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Great Denham Neighbourhood Development Plan Habitat Regulations Assessment (HRA)

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For Bedfordshire and neighbouring counties

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## 1. Executive Summary

1.1 Neighbourhood plans are nested within Local Plans and The Conservation of Habitats and Species Regulations 2017 [the Habitats Regulations] require that a Habitats Regulation Assessment (HRA) is applied to all such statutory land use plans in England and Wales.

1.2 By undertaking an Appropriate Assessment (AA) a HRA determines whether significant effects on a European site can be ruled out on the basis of objective information and best scientific knowledge.

1.3 Appropriate Assessment for any development or land use plan is a three stage process: screening; the appropriate assessment itself that identifies whether the integrity of European sites could be compromised; and proposing alternative solutions that include avoidance and mitigation measures.

1.4 It is possible to screen out threats that are neither likely nor significant during the screening stage.

1.5 HRA allows for a fourth stage that only applies in cases where adverse impacts are predicted even after alternative solutions have been tried and where there are imperative reasons of overriding national interest that the project should go ahead. A Neighbourhood Plan is extreemyl unlikely to reach the fourth stage.

1.6 The addendum to the HRA for the Bedford Borough Local Plan to 2030 (Bodsey Ecology, 2018 and 2019) and the HRA for the Bedford Borough Local plan to 2040 (Kent 2022) concluded that "...the Local Plan will not result in Likely Significant Effects on any European sites, either alone, or in combination with other plans and projects."

1.7 Undertaking a HRA of Neighbourhood Plans will ensure that they avoid or mitigate against likely significant effects by their own policies or by complying with those of Bedford Borough.

1.8 Screening of the Great Denham Neighbourhood Development Plan identified no likely significant effects on any European sites so stages two, three and four of the Appropriate Assessment were not required.

1.9 This HRA concludes that the Great Denham Neighbourhood Plan can proceed as there are no likely significant effects from the GDNP on any of the conservation objectives of any of the European sites investigated and therefore there will be no impact on site integrity in any of the European sites from the GDNP its self or in combination with other plans that have currently been adopted.

## 2. Introduction

2.1 The purpose of this Habitat Regulations Assessment (HRA) report is to assess the likelihood of negative impacts of the Great Denham Neighbourhood Development Plan on European sites of importance for habitats and species. It aims to ensure that the GDNDP does not, either by its self or in combination with other plans, have a negative impact on those sites. It is based it on the draft GDNDP used for pre-submission consultation.

2.2 This HRA introduces the relevant legislation, outlines the methodology used, provides information about the relevant European sites and gives a summary of the relevant parts of the Beds Borough Local Plan to 2030 HRA and addendum (Bodsey Ecology, 2019). It then goes on to undertake the screening assessment (stage one of the HRA process) and details the conclusions drawn from that assessment.

# 3. Legislative Background

3.1 According to government guidance on Strategic environmental assessment and sustainability appraisals for plan development, in some limited circumstances, where a neighbourhood plan is likely to have significant environmental effects, it may require a strategic environmental assessment, Therefore draft neighbourhood plan proposals should be assessed to determine whether the plan is likely to have significant environmental effects. This initial assessment process is commonly referred to as a 'screening' assessment and the requirements are set out in regulation 9 of the Environmental Assessment of Plans and Programmes Regulations 2004.

3.2 European legislation exists to protect species and habitats of importance throughout Europe. The Natura 2000 network consists of sites across Europe designated for their nature conservation importance; Special Areas of Conservation (SACs) for species, plants and habitats and Special Protection Areas for bird species (SPAs). SACs are designated under the 'Habitats Directive' - the European Council Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora. SPAs are classified under the 'Birds Directive' - the European Council Directive 2009/147/EC on the conservation of wild birds.

