

Shadow Habitat Regulations Assessment (HRA) Report
Assessment of Likely Significant Effects on a European Site(s)

Plot L, Kingsway Business Park

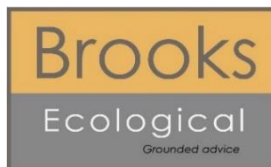
DLA

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Report Title:	HRA Screening Report Plot L, Kingsway Business Park
Report Reference:	ER-5429-02.1
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Introduction

1. Brooks Ecological Ltd. were commissioned by DLA to carry out a shadow Habitat Regulation Assessment (sHRA) Screening report for their proposed development site known as Plot L, Kingsway Business Park), to assess whether the proposed activities associated with the Site's development are likely, under the Habitat Regulations, to have a significant effect on Rochdale Canal SAC or its qualifying interests.

The Need for this Assessment

2. Natural England have requested a HRA report for the development which falls within a 1km zone of influence around Rochdale SAC. The Site, at its nearest, is situated approximately c.750m south of Rochdale Canal SAC (see Figure 1) and thus falls within its zone of influence.

Figure 1 The Site boundary - red line



Figure 2 Relationship between the Site & Rochdale Canal SAC (1km buffer shown).



Principles of Habitat Regulation Assessments

The Habitat Regulations Directive (92/43/EEC) established a network of Natura 2000 sites, with the goal of protecting sites of exceptional ecological importance. These include Special Protection Areas (SPA's), Special Areas of Conservation (SAC) and (according to national planning policy) Ramsar sites.

The Habitat Regulations Directive (92/43/EEC) is transposed into UK law as the Conservation of Habitats and Species Regulations (Amendment) (EU Exit) Regulation 2019. Following the UK's exit from the EU, SAC's and SPA's in the UK no longer form part of the EU's Natura 2000 ecological network and instead fall within the new National Site Network (NSN).

Under the Habitats Regulations the granting of approval for developments is restricted if they are likely to have a significant effect on an SAC, SPA or Ramsar site. Guidance on undertaking assessment of plans or projects that may impact upon designated European sites recommends a staged approach. These stages are:

1. Screening- to check if the proposal is likely to have a significant effect on the site's conservation objectives. If not, you do not need to go through the appropriate assessment or derogation stages.

2. Appropriate assessment- to assess the likely significant effects of the proposal in more detail and identify ways to avoid or minimise any effects.

3. Derogation- to consider if proposals that would have an adverse effect on a European site qualify for an exemption.

Stage 1 - Screening

This report constitutes Stage 1. This stage is a simple assessment to check or screen if a proposal is (i) directly connected with or necessary for the conservation management of a European site, (ii) risks having a significant effect on a European site on its own or in combination with other proposals. This stage considers the effects of development in the absence of mitigation. Mitigation measures are only considered if the assessment progresses to Stage 2 - Appropriate Assessment.

Assess the likely significant effect

Stage 1 seeks to assess if the proposal could have a significant effect on a European site that could affect its conservation objectives. This should only consider the risk or possibility of a significant effect based on evidence, not hypothetical risks.

The following should be considered: (i) the area over which the proposed activity would take place, (ii) any overlaps or interaction with the protected features of a site in a direct or indirect way, and (iii) the effect of any essential parts of the proposal, such as its location, timing or design.

Only where the risk of the proposal having a significant effect cannot be ruled out, does the assessment progress to Stage 2.

In combined effects:

It must be checked if this effect could combine with any other proposal planned or underway and affects the same site, that on its own also does not have a significant effect. If, in combination, the proposal could have a significant effect on the European site, the assessment will then progress to Stage 2.

To assess in combination effects, the following will be reviewed:

- applications for a new permission
- applications to change an existing permission
- granted permissions that have not begun or been completed
- granted permissions that need renewing
- plans that have been drafted but not yet adopted

A proposal, alone or in combination with other proposals, could cause a significant effect on a European site if there's:

- a reduction in the amount or quality of designated habitats or the habitats that support designated species
- a limit to the potential for restoring designated habitats in the future
- a significant disturbance to the designated species
- disruption to the natural processes that support the site's designated features
- only reduction or offset measures in place

If there's no likely significant effect on the site, either alone or in combination, then the assessment does not need to progress to Stage 2.

