>25 units/ha</td> </tr> <tr> <td>Site 2</td> <td>Recreation, ) Leisure and ) Open Space, ) Allotments )</td> <td>12ha</td> <td></td> <td></td> </tr> <tr> <td>Site 6</td> <td>Housing</td> <td>2.5ha</td> <td>60</td> <td>25 units/ha</td> </tr> </tbody> </table> <p>2. All new development will be required to meet the appropriate standards of design, construction, layout, sustainability and local distinctiveness as set out in the Copmanthorpe Village Design Statement</p> <p>3. Developers will be required to ensure that the development of Site 1 does not result in damage to the notified features of Askham Bog Site of Special Scientific Interest (SSSI) and nature reserve through changes to the water levels at Askham Bog. In particular developers should consider potential impacts on water quality and water levels at Askham Bog SSSI from water drainage into the SSSI as a consequence of the development of this site</p> <p>4. Developers will be required to ensure that the development of Site 2 does not result in water draining into the current surface water drainage system or to a raised water table in the area</p>					<u>Site</u>	<u>Use</u>	<u>Size</u>	<u>No of Units</u>	<u>Notes</u>	Site 1	Housing	3ha	75	25 units/ha	Site 2	Recreation, ) Leisure and ) Open Space, ) Allotments )	12ha			Site 6	Housing	2.5ha	60	25 units/ha
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<p><b>POLICY CNP3: AFFORDABLE AND SPECIAL HOUSING</b></p> <p>Affordable housing within Copmanthorpe (including social rented housing where there is a proven need) will be delivered in line with City of York Council policy and in accordance with Policy CNP3:</p> <p>1. The target level of affordable and special housing per residential development scheme will be set in line with City of York Council policy from time to time in force</p> <p>2. Housing needs for older people will be established in consultation with City of York Council and, where housing need is the same, preference will be given to local residents or those with a local connection as detailed in CNP3</p>																								

**POLICY CNP4: LOCAL OCCUPANCY**

All affordable housing and older persons housing will be subject to local occupancy restrictions as follows:

1. A person or household who currently lives in the Parish and has done so for a continuous period of at least three years; or
2. A person or household who works in the Parish and has done so for a continuous period of at least three years; or
3. A person or household who has moved away but has strong established and continuous links with the Parish by reason of birth or long-term immediate family connections; or
4. A person or household who has an essential need through age or disability to live close to those who have lived in the Parish for at least three years
5. If, at any time, no person or household satisfies the above restrictions then they may be expanded to include a person or household who currently live within the CYC local authority area and has done so for a continuous period of at least five years with essential need for property, for example for reasons of age, disability or illness
6. Beyond the provision of point 5, if no person or household can be identified then the restrictions may be further expanded to include North Yorkshire

**POLICY CNP5: COMMUNITY FACILITIES AND ORGANISATIONS**

1. Land will be allocated at Site 2 in Policy CNP2 for the provision of playing fields, recreational open space, children’s play areas and additional allotments.
2. Any off-site financial contributions will be ring-fenced to deliver further recreational facilities within Copmanthorpe

**POLICY CNP6: GREEN BELT**

1. The Green Belt land to the west of Copmanthorpe forms an important part of the special open and agricultural character of the setting of the nationally significant historic City of York. Together with the other Green Belt land surrounding the village it also plays an important role in maintaining the identity, character and setting of Copmanthorpe village itself. With the exception of the allocated development sites identified in Policy CNP2, any development which harms the character and setting of either York or Copmanthorpe will not be supported
- 2.

**POLICY CNP7 GREEN INFRASTRUCTURE**

1. The green infrastructure within and surrounding Copmanthorpe will be safeguarded and enhanced and will be expanded as the opportunity arises and connected to surrounding habitat. No development which harms, directly or indirectly, the integrity or quality of this infrastructure will be supported
2. Any development will be expected to lead to a net gain in wildlife and biodiversity for the Parish of Copmanthorpe as suggested by the NPPF

**POLICY CNP8: PARISH COUNCIL CONSULTATION**

Planning applicants will be encouraged to engage in pre-application consultations with the Parish Council in order to minimise any site issues or planning problems that may arise and application should be accompanied by a statement confirming if consultation has taken place and setting out the comments of the Parish Council

Annex 3: Consultation Comments on draft HRA (February 2018)

Consultee Comment	CYC Comments
<p><b>Natural England</b></p> <p>Natural England welcomes the clear, thorough and well-presented Habitats Regulations Assessment report provided in support of the Copmanthorpe Neighbourhood Plan and is broadly satisfied with the conclusions reached. However, we note that you are referring to the 2014 draft of the York Local Plan and accompanying Habitats Regulations Assessment and advise that you consult City of York Council regarding whether the latest draft of the plan and Habitats Regulations Assessment has any additional consequences in terms of in-combination effects. Should no additional issues arise Natural England would be satisfied with the assessment</p>	<p><b>Action</b></p> <p>City of York Council have been asked to confirm that there are no additional consequences.</p>
<p><b>City of York Council</b></p> <p>City of York Council report that a court case in May has revealed two points which may change the way HRAs are carried out. As soon as they have worked out how this might change CYC's HRA they will get back to us with any necessary changes to ours</p>	<p>City of York Council subsequently provided an amended version of the HRA for consideration by Copmanthorpe Parish Council. The Parish Council have adopted this revised version (foregoing)</p>