### 3.3 Article 6(3) of the Habitats Directive states:

'Any plan or project not directly connected with or necessary to the management of the site but likely to have a significant effect thereon, either individually or in combination with other plans or projects, shall be subject to appropriate assessment of its implications for the site in view of the site's conservation objectives. In the light of the conclusions of the assessment of the implications for the site and subject to the provisions of paragraph 4, the competent national authorities shall agree to the plan or project only after having ascertained that it will not adversely affect the integrity of the site concerned and, if appropriate, after having obtained the opinion of the general public'.

3.4 The Conservation of Habitats and Species Regulations 2017 (the 'Habitats Regulations'), the UK's transposition of the Habitats Directive and Regulation 105, provides:

'Where a land use plan – (a) is likely to have a significant effect on a European site or a European offshore marine site (either alone or in combination with other plans or projects), and (b) is not directly connected with or necessary to the management of the site, the plan-making authority for that plan must, before the plan is given effect, make an appropriate assessment of the implications for the site in view of that site's conservation objectives'.

3.5 The National Policy Planning Framework (July 2019) also requires that Ramsar sites (covering internationally important wetland habitats as listed under the Convention on Wetlands of International Importance [Ramsar Convention]) are included within the assessment process.

3.5 Therefore any proposed plan that may affect a European site (SAC, SPA or Ramsar) must be assessed for potential impacts to determine if the plan will adversely affect the integrity of European site(s) on its own or in combination with other plans. This process is known as a Habitats Regulations Assessment (HRA) and the first stage - the screening stage - considers any likely significant effects. An appropriate assessment is the second stage of the HRA process and this should be undertaken where likely significant effects are identified at the screening stage. The appropriate assessment looks at the implications of a plan for European sites in view of the sites' conservation objectives. Mitigation measures may be introduced at the appropriate assessment stage to remove or reduce the effects of a plan on the European sites.

3.6 In addition the Neighbourhood Planning (General) Regulations 2012 require a submitted neighbourhood plan to include a statement explaining how the proposed neighbourhood development plan meets the basic conditions set out in paragraph 8 of Schedule 4B of the Town and Country Planning Act 1993. One of these basic conditions is that the neighbourhood plan must be compatible with EU obligations and the need to demonstrate that it is not likely to have a significant effect on a European site.

3.7 It should be noted that this report only covers sites of European Interest and does not assess the effects of the plans on other habitats and species of interest.

## 4. Methodology

4.1 The methodology for assessment of the Great Denham Neighbourhood Plan is based on the one used for the HRA for the Bedford Borough Local Plan to 2030 (Bodsey Ecology 2018).

4.2 A number of possible threats that had been identified through pre-screening were considered for European sites that are connected by environmental pathways to Great Denham - see sections 4 and 5 for details of the sites and threats.

4.3 The site objectives of each European site were considered to determine if there were ecological pathways that could connect the Great Denham Neighbourhood Plan to the European sites.

## 5. European Sites information

5.1 The European sites that could be affected by a plan need to be identified and considered. This was covered in detail for the Bedford Borough area in the HRA for the Bedford Borough Local Plan 2030 (Bodsey Ecology 2018) and subsequent addendum, (Bodsey Ecology, 2019). No additional European sites have been designated since those assessments.

5.2 Although there are no European Sites within the Great Denham area, or Bedford Borough as a whole, there are several in the neighbouring areas and some are connected to Great Denham through environmental pathways (namely The Great Ouse). These relevant sites are:

- The Ouse Washes SPA
- The Ouse Washes SAC
- The Ouse Washes Ramsar Site
- Portholme SAC
- Upper Nene Valley Gravel Pits SPA

- Upper Nene Valley Gravel Pits Ramsar Site.
- The Wash SPA
- The Wash Ramsar Site
- The Nene Washes SPA
- The Nene Washes SAC
- The Nene Washes Ramsar;
- Eversden and Wimpole Woods SAC;
- Chilterns Beechwoods SAC.

