

**OLDHAM METROPOLITAN BOROUGH COUNCIL**

**LOCAL DEVELOPMENT FRAMEWORK**

**HABITATS REGULATIONS ASSESSMENT**

**FOR THE**

**DRAFT CONTAMINATED LAND  
SUPPLEMENTARY PLANNING DOCUMENT**

**JANUARY 2007**



## **OLDHAM METROPOLITAN BOROUGH LOCAL DEVELOPMENT FRAMEWORK**

### **Supplementary Planning Document**

The Government has reformed the system of development planning in England. Development Plans are used to control and guide the development and use of land. As part of the reformed system, Oldham Metropolitan Borough Council must prepare a “Local Development Framework”.

The Local Development Framework will be a folder of different documents, including Development Plan Documents which set out the Council’s approach to future development in the Borough.

This document is part of a Supplementary Planning Document (SPD). SPDs are documents that expand on policy outlined in a Development Plan Document or provide more detail on it to help in its implementation. They are not formally part of the statutory Development Plan but are material considerations in determining planning applications.

Supplementary Planning Documents have three supporting documents:

- a sustainability appraisal,
- a habitats regulations assessment, and
- an equalities impact assessment.

Members of the public may comment on the Supplementary Planning Document and any of the three supporting documents. A document outlining who has been consulted in the preparation of the Supplementary Planning Document, and issues they raised, is also available alongside these documents. This is called a Consultation Statement.

Members of the public may comment on this document during the six-week public consultation period as indicated on the public notice and comments form.

Comments made on the document cannot be treated as confidential.

If you would like further help in interpreting this document please contact the Strategic Planning and Information team on the following telephone numbers: 0161 770 4151 / 4139.

You can also email the team on [spi@oldham.gov.uk](mailto:spi@oldham.gov.uk).

All documents connected with the Local Development Framework are available on the Council’s web site at [www.oldham.gov.uk](http://www.oldham.gov.uk).

ઓલ્ડહામ મેટ્રોપોલીટન બરો  
સ્થાનિક વિકાસનું માળખું

પ્લાનિંગને (યોજનાને લગતો) પૂરક દસ્તાવેજ

સરકારે ઈંગ્લેંડમાં વિકાસની યોજનાની પધ્ધતીમાં સુધાર કર્યો છે. વિકાસ તથા જમીનના વપરાશ ઉપર કાબુ રાખવા તથા તેને લગતું માર્ગદર્શન આપવા માટે હવે વિકાસની યોજનાઓ (ડેવલપમેન્ટ પ્લાન્સ)નો ઉપયોગ થઈ રહ્યો છે.

લોકલ ડેવલપમેન્ટ ફ્રેમવર્ક (સ્થાનિક વિકાસનું માળખું) એ વિવિધ દસ્તાવેજોનું એક ફોલ્ડર હશે જેમાં વિકાસની યોજનાને લગતા દસ્તાવેજો સામેલ હશે કે જે બરોમાં ભવિષ્યના વિકાસ માટે કાઉન્સિલના અભિગમ વિષે માહિતી પૂરી પાડશે.

આ દસ્તાવેજ પ્લાનિંગને (યોજનાને ) લગતો પૂરક દસ્તાવેજ(SPD) છે. SPD એ ડેવલપમેન્ટ પ્લાનમાં જણાવવામાં આવેલ દસ્તાવેજોમાં આપવામાં આવેલ કાર્યનિતીઓ વિષે વિગતે માહિતી પૂરી પાડે છે અથવા અથવા તેને અમલમાં મુકવામાં મદદ કરવા માટે વધુ માહિતી પૂરી પાડે છે.

પ્લાનિંગને (યોજનાને લગતો) પૂરક દસ્તાવેજને ટેકો આપતા બીજા ત્રણ દસ્તાવેજો છે :

- નિભાવ કરી શકાશે કે નહીં તેનું મૂલ્યાંકન
- નિવાસસ્થાનોને લગતા નિયમોની આંકણી, અને
- સમાનતાને લગતી અસરોની આંકણી

આમ જનતાના સભ્યો આ યોજનાને લગતા પૂરક દસ્તાવેજ તથા સાથેના ત્રણ ઉપર સૂચનો વિષે ટીકા-ટિપ્પણ કરી શકે છે. આ દસ્તાવેજોની સાથે સાથે આ પૂરક દસ્તાવેજ તૈયાર કરતી વખતે કોની સાથે સલાહ મંત્રણાં કરવામાં આવી હતી અને કયા મુદ્દા રજૂ કરવામાં આવ્યા હતા તે જણાવતો દસ્તાવેજ પણ ઉપલબ્ધ છે. આને કન્સલ્ટેશન સ્ટેટમેન્ટ (સલાહ મંત્રણાંને લગતુ વિધાન) તરીકે ઓળખવામાં આવે છે.