Baseline Information - Summary

Application Site Location

- The Site is located towards the western edge of the larger Kingsway Business Park which has been strategically developed over many years, mainly for light industrial purposes supporting several large warehouses.
- Stanney Brook, now an LWS, was incorporated into the designs at an early stage as a focal point for retention, as a wildlife corridor and to support semi-natural habitats.
- The remaining undeveloped plots support similar grassland to that found on Plot L, though only a small number now remain undeveloped and with some of the remaining currently with submitted planning applications. The plot is otherwise flanked by housing to the north and west, with warehouses east and a development plot currently occupied by unmanaged grassland to the south.
- The wider Kingsway business park site has been under development since 2005 and developments undertaken thus far have not been requested to produce a HRA.

Brief description of proposals

- Proposals are for light industrial development consisting of four mid/ smaller industrial units compared to the wider park with associated infrastructure. Landscaping around the peripheries includes the creation of a new ditch, retention of the planting/ screening bund to the north and west and, with only some smaller areas available for landscaping.

Figure 3 Illustrative masterplan



Rochdale Canal SAC

Description

8. Rochdale Canal SAC designation covers a c. 18km long stretch of canal with an area of around 24.8ha. The surrounding areas are a mix of urban, sub-urban and more rural land uses. It is designated due to supporting the Annex 2 species *Luronium natans*, floating water plantain, in botanically diverse aquatic plant community including other *potamogeton* species. The canal is a predominantly mesotrophic water body.

