

**Broomhill, Broomfield,  
Endcliffe, Summerfield and  
Tapton (BBEST) Draft  
Neighbourhood Plan**



**Habitats Regulations  
Assessment  
Stage 1: Screening Report**

**November 2018 (updated March 2019)**

**Planning Services, City Growth Department**

Interim Head of Planning: Colin Walker  
Howden House • 1 Union Street • Sheffield • S1 2SH

Tel: 0114 2735254

E-mail: [neighbourhood.planning@sheffield.gov.uk](mailto:neighbourhood.planning@sheffield.gov.uk)

Website: [www.sheffield.gov.uk](http://www.sheffield.gov.uk)



3 April 2019

**BBEST Neighbourhood Forum**  
**c/o Anne Daw**  
**129 Harcourt Road**  
**Sheffield**  
**S10 1DJ**

Reference: FAP/ShSh

Dear BBEST Neighbourhood Forum Steering Group

Please see enclosed the Habitats Regulations Assessment Screening Report produced by Sheffield City Council based on the BBEST Pre-submission Neighbourhood Plan that was consulted upon by the BBEST Neighbourhood Forum until 11 November 2018.

Sheffield City Council have undertaken a statutory consultation with its Statutory Consultees, details of the comments received are outlined within the Screening Report.

This Screening Report is being issued on the basis of it being a snapshot in time based on your pre-submission Neighbourhood Plan. If you make significant **or material** changes to your Neighbourhood Plan in response to your consultations comments and/or further work on developing it further, then this Screening may need to be reviewed.

