
From: Elspeth Ingleby
Sent: 20 July 2021 14:48
To: Megan O'Mara
Subject: HRA for Hawthorn Hill - NYM/2021/0291/FL

Hi Megan

HRA for the application attached, concluding no likely significant effect, subject to condition of the supplied information (CEMP and additional information relating to work practices sent by email).

Any queries please let me know. We'll probably need to consult NE to ensure they are happy to accept the HRA as they may have further comments.

Thanks

Elspeth

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Habitats Regulations Assessment



Application no:	NYM/2021/0291/FL
Application title:	Hawthorn Hill Farm Cottage, Greenend
Officer:	Elsbeth Ingleby
Date:	20/07/2021

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

1.1 Introduction

The applicant has proposed alterations to renovate and modernise the property known as Hawthorn Hill Farm Cottage. The property itself is located on the boundary of two European designated sites. All access to the property also extends across the designated area. There is an area of garden behind the property which is not part of the designated sites.

Details of the plan or project

Alterations to roofs of attached outbuildings, removal of water tower, alterations and extensions to dwelling together with use of land for the siting of 1 no. static caravan for residential use for a temporary period.

Works will require access to the property by a range of vehicles and machinery, storage of materials, work from scaffolding and the replacement of the septic tank with a new package treatment plant. Not all works will be taking place within the designated sites, however as indicated above, access across and from the designated sites will be necessary for works to take place.

1.2 Location

Hawthorn Hill Farm Cottage, Greenend, Goathland. Map details available on the public planning portal.

1.3 Identification of European Sites effected

Magic Maps and Natural England's published [Impact Risk Zones](#) have been consulted to inform this preliminary risk assessment. European Sites effected:

North York Moors Special Area of Conservation (SAC)

North York Moors Special Protection Area (SPA)

1.4 Conclusion

- It is clear, without needing to gather any further information, that the whole of this plan or project, throughout all of its life stages, is not capable of having any adverse effect upon a European Site at all and is **eliminated** from further Habitats Regulations assessment.
- There is or may be a credible risk that the plan or project subject to this assessment might undermine the conservation objectives of a European Site. Further Habitats Regulations assessment is therefore necessary

2. Information about the European Sites which could be affected

2.1 Brief description of the European Sites and their Qualifying Features

UK0030228 North York Moors Special Area of Conservation (SAC)

- Blanket bogs (Annex I priority habitat)
- European dry heaths
- Northern Atlantic wet heaths with *Erica tetralix*. (Wet heathland with cross-leaved heath)

UK9006161 North York Moors Special Protection Area (SPA)

- Merlin *Falco columbarius*
- Golden Plover *Pluvialis apricaria*

2.2 European Site Conservation Objectives

UK0030228 North York Moors Special Area of Conservation (SAC) objectives:

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 qualifying natural habitats
- The structure and function (including typical species) of the qualifying natural habitats, and,
- The supporting processes on which the qualifying natural habitats rely

Supplementary advice - publications.naturalengland.org.uk/file/5324037278662656

UK9006161 North York Moors Special Protection Area (SPA) objectives:

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.

Supplementary advice - publications.naturalengland.org.uk/file/6752904849653760

3. Screening of the plan or project for appropriate assessment

Table 1: Is the plan or project either directly connected with or necessary to the conservation management of the European Site's qualifying features?

North York Moors SAC				
Proposed activity	European site qualifying feature	Directly connected with or necessary to management? (Y/N)	Reasons for decision	Carry forward activity to LSE test?
Alterations to roofs and extensions to dwelling Use of land for siting of 1 no static caravan and replacement of septic tank Access to the site.	Blanket bog, European dry heath, Northern Atlantic wet heaths	N	The objective of this work is to make alterations to a private dwelling unconnected with the designated site or its management. The specific activity proposed here is not considered to be directly connected with or necessary to the nature conservation management of this habitat.	Yes

North York Moors SPA				
Proposed activity	European site qualifying feature	Directly connected with or necessary to management? (Y/N)	Reasons for decision	Carry forward activity to LSE test?
<p>Alterations to roofs and extensions to dwelling</p> <p>Use of land for siting of 1 no static caravan and replacement of septic tank</p> <p>Access to the site.</p>	<p>Merlin Falco columbarius, Golden Plover Pluvialis apricaria</p>	N	<p>The objective of this work is to make alterations to a private dwelling unconnected with the designated site or its management. The specific activity proposed here is not considered to be directly connected with or necessary to the nature conservation management of this habitat.</p>	Yes

3.2 Conclusion:

- As this plan or project is either directly connected with or necessary to the management of all of the European site(s)'s qualifying features, it is considered to be **exempt** from further Habitats Regulations assessment
- As this plan or project is not either directly connected or necessary to the management of all of the European sites' qualifying features, and/or contains non-conservation elements, further Habitats Regulations assessment is required

3.3 Is there a likelihood or risk of significant adverse effects ('LSE')?

This assessment of risk takes into account the precautionary principle (where there is scientific doubt) and **excludes**, at this stage, any measures proposed and outlined in the submitted details of the plan/project that are specifically intended to avoid or reduce harmful effects on a European site.

