

Visual Impact Provision (VIP)

Peak District (East) Project

Appendix 7J Habitat Regulations Assessment

July 2019 Rev06

Quality information

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¹ Revision 6 provides an update following recent design changes and following the completion of updated breeding bird surveys in 2019 however the fundamental conclusions remain consistent with Revision 05.

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Where field investigations are carried out, these have been restricted to a level of detail required to meet the stated objectives of the services. The results of any measurements taken may vary spatially or with time and further confirmatory measurements should be made after any significant delay in issuing this Report.

Table of Contents

1.	Introduction.....	1
1.1	Background to Habitat Regulations Assessment.....	1
2.	Methodology.....	3
2.1	The Process of HRA.....	3
3.	The Proposed Project.....	4
3.1	Summary of works.....	4
3.2	Timing of Works	5
4.	Evidence Gathering.....	6
4.1	European Site Background Information	6
4.2	Background Bird Data provided by Natural England.....	8
4.3	Breeding Bird Results from AECOM surveys	8
5.	HRA Task 1: Screening of Likely Significant Effects	9
6.	HRA Task 2: Appropriate Assessment	12
6.1	Disturbance to SPA Designated Nesting Bird Species.....	12
7.	Consideration of Effects In-combination	15
8.	Conclusion.....	16
9.	References	17
	Figures 7J.1 – 7J.7	18
	Appendix A Designated Site Standard Data Forms and Conservation Objectives	19
	Appendix B Natural England Correspondence	20

1. Introduction

1.1 Background to Habitat Regulations Assessment

AECOM has been commissioned to complete a Habitat Regulations Assessment (HRA) on behalf of National Grid, to inform the 'competent authority' (in this case, under Regulation 7 of the Conservation of Habitats and Species Regulations 2017 (as amended), the local planning authority are the Competent Authority) of the Visual Impact Provision (VIP) Peak District (East) Project (here on referred to as the Proposed Project) so that they can fulfil their statutory duties under the Conservation of Habitats and Species Regulations 2017 (as amended).

This HRA Report is being submitted alongside a planning application for the relevant parts of the Proposed Project to provide the competent authority with the relevant information to carry out a HRA and (if necessary) to make an 'Appropriate Assessment' of the implications on the integrity of any relevant European sites, in view of that site's conservation objectives, in relation to the Proposed Project.

In principal Natural England had confirmed that they concurred with the previous draft assessment (Revision 05) and this updated HRA is considered to be entirely consistent with the conclusion of that previous assessment. A copy of the correspondence received from Natural England on December 2018 on the draft HRA is included as Appendix B.

The location of the Proposed Project is shown on Figure 7J.1 and outlined in Chapter 2: Project Description of the Environmental Assessment Report (EAR). The land-take is shown on Proposed Project Figures 2.1, 2.2 and 2.3 (included with the EAR) during the construction (temporary) (Figures 2.1), Over Head Line (OHL) removal phase (Figures 2.2) and operational (permanent) phases (shown on Figure 2.3). The Proposed Project is described in Section 3 of this Report. As an overview it involves the removal of an existing Sealing End Compound (SEC) at Dunford Bridge in South Yorkshire, eight pylons (one of which will be replaced with a new tension pylon; 157R) and approximately 2km of 400kV electricity overhead line (OHL), and replacement with approximately 1.8km of underground cable and a new SEC in Wogden Foot Local Wildlife Site (LWS). There will be a requirement for temporary land take to facilitate construction activities.

The need for an assessment of impacts on European sites is set out within Article 6 of the Habitats Directive, and transposed into UK law by the Conservation of Habitats and Species Regulations 2017 (as amended). The ultimate aim of the Habitats Directive is to "*maintain or restore, at favourable conservation status, natural habitats and species of wild fauna and flora of Community interest*" (Article 2(2)). This aim relates to habitats and species, not the European Sites themselves, although the European Sites have a significant role in delivering favourable conservation status.

Following evidence gathering, the first stage of any Habitats Regulations Assessment is a Likely Significant Effect (LSE) test (Task 1) - essentially a risk assessment to decide whether the full subsequent stage known as Appropriate Assessment is required. The essential question is:

"Is the project, either alone or in combination with other relevant projects and plans, likely to result in a significant effect upon European sites?"

The objective is to 'screen out' those plans and projects that can, without any detailed appraisal, be said to be unlikely to result in significant adverse effects upon European sites, usually because there is no mechanism for an adverse interaction with European sites.

If it can be demonstrated that significant effects are unlikely, no further assessment is required. If any mitigation is likely to be required specifically to protect the European site(s) then the impact must be carried forward to Appropriate Assessment and any mitigation taken into account at that point.

Where it is determined that a conclusion of 'No Likely Significant Effect' cannot be drawn, the analysis will proceed to the next stage of HRA known as Appropriate Assessment (Task 2).

The following listed sites are those where pathways have been identified that could potentially have a likely significant effect on the European site and so are considered further within this HRA:

- South Pennines Moors Special Area of Conservation (SAC) (Site Code: UK0030280); and
- Peak District Moors (South Pennine Moors Phase 1) Special Protection Area (SPA) (Site Code: UK9007021).

A range of possible impact pathways have been considered. Potential impact pathways examined include:

- Direct – Habitat loss/damage;
- Direct – Contamination from pollutants;
- Direct – Changes in hydrological regime;
- Direct – Contamination of feeding habitats used by SPA species;
- Direct – Loss of habitat resulting in loss of bird territories/contraction of breeding range; and,
- Indirect – Noise/visual disturbance resulting in loss of territories/contraction of breeding range.

As detailed in the following sections, the Proposed Project is not located within the boundary of these designated sites. As shown on Figure 7J.1 (Section 10), the nearest parts of the Proposed Project are located approximately 270m east of the boundary of the SPA/SAC. The nearest permanent works (comprising the underground cable installation at Dunford Bridge tunnel entrance) is approximately 410m at its nearest point to the SPA/SAC boundary.

In order to ascertain whether or not site integrity will be affected, an Appropriate Assessment should be undertaken of the plan or project in question. The competent authority is entitled to request the applicant to produce such information as the competent authority may reasonably require for the purposes of the assessment, or to enable it to determine whether an Appropriate Assessment is required. Box 1 provides the legislative basis for an Appropriate Assessment.

Box 1. The legislative basis for determining Likely Significant Effect and for subsequent Appropriate Assessment, if required

Habitats Directive 1992

“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.”

Article 6 (3)

Conservation of Habitats and Species Regulations 2017 (as amended)

Regulation 63 states that:

63 (1) *“A competent authority, before deciding to undertake, or give any consent or other authorisation for a plan or project which*

- (a) 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), and*
- (b) Is not directly connected with or necessary to the management of that site*

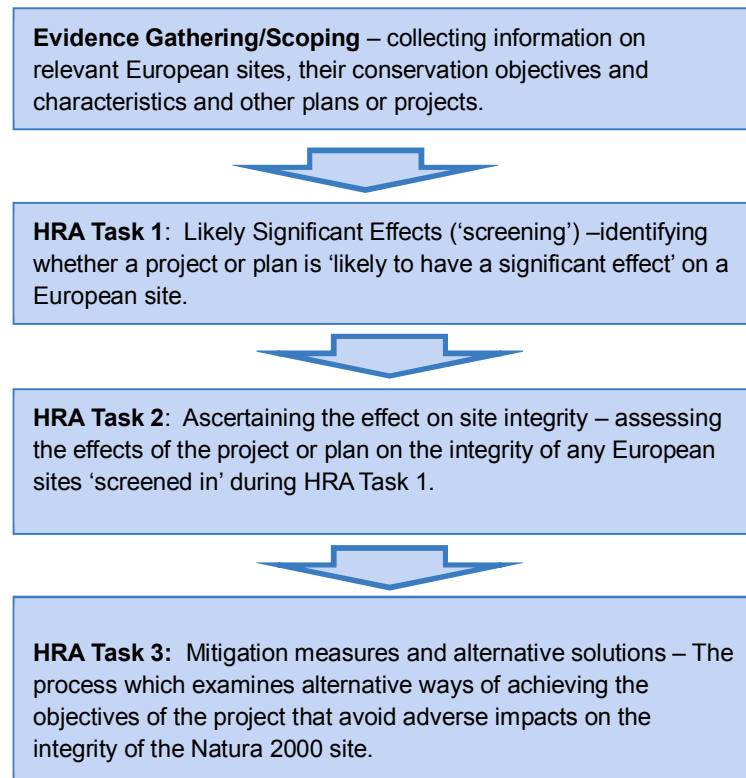
must make an appropriate assessment of the implications for the site in view of that sites conservation objectives.

63(5) *.....the competent authority may agree to the plan or project only after having ascertained that it will not adversely affect the integrity of the European site or European offshore marine site (as the case may be)”*

2. Methodology

2.1 The Process of HRA

Schematic 1 below outlines the stages of HRA;



Schematic 1: Four-Stage Approach to Habitat Regulations Assessment

In 2018 the 'People Over Wind' European Court of Justice ruling² determined that 'mitigation' (i.e. measures that are specifically introduced to avoid or reduce a significant effect that would otherwise arise) should not be taken into account when forming a view on likely significant effects. Mitigation should instead only be taken into account at the 'appropriate assessment' stage. Appropriate assessment is not a technical term: it simply means 'an assessment that is appropriate' for the plan or project in question. As such, the law purposely does not prescribe what it should consist of or how it should be presented; these are decisions to be made on a case by case basis by the competent authority.

² People Over Wind and Sweetman v Coillte Teoranta (C-323/17)

3. The Proposed Project

3.1 Summary of works

The Proposed Project forms part of the wider Visual Impact Provision (VIP) Project, whereby Ofgem and National Grid have agreed a new set of price controls and incentives for the period from April 2013 to March 2021. This includes a provision of £500 million for electricity transmission owners to mitigate the visual impact of existing electricity infrastructure in nationally protected landscapes in Great Britain. For National Grid, which is the transmission owner in England and Wales, this means considering the effects of existing infrastructure on the visual amenity and landscapes of National Parks and Areas of Outstanding Natural Beauty (AONBs). The Peak District (East) Project, location as shown on Figure 1 is one of the four VIP Projects being taken forward. The Proposed Project, as shown on the Proposed Project Figures 2.1, 2.2 and 2.3 and outlined in Chapter 2 (Project Description) of the EAR, will comprise the following main components:

- Removal of the existing SEC at Dunford Bridge to a depth of 1.1m below ground level, west of the Woodhead Tunnel entrance (the tunnel shaft will remain but will be mounded for landscaping purposes);
- Removal of the existing VIP subsection including approximately eight pylons (one of which will be replaced) and 2km of OHL. The pylons may be dismantled by crane, with sections cut and lowered to the ground for dismantling and removal from site, or if space is particularly restricted, the pylon can act as the scaffold and be dismantled from the inside. Conversely, in large areas it may be possible to cut the pylon at the base and then pull the pylon to the ground and then cut it into sections. Pylon foundations are generally removed to 1.4m below ground level. A decision as to whether pylon foundations would be left in the ground would be made at such a time in the future and would also take account of land owner wishes and environmental issues;
- Construction of a new SEC (including permanent access road) and replacement tension pylon; 4ZO 157R, (at the eastern end of the new underground cable) required to connect the cable to the remaining existing OHL. The proposed location of the new SEC is within Wogden Foot LWS and the replacement pylon (Pylon 4ZO 157R) is located approximately 40m north east of the SEC on the northern side of the River Don. The SEC located within Wogden Foot LWS would occupy an area of approximately 36m x 67.9m with permanent fencing enclosing the SEC, at a total height of 3.4m (2.4m fence height plus 1m of electric pulse fence). The highest point within the SEC would be the landing gantries at approximately 14.9m high. The replacement tension pylon; 4ZO 157R, will be constructed concurrently with the SEC using a mobile hydraulic crane. The foundations of the tension pylon will be constructed by the excavation of four holes each approximately 5m x 5m x 6m deep (total excavation within the subsoil would be approximately 100m²). Each leg of the tension pylon would be encased in concrete and reinforcing bar;
- Installation of underground cable containing electrical lines (hereon referred to as the cable corridor) of approximately 1.8km along the Trans Pennine Trail from the entrance of the Woodhead Tunnel to the proposed new SEC. From the west, six 150mm diameter cables (one circuit accompanied by control cables) will emerge out of the southern Woodhead Tunnel. These cables will be buried in cable troughs approximately 750mm below ground level. The troughs would consist of reinforced concrete, and can either be surface laid (level with the existing ground level), or buried so the trough top is approximately 0.3m below the existing ground level. The utilisation of this cable installation method reduces the total width of the working/construction area and permanent easement/ wayleave. The cable troughs will be excavated using mechanical diggers and hand tools, and the ground excavated for the cable troughs will be removed from site to an appropriate waste disposal facility.
- Construction and removal of a temporary Trans Pennine Trail diversion (approximately 1750m in length) for use during the construction works. The diversion is proposed in farmland immediately north of the River Don and will involve the use of two bridges, one being a permanent replacement (Bridge 1) of an existing bridge; the other a temporary bridge (Bridge 2) to cross over the River Don. Construction of the Trans Pennine Trail diversion will require the excavation of topsoil, which will be stored for reinstatement. The excavated surface will be lined with a geotextile and filled with Type 1 granular sub-base and finished with a 100mm layer of hoggins or equivalent. The diversion will be typically 7m wide wherever possible to include a 5m wide compacted hard surface and 1m wide embankment on either side; and

- Construction and removal of temporary laydown areas, access tracks, including AP7 and the northern access track from Brook Hill Lane and site offices to facilitate construction activities and temporary access roads to the pylons and along the Trans Pennine Trail to the new SEC within Wogden Foot LWS.

