Minerals and Waste Joint Plan

Preferred Options

Habitat Regulations Assessment of Likely Significant Effects on European Designated Nature Conservation Sites

November 2015

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1. Introduction

1.1 Purpose of the Minerals and Waste Joint Plan Habitats Regulations Assessment

North Yorkshire County Council (NYCC), the City of York Council (CYC) and the North York Moors National Park Authority (NYMNPA) are working together to produce a Minerals and Waste Joint Plan (MWJP). The purpose of this report is to record and present the findings of a Habitats Regulations Assessment (HRA) screening exercise undertaken on that MWJP at Preferred Options Consultation stage. This exercise was also undertaken at the Issues and Option stage and the screening report can be viewed here. This HRA screening assessment has been carried out to meet the requirements of the 'Conservation of Habitats and Species Regulations, 2010' and provides the competent authorities (in this case NYCC, CYC and NYMNPA) with the information required to establish whether emerging policies are compliant with the Regulations. It also gives an indication of whether a full Appropriate Assessment is likely to be necessary if the preferred option is pursued.

1.2 Requirement to Undertake Habitats Regulations Assessment

The Habitats Directive

The United Kingdom is subject to Council Directive 92/43/EEC on the Conservation of Natural Habitats and Wild Fauna and Flora, which is often referred to as the Habitats Directive. The principal aim of the Directive is to promote biodiversity *'by requiring Member States to take measures to maintain or restore natural habitats and wild species listed in the Annexes to the Directive at a favourable conservation status'* (JNCC, 2012a)[1]. Amongst the measures the Directive requires to achieve this is the creation of *'a coherent European ecological network of special areas of conservation'*. This network also includes Special Protection Areas (SPAs) for birds, designated under Directive 79/409/EEC ('The Birds Directive') and is termed the Natura 2000 Network.

Article 6(3) of the Directive puts in place requirements on certain plans and projects:

'Any plan or project not directly connected with or necessary to the management of the site but likely to have a significant effect thereon, either individually or in combination with other plans or projects, shall be subject to ***appropriate assessment*** *of its implications for the site in view of the site's conservation objectives'.*(European Commission, 1992)[2].

The Conservation of Habitats and Species Regulations, 2010 (As Amended)

The Habitats Directive was transposed into UK law in 1994 as the Conservation (Natural Habitats &c) Regulations, 1994. These Regulations were amended on a number of occasions in the years following 1994 and in 2010 the Government chose to consolidate the various amendments to the Regulations via 'the Conservation of Habitats and Species Regulations, 2010'. Paragraph 61 sets out the requirements for the undertaking of appropriate assessment

[1] jncc.defra.gov.uk/page-1374

[2] European Commission, 1992. Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora [eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:31992L0043:EN:HTML] (accessed 07/02/2014).

where a plan '*is likely to have a significant effect on a European Site or a European Offshore Marine Site (either alone or in combination with other plans or projects)'.*

The Regulations also provide clarity on what is meant by 'European Site' under Regulation 8. This includes both terrestrial and marine Special Protection Areas (SPAs), Special Areas of Conservation (SACs), Sites of Community Importance (SCIs)[3] potential SACs (pSACs) and potential SPAs (pSPAs).

The Conservation of Habitats and Species (Amendment) Regulations 2012 update the 2010 Regulations. While this legislation makes significant changes to the implementation of the Birds Directive in the UK, including a requirement for competent authorities to avoid pollution or deterioration of bird habitat wherever it may occur[4], the protocols for undertaking Appropriate Assessment, at least in terms of the MWJP, remain the same.

1.3 Minerals and Waste Joint Plan

As planning authorities for minerals and waste in each of their areas, NYCC, CYC and the NYMNPA have a responsibility to take decisions on planning applications for these types of development. The three Authorities also have a duty to produce planning policies within a Local Plan to help take those decisions.

NYCC, CYC and the NYMNPA are currently working together to prepare a Minerals and Waste Joint Plan (MWJP) which will be prepared under the provisions of the Town and Country Planning (Local Planning) Regulations 2012[5]. The MWJP, informed by evidence and consultation, will contain the spatial framework for future minerals and waste development across the three authorities and present land use policies and allocations for future minerals and waste development.

The MWJP is currently at the Preferred Options Consultation stage of preparation which provides an indication, pending further consultation, of the proposed new policies which the Authorities wish to adopt. Table 1 below shows the key stages in the production of the MWJP.

Table 1: Key Stages in the Production of the MWJP

Stage in plan preparation	**Purpose**
First Consultation (undertaken in Summer 2013)	To obtain views on the issues the Plan should address
Issues and Options (undertaken in February 2014)	To present, for consultation, the issues, draft vision and objectives and possible options for policies to address the issues

[3] SCIs are sites that have been adopted by the European Commission but are not yet formally designated by the European Commission.

[4] This requirement will be addressed, where it exists outside of the Natura 2000 / Ramsar network, in the accompanying Sustainability Appraisal to the MWJP.

[5] These Regulations build upon the broader system for producing plans set out in the 2004 Planning and Compulsory Purchase Act. For instance, the arrangements for Development Plan Documents are amended and those DPDs are renamed as Local Plans.

Preferred Options	To present draft policies for consultation
Publication	To publish the Plan for final comments
Submission and Examination	Independent examination and production of Inspector's report
Adoption	Final Plan adopted by the three authorities

A draft vision and objectives have been developed in order to give direction to the policies of the MWJP. The draft vision and 12 related objectives which have been proposed as a means of taking the vision forward are underpinned by the following interconnected priorities:

- Delivering sustainable waste management;
- Achieving the efficient use of minerals resources;
- Optimising the spatial distribution of minerals and waste development; and
- Protecting and enhancing the environment and supporting communities and businesses and mitigating and adapting to climate change.

The full draft vision and objectives can be viewed in the MWJP Preferred Options Consultation available at www.northyorks.gov.uk/mwconsult.

The preferred option policies are presented in 5 chapters in the MWJP Preferred Options Consultation as follows:

- Minerals;
- Provision of Waste Management Capacity and Infrastructure;
- Minerals and Waste Transport and Other Infrastructure;
- Minerals and Waste Safeguarding; and
- Development Management.

A full list of preferred policies as well as the policies themselves is available in the Preferred Options Report. **THIS ASSESSMENT OF LIKELY SIGNIFICANT EFFECTS REPORT SHOULD BE READ ALONGSIDE THE PREFERRED OPTIONS REPORT.**

A Sustainability Appraisal (SA), incorporating the requirements of Strategic Environmental Assessment (SEA), is also being undertaken in relation to the MWJP and the Sustainability Appraisal Update Report relating to the Preferred Options consultation can be viewed at www.northyorks.gov.uk/mwconsult. However, as outlined above, there is also a requirement under European and UK legislation to undertake a Habitats Regulations Assessment on the plan. While SEA is an iterative process that seeks to improve the environmental performance of a plan and reduce or mitigate for any deleterious environmental effects, Habitats Regulations Assessment is a test of the effect of the plan on the integrity of European Nature Conservation Sites (referred to from this point on as 'European sites')[6]. In this sense the objective of the Habitats Regulations Assessment process undertaken in this report is to test whether the MWJP is likely to have a significant effect on European Nature Conservation Sites

[6] In this report European Nature Conservation Sites, namely Special Protection Areas and Special Areas of Conservation, are considered alongside international Ramsar Wetland Sites, consistent with UK Government Policy.

either alone or in combination with other plans or projects and, if so, can that effect be reduced to levels that are below a significant level. This report also describes any avoidance measures or mitigation that could be pursued at an early stage and states whether an appropriate assessment[7] under the Regulations is likely to be necessary. However, as the policies are still in draft form, additional assessment will be required as policies are further defined at the publication stage.

[7] See section 2 of this report for an explanation of appropriate assessment.

2. Habitats Regulations Assessment Methodology

2.1 European Sites

As previously stated, plans such as the MWJP, must be considered for their likely significant effects (alone or in combination with other plans and projects) on European Sites. The Conservation of Habitats and Species Regulations, 2010 (as amended) establishes what is meant by a 'European Site' under Regulation 8. This includes both terrestrial and marine Special Protection Areas (SPAs), Special Areas of Conservation (SACs), Sites of Community Importance (SCIs)[8], potential SACs (pSACs) and potential SPAs (pSPAs). These are described below:

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 (as listed on Annex I of the Directive), and for regularly occurring migratory species*'[9].

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 identified in Annex I and II of the Directive (as amended)'*[10].

Potential SACs (pSACs) and potential SPAs (pSPAs) are sites that have been approved by Government and are currently in the process of being classified[11].

Consideration of Ramsar Sites and Other Sites

Unlike European sites, Ramsar sites are sites of international, rather than just European, importance, designated for wetlands. In practice, in the UK most Ramsar sites also receive protection as Special Protection Areas. However, paragraph 118 of the Government's National Planning Policy Framework gives Ramsar sites and proposed Ramsar sites the same protection as European sites. The NPPF also states that pSACs, pSPAs and 'sites identified, or required *as compensatory measures for adverse effects on European sites'* should be given the same protection as European sites. To address this requirement of planning policy all Ramsar sites, where they lie within the Plan Area or 15km buffer zone (see Section 3.2), will be considered alongside European sites, terrestrial or marine, in this assessment.

[8] SCIs are sites that have been adopted by the European Commission but are not yet formally designated by the European Commission.
[9] JNCC, undated. Special Protection Areas (Available at: jncc.defra.gov.uk/page-162 [Accessed 07/02/2014]).
[10] JNCC, undated. Special Areas of Conservation (Available at: jncc.defra.gov.uk/page-23 [Accessed 07/02/2014]).
[11] JNCC, undated. Special Protection Areas (Available at: jncc.defra.gov.uk/page-162 [Accessed 07/02/2014]).

At the time of writing there are a number of Ramsar sites within 15km of the study area (see Figure 4), and an additional pSPA and pSAC have also been identified (see Section 3.2 and Appendix 2 for further details).

As previously mentioned, for reasons of brevity, when this report refers to European sites, Ramsar sites are included in that definition.

2.2 A Staged Approach to Appropriate Assessment: Habitats Regulations Assessment

The Habitats Regulations refer to the undertaking of 'appropriate assessment' in relation to plans and projects. However, in practice many organisations have addressed the requirement to undertake appropriate assessment via a series of steps. For instance, it is necessary to first determine the extent to which plans require appropriate assessment before the assessment can practicably proceed, and to do this it is necessary to assess whether significant effects on European sites are likely and to establish what the 'appropriate assessment' itself should focus on. Following this an appropriate assessment report may be drafted that considers the effects of the plan on the integrity of European sites. In some cases, where no alternative solutions can be found, it will be necessary to undertake further work to identity the extent to which a plan should proceed because of imperative reasons of overriding public interest.

Since the 'appropriate assessment' proper is a discreet stage of a potentially multi-staged process, to avoid confusion the process as a whole is usually referred to as Habitats Regulations Assessment.

In this assessment we have divided the full Habitats Regulations Assessment process, including Appropriate Assessment, into 4 key stages, as illustrated in Table 2, below. This report documents the undertaking of Stages 1 and 2 of this Habitats Regulations Assessment process. As this assessment of Likely Significant Effects relates to draft policies, it will be necessary to revisit this at the Draft Plan / Submission stages in order to take in to account any changes as a result of the preferred options consultation.

Table 2: Habitats Regulations Assessment: Key Stages

Stage 1		Progress
Pre Screening and Scoping	A. Identify whether the plan is subject to Habitats Regulations Assessment. B. Identify international sites in and around the plan area. C. Identify the conservation objectives and threats to site integrity of European sites. D. Establish the methodology for undertaking the Assessment.	Undertaken in this Likely Significant Effects report (and previously in the Issues and Options Likely Significant Effects report).

Stage 2		
Screening for likely significant effect	A. Identify potential effects on European sites and the possible way in which this might affect conservation objectives. B. Examine other plans and programmes that could contribute to 'in combination' effects. C. Make a high level assessment of whether significant effects can be ruled out by making adaptations or adjustments to the plan.	Undertaken in this Likely Significant Effects report (and previously in the Issues and Options Likely Significant Effects report). This will need to be revisited at the Draft Plan / Submission stages.
	If no effects are likely – report no significant effects. If effects are judged likely or any uncertainty exists – the precautionary principle applies - proceed to ***Stage 3.***	
Stage 3		
Assessment under Regulation 61 of the Habitat Regulations, 2010: Appropriate Assessment	Consider how the elements of the plan identified as potentially having likely significant effects 'in combination' with other plans and programmes will cause direct and indirect effects on the integrity of European sites in light of their conservation objectives (the 'Appropriate Assessment'). Consider how any effects on the integrity of a site could be avoided by changes to the plan and the consideration of alternatives. Develop mitigation measures (including timescale and mechanisms). Report outcomes of Appropriate Assessment including mitigation measures, consult with Natural England, the Environment Agency and wider (public) stakeholders as necessary.	This will be undertaken prior to the Draft Plan / Submission stages.
	• *If plan will not have an adverse effect on the integrity of European sites alone or in combination with other sites (theAEoI[12] decision) proceed without further reference to Habitat Regulations.* • *If effects or any uncertainty remains following the consideration of alternatives and development of mitigation measures, proceed to* ***Stage 4.***	
Stage 4		

[12] 'The AEoI decision' is used in Defra's draft guidance (The Habitats and Wild Birds Directives in England and its Seas: Core Guidance for Developers, Regulators and Land/Marine Managers, 2012. Defra, London) and refers to deciding whether or not the Plan will result in 'adverse effects on integrity'.