જાહેર સૂચનાઓ અને ટીકા-ટિપ્પણી માટેના ફોર્મ ઉપર જણાવ્યા અનુસાર છ અઠવાડીયાના જાહેર સલાહમંત્રણાંના સમયગાળા દરમિયાન આમ જનતાના સભ્યો આ દસ્તાવેજ ઉપર ટીકા ટિપ્પણી કરી શકે છે.

આ દસ્તાવેજ ઉપર કરવામાં આવેલ ટીકા-ટિપ્પણીને ખાનગી નહીં રાખી શકાય.

જો તમને આ દસ્તાવેજનો અનુવાદ કરવામાં વધુ મદદની જરૂર હોય તો મહેરબાની કરીને સ્ટ્રેટેજિક પ્લાનિંગ એન્ડ ઇન્ફર્મેશન ટીમનો 0161 770 4151/4139 ઉપર સંપર્ક સાધો.

તમે તેઓને આગળના સરનામે ઇમેઇલ પણ મોકલાવી શકો છો. [spi@oldham.gov.uk](mailto:spi@oldham.gov.uk).

સ્થાનિક વિકાસના માળખા સંબંધીત દરેક દસ્તાવેજો કાઉન્સિલની વેબસાઇટ ઉપરથી ઉપલબ્ધ છે. [www.oldham.gov.uk](http://www.oldham.gov.uk).

Gujarati : Local Development Framework

## ওল্ডহাম মেট্রোপলিটান বারা কাউন্সিল - স্থানীয় উন্নয়ন অবকাঠামো

### প্লানিং সংক্রান্ত সম্পূরক দলিলপত্র

ইংল্যান্ডে উন্নয়ন পরিকল্পনা তথা ডিভালপমেন্ট প্লানিংয়ের পদ্ধতি সরকার সংশোধন করেছে। জমিজমার উন্নয়ন এবং ব্যবহারের বিষয়টি নিয়ন্ত্রণ এবং এ ব্যাপারে দিকনির্দেশনা দেয়ার জন্যে উন্নয়ন পরিকল্পনাগুলো ব্যবহৃত হয়ে থাকে। সংশোধিত পদ্ধতির অংশ হিসেবে, ওল্ডহাম মেট্রোপলিটান বারা কাউন্সিলকে অবশ্যই একটি "স্থানীয় উন্নয়ন অবকাঠামো" তৈরি করতে হবে।

"স্থানীয় উন্নয়ন অবকাঠামো"টি হবে বিভিন্ন দলিলের একটি ফোল্ডার, যার একটি হবে "উন্নয়ন পরিকল্পনাসংক্রান্ত দলিল-দস্তাবেজ"। এই বারায় ভবিষ্যৎ উন্নয়নের প্রতি কাউন্সিলের দৃষ্টিভঙ্গিগুলো কিরূপ হবে তা উল্লিখিত দলিল-দস্তাবেজে তুলে ধরা হয়েছে।

এই দলিলাটি একটি সাপ্লিমেন্টারী প্লানিং ডকুমেন্ট (এস্.পি.ডি) তথা সম্পূরক উন্নয়ন দলিলের অংশবিশেষ। সাপ্লিমেন্টারী প্লানিং ডকুমেন্টগুলো হচ্ছে সে'সমস্ত দলিলপত্র যা উন্নয়ন পরিকল্পনাসংক্রান্ত দলিলে (ডিভালপমেন্ট প্লান ডকুমেন্ট) বর্ণিত কোন নীতির বিশদ ব্যাখ্যা প্রদান করে অথবা উক্ত নীতিটি কার্যকর করার ব্যাপারে যাতে সহায়ক হয় সে'জন্যে এর উপর আরো তথ্য প্রদান করে; এ'গুলো কোন সংবিধিবদ্ধ উন্নয়ন পরিকল্পনার আনুষ্ঠানিক অংশ নয়, তবে প্লানিংয়ের দরখাস্তগুলোর ব্যাপারে সিদ্ধান্ত নেয়ার ক্ষেত্রে এ জিনিসগুলো বিবেচিত হবে।

সাপ্লিমেন্টারী প্লানিং ডকুমেন্ট তথা উন্নয়নসংক্রান্ত সম্পূরক দলিলপত্রের তিনটি সহায়ক দলিল রয়েছে:

- টিকে থাকতে পারবে কিনা সে'সংক্রান্ত একটি মূল্যায়ন
- একটি হ্যাণ্ডবুক রেগুলেশন্স এসেসম্যান্ট, এবং
- সমতার প্রভাব বিষয়ক এসেসম্যান্ট

সাপ্লিমেন্টারী প্লানিং ডকুমেন্ট এবং সহায়ক দলিল তিনটির উপর জনসাধারণ ইচ্ছা করলে মন্তব্য করতে পারবেন। সাপ্লিমেন্টারী প্লানিং ডকুমেন্টটির প্রস্তুত প্রক্রিয়ায় কার কার সাথে সলা-পরামর্শ করা হয়েছে এবং তারা কোন্ কোন্ উদ্বেগ/সমস্যাগুলো তুলে ধরেছেন সে বিষয়ক একটি দলিলও এ দলিলপত্রের পাশাপাশি পাওয়া যাবে। এটি কনসালটেশন স্টেইটম্যান্ট হিসেবে পরিচিত।

এ দলিলের ব্যাপারে, পাবলিক নোটিশ এবং মন্তব্যের ফর্মে উল্লেখ মোতাবেক, জনসাধারণ ইচ্ছা করলে মতামত প্রদান ও সলা-পরামর্শের জন্যে নির্ধারিত ছয়-সপ্তাহ সময়ের মধ্যে মন্তব্য করতে পারেন।

এ দলিলের উপর যে মন্তব্যগুলো করা হবে সে'গুলো গোপনীয় হিসেবে বিবেচিত হবে না।

এ দলিলাটি বুঝার ব্যাপারে যদি আপনার আর কোন সাহায্যের প্রয়োজন পড়ে তবে অনুগ্রহ করে নিম্নলিখিত ফোন নম্বরগুলোতে স্ট্র্যাটেজিক প্লানিং এবং ইন্ফরমেশন টিমের কাছে ফোন করুন: 0161 770 4151 / 4139

আপনি ইচ্ছা করলে [spi@oldham.gov.uk](mailto:spi@oldham.gov.uk) ঠিকানায় ই-মেইল করতে পারেন।

স্থানীয় উন্নয়ন অবকাঠামোর সাথে সংশ্লিষ্ট সকল দলিলপত্র কাউন্সিলের [www.oldham.gov.uk](http://www.oldham.gov.uk) ওয়েব সাইটে রয়েছে।

## اولڈہم میٹروپولیٹن بروکا مقامی تعمیر و ترقی سے متعلقہ لائحہ عمل

□ ضمنی منصوبہ بندی ( پلاننگ ) سے متعلقہ دستاویز

گورنمنٹ نے انگلینڈ میں تعمیر و ترقی کی منصوبہ بندی کے نظام میں ترمیم کردی ہے۔ تعمیر و ترقی کے منصوبوں کو زمین کی اصلاح و ترقی اور استعمال کو کنٹرول کرنے اور رہنمائی کے لئے استعمال کیا جاتا ہے۔ اس ترمیم شدہ نظام کے حصے کے طور پر اولڈہم میٹروپولیٹن بروکونسل کو لازمی طور پر مقامی تعمیر و ترقی سے متعلقہ ایک لائحہ عمل تیار کرنا چاہئے۔

مقامی تعمیر و ترقی سے متعلقہ لائحہ عمل مختلف دستاویزات پر مبنی ایک مجموعے کی شکل میں ہوگا مثلاً تعمیر و ترقی کے منصوبے لائحہ متعلقہ دستاویزات جن میں کونسل کی برومیں آئندہ تعمیر و ترقی کے متعلق لائحہ عمل کی جائے گا۔

یہ لائحہ عمل ضمنی منصوبہ بندی لائحہ متعلقہ دستاویز (سپلیمنٹری پلاننگ) کو منٹ (SPD) کا حصہ ہے۔ SPDs ایسی دستاویزات ہیں جو اس پالیسی کا احاطہ کرتی ہیں جو تعمیر و ترقی کے منصوبے سے متعلقہ دستاویز میں لائحہ عمل پر عملدرآمد میں مدد دینے کے لئے اس کے متعلق مزید تفصیلات فراہم کرتی ہیں۔ یہ رسمی طور پر سرکاری تعمیر و ترقی کے منصوبے کا حصہ نہیں ہیں لیکن تعمیر و ترقی کے لائحہ عمل کے لئے لائحہ عمل کے فیصلے کے لئے لازمی لائحہ عمل کے لئے ہیں۔

