

**M54 to M6 Link Road**

**TR010054**

**Volume 6**

**6.9 Habitats Regulations Assessment  
No Significant Effects Report**

Regulation 5(2)(g)

Planning Act 2008

Infrastructure Planning (Applications: Prescribed  
Forms and Procedure) Regulations 2009

January 2020

Infrastructure Planning

Planning Act 2008

**The Infrastructure Planning  
(Applications: Prescribed Forms and  
Procedure) Regulations 2009**

**M54 to M6 Link Road  
Development Consent Order 202[ ]**

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<b>Regulation Number</b>	Regulation 5(2)(g)
<b>Planning Inspectorate Scheme Reference</b>	TR010054
<b>Application Document Reference</b>	6.9
<b>Author</b>	M54 to M6 Link Road Project Team and Highways England

<b>Version</b>	<b>Date</b>	<b>Status of Version</b>
1	January 2020	DCO Application

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# 1 Introduction

## 1.1 Background

1.1.1 This report provides the Stage 1 Screening Assessment for the Habitats Regulations Assessment (HRA) for the proposal to construct a new two-lane dual carriageway link road, approximately 2.5 km (1.6 miles) in length between the M54 Junction 1 and the M6 Junction 11, herein referred to as 'the Scheme'. The screening assessment has been undertaken in line with the Design Manual for Roads and Bridges (DMRB) LA 115 Habitats Regulations Assessment (Ref 1), Assessment of Implications (of Highways and/or Roads Projects) on European Sites (including Appropriate Assessment) (Ref 2) and the PINS Advice Note 10: Habitats Regulations Assessment relevant to nationally significant infrastructure projects (Ref 3).

1.1.2 European Sites considered are:

- **Special Areas of Conservation (SACs)** – strictly protected sites designated under the European Commission (EC) Habitats Directive. They have been adopted by the European Commission and formally designated by the government of each country in whose territory the site lies.
- **Candidate or possible Special Areas of Conservation (cSACs or pSACs)** – sites that have been submitted to the EC, but not yet formally adopted.
- **Special Protection Areas (SPA)** – strictly protected sites classified in accordance with Article 4 of the EC Birds Directive. They are classified for rare and vulnerable birds, and for regularly occurring migratory species.
- **Potential Special Protection Areas (pSPA)** – sites that are approved by Government and currently in the process of being classified.
- **Ramsar** – wetlands of international importance designated under the Ramsar Convention.
- **Sites of Community Importance (SCI)** – These are sites that have been adopted by the EC, but not yet formally designated by the government of each country (pre-requisite step for establishing SACs). There are only two SCIs in England which are located offshore (Bristol Channel Approaches SCI and Southern North Sea SCI). SCIs are, therefore, not considered further within this assessment.

## 1.2 Scheme description

1.2.1 The Scheme would provide a strategic link between the M54 Junction 1 and M6 Junction 11. From south to north the main components of the Scheme are:

- Replacement of the existing M54 Junction 1 with free flow slip roads between the new link road and the M54 and three smaller roundabouts. This would allow the freeflow of traffic between the M54 and the new link road in both directions and maintain connectivity with the existing local road network
- Construction of a new dual carriageway between M54 Junction 1 and the M6 Junction 11. The alignment of the carriageway would be located to the east of

the existing A460 and the villages of Featherstone, Hilton and Shareshill and west of Hilton Hall.

- Dark Lane would be stopped-up between the final property and the junction with Hilton Lane.
- The realignment of Hilton Lane on a bridge over the mainline of the Scheme. The bridge would be reconstructed on a similar alignment and would provide sufficient clearance for the new road.
- Provision of an accommodation bridge and access track across the mainline of the Scheme to retain access to severed land to the east of the Scheme. The mainline of the Scheme would then continue north to the east of Brookfield Farm to link into the M6 Junction 11.
- Enlargement of the M6 Junction 11 roundabout to accommodate a connection to the new link road and realign existing connections with the A460 and M6. Two replacement bridges would be required over the M6 to provide an increase in capacity from two lanes to four lanes of traffic on the roundabout. This work would raise the height of the junction by approximately 1.5 m.

### 1.3 Overview of Habitats Regulations process

- 1.3.1 European Union (EU) obligations in respect of habitats and species are met through Directive 92/43/EEC (the Habitats Directive) (Ref 4) on the conservation of natural habitats and of wild fauna and flora. The Conservation of Habitats and Species Regulations 2017 (the Habitats Regulations) (Ref 5) transpose the requirements of the Habitats Directive into UK legislation.
- 1.3.2 In addition to sites designated under European nature conservation legislation, UK Government policy states that internationally important wetlands designated under the Ramsar Convention 1971 (Ramsar sites) are afforded the same protection as SPAs and SACs for the purpose of considering development proposals that may affect them. Paragraph 176 of the National Planning Policy Framework (NPPF) makes it clear that potential SPAs, possible SACs and proposed Ramsar sites should be treated as if they were already designated.
- 1.3.3 HRA is a process undertaken to meet the requirements of this legislation, which states that any plan or project that is not directly connected with, or necessary to, the management of a European Site, but would be likely to have a significant effect on such a site, either on its own or in-combination with other plans or projects, will be subject to an appropriate assessment of its implications for the European Site in view of its conservation objectives.
- 1.3.4 The Habitats Directive (Ref 4) and Habitats Regulations (Ref 5) requires the competent authority (the Secretary of State, in this instance) to decide whether a development plan or project should proceed, having undertaken sufficient assessment through a staged process of HRA to:
- determine, through a process called screening (Stage 1), whether the plan or project – either alone or in combination with other plans or projects – may have a significant adverse effect on a European Site; then

- if required, undertake an appropriate assessment (Stage 2) of the plan or project to determine whether there may be an adverse effect on the integrity of the European Site;
- examine alternative solutions to the plan or project (Stage 3); and
- provide justification for the Imperative Reasons of Overriding Public Interest for the plan or project, including any compensatory measures secured (Stage 4).

