

1 DOBFIELD ROAD, ROCHDALE

HABITATS REGULATIONS PRELIMINARY SCREENING ASSESSMENT

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CONTENTS

1	INTRODUCTION	6
1.1.	SCOPE & PURPOSE	6
1.2.	PROPOSED DEVELOPMENT	6
1.3.	SCOPE	6
2	LEGISLATION	6
2.1.	THE CONSERVATION OF HABITATS AND SPECIES (EU EXIT) REGULATIONS 2017 (AMENDMENT 2019)	6
2.2.	EUROPEAN SITES IN THE UK	6
3	METHODOLOGY	6
3.1.	IMPACT ASSESSMENT	6
3.2.	HABITAT REGULATION ASSESSMENT	6
	<i>Application to Stage One - Screening Report</i>	<i>6</i>
4	SITE DESIGNATIONS AND ALLOCATIONS	8
4.1.	DATA SOURCES	8
4.2.	EUROPEAN PROTECTED SITES WITHIN THE UK	8
	<i>Figure 4.1 European Protected Sites within 10 km of the Site</i>	<i>8</i>
4.3.	ROCHDALE CANAL SAC AND SSSI	8
	<i>Qualifying Features</i>	<i>8</i>
	<i>Conservation Objectives</i>	<i>9</i>
	<i>Threats and Pressures</i>	<i>9</i>
4.4.	ECOLOGICAL BACKGROUND OF DEVELOPMENT SITE	9
	<i>Habitats</i>	<i>9</i>
	<i>Species</i>	<i>9</i>
5	STAGE 1A – POTENTIAL RISKS AND THREATS TO DESIGNATED SITES	10
5.2.	DIRECT IMPACTS ON EUROPEAN SITES WITHIN THE UK	10
	<u>Rochdale Canal SAC and SSSI</u>	10
	<i>Qualifying features</i>	<i>10</i>
5.3.	INDIRECT IMPACTS ON EUROPEAN SITES WITHIN THE UK	11
	<u>Rochdale Canal SAC and SSSI</u>	11
	<i>Air pollution: impact of atmospheric nitrogen deposition</i>	<i>11</i>
	<i>Physical Modification</i>	<i>11</i>
6	STAGE 1B – COMBINED EFFECTS	12
6.1.	ASSESSMENT OF IN-COMBINATION EFFECTS	12
7	SUMMARY	13

1 INTRODUCTION

1.1. SCOPE & PURPOSE

- 1.1.1. Collington Winter Environmental Ltd was commissioned by PIC Homes to undertake a Habitats Regulations Assessment (HRA) Preliminary Screening Assessment of the site at Land Adjacent To 1 Dobfield Road, Rochdale OL16 3AW. This report has been prepared to inform planning permission at the site relating to a residential development.
- 1.1.2. The author of this report is Caitlin O'Connor, Ecological Project Manager at Collington Winter Environmental Ltd. This project is overseen by Katie Bird MEnvSci, ACIEEM Associate Director at Collington Winter Environmental Ltd. Katie is highly experienced managing schemes and has produced many ecological reports to inform planning management plans.
- 1.1.3. Please see Figure 1.1.1 for the site location. The site is in a suburban area of Rochdale, a town in Greater Manchester, England.



Figure 1.1.1 Site Location

1.2. PROPOSED DEVELOPMENT

- 1.2.1. PIC Homes have obtained planning permission for the erection of 8 dwellings with associated hard and soft landscaping and car parking, following the demolition of existing stables. Following amendments to the agreed drainage strategy, an updated Habitat Regulations Assessment was requested to assess potential impacts relating to the new drainage strategy.

1.3. SCOPE

- 1.3.1. This report has been produced to document the methods, ecological baseline, potential risks, and threats to designated sites and conclusions as part of the HRA process in respect of the proposed development.
- 1.3.2. The advice herein is based on desk and field-based studies and intends to fulfil the following purposes:
- Outline the methods used within this screening process and the scope of the assessment.
 - Describe the ecological baseline, this includes sites in the National Site Network within the UK in the area with summary of the designation and pressures/ threats. The baseline also includes results of recent ecological surveys carried out on the site.
 - Assesses the likely pathways and effects on the sites.
 - Provide a summary of the sites, impacts and pathways.

-
- Present mitigation methods for likely effects on site (if required).

1.3.3. As stated, the assessment relates to the amended Drainage Strategy, where Natural England have requested an assessment relating to the new Drainage Strategy and Rochdale Canal Site of Special Scientific Interest (SSSI) and Special Area of Conservation (SAC).