ضمنی منصوبہ بندی سے متعلقہ دستاویزات کے لئے 3 معاون دستاویزات بھی ہیں:

- استحکام کے متعلق لائحہ عمل
- عبادات اور جانوروں کے مسکن سے متعلق لائحہ عمل (لایسینسنگ لائحہ عمل)
- مساوات کے لحاظ سے اثر کا لائحہ عمل

پبلک کے افراد ضمنی منصوبہ بندی دستاویز اولڈہم 3 معاون دستاویزات میں سے کسی کے متعلق اظہار رائے کر سکتے ہیں۔ ایک دستاویز جس میں بتایا گیا ہے ضمنی منصوبہ بندی دستاویز کی تیاری میں کن کے ساتھ مشاورت کی گئی ہے اور ان کی جانب سے اٹھائے گئے نکات (مسائل) ان دستاویزات کے علاوہ بھی دستیاب ہے، اُس کو مشاورتی بیان کہا گیا ہے۔

پبلک کے افراد 6 ہفتوں پر مشتمل مقامی عرصے کے لائحہ عمل کے اظہار رائے کا اظہار کر سکتے ہیں جیسا کہ پبلک نوٹس لائحہ عمل اظہار رائے کے لائحہ عمل میں بتایا گیا ہے۔

دستاویز کے متعلق ظاہر کئے گئے خیالات کو صیغہ زمین میں نہیں لکھا جائے گا۔

اگر آپ کو اس دستاویز کے سمجھنے کے لئے مدد کی ضرورت ہے تو براہ مہربانی ان دینے گئے نمبروں پر کالنگ پلاننگ اینڈ انفارمیشن ٹیم سے رابطہ کریں:

0161 770 4151/4139

آپ ٹیم کو [spi@oldham.gov.uk](mailto:spi@oldham.gov.uk) پر بھیج کر سکتے ہیں۔

وہ تمام دستاویزات جن کا تعلق مقامی تعمیر و ترقی سے متعلقہ لائحہ عمل سے ہے کونسل کی ویب سائٹ سے حاصل کی جاسکتی ہیں: [www.oldham.gov.uk](http://www.oldham.gov.uk)

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The Council will arrange for this document to be made available in alternative formats including large print, electronically, and community languages if requested, and subject to resources being available. Please ring 0161 770 4139, 4163 or 4151 for further information.

