

# FORM HR02: PROFORMA FOR STAGE 3 APPROPRIATE ASSESSMENT

### PART A: Technical Consideration

## **1** Table 1 – Permission, plan or project details

Type of permission /plan :	Shoreline Management Plan
Agency reference no:	Cornwall IOS SMP2
National Grid Reference:	SW9630871213
Site reference:	

#### 2 Table 2 - Site details

European site name	Legal Status	Priority
Penhale Dunes	SAC	Low
Godrevy Head to St Agnes	SAC	Low
The Lizard	SAC	Low
Tintagel-Marsland-Clovelly Coast	SAC	Medium
Marazion Marsh	SPA	Medium
Fal & Helford	SAC	Medium
Polruan to Polperro	SAC	Medium
River Camel	SAC	High
Plymouth Sound & Estuaries	SAC	High
Prawle Point to Plymouth Sound & Eddystone	SAC	Low
Lands End to Cape Bank (Draft Inshore)	SAC	Low
Isles of Scilly	SPA	High

#### 3 Table 3 - Features List

I.D	Features	Application has associated hazards to which features are sensitive? Delete as appropriate (refer to outcomes of stage 2 assessment)	Details of Hazard/s
Fal & Helf	ord SAC		
1.12	Estuarine & intertidal habitats	Yes	Habitat Loss
1.13	Submerged marine habitats	No	
2.11	Coastal plants	Yes	Disturbance Habitat loss
Godrevy I	lead to St Agnes SAC		
1.1	Fens & wet habitats (not sensitive to acidification)	No	
Isles of So	cilly SPA		
	Birds of coastal habitat	Yes	Disturbance Habitat loss
	Heathland	Yes	Habitat loss Habitat / community simplification Physical damage

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I.D	Features	Application has associated hazards to which features are sensitive? Delete as appropriate (refer to outcomes of stage 2 assessment)	Details of Hazard/s
Lands En	d to Cape Bank (Draft Inshol		
1.13	Submerged marine	No	
	habitats		
	Marsh SPA		
3.4	Birds of lowland wet grasslands	Yes	Change in flow or velocity regime Habitat loss Habitat / community simplification
3.6	Birds of lowland freshwaters and their margins	Yes	Change in flow or velocity regime Changed water chemistry Habitat loss Habitat / community simplification
	Dunes SAC		
1.10	Coastal Habitats	No	
1.11	Coastal habitats (sensitive to abstraction)	No	
2.11	Coastal plants	No	
	Sound & Estuaries SAC		
1.12	Estuarine & intertidal habitats	No	
1.13	Submerged marine habitats	No	
2.5	Anadromous fish	No	
2.11	Coastal plants	No	
	o Polperro SAC		
1.11	Coastal habitats (sensitive to abstraction)	No	
2.11	Coastal plants	No	
	pint to Plymouth Sound & Ea		
1.13	Submerged marine habitats	No	
River Car			
1.1	Fens & wet habitats (not sensitive to acidification)	No	
2.5	Anadromous fish	Yes	Change in flow or velocity regime Changed water chemistry Changes in physical regime Habitat loss Habitat / community simplification
2.6	Non-migratory fish & invertebrates of rivers	Yes	Change in flow or velocity regime Changed water chemistry Changes in physical regime Habitat loss Habitat / community simplification

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I.D	Features	Application has associated hazards to which features are sensitive? Delete as appropriate (refer to outcomes of stage 2 assessment)	Details of Hazard/s					
2.9	Mammals of riverine habitats	Yes	Change in flow or velocity regime Changed water chemistry Changes in physical regime Habitat loss Habitat / community simplification					
The Lizard	ISAC							
1.1	Fens & wet habitats (not sensitive to acidification)	Yes	Habitat loss					
1.4	Standing Waters (sensitive to acidification)	No						
1.5	Standing waters (not sensitive to acidification)	No						
1.11	Coastal habitats (sensitive to abstraction)	No						
	Dry heaths	Yes	Habitat loss					
Tintagel-M	larsland-Clovelly Coast SAC	2						
1.11	Coastal habitats (sensitive to abstraction)	No						