Note that piling for the foundations may be required at the SEC at Wogden Foot Local Wildlife Site (LWS), at the replacement tower, at Bridge 2 and possibly Bridge 1; however piling requirements and methods will be fully confirmed by the appointed contractor in the event it is required. Therefore, impact piling has been assessed within this HRA as a worst-case scenario.

Also, that the previously identified laydown area at Winscar Reservoir (30m from the SPA boundary) has now been excluded from the Proposed Project and is therefore not included in the HRA.

3.2 Timing of Works

The exact construction timescale is not known at this stage, as it will be dependent on securing the necessary consents and the relevant land access permissions. However, the current indicative programme, assuming planning consent is achieved, would be a start date in mid 2020. The overall construction period for the Proposed Project from the commencement of construction works to the commissioning of installed cable will be approximately two years. An indicative timetable has been provided below, based on a start date for the works in June 2020.

Table 4.1: Anticipated timetable for works

Works Task	Indicative Timing	Duration (approximate)
Total Project Duration	June 2020 – March 2022	86 weeks
Site set up (welfare facilities, temporary security fencing etc).	June 2020 – September 2020	12 weeks
Access Road and Construction of temporary TPT diversion	June 2020 – December 2020	26 weeks
Underground Cable Main Construction Works	January 2021 – August 2021	34 weeks
Wogden Foot Sealing End Compound (SEC) construction	October 2020 – June 2021	34 weeks
Overhead line work – construction of new Terminal Pylon 4ZO157R and restringing/connection of OHL <ul style="list-style-type: none"> Foundations for new tower 4ZO 157R Base out and assemble new tower up to first lift OHL Removal – Reinstatement 	<ul style="list-style-type: none"> April 2021 – June 2021 June 2021 September 2021 – December 2021 	8 weeks 1 week 14 weeks
Decommissioning of redundant OHL and removal of existing Dunford Bridge SEC <ul style="list-style-type: none"> OHL dismantling works 	May 2021 – November 2021	25 weeks
Removal of TPT diversion and reinstatement	August 2021 – November 2021	15 weeks
Site demobilisation	January 2022 – March 2022	6 weeks

4. Evidence Gathering

Information on the South Pennine Moors SAC and Peak District Moors (South Pennine Moors Phase 1) SPA has been gathered primarily from the Natura 2000 citation sheets submitted to the European Commission at the time of designation. In addition, the European designated site boundary also includes Dark Peak Site of Special Scientific Interest (SSSI) and the nearest SSSI unit condition assessment undertaken by Natural England has been consulted. The citations (standard data forms) and conservation objectives documents are provided as Appendix A.

4.1 European Site Background Information

4.1.1 South Pennine Moors SAC

4.1.1.1 Reason for Designation³

The South Pennine Moors SAC was formally designated in 2005, having been proposed as a Site of Community Importance (SCI) in 2001. The South Pennine Moors SAC is primarily designated for the following Annex I habitats:

- European dry heath – the site is representative of upland dry heath at the southern end of the Pennine range, and is the most south-easterly upland location in the UK. The moors support a rich invertebrate fauna, especially moths and important bird assemblages.
- Blanket bogs – the most south-easterly occurrence of the habitat in Europe.
- Old sessile oak woods with *Ilex* and *Blechnum* in the British Isles – this habitat is characteristic of the fringes of the upland heath and bog.

The following Annex I habitats are present as a qualifying feature but are not a primary reason for the selection of this site:

- Northern Atlantic wet heaths with *Erica tetralix*.
- Transition mires and quaking bogs.

4.1.1.2 Conservation Objectives⁴

The conservation objectives for the South Pennine Moors SAC are as follows (also provided as Appendix A):

“With regard to the natural habitats and/ or species for which the site has been designated (‘the Qualifying Features’ listed below):

“Avoid the deterioration of the qualifying natural habitats and habitats of qualifying species, and the significant disturbance of those qualifying species, ensuring the integrity of the site is maintained and the site makes a full contribution to achieving Favourable Conservation Status of each of the qualifying features.

“Subject to natural change, to maintain or restore:

- *the extent and distribution of qualifying natural habitats and habitats of qualifying species;*
- *the structure and function (including typical species) of qualifying natural habitats and habitats of qualifying species;*
- *the supporting process on which qualifying natural habitats and habitats of qualifying species rely;*
- *the populations of qualifying species; and*
- *the distribution of qualifying species within the site.”*

³ JNCC. <http://jncc.defra.gov.uk/protectedsites/sacselection/sac.asp?EUCode=UK0030280> [Accessed 02 October 2018]

⁴ Natural England. <http://publications.naturalengland.org.uk/publication/4973604919836672> [Accessed 02 October 2018]

4.1.2 Peak District Moors (South Pennine Moors Phase 1) SPA

4.1.2.1 Reason for Designation⁵

South Pennine Moors Phase 1 (Dark Peak SSSI, Goyt Valley SSSI and Leek Moors SSSI), covering 37,092.76ha, was classified as a Special Protection Area on 29 March 1996. Further consultations commenced on 22 December 1999 on the proposal to extend South Pennine Moors Phase 1 SPA to encompass Eastern Peak District Moors SSSI (8,177.76ha). On 30 November 2000, the extended area of Peak District Moors (South Pennine Moors Phase 1) SPA was classified as a Special Protection Area and this citation now supersedes that relating to the area classified on 29 March 1996.

The site qualifies under Article 4.1 of the Directive (79/409/EEC) as it is used regularly by 1% or more of the Great Britain population of a species listed in Annex I, in any season:

- Breeding merlin *Falco columbarius* – 30 - 36 pairs representing between 2.3% and 2.8% of the breeding population in Great Britain;
- Breeding golden plover *Pluvialis apricaria* – 435 - 445 pairs representing between 1.9% and 2.0% of the breeding population in Great Britain (count as at 1990); and,
- Breeding short-eared owl *Asio flammeus* – 22 - 25 pairs representing between 2.2% and 2.5% of the breeding population in Great Britain.

4.1.2.2 Conservation Objectives⁶

The following conservation objectives have been identified for the Peak District Moors (South Pennine Moors Phase 1) SPA:

“Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the aims of the Wild Birds Directive, by maintaining or restoring;

- *The extent and distribution of the habitats of the qualifying features;*
- *The structure and function of the habitats of the qualifying features;*
- *The supporting processes on which the habitats of the qualifying features rely;*
- *The population of each of the qualifying features; and,*
- *The distribution of the qualifying features within the site”.*

4.1.3 South Pennine Moors SAC and Peak District Moors (South Pennine Moors Phase 1) SPA Vulnerabilities

A Site Improvement Plan (SIP) for the South Pennine Moors incorporating the Peak District Moors (South Pennine Moors Phase 1) SPA, South Pennine Moors Phase 2 SPA and South Pennine Moors SAC has been prepared by Natural England and lists the following threats and pressures to which the moors are vulnerable:

- Hydrological changes;
- Managed rotational burning;
- Low breeding success/ poor recruitment;
- Inappropriate management process;
- Public access/ disturbance;
- Air pollution: impact of atmospheric nitrogen deposition;
- Wildfire/ arson;

⁵ English Nature, November 2000. Peak District Moors (South Pennin Moors Phase 1) SPA Classification Citation. Found at: <http://publications.naturalengland.org.uk/publication/6145889668169728> [Accessed 02 October 2018]

⁶ Natural England. <http://publications.naturalengland.org.uk/publication/6145889668169728> [Accessed 02 October 2018]

- Vehicles;
- Overgrazing;
- Forestry and woodland management;
- Changes in species distributions;
- Disease;
- Under grazing;
- Invasive species; and
- Planning permission: general

4.2 Background Bird Data provided by Natural England

During the initial consultation phase with Natural England regarding the intended HRA in 2017, some background bird data were provided. This included a shapefile containing bird records for the whole of the SPA dated 2005, and 2015 breeding bird distribution maps, which were prepared by AECOM on behalf of Natural England for an area of the SPA; Snailsden Moor (approximately 1.3km north west of the Proposed Project) for the purposes of Higher Level Stewardship (HLS) (Waxwings Ornithology, 2015). The breeding and wintering bird data provided has been transposed on to Figures 7J.2 and 7J.3, respectively. Records of the SPA designated species have been extracted for clarity and are shown on Figures 7J.4 and 7J.5.

A total of 11 golden plover territories were recorded in 2005 (Figure 7J.4) and a total of 19 golden plover pairs and a single merlin pair in 2015 in the Snailsden Moor Survey Area (Figure 7J.5). No short-eared owl territories were recorded in either year.

4.3 Breeding Bird Results from AECOM surveys

As detailed in Appendix 7B⁷ four breeding bird surveys were conducted between April and June 2016 and repeated between April and June 2019 within the Survey Area (and a wider Survey Area). Only survey data relevant to this HRA has been summarised below.

No breeding species listed as a qualifying species of the South Pennine Moors SPA were recorded during the 2016 surveys.

In 2019 surveys a single golden plover (*Pluvialis apricaria*) was observed on one survey visit flying westwards, very high across north of Brook Hill Lane. Golden plover was not recorded again on any other survey and, based on the survey results, is unlikely to have a territory in the Survey Area.

A single record of a short-eared owl (*Asio flammeus*) was observed in 2019 foraging in land in the Wider Survey Area north of Brook Hill Lane. This behaviour indicates occupation of a home range or possible breeding territory (Hardy, J et al 2006). Given that short-eared owls have a core foraging range of 2km from the nest when breeding (SNH, 2013) and no other sightings of this species have been made during the 2016 and 2019 surveys, the available evidence suggests that the individual recorded was foraging within a territory "centred" on a nest that is distant from the extent of the Proposed Project and therefore was not detected during surveys.

In summary, no evidence of breeding territories of the three breeding bird species for which the SPA is designated were recorded within the Survey Area or Wider Survey Area and the nearest records of these species within the SPA are located 1.4km from the Proposed Project.

⁷ AECOM 2019. Visual Impact Provision (VIP) Peak District (East) Breeding Bird Survey Report – Appendix 7B of the EAR.

5. HRA Task 1: Screening of Likely Significant Effects

The purpose of this section is to evaluate whether the Proposed Project is likely to have a significant effect on the interest features of the South Pennine Moors SAC or the Peak District Moors (South Pennine Moors Phase 1) SPA. Only effects for which a potential impact pathway has been identified are considered in this report to inform HRA screening. Tables 3.1 and 3.2 below show a summary of the qualifying features of the SAC and SPA, the impact pathways which are associated with the Proposed Project and if there are any likely significant effects associated with those pathways.

Data to inform the Screening stage of this HRA has been obtained from;

- the desk study;
- the engineering requirements of the Proposed Project;
- breeding⁸ bird data collated by AECOM (Appendix 7B of the EAR) as part of the Proposed Project;
- data provided from Natural England in 2016 which included breeding bird surveys undertaken within the Snailsden Moor part of the SPA in 2015 (see Figure 7J.3);
- the latest breeding bird survey of the whole SPA (as advised by Natural England) undertaken in 2005 (Figure 7J.2); and
- AECOM wintering bird survey⁹ figures (Figure 7J.6) have been included as background information, however, as the SPA citation does not include wintering birds as a reason for designation, wintering birds are not discussed within the HRA.

⁸ AECOM, 2019. Visual Impact Provision (VIP) Peak District (East) Breeding Bird Survey Report.

⁹ AECOM 2018. Visual Impact Provision (VIP) Peak District (East) Wintering Bird Survey Report.

Table 3.1: Summary of HRA Screening for Likely Significant Effects – South Pennine Moors SAC

Qualifying Feature	Potential Impact	Source	Pathway	Likely Significant Effects
European dry heaths	Direct - habitat loss/ damage	Construction working area	None identified. No works required within SAC	No
Old sessile oak woods with <i>Ilex</i> and <i>Blechnum</i> in the British Isles	Direct – contamination from pollutants	Fuel spillages from vehicle/ plant refuelling	None identified. No pathways identified between working area and qualifying features	No
Northern Atlantic wet heaths with <i>Erica tetralix</i>	Direct - habitat loss/ damage	Construction working area	None identified. No works required within SAC	No
	Direct – contamination from pollutants	Fuel spillages from vehicle/ plant refuelling	None identified. The direction of flow on the River Don is away from the SAC and all works will be downstream of, and at a lower altitude than the SAC	No ¹⁰
Transition mires and quaking bogs	Direct – changes in hydrological regime	Impacts on drainage/ watercourses	None identified. No pathways identified between working area and qualifying features All watercourses flow away from the SAC and all works will be downstream of, and at a lower altitude than the SAC.	No
Blanket bogs	Direct – changes in hydrological regime	Impacts on drainage/ watercourses	None identified. No pathways identified between working area and qualifying features. All watercourses flow away from the SAC and all works will be downstream of, and at a lower altitude than the SAC.	No

¹⁰ Notwithstanding the conclusion of no likely significant effects for this impact pathway in relation to the SAC, in line with anti-pollution legislation, the implementation of measures in a Construction Environmental Management Plan (CEMP) is required to ensure that no spillages enter any water courses during the works to ensure all aquatic and terrestrial habitats are protected from waterborne pollutants. Appropriate precautionary measures will be put in place through standard construction working practice to ensure that all vehicles are appropriately refuelled and carry spill kits. Fuel storage facilities will be in accordance with best practice, and The Control of Pollution (Oil Storage) (England) Regulations, 2001. Fully bunded fuel stores will be used and they will be located at least 10m from any watercourse and 50m from any borehole or well. Waste storage areas will be situated on hard standing and waste fuel/waste chemical storage areas will be bunded. Foul and surface water disposal facilities will be designed in accordance with Local Planning Authority/ Environment Agency requirements, and permission for appropriate connections to foul sewers will be sought from the relevant Sewerage Undertaker

Table 3.2: Summary of HRA Screening for Likely Significant Effects – Peak District Moors (South Pennine Moors Phase 1) SPA

Qualifying Feature	Potential Impact	Source	Pathway	Likely Significant Effect
Breeding merlin Breeding golden plover Breeding short-eared owl	Direct – habitat loss/ damage	Construction working area	None identified. No breeding territories of qualifying features previously identified within working area. Working area outside of SPA boundary.	No
	Direct – contamination of feeding habitats used by breeding birds	Fuel spillages during construction works	None identified. No pathways identified between working area and qualifying features	No
	Direct – loss of habitat resulting in loss of breeding territories and contraction in breeding range	Construction working area	None identified. No breeding territories of qualifying features previously identified within working area. Working area outside of SPA boundary	No
	Indirect – noise/ visual disturbance resulting in loss of territories / contraction in breeding range and decreased breeding success	Personnel and vehicles close to qualifying features within breeding season	Potential for likely significant effects due to noise and visual disturbance during nesting season, although no breeding territories of SPA designated species recorded (from AECOM or Natural England data sources) within the working area or within a 500m radius. As likely significant effects cannot be screened out at this stage this impact pathway will be investigated further within the Appropriate Assessment.	Yes

6. HRA Task 2: Appropriate Assessment

The following Section 6.1 (disturbance to SPA designated nesting bird species), was unable to be screened out at the likely significant effects stage and therefore has been brought forward to the appropriate assessment stage.