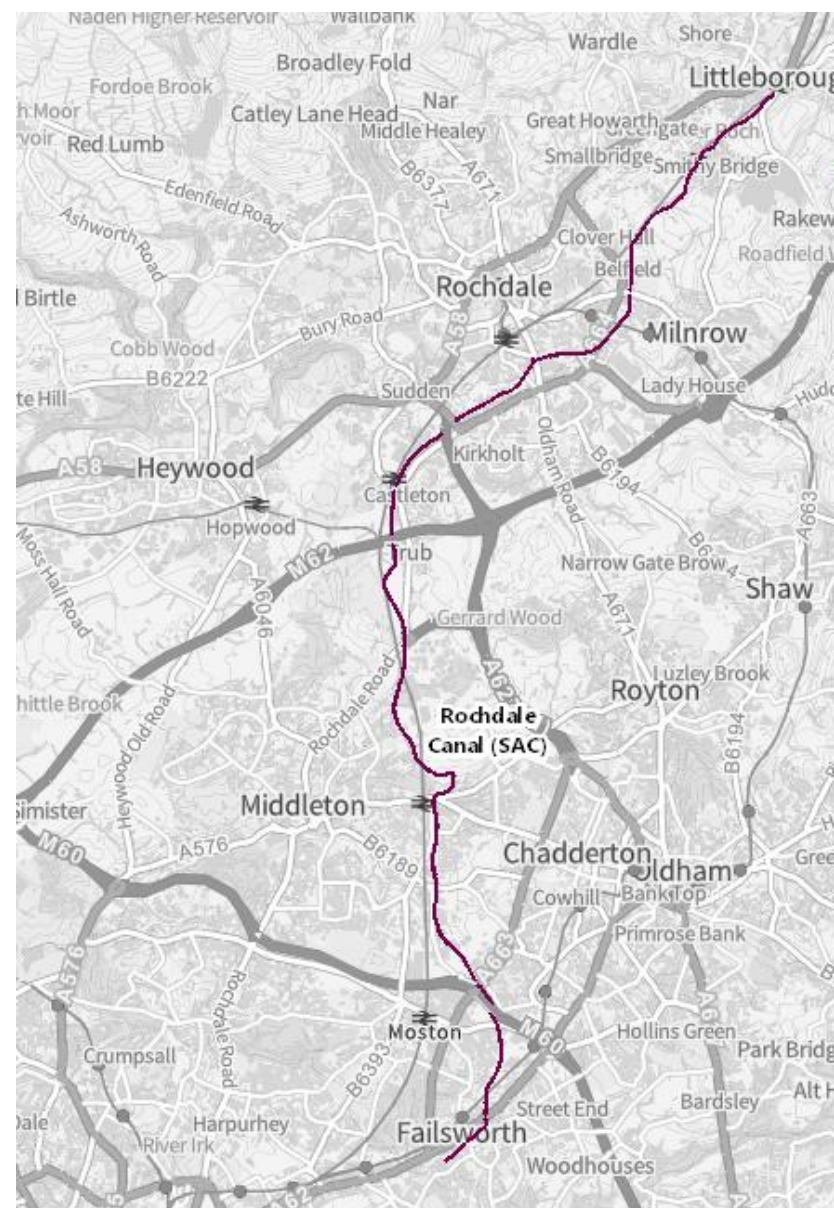
Qualifying Habitats

9. Annex II species that are a primary reason for selection of this site:
- 1831 Floating water-plantain *Luronium natans*

Current threats

10. The SAC is managed by Natural England. The main identified threats are; human induced changes to hydraulic conditions and air pollution and air borne pollutants.

Figure 4 Full extent of Rochdale Canal SAC (as shown on the MAGIC map application).



Test of Likely Significant Effect (TOLSE)

11. The following table provides Stage 1 of the shadow Habitats Regulations Assessment - the Test of Likely Significant Effects (TOLSE) for each of the NSN sites to be assessed - in this case Rochdale Canal SAC.

Sensitive Interest Feature:	Impact:	Assessment
Floating water-plantain <i>Luronium natans</i>	Direct physical loss or damage to habitat	The Site is well separated from Rochdale Canal SAC by c.750m of developed land including housing, commercial and infrastructure. Direct physical damage or loss of habitat will therefore not occur. <u>Significant effect likely to occur:</u> No <u>Progress to Appropriate Assessment?</u> No
	Damage to habitats resulting from increased recreation pressure.	The Site is a commercial development and as such is highly unlikely to result in any appreciable increase in recreational visits to the canal. The existing towpath is likely to facilitate existing high levels of recreational walking and disturbance, and development at the Site will have minimal additional recreational pressure. <u>Significant effect likely to occur:</u> No <u>Progress to Appropriate Assessment?</u> No
	Contamination e.g., introduction of heavy metals, pesticides, nutrients, air and water pollution, introduction of non-native species etc	Rochdale Canal is c.840m from the Site entrance, where most traffic related air pollution would occur. Site is also too far away (over 200m) to be affected by any dust generated by the development. The watercourse and ditch on site are culverted at the northern boundary before entering a modified channel, it is then culverted again twice more in sections before it reaches Rochdale Canal to the northwest, after which it resurfaces on the other side of the canal and as such any hydrological links are not apparent. There are no other watercourses linking the development site to Rochdale Canal which could transport contamination. Rochdale Canal is too far from the Site for invasive species to colonise it because of escapes of non-native species during development and invasive species are avoided in Site landscaping post development. <u>Significant effect likely to occur:</u> No <u>Progress to Appropriate Assessment?</u> No
	Changes to Hydrology	There is no hydrological link apparent on mapping between the Site and Rochdale Canal SAC. Canals are man-made waterbodies utilising reservoirs and other man-made structures to control water levels, and are often lined to prevent water loss, as such are not connected to ground water. <u>Significant effect likely to occur:</u> No <u>Progress to Appropriate Assessment?</u> No

In-combination Assessment

12. A search has been undertaken for other projects located in between/ in close proximity to the Site and Rochdale Canal SAC which could act in combination with this development. Rochdale Council Interactive Planning Portal has been used to identify sites.

