



Planning
Inspectorate

REPORT on the IMPLICATIONS for EUROPEAN SITES

Proposed M60/M62/M66 Simister Island Interchange

An Examining Authority report prepared with the support of the
Environmental Services Team

Planning Inspectorate Reference: TR010064

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1 INTRODUCTION

1.1 Background

- 1.1.1 National Highways (the applicant) has applied for a development consent order (DCO) under section 37 of the Planning Act 2008 (PA2008) for the proposed M60/M62/M66 Simister Island Interchange ('the proposed development'). On behalf of the Secretary of State for Housing, Communities and Local Government, an Examining Authority (ExA) has been appointed to conduct an examination of the application. The ExA will report its findings and conclusions and make a recommendation to the relevant Secretary of State (SoS) as to the decision to be made on the application.
- 1.1.2 For applications submitted under the PA2008 regime, the relevant SoS is the competent authority for the purposes of the Conservation of Habitats and Species Regulations 2017 ('the Habitats Regulations'). The findings and conclusions on nature conservation issues reported by the ExA will assist the SoS in performing their duties under the Habitats Regulations.
- 1.1.3 This Report on the Implications for European sites (RIES) documents and signposts the information in relation to potential effects on European sites that was provided within the DCO application and submitted during the examination by the applicant and interested parties (IPs), up to Deadline 5 (DL5) of the examination (10 January 2025). It is not a standalone document and should be read in conjunction with the examination documents referred to. Where document references are presented in square brackets [] in the text of this report, that reference can be found in the examination library published on the National Infrastructure Planning website by following the link below:
- 1.1.4 <http://infrastructure.planninginspectorate.gov.uk/document/TR010064-000278>
- 1.1.5 For the purpose of this RIES, in line with the Habitats Regulations and relevant Government policy, the term 'European sites' includes Special Areas of Conservation (SAC), candidate SACs, proposed SACs, Special Protection Areas (SPA), potential SPAs, listed and proposed Ramsar sites and sites identified or required as compensatory measures for adverse effects on any of these sites. For ease of reading, this RIES also collectively uses the term 'European site' for European sites as defined in the Habitats Regulations 2017 and 'European Marine Sites' defined in the Offshore Marine Habitats and Species Regulations 2017, unless otherwise stated. The 'UK National Site Network' refers to SACs and SPAs belonging to the United Kingdom already designated under the Directives and any further sites designated under the Habitats Regulations.
- 1.1.6 This RIES is issued to ensure that IPs including the Appropriate Nature Conservation Body (ANCB), Natural England (NE), are consulted formally on Habitats Regulations matters. This process may be relied on by the SoS for the purposes of Regulation 63(3) of the Habitats Regulations.
- 1.1.7 It also aims to identify and close any gaps in the ExA's understanding of IPs' positions on Habitats Regulations matters, in relation to all European sites and

qualifying features as far as possible, in order to support a robust and thorough recommendation to the SoS.

- 1.1.8 Following consultation, the responses will be considered by the ExA in making their recommendation to the SoS and made available to the SoS along with this report. The RIES will not be revised following consultation.

1.2 Documents used to inform this RIES

- 1.2.1 The applicant's Habitats Regulations Assessment (HRA) Report (the HRA Report) comprised the following document:

- Environmental Statement (ES) Appendix 8.13 Habitats Regulations Assessment Report [[APP-103](#)].

- 1.2.2 The HRA Report concluded that adverse effects on the integrity of all European sites could be excluded.

- 1.2.3 In addition to the HRA Report, the RIES refers to representations submitted to the examination by IPs, Issue Specific Hearing (ISH) documents, Statements of Common Ground (SoCG) and other examination documents as relevant. All documents can be found in the Examination Library.

- 1.2.4 Comments on the RIES are timetabled for DL6 (11 February 2025).

1.3 HRA Matters Considered During the Examination

- 1.3.1 The examination to date has focussed on the following matters:

- Whether the applicant's assessment identified all the relevant European sites.
- The applicant's assessment methodology for in-combination effects on the Rochdale Canal SAC.

2 LIKELY SIGNIFICANT EFFECTS

2.1 European sites considered

Introduction

2.1.1 The proposed development is not connected with or necessary to the management for nature conservation of any European site.