In evaluating significance, AECOM has relied on professional judgement as well as feedback from previous stakeholder consultation regarding potential development impacts on the European sites considered within this assessment.

6.1 Disturbance to SPA Designated Nesting Bird Species

The last full assessment of the breeding bird assemblage of the SPA undertaken in 2005 concluded that:

- No pairs of merlin were recorded breeding during the survey work;
- Eleven pairs of golden plover with the nearest breeding pair approximately 1.5km from the closest part of the Proposed Project; and
- No breeding short eared owls were recorded during the survey.

During 2015 further breeding bird survey data was collected for Snailsden Moor (approximately 1.3km north-west of the Proposed Project) and the following were recorded:

- One pair of merlin were recorded breeding at a location over 3km from the closest part of the Proposed Project;
- At least 19 pairs of golden plover with the nearest breeding pair approximately 1.3km north and another pair 1.4km west of the closest part of the Proposed Project; and
- Whilst single non-breeding sightings were recorded in 2019 in the Wider Survey Area, no evidence of *breeding* SPA qualifying species (short-eared owl, merlin or golden plover) were recorded in the Survey Area during breeding bird survey (Appendix 7B of the EAR Figures 7J.7).

Figures 7J.4 and Figure 7J.5 show the location of these species records from the Natural England data collected within the SPA in 2005 and within Snailsden Moor in 2015.

The closest SPA species (breeding confirmed record) to the works would be golden plover which have been recorded breeding approximately 1.5km north and west of the most western extent of the Proposed Project and approximately 2.4km north-west and 4km west from the proposed SEC at Wogden Foot. The diversion of the Trans Pennine Trail is outside of the SAC and does not in itself increase the recreational pressure on the SAC/SPA. Given that construction of the Proposed Project will be undertaken throughout the breeding season of 2020 and 2021 and partially through 2022, there is the theoretical potential for disturbance to SPA designated nesting bird species in the vicinity as a result of the presence of people and machinery in the construction working area. However, such disturbance does need to be placed into context with the surroundings, the distance from the designated sites, and the location of the works along a currently well-used public right of way (used frequently by people, dog-walkers and horse riders and occasional farm vehicles). Given the context of the site and the presence of well used public rights of way in close proximity to the recorded nesting locations, it is reasonable to assume that nesting birds on the moor are habituated to periodic noise/visual disturbance from users of the various rights of way, and/or have chosen a nesting location where the perceived threat of disturbance is negligible.

The risk of any potential disturbance to SPA designated nesting species has been examined to inform this HRA report, given that public pressure/disturbance is listed as a vulnerability of the site in the South Pennine Moors Site Improvement Plan (SIP).

At the closest point of the Proposed Project the Site Boundary is approximately 270m to the east of the SPA boundary and much further from any previously recorded nesting site for SPA species at over 1.5km away. For the purposes of noise assessment the most potentially disturbing method of piling installation – impact piling – is assumed as a worst case scenario as piling requirements/methods are yet to be confirmed. As a reasonable worst-case, experience indicates that impact piling could result in atmospheric noise levels up to 110dB at 0.67m, from source every time the hammer is dropped. Noise levels generally attenuate by 6dB with every doubling of distance.

This would mean the noise associated with typical impact piling of 110 dB at 0.67m from source would attenuate to a level of 56dB at most by 341m from source.

The SEC and replacement pylon are the main areas where piling may be required and are located approximately 1.78km north and 2.1km east of the SPA boundary. Piling may also be required at Bridge 1 and Bridge 2, which are approximately 978m and 2km east of the SPA boundary respectively. Rock breaking is also likely to be required at Dunford Bridge (approximately 340m east of the SPA boundary) and as a worst case precaution it is assumed that this could be of a similar loudness to but not greater than impact piling. Given the above distances and the physics of sound attenuation with distance, the noise levels at the boundary of the SPA for rock breaking at Dunford Bridge (the closest activity with a potential loudness similar to impact piling) will be approximately 56dB, dropping below 50dB at c. 682m from source (c.340m into the SPA). Noise levels of 50-60 dB are of an equivalent loudness to conversational speech¹¹, assuming they could be heard at all above background noise levels. These are the worst case noise levels that can be temporarily expected, are very unlikely to result in any disturbance and may not even be perceived. If quieter piling techniques than impact piling can be used the levels will be even lower. Given the much greater distance between the SPA and the main areas of piling at the SEC and new pylon, noise attenuation will be markedly greater, resulting in maximum noise levels of c. 40dB at the SPA boundary, which is equivalent to a babbling brook (assuming it was audible at all above background).

The access route being constructed from Brook Hill Lane is further up the hillside than the piling, but is approximately 1.2km from the SPA. As the likely noise level of construction of the access road and vehicular movements will be much lower than the worst case noise levels (impact piling) and given the distance from the SPA boundary the noise will have attenuated below 50dB at the SPA boundary.

Therefore, noise from all construction activities within the Site Boundary would have attenuated well below stimulus response levels at the boundary of the SPA and therefore would have no adverse effect even on SPA birds that were nesting at the SPA boundary.

There are further considerations that reinforce the conclusion that SPA bird species will be well out of the zone of stimulus response. The main Proposed Project construction area i.e. the cable installation work and construction of the new SEC and replacement pylon lies entirely within the valley base of the River Don. As such this area receives topographical shelter from the nearby often quite steep valley sides which would provide protection for bird species using the moorland higher up from potential visual disturbance effects. Therefore neither visual or noise disturbance will cause a stimulus response for SPA breeding species.

All three species listed on the SPA citation are known to favour upland moorland sites well away from human activity and therefore the topographical isolation provides a further barrier that will limit the potential for effects. Given the distance between the main elements of the Proposed Project and the SPA, considering the buffering effect of the landscape between areas of potentially suitable breeding habitat and the Proposed Project and the attenuation of any noise produced by the construction activities, it is unlikely that any impacts will occur on SPA designated species during construction. The Trans Pennine Trail, which will be the focus of the construction work lies in a valley which provides a high degree of visual screening from nearby moorland habitats which may be used by SPA species. Coupled with the buffering effects of the presence of Winscar reservoir (which is very well used during the breeding season by a variety of recreational groups) and the road network serving Dunford Bridge it is even more unlikely that species for which the SPA is designated will regularly rely upon any land within or within immediate proximity to the Proposed Project either for foraging or as a regular commuting route.

Even if SPA breeding species were to nest within the SPA in closer proximity to the Proposed Project in the 2020 to 2022 season than previously observed through data available, no adverse effects on nesting species would be predicted.

During consultation Natural England recommended that the absence of breeding SPA qualifying bird species in close proximity to the Proposed Project should be confirmed in advance of works (Appendix B). As detailed above, breeding bird surveys did not identify any breeding evidence of SPA qualifying bird species in the Survey Area or wider area in 2016 nor within the Survey Area in 2019. On this basis (and also the distance of known records for SPA species in the wider area), it is considered that the risk SPA species being present and specific mitigation for the purpose of Appropriate Assessment is not required. However, ecological supervision (Clerk of Works) of works and measures as set out in the Landscape and Ecological Management Plan (Appendix 2B.2 of the EAR) will be

¹¹ <https://www.noisehelp.com/noise-level-chart.html>

implemented as standard best practice. In the highly unlikely event that SPA qualifying species are confirmed to be present then the need for mitigation will be reviewed.

7. Consideration of Effects In-combination

It is a requirement of the Conservation of Habitats and Species Regulations 2017 that the impacts and effects of any development are not considered in isolation but in combination with other plans and projects that may also affect the European site(s) in question.

The local plans which are most relevant (includes those within adjoining authorities) to the SAC and SPA are listed below:

- Barnsley Local Plan 2019
- Kirklees Council Local Plan
- Peak District National Park Local Development Framework Core Strategy 2011 – 2026
- Peak District National Park Authority Development Management Policies: Part 2 of the Local Plan (2019)
- Manchester City Council Core Strategy 2012 – 2027
- Emerging Draft Sheffield City Council Local Plan 2034
- Rotherham Local Plan Core Strategy 2013 – 2028
- Rochdale Core Strategy 2016 – 2028
- Emerging Stockport Borough Council Local Plan 2035
- Oldham Council Local Development Framework
- Cheshire East Local Plan Strategy 2010 – 2030

A search of the planning portal identified a number of planning applications within a 1km radius of the site, however none of those identified are likely to give rise to cumulative effects. One of the developments identified (NP/B/0318/0195) relates to a B&B and small campsite (comprising 4 camping pods (including one accessible pod, 2 campervan 'hook-up' points and 12 tent pitches) which is located immediately adjacent to the Proposed Project at the Stanhope Arms site. No specific environmental reports were prepared to support the planning application therefore the environmental impacts of the proposal in isolation are undetermined, and the timescale for implementation is currently unknown. It is not therefore possible to undertake a cumulative impact assessment with this development, however given the relatively small scale of the Proposed Project, significant cumulative impacts would not be expected to occur.

Development plans for the surrounding local authorities have been considered in this assessment, particularly the Barnsley Borough Council Local Plan 2019, the Kirklees Council Local Plan, the Peak District National Park Local Development Framework Core Strategy 2011 – 2026 and the Peak District National Park Authority Local Plan 2019. These Plans and the Stanhope Arms project are expected to result in an increased population of the surrounding settlements and/or more tourism. However, since the Proposed Project is sufficiently distant from the SPA and SAC not to present any disturbance-related impact pathway and does not in itself increase the residential population or tourism, no effect in combination will arise.

No other plans or projects that could have potential in combination effects on the South Pennine Moors SAC or Peak District Moors (South Pennine Moors Phase 1) SPA with the Proposed Project have been identified.

8. Conclusion

The Proposed Project has been screened for likely significant effects on the South Pennine Moors SAC and Peak District Moors (South Pennine Moors Phase 1) SPA within this document, to assist the competent authority in meeting their obligations in respect of the Habitat Regulations.

The screening raised a potential consideration with the disturbance of species which are a qualifying feature of the Peak District Moors (South Pennine Moors Phase 1) SPA. This impact pathway was taken forward to Appropriate Assessment (See Section 6) and the impact pathway was considered in greater detail.

The conclusions of the Appropriate Assessment confirmed that the impact pathway present e.g. visual and noise disturbance to SPA species, does not pose an adverse effect on the integrity of the Peak District Moors (South Pennine Moors Phase 1) SPA either alone or in combination with other plans or projects. Natural England had confirmed that they concurred with the previous draft assessment (Revision 05) and this updated HRA is considered to be entirely consistent with the conclusion of that previous assessment.

Therefore, on the basis of the more detailed analysis of noise attenuation included in this report, it is concluded that no mitigation measures are required to ensure that noise levels do not exceed disturbing levels within the SPA during construction.

9. References

English Nature (1997). *Habitats Regulations Guidance Note 1*. English Nature, Peterborough.

European Commission (2001) *Assessment of plans and project significantly affecting Natura 2000 sites – Methodological guidance on the provisions of Article 6(3) and (4) of the Habitats Directive 92/43/EEC*. Impact Assessment Unit, Oxford Brooks University.

European Communities (2000). *Managing Natura 2000 Sites – The provisions of Article 6 of the 'Habitats Directive' 92/43/CEE*. European Communities, Luxembourg.