2 LEGISLATION

2.1. The Conservation of Habitats and Species (EU Exit) Regulations 2017 (Amendment 2019)

2.1.1. The Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019 has been applied to the UK law, following the implementation of Brexit on 31 December 2020 (referred to as the 'exit day') under the European Union Withdrawal Act 2018. Prior to the exit day, in accordance with Article 6(3) of the Council Directive 92/43/EEC on the Conservation of Natural Habitats and of Wild Fauna and Flora ('Habitats Directive') 'Article 6 Assessments' were required where a plan (or project), not directly connected with or necessary to the management of a Natura 2000 site(s), may give rise to significant effects upon a Natura 2000 site(s). Although the Habitats Directive is no longer applicable to UK law, the requirement for Article 6 Assessments has been transposed into UK law under Part 6 of the Conservation of Habitats and Species Regulations 2017 and is commonly referred to as a 'Habitats Regulations Assessment'.

2.1.2. For the purposes of the UK Regulations, and any guidance issued before "exit day" by the appropriate authority or the appropriate nature conservation body, relating to the application of these Regulations, on or after "exit day", references to "Natura 2000" (other than in the Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019) are to be construed as references to the National Site Network (NSN), as detailed in Section 4 of the Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019. This consists of:

- European sites in the UK
- European marine sites in the UK
- European offshore sites in the UK

2.1.3. These are inclusive of those mentioned within the European Community (EC), until such a time that the changes to the procedures for designation/classification of protected sites within the network in Europe is implemented through UK state law. Such European sites in the UK includes Special Areas for Conservation (SAC), Special Protect Area (SPA), candidate SACs and proposed SPAs, with regulations introducing a review procedure for plans and projects likely to significantly affect a European site in the UK. In the UK, Ramsar sites should also undergo an assessment by a competent authority when a plan/project is considered likely to have a significant effect upon a site (Department for Environment, Food and Rural Affairs (DEFRA), 2006).

2.2. European Sites in the UK

2.2.1. SAC, SPA, candidate SACs and proposed SPAs are designated sites are defined in the under the Habitats and Species Regulations 2017 as amended by The Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019, where legal protection is retained under UK domestic legislation.

2.2.2. Ramsar sites are a wetland site designated of international importance under the Ramsar Convention, they are offered protection under the Wildlife and Countryside Act 1981 (as amended).

3 METHODOLOGY

3.1. IMPACT ASSESSMENT

- 3.1.1. The Zone of Influence (Zol) of the proposed development is to be considered to identify potential direct and indirect impacts from the development to any 'ecological receptors' within the wider area.
- 3.1.2. All types of effects which are relevant to the proposed development, and which are likely to be significant in this case, are considered. Mitigation procedures and potential alternative plans will also be considered to avoid the potential impacts.

3.2. HABITAT REGULATION ASSESSMENT

- 3.2.1. The HRA process is separated in to four stages, set out in the European Commission guidance "Assessment of plans and projects significantly affecting Nature 2000 sites – Methodological guidance on the provisions of Article 6(3) and (4) of the Habitats Directive 92/43/EEC" (November 2001). Article 6(3) of the Habitats Directive relates to Stages 1 to 3 and Article 6(4) to Stage 4. This report challenges Stage 1. The stages are as follows:

3.2.2. Stage 1 – Screening

- 3.2.3. The approach to Stage One of the HRA Report, based off the information within the potential Zol is summarised as follows:
- Identify European sites within the UK within the potential Zol of the project.
 - Identify the features of interest of the European sites within the UK and review their conservation objectives.
 - Review whether there is potential for the features of interest to be affected by the project, based on information such as the vulnerabilities of the site(s), proximity to the Site and the nature and scale of the works associated with the project.
 - Consider the likelihood of the identified potential impacts and effects occurring based on the information collected and professional judgement.
 - Consider the likelihood of cumulative effects arising from the project in-combination with other plans and projects.
 - Identify the likelihood of significant effects on European sites within the UK occurring because of the project.

3.2.4. Stage 2 – Appropriate Assessment

- 3.2.5. The consideration of the impact on the European sites, either independently or in combination with other developments or proposed, with respect to the site's citation and conservation targets. Mitigation for substantial impact may also be assessed.

3.2.6. Stage 3 – Assessment of Alternative Solutions

- 3.2.7. The examination of alternative procedures of achieving objectives of the proposed development that will avoid significant impacts on the Natura 2000 or Ramsar site.

3.2.8. Stage 4 – Compensatory Measures

- 3.2.9. An assessment of compensatory measures where, in the light of an assessment of imperative reasons of overriding public interest, it is deemed that the plan should proceed.

