Assessment of plans and projects under regulations 21 and 61 of the Habitats Regulations 2010 as amended ('Habitats Regulations Assessment')

Casework Tracker/ Application reference	**245066**
Case/Application title	**National Trust High Peak Estate Long Term Plans (Ronksley Moor)**
Assessment made by	[redacted] **Date:** **4 April 2018**

European Site(s): ***SOUTH PENNINE MOORS SAC (UK0030480)***
PEAK DISTRICT MOORS (SOUTH PENNINE MOORS PHASE 1) SPA (UK9007021)

Component SSSI(s): **THE DARK PEAK SSSI**

Assessment Contents:

Assessment Summary

The National Trust has a Vision for its High Peak Estate in the Peak District and the Long Term Plans developed with Natural England translate this into an Outcomes Approach. The High Peak Estate comprises seven moors covering some 10,000ha. A set of Guiding Principles set out the generic approach to a range of moorland operations required to achieve the outcomes. These are supported by individual Moorland Management Plans for each moor that set out the site specific context. A series of maps supports each Moorland Management Plan. For blanket bog the approach adopts that set out in the UMG Blanket Bog Land Management Guidance (2017).

The National Trust will enter into an agreement under S7 and S13 of the NERC Act 2006 for each moor, and will voluntarily give up their consent to burn blanket bog that is included in the HLS agreements. There are no proposals for any burning on deep peat in the Plans, cutting of heather dominated swards is the preferred management option to achieve blanket bog restoration and wildfire risk management. This HRA is for the Ronksley Moor Plan.

Much of the proposed works are directly connected with and necessary for the conservation/restoration of SAC and SPA moorland features to favourable conservation status. However there are elements of the Plans which cannot be screened out as specifically for these purposes and further Habitats Regulations Assessment was required.

There is a commitment to undertake monitoring to assess the impact of operations on the condition of European features and to use this to inform future management. Adaptive management, informed by monitoring, is an essential part of the Outcomes Approach.

The elements of the Plan that are considered necessary for conservation management are Sphagnum inoculation, diversification of vegetation types with appropriate species, scrub management and control, bracken management and control, rewetting e.g. gully blocking, revegetating bare peat.

The proposals that are not specifically or completely necessary for the conservation management of the European features are, grazing, heather cutting, supplementary feeding, burning for vegetation management on dry heath, vehicle use, track maintenance and shoot management e.g. gritting, butt maintenance, predator control. It is considered that the Plans provide sufficient clarity about how, where and when these are operations are to be undertaken that there will be no Likely Significant Effect. Therefore consent may be issued for this Plan.

PART A:
Introduction and Information about the plan or project and an initial assessment of credible risk to European Sites

A1. Introduction

This is a record of the Habitats Regulations Assessment ('HRA') undertaken by Natural England (in its role of competent authority) in accordance with the assessment and review provisions of the Conservation of Habitats and Species Regulations 2017 ('the Habitats Regulations').

The plan/project requires Natural England as a statutory regulator to make [or to review] a consent decision under section 28E(1)(a) of the 1981 Wildlife and Countryside Act (as amended) on whether an SSSI owner or occupier can carry out, cause or permit to be carried out an operation or operations listed by a SSSI notification and which:

a) does not fulfil the conditions in section 28E(3)(b) or (c) and,
b) appears to be either a 'project' or part of a 'plan or project' which may affect a European Site (hereby referred to as either 'the plan' or 'the project').

Where such a proposal may affect a European Site, **Regulation 24** of the Habitats Regulations requires an assessment to be made of such proposals.

In making this HRA as competent authority, Natural England may only undertake or give its consent, permission, assent or authorisation to the plan or project where it is able to ascertain *either*:

a) that it will not have a likely significant effect on a European site (either alone or in-combination with other plans and projects), or;
b) that it will have no adverse effect on the integrity of a European Site following an appropriate assessment.

If such effects cannot be ruled out, the proposal cannot proceed unless the further tests given in Regulations 64 and 68 of the Habitats Regulations can be satisfied (see Natural England's HRA Operational Standard for further details on how to proceed further).

A2. Details of the plan or project

Location (including grid references): This HRA covers Ronksley Moor which is part of the National Trust High Peak Estate and is centred around SK140955.