## Introduction

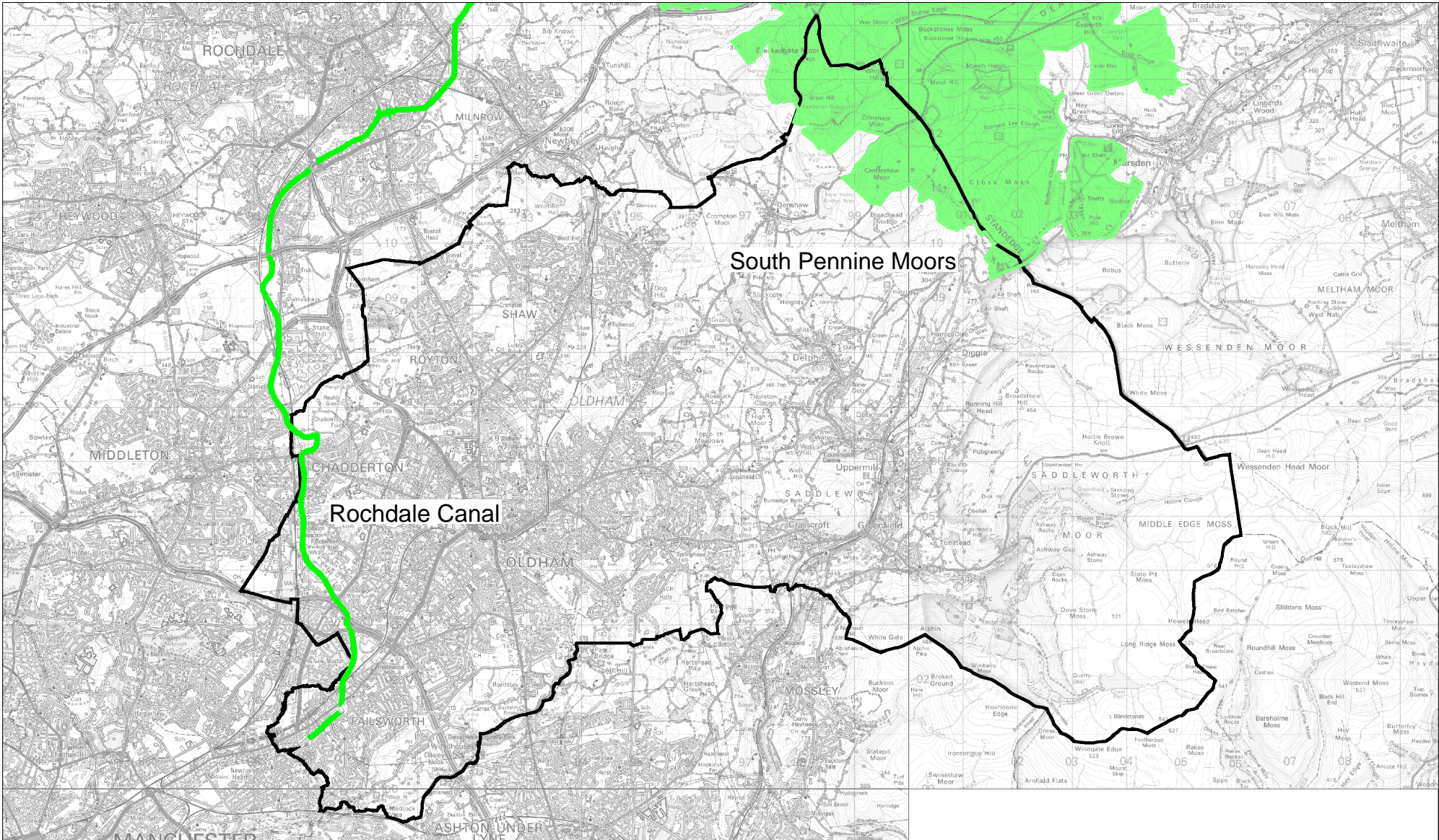
- i The Council is required under Articles 6(3) and (4) of the Habitats Directive to assess the potential effects of its policies on European Sites which lie within and outside the Borough. The purpose of Habitats Regulations Assessment (HRA) is to ensure that the protection of the integrity of European sites is a part of the planning process.
- ii There are two European designated sites which fall partly within the Borough, namely the Rochdale Canal which is a Special Area of Conservation (SAC) and South Pennine Moors which is a SAC and a Special Protection Area (SPA). For information a map showing the location of the European sites is included in appendix 1.
- iii To meet this requirement the Council requested the Greater Manchester Ecology Unit to carry out a HRA on the draft Supplementary Planning Document (SPD) 'Contaminated Land'. In accordance with draft guidance from the Department for Communities and Local Government<sup>1</sup> this process involves 3 stages:
  - o AA task 1 – Identifying likely significant effects
  - o AA task 2 – Appropriate assessment and ascertaining the effect on site integrity
  - o AA task 3 – Mitigating measures and alternative solutions
- iv Task 1, also referred to as 'screening', determines whether the subsequent steps (tasks 2 and 3) of appropriate assessment are required. In this instance the Greater Manchester Ecology Unit has concluded, subject to changes to the SPD which have been incorporated, that the SPD would only have a positive effect on the special interest of the SAC and therefore carrying out a full appropriate assessment of the plan is considered unnecessary.
- v The results of task 1 are included as appendices 2 and 3. Appendix 2 assesses the likely impact of the SPD on the Rochdale Canal. Appendix 3 assesses the likely impact of the SPD on South Pennines Moor.
- vi Members of the public may comment on the Habitats Regulations Assessment during the six week public consultation period as indicated on the public notice and comments form.

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<sup>1</sup> Planning for the Protection of European Sites: Appropriate Assessment – Guidance for Regional Spatial Strategies and Local Development Documents ( Department for Communities and Local Government, August 2006)



# APPENDIX 1 Location of European Designated Sites



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Regeneration Directorate  
Oldham MBC  
Oldham Business Centre  
Cromwell Street  
Oldham  
OL1 1WR



Drawn by:	
Division	
Drawing No:	
Date: 22:01:07	Scale: 1:100000



## Appendix 2 – AA task 1 – Identifying Significant Effects

### Screening opinion on the Impact of the Oldham MBC draft contaminated land supplementary planning document on the Rochdale Canal Special Area of Conservation Provided by Greater Manchester Ecology Unit

#### 1 Brief description of the plan

1.1 The supplementary planning document sets out the views of Oldham MBC on how it will deal with applications for development that may have an impact on contaminated land. It provides guidance on

- The type of development where a contaminated land assessment would be required
- What information a contaminated land assessment should contain and
- Measures that could be introduced to ensure safe development and future occupancy of contaminated land

1.2 The document is not site specific but covers potential development across the whole district. Operations affected by the document could therefore occur within, or immediately adjacent to, the SAC.