Procedures where adverse effect on integrity of international site remains (Derogations)[13]	If impacts remain, a plan or programme can only proceed provided a series of 'sequential tests' (Habitat Directive's article 6 (4) derogation requirements) are satisfied. These are: Test 1: There must be no feasible alternative solutions to the plan or project which are less damaging to European Sites; Test 2: There must be 'imperative reasons of overriding public interest' (IROPI) for the plan or project to proceed; Test 3: All necessary compensatory measures must be secured to ensure that the overall coherence of the network of European Sites is protected.	Where necessary, this will be undertaken prior to the Draft Plan / Submission stages.

2.3 Source – Pathway – Receptor Approach

A 'source-pathway-receptor' approach is often used in environmental risk management. It is a way of developing a conceptual understanding of how environmental harm can occur and this approach will be followed in this screening assessment in order to establish whether significant effects will occur or are likely. The broad principles of this approach are described below.

Source-Pathway-Receptor

It stands to reason that if environmental or any other form of hazard is to occur it must come from somewhere. For instance a water pollution incident wouldn't occur unless there is some source or causal agent for that pollution (e.g. agricultural run off or an industrial facility). This is the **source.**

Environmental hazards would not present any problems unless there were a **receptor**, or a place that would be vulnerable to damage, that would be damaged when exposed to whatever hazard originates from the source. So an already sterile water body would be unlikely to be significantly affected by a pollution incident, whereas a freshwater ecosystem that relies on high water quality may be significantly affected by water pollution. However, there may also be secondary environmental effects if the water body drains to a location which is sensitive to pollution.

If, however, a sump or interceptor collected the pollution before it entered the water body receptor then significant effects on any ecosystem would be unlikely to occur. This is because there is no **pathway** by which the hazard (pollution) can reach the receptor (the freshwater ecosystem).

[13] A derogation is a provision that often features in EU legislation that allows part or all of a legal measure to be applied differently or not at all. In the case of the Habitats Directive, the satisfaction of the three tests outlined in Table 1 enable plans or projects to be adopted in spite of a likely effect on European Sites.

Where the European sites are considered vulnerable to certain impacts those impacts can only be considered possible where there is a source for that impact and a pathway to the receptor (the European site or species associated with it).

Section 3 of this report focuses on the identification of receptors and the extent that they are vulnerable to external impacts, while Section 5 assesses the likelihood of significant effects to those receptors arising from the source (the MWJP). In this way it will be possible to consider whether options in the MWJP have the potential to be sources of potential impacts and whether a pathway exists between these potential impacts and European sites.

3. European Sites Scoped into this Assessment and Considerations in Relation to Integrity

3.1 Area of Study

The Plan Area of the MWJP is shown in Figure 1 and covers the planning authority areas of North Yorkshire, the City of York and the North York Moors National Park.

Figure 1: Minerals and Waste Joint Plan Area

The European sites to be considered in this assessment, together with Ramsar Sites are shown in Figures 2, 3 and 4 below.

Because impacts from minerals and waste activity have the potential to occur beyond the Plan Area boundary, provided there is a pathway between the source of impacts and a European / Ramsar Site, a 15km buffer has been applied to the outer boundary of the Plan Area and the European / Ramsar Sites within that buffer are also considered. However, it should be noted that for certain impacts, longer range pathways may exist. These will be investigated on a case by case basis.

3.2 European and Ramsar Sites

Figures 2 to 4 and Tables 3 to 5 List SACs, SPAs and Ramsar sites considered in this assessment.

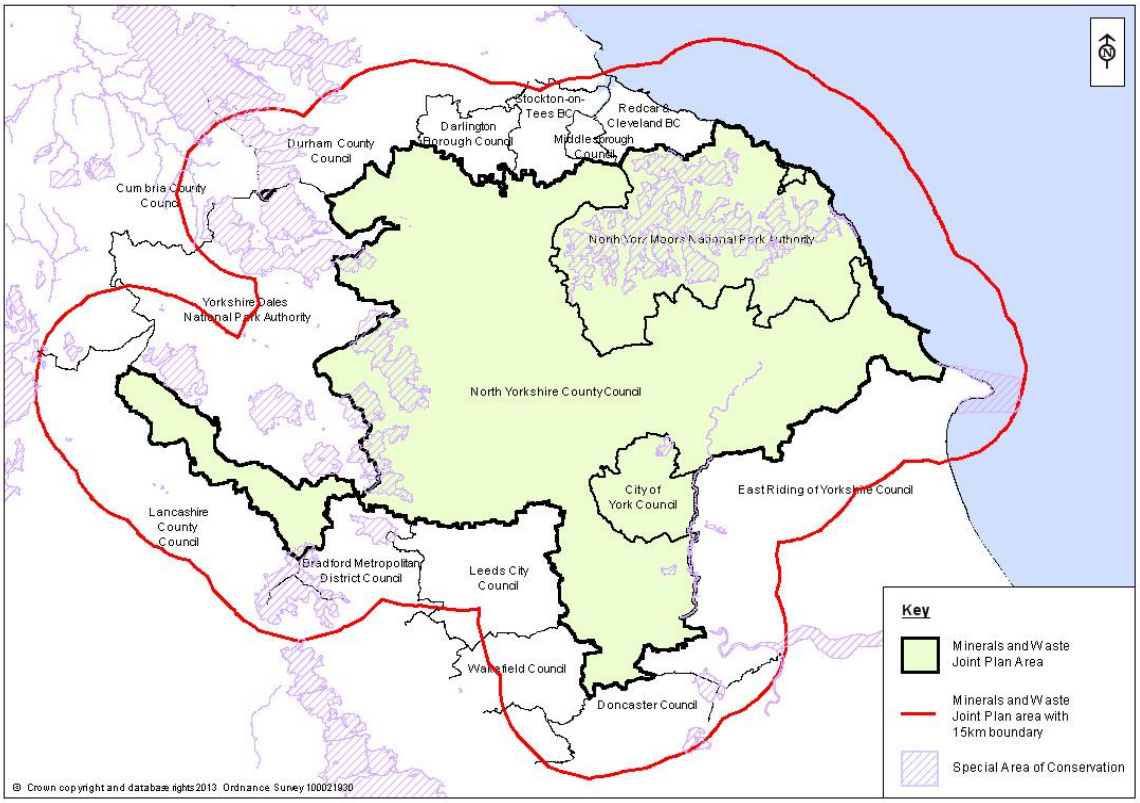

Figure 2: Special Areas of Conservation within the Plan Area and a 15 km buffer

Table 3: Special Areas of Conservation within the Plan Area and a 15km buffer

Designation	Sites partly or wholly within Plan Area	Sites partly or wholly within 15km buffer
SAC	Arnecliff & Park Hole Woods	Calf Hill and Cragg Woods
	Beast Cliff - Whitby	Craven Limestone Complex
	Ellers Wood and Sand Dale	Hatfield Moor
	Fen Bog	Helbeck and Swindale Woods
	Flamborough Head	Humber Estuary
	Kirk Deighton	Ingleborough Complex
	Lower Derwent Valley	Moor House - Upper Teesdale
	North Pennine Dales Meadows	Morecambe Bay
	North Pennine Moors	Morecambe Bay Pavements
	North York Moors	Ox Close
	River Derwent	River Eden
	Skipwith Common	Thorne Moor
	South Pennine Moors	
	Strensall Common	

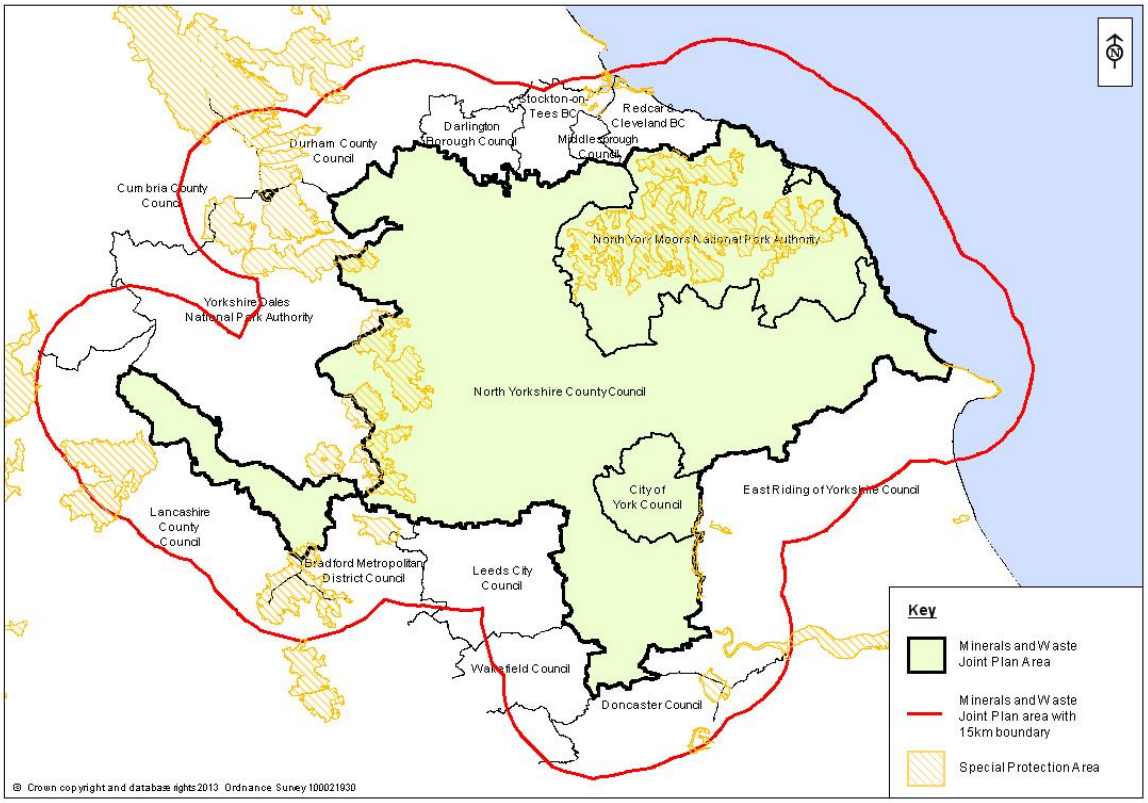

Figure 3: Special Protection Areas within the Plan Area and a 15 km buffer

Table 4: Special Protection Areas within the Plan Area and a 15km buffer

Designation	Sites partly or wholly within Plan Area	Sites partly or wholly within 15km buffer
SPA	Flamborough Head & Bempton Cliffs	Bowland Fells
	Lower Derwent Valley	Humber Estuary
	North Pennine Moors	Leighton Moss
	North York Moors	Morecambe Bay
	South Pennine Moors – (Phase 2)	Teesmouth and Cleveland Coast
		Thorne and Hatfield Moors