1.3.5 In 2018, the ‘People Over Wind and Sweetman’ European Court of Justice ruling (Case C-323/17) (Ref 6) has determined that ‘mitigation’ (i.e. measures that are specifically introduced to avoid or reduce the harmful effects of the project on European sites) should not be taken into account when forming a view on likely significant effects during Stage 1 Screening. This report therefore reflects the findings of that judgment.

1.3.6 Where the screening process concludes that there is no potential for Likely Significant Effects<sup>1</sup> (LSE) on European Sites as a result of a plan or project, there is no requirement to carry out the subsequent stages of the HRA and a No Significant Effects Report (NSER) should be produced.

## 1.4 Purpose of the report

1.4.1 The Habitats Regulations require the Applicant (Highways England) to provide information to support any decision made by the competent authority on the need for appropriate assessment, and to allow the appropriate assessment to be undertaken where required.

1.4.2 This report presents the conclusions of Stage 1 in the HRA process (screening) undertaken by Highways England in accordance with the requirements of Regulation 5(2)(g) of The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 (Ref 7).

1.4.3 It has been prepared to:

- determine whether the Scheme is directly connected with, or necessary to the management of any European Sites, through the identification of potential effect pathways;
- examine the nature of the work associated with the Scheme;
- establish whether the Scheme (and other plans or projects that in combination with the Scheme) have the potential to result in LSE on the integrity of European Sites; and
- assess the significance of any identified LSE, in order to determine the need for appropriate assessment.

1.4.4 The content of this report draws upon information gathered as part of the Environmental Impact Assessment (EIA) of the Scheme and should be read in conjunction with the Environmental Statement (ES) [TR010054/APP/6.1].

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<sup>1</sup> There is no explicit definition of LSE in legislation, and in the context of HRA it is typically taken as any effect that may reasonably be predicted as a consequence of the project that may undermine a European Site’s conservation objectives.

## 2 Habitats Regulations Assessment Methodology

### 2.1 Background

2.1.1 This Stage 1 assessment has been completed using the following guidance:

- DMRB, Sustainability and Environment Appraisal LA 115 Habitats Regulations assessment (formerly HD 44/09) (Ref 1);
- PINS Advice Note 10: Habitats Regulations Assessment relevant to nationally significant infrastructure projects (Ref 3); and
- The European Commission Managing Natura 2000 sites (the Provisions of Article 6 of the Habitats Directive 92/43/EEC).

### 2.2 Scoping of European sites

2.2.1 Highways England guidance (Ref 1) recommends that the scope of a HRA should be defined on a case-by-case basis, reflecting the project and the surrounding environmental conditions over which it is reasonable to expect that LSE could potentially occur (the zone of influence). Notwithstanding this, it does state that as a general guide, consideration should be given to identifying:

- European Sites within 200 m of roads affected by the Scheme (termed the Affected Road Network), with features sensitive to air pollutants that could be adversely affected by local air quality changes;
- Whether the Scheme crosses or lies adjacent to upstream or downstream of a watercourse which is designated in part or wholly as a European site;
- Has a potential hydrological or hydrogeological linkage to a European site containing a groundwater dependent terrestrial ecosystem;
- European Sites within 2 km of a route corridor or project boundary; and
- SACs within 30 km of a route corridor or project boundary where bats are noted as one of the qualifying features.

2.2.2 Where a project would potentially cross or would lie adjacent to, upstream of, or downstream of, a watercourse which is designated in part or wholly as a SAC or SPA, the guidance states that consideration should be given to potential impacts on European Sites within the same river, lake or reservoir catchment, or at greater distance if an effect pathway exists.

2.2.3 The identification of European Sites to be screened has been informed by the above considerations and the outcomes of HRA scoping, the objective being to identify those sites that could potentially be affected by the Scheme. Linkages have been established using a source-pathway-receptor approach, consistent with advice and guidance published by the Planning Inspectorate and the European Commission, which involves the following activities:

- land take – the total area of land that would be temporarily or permanently lost in order to implement the Scheme;

- air quality – an assessment of the impacts on air quality as a result of the Scheme, the affected road network and how this might affect European sites;
- water quality – identification of impacts on water quality and whether these may directly or indirectly affect habitats or species using European sites; and
- noise and vibration – consideration of whether activities associated with the Scheme would potentially generate noise and vibration to the extent that it could cause disturbance to terrestrial and freshwater species within European Sites.

2.2.4 Baseline information regarding the location, designation, status, sensitivity and qualifying features of European Sites has been obtained and reviewed to identify potential ecological receptors (habitats and species) that may be impacted upon by the Scheme during the construction or operation phase. This has included the review of Site of Special Scientific Interest (SSSI) impact risk zones where the SSSI and associated impact risk zone is designated for the same reason as the European site.

2.2.5 Potential receptors have been identified where the zone of influence as identified above, coincides with a European Site or, for mobile species, where their foraging, juvenile dispersal or migration range from a European Sites coincides with the zone of influence.

2.2.6 Based on the identification of potential effects, the zone of influence and potential receptors, the process of HRA scoping has established whether connectivity and linkages are present between the qualifying species recorded in the zone of influence and European Sites and therefore whether a site is scoped in to the assessment to identify potential LSE.

## 2.3 Identification of likely significant effects

2.3.1 The identification of LSE on European Sites has been determined based on the following factors.

- the likelihood that a qualifying feature of a European Site (habitat or species) would be present in the zone of influence of the Scheme;
- the ability of the qualifying feature to avoid or adapt to impacts, the availability of alternative, suitable habitat and the likelihood that the qualifying feature would access it; and
- the conservation objectives for the designated species and other information that supports the determination of the importance of the area around the Scheme to the qualifying feature.