Yours sincerely

Colin Walker  
Interim Head of Planning

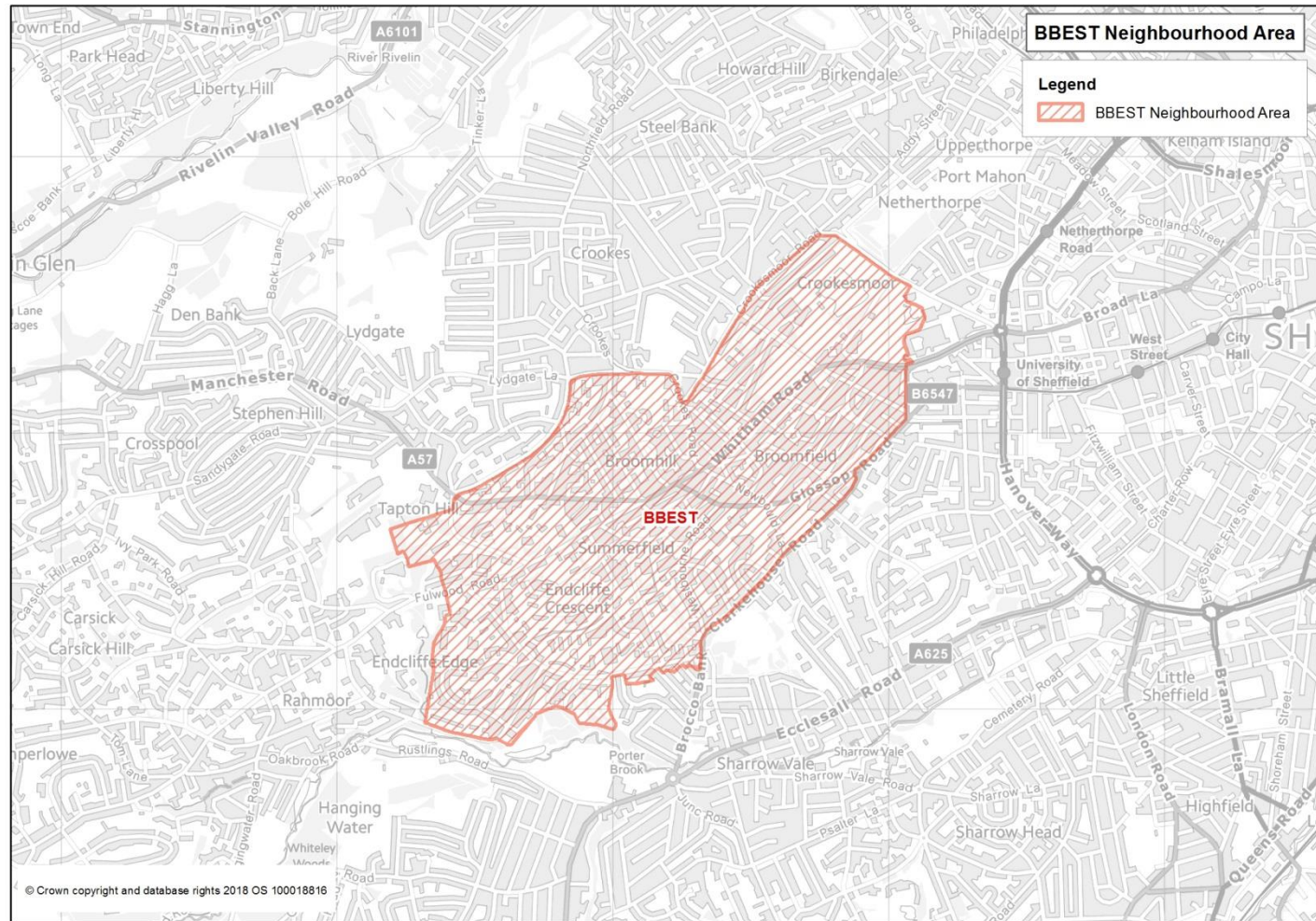
# 1. Introduction and Methodology

- 1.1 Habitats Regulations Assessment (HRA) is the assessment of the potential impacts of implementing a plan or policy on a European Site. HRA is required under the European Directive 92/43/EEC on the 'conservation of natural habitats and wild fauna and flora', which is interpreted into British law by the Conservation of Habitats and Species and Planning 2017 (as amended) – known as 'the Habitats Regulations' – for plans that may have an impact on European Sites.
- 1.2 European Sites are those of exceptional importance for rare, endangered or vulnerable natural habitats and species within the European Community. They are also called 'Natura 2000' sites, and are designated as either Special Protection Areas (SPAs), or Special Areas of Conservation (SACs). SPAs are designated under the European Council Directive 2009/147/EC 'on the conservation of wild birds', for the protection of wild birds and their habitats. SACs are designated under the Habitats Directive and cover particular habitats and/or species identified as being of European importance. Although not European sites in legislation, RAMSAR sites should also be considered as part of the HRA process.
- 1.3 The purpose of HRA is to consider the impacts of a plan or policy against the conservation objectives of the site and to ascertain whether the proposal, either alone or in combination with other plans or projects, would adversely affect the integrity of the site. Where significant negative effects are identified, alternative options should be examined to avoid any potential damaging effects. In case C-323/17 People Over Wind and Peter Sweetman v Coillte (April 2018), the Court of Justice of the European Union (CJEU) ruled that mitigation measures could not be taken into account at the screening stage of an appropriate assessment.
- 1.4 It is the responsibility of Competent Authorities to undertake HRA. Sheffield City Council is a Competent Authority, and has carried out this HRA Screening of the Broomhill, Broomfield, Endcliffe, Summerfield and Tapton (BBEST) Draft Neighbourhood Plan<sup>1</sup>, which is has been prepared by BBEST Neighbourhood Planning Forum. The Neighbourhood Plan seeks to make sure that valued features within the BBEST area are maintained and enhanced, and to reduce or ameliorate challenges to these features. Map 1 shows the extent of the BBEST area, which is covered by the Draft Neighbourhood Plan.
- 1.5 The Council has consulted Natural England and the Environment Agency on this HRA Screening Report. Natural England's response stated that it is in agreement with the conclusions of this report, and that there are unlikely to be significant environmental effects from the Draft Neighbourhood Plan. No reply was received from the Environment Agency. The Environment Agency were notified that under the circumstance of SCC not receiving a response, SCC would assume that there are no issues to report and the Environment Agency agree with the screening opinion.

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<sup>1</sup> <http://bbest.org.uk/the-plan/>

**Map 1: BBEST Neighbourhood Area**



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1.6 There are four stages involved in an HRA:

## Stage 1: Screening

The first stage of the HRA is the Screening process, and this involves screening the Plan for likely significant effect. The following key steps are required:

- Identify international sites in and around the Plan area and in the search area/ buffer zone agreed with the Statutory Body – Natural England
- Examine conservation objectives of the interest feature(s) (where available)
- Review Draft BBEST Neighbourhood Plan policies, and consider potential effects on European sites (magnitude, duration, location, extent)
- Examine other plans and programmes that could contribute to 'in combination' effects
- Produce Screening Assessment
- *If no effects likely – report no likely significant effect*
- *If effects are judged likely or uncertainty exists – the precautionary principle applies **proceed to Stage 2***



## Stage 2: Appropriate Assessment

If the Plan, either alone or in conjunction with other policies or projects, is likely to have an impact on European sites, an Appropriate Assessment is required. This involves the following key steps:

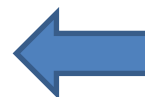
- Complete additional scoping work including the collation of further information on sites as necessary to evaluate impact in light of conservation objectives
- Agree scope and method of AA with Natural England
- Determine whether relevant policies or allocations will adversely affect the integrity of a European site alone.
- Consider how plan 'in combination' with other plans and programmes will interact when implemented and whether there will be adverse effects on the integrity of European sites (the Appropriate Assessment)
- Consider how effect on integrity of site could be avoided by changes to plan
- Develop mitigation measures (including timescale and mechanisms)
- Report outcomes of AA including mitigation measures, consult with Natural England and wider [public] stakeholders as necessary
- If no adverse effects on the integrity of any European sites can be determined proceed without further reference to Habitats Regulations
- *If adverse effects determined or uncertainty remains following the consideration of alternatives and development of mitigations proceed to **Stage 3***



## Stage 3: Assessment of Alternatives

If a policy or site allocation would affect a European site, or if the impact is unclear, then an Assessment of Alternatives is required. This involves:

- Consider alternative solutions / conditions / restrictions that would ensure the proposal would not adversely affect the integrity of the site
- *If none of the above are possible, proceed to **Stage 4***



## Stage 4: Assessment of 'Imperative Reasons of Overriding Public Interest' (IROPI)

Stage 4 involves considering whether there are overriding reasons to allow a proposal to go ahead where it might impact upon a European site, and involves the following:

- Identify 'Imperative Reasons of Overriding Public Interest' (IROPI)
  - economic, social, environmental, human health, public safety
- If not remove policy or allocation from plan.
- If so develop and secure compensatory measures



## **Stage 1: Screening**

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1.7 The following tasks comprise Stage 1:

Task 1: Identification and Characterisation of European Sites

Task 2: Review and screening of Draft Sheffield Plan to identify potential impacts and likely significant effects on European Sites

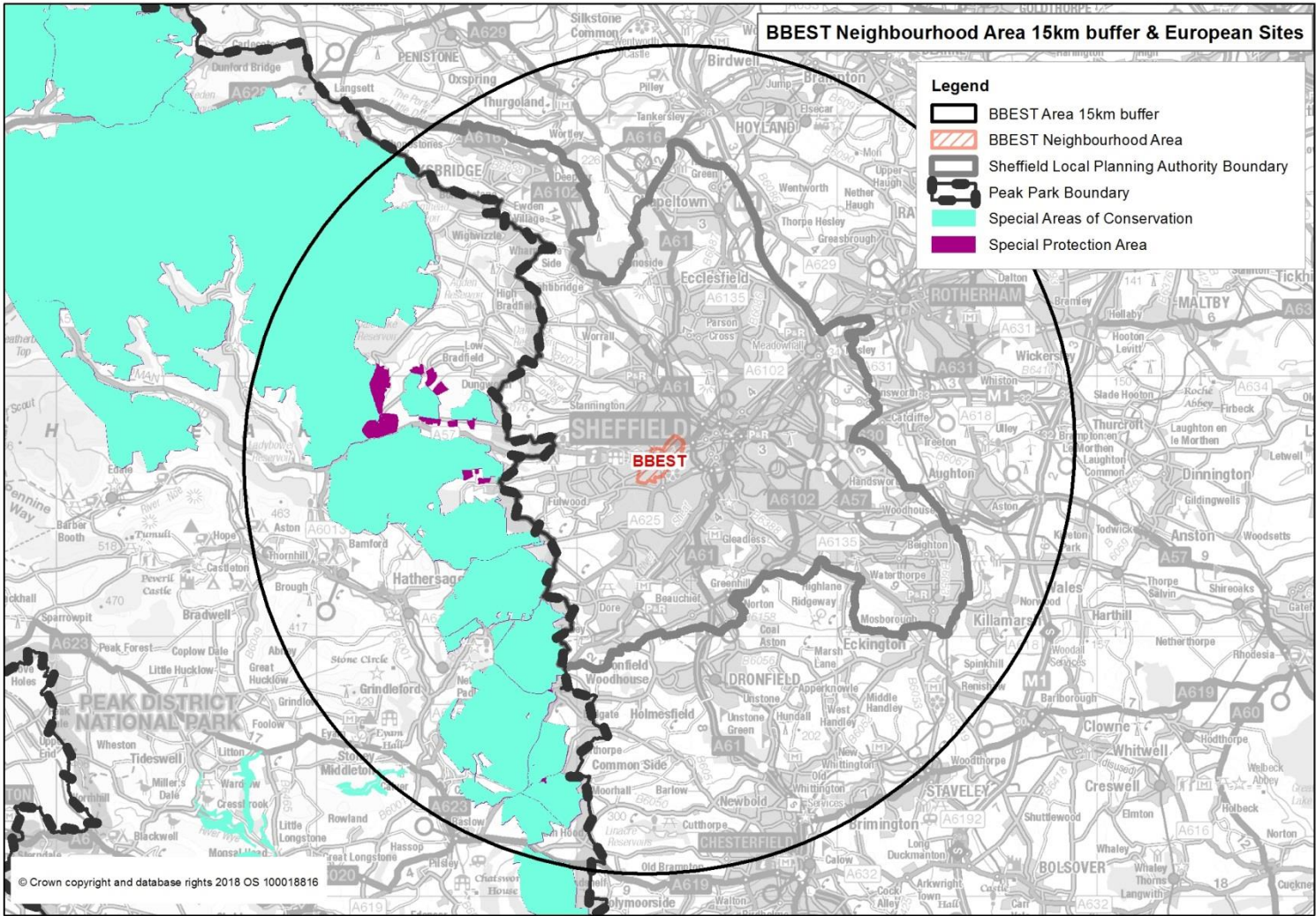
Task 3: Consideration of other plans and programmes that may act 'in-combination'