Planning Ref.	Address	Status	Description
22/00999/LBC & 22/00998/FUL	Silver Hill Farm and Plot W Of Kingsway Business Park Broad Lane and Lower Lane Rochdale OL16 4PT	Awaiting decision	Residential development of up to 64 dwellings, including part demolition and refurbishment of Grade II Listed Building Silver Hill Farmhouse and associated buildings, together with new vehicular access points, car parking, boundaries, landscaping, creation of open space, and other associated works.
22/01200/FUL	Plot J2	Awaiting decision	Development of 2 industrial units with associated landscaping, car parking, ancillary space etc
22/00902/DOC	Plot M Kingsway Business Park OL16 4UG	Development in progress	Submission of details to comply with condition 7 (construction management plan) on planning permission 22/00373/FUL
22/01243/FUL	Plot I, Kingsway Business Park, John Milne Avenue Rochdale, OL16 4NR	Development in progress	Installation of external plant and gas tanks with flue to north elevation with palisade fencing and roof alterations for vent openings
A total of 12 small residential planning applications are shown in between the Site and Rochdale Canal.	Various	Awaiting decision	Related to small extensions such as garages, dormers and porches.

13. The planning application a Plot W, awaiting a decision, is focused on residential development.
14. This scheme is likewise separated from Rochdale Canal by existing development and infrastructure, and thus direct physical damage or contamination effects will occur. Likewise, neither Site is hydrologically linked to Rochdale Canal. A slight increase in visitor pressure could result though the existing tow path is likely to facilitate access in a manner which does not significantly impact upon floating water plantain. Public open space is incorporated into these proposals and there are several other parks locally and footpaths/ bridleways running through the wider Kingsway business park which being adjacent the development is likely to receive the majority of increased recreational pressure.
15. The developments of Plot M and Plot I currently underway are both for commercial/ light industrial units.
16. As with the development site, an increase in recreational pressure will be insignificant given both are for commercial premises. Development is again separated from Rochdale Canal by existing residential and commercial development. Plot I do not appear connected hydrologically and whilst Plot M also appears to drain into Sudden Brook this does not appear linked to Rochdale Canal being culverted nearby.
17. In- combination impacts associated with the development of Plots I, M and W are not expected.
18. Impacts associated with the various small householder applications for extensions or similar works are not considered at risk of having in combination effects.

Conclusion

19. This sHRA Screening Report has assessed whether the proposed development at Plot L, Kingsway Business Park will have a significant effect on Rochdale Canal SAC or its qualifying interests.
20. This assessment has been informed by ecological survey, review of available information and a desk-based survey undertaken by Brooks Ecological.
21. The first part of this assessment took the form of a Test of Likely Significant Effect (TOLSE). Due to the proposed development type the following potential impact pathway has been identified that could potentially impact the identified NSN site.
 - Direct physical loss or damage to habitat
 - Damage to habitats resulting from increased recreation pressure.
 - Contamination e.g., introduction of heavy metals, pesticides, nutrients, air and water pollution, introduction of non-native species etc
 - Changes to Hydrology
22. This assessment concludes that, without mitigation, there will not be a significant effect on the habitats and species associated with Rochdale Canal SAC, both alone and in-combination, from the development.
 - Rochdale Canal is sufficiently distant from the Site for direct impacts to not occur.
 - The Site and Rochdale Canal are not hydrologically or functionally linked.
 - Given development is commercial a large increase in recreational pressure is not expected.
23. Progression through to Stage 2 (Appropriate Assessment) will therefore not be required.

Appendix 1 Rochdale Canal SAC Citation

EC Directive 92/43 on the Conservation of Natural Habitats and of Wild Fauna and Flora

Citation for Special Area of Conservation (SAC)

Name: Rochdale Canal
Unitary Authority/County: Manchester, Oldham, Rochdale
SAC status: Designated on 1 April 2005
Grid reference: SD893038
SAC EU code: UK0030266
Area (ha): 25.55
Component SSSI: Rochdale Canal SSSI

Site description:

The Rochdale Canal 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.

Qualifying species: 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*

This citation relates to a site entered in the Register of European Sites for Great Britain.

Register reference number: UK0030266

Date of registration: 14 June 2005

Signed: *Tim Salmon*

On behalf of the Secretary of State for Environment, Food and Rural Affairs



Rochdale Canal SAC UK0030266
 Compilation date: May 2005 Version: 1
 Designation citation Page 1 of 1