## 2.4 Identification of other plans and projects

2.4.1 The potential for the effects of other plans and projects to combine with those associated with the Scheme and give rise to LSE on the identified European Sites has also been assessed.

2.4.2 Based on the Planning Inspectorate's advice, information has been gathered from publicly available sources and appraised for the following types of development to identify the likelihood of in-combination LSE occurring.

- Projects currently under construction.



- Permitted application(s) not yet implemented.
- Submitted application(s) not yet determined (Ref 7).
- All refusals subject to appeal procedures not yet determined (Ref 7).
- Projects on the National Infrastructure Planning's programme of projects (Ref 8).
- Planned projects identified in published development plans (Ref 9) (acknowledging the limited information and degree of uncertainty that typically exists with such plans).

2.4.3 The in-combination assessment has considered whether other identified plans or projects would:

- make effects more likely to occur (or occur at a greater level of significance); make insignificant effects significant; or
- generate new or different effects (that would not occur if the plans or projects proceeded alone).

2.4.4 Where the screening exercise concludes there to be no possibility for the Scheme to contribute to an in-combination effect from the pathways identified (when acting alone), or where the effects predicted are considered so weak that no significant contribution to any in-combination effects would occur, an in-combination assessment is not undertaken.

## 3 Screening Assessment

### 3.1 Overview

3.1.1 The Habitats Regulations Assessment follows the process within DMRB Volume 11, Section 4, Figure 4.1 Generic Screening Process for Assessment of the Implications on European Sites (Ref 5) and is outlined below:

**Step 1: Determination of connection with site management**

3.1.2 The Scheme works are not connected with the management of any European sites.

**Step 2: Examination of the nature of the work (emergency works)**

3.1.3 The works associated with the Scheme are not emergency operations.

**Step 3: Consideration of whether works constitute projects**

3.1.4 The works associated with the Scheme can be described as ‘the execution of construction works or of other installations or schemes’.

**Step 4: Screening: identification of potential constraints on European sites**

3.1.5 The assessment of the Screening criteria is as detailed below.

3.1.6 Is the geographical boundary of the Scheme:

- within any SAC, cSAC, possible SAC pSAC, SPA, possible SPA pSPA or Ramsar sites?
  - The Scheme is not within any SAC, cSAC, pSAC, SPA, pSPA or Ramsar sites.
- <2 km of any SAC, cSAC, pSAC, SPA, pSPA or Ramsar sites:
  - The Scheme is not within 2 km of any SAC, cSAC, pSAC, SPA, pSPA or Ramsar sites. The nearest SAC is Cannock Chase Extension Canal, located approximately 5.9 km from the Scheme and the nearest Ramsar is Midland Meres & Mosses Phases 1 and 2, which are more than 20 km from the Scheme.
- <30 km of any SACs, cSACs or pSACs, where bats are one of the qualifying interests; and
  - There are seven SACs within 30km of the Scheme boundary; however, none that list bats as a qualifying feature. The locations of the European sites are shown on Figure 1, Annex A.
- Crossing/adjacent to upstream of, or downstream of, watercourses designated in part or wholly as SACs, cSACs, pSACs, SPAs, pSPAs or Ramsar sites:
  - The Scheme does not cross upstream or downstream of any watercourse designated in part or wholly as a SACs, cSACs, pSACs, SPAs, pSPAs or Ramsar sites.
- has a potential hydrological or hydrogeological linkage to SACs, cSACs, pSACs, SPAs, pSPAs or Ramsar sites containing a groundwater dependent terrestrial ecosystem (GWDTE):

- The groundwater assessment undertaken for the Scheme has shown that there are no hydrological or hydrogeological links from the Scheme to a SACs, cSACs, pSACs, SPAs, pSPAs or Ramsar site containing a GWDTE.

3.1.7 The Scheme does not fall within the SSSI Risk Impact Zone of any European designated sites (Ref 10).

3.1.8 This screening assessment shows that none of the Screening criteria are met for the Scheme as shown in the screening matrix below and in Annex C.

**Step 5: Other potential constraints to European sites.**

3.1.9 Cannock Chase is designated for European dry heaths and Northern Atlantic wet heaths and Cannock Extension Canal for lowland habitat supporting floating water-plantain *Luronium natans* and is located 6.5 km north of the Scheme (refer to Annex B for detailed citations). The critical load for the habitats at Cannock Chase is 10-20 kg/ha for nutrient nitrogen deposition and for Cannock Extension Canal is 3-10 kg/ha as outlined on the Air Pollution Information System (APIS) website (Ref 11).

3.1.10 These two sites have therefore been included in the screening assessment as they are susceptible to air quality changes.

3.1.11 The current average loads (as shown on APIS) at the two SACs are as follows:

- Cannock Chase SAC: 20.2kg/ha; and
- Cannock Extension Canal: 14.5 kg/yr.

3.1.12 Therefore, an increase in nitrogen deposition could have an effect on the qualifying features of the SACs. Due to the distance of the sites from the Scheme, the potential for significant direct effects to occur during construction or operation due to nitrogen deposition is unlikely. An assessment of the traffic modelling confirms that the two SACs are more than 200 m from the nearest affected road link, therefore there is no anticipated effect on air quality at either of the SACs.

3.1.13 It is not anticipated that the construction of the Scheme would have any other impacts on any of the other identified European Sites.