## 4 Report Content

- Introduction: permission, plan or project application details
- Map(s) showing permission/plan/project application and European site/s
- Summary of targets (from Favourable Condition Tables and agreed with local NE/CCW)
- Discussion of permission application: should either be non-technical (refer to detail in relevant R&D, Site Characterisation reports or the site Appropriate Assessment) or include necessary summary data for discussion in tables. Assessment should be made of the foreseeable adverse effect (alone and in combination) of the permission applied for on the features highlighted as sensitive to the hazards associated with the application, and thus the integrity of the site
- Conclusions: the conclusions of the Appropriate Assessment must be summarised on Table 4 (below)

Note: further guidance on the technical content of Appropriate Assessments can be found in Technical Appendices 1-10

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## Table 4Appendix 12: Proforma for Stage 3 (Appropriate Assessment Record)

Summarised Conclusions:

Hazard	Interest feature	Favourable condition target for relevant attribute <sup>1</sup> (including range of natural variation) based on conservation objectives	Contribution of attribute <sup>1</sup> to ecological structure and function of site	Contribution of management <sup>2</sup> or other unauthorised sources to attribute and /or feature condition	Adverse Effect of proposal alone on attribute <sup>1</sup> and/or feature	Adverse Effect of proposal in combination with other plans or projects, on attribute <sup>1</sup> and /or feature	Can adverse affects be avoided?	Adverse affect on integrity; long term, short term. Yes, No or uncertain? If uncertain consider time-limited consent, or other legally enforceable modifications
Disturbance / physical characteristics	Shore Dock	To maintain the designated species in favourable condition, which is defined in part in relation to their population attributes	Habitat extent, disturbance, and physical characteristics	During MR potential habitat and species could be disturbed	Reduction of shore dock population or loss of potential supporting habitat	Potential disturbance from recreational activities, but possible gain in supporting habitat from increased erosion due to sea level rise	Yes. MR to be undertaken in a manner that minimise disturbance to possible shore dock habitat, by only removing manmade features and leaving remaining habitat to develop naturally	No. Potential increase in available habitat suitable for supporting shore dock population in the future, and no disturbance to existing shore dock population

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Hazard	Interest feature	Favourable condition target for relevant attribute <sup>1</sup> (including range of natural variation) based on conservation objectives	Contribution of attribute <sup>1</sup> to ecological structure and function of site	Contribution of management <sup>2</sup> or other unauthorised sources to attribute and /or feature condition	Adverse Effect of proposal alone on attribute <sup>1</sup> and/or feature	Adverse Effect of proposal in combination with other plans or projects, on attribute <sup>1</sup> and /or feature	Can adverse affects be avoided?	Adverse affect on integrity; long term, short term. Yes, No or uncertain? If uncertain consider time-limited consent, or other legally enforceable modifications
Disturbance	Birds of coastal habitats (storm petrel, lesser black backed gull, common tern and roseate tern) Assemblages of over 20,000 breeding seabirds	To maintain the designated species in favourable condition, which is defined in part in relation to their population attributes.	Roosting and feeding habitat	Maintenance of habitat types	HTL could result in the loss of up to 1ha of the SPA on St Agnes (approximately 10%) which would represent a significant loss of supporting habitat for the various interest species and breeding bird assemblage.	No in- combination effect and no synergy effects from policies, and no other activities identified as acting or potentially acting in- combination.	Yes, The HTL policy results in the protection of the freshwater source (Big Pool) which is a unique source of freshwater for birds, as well as a roosting and feeding area. Consequently, HTL prevents a significant alteration to the habitats and maintains its support for the bird populations.	No adverse affect on the integrity
Habitat loss	As above	As above	As above	As above	As above	As above	As above	As above