Table 2: Assessment of likely significant effects

North York Moors SAC			
Qualifying Feature(s): Blanket Bog, European Dry Heaths, Northern Atlantic wet heaths with Erica tetralix			
Activity proposed by the plan//project	Conservation Objective attribute(s) likely to be affected	The potential risk to the feature and its mechanism/ pathway	Excluding mitigation, is there a likely significant effect on the feature that requires appropriate assessment? [Yes / No* / Uncertain]
Alterations to roofs and extensions to dwelling	<p>The extent and distribution of the qualifying natural habitats</p> <p>The structure and function (including typical species) of the qualifying natural habitats, and,</p> <p>The supporting processes on which the qualifying natural habitats rely</p>	<p>Alterations to extent and distribution of qualifying natural habitats through erection of porch within the footprint of the designated site.</p> <p>Potential for damage to vegetation and compaction of soil through trampling by people and machinery during works.</p> <p>Potential impact of mortar, imported aggregate and other materials on soil and habitat quality</p> <p>Stored material can affect soil chemistry, damage vegetation and compact ground</p>	Yes
Use of land for siting of 1 no static caravan and replacement of septic tank		Caravan and treatment plant out with of the designated area footprint, however potential to affect hydrological processes through disposal of effluent.	Yes

Access to the site.		Ground compaction and damage along transport/ access routes Compaction may affect hydrological processes Potential fuel spillage	Yes
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North York Moors SPA			
Qualifying Feature(s): Merlin <i>Falco columbarius</i> , Golden Plover <i>Pluvialis apricaria</i>			
Activity proposed by the plan//project	Conservation Objective attribute(s) likely to be affected	The potential risk to the feature and its mechanism/ pathway	Excluding mitigation, is there a likely significant effect on the feature that requires appropriate assessment? [Yes / No* / Uncertain]
Alterations to roofs and extensions to dwelling	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	Noise and movement generated during work may disturb or displace nesting birds or dependent young and damage nests. Alterations to extent and distribution of supporting habitats of qualifying species through erection of porch within the footprint of the designated site. Potential for disturbance to supporting habitats through trampling by people and machinery during works Disturbance to supporting habitats for breeding birds from stored material affecting hydrological processes, damage vegetation and compact ground Potential impact on supporting habitats from impact of mortar, imported aggregate and other materials on soil and habitat quality	Yes

Use of land for siting of 1 no static caravan and replacement of septic tank		Caravan and treatment plant out with of the designated area footprint, however potential to affect hydrological processes of the supporting habitat through disposal of effluent.	Yes
Access to the site.		<p>Noise and movement generated by delivery may disturb or displace nesting birds or dependent young and damage nests.</p> <p>Ground compaction and damage along transport/ access routes</p> <p>Compaction may affect hydrological processes</p> <p>Potential chemical spillages and ingestion by birds, or damage to supporting habitat features.</p>	Yes

3.3 Risk of significant effects in-combination with effects from other proposed plans and projects

Not Applicable

3.4 Conclusion

This plan or project alone is likely to have a significant effect (or *may* have a significant effect) on the qualifying features of the European Sites

4 Appropriate Assessment and Conclusions on Site Integrity

4.1 Assessment of potentially adverse effects, considering any incorporated mitigation measures

This section considers the risks identified at the screening stage and assesses whether adverse effects can be ruled out having regard to the manner in which the plan or project would be carried out