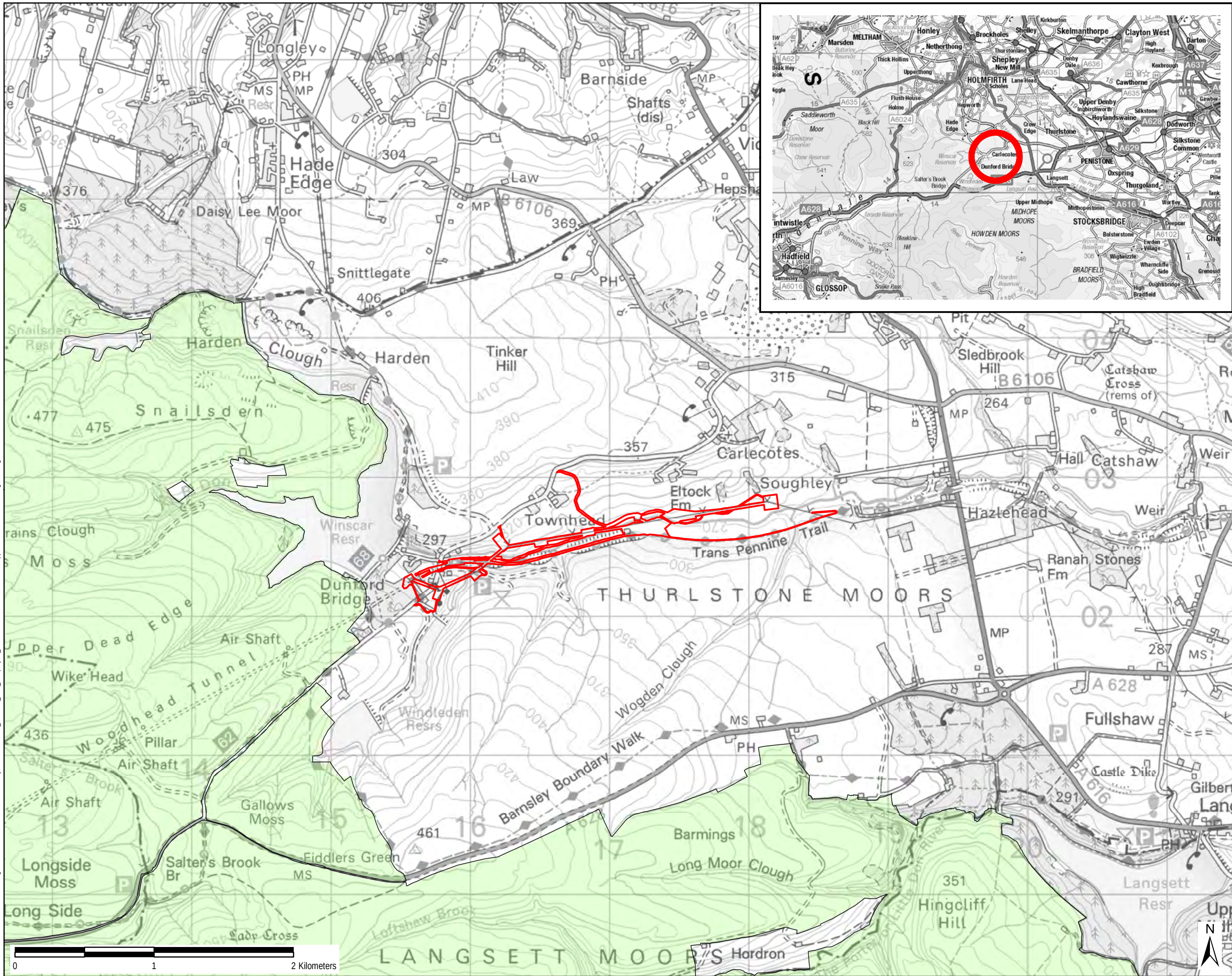
Natural England (2014) *Site Improvement Plan: South Pennine Moors*. Natural England, Peterborough.

AECOM 2019. Visual Impact Provision (VIP) Peak District (East) Breeding Bird Survey Report

AECOM 2018. Visual Impact Provision (VIP) Peak District (East) Wintering Bird Survey Report.

Figures 7J.1 – 7J.9

File Name: IBA-WIP-0041400 - Management Services5004 - Information Systems60478116 National_Grid_VIPproject_files\MXDs\Peak District\Phase 2\Appendix 7J - HPA Screening Birds\Figure 7J.1 Site Location.mxd



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- KEY
- Site Boundary
 - South Pennine Moors SAC and Peak District Moors (South Pennine Moors Phase 1) SPA

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Drawing Title
PROPOSED PROJECT LOCATION

Drawn	Checked	Approved	Date
DM	CN	KS	04/06/2019

AECOM Internal Project No.
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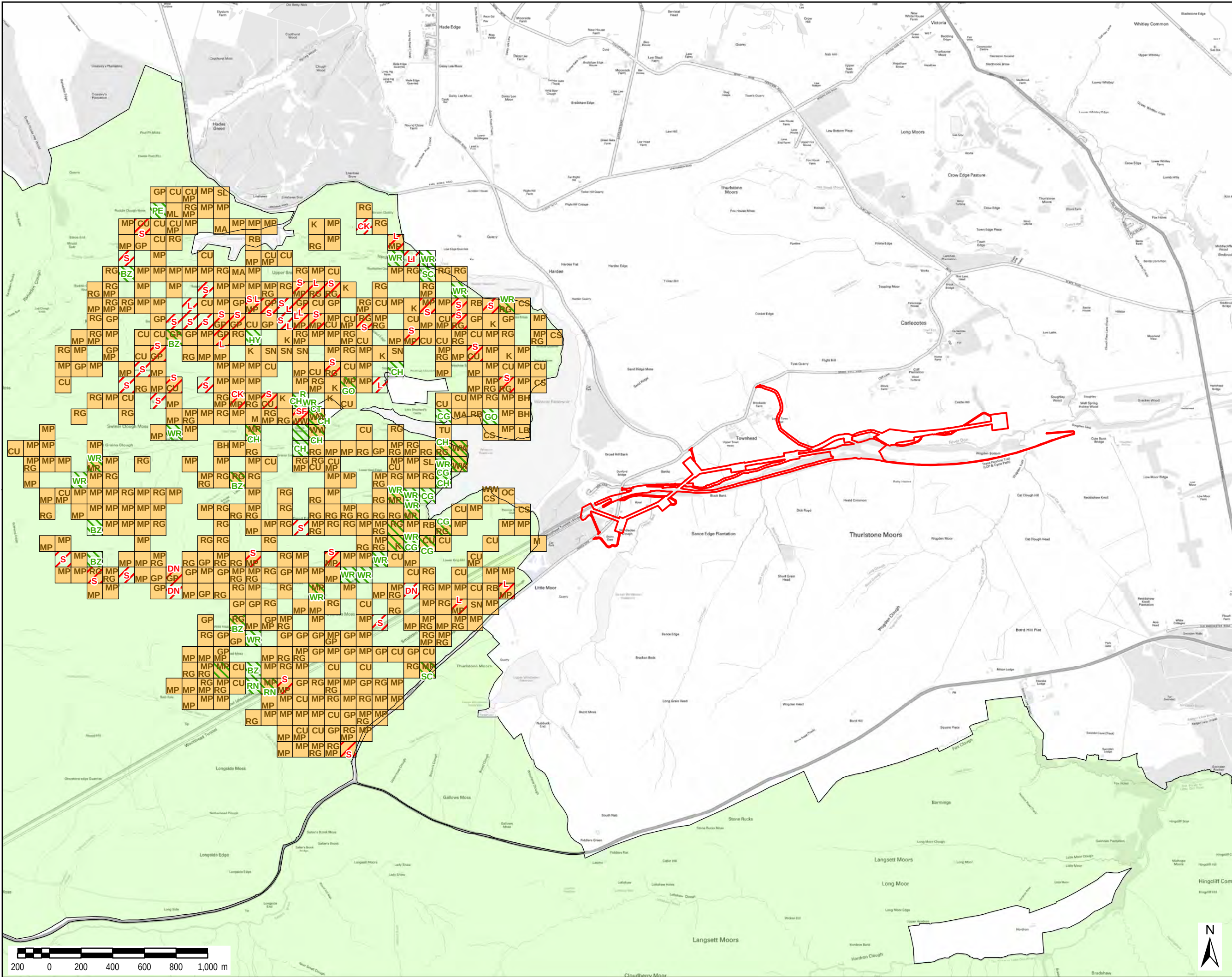
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- KEY**
- Site Boundary
 - Peak District Moors (South)
 - Pennine Moors Phase 1) (SPA)

Species Code Name	Species Code Name
BH Black-headed Gull	SC Stonechat
BZ Buzzard	SD Stock Dove
CG Canada Goose	SF Spotted Flycatcher
CH Chaffinch	SL Swallow
CK Cuckoo	SN Snipe
CM Common Gull	TO Tawny Owl
CS Common Sandpiper	TU Tufted Duck
CT Coal Tit	WP Woodpigeon
CU Curlew	WR Wren
DN Dunin	WW Willow Warbler
GO Goldfinch	
GP Golden Plover	
HY Hobby	
K Kestrel	
L Lapwing	
LB Lesser Black-backed Gull	
LE Long-eared Owl	
LI Linnet	
M Mistle Thrush	
MA Mallard	
ML Merlin	
MP Meadow Pipit	
OC Oystercatcher	
PE Peregrine	
R Robin	
RB Reed Bunting	
RG Red Grouse	
RN Raven	
RT Redstart	
S Skylark	

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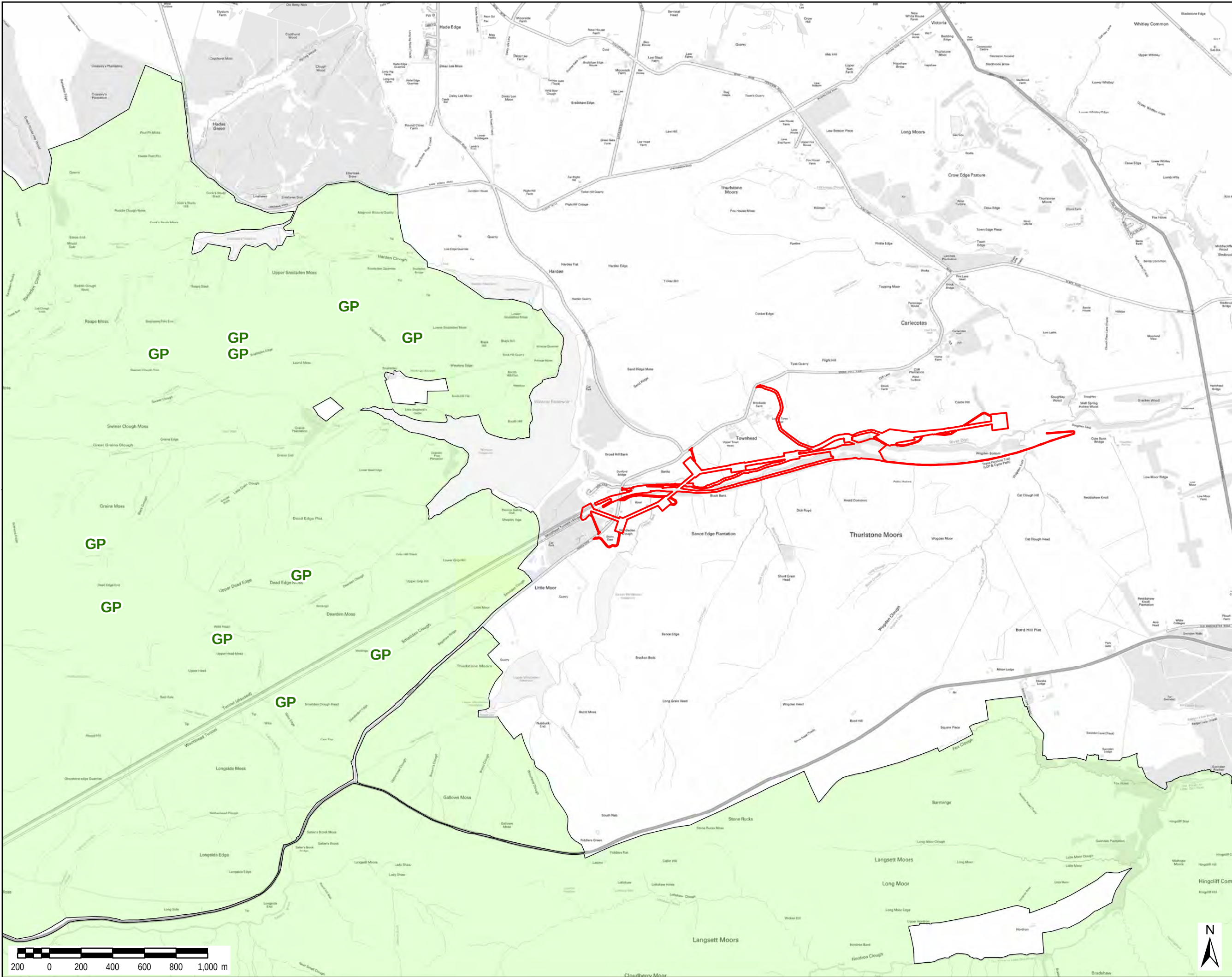
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KEY
 Site Boundary
 Peak District Moors (South
Pennine Moors Phase 1) (SPA)