5.3 The qualifying features for these sites are detailed in Appendix 1.

## 6. HRA Bedford Borough Local Plan

6.1 The HRA for Bedford Borough identified a number of potential effects for consideration in HRA assessments:

- 1 Increased public recreation, causing disturbance to birds, damage to vegetation, increased littering / flytipping or leading to management compromises (e.g. grazing being restricted).
- 2 Air pollution, air-borne pollutants
- 3 Human induced changes in hydraulic conditions
- 4 Invasive non-native species
- 5 Pollution to groundwater (point sources and diffuse sources)
- 6 Reduction in water quality, from increased discharges of sewage and surface water drainage, or from pollution incidents, either during or after construction.
- 7 Disruption to the flight paths of birds and mammals.

6.1 The Appropriate Assessment stage 1 for the Bedford Borough Local Plan 2030 demonstrated that there would be no likely significant effects on all but Portholme SAC and The Ouse Washes SAC/SPA/Ramsar. A subsequent addendum to the HRA concluded that "if policies identified as key in this report are retained, and/or the wording changes recommended for policies highlighted are adopted, The Local Plan will not have adverse effects on site integrity of any European site." Subsequent to that a new HRA has been undertaken to assess the local plan that will come into place during 2023 (Kent, 2022) which stated: "...it has been possible to conclude that the Local Plan will not result in Likely Significant Effects on any European sites, either alone, or in combination with other plans and projects."

6.2 *Air Pollution, air borne pollutants* – In the Bedford Borough HRA it was decided that the threat from "Air pollution, air borne pollutants" will not be considered in any Appropriate Assessment for Neighbourhood Plans within Bedford Borough as it was screened out of the Bedford Borough Local Plan 2030. This is because none of the Natura 2000 sites are close enough to Bedford Borough for there to be an effect. In addition, extra road-use would mostly avoid the main routes passing close by the Upper Nene Gravel Pits SPA/ Ramsar because there are more direct routes from Bedford to major national routes.

7. Screening Assessment of Great Denham Local Plan

7.1 The assessment of the likelihood of there being effects on the European sites identified under the headings described in 4.1 is shown in table 1. The reasons for the decisions are given in section 7.2

European site	Public recreation	Human induced changes to Hydraulic conditions	Invasive non natives	Pollution to groundwater	Reduction in water quality	Flight path disruption
The Ouse Washes	No	No	No	No	No	No
Portholme	No	No	No	No	No	No
Upper Nene valley	No	No	No (not connected)	No (not connected)	No (not connected)	No
The Wash	No	No	No	No	No	No
The Nene Washes	No	No	No (not connected)	No (not connected)	No (not connected)	No
Eversden and Wimpole Woods	No	No	No	No	No	No
Chiltern Beechwoods	No	No	No	No	No	No
Reason	1	2	3	3	3	4

Table 1. Matrix of likely significant effects on European Sites from threats identified from the Great Denham Neighbourhood Plan.

### 7.2 Reasoning for table 1 results

1. The Bedford Borough Local Plan 2030 in its entirety is predicted to have no adverse impact on the integrity of the Natura 2000 sites in question for this threat (Bodsey Ecology, 2018), there are no additional development allocations within the GDNP

2. The GDNP allocates no areas for development. Even though the River Great Ouse passes through the Parish, as there are no proposed additional housing developments the hydrology of the River Great Ouse is unlikely to be affected. The 'in combination' impacts of all developments in the River Great Ouse catchment are dependent on the plans of Anglian Water which are themselves subject to an HRA. It can only be assumed for this HRA that the plans of Anglian Water will prevent effects on the Natura 2000 sites in question.

3. As there are no new development allocations proposed in the parish despite it being connected via the River Great Ouse to Portholme and/or The Ouse Washes this risk is not increased by the GDNP. The parish is not connected by river to the Nene Washes or the Upper Nene Valley Gravel Pits and so there is no threat. There is no tangible connection between the GDNP and Eversden and Wimpole Woods or the Chilterns Beechwoods so there is no threat.

4. There are no proposals in GDNP for any structure that will be tall enough or close enough to any of the European sites to have an effect on flyways for birds or mammals and therefore there is no threat.