Table 3: Assessment with mitigation

Site : NYM SAC				
Features: Blanket bog, European Dry Heath, Northern Atlantic wet heaths with Erica tetralix				
Activity	Likely effect on Conservation Objectives attribute(s)	Extent, magnitude or scale of the effect	Analysis of incorporated measures that can avoid or reduce the effects on the attribute	Can 'no adverse effect' on the feature be ascertained? (Y/N) Give reasons
Alterations to roofs and extensions to dwelling	<p>Extent of SAC habitat; Structure and function (excavation, trampling & soil compaction)</p> <p>The structure and function (including typical species) of the qualifying natural habitats, and,</p> <p>Supporting processes: effects on soil pH</p>	Land bordering frontage of Hawthorn Hill Farm Cottage	<p>Building works within the designated site will be limited excavation of two post holes to enable the erection of two posts to support a new porch to the front of the property. An existing stone arch within the designated site will be removed which is in proximity to at least one of the proposed post holes.. Except for the post holes no alterations will be made to the ground surface beneath the porch. No qualifying habitat is present within the area, which has been the main access to the property for many years, and therefore has been subject to a frequent level of trampling, both prior and subsequent to site designation, meaning soils here are likely to be already modified through compaction and disturbance.</p> <p>Works to the frontage of the property will be undertaken from scaffold and from ground level. Scaffold will be underslung with debris netting which will be regularly emptied, or membrane on the ground (when working from ground level) to prevent any mortar or other materials spilling and affecting the soil or vegetation present.</p> <p>Works will be restricted to an area to the frontage of the property which will be marked on the ground by small temporary pegs. This includes areas of hard standing pre-dating the site designation (and therefore functionally</p>	<p>Yes</p> <p>The small footprint of impact connected to the porch is within an area associated with essential access to property pre-dating site designation, and on ground clearly already modified through previous building works and structures, and is therefore highly unlikely to be restorable to qualifying habitat. Post holes for the porch are unlikely to have impacts on surrounding ecology or hydrology due to flat topography at this location.</p> <p>Works to the front of the property will be undertaken in a sensitive way to avoid direct impacts on the ground and soil pH, meaning lasting effects of the works are not expected. No qualifying features are present at the time of assessment. It is not likely that works will have any impact on the restorability of this area to support qualifying habitat.</p>

			<p>excluded) and small areas of acid grassland. No qualifying habitats are present with the area (supported by recent photographs), with survey information from 1988 indicating a previous habitat of continuous bracken throughout this area.</p> <p>Skips will be stored on existing hardstanding areas, with materials stored off the ground on wooden pallets.</p> <p>A wash out pit for concrete will be created outside of the designated site (within the property garden) lined with visqueen to contain contaminants. Due to the slope of the ground, no seepage from this pit is likely to reach the designated site.</p> <p>Refueling will be undertaken outwith of the designated sites, and spill kits will be available at all times.</p>	
Use of land for siting of 1 no static caravan and replacement of septic tank	Supporting processes: effects on hydrology	Undesignated land behind property and surrounding designated areas.	Existing septic tank to be replaced with a package treatment plant to dispose of effluent. The new package treatment plant will discharge to a drainage field within the garden (out with and in land falling away from the designated site).	<p>Yes</p> <p>Package treatment plant installation will lead to a cleaner discharge, with additional filtering from a drainage field away from the designated site.</p>
Access to the site.	<p>Structure and function (trampling & soil compaction)</p> <p>Supporting processes: effects on hydrology</p>	Access tracks between the property and the unnamed public road at NZ 83361 03212	<p>Access to the site follows a number of surfaced tracks utilised as sole access by several properties located at Hawthorn Hill over many decades, meaning that a substantial level of compaction of soils will already have taken place.</p> <p>Surrounding habitats are predominantly dry, consisting of extensive bracken and acid grassland with little heath. No watercourses lie within proximity of the access track and therefore impacts on water flows are not anticipated. The</p>	<p>Yes</p> <p>Access follows regularly used hard surfaced tracks over an area of dry moorland, currently dominated by continuous bracken and acid grassland habitats. The elevated level of use of the access route during construction is considered likely to have a negligible</p>

	through compaction/ rutting Supporting processes: effects on water quality through fuel spillage		presence of peat within this area of the designated site is likely to be minimal based on the habitats present and dry nature of the soils. Refueling where required will be undertaken outwith of the designated sites, and spill kits will be available at all times.	effect on soil compaction and water run-off by using this long established route. Measures included to carry spill kits and refuel over non-porous membrane will minimise risk of pollutants reaching the vegetation surface and ground water Appropriate measures are in place to reduce the risk and effects of potential fuel spillage.
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Site : NYM SPA Features: Merlin, Golden Plover				
Activity	Likely effect on Conservation Objectives attribute(s)	Extent, magnitude or scale of the effect	Analysis of incorporated measures that can avoid or reduce the effects on the attribute	Can 'no adverse effect' on the feature be ascertained? (Y/N) Give reasons.
Alterations to roofs and extensions to dwelling	Change / loss of appropriate habitat structure Populations of individual qualifying species / assemblages	Immediate area around Hawthorn Hill Farm Cottage and access track	Building works within the designated site will be limited excavation of two post holes to enable the erection of two posts to support a new porch to the front of the property. The location has been the main access to the property for many years, and therefore has been subject to a frequent level of trampling, both prior and subsequent to site designation, meaning the area is extremely unlikely to have been used by the qualifying features for breeding or feeding. Works to the frontage of the property will be undertaken from scaffold and from ground level. Scaffold will be underslung with debris netting which will be regularly emptied, or membrane on the ground (when working from ground level) to prevent any mortar or other	Yes No recorded breeding of qualifying features within 1km of the work site. As additional precautions, work will be undertaken outside the main nesting period wherever possible and, where this is not feasible additional measures set out will avoid disturbance impacts. Work site around property very unlikely to support any activity of the qualifying features due to regular domestic disturbance activities, but no lasting