Species
Code Name
GP Golden Plover

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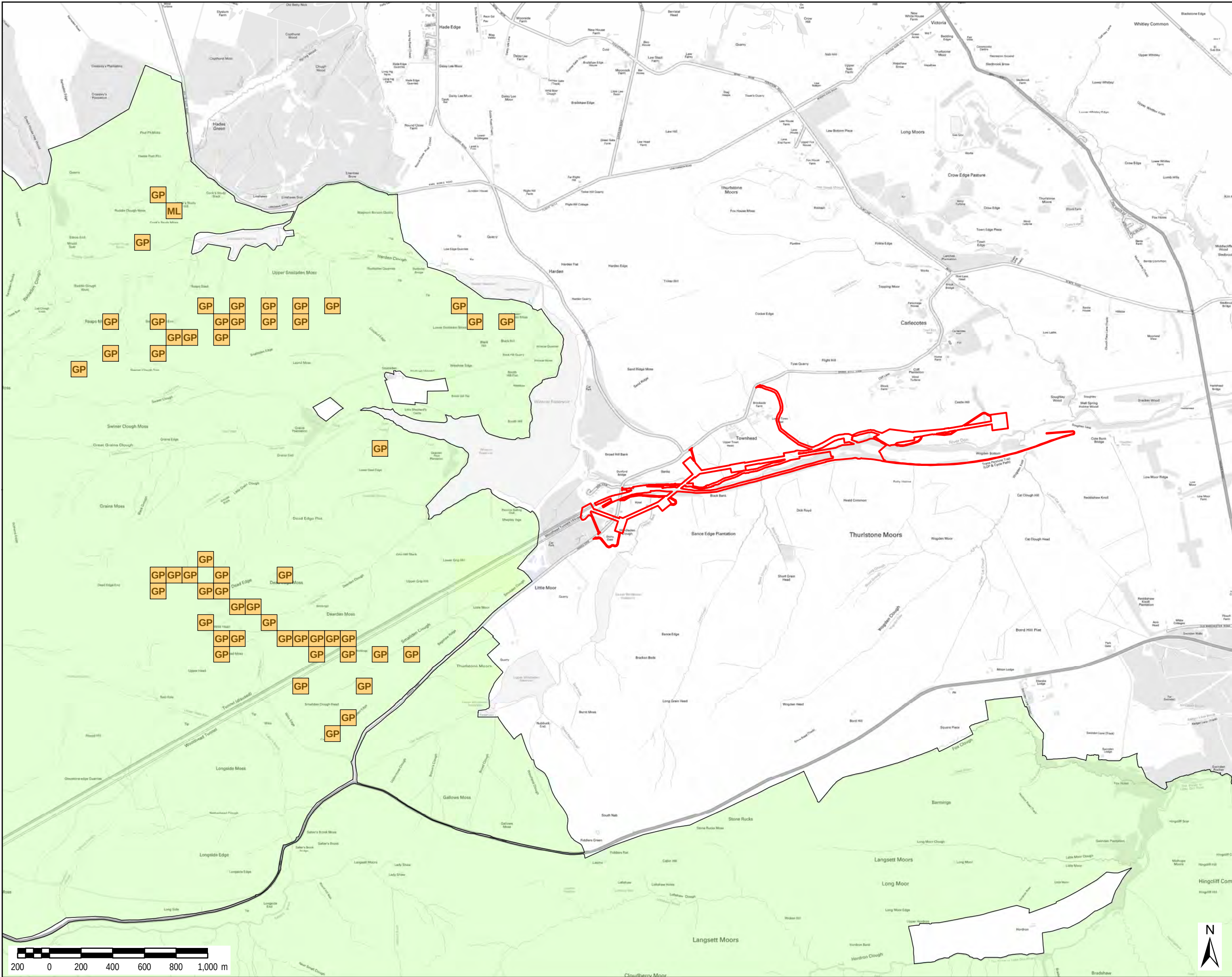
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KEY
 Site Boundary
 Peak District Moors (South
Pennine Moors Phase 1) (SPA)

Species
Code Name
GP Golden Plover
ML Merlin

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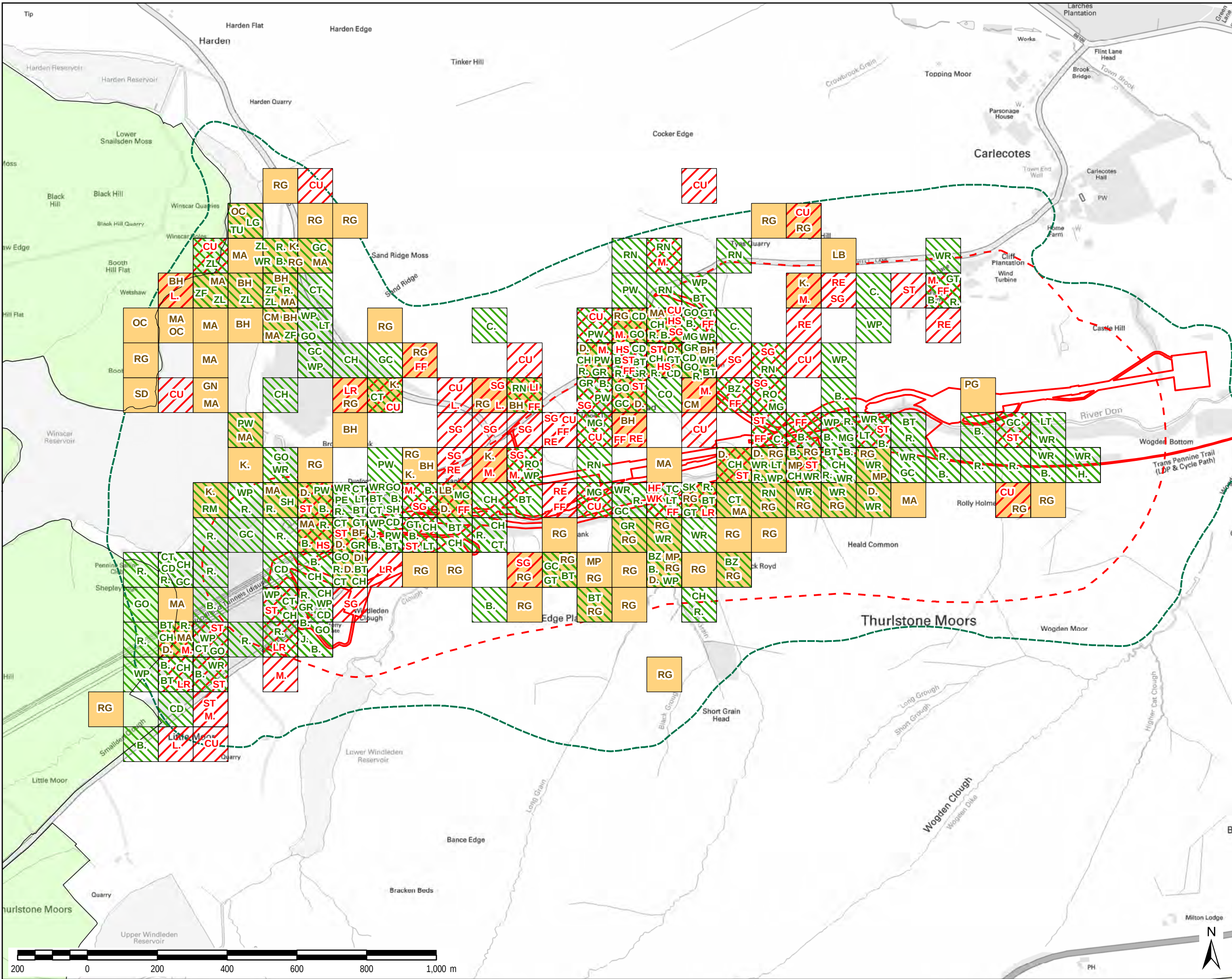
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KEY

- Site Boundary
- Wider Survey
- Wintering Bird and Breeding Bird Survey Area
- Peak District Moors (South Pennine Moors Phase 1) (SPA)

Species Code Name	Species Name	Species Code Name	Species Name
B.	Blackbird	LR	Redpoll Lesser
BF	Bullfinch	LT	Long tailed Tit
BH	Black headed Gull	M.	Mistle Thrush
BT	Blue Tit	MA	Mallard
BZ	Buzzard	MG	Maggie
C.	Carrion Crow	MP	Meadow Pipit
CD	Collared Dove	OC	Oystercatcher
CH	Chaffinch	PE	Peregrine
CM	Common Gull	PG	Pink footed Goose
CO	Coot	PW	Pied Wagtail
CT	Coal Tit	R.	Robin
CU	Curlew	RE	Redwing
D.	Dunnoch	RG	Red Grouse
DI	Dipper	RM	Red breasted Merganser
FF	Fieldfare	RN	Raven
GC	Goldcrest	RO	Rook
GN	Goldeneye	SD	Stock Dove
GO	Goldfinch	SG	Starling
GR	Greenfinch	SH	Sparrowhawk
GT	Great Tit	SK	Siskin
H.	Grey Heron	ST	Song Thrush
HF	Hawfinch	TC	Treecreeper
HS	House Sparrow	TU	Tufted Duck
J.	Jay	WK	Woodcock
K.	Kestrel	WP	Woodpigeon
L.	Lapwing	WR	Wren
LB	Lesser Black backed Gull	ZF	Feral hybrid mallard type
LG	Little Grebe	ZL	Feral hybrid goose
LI	Linnet		

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VISUAL IMPACT PROVISION (VIP) - PEAK DISTRICT (EAST) PROJECT

Drawing Title
**WINTERING BIRDS
NOV 2015 TO MARCH 2016**

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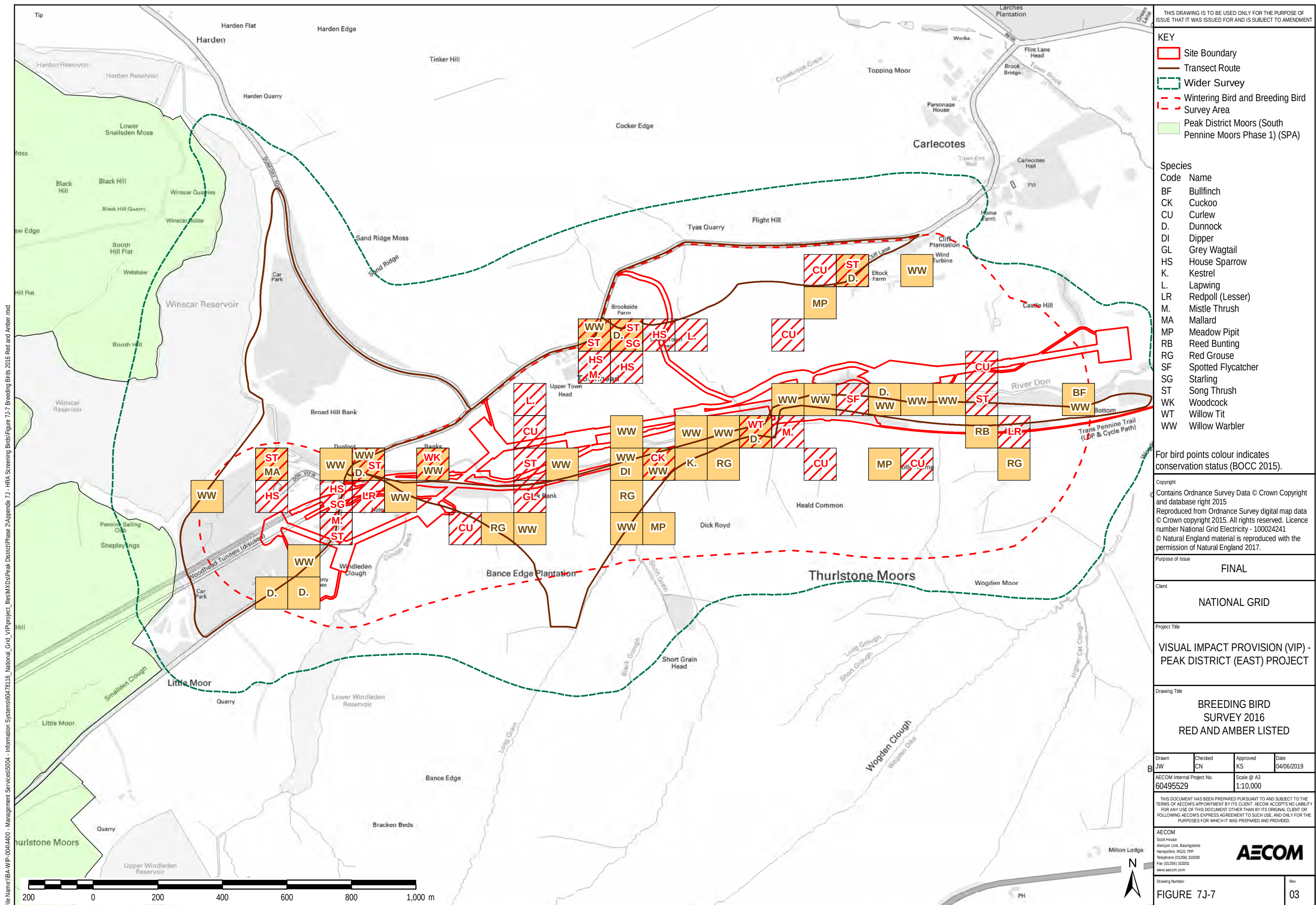
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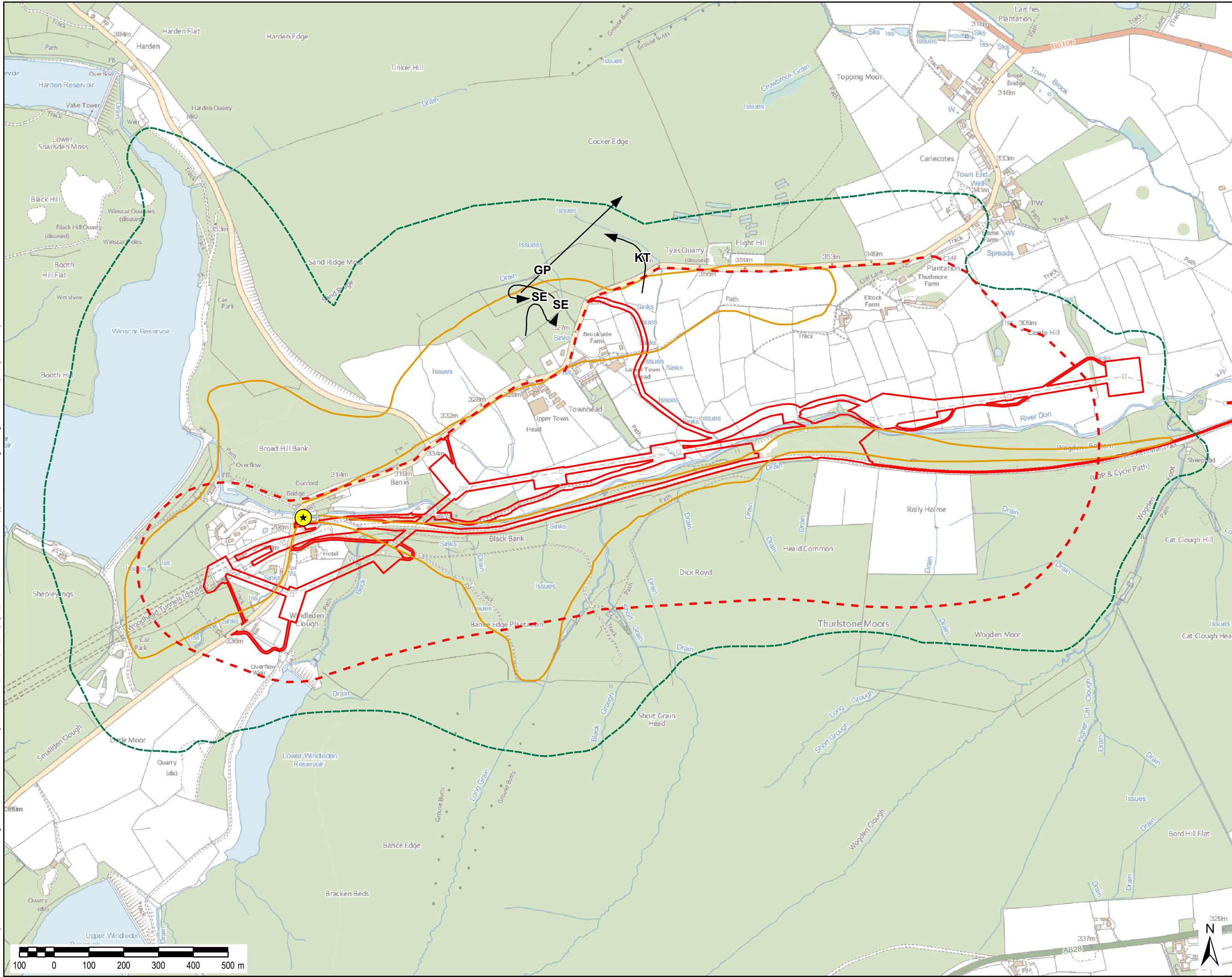
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LEGEND

- Site Boundary
- Transect Route
- Breeding Bird Survey Area
- Wider Survey Area

- Breeding Bird Transect Start and End

Labels give bird species based on key below.