**Table 3.1: Screening matrix**

<b>Project Name</b>	M54 to M6 Link Road	
<b>Natura 2000 Site (s) under Consideration</b>	See below	
<b>Date:</b>	<b>Author(Name):</b>	<b>Verified by (Name):</b>
20/09/2019	Hazel Murrells	Matt Oakley
<b>Name and location of European Sites (refer to Figure 1, Annex A for site locations):</b>		
<ul style="list-style-type: none"> <li>• Cannock Extension Canal SAC – located c. 5.9km east of the Scheme.</li> <li>• Cannock Chase SAC – located c. 6.5 km north of the Scheme.</li> </ul>		
<b>Description of the Scheme</b>		

<p>Highways England are developing a link road between the M54 and M6 to provide a link between Junction 1 of the M54 and Junction 11 of the M6. The Scheme aims to reduce congestion on local / regional routes, particularly the A449 and A460 and deliver improved transport links to encourage the development of the surrounding area, providing social and economic benefits for the West Midlands region. The Scheme is shown on Figure 1, Annex A. A description of the Scheme is provided in Section 1.2 of this report.</p>	
<p><b>Describe any likely direct, indirect or secondary impacts of the project (either alone or in combination with other plans or projects) on the European Sites by virtue of:</b></p>	
<b>Land take</b>	None.
<b>Distance from the European Site or key features of the site (from edge of the Scheme boundary)</b>	See above (Name and location of European sites).
<b>Resource requirements (from the European Site or from areas in proximity to the site, where of relevance to consideration of impacts)</b>	None.
<b>Emissions (e.g. polluted surface water runoff - both soluble and insoluble pollutants, atmospheric pollution)</b>	All sites outlined above have been confirmed through the air quality assessment to be more than 200m from the affected road network (ARN).
<b>Excavation requirements (e.g. impacts of local hydrogeology)</b>	None.
<b>Transportation requirements</b>	None.
<b>Duration of construction, operation, etc.</b>	2021 – 2024 (3 years)
<p><b>Description of avoidance and/or mitigation measures</b></p>	
<p><b>Describe any assumed (plainly established and uncontroversial) mitigation measures, including information on:</b></p>	
<b>Nature of proposal</b>	<p>The Scheme is located more than 2 km from any SAC and Ramsar sites and no pathways for direct or indirect impacts have been identified. Therefore,</p>
<b>Location</b>	
<b>Evidence for effectiveness</b>	

<b>Mechanism for delivery (legal conditions, restrictions or other legally enforceable obligations)</b>	no specific avoidance or mitigation measures are required.
<b>Characteristics of European Site(s)</b> A brief description of the European Site should be produced, including information on:	
<b>Name of European Site and its EU code</b>	<ul style="list-style-type: none"> <li>• Cannock Extension Canal SAC – UK0012672</li> <li>• Cannock Chase SAC – UK0030107</li> </ul>
<b>Location and distance of the European Site from the proposed works</b>	See above (Name and location of European sites).
<b>European Site size</b>	<ul style="list-style-type: none"> <li>• Cannock Extension Canal SAC – 5 ha</li> <li>• Cannock Chase SAC – 1244.2 ha</li> </ul>
<b>Key features of the European Site including the primary reasons for selection and any other qualifying interests</b>	<ul style="list-style-type: none"> <li>• Cannock Extension Canal SAC – The site is an example of anthropogenic, lowland habitat supporting floating water-plantain <i>Luronium natans</i> at the eastern limit of the plant’s natural distribution in England.</li> <li>• Cannock Chase SAC – The site is designated for European dry heaths the largest area of lowland heath in the Midlands.</li> </ul>
<b>Vulnerability of the European Site - any information available from the standard data forms on potential effect pathways</b>	Prioritised issues / vulnerabilities for the European site(s) from the Natural England Site Improvement Plans are detailed below: <ul style="list-style-type: none"> <li>• <i>Cannock Extension Canal SAC – overgrazing of aquatic macrophytes by large groups of Canada geese, pollution to groundwater (point sources and diffuse sources); air pollution, air-borne pollutants; and invasive non-native species.</i></li> <li>• <i>Cannock Chase SAC – recreation, undergrazing, drainage, hydrological changes, disease, air pollution (nitrogen deposition), wildfire/arson and invasive species.</i></li> </ul>
<b>European site conservation objectives- where these are readily available</b>	The Cannock Extension Canal SAC states the conservation objectives as follows: <i>“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;</i>

	<ul style="list-style-type: none"> <li>• <i>The extent and distribution of the habitats of qualifying species</i></li> <li>• <i>The structure and function of the habitats of qualifying species</i></li> <li>• <i>The supporting processes on the habitats of qualifying species rely</i></li> <li>• <i>The populations of qualifying species, and,</i></li> <li>• <i>The distribution of qualifying species within the site.”</i></li> </ul> <p>The Cannock Chase SAC states the conservation objectives as follows:  <i>“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;</i></p> <ul style="list-style-type: none"> <li>• <i>The extent and distribution of qualifying natural habitats</i></li> <li>• <i>The structure and function (including typical species) of qualifying natural habitats, and</i></li> <li>• <i>The supporting processes on which the qualifying natural habitats rely.”</i></li> </ul>
<p><b><u>Assessment Criteria</u></b>  <b>Describe the individual elements of the project (either alone or in combination with other plans or projects) likely to give rise to impacts on the European Site.</b></p>	
<p>None.  The Scheme is located more than 2 km from any SACs and Ramsars and is therefore outside the zone of influence of 2 km as set out in Figure 3.1 ‘HRA Screening Process’ (Ref 1).  There is no hydraulic link between the Scheme and the two aforementioned SACs and Ramsar sites, therefore, no effects are predicted.  All sites are located outside the ARN and therefore no impacts from air quality are anticipated.  Bats are not a qualifying interest for any of the SACs within 30 km of the Scheme.  No impacts are expected on any of the two above listed SACs or Ramsar.</p>	
<p><b><u>Initial Assessment</u></b>  <b>The key characteristics of the site and the details of the European Site should be considered in identifying potential impacts.</b>  <b>Describe any likely changes to the site arising as a result of:</b></p>	