Name of applicant: National Trust (High Peak Estate)

Description of the plan or project and its constituent elements:

The plans take an Outcomes Approach and implement the National Trust's High Peak Moors Vision (2013). The Plans comprise:

1. Guiding Principles that set out the Outcomes Approach, describe "what good looks like", appropriate interventions and monitoring.
2. An individual Moorland Management Plan that is specific to each moor/Plan.
3. A set of maps for each moor/Plan.

The Plans address the management and restoration of habitats across the moors to move towards favourable condition and "what good looks like". Habitats include blanket bog, dry heath, wet heath (limited), clough woodland and flushes. The interventions included in the plans are:

- Grazing
- Cutting
- Sphagnum inoculation
- Diversification of vegetation types with appropriate species
- Wildfire risk management – firebreaks
- Scrub management and control
- Bracken management and control
- Rewetting e.g. gully blocking
- Revegetating bare peat
- Burning for vegetation management on dry heath
- Vehicle use
- Track maintenance
- Shoot management e.g. gritting, butt maintenance, predator control

For blanket bog the approach adopts that set out in the UMG Blanket Bog Land Management Guidance (2017).

The Plans also include a commitment to monitoring the impacts of different interventions and an interim position.

Has the plan or project, or any aspect of it, already been subject to assessment under the Habitats Regulations by another competent authority? No

A.3 Initial assessment of risks to European Sites

This section sets out the potential ways in which the plan or project might credibly pose a risk to European Site(s), based on an early and rapid assessment of the location of European Sites, their proximity to the plan or project in question and the nature, type and scale of the plan or project in question.

The available advice provided by Natural England's Impact Risk Zones and /or statutory Advice on Operations for European Marine Sites should be considered as appropriate to inform this initial risk assessment.

The plan includes some operations that could have a negative impact on the European Sites e.g. cutting, use of vehicles, maintenance of grouse butts and therefore need assessing in Part C for Likely Significant Effect.

With reference to the information above and before undertaking a more detailed screening assessment, Natural England has concluded, on the basis of its professional judgment, that;

☐ There is or may be a credible risk that the plan or project subject to an assessment might undermine the conservation objectives of a European Site. Further Habitats Regulations assessment is therefore necessary

PART B:
Information about the European Site(s) which could be affected

B1. Brief description of the European Sites(s) and their Qualifying Features

There is or may be a credible risk that the plan or project subject to an assessment might undermine the conservation objectives of the following European Sites;

South Pennine Moors Special Area of Conservation SAC
Annex I habitats that are a primary reason for selection of this site

- H7130 Blanket bogs* (*priority habitat type)
- H4030 European dry heaths
- H91A0 Old sessile oak woods with *Ilex* and *Blechnum* in the British Isles

Designated under Article 4(4) of the Habitats Directive for the above natural habitats and/or species listed in Annex I and II of the Directive (priority features are denoted by an asterix (*)).
Annex I habitats present as a qualifying feature, but not a primary reason for selection of this site

- H4010 Northern Atlantic wet heaths with *Erica tetralix*
- H7140 Transition mires and quaking bogs

European Site: South Pennines Moor SAC

This SAC represents **blanket bog** in the South Pennines, the most south-easterly occurrence of the habitat in Europe. The bog vegetation communities are botanically poor. Hare's-tail cottongrass *Eriophorum vaginatum* is often overwhelmingly dominant and the usual bog-building Sphagnum mosses are scarce. Where the blanket peats are slightly drier, heather *Calluna vulgaris*, crowberry *Empetrum nigrum* and bilberry *Vaccinium myrtillus* become more prominent. The uncommon cloudberry *Rubus chamaemorus* is locally abundant in bog vegetation. Bog pools provide diversity and are often characterised by common cottongrass *E. angustifolium*. As with the blanket bog habitat, the **dry heath** represents the habitat's most south-easterly upland location in the UK. The dry heath covers extensive areas, occupies the lower slopes of the moors on mineral soils or where peat is thin, and occurs in transitions to acid grassland, wet heath and blanket bogs. The upland heath of the South Pennines is strongly dominated by heather *Calluna vulgaris*. However it is limited to gulley/clough sides on the Crag Estate and is a minor component of the plan. Wet heath occurs on shallow peat with impeded drainage and is found in the transition between dry heath or other dry, acid habitats and blanket bog. As with dry heath, the extent of wet heath on the Estate is limited. There are no old, sessile oak woodlands covered by the plan. (Source: SAC citation on JNCC website http://jncc.defra.gov.uk/protectedsites/sacselection/sac.asp?EUcode=UK0030280).