1.3 The overall aim of the document is to prevent unacceptable impacts on the environment or human health arising from developments affecting contaminated land.

#### 2 Description of the Rochdale Canal SAC

2.1 The Rochdale Canal extends approximately 20 km from Littleborough to Failsworth, passing through urban and industrialised parts of Rochdale and Oldham and the intervening areas of agricultural land (mostly pasture). Water supplied to the Rochdale Canal in part arises from the Pennines. This water is acidic and relatively low in nutrients, while water from other sources is mostly high in nutrients. The aquatic flora of the canal is thus indicative of a mesotrophic water quality (i.e. is moderately nutrient-rich) although there is evidence of some local enrichment.

#### 3 Primary reason for designation of the Rochdale Canal Special Area of Conservation

3.1 The Rochdale Canal supports a significant population of **floating water-plantain** *Luronium natans* in a botanically diverse waterplant community which also holds a wide range of pondweeds *Potamogeton* spp. The canal has predominantly mesotrophic water. This population of *Luronium* is representative of the formerly more widespread canal

populations of north-west England, although the Rochdale Canal supports unusually dense populations of the plant.

#### 4 Floating water-plantain; description and ecological characteristics

4.1 Floating water-plantain *Luronium natans* occurs in a range of freshwater situations, including nutrient-poor lakes in the uplands (mainly referable to 3130 Oligotrophic to mesotrophic standing waters with vegetation of the *Littorelletea uniflorae* and/or of the *Isoëto-Nanojuncetea*) and slowly-flowing lowland rivers, pools, ditches and canals that are moderately nutrient-rich.

4.2 *Luronium natans* occurs as two forms: in shallow water with floating oval leaves, and in deep water with submerged rosettes of narrow leaves. The plant thrives best in open situations with a moderate degree of disturbance, where the growth of emergent vegetation is held in check. Populations fluctuate greatly in size, often increasing when water levels drop to expose the bottom of the water body. Populations fluctuate from year to year, and at many sites records of ***L. natans*** have been infrequent, suggesting that only small populations occur, in some cases possibly as transitory colonists of the habitat. Populations tend to be more stable at natural sites than artificial ones, but approximately half of recent (post-1980) records are from canals and similar artificial habitats. Its habitat in rivers has been greatly reduced by channel-straightening, dredging and pollution, especially in lowland situations.

#### 5 Operations that may damage the special interest of the SAC include operations and activities that affect the growth of *Luronium natans*

- 5.1 Dredging
- 5.2 Draining
- 5.3 Pollution
- 5.4 Shading
- 5.5 Increased boat traffic
- 5.6 Use of herbicides in or adjacent to the canal

#### 6 Impact of the contaminated land SPD on the special interest of the SAC

Potentially Damaging Operation	Impact of SPD	Mitigation
Dredging of the canal	None	None required
Draining of the canal	None	None required

Pollution of the canal	There is potential for pollution of the canal arising from operations aimed at developing contaminated land, since these operations may involve disturbance of contaminated ground and increased surface water run-off	Specific mention should be made of the nature conservation designation applying to the canal in the SPD. All operations and developments subject to control through the SPD and located within 100m of the canal should, in any documents prepared as a requirement of the SPD, take due account of the important nature conservation features of the canal and provide specific and explicit information about how these features will be protected during operations and developments
Shading of the canal	None	None required
Increase in boat traffic	None	None required
Use of herbicides	None	None required

## 7 Conclusions and recommendations

7.1 Clearly the damaging operation most likely to be affected by this SPD is pollution. Any development affecting contaminated land within 100m of the canal has the potential to cause pollution of the canal through disturbance of the contaminated land and (possibly) through increased surface water run-off from disturbed sites and air-borne dust arising from remediation work.

7.2 However, the overall impact of the SPD on the SAC is positive, since the objective of the document is to make safe contaminated land and to actively prevent any developments affecting contaminated land from causing any increased risk to people and the environment. In this sense the detailed recommendations in the document can be regarded as positive for the SAC, in that they either advocate avoiding any impact of development on contaminated land or require appropriate precautions to be taken during the development of contaminated land.