Application to Stage One - Screening Report

- 3.2.10. The approach to Stage One of the HRA Report, based off the information within the potential Zol is summarised as follows:

-
- Identify European sites within the UK within the potential ZOI of the project.
 - Identify the features of interest of the European sites within the UK and review their conservation objectives.
 - Review whether there is potential for the features of interest to be affected by the project, based on information such as the vulnerabilities of the site(s), proximity to the Site and the nature and scale of the works associated with the project.
 - Consider the likelihood of the identified potential impacts and effects occurring based on the information collected and professional judgement.
 - Consider the likelihood of cumulative effects arising from the project in-combination with other plans and projects.
 - Identify the likelihood of significant effects on European sites within the UK occurring because of the project.

4 SITE DESIGNATIONS AND ALLOCATIONS

4.1. DATA SOURCES

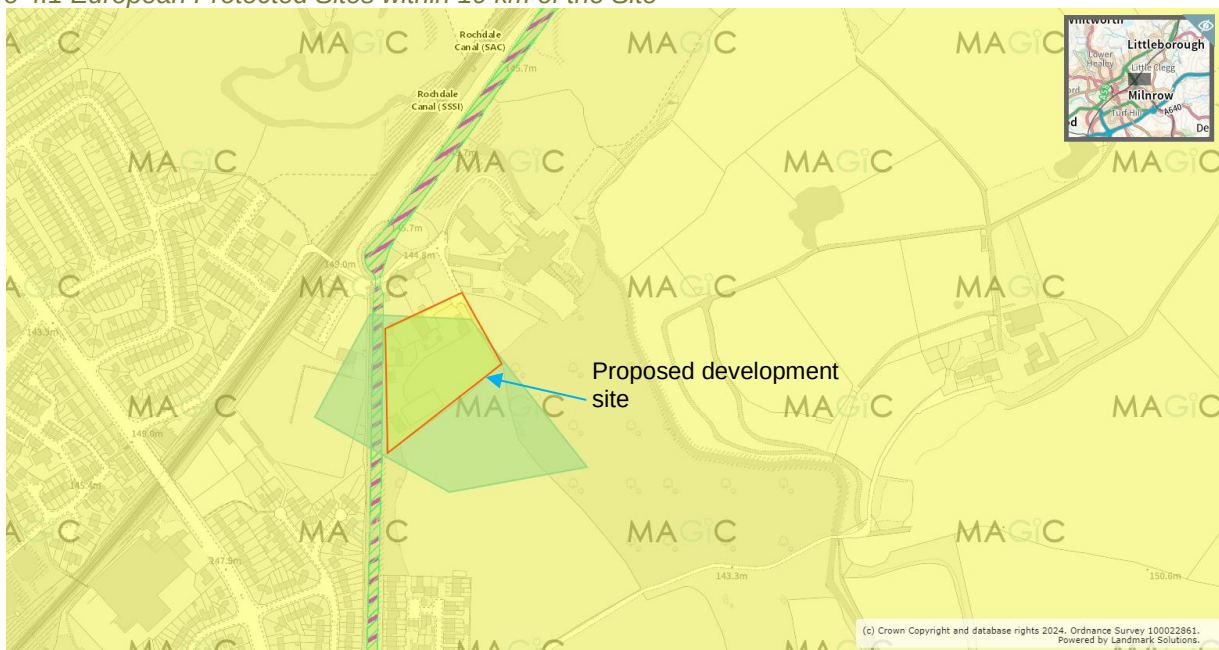
4.1.1. The following documentation has been utilised in preparing the results section:

- SAC Citation Documents (Natural England).
- SAC Conservation Objectives Documents.
- Natural England, Site Improvement Plan – Rochdale Canal SIP201.

4.2. EUROPEAN PROTECTED SITES WITHIN THE UK

4.2.1. Consultation with Magic.gov.uk identified Rochdale Canal Special Area of Conservation (SAC) and Site of Special Scientific Interest (SSSI) located adjacent to the site's western boundary. This is shown on Figure 4.1.

Figure 4.1 European Protected Sites within 10 km of the Site



4.2.2. Other designated sites within a 10 km radius have not been assessed within this report following a consultation between Mr Majid Mir of Rochdale Metropolitan Borough Council Mr Nicholas Armstrong of Natural England of the HRA assessment only applicable to Rochdale Canal SAC and SSSI.

4.2.3. Further European sites are located further than 10 km from the site. Due to the relatively small site extent of the proposed works and distance from these designated sites it is considered that the result of the proposed development will have no direct significant adverse impacts on these European sites within the UK.