European Site: Peak District Moors (South Pennine Moors Phase 1) SPA
Classified under Article 4.1 of the Wild Birds Directive for:

- A098 Breeding population of Merlin – *Falco columbarius 77 pairs representing at least 5.9% of the breeding population in Great Britain.*

- A140 Breeding population of Golden Plover – *Pluvialis apricarius 752 pairs representing at least 3.3% of the breeding population in Great Britain (Count as 1990)*
- A103 Breeding population of Short-eared owl – *Asio flammeus 25 pairs representing at least 2.5% of the breeding population in Great Britain.*

B2. European Site Conservation Objectives (including supplementary advice)

Natural England provides advice about the Conservation Objectives for European Sites in England in its role as the statutory nature conservation body. These Objectives (including any Supplementary Advice which may be available) are the necessary context for all HRAs.

The overarching Conservation Objectives for every European Site in England are to ensure that the integrity of each site is maintained or restored as appropriate, and that each site contributes to achieving the aims of the Habitats and/or Wild Birds Directive, by either maintaining or restoring (as appropriate):

- The extent and distribution of their qualifying natural habitats,
- The structure and function (including typical species) of their qualifying natural habitats,
- The supporting processes on which their qualifying natural habitats rely,
- The supporting processes on which the habitats of their qualifying features rely,
- The population of each of their qualifying features, and
- The distribution of their qualifying features within the site.

Where Conservation Objectives Supplementary Advice is available, which provides further detail about the features' structure, function and supporting processes mentioned above, the implications of the plan or project on the specific attributes and targets listed in the advice will be taken into account in this assessment.

In light of the European Sites which could be affected by the plan or project, this assessment will be informed by the following site-specific Conservation Objectives, including any available supplementary advice;

http://publications.naturalengland.org.uk/publication/6145889668169728?category=6071598712881152
http://publications.naturalengland.org.uk/publication/4885083764817920?category=6071598712881152

PART C:
Screening of the plan or project

To check whether a detailed appropriate assessment is necessary, there are two screening tests required by the assessment provisions of the Habitats Regulations;

C1. Is the plan or project either directly connected with or necessary to the (conservation) management (of the European Site's qualifying features)?

The Ronksley Plan is part of the vision for the High Peak Estate and includes outcomes for moorland habitats and species, grouse shooting, livestock farming, recreation, archaeology, water and carbon. They primarily include a programme of blanket bog restoration (dry heath restoration comprises a minor element of the plan) with some works specifically associated with grouse moor management and farming. Although a number of the works are directly connected with, and necessary for the conservation/restoration of SAC and SPA moorland features to favourable conservation status, there are elements of the plan which cannot be screened out as specifically for these purposes and which are capable of having a likely significant effect on these features (see Table C1).

SAC features

It is considered that functioning **blanket bogs** in good condition can be generally regarded as a near-natural or climax habitat, which means that the nutrient poor and waterlogged vegetation has reached a steady natural state and a naturally diverse structure and can sustain itself without grazing, burning or any other interventions. Where previous damage has occurred, some areas of blanket bog may require restoration of natural hydrology (i.e. rewetting) to restore its naturally peat-forming ability. Additional measures may also be required to reduce the dominance of species such as heather and purple moor-grass. Much of the blanket bog in the Peak District is in a degraded condition as a result of past atmospheric pollution, burning and overgrazing. Blanket bog is defined in the Blanket Bog Restoration Strategy 2015 as areas with a peat depth of at least 40cms. When blanket bog is damaged, carbon sequestration is likely to be halted or reduced and carbon can be released through oxidation, particulate and solute erosion.

Burning regimes are known to affect bog/mire habitats, leading to reductions in or loss of key species (both plants and animals), reduced structural diversity and a greater dominance of species which are less typically associated with the habitat in question (i.e. areas of deeper peat becoming dominated by *Calluna*, cottongrasses or grasses such as *Molinia*). The National Trust Plans do not include <u>any</u> proposals to use burning on deep peat habitats. Burning of dry heath is included.