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Hazard	Interest feature	Favourable condition target for relevant attribute <sup>1</sup> (including range of natural variation) based on conservation objectives	Contribution of attribute <sup>1</sup> to ecological structure and function of site	Contribution of management <sup>2</sup> or other unauthorised sources to attribute and /or feature condition	Adverse Effect of proposal alone on attribute <sup>1</sup> and/or feature	Adverse Effect of proposal in combination with other plans or projects, on attribute <sup>1</sup> and /or feature	Can adverse affects be avoided?	Adverse affect on integrity; long term, short term. Yes, No or uncertain? If uncertain consider time-limited consent, or other legally enforceable modifications
Habitat loss	Heathland	To maintain the heathland habitat in favourable condition.	Range of vegetation types	As above	Loss of habitat due to coastal squeeze from the Hold the Line policy	No in- combination effect and no synergy effects from policies, and no other activities identified as acting or potentially acting in- combination.	Yes	Short term impact to habitat from works but overall there will be no adverse affect on integrity
Habitat / community simplification	As above	As above	As above	As above	As above	As above	As above	As above
Physical damage	As above	As above	As above	As above	As above	As above	As above	As above

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Change in flow or velocity regime	Birds of lowland wet grasslands Birds of lowland freshwater and margins	To maintain the designated species in favourable condition, which is defined in part in relation to their population attributes.	Roosting and feeding habitat	Maintenance of habitat types	Rising sea levels could potentially result in increased saline intrusion through outfall structures causing a migration of the supporting bogs, marshes, water-fringed vegetation and fen habitats.	Potential in- combination effect from road traffic emissions to air. However, the scale of the change in the characteristics of the wetland habitats as a result of saline intrusion is of greater significance.	Yes, improving the culverts, pipes and other outfall structures is expected to minimise the scale of saline intrusion and tide locking effect on water levels, and would therefore counteract the effects of sea level rise.	No adverse effect on integrity
Changed water chemistry	Birds of lowland freshwater and margins	As above	As above	As above	As above	As above	As above	As above

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Hazard	Interest feature	Favourable condition target for relevant attribute <sup>1</sup> (including range of natural variation) based on conservation objectives	Contribution of attribute <sup>1</sup> to ecological structure and function of site	Contribution of management <sup>2</sup> or other unauthorised sources to attribute and /or feature condition	Adverse Effect of proposal alone on attribute <sup>1</sup> and/or feature	Adverse Effect of proposal in combination with other plans or projects, on attribute <sup>1</sup> and /or feature	Can adverse affects be avoided?	Adverse affect on integrity; long term, short term. Yes, No or uncertain? If uncertain consider time-limited consent, or other legally enforceable modifications
Habitat loss	Birds of lowland wet grasslands Birds of lowland freshwater and margins	As above	As above	As above	As above	No additional in-combination affect on the loss of supporting habitat is expected.	As above	As above
Habitat / community simplification	As above	As above	As above	As above	As above	As above	As above	As above

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Hazard	Interest feature	Favourable condition target for relevant attribute <sup>1</sup> (including range of natural variation) based on conservation objectives	Contribution of attribute <sup>1</sup> to ecological structure and function of site	Contribution of management <sup>2</sup> or other unauthorised sources to attribute and /or feature condition	Adverse Effect of proposal alone on attribute <sup>1</sup> and/or feature	Adverse Effect of proposal in combination with other plans or projects, on attribute <sup>1</sup> and /or feature	Can adverse affects be avoided?	Adverse affect on integrity; long term, short term. Yes, No or uncertain? If uncertain consider time-limited consent, or other legally enforceable modifications
River Camel S.	AC							
Change in flow or velocity regime	Anadromous fish (salmon)	To maintain the designated species in favourable condition, which is defined in part in relation to their population attributes.	Migratory route and spawning ground	Maintenance of water quality levels and flow. Tourism impacts	There is a potential for changes in fluvial flow to occur as a result of sea level rise combined with MR policies at Egloshayle, Amble Marshes and Sladesbridge, which could extend up to the Site boundary. It is expected that influence could extend over a 6km length of river from Wadebridge to Hingham Mill.	Potential in- combination effects could arise from human sources such as changes in water quality which could also affect Atlantic salmon migration and population alongside the possible alteration to river flow characteristics that could arise from MR policies.	Yes, design of MR policy implementation must ensure that geomorphological study and river modelling are undertaken to ensure that there is no net change or design out any change in river flows influenced by the MR policy. These modelling and design requirements should be able to design out any potential adverse impact on the supporting habitat, and its characteristics, for	No adverse impact on integrity either in the short or long term