# 8. Conclusions to the screening

8.1 The Great Denham Draft Neighbourhood Plan (Draft May 2022) (GDNP) will have no unforeseen likely significant effects on the qualifying features of the European sites identified in addition to those in the HRA of the Bedford Borough Local Plan to 2030 and Addendum (Bodsey Ecology, 2018, Bodsey Ecology 2019).

8.2 The are no additional development allocations included in the GDNP so it will not contribute to the likely significant effects on qualifying features of the European sites identified as possible in the HRA of the Bedford Borough Local Plan to 2030 and Addendum.

8.3 As all potential significant effects on European sites have been screened out at Stage 1, no further action is required and there is no requirement for a Stage 2 - Appropriate Assessment.

## 9. Overall Conclusions

9.1 There are no likely significant effects from the GDNP on any of the conservation objectives of any of the European sites investigated and therefore there will be no impact on site integrity in any of the European sites from the GDNP its self or in combination with other plans that have currently been adopted.

9.2 There is no reason arising from this Habitat Regulations Assessment to prevent the GDNP from being adopted in the context of the Habitat Regulations 2017.

# 10. References

Bodsey Ecology (2018). Bedford Borough Local Plan Habitat Regulations Assessment 2018. http://edrms.bedford.gov.uk/OpenDocument.aspx?id=mWdUC1eYtKneHtAkS7KPeQ%3d%3d&name =26%2 0-%20Habitats%20Regulations%20Assessment%202018.pdf

Bodsey Ecology (2019). Addendum to the Habitat Regulations Assessment for the Bedford Borough Local Plan 2030.

https://edrms.bedford.gov.uk/OpenDocument.aspx?id=EOaR5U8IZ83mGGKIOyKHtw%3d%3d&name =Habi tat%20Regulations%20Assessment%20Addendum.pdf

Kent, Amelia (2022) *Bedford Borough Local Plan 2040, Habitats Regulations Assessment* Bedford Borough Council.

https://edrms.bedford.gov.uk/OpenDocument.aspx?id=No1L4FLZTYpNCVf5ithsPQ%3d%3d&name=Bedford%20Local%20Plan%20HRA%20April%202022.pdf

# Appendix 1 Details of European site qualifying features

### Portholme SAC (UK0030054) Conservation Objectives

With regard to the SAC and the natural habitats and/or species for which the site has been designated (the 'Qualifying Features' listed below), and subject to natural change:

Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the Favourable Conservation Status of its Qualifying Features, by maintaining or restoring:

> The extent and distribution of qualifying natural habitats;

> The structure and function (including typical species) of qualifying natural habitats; and

> The supporting processes on which qualifying natural habitats rely.

Qualifying Features:

H6510. Lowland hay meadows (Alopecurus pratensis, Sanguisorba officinalis)

### Ouse Washes SAC (UK0013011) Conservation Objectives

With regard to the natural habitats and/or species for which the site has been designated (the 'Qualifying Features' listed below), and subject to natural change:

Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the Favourable Conservation Status of its Qualifying Features, by maintaining or restoring:

- > The extent and distribution of the habitats of qualifying species;
- > The structure and function of the habitats of qualifying species;
- > The supporting processes on which the habitats of qualifying species rely;
- ➤ The populations of qualifying species; and
- > The distribution of qualifying species within the site.

Qualifying Features:

S1149. Cobitis taenia; Spined loach

### Ouse Washes SPA (UK9008041) Conservation Objectives

With regard to the SPA and the individual species and/or assemblage of species for which the site has been classified (the 'Qualifying Features' listed below), and subject to natural change:

Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the aims of the Wild Birds Directive, by maintaining or restoring:

- > The extent and distribution of the habitats of the qualifying features;
- > The structure and function of the habitats of the qualifying feature;
- > The supporting processes on which the habitats of the qualifying features rely;
- ➤ The population of each of the qualifying features; and
- > The distribution of the qualifying features within the site.