2.1.2 Section 1.6 of the HRA Report [[APP-103](#)] details that the identification of European sites was undertaken on the following criteria, based on the Design Manual for Roads and Bridges (DMRB) LA 115 Habitats Regulations assessment. The criteria consider whether the proposed development:

- Is within 2km of any SAC, candidate SAC, potential SAC, SPA, potential SPA or Ramsar site.
- Is within 30km of any SAC, candidate SAC or potential SAC where bats are one of the qualifying interests.
- Crosses or lies adjacent to, upstream of, 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 (GWDTE) which triggers assessment in DMRB LA 113 Road drainage and the water environment.
- Has an affected road network (ARN) which triggers the criteria for assessment of European sites within DMRB LA 105 Air Quality.
- Would additional European sites be subject to screening where the existence of ecological connectivity between projects and European sites is identified beyond the screening criteria¹.

Sites within the UK National Site Network (NSN)

2.1.3 The applicant's HRA Report [[APP-103](#)] identified one European site within the UK National Site Network for inclusion within the assessment. The European site is listed in Table 4.2 of Section 4 of the HRA Report and are as detailed in Table 2.1 below.

Table 2.1: European sites in the UK NSN identified in the applicant's HRA Report [[APP-103](#)]

Name of European site	Distance from proposed development (km)
Rochdale Canal SAC	5km east

¹ Criteria taken from Paragraph 1.6.5 of the HRA Report [[APP-103](#)]

- 2.1.4 The location of this site relative to the proposed development is depicted on Figure 8.13.1 of the HRA Report [[APP-103](#)].
- 2.1.5 At DL1A [[REP1A-001](#)], Bury Metropolitan Borough Council (BMBC) noted that South Pennines SPA, South Pennines SAC and Manchester Mosses SAC were not referenced in the assessments and commented that increased traffic on the M62 during operation could have potential significant effects on these European sites.
- 2.1.6 NE agreed in its relevant representation [[RR-009](#)] and SoCG [[REP1-017](#)] that all relevant European sites and European site features that could be affected by the project had been identified by the applicant. In response to ExQ1 BIO.1.1 [[PD-011](#)] NE confirmed its position remained the same. BMBC in its SoCG [[REP2-006](#)] agreed with NE's position.

2.2 Potential impact pathways

- 2.2.1 Section 3.1 of the HRA Report [[APP-103](#)] details the approach taken to identifying potential likely significant effects (LSE) from the proposed development, along with details of the thresholds used to define the potential for impacts to arise. Section 5.2 and the tables provided in Annex A and B outline the potential impacts from the proposed development, along with the potential geographical extent of effects.
- 2.2.2 The HRA Report assessed the potential impacts during construction, operation and maintenance. The decommissioning phase was not assessed as the applicant considered it highly unlikely that the proposed development would be decommissioned before the end of its design life of 60 years as the road would have become an integral part of the Strategic Road Network (SRN).
- 2.2.3 Section 5.2 and Table 4.2 of the HRA Report lists the sites and qualifying features and the impact pathways which could affect them.

Table 2.2 Pathways for LSE assessed by the applicant

Rochdale Canal SAC	LSE pathway
Floating water-plantain <i>Luronium natans</i>	<ul style="list-style-type: none"> Reduction of habitat area through changes in air quality.

- 2.2.4 No additional impact pathways have been identified by IPs for inclusion within the assessment in the examination to date.

2.3 In-combination effects

- 2.3.1 Section 3.2 of the HRA Report [[APP-103](#)] detailed the applicant's approach to assessing in-combination effects. See Table 3.1 of this RIES for further discussion.

2.4 The applicant's assessment

- 2.4.1 The qualifying features and LSE pathways screened in and the applicant's conclusions in respect of screening are presented in Section 5 of the HRA Report [[APP-103](#)]. The applicant concluded that the proposed development would be likely to give rise to significant effects, either alone or in combination with other projects or plans, on the floating water-plantain feature of the Rochdale Canal SAC.
- 2.4.2 IPs and the ExA raised questions during the examination in relation to the omission of South Pennines SPA, South Pennines SAC and Manchester Mosses SAC from the assessment. See Section 2.5 of this RIES for further details.