<b>Reduction of habitat area</b>	None. The Scheme would not result in any habitats loss within any of the SACs/ Ramsar sites.
<b>Disturbance to key species</b>	There would be no disturbance to key species of the SACs/ Ramsar as no access to the SACs/ Ramsar is required, and the SACs/ Ramsar are of sufficient distance from the Scheme not to be affected by impacts from pollution, light, noise and vibration.
<b>Habitat or species fragmentation</b>	None. No land-take from the SACs/ Ramsars would be required as a result of the Scheme, and no severance or fragmentation of habitats would occur.
<b>Reduction in species density</b>	A reduction in species diversity as a result of the Scheme would not occur as there would be no impacts to the SACs/ Ramsar.
<b>Changes in key indicators of conservation value (water quality, etc.)</b>	No changes in key indicators of conservation value as there would be no impacts to the SACs/ Ramsar.
<b>Climate change</b>	Due to the distance between the Scheme and the SACs/ Ramsar, changes in surface water drainage or air quality as a result of the Scheme that may be exacerbated by climate change are not anticipated to have an effect.
<b>Describe any likely impacts on the European Site as a whole in terms of:</b>	
<b>Interference with the key relationships that define the structure of the site</b>	Structure is taken to correspond to the distribution and abundance of habitats that support the qualifying features of the SACs/ Ramsar. Interference with the relationships which define the habitats in the SACs/ Ramsar would include changes in water and sediment quality, and disturbance from human activities. It is considered that this would not occur as a result of the Scheme due to the intervening distance and lack of hydrological connectivity.
<b>Interference with the key relationships that define the function of the site</b>	Function is taken here to mean the capacity of the SACs/ Ramsar to support the habitats and species for which it is designated. The quality and extent of habitats within the SACs/ Ramsar would not be affected by the Scheme, either alone or in-combination with other plans or projects, and therefore no effect on the function of the SACs/ Ramsar is predicted.

<b>Indicate the significance as a result of the identification of impacts set out above in terms of:</b>	
<b>Reduction of habitat area</b>	Not significant – the Scheme would not result in habitat loss or land take from the SACs/ Ramsar.
<b>Disturbance of key species</b>	Not significant – there would be no disturbance of key species within the SACs/ Ramsar during construction or operation.
<b>Habitat or species fragmentation</b>	Not significant - There would be no land-take from the SACs/ Ramsar and given the distances involved no severance or fragmentation of habitats or species would occur, as the Scheme and associated works would be maintained within the Scheme boundary.
<b>Loss</b>	Not significant – there would be no loss species populations recorded within the SACs/ Ramsar as a result of construction or operation of the Scheme.
<b>Disruption</b>	Not significant - Construction or operation of the Scheme would not disrupt the structure or function of the key relationships within the SACs/ Ramsar.
<b>Disturbance</b>	Not significant - Disturbance to species which the SACs/ Ramsar are designated would not occur, given the location and extent of works in relation to the site, and the lack of hydrological connectivity.
<b>Changes to key elements of the site (e.g. water quality, hydrological regime etc)</b>	Not significant - There would not be a significant change to key elements of the site. There would be no reduction in habitat area, changes in water and sediment quality, which support the site's designations. Therefore, there would be no changes to the species for which the site is designated as a result of the Scheme.
<b>Describe from the above those elements of the project, or combination of elements, where the above impacts are likely to be significant or where the scale or magnitude of impacts is not known.</b>	
None.	
<b>Outcome of Screening Stage:</b>	Not Likely to be Significant Effects.
<b>Are the appropriate statutory environmental bodies in agreement with this conclusion?</b>	Yes. NE agreement of HRA conclusion of no likely significant effect confirmed via e-mail 22/11/19.
<b>Data Collected to Carry out the Assessment</b>	
Source of data:	



- MAGIC Website accessed in September 2019 to obtain spatial data in relation to European Designated Sites located within 30 km of the Scheme.
- JNCC Website accessed on September 2019 to obtain information on qualifying features, site vulnerabilities and site objectives of European Designated Sites located within 30 km of the Scheme.

### **Step 6: A No Significant Effects Report**

- 3.1.14 A No Significance Effects Report proforma has been completed as a record of decision.
- 3.1.15 The finding of the No Significant Effects Report Matrix is provided in Annex D.
- 3.1.16 The Report Matrix finds that the Scheme is not anticipated to result in significant effects on European sites, and therefore no European sites are required to be considered and taken forward to Appropriate Assessment.

## 4 Conclusions

- 4.1.1 The screening assessment is set out in full in the relevant screening matrices - see Section 3 and Annex C.
- 4.1.2 In conclusion, this report has shown that there is sufficient information and assessment evidence to conclude that the Scheme would not result in a likely significant effect on European Sites, either alone or in-combination with other plans or projects.
- 4.1.3 As no potential for likely significant effects has been recorded for the identified European Sites at Stage 1 screening, it is concluded that appropriate assessment would not need to be undertaken by the Secretary of State for Transport for any of the identified sites.