Qualifying Features:

A037 Cygnus columbianus bewickii; Bewick's swan (Non-breeding)

A038 Cygnus cygnus; Whooper swan (Non-breeding)

A050 Anas penelope; Eurasian wigeon (Non-breeding)

- A051 Anas strepera; Gadwall (Breeding)
- A052 Anas crecca; Eurasian teal (Non-breeding)
- A053 Anas platyrhynchos; Mallard (Breeding)
- A054 Anas acuta; Northern pintail (Non-breeding)
- A055 Anas querquedula; Garganey (Breeding)
- A056 Anas clypeata; Northern shoveler (Non-breeding)
- A056 Anas clypeata; Northern shoveler (Breeding)
- A082 Circus cyaneus; Hen harrier (Non-breeding)
- A151 Philomachus pugnax; Ruff (Breeding)
- A156a Limosa limosa; Black-tailed godwit (Breeding)

Waterbird assemblage

Breeding bird assemblage

#### The Wash and North Norfolk Coast SPA (UK0017075) Conservation objectives

With regard to the SAC and the natural habitats and/or species for which the site has been designated (the 'Qualifying Features' listed below), and subject to natural change:

Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the Favourable Conservation Status of its Qualifying Features, by maintaining or restoring:

- > The extent and distribution of qualifying natural habitats and habitats of qualifying species;
- > The structure and function (including typical species) of qualifying natural habitats;
- ➤ The structure and function of the habitats of qualifying species;

➤ The supporting processes on which qualifying natural habitats and the habitats of qualifying species rely;

➤ The populations of qualifying species; and

> The distribution of qualifying species within the site.

Qualifying Features:

H1110. Sandbanks which are slightly covered by sea water all the time; Subtidal sandbanks

H1140. Mudflats and sandflats not covered by seawater at low tide; Intertidal mudflats and sandflats

H1150. Coastal lagoons

H1160. Large shallow inlets and bays

H1170. Reefs

H1310. Salicornia and other annuals colonising mud and sand; Glasswort and other annuals colonising mud and sand

H1330. Atlantic salt meadows (Glauco-Puccinellietalia maritimae)

H1420. Mediterranean and thermo-Atlantic halophilous scrubs (Sarcocornetea fruticosi); Mediterranean saltmarsh scrub

S1355. Lutra lutra; Otter

S1365. Phoca vitulina; Common seal

### The Wash SPA (UK9008021) Conservation Objectives

With regard to the SPA and the individual species and/or assemblage of species for which the site has been classified (the 'Qualifying Features' listed below), and subject to natural change:

Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the aims of the Wild Birds Directive, by maintaining or restoring:

The extent and distribution of the habitats of the qualifying features;

> The structure and function of the habitats of the qualifying features;

> The supporting processes on which the habitats of the qualifying features rely;

➤ The population of each of the qualifying feature; and

> The distribution of the qualifying features within the site.

Qualifying Features:

A037 Cygnus columbianus bewickii; Bewick's swan (Non-breeding)

A040 Anser brachyrhynchus; Pink-footed goose (Non-breeding)

A046a Branta bernicla bernicla; Dark-bellied brent goose (Non-breeding)

A048 Tadorna tadorna; Common shelduck (Non-breeding) A050 Anas penelope; Eurasian wigeon (Non-breeding) A051 Anas strepera; Gadwall (Non-breeding) A054 Anas acuta; Northern pintail (Non-breeding) A065 Melanitta nigra; Black (common) scoter (Non-breeding) A067 Bucephala clangula; Common goldeneye (Non-breeding) A130 Haematopus ostralegus; Eurasian oystercatcher (Non-breeding) A141 Pluvialis squatarola; Grey plover (Non-breeding) A143 Calidris canutus; Red knot (Non-breeding) A144 Calidris alba; Sanderling (Non-breeding) A149 Calidris alpina alpina; Dunlin (Non-breeding) A156 Limosa limosa islandica; Black-tailed godwit (Non-breeding) A157 Limosa lapponica; Bar-tailed godwit (Non-breeding) A160 Numenius arguata; Eurasian curlew (Non-breeding) A162 Tringa totanus; Common redshank (Non-breeding) A169 Arenaria interpres; Ruddy turnstone (Non-breeding) A193 Sterna hirundo; Common tern (Breeding) A195 Sterna albifrons; Little tern (Breeding) Waterbird assemblage