Cutting is proposed to remove heather dominated canopies to facilitate additional restoration interventions, such as *Sphagnum* inoculation on deep peat. It may also be used to create firebreaks as part of wildfire risk management. However, cutting of dwarf shrub can create heather-dominant swards if not linked to other restoration interventions. Other potential impacts of cutting that should be considered include soil compaction, particularly on sensitive habitats such as blanket bog and wet heath, scalping vegetation and peat layers, and damage to hummocks. Damage to sensitive habitats and vegetation can be mitigated by avoiding vehicle access to 'Sensitive Areas'.

It is considered that **North Atlantic wet heaths with *Erica tetralix*** on shallow peat (less than 40cms) is a plagio-climax community which requires light grazing to maintain its state and prevent its ecological succession to woodland. There are no proposals to burn vegetation in these areas.

European dry heaths are also considered a plagio-climax community that can require some form of management intervention, either light grazing with livestock or careful burning, to maintain its open state and prevent ecological succession to woodland in local circumstances.

SPA features

Upland habitats support internationally and nationally important numbers of birds. The long term aim is to create blanket bog that is in balance, supporting a diverse sward and structure, without the need for repeated management intervention. It is generally regarded that no upland bird species has a specific requirement for moorland that is intensively managed by burning or cutting. However, in the restoration phase of a degraded blanket bog interventions that provide structural and vegetation diversity may be beneficial on a temporal basis. Restoration cutting on blanket bog may be considered appropriate where it is part of the restoration programme for the blanket bog. If such interventions are proposed specifically for the benefit of SPA species, it must be clearly demonstrated that there are no other suitable habitats that the species will and can use instead, and that cutting is a key element of maintaining a population that would otherwise be in unfavourable condition at the site level. The retention of unmanaged/taller dwarf shrubs for species such as merlin and short-eared owl must also be provided for. If cutting is undertaken in spring these operations have the potential to kill/injure or disturb birds and their nests, eggs and young.

European Site: South Pennine Moors SAC and Peak District Moors (South Pennine Moors Phase 1) SPA				
Proposed activity/element of the project	**European site qualifying feature**	**Necessary for conservation management ? Y/N**	**Reasons for decision**	**Carry forward activity to LSE test?**
Grazing	H7130 Blanket bog	No	The condition of favourable, functioning blanket bog is not reliant on grazing. Much of the blanket bog at Ronksley is generally degraded and dominated by heather or cottongrasses. There is more state 5 blanket bog at Ronksley than the other moors that form part of the High Peak vision. The grazing regime must be appropriate for the blanket bog states that occur across the moor.	Yes
	A4030 Dry heath	Yes	The grazing regime is aimed at achieving favourable condition of dry heath with clear description of the desired vegetation structure. Shepherding is a key part of the plans to ensure livestock are spread appropriately across a moor and that localised overgrazing is prevented.	No
Supplementary feeding	H7130 Blanket bog A4030 Dry heath	No	Supplementary feeding may be necessary to assist stock management and has the potential to damage notified features.	Yes
Scrub control	H7130 Blanket bog A4030 Dry heath A098 Merlin A140 Golden plover	Yes	Scrub control to be carried out outside the bird nesting season to maintain the integrity of SAC habitats.	No

	A103 Short-eared owl			
Tree planting	H7130 Blanket bog A4030 Dry heath	Yes	Tree planting may be proposed to create clough woodland and provide habitat for notified bird interest e.g. ring ouzel, whinchat. Any such plans require separate consent and are therefore out with this HRA.	No
Bracken control	H7130 Blanket bog A4030 Dry heath A098 Merlin A140 Golden plover A103 Short-eared owl	Yes	Control is proposed where bracken is encroaching into SAC habitats. The methods of control include using livestock grazing, mechanical means and the application of Asulox. The plans include a decision making process for adopting the most appropriate method. Bird nesting season is avoided.	No
Vehicle use	H7130 Blanket bog A4030 Dry heath A098 Merlin A140 Golden plover A103 Short-eared owl	No	Vehicle use is not necessarily connected with the conservation management of the site e.g. grouse management, and has the potential to damage European features.	Yes
Heather cutting	H7130 Blanket bog A4030 Dry heath A098 Merlin A140 Golden plover A103 Short-eared owl	No	Cutting is proposed for a number of outcomes, not all associated with conservation management. Cutting is proposed as a restoration intervention to facilitate inoculation with Sphagnum, and other blanket bog species. It is also proposed for grouse moor management and protection against wildfire. There is the potential for damage to European features.	Yes