Species Code Name

- GP Golden Plover (Visit 2)
- KT Red Kite (Visit 2)
- SE Short-eared Owl (Visit 3)

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BREEDING BIRD SURVEY 2019 -
SPA SPECIES RECORDS

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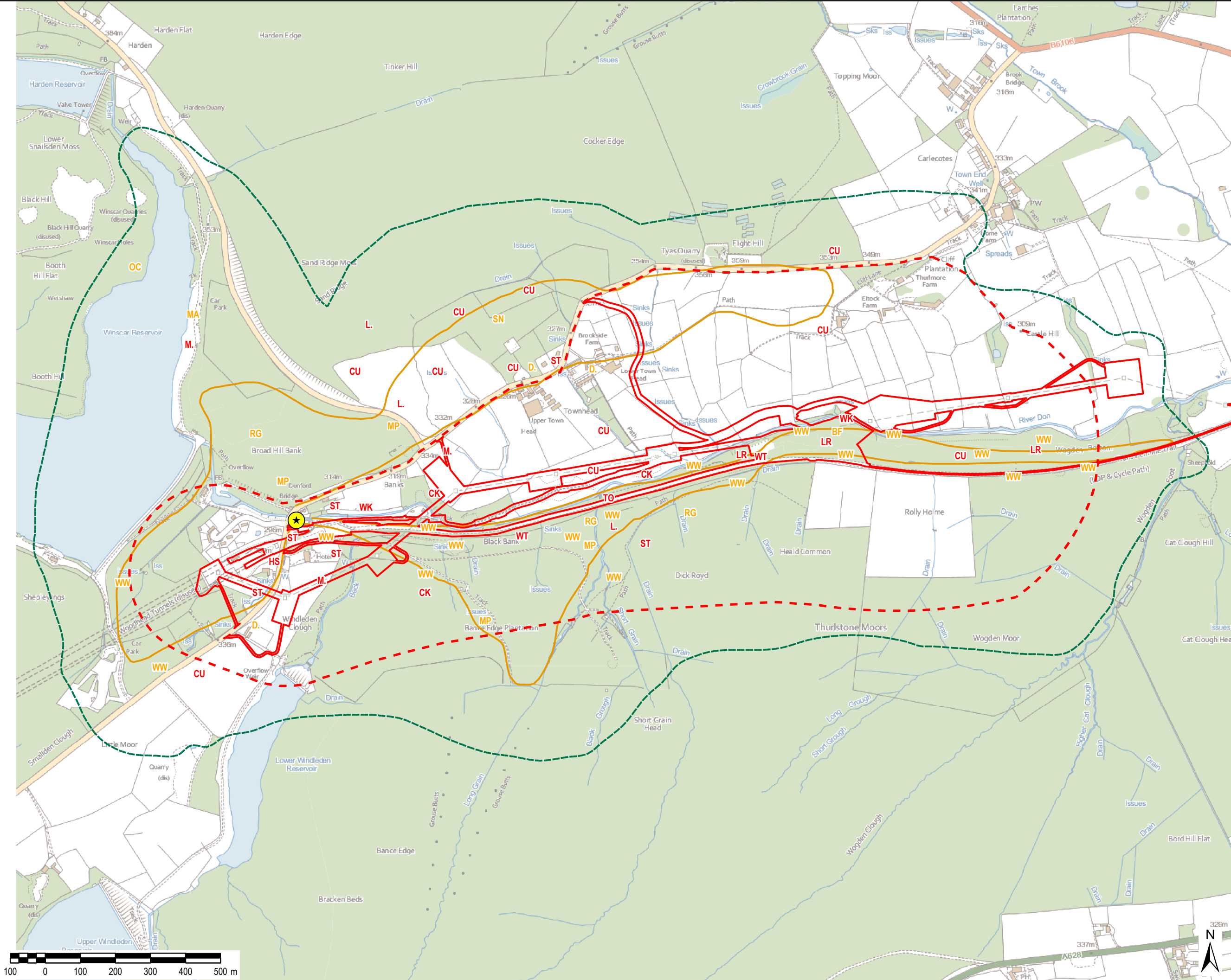
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LEGEND

- Site Boundary
- Transect Route
- Breeding Bird Survey Area
- Wider Survey Area
- Breeding Bird Transect Start and End

Labels give bird species based on key below.

Species

Code	Name
BF	Bullfinch
CK	Cuckoo
CU	Curlew
D	Dunnock
HS	House Sparrow
L	Lapwing
LR	Lesser Redpole
M	Mistle Thrush
MA	Mallard
MP	Meadow Pipit
OC	Oystercatcher
RG	Red Grouse
SN	Snipe
ST	Song Thrush
TO	Tawny Owl
WK	Woodcock
WT	Willow Tit
WW	Willow Warbler

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Appendix A Designated Site Standard Data Forms and Conservation Objectives

EC Directive 79/409 on the Conservation of Wild Birds Special Protection Area (SPA)

Name: Peak District Moors (South Pennine Moors Phase 1)

Unitary Authority/County: Barnsley, Cheshire, Derbyshire, Kirklees, Oldham, Sheffield, Staffordshire, and Tameside.

Consultation proposal: Addition of Eastern Peak District Moors Site of Special Scientific Interest (SSSI) to the Peak District Moors (South Pennine Moors Phase 1) SPA because of the site's European ornithological importance. The extended area of the SPA comprises the following Sites of Special Scientific Interest (SSSI): Dark Peak SSSI, Eastern Peak District Moors SSSI, Goyt Valley SSSI and Leek Moors SSSI. For detail of SPA boundary, see map.

Site description: The site is an extensive tract of moorland and moorland-fringe habitat. It includes most of the unenclosed moorland areas of the north, eastern and south-western Peak District, where it also extends into enclosed farmland of wet rushy pasture, hay meadows and small wetlands in the valley bottoms. The moorland habitats include extensive tracts of blanket bog and dry heath, which together with wet heath, acid grassland, small flushes, gritstone edges and boulder slopes, streams and moorland reservoirs, fringing semi-natural woodland and enclosed farmland, represents the full range of upland vegetation characteristic of the South Pennines. The site supports several important species assemblages, including higher plants, lower plants and insects, as well as breeding birds. Many physical features are of geological interest.

Size of SPA: The SPA covers an area of 45,270.52 ha.

Qualifying species: The site qualifies under **article 4.1** of the Directive (79/409/EEC) as it is used regularly by 1% or more of the Great Britain population of a species listed in Annex I, in any season:

Annex I species	Estimated population & season	Period	% GB pop.
Merlin <i>Falco columbarius</i>	30 - 36 pairs - breeding	1990/1998	2.3 - 2.8%
Golden Plover <i>Pluvialis apricaria</i>	435 - 445 pairs - breeding	1990/1998	1.9 - 2.0%
Short-eared Owl <i>Asio flammeus</i>	22 - 25 pairs - breeding	1990/1998	2.2 - 2.5%

Non-qualifying species of interest: The site supports a rich upland breeding bird assemblage which, as well as the qualifying species listed above, includes important numbers of Peregrine *Falco peregrinus*, Lapwing *Vanellus vanellus*, Dunlin *Calidris alpina schinzii*, Snipe *Gallinago gallinago*, Curlew *Numenius arquata*, Redshank *Tringa totanus*, Common Sandpiper *Actitis hypoleucos*, Whinchat *Saxicola rubetra*, Wheatear *Oenanthe oenanthe*, Ring Ouzel *Turdus torquatus* and Twite *Carduelis flavirostris*.

Status of SPA

- South Pennine Moors Phase 1 (Dark Peak SSSI, Goyt Valley SSSI and Leek Moors SSSI), covering 37,092.76 ha, was classified as a Special Protection Area on 29 March 1996.
- Consultations commenced on 22 December 1999 on the proposal to extend South Pennine Moors Phase 1 SPA to encompass Eastern Peak District Moors SSSI (8,177.76 ha).
- On 30 November 2000, the extended area of Peak District Moors (South Pennine Moors Phase 1) SPA was classified as a Special Protection Area and this citation now supersedes that relating to the area classified on 29 March 1996.



European Site Conservation Objectives for Peak District Moors (South Pennine Moors Phase 1) Special Protection Area Site Code: UK9007021

With regard to the SPA and the individual species and/or assemblage of species for which the site has been classified (the 'Qualifying Features' listed below), and subject to natural change;

Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the aims of the Wild Birds Directive, by maintaining or restoring;

- **The extent and distribution of the habitats of the qualifying features**
- **The structure and function of the habitats of the qualifying features**
- **The supporting processes on which the habitats of the qualifying features rely**
- **The population of each of the qualifying features, and,**
- **The distribution of the qualifying features within the site.**

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

Qualifying Features:

A098 *Falco columbarius*; Merlin (Breeding)

A140 *Pluvialis apricaria*; European golden plover (Breeding)

A222 *Asio flammeus*; Short-eared owl (Breeding)

Explanatory Notes: European Site Conservation Objectives

These Conservation Objectives are those referred to in the Conservation of Habitats and Species Regulations 2010 (the “Habitats Regulations”) and Article 6(3) of the Habitats Directive. They must be considered when a competent authority is required to make a ‘Habitats Regulations Assessment’ including an Appropriate Assessment, under the relevant parts of this legislation.

These Conservation Objectives and the accompanying Supplementary Advice (where this is available) will also provide a framework to inform the management of the European Site under the provisions of Articles 4(1) and 4(2) of the Wild Birds Directive, and the prevention of deterioration of habitats and significant disturbance of its qualifying features required under Article 6(2) of the Habitats Directive.

These Conservation Objectives are set for each bird feature for a [Special Protection Area \(SPA\)](#). Where the objectives are met, the site will be considered to exhibit a high degree of integrity and to be contributing to achieving the aims of the Wild Birds Directive.

Publication date: 30 June 2014 (Version 2). This document updates and replaces an earlier version dated 29 May 2012 to reflect Natural England's Strategic Standard on European Site Conservation Objectives 2014. Previous references to additional features identified in the 2001 UK SPA Review have also been removed.

NATURA 2000 – STANDARD DATA FORM

Special Areas of Conservation under the EC Habitats Directive (includes candidate SACs, Sites of Community Importance and designated SACs).

Each Natura 2000 site in the United Kingdom has its own Standard Data Form containing site-specific information. The data form for this site has been generated from the Natura 2000 Database submitted to the European Commission on the following date:

22/12/2015

The information provided here, follows the officially agreed site information format for Natura 2000 sites, as set out in the [Official Journal of the European Union recording the Commission Implementing Decision of 11 July 2011](#) (2011/484/EU).

The Standard Data Forms are generated automatically for all of the UK's Natura 2000 sites using the European Environment Agency's Natura 2000 software. The structure and format of these forms is exactly as produced by the EEA's Natura 2000 software (except for the addition of this coversheet and the end notes). The content matches exactly the data submitted to the European Commission.

Please note that these forms contain a number of codes, all of which are explained either within the data forms themselves or in the end notes.

Further technical documentation may be found here
http://bd.eionet.europa.eu/activities/Natura_2000/reference_portal

As part of the December 2015 submission, several sections of the UK's previously published Standard Data Forms have been updated. For details of the approach taken by the UK in this submission please refer to the following document:
http://jncc.defra.gov.uk/pdf/Natura2000_StandardDataForm_UKApproach_Dec2015.pdf

More general information on Special Areas of Conservation (SACs) in the United Kingdom is available from the [SAC home page on the JNCC website](#). This webpage also provides links to Standard Data Forms for all SACs in the UK.

Date form generated by the Joint Nature Conservation Committee
25 January 2016.