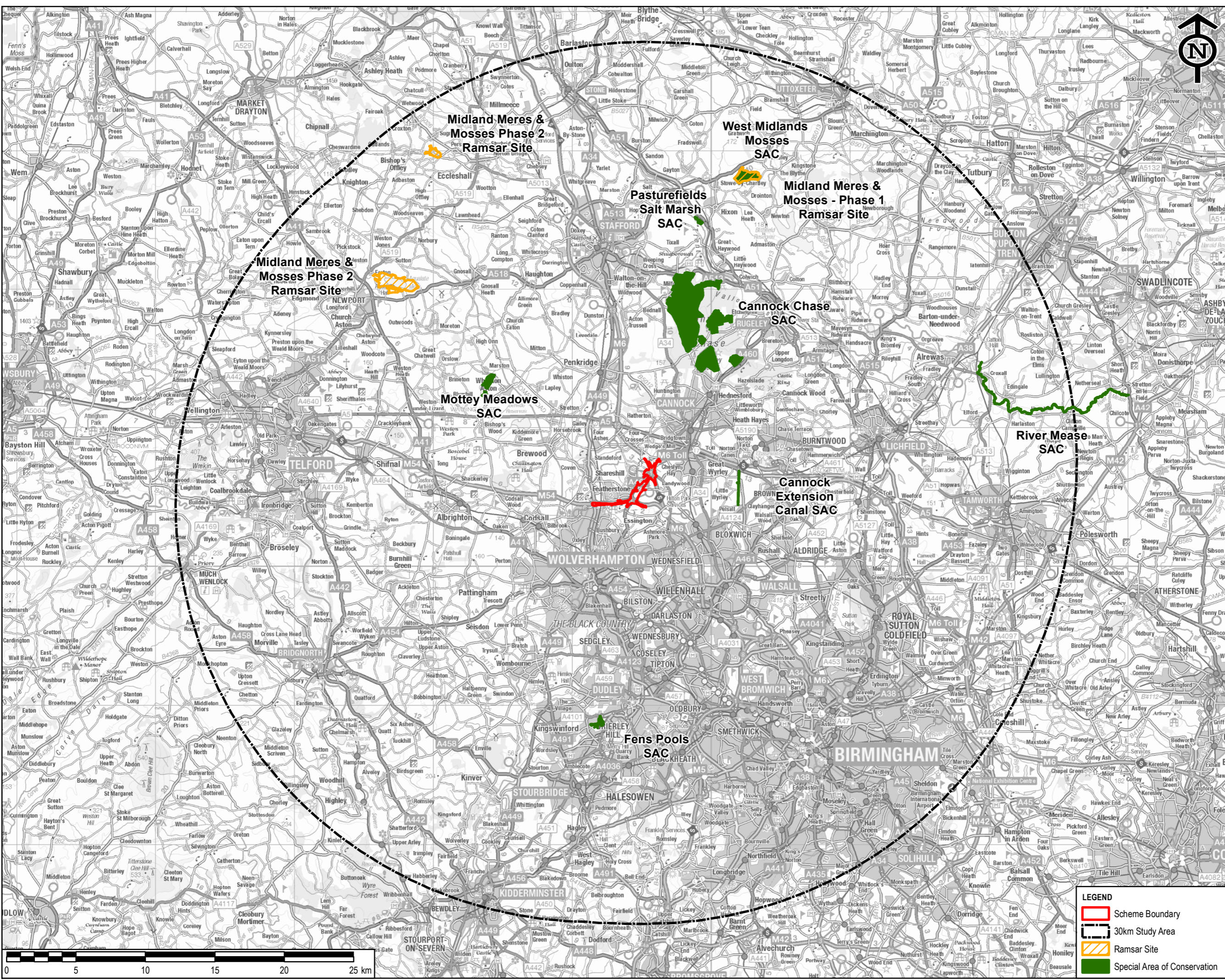
## 5 References

- Ref 1 Highways England (2019) Design Manual for Roads and Bridges, Sustainability and Environment Appraisal LA 115 Habitats Regulations assessment (formerly HD 44/09).
- Ref 2 Highways England (2009) Design Manual for Roads and Bridges, Volume 11, Section 4, Part 1, Assessment of Implications (of Highways and/or Roads Projects) on European Sites (Including Appropriate Assessment)
- Ref 3 The Planning Inspectorate (2017) Advice Note Ten – Habitats Regulations Assessment relevant to Nationally Significant Infrastructure Projects.
- Ref 4 The European Commission (2000). Managing Natura 2000 sites: The Provisions of Article 6 of the Habitats Directive 92/43/EEC.
- Ref 5 The Conservation of Habitats and Species Regulations 2017. The Stationary Office Limited (2017).
- Ref 6 Case C-323/17 People Over Wind, Peter Sweetman v Coillte Teoranta – 12 April 2018. Accessed August 2018.  
<https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX%3A62017CJ0323&qid=1524824107742&from=EN>.
- Ref 7 The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009. The Stationary Office Limited (2009).
- Ref 8 The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009. The Stationary Office Limited (2009).
- Ref 9 National Infrastructure Planning website. Accessed September 2019.  
<https://infrastructure.planninginspectorate.gov.uk/projects/>.
- Ref 10 Magic on the map: Available online at <https://magic.defra.gov.uk/> Accessed 18.09.19
- Ref 11 Air Pollution Information Site (APIS). <http://www.apis.ac.uk/>. Accessed 18.09.19.
- Ref 12 Join Nature Conservation Committee (JNCC) website. <https://jncc.gov.uk/>. Access 18.09.19.

## **Annex A: Figures**

### **Figure 1: European Designated Sites**

Plot Date: 08 October 2019 11:15:28 File Name: \\ukcas2pfs001\1\1\1\ENVIRONMENT\Practice Areas\GIS\Projects\M54\M6 Link\Workspace\Stage 3 Figures\Ecology\HE514465-ACM-EGN-M54\_SW\_PR\_Z-DR-EG-0059 - European Designated Sites.mxd



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Revised Template	EC	AR	08/10/2019	P02
First Issue	EC	AR	27/08/19	P01
Revision Details	By	Check	Date	Suffix

**DCO APPLICATION**

Client  
Highways England  
The Cube  
199 Wharfedale Street  
Birmingham  
B1 1RN

Working on behalf of  
**highways england**

Development Consent Order Number  
**TR010054**

Project Title  
**M54 TO M6 LINK ROAD**

Drawing Title  
**EUROPEAN DESIGNATED SITES**

Designed	Drawn	Checked	Approved	Date
EC	EC	AR	TP	08/10/2019

Internal Project No.  
60536736

Suitability  
S2

Scale @ A3  
1:250,000

Zone  
M54 to M6 Link Road

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**LEGEND**

- Scheme Boundary
- 30km Study Area
- Ramsar Site
- Special Area of Conservation

## **Annex B: Designated Site Citations**



☰ Special Areas of Conservation

# Cannock Chase

## ● Designated Special Area of Conservation (SAC)

Country	England
Unitary Authority	Shropshire and Staffordshire
Centroid*	SJ982188
Latitude	52.76638889
Longitude	-2.026666667
SAC EU Code	UK0030107
Status	Designated Special Area of Conservation (SAC)
Area (ha)	1244.2

\* This is the approximate central point of the SAC. In the case of large, linear or composite sites, this may not represent the location where a feature occurs within the SAC.