Seeding with blanket bog species	H7130 Blanket bog A098 Merlin A140 Golden plover A103 Short-eared owl	Yes	This activity is proposed to re-vegetate areas of bare peat (in conjunction with the use of lime, seed and fertiliser where appropriate), or areas of low diversity, with appropriate blanket bog species thereby moving the habitat towards favourable condition. Bird breeding season is avoided.	No
Sphagnum inoculation	H7130 Blanket bog A098 Merlin A140 Golden plover A103 Short-eared owl	Yes	This activity is proposed to re-introduce Sphagnum moss into blanket bog to move the habitat towards functioning, favourable condition. Bird breeding season is avoided.	No
Grip and gulley blocking	H7130 Blanket bog A098 Merlin A140 Golden plover A103 Short-eared owl	Yes	The aim of grip and gulley blocking is to restore the hydrological integrity of the blanket bog, to slow the rate of water loss and to halt the loss of peat from the site. A range of methodologies and where they should be used is included in the Guiding Principles. Bird breeding season is avoided.	No
Burning for vegetation management on dry heath	A4030 Dry heath A098 Merlin A140 Golden plover A103 Short-eared owl	No	Burning of dry heath is primarily undertaken for grouse moor and agricultural management.	Yes
Gritting	H7130 Blanket bog A4030 Dry heath A098 Merlin A140 Golden plover A103 Short-eared owl	No	The use of grit is not required for conservation management. It is an operation associated with grouse moor management.	Yes
Grouse butt management	Dry heath SAC Blanket bog SAC	No	The management/maintenance of grouse butts is associated with grouse moor management only.	Yes

Predator and pest control	A098 Merlin A140 Golden plover A103 Short-eared owl	No	Predator and pest control is undertaken as part of grouse moor management.	Yes
Track maintenance	H7130 Blanket bog A4030 Dry heath	No	Track maintenance is not required for the conservation management and has the potential to damage European features. There are no proposals for new tracks.	Yes

Conclusion:

- ☐ As the plan or project is not either directly connected or necessary to the management of all of the European site(s)'s qualifying features, and/or contains non-conservation elements, further Habitats Regulations assessment is required

C2. Is there a likelihood [or risk] of significant [adverse] effects ('LSE')?

This section details whether those constituent elements of the plan or project which are (a) not directly connected with or necessary to the management of the European Site(s) features and (b) could conceivably adversely affect a European site, would have a **likely significant effect,** either alone or in combination with other plans and projects, upon the European sites and which could undermine the achievement of the site's conservation objectives referred to in section B2.

In accordance with European case law, this HRA has considered an effect to be 'likely' if it '*cannot be excluded on the basis of objective information'* and is 'significant' if it *'undermines the conservation objectives'*. In accordance with Defra guidance on the approach to be taken to this decision, in plain English, the test asks whether the plan or project '*may'* have a significant effect (i.e. there is a risk or a possibility of such an effect).

Each of the project elements has been tested in view of the European Site Conservation Objectives and against each of the relevant European site qualifying features. An assessment of potential effects using best available evidence and information has been made in the following sections below.

Measures that would avoid or reduce the risk or likelihood of significant effects arising and which are already integral to the nature of the plan or project as submitted have been taken into account at this stage.

C2.1 Risk of Significant Effects Alone

The first step is to consider whether any elements of the project are likely to have a significant effect upon a European site 'alone' (that is when considered in the context of the prevailing environmental conditions at the site but in isolation of the combined effects of any other 'plans and projects'). Such effects do not include those deemed to be so insignificant as to be trivial or inconsequential.

The results of this risk assessment, taking account of each qualifying feature of each site and in view of each site's Conservation Objectives, are as follows:

Proposed activity/element of the project	Qualifying feature likely to be affected	Potential effect	The mechanism/ pathway of the effect	Does the project include measures which would mitigate the potential effects? (Y/N) If Yes provide details	Likely Significance of the Effect alone (LSE)? (Yes/No/ Uncertain*)
Grazing	H7130 Blanket bog	Damage to vegetation and soil structure	In appropriate stock numbers and timing of grazing	Yes – Much of the blanket bog is degraded and is heather dominant. Grazing is appropriate to assist with restoration measures to reduce heather dominance, keep the sward open to allow colonisation by other species (naturally or by inoculation/seeding). The grazing regimes are aimed at the mix of habitats found on the moor and shepherding is aimed at spreading stock across the moor to avoid localised concentration of grazing. The outcomes clearly describe desired grazing impacts.	No
Supplementary feeding	H7130 Blanket bog A4030 Dry heath	Trampling damage to vegetation, and changes in vegetation resulting from soil enrichment from the feed and animal excretia.	Inappropriate feed in inappropriate location	Yes – supplementary feeding is restricted to the use of loose hay located on bracken beds only. And only during extreme weather conditions.	No