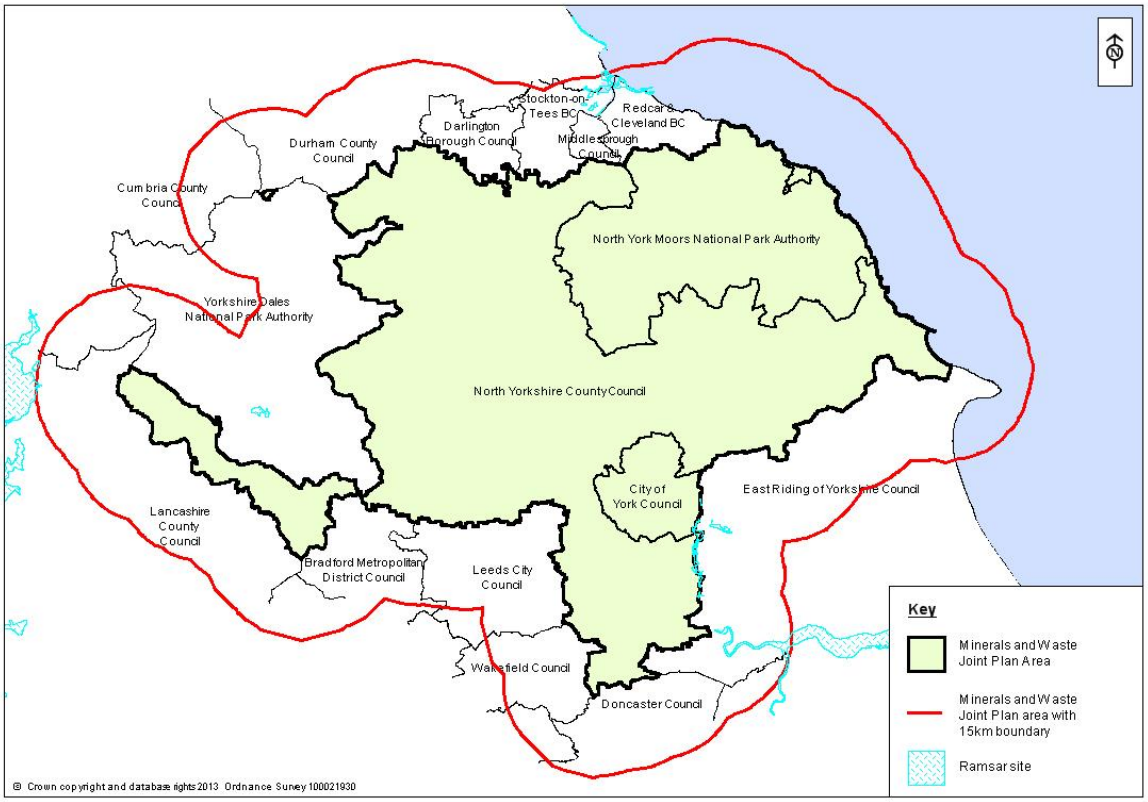

Figure 4: Ramsar sites within the Plan Area and a 15 km buffer

Table 5: Ramsar sites within the Plan Area and a 15km buffer

Designation	Sites partly or wholly within Plan Area	Sites partly or wholly within 15km buffer
RAMSAR	Lower Derwent Valley	Humber Estuary
		Leighton Moss
		Malham Tarn
		Morecambe Bay
		Teesmouth and Cleveland Coast

At the time of writing an additional pSPA and a pSAC have been identified. The pSPA (to be known as 'Flamborough and Filey Coast') encompasses the whole of the already designated Flamborough Head & Bempton Cliffs SPA, but includes additional land (and a marine extension out to 2km from the existing SPA) so that the site would comprise a north area and south area[14]. Similarly it is proposed that the landward boundary of the existing Flamborough Head SAC be modified to ensure that the features of the SAC remain within the site into the future. Appendix 3 of this report includes further information regarding these sites and their features of interest. While conservation objectives are not yet available, the sites will be considered in this assessment and the outcomes of consultation that has recently taken place on the scientific basis of the pSPA and pSAC will continue to be monitored.

[14] haturalengland.org.uk/ourwork/conservation/designations/spa/flamborough-fileypspaconsultation.aspx [URL is no longer available].

3.3 Identifying the Conservation Objectives and Threats to the Integrity of European / Ramsar Sites

During the preparation of the Issues and Options Likely Significant Effects Report a list was compiled of the European / Ramsar sites contained within the area of study, alongside their qualifying features, conservation objectives and key threats to the integrity of these sites. This can be viewed here (URL is no longer available).

Using this information it is possible to begin to identify the sorts of impacts for which each individual site could be a potential receptor (see Section 2.3 for a description of the 'source – pathway- receptor approach used in this assessment).

4. Screening Assessment in Combination with other Plans and Projects

4.1 Potential Sources of Impacts from the MWJP

Tyldesley, 2009[15] describes some of the ways in which impacts on European sites may arise at the strategic plan making stage, as summarised in Table 6 below.

Table 6[16]: Possible ways in which a Plan could result in significant impacts upon a European Site

Category of Impact that may Arise from a Strategic Change	How Such Impacts Might Occur
Types of change	A specific policy might be proposed in a plan that might have a significant effect on one or more European sites regardless of the size or location of that change.
Quantity of change	While policies might result in small changes with no real effect, in other cases a significant effect may occur as a result of the amount of change that is likely to occur. So a policy might generate a large amount of traffic on an existing road. While this might not have been a problem in the past, a step change in the level of traffic might result in greater noise or pollution affecting a neighbouring European Site.
Location of change	There may be a strategic need to focus development in a specific area. Where a plan contains policies or proposals that steer an amount or type of development that could be potentially damaging onto or adjacent to a European Site, a direct impact may occur. A plan may also indirectly affect a European Site, where it steers development towards an area that has connectivity to the site (e.g. hydrological connectivity) or where a plan may lead to the generation of other indirect effects (e.g. disturbance due to increased vehicle movements).
Blocking of other proposals or approaches	Future alternative approaches may be blocked by policies in a plan. For instance a non-damaging policy approach may no longer be an option if the plan commits an area to a specific approach that may in the longer term be damaging.
Justifying damaging development	Inclusion within a plan may give justification to interventions that would have otherwise been

Tyldesley, D. 2009. The Habitats Regulations Assessment of Local Development Documents Revised Draft Guidance for Natural England. Natural England, Sheffield.

[16] Categories of impact and source material for the mechanisms by which effects may occur are adapted from text in Tyldesley. D (2009) The Habitats Regulations Assessment of Local Development Documents Revised Draft Guidance for Natural England. Natural England, Sheffield.

	considered on their merits alone. It is therefore important to ensure that only interventions that are consistent with the Habitats Regulations' requirements are included in the MWJP.
Combined / cumulative effects	While on their own the policies or proposals of a plan may not be likely to have significant effects, certain policies or proposals may work in combination with other plans and projects in such a way that a significant effect may occur.

4.2 In Combination Impacts: Consideration of other Plans and Projects that may Affect European / Ramsar sites in combination with the MWJP

The Habitats Directive requires that all significant effects of plans and projects, whether they are alone or in combination with other plans and projects, be assessed in view of European Sites' conservation objectives. This means that, even where an effect of the plan is deemed not to be significant on its own, it could be significant when added to the effects of one or more other plans and projects.

By the same token, it is important that in-combination assessment remains a manageable exercise. Therefore the focus of in combination assessment in this HRA will be on relevant plans that direct future growth or that seek to manage mineral resources and waste as these plans are considered to be the key sources of potential impacts. During the HRA assessment of individual sites or areas, consideration will be given to potential in combination effects with any specific relevant projects (e.g. major planning applications) where necessary.

All of the development plans in the plan area and surrounding authorities have been reviewed to give a picture of anticipated levels of development during the timescale of the MWJP. Many of the plans that have been reviewed during in combination assessment have been subject to Habitats Regulations Assessments. These HRA documents can be useful in ascertaining the extent to which those plans are expected to impact on European sites.

Table 7 shows the plans that will be considered for in combination impact in this assessment.

Table 7: Plans considered 'in combination' where relevant

Name of Plan	**Plan Type**	**Plan Status[17] (at September 2015)**	**Geographical Scope**
Richmondshire Local Plan: Core Strategy	Land Use Plan	Core Strategy adopted. Delivering Development Plan	Richmondshire District

[17] Note that plans which are under preparation may still give an indication of the direction of travel of that plan and the possibility of likely significant effects. Plans under preparation are also still likely to be supported by saved policies in earlier local plans. These saved policies will also be reviewed where relevant to the assessment of in combination effects.

		under preparation.	
Scarborough Borough Council Local Plan	Land Use Plan	Under preparation	Scarborough Borough
Hambleton Core Strategy, Allocations Development Plan Document (DPD) and Development Policies DPD	Land Use Plan	Adopted	Hambleton District
Selby Sites and Policies Local Plan – PlanSelby	Land Use Plan	Core Strategy adopted; rest of PlanSelby including sites is under preparation.	Selby District
The RyedalePlan	Land Use Plan	Local Plan Strategy is adopted; Local Plan Sites is under preparation.	Ryedale District
Harrogate District Core Strategy and Sites and Policies DPD	Land Use Plan	Core Strategy is adopted; Sites and Policies DPD (withdrawn)	Harrogate District
Craven New Local Plan	Land Use Plan	Under Preparation	Craven District
North York Moors National Park Core Strategy and Development Policies DPD (note minerals and waste policies will be replaced by the MWJP)	Land Use Plan	Adopted	North York Moors National Park
York Local Plan	Land Use Plan	Under Preparation	City of York Council
County Durham Plan	Land Use Plan including Minerals and Waste	Under Preparation (undergoing examination)	Durham County Council
Stockton on Tees Core Strategy	Land Use Plan	Adopted	Stockton on Tees
The Tees Valley Minerals and Waste DPD	Minerals and Waste Plan	Adopted	Five local authority areas of Darlington, Hartlepool, Middlesbrough, Redcar and Cleveland and Stockton-on Tees
East Riding Local Plan	Land Use Plan	Under Preparation – Strategy Document and Allocations	East Riding of Yorkshire

		Document at submission stage	
Joint Waste Local Plan (Hull and the East Riding)	Waste Plan	Under Preparation	Hull and the East Riding
Joint Minerals Local Plan (Hull and the East Riding)	Minerals Plan	Under Preparation	Hull and the East Riding
Leeds Core Strategy and Site Allocations DPD	Land Use Plan	Core Strategy Adopted and Site Allocations DPD under preparation	Leeds Unitary Authority
Leeds Natural Resources and Waste Local Plan	Minerals and Waste Plan	Adopted	Leeds Unitary Authority
City of Bradford Metropolitan District Council Core Strategy and Allocations DPD	Land Use Plan	Core Strategy under preparation at submission stage. Allocations DPD not yet commenced,	City of Bradford Metropolitan District
Ribble Valley Core Strategy	Land Use Plan	Adopted	Ribble Valley Borough Council Area
Lancaster Local Plan	Land Use Plan	Core Strategy and Development Management Plan adopted. Land Allocations under preparation	Lancaster District Council Area
Joint Lancashire Minerals and Waste Local Plan	Minerals and Waste Plan	Adopted	Lancashire County Council, Blackburn with Darwen Borough Council and Blackpool Council Areas
Darlington Local Plan	Land Use Plan	Core Strategy Adopted. Allocations DPD under preparation though expected to be adopted in September 2015.	Darlington Borough Council Area
Middlesbrough Local Plan	Land Use Plan	Core Strategy adopted; Regeneration DPD adopted; Housing Local Plan adopted.	Middlesbrough Council Area
Redcar and Cleveland	Land Use Plan	Core Strategy	Redcar and

Local Plan		adopted. Development Policies DPD adopted – both to be replaced by new Local Plan under preparation	Cleveland Council Area
Doncaster Core Strategy	Land Use Plan	Core Strategy (adopted), Sites and Policies DPD (withdrawn).	Doncaster Council Area
Pendle Borough Local Plan	Land Use Plan	Core Strategy under preparation. Site Allocations and Development Policies DPD in development.	Pendle Council Area
Barnsley, Doncaster and Rotherham Joint Waste Plan	Waste Plan	Adopted	Barnsley, Doncaster and Rotherham Council Areas
Wakefield Local Development Framework	Land Use Plan	Core Strategy, Development Policies and Waste Document (Adopted)	Wakefield Council Area
Yorkshire Dales Local Plan	Land Use Plan	Under preparation (at submission stage).	Yorkshire Dales National Park
North Yorkshire Local Transport Plan (LTP)	Transport Plan	LTP3 adopted. LTP4 under development.	North Yorkshire
City of York Local Transport Plan 3	Transport Plan	Adopted	City of York
Redcar and Cleveland Local Transport Plan 2011 - 2021	Transport Plan	Adopted	Part of National Park in Redcar and Cleveland Borough

5. Screening of Preferred Options and Sites

5.1 Recording the Results of the Screening Assessment

Having established the European Sites of relevance to this assessment and the plans and projects that should be considered in combination with the MWJP, all proposed preferred policy options will be screened in order to establish whether they are likely to have a potentially significant effect on a European Site.

Table 8 below shows the results of this screening exercise for the MWJP preferred options.

Potential effects from all potential objectives and actions are categorised as follows, following Tyldesley, 2009:

-No negative effect: these are elements of the plan that would have no negative effect on any European Site;

-No significant negative effect: these are elements of the plan that could have an effect, but the likelihood is there would be no significant negative effect on a European Site either alone or in combination with other plans or projects. This category of effects includes trivial and '*de minimus*'[18] impacts;

-Likely significant effect alone: these elements of the plan will require full appropriate assessment unless the plan can be modified in a way that reduces the effect to no significant negative effect or no negative effect;

-Likely to have a significant effect in combination: as with the above category, elements of the strategy categorised in this way will be subject to appropriate assessment unless the combined effect can be reduced to no significant negative effect or no negative effect.