2.5 Examination matters

- 2.5.1 Matters raised to date in relevant representations and the examination to date, or those for which the ExA seeks clarity, in relation to the applicant's screening assessment are summarised in Table 2.3 below.

Table 2.3: Issues raised in the examination to date by the ExA and IPs in relation to the applicant's screening of LSEs (alone and in-combination)

ID	Potential impact pathway	Details of issue	ExA observation/ question
South Pennines SPA, South Pennines SAC and the Manchester Mosses SAC			
2.3.1	Operation Identification of European sites for assessment	<p>At DL1A [REP1A-001], BMBC noted that South Pennines SPA, South Pennines SAC and Manchester Mosses SAC were not referenced in the assessments and raised that increased traffic on the M62 during operation could have potential significant effects on these European sites, particularly when considering the cumulative effect of the Northern Gateway Places for Everyone (PfE) allocation.</p> <p>ExQ1 BIO.1.1 [PD-011] requested that NE confirm whether it considered that further assessment is required for these European sites. In response [REP3-028] NE confirmed that they do not consider that further assessment is required for South Pennines SPA, South Pennines SAC and Manchester Mosses SAC based on their distance from the proposed development.</p> <p>BMBC in its SoCG [REP2-006] agreed with NE's position.</p>	n/a - matter resolved.

2.6 Summary of examination outcomes in relation to screening

- 2.6.1 The ExA's understanding of the applicant's and NE's current positions in relation to LSEs is set out above.

3 ADVERSE EFFECTS ON INTEGRITY

3.1 Conservation Objectives

- 3.1.1 The conservation objectives for the European site for which an LSE was identified by the applicant at the point of the DCO application were included within the HRA Report [[APP-103](#)] (Section 4).
- 3.1.2 Section 4.3 of the HRA Report [[APP-103](#)] confirms that the SAC is in an unfavourable recovering condition.

3.2 The applicant's assessment

- 3.2.1 The European site and qualifying feature for which LSE were identified were further assessed by the applicant to determine if they could be subject to Adverse Effects on Integrity (AEoI) from the proposed development, either alone or in combination. The outcomes of the applicant's assessment of effects on integrity are summarised in Section 6 of the HRA Report [[APP-103](#)].

Mitigation measures

- 3.2.2 The applicant's HRA Report does not identify any mitigation measures which were taken into account in the applicant's assessment of effects on integrity.

Sites for which the applicant concluded no AEoI

- 3.2.3 The applicant concluded that the proposed development would not adversely affect the integrity of the European site and feature assessed, either alone or in combination with other projects or plans.
- 3.2.4 NE confirmed it agreed with the applicant's conclusion of no AEoI in respect of the above European site [[RR-009](#)].

3.3 Examination matters

- 3.3.1 Matters raised in the examination to date, or for which the ExA seeks clarity, in relation to AEoIs are summarised in Table 3.1 below.

Table 3.1: Issues raised in the examination to date by the ExA and IPs in relation to the applicant's assessment of effects on integrity (alone and in-combination)

ID	Potential impact pathway	Details of issue	ExA observation/ question
Rochdale Canal SAC			
3.1.1	Operation In-combination assessment	<p>ExQ1 BIO.1.3 noted that a description of the other plans and projects included in the HRA had not been provided in the HRA Report and requested that the applicant confirm which other proposed projects or plans have been included.</p> <p>The applicant clarified in response to ExQ1 BIO.1.3 [REP3-023] that the HRA Report has not presented an assessment of the effects of the proposed development in combination with other plans or projects, because it was concluded that there would be no adverse effect on the integrity of the Rochdale Canal SAC as a result of the proposed development alone. It was therefore unnecessary to consider and assess the likely effects of the proposed development in combination with other plans or projects.</p> <p>In response [REP3-028] NE confirmed that it agreed with the applicant's approach to the in-combination assessment, and conclusion of no AEol of the Rochdale Canal SAC alone or in combination.</p>	n/a – matter resolved.

CONCLUDING REMARKS

- 3.3.2 This RIES is based on information submitted throughout the examination by the applicants and IPs, up to DL5 (10 January 2025), in relation to potential effects on European sites. It should be read in conjunction with the examination documents referred to throughout.
- 3.3.3 Comments on the RIES must be submitted for DL6 (11 February 2025).