NATURA 2000 - STANDARD DATA FORM

For Special Protection Areas (SPA),
Proposed Sites for Community Importance (pSCI),
Sites of Community Importance (SCI) and
for Special Areas of Conservation (SAC)

SITE UK0030280
SITENAME South Pennine Moors

TABLE OF CONTENTS

- [1. SITE IDENTIFICATION](#)
- [2. SITE LOCATION](#)
- [3. ECOLOGICAL INFORMATION](#)
- [4. SITE DESCRIPTION](#)
- [5. SITE PROTECTION STATUS AND RELATION WITH CORINE BIOTOPES](#)
- [6. SITE MANAGEMENT](#)

1. SITE IDENTIFICATION

1.1 Type B	1.2 Site code UK0030280	Back to top
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1.3 Site name

South Pennine Moors

1.4 First Compilation date 2001-03	1.5 Update date 2015-12
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1.6 Respondent:

Name/Organisation: Joint Nature Conservation Committee
Address: Joint Nature Conservation Committee Monkstone House City Road Peterborough PE1 1JY
Email:

Date site proposed as SCI:	2001-03
Date site confirmed as SCI:	2004-12
Date site designated as SAC:	2005-04
National legal reference of SAC designation:	Regulations 11 and 13-15 of the Conservation of Habitats and Species Regulations 2010 (http://www.legislation.gov.uk/uksi/2010/490/contents/made).

2. SITE LOCATION

[Back to top](#)

- **PF:** for the habitat types that can have a non-priority as well as a priority form (6210, 7130, 9430) enter "X" in the column PF to indicate the priority form.
- **NP:** in case that a habitat type no longer exists in the site enter: x (optional)
- **Cover:** decimal values can be entered
- **Caves:** for habitat types 8310, 8330 (caves) enter the number of caves if estimated surface is not available.
- **Data quality:** G = 'Good' (e.g. based on surveys); M = 'Moderate' (e.g. based on partial data with some extrapolation); P = 'Poor' (e.g. rough estimation)

4. SITE DESCRIPTION

4.1 General site character

[Back to top](#)

Habitat class	% Cover
N10	4.8
N07	42.7
N21	0.1
N16	1.0
N09	4.8
N19	0.1
N06	1.0
N08	45.5
Total Habitat Cover	100

Other Site Characteristics

1 Terrestrial: Soil & Geology: sandstone, sedimentary, basic, peat, acidic, nutrient-poor 2 Terrestrial: Geomorphology and landscape: upland, hilly, crags/ledges, slope, valley

4.2 Quality and importance

Northern Atlantic wet heaths with Erica tetralix for which the area is considered to support a significant presence. European dry heaths for which this is considered to be one of the best areas in the United Kingdom. Transition mires and quaking bogs for which the area is considered to support a significant presence. Old sessile oak woods with Ilex and Blechnum in the British Isles for which this is considered to be one of the best areas in the United Kingdom. Blanket bogs for which this is considered to be one of the best areas in the United Kingdom.

4.3 Threats, pressures and activities with impacts on the site

The most important impacts and activities with high effect on the site

Negative Impacts			
Rank	Threats and pressures [code]	Pollution (optional) [code]	inside/outside [i o b]
H	H04		B
H	J01		I
H	A11		B
H	J02		B
H	G01		I

Positive Impacts			
Rank	Activities, management [code]	Pollution (optional) [code]	inside/outside [i o b]
H	A03		I
H	A02		I
H	B02		I
H	B06		I
H	A04		I
H	D05		I
H	A06		I

Rank: H = high, M = medium, L = low

Pollution: N = Nitrogen input, P = Phosphor/Phosphate input, A = Acid input/acidification,
T = toxic inorganic chemicals, O = toxic organic chemicals, X = Mixed pollutions
i = inside, o = outside, b = both

4.5 Documentation

Conservation Objectives - the Natural England links below provide access to the Conservation Objectives (and other site-related information) for its terrestrial and inshore Natura 2000 sites, including conservation advice packages and supporting documents for European Marine Sites within English waters and for cross-border sites. See also the 'UK Approach' document for more information (link via the JNCC website).

Link(s): http://jncc.defra.gov.uk/pdf/Natura2000_StandardDataForm_UKApproach_Dec2015.pdf

<http://publications.naturalengland.org.uk/category/3212324>

<http://publications.naturalengland.org.uk/category/6490068894089216>

5. SITE PROTECTION STATUS (optional)

[Back to top](#)

5.1 Designation types at national and regional level:

Code	Cover [%]	Code	Cover [%]	Code	Cover [%]
UK04	100.0				

6. SITE MANAGEMENT

[Back to top](#)

6.1 Body(ies) responsible for the site management:

Organisation:	Natural England
Address:	
Email:	

6.2 Management Plan(s):

An actual management plan does exist:

☐	Yes
☐	No, but in preparation
☒	No

6.3 Conservation measures (optional)

For available information, including on Conservation Objectives, see Section 4.5.

EXPLANATION OF CODES USED IN THE NATURA 2000 STANDARD DATA FORMS

The codes in the table below are also explained in the [official European Union guidelines for the Standard Data Form](#). The relevant page is shown in the table below.

1.1 Site type

CODE	DESCRIPTION	PAGE NO
A	Designated Special Protection Area	53
B	SAC (includes candidates Special Areas of Conservation, Sites of Community Importance and designated SAC)	53
C	SAC area the same as SPA. Note in the UK Natura 2000 submission this is only used for Gibraltar	53

3.1 Habitat representativity

CODE	DESCRIPTION	PAGE NO
A	Excellent	57
B	Good	57
C	Significant	57
D	Non-significant presence	57

3.1 Habitat code

CODE	DESCRIPTION	PAGE NO
1110	Sandbanks which are slightly covered by sea water all the time	57
1130	Estuaries	57
1140	Mudflats and sandflats not covered by seawater at low tide	57
1150	Coastal lagoons	57
1160	Large shallow inlets and bays	57
1170	Reefs	57
1180	Submarine structures made by leaking gases	57
1210	Annual vegetation of drift lines	57
1220	Perennial vegetation of stony banks	57
1230	Vegetated sea cliffs of the Atlantic and Baltic Coasts	57
1310	Salicornia and other annuals colonizing mud and sand	57
1320	Spartina swards (Spartinion maritimae)	57
1330	Atlantic salt meadows (Glauco-Puccinellietalia maritimae)	57
1340	Inland salt meadows	57
1420	Mediterranean and thermo-Atlantic halophilous scrubs (Sarcocornetea fruticosi)	57
2110	Embryonic shifting dunes	57
2120	Shifting dunes along the shoreline with Ammophila arenaria ("white dunes")	57
2130	Fixed coastal dunes with herbaceous vegetation ("grey dunes")	57
2140	Decalcified fixed dunes with Empetrum nigrum	57
2150	Atlantic decalcified fixed dunes (Calluno-Ulicetea)	57
2160	Dunes with Hippophila rhamnoides	57
2170	Dunes with Salix repens ssp. argentea (Salicion arenariae)	57
2190	Humid dune slacks	57
21A0	Machairs (* in Ireland)	57
2250	Coastal dunes with Juniperus spp.	57
2330	Inland dunes with open Corynephorus and Agrostis grasslands	57
3110	Oligotrophic waters containing very few minerals of sandy plains (Littorelletalia uniflorae)	57
3130	Oligotrophic to mesotrophic standing waters with vegetation of the Littorelletea uniflorae and/or of the Isoëto-Nanojuncetea	57
3140	Hard oligo-mesotrophic waters with benthic vegetation of Chara spp.	57
3150	Natural eutrophic lakes with Magnopotamion or Hydrocharition - type vegetation	57

CODE	DESCRIPTION	PAGE NO
3160	Natural dystrophic lakes and ponds	57
3170	Mediterranean temporary ponds	57
3180	Turloughs	57
3260	Water courses of plain to montane levels with the Ranunculion fluitantis and Callitriche-Batrachion vegetation	57
4010	Northern Atlantic wet heaths with Erica tetralix	57
4020	Temperate Atlantic wet heaths with Erica ciliaris and Erica tetralix	57
4030	European dry heaths	57
4040	Dry Atlantic coastal heaths with Erica vagans	57
4060	Alpine and Boreal heaths	57
4080	Sub-Arctic Salix spp. scrub	57
5110	Stable xerothermophilous formations with Buxus sempervirens on rock slopes (Berberidion p.p.)	57
5130	Juniperus communis formations on heaths or calcareous grasslands	57
6130	Calaminarian grasslands of the Violetalia calaminariae	57
6150	Siliceous alpine and boreal grasslands	57
6170	Alpine and subalpine calcareous grasslands	57
6210	Semi-natural dry grasslands and scrubland facies on calcareous substrates (Festuco-Brometalia) (* important orchid sites)	57
6230	Species-rich Nardus grasslands, on silicious substrates in mountain areas (and submountain areas in Continental Europe)	57
6410	Molinia meadows on calcareous, peaty or clayey-silt-laden soils (Molinion caeruleae)	57
6430	Hydrophilous tall herb fringe communities of plains and of the montane to alpine levels	57
6510	Lowland hay meadows (Alopecurus pratensis, Sanguisorba officinalis)	57
6520	Mountain hay meadows	57
7110	Active raised bogs	57
7120	Degraded raised bogs still capable of natural regeneration	57
7130	Blanket bogs (* if active bog)	57
7140	Transition mires and quaking bogs	57
7150	Depressions on peat substrates of the Rhynchosporion	57
7210	Calcareous fens with Cladium mariscus and species of the Caricion davallianae	57
7220	Petrifying springs with tufa formation (Cratoneurion)	57
7230	Alkaline fens	57
7240	Alpine pioneer formations of the Caricion bicoloris-atrofuscae	57
8110	Siliceous scree of the montane to snow levels (Androsacetalia alpinae and Galeopsietalia ladani)	57
8120	Calcareous and calcshist screes of the montane to alpine levels (Thlaspietea rotundifolii)	57
8210	Calcareous rocky slopes with chasmophytic vegetation	57
8220	Siliceous rocky slopes with chasmophytic vegetation	57
8240	Limestone pavements	57
8310	Caves not open to the public	57
8330	Submerged or partially submerged sea caves	57
9120	Atlantic acidophilous beech forests with Ilex and sometimes also Taxus in the shrublayer (Quercion roburi-petraeae or Ilici-Fagenion)	57
9130	Asperulo-Fagetum beech forests	57
9160	Sub-Atlantic and medio-European oak or oak-hornbeam forests of the Carpinion betuli	57
9180	Tilio-Acerion forests of slopes, screes and ravines	57
9190	Old acidophilous oak woods with Quercus robur on sandy plains	57
91A0	Old sessile oak woods with Ilex and Blechnum in the British Isles	57
91C0	Caledonian forest	57
91D0	Bog woodland	57
91E0	Alluvial forests with Alnus glutinosa and Fraxinus excelsior (Alno-Padion, Alnion incanae, Salicion albae)	57
91J0	Taxus baccata woods of the British Isles	57

3.1 Relative surface

CODE	DESCRIPTION	PAGE NO
A	15%-100%	58
B	2%-15%	58
C	< 2%	58

3.1 Conservation status habitat

CODE	DESCRIPTION	PAGE NO
A	Excellent conservation	59
B	Good conservation	59
C	Average or reduced conservation	59

3.1 Global grade habitat

CODE	DESCRIPTION	PAGE NO
A	Excellent value	59
B	Good value	59
C	Significant value	59

3.2 Population (abbreviated to 'Pop.' in data form)

CODE	DESCRIPTION	PAGE NO
A	15%-100%	62
B	2%-15%	62
C	< 2%	62
D	Non-significant population	62

3.2 Conservation status species (abbreviated to 'Con.' in data form)

CODE	DESCRIPTION	PAGE NO
A	Excellent conservation	63
B	Good conservation	63
C	Average or reduced conservation	63

3.2 Isolation (abbreviated to 'Iso.' in data form)

CODE	DESCRIPTION	PAGE NO
A	Population (almost) Isolated	63
B	Population not-isolated, but on margins of area of distribution	63
C	Population not-isolated within extended distribution range	63

3.2 Global Grade (abbreviated to 'Glo.' Or 'G.' in data form)

CODE	DESCRIPTION	PAGE NO
A	Excellent value	63
B	Good value	63
C	Significant value	63

3.3 Assemblages types

CODE	DESCRIPTION	PAGE NO
WATR	Non breeding waterfowl assemblage	UK specific code
SBA	Breeding seabird assemblage	UK specific code
BBA	Breeding bird assemblage (applies only to sites classified pre 2000)	UK specific code

4.1 Habitat class code

CODE	DESCRIPTION	PAGE NO
N01	Marine areas, Sea inlets	65
N02	Tidal rivers, Estuaries, Mud flats, Sand flats, Lagoons (including saltwork basins)	65
N03	Salt marshes, Salt pastures, Salt steppes	65
N04	Coastal sand dunes, Sand beaches, Machair	65
N05	Shingle, Sea cliffs, Islets	65
N06	Inland water bodies (Standing water, Running water)	65
N07	Bogs, Marshes, Water fringed vegetation, Fens	65
N08	Heath, Scrub, Maquis and Garrigue, Phygrana	65
N09	Dry grassland, Steppes	65
N10	Humid grassland, Mesophile grassland	65
N11	Alpine and sub-Alpine grassland	65
N14	Improved grassland	65
N15	Other arable land	65
N16	Broad-leaved deciduous woodland	65
N17	Coniferous woodland	65
N19	Mixed woodland	65
N21	Non-forest areas cultivated with woody plants (including Orchards, groves, Vineyards, Dehesas)	65
N22	Inland rocks, Scree, Sands, Permanent Snow and ice	65
N23	Other land (including Towns, Villages, Roads, Waste places, Mines, Industrial sites)	65
N25	Grassland and scrub habitats (general)	65
N26	Woodland habitats (general)	65