Task 4: Screening Assessment

### **Task 1: Identification and Characterisation of European Sites**

- 1.8 The first task was to identify the European sites within and around the Neighbourhood Plan area. In line with the approach agreed with Natural England for Sheffield City Council's Draft Local Plan, the search area was the BBEST boundary plus a buffer zone of 15km.
- 1.9 Information about the natural environment from various Government sources is available on the 'Magic' website, which is administered by Natural England. The website comprises an interactive mapping tool which can display a range of data about the natural environment, including the locations and extents of European sites. This was used to identify any European sites within the search area.
- 1.10 Map 2 shows the locations of the SAC and SPA parcels within the search area.

**Map 2:** Locations of the SAC and SPA parcels within 15km of the BBEST Area boundary



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- 1.11 There are no European sites within the BBEST boundary, although there are two Special Areas of Conservation (SAC) and one Special Protection Area (SPA) to the west of the city within the 15km buffer zone. There are no RAMSAR sites within the search area. Table 1 identifies the sites within the search area.

**Table 1: Sites within the search area**

Sites within the LPA boundary	Sites outside the LPA boundary but within 15km
None	SAC: South Pennine Moors
	SAC: Peak District Dales
	SPA: Peak District Moors (South Pennine Moors Phase 1)

- 1.12 Despite being within the 15km buffer area, the nearest part of the Peak District Dales SAC is located approximately 14km to the south west of the BBEST Neighbourhood Plan area; therefore it is considered that the Draft Plan policies and proposals will have no likely significant effect on this SAC. As such, the Peak District Dales SAC is not considered any further in this report.
- 1.13 Table 2 provides information about the characterisation of the South Pennine Moors SAC and the Peak District Moors (South Pennine Moors Phase 1) SPA, including general site character; qualifying interests and importance; vulnerabilities; and conservation objectives.

**Table 2: Characterisation of Sites**

Characterisation of Sites		
	South Pennine Moors SAC	Peak District Moors (South Pennine Moors Phase 1) SPA
<b>General site character</b>	<ul style="list-style-type: none"> <li>- Inland water bodies (Standing water, Running water) (1%)</li> <li>- Bogs, Marshes, Water fringed vegetation, Fens (42.7%)</li> <li>- Heath, Scrub, Maquis and Garrigue, Phygrana (45.5%)</li> <li>- Dry grassland, Steppes (4.8%)</li> <li>- Humid grassland, Mesophile grassland (4.8%)</li> <li>- Broad-leaved deciduous woodland (1%)</li> <li>- Mixed woodland (0.1%)</li> <li>- Non-forest areas cultivated with woody plants (including Orchards, groves, Vineyards, Dehesas) (0.1%)</li> </ul>	<p>Includes the major moorland blocks of the South Pennines from the M62 at Moss Moor in the north to Leek and Matlock in the south.</p> <p>Covers extensive tracts of semi-natural moorland habitats including upland heath and blanket mire.</p>
<b>Qualifying interests and importance</b>	<p>Northern Atlantic wet heaths with <i>Erica tetralix</i></p> <ul style="list-style-type: none"> <li>- for which the area is considered to support a significant presence.</li> </ul> <p>European dry heaths</p> <ul style="list-style-type: none"> <li>- for which this is considered to be one of the best areas in the United Kingdom.</li> </ul> <p>Blanket bogs</p> <ul style="list-style-type: none"> <li>- for which this is considered to be one of</li> </ul>	<p>This site qualifies under Article 4.1 of the Directive (79/409/EEC) by supporting populations of European importance of the following species listed on Annex I of the Directive:</p> <p><b>During the breeding season:</b> Golden Plover <i>Pluvialis apricaria</i>, 752 pairs representing at least 3.3% of the breeding population in Great Britain (Count as at 1990)</p>