Heather cutting	H7130 Blanket bog A4030 Dry heath	Soil compaction, damage to peat	Use of inappropriate machinery in unsuitable conditions i.e too wet	Yes – Section 3.1 of the Guiding Principles includes a decision tree regarding when cutting is an appropriate intervention. Low ground pressure machinery will be used only when and where this does not result in damage to the peat and vegetation. Cutting will avoid 'Sensitive Areas'. Cutting on dry heath is less likely to result in damage but the same principles apply.	No
		Heather dominance	Cutting heather dominated swards	Yes – On deep peat the aims of cutting are to reduce the dominance of heather, facilitate the introduction of sphagnum and other blanket bog species and to manage wildfire risk. The decision tree in section 3.1 of the Guiding Principles sets out where cutting appropriate i.e. only where there is a heather dominated sward. It is not the intention to use cutting to increase the cover of heather. Where blanket bog restoration is the main aim cutting will be followed up with treatments of sphagnum inoculation and other blanket bog species e.g. cross-leaved heath, bilberry. This, in conjunction with cutting heather dominated swards, should reduce the competitive advantage of heather and allow a more diverse sward to develop. Representative areas subject to such	No

				one-off cutting will be carefully monitored afterwards in accordance with Section 13 of the Guiding Principles (and subsequent amendments thereof). Where cutting is used for wildfire risk management it is desirable to follow up with sphagnum inoculation, but here the primary purpose is to create fire breaks. The Guiding Principles include measures to ensure that these are sited effectively and do not result in damage to the European habitats.	
		Risk of losing structural diversity in the sward	Cutting heather dominated swards	Yes – Cutting will be targeted to ensure that a representative age range of dwarf shrub is maintained (at least 20% in late mature-degenerate stage). On deep peat, in the long-term, in conjunction with sphagnum inoculation and hydrological works, the aim is to develop a functioning blanket bog habitat that does not require routine management to maintain structural diversity. On dry heath there is a minimum rotation of 12 years with at least 20% of heather maintained in the mature-degenerate phase.	No
	A098 Merlin A140 Golden plover A103 Short-eared owl	Disturbance to nesting birds	Use of machinery in bird nesting season	Yes - Cutting will only be done outside the main bird nesting season.	No
		Risk of temporary	Cutting heather	Yes – Cut plots may provide suitable	No

		change in habitat structure	dominated swards	nesting habitat for golden plover. At least 20% of heather dominant areas in the late mature-degenerate stage will be retained across the moor. Thick, old heather will not be cut. The plans include "low intervention areas" which are aimed at retaining and providing areas of tall heather in key locations for nesting short-eared owl and merlin. In the long-term the regeneration of vegetation and functioning blanket bog will provide increased opportunities for typical blanket bog plants to flourish and will provide diversification of habitat structure to support SPA bird populations through improved breeding and feeding opportunities and cover.	
Vehicle use	H7130 Blanket bog H4030 Dry heath	Soil compaction and damage to vegetation	Use of inappropriate vehicle in unsuitable conditions/habitat	Yes - All sensitive areas will be avoided and only appropriate low ground pressure vehicles can be used, and only where and when this does not result in damage.	No
	A098 Merlin A140 Golden plover A103 Short-eared owl	Disturbance to nesting birds	Use of vehicles in bird nesting season	Yes – There will be no vehicle use on the open moor during the bird breeding season.	No
Burning for vegetation management on dry heath	H4030 Dry heath	Impact on vegetation structure and composition	Rotational heather burning on dry heath	Yes – Burning will avoid all sensitive features, follow the Defra "Heather and Grass Burning Code (2007), be on a rotation of no less than 12 years and retain at least 20% of the heather in late	No

				mature-degenerate state.	
Gritting	H7130 Blanket bog H4030 Dry heath	Impact on vegetation	Inappropriate use of grit stations	Yes – the GWCT code of best practice will be applied. No turves will be used to site grit and there is a minimum spacing stipulated.	No
Predator and pest control	A098 Merlin A140 Golden plover A103 Short-eared owl	Disturbance	Predator control operations	Yes – the National Trust tenancies allow for the lawful and legitimate control of predators and pest species. Operations to be undertaken so that nesting birds are not disturbed.	No
Grouse butt management	H7130 Blanket bog H4030 Dry heath	Damage to vegetation	Butt maintenance	Yes – Cutting of peat turves for repair is not permitted. No new butts are permitted. All repairs must use materials that will not result in damage to the European features.	No