Uncertain: this is where it is not possible to make a judgement on the likelihood of significant effects occurring. These impacts will require further investigation via an appropriate assessment if they cannot be clarified.

In order to help support delivery of the MWJP, a number of potential minerals and waste sites have also been submitted to the Joint Plan Authorities. As well as the HRA screening of preferred policies, we have also screened the preferred sites for their possible impact on European sites. The results of this assessment are set out in Table 9.

[18] Insignificant, negligible or of minor importance

Table 8: Screening of MWJP Options

Note: All European sites within the Plan Area and a 15km buffer have been considered in this screening assessment. Further information regarding these European Sites, their features of interest and key threats to site integrity can be viewed here (URL is no longer available).

Preferred Policy	Possible impact of Preferred Policy on European Site (sources / pathways)	Which European Sites could be affected (receptors)	Is the impact significant	Other plans and projects which might act in combination	Risk of a significant in combination effect	References/ notes
M01- Broad geographical approach to supply of aggregates.	This policy is not location specific so effects are uncertain as it depends upon where and how this policy is implemented.	Potentially any European sites which are sensitive to aggregate extraction processes where a pathway exists between the site and aggregate extraction site.	No significant negative effect. Although the policy potentially allows extraction of aggregates from across the plan area, with the main focus being outside of designated landscapes, there are protections in the policy such as mitigation for environmental effects in AONBs. In addition, key links are made with the development management policies, including D01 to D10, which includes Policy D:07 on biodiversity. This states "*A very high level of protection will be afforded to sites designated at an international or national level, including SPAs, SACs, RAMSAR sites and SSSIs. Development which would have an unacceptable impact on these sites will not be permitted".*	District Level/Unitary Authority Local Plans	No significant negative effect as this policy is unlikely to add to any existing or planned impacts as it links to policy D:07.	
M02- Provision of sand and gravel	No possible pathway of impact as this policy relates to the calculation of provision of sand and gravel and no development would take place through the policy itself. Development would	None	No negative effect	None	No negative in combination effects	

Preferred Policy	Possible impact of Preferred Policy on European Site (sources / pathways)	Which European Sites could be affected (receptors)	Is the impact significant	Other plans and projects which might act in combination	Risk of a significant in combination effect	References/ notes
	take place through Policy M07: 'Meeting Concreting Sand Requirements' and M08 'Meeting Building Sand Requirements' which are both screened below. Likely significant impacts would therefore not occur as a result of this policy.					
M03- Overall distribution of sand and gravel provision	No possible pathway of impact as no development would take place through this policy itself. Development would take place through Policy M07 'Meeting Concreting Sand Requirements' and M08: 'Meeting Building Sand Requirements' which are both screened below. Likely significant impacts would therefore not occur as a result of this policy.	None	No negative effect	None	No negative in combination effects	
M04- Landbanks for sand and gravel	No direct pathway of impact as no development would take place through this policy itself. Development would take place through Policy M07: 'Meeting Concreting Sand Requirements' and M08: 'Meeting Building Sand Requirements' which are both screened below. Likely significant impacts would therefore not occur as a result of this policy. Indirectly the policy may amplify any impacts (if there are any) as there will be pressure to maintain a landbank.	None	No negative effect	None	No negative in combination effects. Although potentially this policy could amplify effects from MO7 and MO8, no significant effect is noted under those policies.	
M05- Provision of crushed rock	No possible pathway of impact as this policy relates to the calculation of provision of crushed rock and no development would take place through the policy itself. Development would take place through Policy M09: 'Meeting Crushed Rock Requirements' which is screened below. Likely significant impacts would therefore not occur as a result of this policy. Indirectly the policy may amplify any impacts (if there are any) as there will be pressure to maintain a landbank.	None	No negative effect	None	No negative in combination effects. Although potentially this policy could amplify effects from MO9, no significant effect is noted under that policy.	
M06- Landbanks for crushed rock	No possible pathway of impact as no development would take place through	None	No negative effect	None	No negative in combination effects.	

Preferred Policy	Possible impact of Preferred Policy on European Site (sources / pathways)	Which European Sites could be affected (receptors)	Is the impact significant	Other plans and projects which might act in combination	Risk of a significant in combination effect	References/ notes
	this policy itself. Development would take place through Policy M09: 'Meeting Crushed Rock Requirements' which is screened below. Likely significant impacts would therefore not occur as a result of this policy. Indirectly the policy may amplify any impacts (if there are any) as there will be pressure to maintain a landbank.				Although potentially this policy could amplify effects from MO9, no significant effect is noted under that policy	
M07- Meeting concreting sand requirements	The main aspect of this policy is the allocation of preferred sites. These have already been assessed in Table 9 (below). It was concluded that no likely significant effect would occur on Natura 2000 sites as a result of MJP21, MJP33, MJP17, MJP43, MJP06, MJP07, MJP14, MJP35, MJP51 and MJP04. Impacts in relation to MJP35 are uncertain and Appropriate Assessment will be required in order to establish impacts in relation to this site.	Kirk Deighton SAC	Uncertain- Impacts in relation to MJP35 need to be investigated further through an Appropriate Assessment (see MJP35).	Harrogate District Core Strategy	Uncertain- In combination effects need to be investigated further through an Appropriate Assessment (see MJP35).	
M08- Meeting building sand requirements	The main aspect of this policy is the allocation of preferred sites. These have already been assessed in table 9 and it was concluded that no likely significant effect would occur on Natura 2000 sites.	None	No significant negative effect	None	No significant negative in combination effects	
M09- Meeting crushed rock requirements	The main aspect of this policy is the allocation of preferred sites. These have already been assessed in table 9 and it was concluded that no likely significant effect would occur on Natura 2000 sites.	None	No significant negative effect	None	No significant negative in combination effects	
M10- Unallocated extensions to existing quarries	Any unallocated extensions would be required to be consistent with other development management policies in the plan including D07 Biodiversity and Geo-diversity which states that proposals will only be permitted where there will be no unacceptable impacts on biodiversity or geo-diversity including on statutory designated sites. Likely significant impacts would therefore not occur as a result of this	None	No significant negative effect	None	No significant negative in combination effects	

Preferred Policy	Possible impact of Preferred Policy on European Site (sources / pathways)	Which European Sites could be affected (receptors)	Is the impact significant	Other plans and projects which might act in combination	Risk of a significant in combination effect	References/ notes
	policy.					
M11- Supply of alternatives to land won primary aggregates	This policy refers to appropriately located sites but does not provide any specific guidance about where these may occur or what criteria would need to be met nor does it refer to the Biodiversity and Geo-diversity development management policy in the plan. It is unlikely that secondary aggregates would affect European Sites due to their current location, though a future site may emerge in a different location. Effects from such a future site could include dust deposition on habitats, and changes in the PH value of soils supporting habitats, though a pathway to a European Site would need to be identified. Other sites for recycled aggregates are likely to be at existing quarries so effects may be limited to increased traffic effects, though there could be run off or water extraction effects.. It is therefore considered that effects are uncertain though in all likelihood, very small scale. Much depends upon where and how this policy is implemented.	None	Uncertain- however the policy wording could be altered to remove this minor uncertainty by stating that any development would need to be compliant with development management policies in the Plan, and by including policy DO7 (biodiversity) and D09 (water) in the key links. If this wording is not added then Appropriate Assessment would be required.	District Level/Unitary Authority Local Plans	Uncertain- Hypothetically traffic or water extraction effects might combine with similar effects from other plans, though as locations for future recycled / secondary aggregate sites is unknown such effects are speculative. Any uncertainty could, however, be removed by stating that any development would need to be compliant with development management policies in the Plan, and by including policy DO7 (biodiversity) and D09 (water) in the key links. If this wording is not added then Appropriate Assessment would be required.	
M12- Continuity of supply of silica sand	This policy states that extraction of Silica Sand at Blubberhouses Quarry would only be permitted subject to the satisfactory outcome of Appropriate Assessment under the Habitats Regulations. Extraction at both Blubberhouses and Burythorpe would also be required to be consistent with other development management policies in the plan including D07 Biodiversity and Geo-diversity which states that proposals will only be permitted where there will be no unacceptable impacts on biodiversity	North Pennine Moors SAC/SPA	No significant negative effect	None	No significant negative in combination effects	

Preferred Policy	Possible impact of Preferred Policy on European Site (sources / pathways)	Which European Sites could be affected (receptors)	Is the impact significant	Other plans and projects which might act in combination	Risk of a significant in combination effect	References/ notes
	or geo-diversity including on statutory designated sites. Likely significant impacts would therefore not occur as a result of this policy.					
M13- Continuity of supply of clay	The policy would be partly implemented through allocated sites including MJP61, MJP45, MJP55 and MJP52. These have been screened in table 9. Proposals would be required to be consistent with other development management policies in the plan including D07 Biodiversity and Geo-diversity which states that proposals will only be permitted where there will be no unacceptable impacts on biodiversity or geo-diversity including on statutory designated sites. Likely significant impacts would therefore not occur as a result of this policy.	None	No significant negative effect	None	No significant negative in combination effects	
M14- Incidental working of clay in association with other minerals	Incidental working of clay will only be allowed where it would not significantly increase environmental impacts associated with the primary working. In addition key links with development management policies are noted, including a link to policy DO7: Biodiversity and Geo-diversity. Likely significant impacts would therefore not occur as a result of this policy.	None	No significant negative effect	None	No significant negative in combination effects	
M15- Continuity of supply of building stone	Proposals would be required to be consistent with other (development management) policies in the plan including D07 Biodiversity and Geo-diversity which states that proposals will only be permitted where there will be no unacceptable impacts on biodiversity or geo-diversity including on statutory designated sites. Likely significant impacts would therefore not occur as a result of this policy.	None	No significant negative effect	None	No significant negative in combination effects	
M16- Overall spatial policy for hydrocarbon development	Under this policy, European Sites are not listed as areas where hydrocarbon development would not be supported. Therefore, in theory development could be supported '*where it can be*	None	No negative effect	None	No significant negative in combination effects	

Preferred Policy	Possible impact of Preferred Policy on European Site (sources / pathways)	Which European Sites could be affected (receptors)	Is the impact significant	Other plans and projects which might act in combination	Risk of a significant in combination effect	References/ notes
	demonstrated that there would be no unacceptable impacts, taking into account proposed mitigation measures, on the environment'. However, an unmitigated impact on a Natura 2000 site would be an example of what is referred to in the policy as an 'unacceptable impact', so in practice no significant impact is predicted. In addition, the policy makes the link with policy D:07 'Biodiversity and Geo-diversity', which gives a high level of protection to European and Ramsar sites.					
M17- Exploration and appraisal for hydrocarbon resources	This policy states that proposals for hydrocarbon exploration and appraisal would only be supported where unacceptable adverse impacts on the environment can be avoided or appropriately mitigated and where proposals are consistent with other policies in the plan (including D07: 'Biodiversity and Geo-diversity'). Likely significant impacts would therefore not occur as a result of this policy.	None	No significant negative effect	None	No significant negative in combination effects	
M18- Production and processing of hydrocarbon resources	This policy states that proposals for hydrocarbon production and processing would only be supported where unacceptable adverse impacts on the environment can be avoided or appropriately mitigated and where proposals are consistent with other policies in the plan (including D07: 'Biodiversity and Geo-diversity'). Likely significant impacts would therefore not occur as a result of this policy.	None	No significant negative effect	None	No significant negative in combination effects	
M19- Carbon and gas storage	Proposals for carbon capture and storage and the underground storage of gas would only be supported where unacceptable adverse impacts on the environment can be avoided or appropriately mitigated and where proposals are consistent with other policies in the plan including D07:	None	No significant negative effect	None	No significant negative in combination effects	