Characterisation of Sites		
	South Pennine Moors SAC	Peak District Moors (South Pennine Moors Phase 1) SPA
	<p>the best areas in the United Kingdom.</p> <p>Transition mires and quaking bogs - for which the area is considered to support a significant presence.</p> <p>Old sessile oak woods with <i>Ilex</i> and <i>Blechnum</i> in the British Isles - for which this is considered to be one of the best areas in the United Kingdom.</p>	<p>Merlin <i>Falco columbarius</i>, 77 pairs representing at least 5.9% of the breeding population in Great Britain</p> <p>Short-eared Owl <i>Asio flammeus</i>, 25 pairs representing at least 2.5% of the breeding population in Great Britain</p>
<b>Vulnerabilities</b>  (Informed by South Pennine Moors Site Improvement Plan (SIP))	<ul style="list-style-type: none"> <li>- Public access / disturbance</li> <li>- Management issues: forestry and woodland; vehicles</li> <li>- Accidental fires / arson</li> <li>- Overgrazing / undergrazing</li> <li>- Managed rotational burning</li> <li>- Hydrological changes / inappropriate drainage through moor gripping</li> <li>- Air pollution</li> <li>- Changes in species distributions</li> <li>- Disease</li> <li>- Invasive species</li> <li>- Planning permission</li> </ul>	<ul style="list-style-type: none"> <li>- Public access / disturbance</li> <li>- Accidental fires / arson</li> <li>- Hydrological changes</li> <li>- Management issues: forestry and woodland; vehicles; grazing</li> <li>- Low breeding success/poor recruitment of Merlin, Peregrine and Short-eared Owl</li> <li>- Air pollution</li> <li>- Changes in species distributions</li> <li>- Disease</li> <li>- Invasive species</li> <li>- Planning permission</li> </ul>
<b>Conservation objectives</b>	<p>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:</p> <ul style="list-style-type: none"> <li>- The extent and distribution of the qualifying natural habitats</li> <li>- The structure and function (including typical species) of the qualifying natural habitats, and,</li> <li>- The supporting processes on which the qualifying natural habitats rely.</li> </ul>	<p>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:</p> <ul style="list-style-type: none"> <li>- The extent and distribution of the habitats of the qualifying features</li> <li>- The structure and function of the habitats of the qualifying features</li> <li>- The supporting processes on which the habitats of the qualifying features rely</li> <li>- The population of each of the qualifying features, and,</li> <li>- The distribution of the qualifying features within the site.</li> </ul>

1.14 Of the vulnerabilities identified in Table 2, the following will not be considered in Task 2: Review and Screening as they are beyond the scope of the Draft BBEST Neighbourhood Plan:

- Inappropriate scrub control
- Fertiliser use
- Water pollution (covered under hydrological changes)
- Inappropriate weirs, dams and other structures
- Overgrazing / undergrazing
- Accidental fires / arson
- Inappropriate water levels / drainage
- Disease
- Invasive species
- Climate change

- Forestry and woodland management
- Direct impact from 3<sup>rd</sup> party (e.g. fly tipping)
- Low breeding success / poor recruitment
- Changes in species distributions

- 1.15 The following vulnerabilities will be considered as part of Task 2, to determine whether the Draft Plan could further exacerbate them:
- Air pollution
  - Public access / disturbance
  - Hydrological changes