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Hazard	Interest feature	Favourable condition target for relevant attribute <sup>1</sup> (including range of natural variation) based on conservation objectives	Contribution of attribute <sup>1</sup> to ecological structure and function of site	Contribution of management <sup>2</sup> or other unauthorised sources to attribute and /or feature condition	Adverse Effect of proposal alone on attribute <sup>1</sup> and/or feature	Adverse Effect of proposal in combination with other plans or projects, on attribute <sup>1</sup> and /or feature	Can adverse affects be avoided?	Adverse affect on integrity; long term, short term. Yes, No or uncertain? If uncertain consider time-limited consent, or other legally enforceable modifications
					Potentially this could result in an alteration in flow (if the river was widened) which could influence upstream salmon migration.		Atlantic salmon.	
Changes in physical regime	As above	As above	As above	As above	As above	As above	As above	As above
Habitat loss	As above	As above	As above	As above	As above	As above	As above	As above
Habitat / community simplification	As above	As above	As above	As above	As above	As above	As above	As above

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Change in flow or velocity regime	Non migratory fish (bullhead)	To maintain the designated species in favourable condition, which is defined in part in relation to their population attributes.	Clean, fast- flowing, relatively oligotrophic waters with stony bottoms Feeding habitat	Maintenance of water quality levels and flow. Tourism impacts	There is a potential for changes in fluvial flow to occur as a result of sea level rise combined with MR policies at Egloshayle, Amble Marshes. This could result in a alteration to the substrate characteristics. It is expected that influence would not extend further than 1km upstream of the policy locations, which would in the worst case result in around	Potential in- combination effects could arise from human sources such as changes in water quality which could exacerbate the loss of population of Bullhead alongside the substrate alteration that could arise from MR policies.	Yes, design of MR policy implementation must ensure that geomorphological study and river modelling are undertaken to ensure that there is no net change or design out any change in river flows influenced by the MR policy, so that there is no net change in substrate. These modelling and design requirements should be able to design out any potential adverse impact on the supporting habitat, and its	No adverse impact on integrity either in the short or long term
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Hazard	Interest feature	Favourable condition target for relevant attribute <sup>1</sup> (including range of natural variation) based on conservation objectives	Contribution of attribute <sup>1</sup> to ecological structure and function of site	Contribution of management <sup>2</sup> or other unauthorised sources to attribute and /or feature condition	Adverse Effect of proposal alone on attribute <sup>1</sup> and/or feature	Adverse Effect of proposal in combination with other plans or projects, on attribute <sup>1</sup> and /or feature	Can adverse affects be avoided?	Adverse affect on integrity; long term, short term. Yes, No or uncertain? If uncertain consider time-limited consent, or other legally enforceable modifications
					2.5km of river length extending to Hingham Mill being affected. As lowland rivers have the greatest density of bullhead, this could therefore result in a reduction in bullhead population.		characteristics, for bullhead.	
Changes in physical regime	As above	As above	As above	As above	As above	As above	As above	As above
Habitat loss	As above	As above	As above	As above	As above	As above	As above	As above
Habitat / community simplification	As above	As above	As above	As above	As above	As above	As above	As above