Location of Cannock Chase  
SAC

## General site character

- Inland water bodies (Standing water, Running water) (0.5%)
- Heath, Scrub, Maquis and Garrigue, Phygrana (76.3%)
- Coniferous woodland (12%)
- Non-forest areas cultivated with woody plants (including Orchards, groves, Vineyards, Dehesas) (10.5%)
- Other land (including Towns, Villages, Roads, Waste places, Mines, Industrial sites) (0.7%)



Download the Natura 2000 standard data form for this site as submitted to Europe (PDF <100kb)

**Note** When undertaking an appropriate assessment of impacts at a site, all features of European importance (both primary and non-primary) need to be considered.

## Annex I habitats that are a primary reason for selection of this site

- **4030 European dry heaths**

The area of lowland heathland at Cannock Chase is the most extensive in the Midlands, although there have been losses due to fragmentation and scrub/woodland encroachment. The character of the vegetation is intermediate between the upland or northern heaths of England and Wales and those of southern counties. Dry heathland communities belong to NVC types H8 *Calluna vulgaris* – *Ulex gallii* and H9 *Calluna vulgaris* – *Deschampsia flexuosa* heaths. Within the heathland, species of northern latitudes occur, such as cowberry *Vaccinium vitis-idaea* and crowberry *Empetrum nigrum*. Cannock Chase has the main British population of the hybrid bilberry *Vaccinium intermedium*, a plant of restricted occurrence. There are important populations of butterflies and beetles, as well as European nightjar *Caprimulgus europaeus* and five species of bats.

## Annex I habitats present as a qualifying feature, but not a primary reason for selection of this site

- **4010 Northern Atlantic wet heaths with *Erica tetralix***

## Annex II species that are a primary reason for selection of this site

- Not Applicable



# Annex II species present as a qualifying feature, but not a primary reason for site selection

- Not Applicable

*Many designated sites are on private land: the listing of a site in these pages does not imply any right of public access.*

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☰ Special Areas of Conservation

# Cannock Extension Canal

## ● Designated Special Area of Conservation (SAC)

Country	England
Unitary Authority	Shropshire and Staffordshire, West Midlands
Centroid*	SK020058
Latitude	52.64972222
Longitude	-1.970555556
SAC EU Code	UK0012672
Status	Designated Special Area of Conservation (SAC)
Area (ha)	5

\* This is the approximate central point of the SAC. In the case of large, linear or composite sites, this may not represent the location where a feature occurs within the SAC.



Location of Cannock  
Extension Canal SAC

## General site character

- Inland water bodies (Standing water, Running water) (75%)
- Humid grassland, Mesophile grassland (10%)
- Broad-leaved deciduous woodland (4.9%)
- Other land (including Towns, Villages, Roads, Waste places, Mines, Industrial sites) (10.1%)



Download the Natura 2000 standard data form for this site as submitted to Europe (PDF <100kb)

**Note** When undertaking an appropriate assessment of impacts at a site, all features of European importance (both primary and non-primary) need to be considered.

## Annex I habitats that are a primary reason for selection of this site

- Not Applicable

## Annex I habitats present as a qualifying feature, but not a primary reason for selection of this site

- Not Applicable

## Annex II species that are a primary reason for selection of this site

- **1831 Floating water-plantain** *Luronium natans*

Cannock Extension Canal in central England is an example of anthropogenic, lowland habitat supporting **floating water-plantain** *Luronium natans* at the eastern limit of the plant's natural distribution in England. A very large population of the species occurs in the Canal, which has a diverse aquatic flora and rich dragonfly fauna, indicative of good water quality. The low volume of boat traffic on this terminal branch of the Wyrley and Essington Canal has allowed open-water plants, including floating water-plantain, to flourish, while depressing the growth of emergents.

## Annex II species present as a qualifying feature, but not a primary reason for site selection

- Not Applicable

*Many designated sites are on private land: the listing of a site in these pages does not imply any right of public access.*

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## Annex C: Screening Matrices

### HRA Screening Matrices for the M54 to M6 Link Road.

#### Potential Effects

Potential effects upon the European site(s) which are considered within the submitted report are provided in the table below.

Effects considered within the screening matrices

Designation	Effects described in submission information	Presented in screening matrices as
<ul style="list-style-type: none"><li>• Cannock Extension Canal SAC</li><li>• Cannock Chase SAC</li></ul>	<ul style="list-style-type: none"><li>• Reduction of habitat area</li><li>• Disturbance of key species</li><li>• Habitat or species fragmentation</li><li>• Reduction of species density</li><li>• Changes in key indicators</li><li>• conservation value (e.g. water quality)</li><li>• Climate change</li></ul>	<ul style="list-style-type: none"><li>• Habitat loss</li><li>• Loss of species</li><li>• Disturbance to key habitats or species</li><li>• during construction and/or operation e.g. as a result of noise, changes in water and / or air quality, climate change, fragmentation.</li></ul>

The European sites included within the screening assessment are:

- Cannock Extension Canal SAC
- Cannock Chase SAC

Evidence for, or against, likely significant effects on the European site(s) and its qualifying feature(s) is detailed within the footnotes to the screening matrices below.