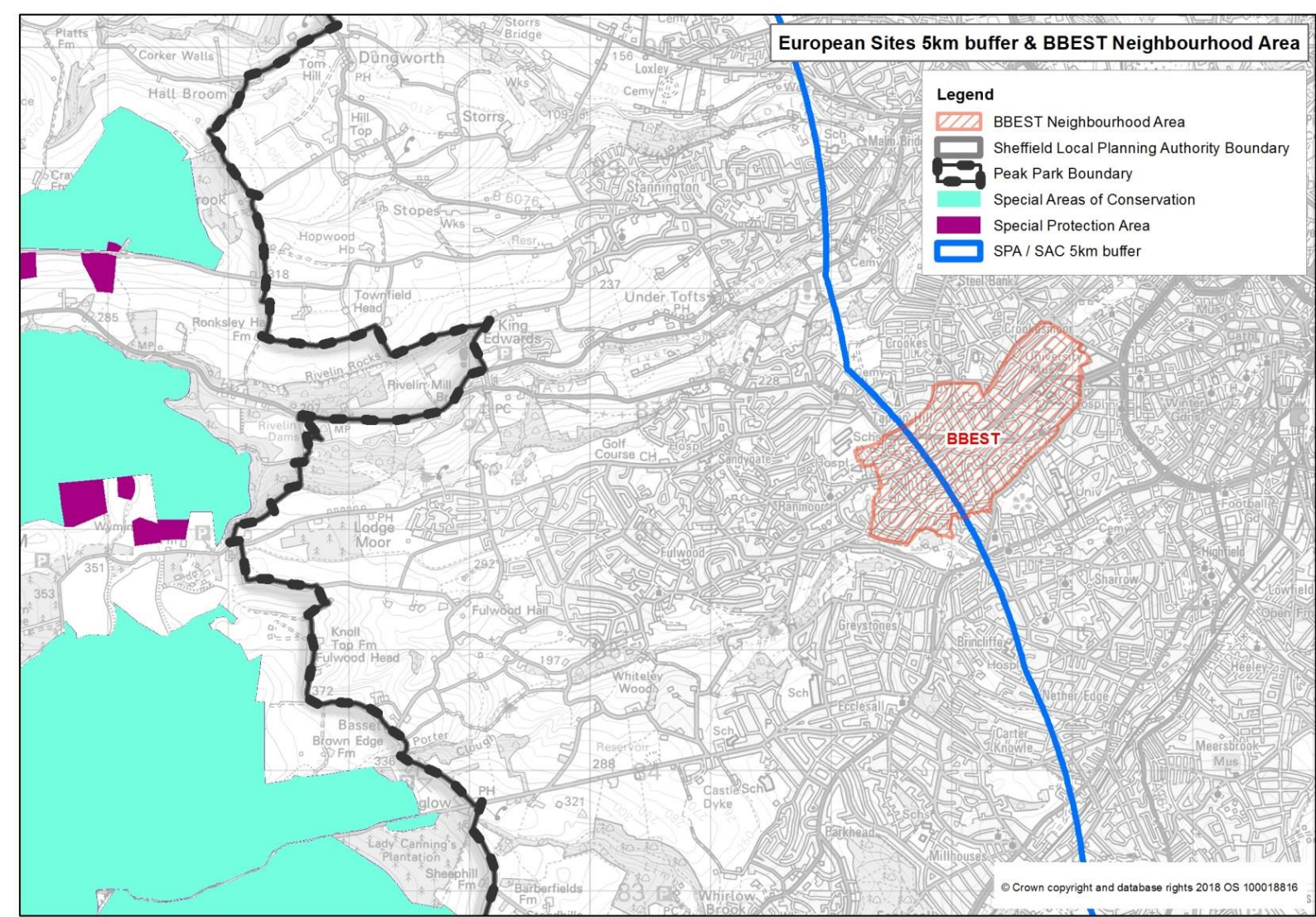
### **Task 2: Review and screening of Draft BBEST Neighbourhood Plan to identify potential impacts and likely significant effects on European Sites**

- 1.16 This section of the screening process reviewed the proposed policies within the Draft Plan, and identified any potential impacts and likely significant effects on European sites.

#### **The Draft BBEST Neighbourhood Plan**

- 1.17 The Draft Plan comprises five chapters, covering the following themes:
- Environment and Green Spaces [EN]
  - Sustainable and Balanced Community [SBC]
  - Broomhill Centre [BC]
  - Active Travel [AT]
  - Design, Development & Heritage Management [DDHM]
- 1.18 Each theme has a vision and series of objectives, with policies intended to support the achievement of the objectives. The Plan does not propose any site allocations.
- 1.19 A 5km buffer has been applied to the European sites, in order to assess the likelihood of a significant impact resulting from the proposed policies in the Draft Plan. This is in line with advice provided to the Council by Natural England in relation to the Council's Local Plan preparation. Map 3 shows the extent of the BBEST Neighbourhood Plan Area which is within this 5km buffer area.

Map 3: European Sites 5km buffer and BBEST Neighbourhood Area



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1.20 In line with Stage 1 of the HRA methodology, Table 3 reviewed the policies in the Draft BBEST Neighbourhood Plan and considered their potential effect on European sites.

**Table 3: Likelihood of Significant Effects from Draft BBEST Neighbourhood Plan**

Likelihood of Significant Effects	European Site	
<b>Likely to cause Significant Effects</b> <ul style="list-style-type: none"> <li>- The policy steers future development adjacent to or within 5km of the European site</li> <li>- The policy proposes an amount or type of development that regardless of where it is located could impact the European site</li> </ul>	<p style="text-align: center;"><b>South Pennine Moors SAC</b></p>	<p style="text-align: center;"><b>Peak District Moors (South Pennine Moors Phase 1) SPA</b></p>
<b>Uncertain</b> <ul style="list-style-type: none"> <li>- The policy makes provision for a type or scale of development, the location of which will be determined by a detailed policy or site allocation</li> <li>- The impact of the policy depends on the type, scale and location of development</li> </ul>		
<b>Unlikely to cause Significant Effects</b> <ul style="list-style-type: none"> <li>- The policy helps steer development away from sensitive sites as it promotes development in other areas</li> <li>- The policy has a positive impact or no impact on the European site</li> <li>- The policy only relates to small amounts of development which are unlikely to affect the European site</li> </ul>		