7.3 In particular, the requirements for developers described in Section 7 of the document 'Model Procedures for Land Contamination' will, if applied appropriately, serve to protect the special interest of the SAC

7.4 I would **recommend** that specific mention of the Rochdale Canal SAC be made in the document. Developments within 100m of the canal should be considered as having the potential to introduce pollution into the canal and therefore the potential to have a significant impact on the special interest of the SAC. Developers should be required to give recognition to the special importance of the canal and to provide *specific* and *explicit* information as to how any potential pollution of the canal is to be avoided during the course of any development. This should be considered during any pre-application discussions with the Council and/or with an application for planning permission.

7.5 Providing this recommendation is incorporated into the SPD, my conclusion is that there will be **no significant damaging effects** arising from this document on the special interest of the Rochdale Canal SAC. Any effects on the SAC arising from the implementation of the procedures described in the document should be positive. It can be concluded that the supplementary planning document would only have a positive effect on the special interest of the SAC and therefore carrying out a full appropriate assessment of the plan is considered unnecessary.

## **Appendix 3 – AA task 1 – Identifying Significant Effects**

### **Screening opinion on the Impact of the Oldham MBC draft contaminated land supplementary planning document on the South Pennine Moors Special Area of Conservation Provided by Greater Manchester Ecology Unit**

#### **1 Brief description of the plan**

1.1 The supplementary planning document sets out the views of Oldham MBC on how it will deal with applications for development that may have an impact on contaminated land. It provides guidance on

- The type of development where a contaminated land assessment would be required
- What information a contaminated land assessment should contain and
- Measures that could be introduced to ensure safe development and future occupancy of contaminated land

1.2 The document is not site specific but covers potential development across the whole district. Operations affected by the document could therefore occur within, or immediately adjacent to, the SAC.

1.3 The overall aim of the document is to prevent unacceptable impacts on the environment or human health arising from developments affecting contaminated land.

#### **2 Description of South Pennine Moors SAC**

2.1 This site forms part of the Southern Pennines lying between Ilkley in the north and the Peak District National Park boundary in the south. The majority of the site is within West Yorkshire but it also covers areas of Lancashire, Greater Manchester and North Yorkshire. The largest moorland blocks are Ilkley Moor, the Haworth Moors, Rishworth Moor and Moss Moor. The underlying rock is Millstone Grit which outcrops at Boulsworth Hill and on the northern boundary of Ilkley Moor. The moorlands are on a rolling dissected plateau between 300m and 450m AOD with a high point of 517m at Boulsworth Hill. The greater part of the gritstone is overlain by blanket peat with the coarse gravely mineral soils occurring only on the lower slopes.

2.2 The site is the largest area of unenclosed moorland within West Yorkshire and contains the most diverse and extensive examples of upland plant communities in the county. Extensive areas of blanket

bog occur on the upland plateaux and are punctuated by species rich acidic flushes and mires. There are also wet and dry heaths and acid grasslands. Three habitat types which occur on the site are rare enough within Europe to be listed on Annex 1 of the EC habitats and Species Directive (92/43) EEC. These communities are typical of and represent the full range of upland vegetation classes found in the South Pennines. This mosaic of habitats supports a moorland breeding bird assemblage which, because of the range of species and number of breeding birds it contains, is of regional and national importance. The large numbers of breeding merlin *Falco columbarius*, golden plover *Pluvialis apricaria* and twite *Carduelis flavirostris* are of international importance.

### 3 Primary reason for designation of the SAC

#### The site supports the following important habitats

##### European Dry Heaths

- 3.1 The site is representative of upland dry heath at the southern end of the Pennine range, the habitat's most south-easterly upland location in the UK. Dry heath covers extensive areas, occupies the lower slopes of the moors on mineral soils or where peat is thin, and occurs in transitions to acid grassland, wet heath and **7130 blanket bogs**. The upland heath of the South Pennines is strongly dominated by heather *Calluna vulgaris*. Its main NVC types are H9 *Calluna vulgaris* – *Deschampsia flexuosa* heath and H12 *Calluna vulgaris* – *Vaccinium myrtillus* heath. More rarely H8 *Calluna vulgaris* – *Ulex gallii* heath and H10 *Calluna vulgaris* – *Erica cinerea* heath are found. On the higher, more exposed ground H18 *Vaccinium myrtillus* – *Deschampsia flexuosa* heath becomes more prominent. In the cloughs, or valleys, which extend into the heather moorlands, a greater mix of dwarf shrubs can be found together with more lichens and mosses. The moors support a rich invertebrate fauna, especially moths, and important bird assemblages.