Preferred Policy	Possible impact of Preferred Policy on European Site (sources / pathways)	Which European Sites could be affected (receptors)	Is the impact significant	Other plans and projects which might act in combination	Risk of a significant in combination effect	References/ notes
	'Biodiversity and Geo-diversity'. Likely significant impacts would therefore not occur as a result of this policy.					
M20- Continuity of supply of deep coal	This policy requires that the effects of subsidence on environmental designations are monitored and controlled to prevent unacceptable impacts. Proposals would also need to be consistent with other development management policies in the plan. However the policy could be strengthened by including in the 'key links to other relevant polices' section policy D07: 'Biodiversity and Geo-diversity'. Likely significant impacts would therefore not occur as a result of this policy.	None	No significant negative effect	None	No significant negative in combination effects	
M21- Shallow coal	Proposals would need to be consistent with other policies in the plan including D07 'Biodiversity and Geo-diversity' and/or be located outside internationally and nationally important nature conservation designations and, where located outside these designated areas, not cause significant adverse impact within them. Likely significant impacts would therefore not occur as a result of this policy.	None	No significant negative effect	None	No significant negative in combination effects	
M22- Disposal of colliery spoil	Proposals would be required to be consistent with other development management policies in the plan. In addition, the preference for quarry voids and degraded land is likely to steer development away from European sites. Although likely significant impacts are not expected this preferred policy could be strengthened by the inclusion of links to development management policies for biodiversity (DO7) and water (DO9) in the 'key links to other policies' section.	None	No significant negative effect. . Although likely significant impacts are considered unlikely the policy could be strengthened by the inclusion of links to development management policies for biodiversity (DO7) and water (DO9) in the 'key links to other policies section.	None	No significant negative in combination effects	
M23- Potash and polyhalite supply	Proposals would be required to either meet the criteria for major development or be consistent with	North York Moors SAC / SPA	No significant negative effect. Although likely significant impacts are	None	No significant negative in combination effects	

Preferred Policy	Possible impact of Preferred Policy on European Site (sources / pathways)	Which European Sites could be affected (receptors)	Is the impact significant	Other plans and projects which might act in combination	Risk of a significant in combination effect	References/ notes
	other development management policies in the plan. While the policy has a reasonable likelihood of coinciding with European sites, the link to the development management policies would trigger the requirement to not allow unacceptable effects at European sites highlighted at policy D07. In addition, subsidence resulting from sub surface activity would be monitored and controlled. Likely significant impacts would therefore be unlikely to occur as a result of this policy. Although likely significant impacts are not expected the policy could be strengthened by the inclusion of links to the development management policy for biodiversity (DO7) in the 'key links to other policies' section.		considered unlikely the policy could be strengthened by the inclusion of links to the development management policy for biodiversity (DO7) in the 'key links to other policies' section.			
M24- Supply of gypsum	Proposals would be required to be consistent with other development management policies in the plan. Likely significant impacts would therefore not occur as a result of this policy.	None	No significant negative effect	None	No significant negative in combination effects	
M25- Supply of vein minerals	Proposals would be required to be consistent with other development management policies in the plan including D07: 'Biodiversity and Geo-diversity' which states that proposals will only be permitted where there will be no unacceptable impacts on biodiversity or geo-diversity including on statutory designated sites. In addition, the policy requires particular regard for impacts on 'important habitats and species'. Likely significant impacts would therefore not occur as a result of this policy.	Given the location of the resource any impact would be on Natura 2000 sites in the North Pennines.	No significant negative effect	None	No significant negative in combination effects	
M26- Borrow Pits	Proposals would be required to be	None	No significant negative	None	No significant negative	

Preferred Policy	Possible impact of Preferred Policy on European Site (sources / pathways)	Which European Sites could be affected (receptors)	Is the impact significant	Other plans and projects which might act in combination	Risk of a significant in combination effect	References/ notes
	consistent with other development management policies in the plan including D07: 'Biodiversity and Geo-diversity' which states that proposals will only be permitted where there will be no unacceptable impacts on biodiversity or geo-diversity including on statutory designated sites. Likely significant impacts would therefore not occur as a result of this policy.		effect		in combination effects	
W01- Moving waste up the waste hierarchy	No possible pathway of impact as no development would take place through this policy itself. Development would take place through Policy W03: 'Meeting Waste Management Capacity Requirements - Local Authority Collected Waste', W04: 'Meeting Waste Management Capacity Requirements - Commercial and Industrial Waste (including hazardous C&I waste)' and W05 'Meeting waste Management Capacity Requirements- Construction, Demolition and Excavation Waste (including hazardous CD&E waste)', which are all screened below. Likely significant impacts would therefore not occur as a result of this policy.	None	No negative effect	None	No negative in combination effects	
W02- Strategic role of the Plan area in the management of waste	No possible pathway of impact as no development would take place through this policy itself. Development would take place through other policies (see W01 above). Likely significant impacts would therefore not occur as a result of this policy.	None	No negative effect	None	No negative in combination effects	
W03- Meeting waste management capacity requirements - Local Authority Collected Waste	No pathways or receptors for effects are predicted from the sites listed in the policy. Other sites are subject to development management policies which would offer protection to European Sites should an impact be possible.	None	No negative effect	None	No negative in combination effects	
W04- Meeting waste management capacity requirements – Commercial and Industrial Waste (including hazardous C&I waste)	No pathways or receptors for effects are predicted from the sites for recycling, transfer and treatment of	Thorne and Hatfield Moor SAC/SPA;	No significant negative effect	None	No significant negative in combination effects	

Preferred Policy	Possible impact of Preferred Policy on European Site (sources / pathways)	Which European Sites could be affected (receptors)	Is the impact significant	Other plans and projects which might act in combination	Risk of a significant in combination effect	References/ notes
	waste listed in the policy. Similarly, providing strategic scale capacity for recovery of energy at Allerton Waste Recovery Park, Southmoor Energy Centre and the former Arbre Power Station is unlikely to result in significant effects as these sites are distant from Natura 2000 sites. Downwind from the Arbre site lies Thorne and Hatfield Moors SPA/SAC as well as the Humber Estuary SAC (both sites have already exceeded critical loads for Nitrogen and acidity), though both of these receptors are more than 10km away and pollution impacts are far more likely to come from the nearby motorway network[19]. Southmoor is even more distant, while Allerton Park is around 9km (upwind) from Kirk Deighton SAC with no evident pathways between it and the site. It should also be noted that generating energy from waste would offset the need to acquire energy from power stations (two of which, Eggborough and Drax) are closer to the Humber and Thorne / Hatfield Natura 2000 sites.	Humber Estuary SAC/SPA.				
W05- Meeting waste management capacity requirements - Construction, Demolition and Excavation waste (including hazardous CD&E waste)	The sites referred to in the policy include the group around the Whitewall Quarry, which have been highlighted as having a possible impact on groundwater if routine mitigation measures are not put in place. As the relationship between groundwater below the site and the River Derwent is not known any impact is uncertain.	River Derwent SAC	Uncertain. Possible effects at WJP09, MJP13 and MJP12 could, however, be resolved by ensuring that that this policy includes an explicit link to the development management policies for water and biodiversity (D:07 and D:09) in the	The Ryedale Plan	No negative in combination effects	

[19] Pollution from energy from waste stacks drops significantly with distance (though dispersion is dependent on a range of factors such as topography, wind speed, stack height etc.) Essex County Council have cited Environment Agency Integrated Pollution Prevention and Control guidance in the Habitat Regulations Assessment of Essex Waste DPD. This states "The Environment Agency guidance on screening point-source pollution emitters (such as larger incinerators) for more detailed assessment lists the presence of a SSSI or Natura 2000 site within 10km as one of the indicators that detailed assessment (i.e. dispersion modelling) may be required. The implication of this is that the emissions of a point source can normally be considered inconsequential on sites located more than 10km distant" (URS Scott Wilson, 2011, Essex Waste Development Document: Preferred Approach – HRA Screening Report [URL: essex.gov.uk/Environment%20Planning/Planning/Minerals-Waste-Planning-Team/Planning-Policy/Documents/Habitat%20Regulations%20Assessment%20-%20Preferred%20Approaches%202011.pdf]

Preferred Policy	Possible impact of Preferred Policy on European Site (sources / pathways)	Which European Sites could be affected (receptors)	Is the impact significant	Other plans and projects which might act in combination	Risk of a significant in combination effect	References/ notes
			key links to other relevant policies section.			
W06- Managing agricultural waste	Proposals would be required to be consistent with other development management (and locational and site identification principles for waste development) policies in the plan including 'D07: Biodiversity and Geo-diversity (which states that proposals will only be permitted where there will be no unacceptable impacts on biodiversity including on statutory designated sites). Likely significant impacts would therefore not occur as a result of this policy.	None	No significant negative effect	None	No significant negative in combination effects	
W07- Managing low level (non-nuclear) radioactive waste	This policy is not location specific and so effects are uncertain as it depends upon where and how this policy is implemented. In any case, impacts are likely to be very small and below any significance threshold.	Hydrologically linked or otherwise sensitive sites.	No significant negative effect - however the policy wording could be altered to remove any uncertainty by stating that any development would need to be compliant with development management policies in the Plan and by including policy DO7 (biodiversity) in the key links.	District Level/Unitary Authority Local Plans Waste Plans of surrounding/nearby authorities(where low level (non-nuclear) radioactive waste may be exported to)	Uncertain – It is theoretically possible (though not very likely) that the insignificant effect noted could become significant if it made a larger site more viable in a location that could impact on a hydrological linked or otherwise sensitive Natura 2000 site (though it is likely that the permitting regime would address this). This uncertainty could be removed by the addition of policy wording stating that any development would need to be compliant with development management policies in the Plan. This would remove the possibility of significant impacts as a result of the plan	

Preferred Policy	Possible impact of Preferred Policy on European Site (sources / pathways)	Which European Sites could be affected (receptors)	Is the impact significant	Other plans and projects which might act in combination	Risk of a significant in combination effect	References/ notes
					alone which would in turn remove the possibility of in combination impacts.	
W08- Managing waste water (sewage sludge)	This policy is not location specific (it is not clear where new infrastructure would be located). Effects such as accidental water pollution (e.g. during a flood event) could affect adjacent watercourses. So effects are uncertain as it depends upon where and how this policy is implemented.	River Derwent SAC / Humber Estuary SAC/SPA	Uncertain- however the policy wording could be altered to remove this uncertainty by stating that any development would need to be compliant with development management policies in the Plan and by including policy DO7 (biodiversity) in the key links. If wording to this effect is not added then Appropriate Assessment would be required.	District Level/Unitary Authority Local Plans Waste Water Infrastructure Providers Asset Management Plans	Uncertain- Any effect would be amplified by other plans for growth, which increases the uncertainty. This uncertainty could be removed by the addition of policy wording stating that any development would need to be compliant with development management policies in the Plan. This would remove the possibility of significant impacts as a result of the plan alone which would in turn remove the possibility of in combination impacts.	
W09- Managing power station ash	This policy encourages the use of power station ash as a secondary aggregate thereby reducing the demand for primary materials. Where power station ash cannot be used for beneficial purposes, it will be disposed of in line with current arrangements. Likely significant impacts would therefore not occur as a result of this policy. Neither Gale Common, Barlow Common nor the Brotherton Ings sites have any obvious pathways to Natura 2000 sites.	None	No likely significant negative effect	None	No significant negative in combination effects	
W10- Overall locational principles for provision of new waste capacity	Proposals for development of capacity at new sites would be required to be in line with Policy W11 which states that sites would need to be suitable when considered in relation to environmental constraints. Development within the	None	No significant negative effect. Although likely significant impacts are considered unlikely the policy could be strengthened by the	None	No significant negative in combination effects	

Preferred Policy	Possible impact of Preferred Policy on European Site (sources / pathways)	Which European Sites could be affected (receptors)	Is the impact significant	Other plans and projects which might act in combination	Risk of a significant in combination effect	References/ notes
	National Park and AONBs would only be allowed where it would not cause unacceptable harm to the designated area and maximisation of capacity at existing sites would only be consented subject to compliance with other relevant policies in the plan (including D07 Biodiversity and Geo-diversity). Likely significant impacts would therefore not occur as a result of this policy.		inclusion of links to the development management policy for biodiversity (DO7) in the 'key links to other policies' section.			
W11- Waste site identification principles	This policy sets out a number of principles for the identification of new waste site capacity. The policy requires that all sites are suitable when considered in relation to environmental constraints and in line with national policy. Likely significant impacts would therefore not occur as a result of this policy.	None	No significant negative effect	None	No significant negative in combination effects	
I01- Minerals and Waste Transport infrastructure	Proposals would be required to be consistent with other development management policies in the plan (including D07: 'Biodiversity and Geo-diversity' which states that proposals will only be permitted where there will be no unacceptable impacts on biodiversity or geo-diversity including on statutory designated sites). In addition, the allocation at MJP09 is considered to have no likely significant effects. Likely significant impacts would therefore not occur as a result of this policy.	None	No significant negative effect. Although likely significant impacts are considered to not occur the policy could be strengthened by the inclusion of links to the development management policy for biodiversity (DO7) in the 'key links to other policies' section.	None	No significant negative in combination effects	
I02- Locations for ancillary minerals infrastructure	The policy would only allow development of ancillary minerals infrastructure where it does not create significant additional adverse impact on the environment. Likely significant impacts on a Natura 2000 site would therefore not occur as a result of this policy.	None	No significant negative effect	None	No significant negative in combination effects	
S01- Safeguarding Mineral Resources	This policy relates to safeguarding minerals resources (ensuring that they are not sterilised for future use by	None	No negative effect	None	No significant negative in combination effects	