Likelihood of Significant Effects	European Site	
ENVIRONMENT AND GREEN SPACES		
EN1 PROTECTING BIODIVERSITY	The policy could have a minor positive impact on the European sites by ensuring no net loss for biodiversity as a result of development affecting identified privately owned areas of land and key garden blocks within the Plan Area, and therefore supporting the role and function of the sites. Additionally, the Plan does not contain any site allocations, therefore limiting any increase in local population and associated potential negative impact for biodiversity. Vulnerabilities: air pollution, hydrological changes	The policy could have a minor positive impact on the European sites by ensuring no net loss for biodiversity as a result of development affecting identified privately owned areas of land and key garden blocks within the Plan Area, and therefore supporting the role and function of the sites. Additionally, the Plan does not contain any site allocations, therefore limiting any increase in local population and associated potential negative impact for biodiversity. Vulnerabilities: air pollution, hydrological changes
EN2 ECOLOGICAL NETWORKS	The policy could have a minor positive impact on the European sites by protecting identified ecological networks and not allowing development that would cause a break in the networks. This would support the role and function of the sites. Additionally, the Plan does not contain any site allocations, therefore limiting any increase in local population and associated potential negative impact for ecological networks. Vulnerabilities: air pollution, hydrological changes	The policy could have a minor positive impact on the European sites by protecting identified ecological networks and not allowing development that would cause a break in the networks. This would support the role and function of the sites. Additionally, the Plan does not contain any site allocations, therefore limiting any increase in local population and associated potential negative impact for ecological networks. Vulnerabilities: air pollution, hydrological changes
EN3 LOCAL GREEN SPACE	The policy is very unlikely to have any impact on the European sites because it only relates to two small areas of green space.	The policy is very unlikely to have any impact on the European sites because it only relates to two small areas of green space.
EN4 TREES & TREE COVER	The policy could have a minor positive impact on the European sites by protecting trees within the BBEST area. Vulnerability: air pollution	The policy could have a minor positive impact on the European sites by protecting trees within the BBEST area. Vulnerability: air pollution
SUSTAINABLE AND BALANCED COMMUNITY		
SBC1 SUPPORTING HOUSING DIVERSITY AND QUALITY	The policy has no impact on European sites.	The policy has no impact on European sites.
SBC2 HOUSING TO MEET LOCAL NEEDS	The policy has no impact on European sites.	The policy has no impact on European sites.
SBC3 HOUSING DENSITY	The policy has no impact on European sites.	The policy has no impact on European sites.
SBC4 SPACE STANDARDS FOR HOUSING	The policy has no impact on European sites.	The policy has no impact on European sites.
SBC5 HOUSING DESIGN AND LAYOUT	The policy has no impact on European sites.	The policy has no impact on European sites.
SBC6 HOMES BUILT FOR LIFE	The policy has no impact on European sites.	The policy has no impact on European sites.

Likelihood of Significant Effects	European Site	
BROOMHILL CENTRE		
BC1 PROMOTING BROOMHILL CENTRE	The policy has no impact on European sites.	The policy has no impact on European sites.
BC2 SHOPFRONT DESIGN	The policy has no impact on European sites.	The policy has no impact on European sites.
BC3 IMPROVING THE PUBLIC REALM	The policy has no impact on European sites.	The policy has no impact on European sites.
ACTIVE TRAVEL		
AT1 ACCESS AND MOVEMENT	The policy has no impact on European sites.	The policy has no impact on European sites.
AT2 SUSTAINABLE SAFETY FRAMEWORK	The policy could have a minor positive impact on the European sites by promoting cycling and walking, and reducing traffic speeds. Vulnerability: air pollution.	The policy could have a minor positive impact on the European sites by promoting cycling and walking, and reducing traffic speeds. Vulnerability: air pollution.
AT3 PARKING MANAGEMENT AREA WIDE	The policy has no impact on European sites.	The policy has no impact on European sites.
AT4 AIR QUALITY	The policy could have a minor positive impact on the European sites by preventing development that would have a demonstrably negative impact on air quality within the worst air quality areas along the Broomhill Corridor. Vulnerability: air pollution.	The policy could have a minor positive impact on the European sites by preventing development that would have a demonstrably negative impact on air quality within the worst air quality areas along the Broomhill Corridor. Vulnerability: air pollution.
AT5 TRANSPORT ASSESSMENT AND TRAVEL PLANS	The policy has no impact on European sites.	The policy has no impact on European sites.
DEVELOPMENT, DESIGN AND HERITAGE MANAGEMENT		
DHM1 KEY DESIGN PRINCIPLES	The policy has no impact on European sites.	The policy has no impact on European sites.
DDHM2 DEVELOPMENT WITHIN THE CROOKES VALLEY CHARACTER AREA	The policy has no impact on European sites.	The policy has no impact on European sites.
DDHM3 DEVELOPMENT WITHIN THE BROOMHILL CENTRE CHARACTER AREA	The policy has no impact on European sites.	The policy has no impact on European sites.
DDHM4 DEVELOPMENT WITHIN THE RETAIL CENTRE	The policy has no impact on European sites.	The policy has no impact on European sites.
DDHM5 SIGNAGE WITHIN THE RETAIL CENTRE	The policy has no impact on European sites.	The policy has no impact on European sites.