##### Blanket Bogs

- 3.2 This site represents **blanket bog** in the south Pennines, the most south-easterly occurrence of the habitat in Europe. The bog vegetation communities are botanically poor. Hare's-tail cottongrass *Eriophorum vaginatum* is often overwhelmingly dominant and the usual bog-building *Sphagnum* mosses are scarce. Where the blanket peats are slightly drier, heather *Calluna vulgaris*, crowberry *Empetrum nigrum* and bilberry *Vaccinium myrtillus* become more prominent. The uncommon cloudberry *Rubus chamaemorus* is locally abundant in bog vegetation. Bog pools provide diversity and are often characterised by common



cottongrass *E. angustifolium*. Substantial areas of the bog surface are eroding, and there are extensive areas of bare peat. In some areas erosion may be a natural process reflecting the great age (9000 years) of the south Pennine peats.

### **Old sessile oak woods with *Ilex* and *Blechnum* in the British Isles**

3.3 Around the fringes of the upland heath and bog of the south Pennines are blocks of **old sessile oak woods**, usually on slopes. These tend to be dryer than those further north and west, such that the bryophyte communities are less developed (although this lowered diversity may in some instances have been exaggerated by the effects of 19<sup>th</sup> century air pollution). Other components of the ground flora such as grasses, dwarf shrubs and ferns are common. Small areas of alder woodland along stream-sides add to the overall richness of the woods.

## **4 Operations that may damage the special interest of the SAC include**

- 4.1 Cultivation
- 4.2 Grazing
- 4.3 Mowing or cutting
- 4.4 Application of manure, fertilisers or lime
- 4.5 Application of pesticides
- 4.6 Burning
- 4.7 Drainage
- 4.8 Extraction of minerals including peat, topsoil and subsoil
- 4.9 Construction or removal of roads, tracks, walls, fences, hardstands, banks, ditches or other earthworks or the laying or removal of pipelines and cables
- 4.10 Erection of permanent structures
- 4.11 Use of vehicles likely to damage the vegetation
- 4.12 Pollution

## **5 Impact of the contaminated land SPD on the special features of the South Pennine Moors SAC**

<b>Potentially Damaging Operation</b>	<b>Impact of SPD</b>	<b>Mitigation</b>
Cultivation	None	None required
Grazing	None	None required
Mowing or cutting	None	None required
Application of manure, fertilisers or lime	None	None required

Application of pesticides	None	None required
Burning	None	None required
Drainage	None	
Extraction of minerals	See comments under pollution	
Construction or removal of roads, tracks, walls, fences, hardstands, banks, ditches or other earthworks or the laying or removal of pipelines and cables	See comments under pollution	
Erection of permanent structures	See comments under pollution	
Use of vehicles likely to damage the vegetation	See comments under pollution	
Pollution	Areas of contaminated land may exist within or adjacent to the SAC There is potential for developments affecting contaminated land to damage the special interest of the SAC through causing damaging effects on habitats and species	Specific mention should be made of the nature conservation designation applying to the South Pennine Moors in the SPD. All operations and developments subject to control through the SPD and located within 500m of the SAC should, in any documents prepared as a requirement of the SPD, take due account of the important nature conservation features of the SAC and provide specific and explicit information about how these features will be protected during operations

## 6 Conclusions and recommendations

6.1 The overall impact of the SPD on the South Pennine Moors SAC is positive, since the objective of the document is to minimise possible pollution impacts arising from development affecting contaminated land. In this sense the detailed recommendations in

the document can be regarded as positive , in that they either advocate avoiding any impact of development on contaminated land or require appropriate precautions to be taken during any operation likely to affect contaminated land such that these effects are avoided or minimised.

- 6.2 I would **recommend** that specific mention of the South Pennine Moors SAC be made in the document. Developments within 500m of the SAC that may affect contaminated land should be considered as having the potential to damage important habitats and species in the SAC and therefore the potential to have a significant impact on the special interest of the SAC. Developers should be required to give recognition of the special importance of the SAC and to provide *specific* and *explicit* information as to how any potentially damaging impact is to be avoided during the course of any development. This should be considered during any pre-application discussions with the Council and/or with an application for planning permission.
- 6.3 Providing this recommendation is incorporated into the SPD, my conclusion is that there will be **no significant damaging effects** arising from this document on the special interest of the South Pennine Moors SAC. Any effects on the SAC arising from the implementation of the procedures described in the document should in fact be positive. It can be concluded that the supplementary planning document will only have a positive effect on the special interest of the SAC and therefore carrying out a full appropriate assessment of the plan is considered unnecessary.