4.3. ROCHDALE CANAL SAC AND SSSI

Qualifying Features

4.3.1. Rochdale Canal SAC and SSSI "contains important habitats for submerged aquatic plants and emergent vegetation, including extensive colonies of the nationally scarce floating water-plantain (*Luronium natans*). The site also supports a diverse assemblage of aquatic flora, in particular nine species of pondweed (*Potamogeton spp*). The plant communities found in the Rochdale Canal are characteristic of mesotrophic water bodies, i.e. those which are moderately nutrient rich".

4.3.2. The site is designated under article 4(4) of the Directive (92/43/EEC) as it hosts the following species listed in Annex II:

- Floating water-plantain (*Luronium natans*).

Conservation Objectives

- 4.3.3. Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the Favourable Conservation Status of its Qualifying Features, by maintaining or restoring;
- The extent and distribution of the habitats of qualifying species
 - The structure and function of the habitats of qualifying species
 - The supporting processes on which the habitats of qualifying species rely
 - The populations of the qualifying species, and,
 - The distribution of the qualifying species within the site

Threats and Pressures

- 4.3.4. The main current threats to the site include:
- **Physical modification** - Over-shading and leaf drop from developing bank-side trees denies opportunity for Floating water plantain to establish on large and growing sections of the canal.
- 4.3.5. The main pressures to the site include:
- **Air Pollution: impact of atmospheric nitrogen deposition** - Nitrogen deposition exceeds site-relevant critical loads for the supporting habitat which is in unfavourable condition.

4.4. ECOLOGICAL BACKGROUND OF DEVELOPMENT SITE

Habitats

- 4.4.1. The site comprised a stable block with an associated menage and modified grassland grazed field. Hardstanding is also located within and surrounding the site.

Species

- 4.4.2. None of the habitats on site have the potential to support qualifying species listed in the citation for the Rochdale Canal SAC/SSSI.

5 STAGE 1A – POTENTIAL RISKS AND THREATS TO DESIGNATED SITES

5.1.1. The following section outlines the potential risks that could be posed to Rochdale Canal SAC and SSSI as direct and indirect consequences of construction or operational phase actions at the proposed development.

5.2. DIRECT IMPACTS ON EUROPEAN SITES WITHIN THE UK

Rochdale Canal SAC and SSSI

Qualifying features

5.2.1. The citation for Rochdale Canal SAC and SSSI does not list any qualifying habitats. As such, the development will not have any direct impacts upon any priority habitats through construction works or within the operational phase.

5.2.2. Although the site does not have the habitats to support floating water plantain, the qualifying species for Rochdale Canal SAC and SSSI, the proposed works may have an impact upon the species within the SAC. Consultation with Natural England between Mr Majid Mir of Rochdale Metropolitan Borough Council Mr Nicholas Armstrong of Natural England found several potential sources in which may have a direct impact upon floating water plantain within the canal – particularly relating to drainage. Concerns from Natural England:

5.2.3. *“There are several points of discharge within 50 metres of the designated site within the gardens. As a result, these discharges could reach the SAC via surface or ground water pathways and cause potentially significant impacts to the designated site”.*

5.2.4. Within 50 metres of the SAC encompasses Plots 7 & 8 of the proposed development which are the key aspects of the development which could potentially damage qualifying species in the SAC. As such, a revised detailed Drainage Strategy for the development has been produced by Elliot Bond Consulting following concerns from Natural England which has been used to inform this report.

5.2.5. It is proposed that the roof water from each of the housing plots will be designed to discharge to individual soakaways in the rear garden areas, the private driveways within the development will be designed as permeable pavements incorporating permeable block paving and/or porous tarmac and permeable sub-base, and the road drainage will be soakaways; all designed to attenuate and infiltrate surface water from storms up to 1 in 100 year return period plus a 40% allowance for climate change in accordance with planning policy guidance.

5.2.6. The proposed foul drainage strategy comprises the use of individual sewage treatment plants located in the rear gardens of each plot, with discharges to soakaways (drainage fields). Plots 7 & 8 are the closest to the Rochdale Canal SAC and SSSI. The soakaways for the sewage treatment plants (STP's) for these two plots are 46 metres and 32 metres respectively from the canal. As these two plots are located within 50 metres of the canal edge, further tertiary treatment will be provided in the form of reed beds. The sizing of the reed beds is based on a population equivalent of 6 in each house. The remaining six plots are more than 50 metres from the nearest part of the canal; hence reed beds are not proposed for these plots. No chemical dosing is proposed, and there are no discharges to waterways or surface water bodies.