Conclusion:

The plan or project alone is unlikely to have a significant effect on the following qualifying features of the European Site(s); H7130 Blanket bog, A4030 Dry heath, A098 Merlin, A140 Golden plover, A103 Short-eared owl.

C2.2 Risk of Significant Effects in-combination with the effects from other plans and projects

Not applicable

C3. Overall Screening Decision for the Plan/Project

On the basis of the details submitted, Natural England has considered the plan or project under Regulation 24(1) or 64(1)(a) of the Habitats Regulations and made an assessment of whether it will have a likely significant effect on a European site, either alone or in combination with other plans and projects.

In light of sections C1 and C2 of this assessment above, Natural England has concluded:

☐ As the plan or project is unlikely to have significant effects (either alone or in combination with other plans or projects) on any Qualifying Features of the European Site(s), no further Habitats Regulations assessment is required

PART E:

Permission decision with respect to European Sites

As the relevant competent authority, Natural England has carried out a HRA of the submitted plan or project as required by Regulation 24 or 63 of the Habitats Regulations 2017 and has decided that, with regard to European Sites and their qualifying features;

☐ **Consent/Permission/Assent/Authorisation may be given***

The reasons for this decision are as follows:

The following proposals included in the National Trust plans are necessary for conservation and therefore passed the first test of the HRA:

1. Sphagnum inoculation
2. Diversification of vegetation types with appropriate species
3. Scrub management and control
4. Bracken management and control
5. Rewetting e.g. gully blocking
6. Revegetating bare peat

Some operations are in part required for conservation but may also be undertaken for other purposes e.g. cutting for blanket bog restoration and cutting for grouse management, and have the potential to impact the European features. The following operations fall into this category and have been assessed for LSE:

7. Grazing
8. Cutting
9. Supplementary feeding
10. Burning for vegetation management on dry heath
11. Vehicle use
12. Track maintenance
13. Shoot management e.g. gritting, butt maintenance, predator control

The Guiding Principles that form part of the Plans provide sufficient clarity and limits on how, when and where these operations (7-13) are to be undertaken to avoid damage to the European features. The individual Moorland Management Plan provide further detail and site specific information that endorse the approach set out in the Guiding Principles. A series of site specific maps support each Plan. There is also a commitment to undertake monitoring to assess the impact of operations and to use this to inform future management. It is therefore not considered necessary to undertake an Appropriate Assessment for any of the operations included in the Plans.

* Where it has been concluded that a permission may be given, the Habitats Regulations Assessment of the implications of this plan or project on European Sites has been completed. **Written permission should not be issued by Natural England until there has**

been a separate and additional consideration of the plan or project's likely impacts on those features of special interest for which the relevant SSSI(s) has been notified.

References to Evidence

[1]DAVID GLAVES et al 2013. The effects of managed burning on upland peatland biodiversity, carbon and water (NEER004) Natural England publications

[2]JNCC 2009. Common Standards Monitoring for Upland Habitats (Version July 2009)

Document Control

Assessment prepared and completed by	[redacted]	Senior Adviser
Date	4 April 2018	
Additional contributions from	[redacted]	*Deputy Chief Scientist Senior Specialist* [redacted] *Cumbria*
Peer-reviewed by	[redacted]	[redacted] *Peak District Team*
Date	1st May 2018	
COMPLETE FOR HIGH-RISK CASES AND/OR REFUSED OR CONDITIONED SSSI CONSENTS ONLY [see User Notes]		
HRA checked and referred to national Protected Sites advice by:	*Insert name*	Team Leader
Date		
Advice given by national Protected Sites adviser:	*Insert name*	Senior Protected Sites Adviser
Date		
Case referred to High Risk Casework Panel by	*Insert name*	*Insert role / job title and Team*
Date		
HRA approved:	*Insert name*	*Insert role / job title and Team*
Date		