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Hazard	Interest feature	Favourable condition target for relevant attribute <sup>1</sup> (including range of natural variation) based on conservation objectives	Contribution of attribute <sup>1</sup> to ecological structure and function of site	Contribution of management <sup>2</sup> or other unauthorised sources to attribute and /or feature condition	Adverse Effect of proposal alone on attribute <sup>1</sup> and/or feature	Adverse Effect of proposal in combination with other plans or projects, on attribute <sup>1</sup> and /or feature	Can adverse affects be avoided?	Adverse affect on integrity; long term, short term. Yes, No or uncertain? If uncertain consider time-limited consent, or other legally enforceable modifications
Change in flow or velocity regime	Mammals of riverine habitats (otter)	To maintain the designated species in favourable condition, which is defined in part in relation to their population attributes.	Feeding breeding habitat	Maintenance of water quality levels and flow. Tourism impacts	There is a potential for changes in fluvial flow to occur as a result of sea level rise combined with MR policies at Egloshayle, Amble Marshes, and Sladesbridge, which could extend up to and within the Site boundary. These MR policies could result in a reduction in flow and subsequent alteration to the substrate characteristics. It is expected	Changes in water quality could occur from human sources and result in a reduction in Otter prey species. However, no in-combination effect is envisaged due to the difference in impact characteristics with the influences of MR policy	Proposed changes could result in indirect reductions in prey species (fish), but any reduction in some species is likely to be offset by increases in others. Overall therefore, no noticeable reduction or decline in the attributes affecting supporting habitat for otter is expected.	No adverse impact on integrity either in the short or long term
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Hazard	Interest feature	Favourable condition target for relevant attribute <sup>1</sup> (including range of natural variation) based on conservation objectives	Contribution of attribute <sup>1</sup> to ecological structure and function of site	Contribution of management <sup>2</sup> or other unauthorised sources to attribute and /or feature condition	Adverse Effect of proposal alone on attribute <sup>1</sup> and/or feature	Adverse Effect of proposal in combination with other plans or projects, on attribute <sup>1</sup> and /or feature	Can adverse affects be avoided?	Adverse affect on integrity; long term, short term. Yes, No or uncertain? If uncertain consider time-limited consent, or other legally enforceable modifications
					that influence would not extend further than 1km upstream of the policy locations, which would in the worst case result in around 2.5km of river length extending to Hingham Mill being affected.			
Changes in physical regime	As above	As above	As above	As above	As above	As above	As above	As above
Habitat loss	As above	As above	As above	As above	As above	As above	As above	As above
Habitat / community simplification	As above	As above	As above	As above	As above	As above	As above	As above

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Hazard The Lizard SA	Interest feature	Favourable condition target for relevant attribute <sup>1</sup> (including range of natural variation) based on conservation objectives	Contribution of attribute <sup>1</sup> to ecological structure and function of site	Contribution of management <sup>2</sup> or other unauthorised sources to attribute and /or feature condition	Adverse Effect of proposal alone on attribute <sup>1</sup> and/or feature	Adverse Effect of proposal in combination with other plans or projects, on attribute <sup>1</sup> and /or feature	Can adverse affects be avoided?	Adverse affect on integrity; long term, short term. Yes, No or uncertain? If uncertain consider time-limited consent, or other legally enforceable modifications
Habitat loss	Fens and wet heaths	To maintain the Northern Atlantic wet heath habitat in 'favourable condition', taking account of natural change.	Range of vegetation types	Maintenance of habitats and their extents	MR at Kennack and Jangye-ryn would result in the loss of 0.7ha and 0.5ha respectively of heathland habitat. This loss is negligible in area compared to the overall heathland habitat, but does affect the conservation objective.	No in- combination effect and no synergy effects from policies, and no other activities identified as acting or potentially acting in- combination.	Yes, MR would occur at Kennack as a result of excavation of the historic environment aspects under the heathland. Excavation could be undertaken sensitively and spoil reinstated to enable continued heathland growth until such point as natural erosion results in the loss of the habitat extent.	No adverse affect on integrity of the site.