4.3 Threats code

CODE	DESCRIPTION	PAGE NO
A01	Cultivation	65
A02	Modification of cultivation practices	65
A03	Mowing / cutting of grassland	65
A04	Grazing	65
A05	Livestock farming and animal breeding (without grazing)	65
A06	Annual and perennial non-timber crops	65
A07	Use of biocides, hormones and chemicals	65
A08	Fertilisation	65
A10	Restructuring agricultural land holding	65
A11	Agriculture activities not referred to above	65
B01	Forest planting on open ground	65
B02	Forest and Plantation management & use	65
B03	Forest exploitation without replanting or natural regrowth	65
B04	Use of biocides, hormones and chemicals (forestry)	65
B06	Grazing in forests/ woodland	65
B07	Forestry activities not referred to above	65
C01	Mining and quarrying	65
C02	Exploration and extraction of oil or gas	65
C03	Renewable abiotic energy use	65
D01	Roads, paths and railroads	65
D02	Utility and service lines	65
D03	Shipping lanes, ports, marine constructions	65
D04	Airports, flightpaths	65
D05	Improved access to site	65
E01	Urbanised areas, human habitation	65
E02	Industrial or commercial areas	65

CODE	DESCRIPTION	PAGE NO
E03	Discharges	65
E04	Structures, buildings in the landscape	65
E06	Other urbanisation, industrial and similar activities	65
F01	Marine and Freshwater Aquaculture	65
F02	Fishing and harvesting aquatic resources	65
F03	Hunting and collection of wild animals (terrestrial), including damage caused by game (excessive density), and taking/removal of terrestrial animals (including collection of insects, reptiles, amphibians, birds of prey, etc., trapping, poisoning, poaching, predator control, accidental capture (e.g. due to fishing gear), etc.)	65
F04	Taking / Removal of terrestrial plants, general	65
F05	Illegal taking/ removal of marine fauna	65
F06	Hunting, fishing or collecting activities not referred to above	65
G01	Outdoor sports and leisure activities, recreational activities	65
G02	Sport and leisure structures	65
G03	Interpretative centres	65
G04	Military use and civil unrest	65
G05	Other human intrusions and disturbances	65
H01	Pollution to surface waters (limnic & terrestrial, marine & brackish)	65
H02	Pollution to groundwater (point sources and diffuse sources)	65
H03	Marine water pollution	65
H04	Air pollution, air-borne pollutants	65
H05	Soil pollution and solid waste (excluding discharges)	65
H06	Excess energy	65
H07	Other forms of pollution	65
I01	Invasive non-native species	65
I02	Problematic native species	65
I03	Introduced genetic material, GMO	65
J01	Fire and fire suppression	65
J02	Human induced changes in hydraulic conditions	65
J03	Other ecosystem modifications	65
K01	Abiotic (slow) natural processes	65
K02	Biocenotic evolution, succession	65
K03	Interspecific faunal relations	65
K04	Interspecific floral relations	65
K05	Reduced fecundity/ genetic depression	65
L05	Collapse of terrain, landslide	65
L07	Storm, cyclone	65
L08	Inundation (natural processes)	65
L10	Other natural catastrophes	65
M01	Changes in abiotic conditions	65
M02	Changes in biotic conditions	65
U	Unknown threat or pressure	65
XO	Threats and pressures from outside the Member State	65

5.1 Designation type codes

CODE	DESCRIPTION	PAGE NO
UK00	No Protection Status	67
UK01	National Nature Reserve	67
UK02	Marine Nature Reserve	67
UK04	Site of Special Scientific Interest (UK)	67

Appendix B Natural England Correspondence

Date: 21 December 2018
Our ref: 264817
Your ref: 2018/ENQ/00500



Hannah Andrew
Barnsley Metropolitan Borough Council

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

T 0300 060 3900

BY EMAIL ONLY

Dear Hannah

Screening consultation: Screening Opinion Land Visual Impact Provision (VIP) Peak District (East) Project: Proposed Undergrounding of approximately 2km
Location: Dunford Bridge

Thank you for your consultation on the above dated 19 December 2018.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

Environmental Impact Assessment

It is our advice, on the basis of the material supplied with the consultation, that, in so far as statutory designated sites, landscapes and protected species are concerned, that there are no potential significant impacts.

We have checked our records and based on the information provided, we can confirm that the application site is either located within, adjacent to or in close proximity to the following sites:

- Eastern Peak District Moors Site of Special Scientific Interest (SSSI)
- South Pennine Moors Special Area of Conservation (SAC),
- Peak District Moors (South Pennine Moors Phase 1) Special Protection Area (SPA)
- Peak District National Park

Based on the material provided it is our view that the proposed development is not likely to significantly affect the interest features for which they are notified.

Natural England does not hold information on the location of significant populations of protected species, so is unable to advise whether this proposal is likely to affect such populations to an extent sufficient to require an EIA. It remains the case, however, that the developer must provide information supporting this application sufficient for you to assess whether protected species are likely to be affected and, if they are, whether sufficient mitigation, avoidance or compensation measures will be put in place.

Notwithstanding this advice, Natural England does not routinely maintain locally specific data on all potential environmental assets. As a result this application may raise environmental issues that we have not identified on local or national biodiversity action plan species and/or habitats, local wildlife sites or local landscape character that may be sufficient to warrant an EIA.

We therefore recommend that advice is sought from your own ecological and/or landscape advisers, local record centre, recording society or wildlife body on the local landscape, geodiversity and biodiversity receptors that may be affected by this development before determining whether an EIA is necessary.

Should you determine that an EIA is not required in this case, you should still ensure that the application is supported by sufficient biodiversity and landscape information in order for you to assess the weight to give these material considerations when determining the application.

Please note that Natural England reserves the right to provide further comments on this proposal beyond this EIA screening opinion, should your authority seek our views on the planning application. This includes any third party appeal against any screening decision you may make.

For any queries relating to the specific advice in this letter only please contact Andy Stubbs on [REDACTED] consultations, or to provide further information on this consultation please send your correspondences to consultations@naturalengland.org.uk.

Yours sincerely

[REDACTED]

Planning and Licensing Area Delivery East Midlands Area Team

Andrea Key
Consents Officer
National Grid

Address: National Grid, Daines Substation,
Isherwood Road, Carrington, Manchester.
M314BH
Email: Andrea.Key@nationalgrid.com

www.nationalgrid.com

19th December 2018

by email and post

Our Ref: NG/AK/NE/01

Dear Andy,

We met with Hannah Andrew at Barnsley Council last week to discuss a number of matters relating to the planning application for the Visual Impact Provision (VIP) Peak District East planning application. Hannah advised of Natural England's response to the screening consultation, to which we have provided a response below as advised by AECOM. We hope this provides some further clarity on the assessment work undertaken with regard to the ecological features mentioned, and the findings that will be detailed in the Environmental Assessment Report to support the forthcoming planning application.

The response also clarifies the points raised in Natural England's response on the draft Habitat Regulations Assessment (HRA) screening and Appropriate Assessment (e-mail dated 13.11.18). Natural England's screening response raises the following concerns in relation to the Proposed Project:

- the prospect of indirect impacts upon designated sites of International and National importance; and
- the potential for impacts to notable bird species, including curlew, lapwing, woodcock, willow tit and spotted flycatcher.

International Sites (SPA & SAC)

Prior consultation has been undertaken with Natural England on the draft HRA screening and Appropriate Assessment. Following review of the document Natural England stated:

'Natural England are satisfied with the conclusion that the proposed construction and operational phases of the work are unlikely to have any significant impact on the SPA bird species breeding within the nearby Peak District Moors (South Pennine Moors).' (e-mail dated 13.11.18).

Given the stated position, it is confusing that reference appears to be made in the screening consultation of the likelihood of significant effects upon designated sites that include the SPA and SAC. In the screening response Natural England state:

'Natural England is concerned about significant indirect effects on the aforementioned designated sites' [emphasis added]

This appears to contradict the earlier response to us. However, the screening response does go on to state that Natural England considers the application has the potential to adversely affect curlew, lapwing, woodcock, willow tit and spotted flycatcher, and none of the qualifying features of the SPA

or SAC are mentioned. Therefore, we believe the underlined phrase above was perhaps not intended to include the SAC or SPA. Please could Natural England clarify?

As part of the previous correspondence relating to the draft HRA screening and Appropriate Assessment Natural England requested that figures in the existing HRA are separated to more clearly present the results and we can confirm that this will be done in the finalised HRA. Natural England also stated the following;

'It is important to note however, that bird territories are not entirely static between seasons and SPA species may move to breed closer to the works. It is therefore recommended that the project should employ a suitably experienced Ecological Clerk of Works who is CIEEM accredited. There are many benefits to such an appointment, but in relation to the SPA bird species, an Ecological Clerk of Works would be able to establish that the distribution of active breeding territories for important SPA species is still distant at the time of construction' (e-mail 13.11.18).

The draft HRA was based on a worst case that assumed both the use of impact piling and that qualifying birds may be breeding right up to the SPA boundary (rather than just in their current known territory locations well inside the SPA boundary). No qualifying birds were confirmed to be breeding outside the SPA boundary, including within the open areas of heathland at Thurlaston Moor (see below regarding Western Moors LWS). In brief, even with a worst case the assessment demonstrated no likely significant effect on the qualifying features of the SPA, and as such no mitigation is considered necessary. However, an Ecological Clerk of Works will be provided as standard best practice and will monitor the presence and breeding status of all birds (including SPA species) in advance of construction.

National Sites (SSSI)

Reference is also made to the potential impacts upon the Peak District Moors Site of Special Scientific Interest (SSSI). The assessment of the Proposed Project will consider the potential impacts upon the interest features of this site of National Importance. The bird assemblage is an interest feature of this SSSI, and includes species that are known to make use of habitats in close proximity to the Proposed Project; curlew & lapwing. The closest bird territories make use of habitat outside the designated boundary of the SSSI, however, it is reasonably likely that they form part of a wider population that 'supports' the SSSI interest feature. Disturbance of these territories from construction activities during the breeding season has the potential to reduce breeding success and affect the conservation status of the wider population. However, in brief, the curlew and lapwing territories recorded are distant from most of the works, with any disturbance being temporary and limited to specific phases of the construction programme. A review of the available information therefore indicates that at most (and assuming a worst case) disturbance during construction would result in the displacement of 1-2 territories.

In 2004 there were a total of 176 and 514 breeding pairs of lapwing and curlew, respectively, in the wider area of the Peak District, which includes the Dark Peak SSSI (Carr & Middleton 2004¹). Both birds are known to have undergone more recent declines at a national level (Eaton *et al* 2015^{Error! Bookmark not defined.}). Notwithstanding this, the temporary disturbance of only 1 – 2 bird territories from each species from their supporting populations is unlikely to undermine the conservation status of the Dark Peak SSSI. Therefore, the construction impacts on the SSSI are not considered to be significant and no additional mitigation is considered necessary.

Wester Moors Local Wildlife Site (LWS)

Western Moors LWS (also referred to as Thurlston Moors) is an extensive area of upland moor that is located within the boundary of the Peak District National Park. The LWS is known to support an assemblage of upland breeding birds. Part of the Proposed Project (the pylon removal) falls within this non-statutory LWS, while the majority is located immediately north.

¹ Carr, G. & P., Middleton (2004) *Breeding Bird Survey of the Peak District Moorlands 2004 – Moors for the Future Report No. 1*. A report produced on behalf of Moors for the Future

Part of the Western Moor LWS was included in the bird surveys completed in 2015 & 2016 (up to 100 – 300m from the Proposed Project). No notable bird species were recorded in this area during the survey. Given the suitability of the habitat for upland birds an assessment of potential impacts during construction will be included in the Environmental Assessment Report. Noise attenuation would be expected to reduce any potential disturbance impact upon any birds (including those that are SPA qualifying species, such as golden plover) that may be present beyond the area covered by the bird survey area, and therefore no further assessment or mitigation should be required. Increased human presence during the removal of pylons may lead to the temporary displacement of some birds. Given the wide availability of similar habitat in the remainder of the LWS and any temporary displacement is unlikely to undermine the conservation status of this non-statutory site or the birds it supports. Therefore, the impact to Western Moors LWS is not significant and no additional mitigation is considered necessary for this LWS.

Notable Bird Species

Natural England highlight the sensitivity of three bird species; willow tit, woodcock and spotted flycatcher. These are Species of Principal Importance under Section 41 of the Natural Environment & Rural Communities (NERC) Act 2006 and are Priority Species of the Barnsley Biodiversity Action Plan². Each of these bird species have declining population status at a national level (Easton *et al* 2015). There is potential for the Proposed Project to impact these species through habitat loss or disturbance during construction.

The extent of habitat retained or replaced by the Proposed Project is considered to be sufficient to minimise the risk of significant impacts. In particular, targeted measures will include the retention of suitable breeding habitat, the provision of scrub planting and additional bird boxes. This approach is sufficient to ensure there are no significant residual effects upon these species.

It is acknowledged that noise disturbance during construction will result in the temporary displacement of some of these birds from the area of the Proposed Project. This assessment is based upon an assumed worst case scenario of impact piling, whereas alternative quieter piling methods are currently proposed which may lower the overall level of disturbance. Displacement of these birds has the potential to temporarily reduce breeding success. However, this is a temporary impact that will affect a small number (1 – 2) of territories of each species. Furthermore, as the majority of habitat will be retained this will continue to be available to the birds when piling is completed. On balance disturbance from piling activities is unlikely to undermine the conservation status of these notable bird species, and therefore any effect is not significant and no additional mitigation is considered necessary.

Natural England also highlight that assessments should be supported by survey information that is completed at the correct time of year. Survey has been completed in accordance with best practice guidance by suitably qualified ecologists. It is therefore considered appropriate and valid to provide a detailed assessment of impacts and to inform the scope of mitigation or compensation.

In summary, the ecological assessment will conclude that there are no significant residual effects upon any of the designated sites or species mentioned by Natural England.

We understand that Hannah Andrew is awaiting further clarification from yourself on this matter before being able to issue the EIA screening response from Barnsley Council. Please could you clarify if you require any further information or re-confirm Natural England's position with Hannah so that the screening opinion can be issued prior to the Christmas break.

Yours sincerely,

Andrea Key

Consents Officer, National Consents Team

² <http://www.barnsleybiodiversity.org.uk/birds.html> [accessed 13.12.18]