Matrix Key:

✓ = Likely significant effect cannot be excluded

× = Likely significant effect can be excluded

C = Construction

O = Operation

Where particular effects are not relevant to a feature the matrix cell is formatted as follows:

The HRA covers the construction and operation phases of the Scheme. The Scheme is not considered to have a decommissioning stage as it is expected to be in place in perpetuity therefore no information on this is provided.

### HRA Screening Matrix 1: Cannock Extension Canal SAC

<b>Name of European site and designation: Cannock Extension Canal SAC</b>								
<b>EU Code: Cannock Extension Canal SAC – UK0012672</b>								
<b>Distance to the Scheme boundary : Located c. 6 km east of the Scheme.</b>								
<b>European Site feature</b>	<b>Likely effects of the Scheme/ No significant effects of the Scheme</b>							
<b>Effect</b>	Habitat Loss		Loss of Species		Disturbance to key habitats or species		In combination effects	
<b>Stage of Development</b>	C	O	C	O	C	O	C	O
1831 Floating water-plantain <i>Luronium natans</i>	xa				xb	xb	xc	xc

**a** - The site is vulnerable to direct habitat loss during construction; however, it is too far away from the Scheme (<2 km) for this to be considered as an impact pathway.

**b** – The site is vulnerable to disturbance e.g. from changes in water and air quality; however it is located too far from the Scheme (>2 km) and no habitats or hydrological links exists and the site has been confirmed to be outside the affected road network (ARN).

**c** – As there are no likely significant effects recorded on the Cannock Extension Canal SAC, it has not been considered further in terms of in combination effects.

## HRA Screening Matrix 2: Cannock Chase SAC

<b>Name of European site and designation: Cannock Extension Canal SAC</b>								
<b>EU Code: Cannock Chase SAC – UK0030107</b>								
<b>Distance to the Scheme boundary: Located c. 6.5 km north of the Scheme.</b>								
<b>European Site feature</b>	<b>Likely effects of the Scheme/ No significant effects of the Scheme</b>							
<b>Effect</b>	Habitat Loss		Loss of Species		Disturbance to key habitats or species		In combination effects	
<b>Stage of Development</b>	C	O	C	O	C	O	C	O
4030 European dry heaths	xa				xb	xb	xc	xc
4010 Northern Atlantic wet heaths with <i>Erica tetralix</i>	xa				xb	xb	xc	xc

**a** - The site is vulnerable to direct habitat loss during construction; however, it is too far away from the Scheme (<2km) for this to be considered as an impact pathway.

**b** – The site is vulnerable to disturbance e.g. from changes in water and air quality; however it is located too far from the Scheme (>2km) and no habitats or hydrological links exists and the site has been confirmed to be outside the affected road network (ARN).

**c** – As there are no likely significant effects recorded on the Cannock Chase SAC, it has not been considered further in terms of in combination effects.



## Annex D: Finding of No Significant Effects Report

<b>Project Name</b>	M54 to M6 Link Road	
<b>Natura 2000 Site under Consideration</b>	Cannock Extension Canal SAC Cannock Chase SAC	
<b>Date:</b>	<b>Author(Name):</b>	<b>Verified (Name):</b>
20/09/2019	Hazel Murrells	Matt Oakley
<b>Name and location of European Sites (refer to Figure 1 for site location):</b>		
<ul style="list-style-type: none"> <li>• Cannock Extension Canal SAC – located c. 6 km east of the Scheme.</li> <li>• Cannock Chase SAC – located c. 6.5 km north of the Scheme.</li> </ul>		
<b>Description of the Project</b>		
<p>Highways England are developing a link road between the M54 and M6 to provide a link between Junction 1 of the M54 and Junction 11 of the M6. The Scheme aims to reduce congestion on local / regional routes, particularly the A449 and A460 and deliver improved transport links to encourage the development of the surrounding area, providing social and economic benefits for the West Midlands region.</p> <p>The Scheme is shown on Figure 1. A description of the Scheme is provided in Section 1.2 of this report.</p>		
<b>Is the project directly connected with or necessary to the management of the site (provide details)?</b>	No	
<b>Are there other projects or plans that together with the project being assessed could affect the site (provide details)?</b>	No	
<b>The Assessment of Significance of Effects</b>		
<b>Describe how long the project (alone or in combination) is likely to affect the European Site</b>	N/A – it will not affect any of the identified European sites.	
<b>Explain why these effects are not considered significant</b>	N/A	
<b>List of agencies consulted: provide contact name and telephone or email address</b>	Natural England Gillian Driver Gillian.Driver@naturalengland.org.uk	
<b>Response to consultation</b>	NE agreement of HRA conclusion of no likely significant effect confirmed via e-mail 22/11/19.	
<b>Findings of No Significant Effects Report</b>		
The Scheme is not anticipated to have significant effects on the SACs identified.		
<b>Who carried out the assessment?</b>	Hazel Murrells	

<b>Sources of data</b>	<p>MAGIC Website (Ref 10) accessed in September 2019 to obtain spatial data in relation to European Designated Sites located within 30 km of the Scheme.</p> <p>JNCC Website (Ref 12) accessed in September 2019 to obtain information on qualifying features of European Designated Sites located within 30 km of the Scheme (Annex B).</p> <p>APIS website (Ref 11) accessed in September 2019 to obtain critical load data.</p> <p>National Infrastructure Planning website (Ref 9) accessed September 2019, to identify any other relevant projects.</p>
<b>Level of assessment completed</b>	LSE test.
<b>Where can the full results of the assessment be accessed and viewed?</b>	In this report.