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Habitat loss	Dry heaths	To maintain the European dry heaths in 'favourable condition', taking account of natural change, with particular reference to dwarf shrub heath.	Range of vegetation types	Maintenance of habitats and their extents	MR at Kennack and Jangye-ryn would result in the loss of 0.7ha and 0.5ha respectively of heathland habitat. This loss is negligible in area compared to the overall heathland habitat, but does affect the conservation objective.	No in- combination effect and no synergy effects from policies, and no other activities identified as acting or potentially acting in- combination.	Yes, MR would occur at Kennack as a result of excavation of the historic environment aspects under the heathland. Excavation could be undertaken sensitively and spoil reinstated to enable continued heathland growth until such point as natural erosion results in the loss of the habitat extent.	No adverse affect on integrity of the site.

Notes:

1 ATTRIBUTE = Quantifiable aspects of interest features that can be used to help define favourable condition for that feature 2 MANAGEMENT = in this context management refers to management of the **European site** 

Note the central columns of this table can be filled by reference to the favourable condition tables attached to the conservation objectives obtainable from NE/CCW.

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STAGE 3 AGENCY CONCLUSION CAN IT BE ASCERTAINED THAT THE PI

CAN IT BE ASCERTAINED THAT THE PLAN OR PROJECT WILL NOT ADVERSELY EFFECT THE INTEGRITY OF THE EUROPEAN SITE(S)? YES

Throughout the Habitat Regulations Assessment process regular consultation has been undertaken with Natural England and the Environment Agency. This form is a summary of the assessment and is not intended to be consulted upon.

Name of EA officer undertaking appropriate assessment:

Signed:

Date:

Endorsed by (if appropriate) e.g. team leader and date

NE COMMENTS ON APPROPRIATE ASSESSMENT: IS THERE AGREEMENT WITH THE CONCLUSION? YES/NO (Please provide summary and explanation for answer given)

Signed: (NE local team manager)

Date:

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Title:	No.

## PART B: Final Appropriate Assessment Record

This may be tailored to take account of the specific requirements of the relevant function, but must include the following aspects:

- Title, grid reference and description of the plan/project /application
- Date of appropriate assessment

The following statements should also be included:

"This is a record of the appropriate assessment required by Regulation 48 of the Habitats Regulations 1994, undertaken by the Environment Agency in respect of the above plan/project/application, in accordance with the Habitats Directive (Council Directive 92/43/EEC). Having considered that the plan/project/application would be likely to have a significant effect on the [name of international site(s)] and that the plan/project/application was not directly connected with or necessary to the management of the site for nature conservation, an appropriate assessment has been undertaken of the implications of the proposal in view of the site's conservation objectives.

Natural England /Countryside Council for Wales were consulted under Regulation 48(3) on [date] and their representations, to which the Environment Agency has had regard, are attached at Annex 1. The conclusions of this appropriate assessment **are / are not** in accordance with the advice and recommendations of NE/CCW".

#### Only include if appropriate the following:

\* "The applicant was required to submit further information reasonably necessary for this assessment on [date] and replied with the information on [date]/ but did not supply the information."

\* "The opinion of the public was taken under Regulation 48(4) by way of public advertisement/further consultation etc and the views expressed (attached at Annex 2) have been taken into account."

#### Then:

"The site's nature conservation objectives have been taken into account, including consideration of the citation for the site and information supplied by NE/CCW. The likely effects of the proposal on the international nature conservation interests for which the site was classified or designated may be summarised as [list of effects].

The assessment has concluded that:

• The plan or project as proposed **can** be shown to have no adverse effect on the integrity of the site, OR

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- The plan or project as proposed **cannot** be shown to have no adverse effect on the integrity of the site. The imposition of conditions or restrictions on the way the proposal is to be carried out has been considered and it is ascertained that:
  - *i* conditions or restrictions cannot/may not overcome the adverse effects on the integrity of the site
  - *ii* the following conditions and/or restrictions would avoid adverse effects on the integrity of the site [list conditions/restrictions]'

Signed (relevant Area Management Team member) and date.

\*Only include if appropriate.

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