Preferred Policy	Possible impact of Preferred Policy on European Site (sources / pathways)	Which European Sites could be affected (receptors)	Is the impact significant	Other plans and projects which might act in combination	Risk of a significant in combination effect	References/ notes
	conflicting developments) rather than promoting their extraction. The NPPF states that there is no presumption that resources defined in safeguarding policies will be worked. Likely significant impacts on a Natura 2000 site would therefore not occur as a result of this policy.					
S02- Developments proposed within Minerals Safeguarding Areas	Although there is some overlap between Natura 2000 sites and Minerals Safeguarding Areas (MSA) this policy would only allow prior extraction of the mineral provided that there are no 'unacceptable adverse impacts on the environment'. This should prevent any significant effects on Natura 2000 sites.	Any sites coinciding with a MSA.	No negative effect	None	No significant negative in combination effects	
S03- Waste management facility safeguarding	This policy relates to safeguarding waste management sites ensuring that they are not sterilised for future use by conflicting developments by use of a 250m buffer zone. This policy is likely to prevent incompatible development within 250m of a safeguarded waste site. No safeguarded waste management sites lie within 250m of a Natura 2000 site, and in any case this policy would lessen rather than increase development in that area. No likely significant effects are, therefore, observed.	None	No negative effect	None	No significant negative in combination effects	
S04- Transport infrastructure safeguarding	This policy relates to safeguarding transport infrastructure ensuring that it is not sterilised for future use by conflicting developments by use of a 100m buffer zone. The NPPF states that there is no presumption that resources/infrastructure defined in safeguarding policies will be developed. No safeguarded ancillary infrastructure sites lie within 100m of a Natura 2000	None	No negative effect	None	No negative in combination effects	

Preferred Policy	Possible impact of Preferred Policy on European Site (sources / pathways)	Which European Sites could be affected (receptors)	Is the impact significant	Other plans and projects which might act in combination	Risk of a significant in combination effect	References/ notes
	site, and in any case this policy would lessen rather than increase development in that area. Likely significant impacts on a Natura 2000 site would therefore not occur as a result of this policy.					
S05- Minerals ancillary infrastructure safeguarding	This policy relates to safeguarding minerals ancillary infrastructure ensuring that it is not sterilised for future use or replaced by conflicting developments. The NPPF states that there is no presumption that resources/infrastructure defined in safeguarding policies will be developed. No safeguarded ancillary infrastructure sites lie within 100m of a Natura 2000 site, and in any case this policy would lessen rather than increase development in that area. Likely significant impacts on a Natura 2000 site would therefore not occur as a result of this policy.	None	No negative effect	None	No negative in combination effects	
S06- Consideration of applications in Consultation Areas	No possible pathway of impact as no development would take place through this policy itself which requires consultation between the district councils and county council. Likely significant impacts on a Natura 2000 site would therefore not occur as a result of this policy.	None	No negative effect	None	No negative in combination effects	
D01- Presumption in favour of sustainable minerals and waste development	This policy reflects the presumption in favour of sustainable development in the NPPF. The NPPF explicitly excludes development that would have an adverse impact on European sites from the presumption in favour of sustainable development. Likely significant impacts on a European Site would therefore not occur as a result of this policy.	None	No significant negative effect	None	No significant negative in combination effects	
D02- Local amenity and cumulative impacts	This is a development management policy. Development would not take place through the policy itself (rather	None	No negative effect	None	No negative in combination effects	

Preferred Policy	Possible impact of Preferred Policy on European Site (sources / pathways)	Which European Sites could be affected (receptors)	Is the impact significant	Other plans and projects which might act in combination	Risk of a significant in combination effect	References/ notes
	through the relevant minerals, waste or infrastructure policy) and no pathway for likely significant effects on European Sites exists.					
D03- Transport of minerals and waste and associated traffic impacts	This is a development management policy. Development would not take place through the policy itself (rather through the relevant minerals, waste or infrastructure policy) and no pathway for likely significant effects on European Sites exists.	None	No negative effect	None	No negative in combination effects	
D04- North York Moors National Park and the AONBs	This policy states that major development within the National Park and AONBs will be refused except in exceptional circumstances. Consideration would be given to any detrimental effect on the environment. All proposals would also be required to be consistent with other development management policies in the plan including D07: 'Biodiversity and Geo-diversity' which states that proposals will only be permitted where there will be no unacceptable impacts on biodiversity or geo-diversity including on statutory designated sites. Likely significant impacts would therefore not occur as a result of this policy.	Natura 2000 sites in National Parks	No significant negative effect	None	No significant negative in combination effects	
D05- Minerals and waste development in the Green Belt	This is a development management policy for Green Belt areas. Development would not take place through the policy itself (rather through the relevant minerals, waste or infrastructure policy) and no pathway for likely significant effects on European Sites exists.	Natura 2000 sites in the Green Belt.	No negative effect	None	No negative in combination effects	
D06- Landscape	This is a development management policy. Development would not take place through the policy itself (rather through the relevant minerals, waste or infrastructure policy) and no pathway for likely significant effects on European Sites exists.	None	No negative effect	None	No negative in combination effects	
D07- Biodiversity and geo-diversity	This is a positive development management policy which requires a	None	No significant negative effect	None	No significant negative in combination effects	

Preferred Policy	Possible impact of Preferred Policy on European Site (sources / pathways)	Which European Sites could be affected (receptors)	Is the impact significant	Other plans and projects which might act in combination	Risk of a significant in combination effect	References/ notes
	very high level of protection to be afforded to designated sites and aims to achieve net gains for biodiversity and geo-diversity.					
D08- Historic environment	This is a development management policy. Development would not take place through the policy itself (rather through the relevant minerals, waste or infrastructure policy) and no pathway for likely significant effects on European Sites exists.	None	No negative effect	None	No negative in combination effects	
D09- Water environment	This is a development management policy. Development would not take place through the policy itself (rather through the relevant minerals, waste or infrastructure policy) and no pathway for likely significant effects on European Sites exists.	None	No negative effect	None	No negative in combination effects	
D10- Reclamation and after use	This policy states that restoration and after use proposals should aim to maximise overall benefits and minimise overall adverse impacts. Proposals should also aim to deliver enhancements for biodiversity and improvements to habitat networks and connectivity. It is therefore considered to be a positive development management policy which provides no pathway for likely significant negative effects on European Sites.	None	No significant negative effect	None	No significant negative in combination effects	
D11- Sustainable design, construction and operation of development	This policy outlines design and other qualitative criteria for minerals and waste development and would not itself lead to development. Likely significant negative impacts would therefore not occur as a result of this policy. Indeed the policy is likely to lead to wider scale benefits such as a reduced contribution to climate change, which would have a beneficial effect.	None	No negative effect	None	No negative in combination effects	

Preferred Policy	Possible impact of Preferred Policy on European Site (sources / pathways)	Which European Sites could be affected (receptors)	Is the impact significant	Other plans and projects which might act in combination	Risk of a significant in combination effect	References/ notes
D12- Protection of agricultural land and soils	This is a development management policy. Development would not take place through the policy itself (rather through the relevant minerals, waste or infrastructure policy) and no pathway for likely significant effects on European Sites exists.	None	No negative effect	None	No negative in combination effects	
D13- Consideration of applications in Development High Risk Areas	This is a development management policy. Development would not take place through the policy itself (rather through the relevant minerals, waste or infrastructure policy) and no pathway for likely significant effects on European Sites exists.	None	No negative effect	None	No negative in combination effects	

Table 9: Screening of MWJP Sites

Site	Possible impact of Site on European Site (sources / pathways)	European Sites within 15km	Which European Sites could be affected (receptors)	Is the impact significant	Other plans and projects which might act in combination	Risk of a significant in combination effect	References/ notes
MJP03 Forcett Quarry	No pathways have been identified that are likely to give rise to significant effects.	8.5km S- North Pennine Dales Meadows SAC	None	No	None	No	
MJP04 Aram Grange (Blair)	The site has connectivity with the River Swale which eventually discharges in to the Humber Estuary. Given the large intervening distance (in excess of 50km) and dilution effects that would take place, significant impacts are unlikely.	14km NE - North York Moors SPA and SAC	None	No	None	No	
MJP05 Lawrence House Farm (Jeffries)	No pathways have been identified that are likely to give rise to significant effects.	14km W - North Pennine Moors SPA/SAC	None	No	None	No	
MJP06 Langwith Hall Farm	No pathways have been identified that are likely to give rise to significant effects.	10km W- North Pennine Moors SPA/SAC	None	No	None	No	
MJP07 Oaklands	No pathways have been identified that are likely to give rise to significant effects.	9.5km W - North Pennine Moors SAC, SPA	None	No	None	No	
MJP08 Settrington Quarry	No pathways have been identified that are likely to give rise to significant effects.	3.5km NW- River Derwent SAC	None	No	None	No	
MJP09 Barlby Road	This potential allocation is for the continuation of an existing facility; no additional development is proposed. No likely significant effects.	4km NE- Skipwith Common SAC, 7km E- River Derwent SPA/SAC/Ramsar, 11.5km SE - Humber estuary SPA/SAC/Ramsar	None	No	None	No	
MJP10 Potgate Quarry	No pathways have been identified that are likely to give rise to significant effects.	8km W - North Pennine Moors SPA/SAC	None	No	None	No	
MJP11 Gebdykes	No pathways have been identified that are likely to give rise to significant	6km W- North Pennine Moors SPA/SAC	None	No	None	No	

Site	Possible impact of Site on European Site (sources / pathways)	European Sites within 15km	Which European Sites could be affected (receptors)	Is the impact significant	Other plans and projects which might act in combination	Risk of a significant in combination effect	References/ notes
	effects.						
MJP12 Whitewall Quarry	While the site is relatively close to the River Derwent there is no apparent surface water connectivity. However, the recent nearby application's[20] Committee Report (see references / notes column) highlights concerns raised over pollution of groundwater due to removal of some of the protection for the aquifer. This may also present a risk to the nearby River Derwent if there is a link between it and underlying groundwater. However, the recommendation made in the Committee Report that the issue for the current application be resolved through an environmental permit and would likely be resolved through routine measures to prevent fuel spills means that impacts at this site are also likely to be readily avoidable. No further pathways have been identified that are likely to give rise to significant effects.	1.38km NW- River Derwent SAC	River Derwent SAC	Uncertain. However, any issues would likely be resolved through routine measures to prevent fuel spills / environmental permitting so it will be possible to avoid appropriate assessment by ensuring that any policies supporting this site, or any allocation outside a policy makes provision for this. A recommendation for resolving this issue is made in policy W:08.	Possible in combination effect with current proposals for erection of a concrete products store.	Uncertain, but resolvable through the measures highlighted for resolving impacts on their own.	North Yorkshire County Council Planning and Regulatory Affairs Committee, 2015. C3/13/00086/CPO- Planning Application for the purposes of the installation of an Asphalt Production Plant and the creation of Aggregate Storage Bins (5 No.) on land at Whitewall Quarry, Whitewall Corner Hill, Norton on behalf of W Clifford Watts Limited (Ryedale District) (Norton Electoral Division): Report of the Corporate Director – Business and Environmental Services
MJP13 Whitewall Quarry- Recycling	While the site is relatively close to the River Derwent there is no apparent surface water connectivity. However, the recent nearby application's[21] Committee Report (see references / notes column) highlights concerns raised over pollution of groundwater	1.4km W - River Derwent SAC	River Derwent SAC	Uncertain. However, any issues would likely be resolved through routine measures to prevent fuel spills / environmental permitting so it will be possible to avoid appropriate assessment by ensuring that any policies supporting this site, or any	Possible in combination effect with current proposals for erection of a concrete products store.	Uncertain, but resolvable through the measures highlighted for resolving impacts on their own.	North Yorkshire County Council Planning and Regulatory Affairs Committee, 2015. C3/13/00086/CPO- Planning Application for the purposes of the installation of an

[20] For an Asphalt Production Plant and the creation of Aggregate Storage Bins
[21] For an Asphalt Production Plant and the creation of Aggregate Storage Bins