Likelihood of Significant Effects	European Site	
DDHM6 DEVELOPMENT WITHIN THE HOSPITALS, SOUTH EAST AND SOUTH WEST CHARACTER AREAS	The policy has no impact on European sites.	The policy has no impact on European sites.
DDHM7 DEVELOPMENT WITHIN THE NORTH EAST AND NORTH WEST CHARACTER AREAS	The policy has no impact on European sites.	The policy has no impact on European sites.
DDHM 8 DEVELOPMENT WITHIN THE ENDCLIFFE CHARACTER AREA	The policy has no impact on European sites.	The policy has no impact on European sites.

1.21 Table 3 shows that no policies in the Draft Neighbourhood Plan are likely to cause significant effects. Some policies may have a minor positive impact.

### Task 3: Consideration of other plans and programmes that may act ‘in-combination’

1.22 The BBEST Neighbourhood Plan policies must be in general conformity with the strategic planning policies of Sheffield City Council (SCC), which are contained within the Core Strategy (adopted in 2009). Therefore any consideration of the Draft Plan on European sites must also take into account the Habitats Regulations Assessment of the Core Strategy. SCC’s ‘Citywide Options for Growth to 2034’ (2015) has also been considered. This consultation document was the first part of the preparation of Sheffield’s forthcoming Local Plan, and set out strategic options for the growth of the city.

1.23 The HRA for SCC’s Core Strategy (2007) concluded:

*“ . . . in agreement with Natural England, it is found that the Core Strategy is not likely to directly affect the content and qualitative state of Natura 2000 sites.”*

1.24 Therefore there is no ‘in combination’ effect with the Draft BBEST Neighbourhood Plan.

1.25 The HRA for SCC’s ‘Citywide Options for Growth to 2034’ (2015) concluded:

*“ . . . the majority of housing growth sub-options are unlikely to impact upon the three European sites within the scope of this assessment. However, there are three sub-options where the potential impact is uncertain. They are:*

*Option D (a) Stocksbridge and Upper Don Valley*

*Option E (a) Small urban extensions into Green Belt*

*Option E (b) Redevelopment of existing previously developed sites in the Green Belt*

*It is not possible to assess the potential impact of these sub-options at this stage, because it is dependent upon the location and scale of specific site allocations. A review of Sheffield’s Green Belt is ongoing, and any sites which are proposed as a result of this will have been through a rigorous assessment procedure. Our provisional view is that the majority of Sheffield’s Green Belt is too environmentally sensitive to be suitable for development. Therefore the impact on European sites from any future Green Belt development is likely to be limited.*

*In addition, relevant policies in the Sheffield Plan, including those covering ecology and biodiversity; air quality; and water resources, would be likely to mitigate any negative impacts arising from potential development either in the Green Belt or within the urban area which could otherwise have impacted upon the European sites.”*

1.26 As the BBEST Neighbourhood Plan area is fully within the built-up area of Sheffield and not adjacent or near to the Green Belt, there is no ‘in combination’ effect with SCC’s ‘Citywide Options for Growth to 2034’ (2015).

### Task 4: Screening Assessment and Conclusion

1.27 It is demonstrated, through assessment as required under the European Directive 92/43/EEC on the ‘conservation of natural habitats and wild fauna and flora’, which is interpreted into British law by the Conservation of Habitats and Species Regulations



2017 (as amended) (known as 'the Habitats Regulations'), that there are likely to be no significant negative effects, either alone or 'in combination' of the pre-submission draft BBEST Neighbourhood Plan on the European sites. Therefore a Stage 2: Appropriate Assessment is not required.

- 1.28 In the event that significant and material changes are made to the BBEST Neighbourhood Plan between the Pre-Submission and the Submission versions, an updated Screening Report may be required to be issued in relation to the proposed Submission version.

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