5.2.7. As no effluent or discharge is to enter the Rochdale Canal SAC/SSSI, there is **not** anticipated to be an increase in nutrients in the canal because of the proposed development that would reduce the water quality and/or allow other more competitive flora species to thrive rather than floating water plantain, the qualifying species for the site. Furthermore, no chemical dosing is proposed within the scheme, preventing any potential pollution incidents from impacting the canal and associated flora.

5.2.8. Further information has been provided in a HRA Addendum Technical Note by JBA Consulting (May, 2024) regarding Directive 2000/60/EC (the Water Framework Directive) in response to commences received by Natural England. All parameters for measuring surface water quality have been calculated to meet the requirements of the Directive. The note details that

“The proposed STP's will reduce the BOD5, COD and SS in the systems to below levels required by Council Directive 91/271/EEC, and as such would be compliant with the WFD. While total Nitrogen and total Phosphorous would exceed the concentration limits for a p.e. of 10,000 - 100,000; the exceedances would be by only 3mg/l and 1.8mg/l respectively.

Additionally, the proposed STP's will not be discharging directly into a receiving waterbody, and more specifically the Rochdale Canal, but into the ground; therefore, it is probable that the concentrations of Nitrogen, Phosphorous and other parameters in the effluent will not likely significantly effect the water quality and/or allow more competitive flora species to thrive and outcompete the qualifying species in the Rochdale Canal SAC. Additionally, natural biogeochemical processes in the soil will treat the effluent, further reducing any negative impacts to the water quality and flora species”.

- 5.2.9. It is therefore considered **unlikely** that the proposed development will have a direct significant adverse, direct impact on the qualifying features of Rochdale Canal SAC/SSSI due to the revised drainage strategy preventing the discharge of surface water and foul drainage into the canal. It is deemed sufficient that JBA consulting detailed that the concentrations of nitrogen and phosphorus specifically will not likely significantly affect the water quality within the Rochdale Canal. As such, it is not deemed necessary to proceed to Stage 2 of the Habitat Regulations Assessment.

5.3. INDIRECT IMPACTS ON EUROPEAN SITES WITHIN THE UK

Rochdale Canal SAC and SSSI

Air pollution: impact of atmospheric nitrogen deposition

- 5.3.1. Background air pollution from increased road traffic may temporarily increase because of the operation of heavy machinery and plant in the construction of the development. Given that the site is within a suburban area with existing elevated background levels of air pollution, it is considered that there will be no harmful increase in air pollution.

- 5.3.2. **It is considered that there will no increase in the impacts of atmospheric nitrogen deposition because the proposed scheme.**

Physical Modification

- 5.3.3. The banks of the canal are already bordered by dense treelines which shade the water and may deny the **opportunity** for Floating water plantain to establish on large and growing sections of the canal. Please refer to Figure 5.3.1, taken in August 2022, which highlights the existing vegetation along the canal adjacent to the proposed scheme. Whilst the scheme will involve soft landscaping, there will not be any features within the development that would further shade the Rochdale Canal SAC/SSSI.



Figure 5.3.1 Existing vegetation shading the Canal.

5.3.4. It is considered that there will be no increase in the impacts of physical modifications because of the proposed scheme.

6 STAGE 1B – COMBINED EFFECTS

6.1. ASSESSMENT OF IN-COMBINATION EFFECTS

6.1.1. In addition to assessing the effects of the proposed development on European sites within the UK, as part of stage one of the HRA assessment it is necessary to assess the cumulative effects of it with other local planning permissions and plans.

6.1.2. The area surrounding the site has a history of residential development. A review of the relevant planning portal (undertaken on 1st February 2024) identified the following planning applications surrounding the site boundary:

- Numerous small householder applications.
- **22/00801/FUL - Land to Rear of Firgrove Gardens, Firgrove, Milnrow Rochdale, OL16 3AF - Erection of 4 no. dwellings and creation of pedestrian access following demolition of existing stables and garage building.**

This application is awaiting decision and therefore has no current impact upon the SAC. Furthermore, due to the small scale of the scheme, there will be no negative impact upon the SAC so as long as relevant mitigation measures are outlined, specifically relating to discharge.

6.1.3. No major developments are present within the local area. As such, the developments are not anticipated to accumulate a significant negative impact upon European designated sites within the ZoL.

7 SUMMARY

- 7.1.1. After considering all potential direct and indirect impacts of the proposed development, it is concluded that the proposed scheme will not have any impact upon Rochdale Canal SAC/SSSI.
- 7.1.2. Therefore, it is not considered necessary to progress to Stage 2 of the HRA assessment and that this screening assessment is sufficient to rule out impacts of the proposed development on the European sites within the UK at this stage.

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