Site	Possible impact of Site on European Site (sources / pathways)	European Sites within 15km	Which European Sites could be affected (receptors)	Is the impact significant	Other plans and projects which might act in combination	Risk of a significant in combination effect	References/ notes
	due to removal of some of the protection for the aquifer. This may also present a risk to the nearby River Derwent if there is a link between it and underlying groundwater. However, the recommendation made in the Committee Report that the issue for the current application be resolved through an environmental permit and would likely be resolved through routine measures to prevent fuel spills means that impacts at this site are also likely to be readily avoidable. No further pathways have been identified that are likely to give rise to significant effects.			allocation outside a policy makes provision for this. A recommendation for resolving this issue is made in policy W:08.			Asphalt Production Plant and the creation of Aggregate Storage Bins (5 No.) on land at Whitewall Quarry, Whitewall Corner Hill, Norton on behalf of W Clifford Watts Limited (Ryedale District) (Norton Electoral Division): Report of the Corporate Director – Business and Environmental Services
MJP14 Ripon Quarry	No pathways have been identified that are likely to give rise to significant effects.	10km W - North Pennine Moors SPA/SAC	None	No	None	No	
MJP15 Blubberhouses	The site lies adjacent to the North Pennine Moors SAC/SPA and is likely to have an impact on this designated site. An Appropriate Assessment is currently underway in order to establish whether this impact will be significant.	North Pennine Moors SAC/SPA adjacent to site to the west, north and south, 8km S- South Pennine Moors SAC/SPA	North Pennine Moors SAC/SPA	Uncertain- Appropriate Assessment currently being undertaken	Harrogate District Core Strategy and Sites and Policies DPD Yorkshire Dales Local Plan	Uncertain- In combination effects will need to be considered as part of the Appropriate Assessment	
MJP17 Land South of Catterick	No pathways have been identified that are likely to give rise to significant effects.	13km W- North Pennine Moors SPA/SAC	None	No	None	No	
MJP21 Killerby	No pathways have been identified that are likely to give rise to significant effects.	14km W - North Pennine Moors SPA/SAC	None	No	None	No	
MJP22 Hensall Quarry	No pathways have been identified that are likely to	10km NE- River Derwent SAC, 12km	None	No	None	No	

Site	Possible impact of Site on European Site (sources / pathways)	European Sites within 15km	Which European Sites could be affected (receptors)	Is the impact significant	Other plans and projects which might act in combination	Risk of a significant in combination effect	References/ notes
	give rise to significant effects.	SE - Thorne Moor SAC/SPA, 14.5km E - Humber Estuary Ramsar/SAC/SPA					
MJP23 Jackdaw Crag	No pathways have been identified that are likely to give rise to significant effects.	11km NW- Kirk Deighton SAC	None	No	None	No	
MJP24 Darrington Plant	No pathways have been identified that are likely to give rise to significant effects.	None within 15km	None	No	None	No	
MJP26 Barnsdale Bar- Recycling	No pathways have been identified that are likely to give rise to significant effects.	None within 15km	None	No	None	No	
MJP27 Darrington Quarry (recycling)	No pathways have been identified that are likely to give rise to significant effects.	None within 15km	None	No	None	No	
MJP28 Barnsdale Bar Quarry	No pathways have been identified that are likely to give rise to significant effects.	None within 15km	None	No	None	No	
MJP29 Went Edge Quarry	No pathways have been identified that are likely to give rise to significant effects.	None within 15km	None	No	None	No	
MJP30 West Heslerton Quarry	No pathways have been identified that are likely to give rise to significant effects.	9km W- River Derwent SAC, 10km NW - Ellers Wood and Sand Dale SAC	None	No	None	No	
MJP31 Old London Road- Fawcett	No pathways have been identified that are likely to give rise to significant effects.	12km NW- Kirk Deighton SAC	None	No	None	No	
MJP32 Barsneb Wood, Hob Green	No pathways have been identified that are likely to give rise to significant effects.	8km NW- North Pennine Moors SPA/SAC	None	No	None	No	
MJP33 Home Farm	No pathways have been identified that are likely to give rise to significant effects.	10.5km NW- North Pennine Dales Meadows SAC	None	No	None	No	

Site	Possible impact of Site on European Site (sources / pathways)	European Sites within 15km	Which European Sites could be affected (receptors)	Is the impact significant	Other plans and projects which might act in combination	Risk of a significant in combination effect	References/ notes
MJP35 Ruddings Farm	Kirk Deighton SAC is notified for its breeding population of great crested newt. The site is over 2km away from Kirk Deighton, which is beyond the 500m indicator for ponds and habitat refuges employed by English Nature's Great Crested Newt Mitigation Guidelines, while intervening habitat is generally less favourable (i.e. a large expanse of arable farmland with few hedgerows and barriers such as roads). In terms of hydrology this site is 2.14km away from the SAC meaning that, given the size of the site in terms of output effects are considered unlikely[22]. However, local conditions may vary, so considering the source-pathway-receptor approach the hydrological impact on this site should be investigated, or specific policy wording should be formulated to ensure an impact would not occur.	2.14km SW- Kirk Deighton SAC	Kirk Deighton SAC	Uncertain- Considered unlikely, but uncertainty would mean that Appropriate Assessment required or specific policy wording applied to ensure no likely significant effects.	Harrogate District Core Strategy and Sites and Policies DPD	Uncertain- The site and the SAC is in the Nidd Magnesian Limestone Groundwater Resource Area where there is restricted groundwater availability, so in combination effects will need to be considered as part of the Appropriate Assessment.	See also Environment Agency, 2013. Swale, Ure, Nidd and Upper Ouse Licensing Strategy [URL: https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/307283/lit_7868_513802.pdf] and Wharfe and Lower Ouse Abstraction Licensing Strategy [URL: https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/307293/lit_7869_9e54a7.pdf]

[22] The Environment Agency Hydrological Impact Appraisal guidance includes a useful list of default areas for water feature surveys, which suggests that, as a starting point a survey area should be 2km in radius if the amount of water taken out of the aquifer is between 3,000 and 5,000 cubic metres per day, though local conditions should also be considered, particularly if 'sensitive abstractions or environmental features are located just beyond the specified radius; the aquifer is confined; or where there is a high degree of uncertainty about the aquifer characteristics' . In this making this assessment we have compared this site to 2 other sand and gravel sites, Newbold Quarry in Staffordshire where the intention is to extract 13.5 million tonnes of sand and gravel, and Swinderby Airfield quarry, where the intention is to extract 5.76 million tonnes. The former has a predicted extraction of water of 22,257 m3/day, though is clearly over 6 times bigger than this site. The latter, which is around twice as big, would extract 3,400 m3/day. This means that it is not usual for sand and gravel sites of this size to extract several thousand m3/day which could mean that impacts are possible up to 2km. As the Environment Agency guidance suggests extending search areas beyond 2 km for sensitive sites just beyond 2km this means that an impact cannot be ruled out until information about both the aquifer characteristics and the expected dewatering rate are clarified. However, it is likely that any impact could be moderated to an insignificant effect through mitigation. (Sources: Environment Agency, 2007. Hydrogeological impact appraisal for groundwater abstractions: Science Report SCO40020/SR2 [URL: https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/291083/scho0407bmah-e-e.pdf] / CEMEX, 2014. Water Management Plan for Proposed Quarry at Swinderby Airfield [URL: parishes.lincolnshire.gov.uk/Files/Parish/697/Water_management_plan_v14_1_final.pdf] / Aggregate Industries, 2011, Newbold Quarry Southwest Extension Site Water Management Plan.)

Site	Possible impact of Site on European Site (sources / pathways)	European Sites within 15km	Which European Sites could be affected (receptors)	Is the impact significant	Other plans and projects which might act in combination	Risk of a significant in combination effect	References/ notes
MJP37 Moor Lane Farm	No pathways have been identified that are likely to give rise to significant effects.	10km SW- Kirk Deighton SAC	None	No	None	No	
MJP38 Mill Cottages	No pathways have been identified that are likely to give rise to significant effects.	9km W- North Pennine Moors SPA/SAC	None	No	None	No	
MJP39 Quarry House	No pathways have been identified that are likely to give rise to significant effects.	8.5km W- North Pennine Moors SPA/SAC	None	No	None	No	
MJP41 Scalibar Farm	No pathways have been identified that are likely to give rise to significant effects.	4.5km SE- Kirk Deighton SAC	None	No	None	No	
MJP43 Scruton	No pathways have been identified that are likely to give rise to significant effects.	13.5KM NW- North Pennine Dales Meadows SAC, 13.5km SW- North Pennine Moors	None	No	None	No	
MJP44 Land between Great Heck and Pollington Airfield	No pathways have been identified that are likely to give rise to significant effects.	10km SE- Thorne Moor SAC/SPA, 10km NE - River Derwent SAC, 14km E- Humber Estuary Ramsar/SAC/SPA	None	No	None	No	
MJP45 Hemingbrough	Although this site lies in relatively close proximity to the River Derwent SAC, no pathways have been identified between MJP45 and this European Site (particularly as clay is an aquitard so impacts from groundwater are considered to be insignificant). Significant impacts are therefore not anticipated.	2km E- River Derwent SAC, 4.8km N- Skipwith Common SAC, 7km SE- Humber Estuary SAC/SPA/Ramsar, 12.5km SE- Thorne Moor SAC/SPA	None	No	None	No	
MJP46 Kiplin Plant	No pathways have been identified that are likely to give rise to significant effects.	10KM NW - North Pennine Dales Meadows	None	No	None	No	
MJP49 Metes Lane	No pathways have been identified that are likely to give rise to significant	13km SE- Flamborough Head SAC	None	No	None	No	

Site	Possible impact of Site on European Site (sources / pathways)	European Sites within 15km	Which European Sites could be affected (receptors)	Is the impact significant	Other plans and projects which might act in combination	Risk of a significant in combination effect	References/ notes
	effects.						
MJP50 Sands Wood	No pathways have been identified that are likely to give rise to significant effects.	4.3km W- River Derwent SAC, 10km N- Ellers Wood and Sand Dale SAC	None	No	None	No	
MJP51 Great Givendale	No pathways have been identified that are likely to give rise to significant effects.	12km W- North Pennine Moors SPA/SAC	None	No	None	No	
MJP52 Duttons Farm	No pathways have been identified that are likely to give rise to significant effects.	10km NE- Strensall Common SAC, 14.8km SW- Kirk Deighton SAC	None	No	None	No	
MJP53 Old London Road- White Quarry Farm	No pathways have been identified that are likely to give rise to significant effects.	11.5km NW- Kirk Deighton SAC	None	No	None	No	
MJP54 Mill Balk	No pathways have been identified that are likely to give rise to significant effects.	12km SE- Thorne Moor SPA/SAC, 11.5km NE- River Derwent SAC	None	No	None	No	
MJP55 Escrick Brickworks	Skipwith Common SAC lies in relatively close proximity to the site and relies on the maintenance of water levels to maintain wet heath communities. Considering the source-pathway-receptor approach it is considered unlikely that there would be a significant impact on this site as the site lies beyond the search area for groundwater impacts associated with withdrawal of up to 5000 m3/day of water and at the outer edge of any search area for water abstractions above 5,000 m3/day[23]. Although any water withdrawal is as yet unknown this should be considered together with the	3.25km SE (from main site) / 3 km from southern outlier site - Skipwith Common SAC, 7km E- Lower Derwent Valley SAC/SPA/Ramsar,	Skipwith Common SAC	No	None	No	

[23] Based on the Environment Agency Hydrological Impact Assessment Guidance referred to at footnote 20.