			<p>materials spilling and affecting the soil or vegetation present.</p> <p>Works will be restricted to an area to the frontage of the property which will be marked on the ground by small temporary pegs. This includes areas of hard standing pre-dating the site designation (and therefore functionally excluded) and small areas of acid grassland much located where previously bracken was dominant. Given the regularly disturbed nature of this area, next to a domestic property, the use of this area by the qualifying features is extremely unlikely.</p> <p>Skips will be stored on existing hardstanding areas, with materials stored off the ground on wooden pallets.</p> <p>A wash out pit for concrete will be created outside of the designated site (within the property garden) lined with visqueen to contain contaminants. Due to the slope of the ground, no seepage from this pit is likely to reach the designated site.</p> <p>Refueling will be undertaken outwith of the designated sites, and spill kits will be available at all times.</p> <p>The majority of the works to the northern aspect are to be undertaken between September and February to avoid visual disturbance of breeding birds. Where this isn't possible, scaffold will be sheeted to reduce visibility of work/movements which could cause disturbance. Works requiring excessive noise will be undertaken in short bursts of no more than 20min each hour to enable birds in the area to settle and return to nests if/where necessary. Survey records held by the NYMNP have not recorded any breeding golden plover within 1km of the</p>	<p>impacts on supporting habitats will be caused.</p>
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			site (surveys 1996, 2000, 2008, 2014, 2019) and the surrounding habitat is unsuitable for breeding merlin.	
Use of land for siting of 1 no static caravan and replacement of septic tank	Change / loss of appropriate habitat structure Populations of individual qualifying species / assemblages	Undesignated land behind property and surrounding designated areas.	Existing septic tank to be replaced with a package treatment plant to dispose of effluent. The new package treatment plant will discharge to a drainage field within the garden (out with and in land falling away from the designated site) so will not impact on supporting habitat. Site for caravan is adjacent to domestic dwelling and is for the duration of the works. Therefore there is no likely increase in disturbance over existing use of a domestic site.	Yes New PTP will not have any impacts on the qualifying features, whilst the domestic use of the caravan will not lead to additional disturbance, due to established domestic use of the site.
Access to the site.	Change / loss of appropriate habitat structure Populations of individual qualifying species / assemblages	Immediate area around Hawthorn Hill Farm Cottage and access track	Access to the site follows a number of surfaced tracks utilised as sole access by several properties located at Hawthorn Hill over many decades, meaning that a substantial level of compaction of soils will already have taken place. Surrounding habitats are predominantly dry, consisting of extensive bracken and acid grassland with little heath. No watercourses lie within proximity of the access track and therefore impacts on water flows are not anticipated. The presence of peat within this area of the designated site is likely to be minimal based on the habitats present and dry nature of the soils. Refueling where required will be undertaken outwith of the designated sites, and spill kits will be available at all times. Materials will be procured in bulk to reduce the number of deliveries to the property, and a single building contractor is proposed to reduce vehicle movements to and from the site to a minimum to avoid disturbance of breeding	Yes Access follows regularly used hard surfaced tracks over an area of dry moorland, currently dominated by continuous bracken and acid grassland habitats. The elevated level of use of the access route during construction is considered likely to have a negligible effect on soil compaction and water run-off by using this long established route and thus not affect supporting habitat. Measures included to carry spill kits and refuel over non-porous membrane will minimise risk of pollutants reaching the vegetation surface and ground water. Appropriate measures are in place to reduce the risk and effects of potential fuel spillage.

			birds. Survey records held by the NYMNP have not recorded any breeding golden plover within 1km of the site and access route (surveys 1996, 2000, 2008, 2014, 2019) and the surrounding habitat is unsuitable for breeding merlin due to the lack of expansive heather beds.	Access to and from the site is to be minimised as far as reasonably practicable, which, when considering the low likelihood of the qualifying species breeding in the area, and existing regular access to domestic properties using the same route, is likely to result in negligible additional disturbance of qualifying species.
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4.2 Assessment of potentially adverse effects considering additional mitigation measures

The assessment above concluded that the mitigation measures incorporated within the proposal enables a conclusion of 'no adverse effect on integrity' to be drawn in relation to the project.