Site	Possible impact of Site on European Site (sources / pathways)	European Sites within 15km	Which European Sites could be affected (receptors)	Is the impact significant	Other plans and projects which might act in combination	Risk of a significant in combination effect	References/ notes
	fact that clay is an aquitard with low hydraulic conductivity, so impacts on the water table are likely to be limited. Water impacts are far more likely to be related to surface water and so are considered to be more local in nature.						
MJP57 Potgate Recycling	No pathways have been identified that are likely to give rise to significant effects.	7.5km W - North Pennine Moors SPA/SAC	None	No	None	No	
MJP58 Old London Road- recycling	No pathways have been identified that are likely to give rise to significant effects.	12km NW- Kirk Deighton SAC	None	No	None	No	
MJP59 Spikers Quarry	Although there is connectivity between MJP59 and the River Derwent (via a steep hill), the River Derwent does not become a European Site until in excess of 20km downstream. It is therefore considered that dilution effects along with a limited number of sources for pollution (assuming that the environmental permitting process operates effectively) means that likely significant impacts are not anticipated.	12km N - North York Moors SAC, 12km W - Ellers Wood and Sand Dale SAC, 12.5km NE- Beast Cliff-Whitby SAC	None	No	None	No	
MJP60 Land west of Kirkby Fleetham	No pathways have been identified that are likely to give rise to significant effects.	11km NW- North Pennine Dales Meadows, 15km W- North Pennine Moors SPA/SAC	None	No	None	No	
MJP61 Alne	No pathways have been identified that are likely to give rise to significant effects.	12.5km SE- Strensall Common SAC	None	No	None	No	
MJP62 Toft Hill	No pathways have been identified that are likely to give rise to significant	8.9km NW- North Pennine Dales Meadows	None	No	None	No	

Site	Possible impact of Site on European Site (sources / pathways)	European Sites within 15km	Which European Sites could be affected (receptors)	Is the impact significant	Other plans and projects which might act in combination	Risk of a significant in combination effect	References/ notes
	effects.						
MJP63 Brows Quarry	Due to the limited size of the site and small scale of building stone extraction combined with limited pathways for pollutants (any minor risk from fuel spills could be easily mitigated by existing development management policies and would likely be low scale in any case) it is considered unlikely that there would not be a significant impact on the River Derwent SAC. The adjacent site has been quarried previously without impact on the water table[24] and it is thought highly unlikely there would be a hydrological impact on the conservation objectives of the SAC given the very small scale of this site when compared to the large catchment of the Derwent, and the likelihood that the site would not be worked below the water table.	River Derwent SAC 260m SE	River Derwent SAC	No (though routine measures to mitigate for the risk of accidental fuel spills should be observed by the Plan).	None	No	
MJP64 Cropton Quarry	No pathways have been identified that are likely to give rise to significant effects.	North York Moors is 3.9km N	None	No	None	No	
WJP01 Hillcrest	No pathways have been identified that are likely to give rise to significant effects.	4km- North Pennine Moors SAC/SPA, 12km North Pennine Dales Meadows SAC/SPA	None	No	None	No	
WJP04 Old London Road	No pathways have been identified that are likely to give rise to significant effects.	12km NW- Kirk Deighton SAC	None	No	None	No	
WJP05 Field to North of Duttons Farm	No pathways have been identified that are likely to	10km NE- Strensall Common SAC, 14.8km	None	No	None	No	

[24] See North Yorkshire County Council. Planning Application NY/2007/0293/FUL [URL: https://onlineplanningregister.northyorks.gov.uk/register/PlanAppDisp.aspx?recno=5138]

Site	Possible impact of Site on European Site (sources / pathways)	European Sites within 15km	Which European Sites could be affected (receptors)	Is the impact significant	Other plans and projects which might act in combination	Risk of a significant in combination effect	References/ notes
	give rise to significant effects.	SW- Kirk Deighton SAC					
WJP06 Escrick Brickworks	Skipwith Common SAC lies in relatively close proximity to the site and relies on the maintenance of water levels to maintain wet heath communities. Considering the source-pathway-receptor approach it is considered unlikely that there would be a significant impact on this site as the site is a former clay site and clay is an aquitard with low hydraulic conductivity, so impacts on the water table are likely to be limited. In addition, the environmental permitting regime and the strict requirements for lining waste disposal sites and disposing of water means that groundwater impacts are unlikely, and more likely to be related to surface water and so are considered to be more local in nature (as there is no significant surface water connectivity between the site and Natura 2000 sites).	3.5km SE- Skipwith Common SAC, 7km E- Lower Derwent Valley SAC/SPA/Ramsar,	None	No	Selby Core Strategy and Selby Site Allocations Development Plan DPD	No	
WJP07 Land on former Pollington Airfield	No pathways have been identified that are likely to give rise to significant effects.	10km SE- Thorne Moor SAC/SPA, 10km NE- River Derwent SAC, 14km E- Humber Estuary SAC/SPA/Ramsar	None	No	None	No	
WJP08 Allerton Park	No pathways have been identified that are likely to give rise to significant effects.	9km S- Kirk Deighton SAC	None	No	None	No	
WJP09 Whitewall- MRF	While the site is relatively close to the River Derwent there is no apparent surface water connectivity.	1.4km W - River Derwent SAC	River Derwent SAC	Uncertain. However, any issues would likely be resolved through routine measures to prevent fuel	Possible in combination effect with current proposals for	Uncertain, but resolvable through the measures highlighted for resolving impacts on	North Yorkshire County Council Planning and Regulatory Affairs

Site	Possible impact of Site on European Site (sources / pathways)	European Sites within 15km	Which European Sites could be affected (receptors)	Is the impact significant	Other plans and projects which might act in combination	Risk of a significant in combination effect	References/ notes
	However, the recent nearby application's[25] Committee Report (see references / notes column) highlights concerns raised over pollution of groundwater due to removal of some of the protection for the aquifer. This may also present a risk to the nearby River Derwent if there is a link between it and underlying groundwater. However, the recommendation made in the Committee Report that the issue for the current application be resolved through an environmental permit and would likely be resolved through routine measures to prevent fuel spills means that impacts at this site are also likely to be readily avoidable. No further pathways have been identified that are likely to give rise to significant effects.			spills / environmental permitting so it will be possible to avoid appropriate assessment by ensuring that any policies supporting this site, or any allocation outside a policy makes provision for this. A recommendation for resolving this issue is made in policy W:08.	erection of a concrete products store.	their own.	Committee, 2015. C3/13/00086/CPO- Planning Application for the purposes of the installation of an Asphalt Production Plant and the creation of Aggregate Storage Bins (5 No.) on land at Whitewall Quarry, Whitewall Corner Hill, Norton on behalf of W Clifford Watts Limited (Ryedale District) (Norton Electoral Division): Report of the Corporate Director – Business and Environmental Services
WJP10 Went Edge- Recycling	No pathways have been identified that are likely to give rise to significant effects.	None within 15km	None	No	None	No	
WJP11 Harewood Whin	No pathways have been identified that are likely to give rise to significant effects.	11km NE- Strensall Common SAC, 13.5km W- Kirk Deighton SAC	None	No	None	No	
WJP13 Halton East	Due to the nature of the proposal to continue existing operations it is unlikely that there would be any significant effect.	1.3km - North Pennine Moors SAC/SPA, 7km SE- South Pennine Moors SPA/SAC, 12km NW- Craven Limestone Complex SAC, 10km N- North	None	No	None	No	

[25] For an Asphalt Production Plant and the creation of Aggregate Storage Bins

Site	Possible impact of Site on European Site (sources / pathways)	European Sites within 15km	Which European Sites could be affected (receptors)	Is the impact significant	Other plans and projects which might act in combination	Risk of a significant in combination effect	References/ notes
		Pennine Dales Meadows SAC					
WJP15 Seamer Carr	No pathways have been identified that are likely to give rise to significant effects.	13km SE- Flamborough Head SAC	None	No	None	No	
WJP16 Common Lane Burn	No pathways have been identified that are likely to give rise to significant effects.	8.5km NE- Skipwith Common SAC, 7.5km E- River Derwent SAC/SPA/Ramsar, 13km SE- Humber Estuary SAC/SPA/Ramsar	None	No	None	No	
WJP17 Skibeden	The distance between this site and the nearest European Site and the type of development mean that significant impacts are unlikely.	2.2km- North Pennine Moors SPA/SAC, 7KM SE- South Pennine Moors SAC/SPA, 12km NW- Craven Limestone Complex SAC, 10km N- North Dales Pennine Meadows	None	No	None	No	
WJP18 Tancred	The distance between this site and the nearest European Site and the type of development mean that significant impacts are unlikely.	6km W- North Pennine Dales Meadows SAC, 13km W- North Pennine Moors SAC/SPA	None	No	None	No	
WJP19 Whitby	No pathways have been identified that are likely to give rise to significant effects.	4km SW- North York Moors SAC/SPA, 6.5km SE- Beast Cliff- Whitby SAC	None	No	None	No	
WJP21 Brotherton	No pathways have been identified that are likely to give rise to significant effects.	None within 15km	None	No	None	No	
WJP22 Land on former Pollington Airfield	No pathways have been identified that are likely to give rise to significant effects.	10km SE- Thorne Moor SAC/SPA, 10km NE- River Derwent SAC, 14km E- Humber Estuary SAC/SPA/Ramsar	None	No	None	No	
WJP23 Potgate Former Piggery	No pathways have been identified that are likely to give rise to significant effects.	North Pennine Moors SAC / SPA is 7.9 km W	None	No	None	No	

6. Conclusions of the Screening Assessment

This preferred options HRA screening assessment indicates that the majority of policies presented in the MWJP Preferred Options consultation document can be developed in line with the requirements of the Habitats Regulations. At this stage of plan development, the majority of policies are considered likely to have no negative effect or no significant negative effect on a European Site.

Four preferred policies have been identified as having uncertain impacts. These policies have uncertain impacts as it is not clear where development would take place as a result of the policy and as there is currently no criterion within the policy stipulating that development will not be permitted where unacceptable impacts upon a European Site would occur (or referring to the development management policies in the plan which also state this). These include:

- M11- Supply of alternatives to land won primary aggregates
- W05 – Meeting waste management capacity requirements – construction, demolition and excavation waste (including hazardous CD&E waste) (effect alone only)
- W07- Managing low level (non-nuclear) radioactive waste (effect in combination only)
- W08- Managing waste water (sewage sludge)

In the case of these four policies uncertainty could be removed by adding wording to the policy stating that any development would need to be in line with the development management policies in the plan.

Policy M07: ‘Meeting concreting sand and gravel requirements’ has also been identified as having an uncertain impact. This is because this policy would support development at a number of allocated sites, and likely significant effects on European Sites cannot be ruled out for one of these potential sites at this stage. Further assessment will therefore be required in relation to MJP35 Ruddings Farm in order to establish whether likely significant effects would result from this preferred policy.

In terms of sites, 5 sites are considered to have an uncertain potential for likely significant negative effects. Of these sites, 3 are considered to have impacts on the River Derwent that can be resolved through routine planning conditions, such as appropriate control of the risk of fuel spills. These sites are:

- WJP09 – Whitewall MRF
- MJP12 – Whitewall Quarry
- MJP13 –Whitewall Quarry Recycling

A further site at Ruddings Farm has what is considered to be an unlikely effect on the water supply to Kirk Dighton SAC. However, an effect cannot be ruled out without further information or specific policy wording to ensure that its allocation would have no significant effects. This might be through requiring a project level appropriate assessment to ensure that any rate of dewatering would be below that which may have an impact on the SAC.

A final site, at Blubberhouses Quarry, could have significant effects on the North Pennine Moors SAC/SPA. It is currently the subject of a project level appropriate assessment.

This HRA screening document is essentially a 'living' document that will be reviewed and updated as the MWJP develops and in line with consultation responses. It will be necessary to revisit the HRA screening assessment at the Draft Plan / Submission stage when it will be possible to assess finalised policies, using the conclusions of this Screening Assessment and the resulting consultation comments as a starting point.

7. Consultation

We are consulting on the findings of this report from Monday 16th November to Friday 15th January.

If you wish to comment on this report please tell us what you think. We have included a question on the Sustainability Appraisal Questionnaire on the Sustainability Appraisal website. Or you may prefer to tell us what you think by e-mail or post using the following contact details:

Environmental Policy,
Heritage Services, Waste and Countryside Services,
North Yorkshire County Council,
County Hall, Northallerton,
North Yorkshire, DL7 8AH
Tel: **01609 536493**

Email: mwsustainability@northyorks.gov.uk

Appendix 1: Flamborough and Filey Coast pSPA and Flamborough Head pSAC

Flamborough and Filey Coast pSPA -

The northern part of the pSPA boundary stretches from the southern end of Cayton Bay to the northern stretch of Filey Bay, and includes a large off shore component. The southern part of the site begins in the southern part of Filey Bay and curves around Flamborough Head to Sewerby.

The following interest features are recorded for the site.

Feature	Population
Black-legged kittiwake	44,250 pairs; 89,041 breeding adults (2008-2011)
Northern gannet	8,469 pairs, 16,938 breeding adults (2008 – 2012)
Common guillemot	41,607 pairs; 83214 breeding adults (2008 – 2011)
Razorbill	10,570 pairs; 21,140 breeding adults(2008 – 2011)
Seabird assemblage of international importance	215,750 individual seabirds (2008-2012) including the following named components: black-legged kittiwake, northern gannet, common guillemot, razorbill and also northern fulmar. Atlantic puffin, herring gull, European shag and great cormorant are also part of the seabird assemblage.

Source:naturalengland.org.uk/Images/Flamborough-citation_tcm6-37217.pdf (URL is no longer available)

Key threats to Site Integrity

These are considered to be broadly similar to the existing Flamborough Head and Bempton Cliffs SPA:

-Fishing may result in physical damage (erosion, fragmentation of the submerged habitat);

-Industrial discharge may lead to toxic contamination as well as sedimentation, changes in turbidity, changes in salinity, or changes in the thermal regime;

-Recreational disturbance may lead to physical damage (erosion and fragmentation, accidental fires) as well as reduced bird breeding productivity.

Flamborough Head pSAC

Similarly to the pSPA, it is proposed that the landward boundary of the existing Flamborough Head SAC be modified to ensure that the features of the SAC remain within the site into the future. No additional interest features are proposed.

Contact us

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