### Eversden and Wimpole Woods SAC (UK0030331) Conservation Objectives

With regard to the SAC and the natural habitats and/or species for which the site has been designated (the 'Qualifying Features' listed below), and subject to natural change:

Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the Favourable Conservation Status of its Qualifying Features, by maintaining or restoring:

- > The extent and distribution of the habitats of qualifying species;
- > The structure and function of the habitats of qualifying species;
- > The supporting processes on which the habitats of qualifying species rely;
- ➤ The populations of qualifying species; and
- > The distribution of qualifying species within the site.

This document should be read in conjunction with the accompanying Supplementary Advice document, which provides more detailed advice and information to enable the application and achievement of the Objectives set out above and is found at http://publications.naturalengland.org.uk/publication/6736081810620416.

**Qualifying Features:** 

S1308. Barbastella barbastellus; Barbastelle bat

#### Nene Valley Gravel Pits SPA (UK9020296) Conservation Objectives

With regard to the SPA and the individual species and/or assemblage of species for which the site has been classified (the 'Qualifying Features' listed below), and subject to natural change:

Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the aims of the Wild Birds Directive, by maintaining or restoring:

- > The extent and distribution of the habitats of the qualifying features;
- > The structure and function of the habitats of the qualifying features;
- > The supporting processes on which the habitats of the qualifying features rely; and
- > The population of each of the qualifying features, and,
- > The distribution of the qualifying features within the site.

This document should be read in conjunction with the accompanying Supplementary Advice document, which provides more detailed advice and information to enable the application and achievement of the Objectives set out above. It is available at http://publications.naturalengland.org.uk/publication/5495529882517504

#### Qualifying Features:

- A021 Botaurus stellaris; Great bittern (Non-breeding)
- A051 Anas strepera; Gadwall (Non-breeding)
- A140 Pluvialis apricaria; European golden plover (Non-breeding)

Waterbird assemblage

#### Nene Washes SPA (UK9008031) Conservation Objectives

With regard to the SPA and the individual species and/or assemblage of species for which the site has been classified (the 'Qualifying Features' listed below), and subject to natural change:

Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the aims of the Wild Birds Directive, by maintaining or restoring:

> The extent and distribution of the habitats of the qualifying features;

> The structure and function of the habitats of the qualifying features;

- > The supporting processes on which the habitats of the qualifying features rely;
- > The population of each of the qualifying features; and
- > The distribution of the qualifying features within the site.

Qualifying Features:

- A037 Cygnus columbianus bewickii; Bewick's swan (Non-breeding)
- A050 Anas penelope; Eurasian wigeon (Non-breeding)
- A051 Anas strepera; Gadwall (Breeding)
- A051 Anas strepera; Gadwall (Non-breeding)
- A052 Anas crecca; Eurasian teal (Non-breeding)
- A054 Anas acuta; Northern pintail (Non-breeding)
- A055 Anas querquedula; Garganey (Breeding)
- A056 Anas clypeata; Northern shoveler (Non-breeding)
- A056 Anas clypeata; Northern shoveler (Breeding)
- A156a Limosa limosa; Black-tailed godwit (Breeding)

#### Chiltern Beechwoods SAC (UK0012724) Conservation Objectives

With regard to the SAC and the natural habitats and/or species for which the site has been designated (the 'Qualifying Features' listed below), and subject to natural change:

Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the Favourable Conservation Status of its Qualifying Features, by maintaining or restoring:

- > The extent and distribution of qualifying natural habitats and habitats of qualifying species;
- > The structure and function (including typical species) of qualifying natural habitats;
- The structure and function of the habitats of qualifying species;

The supporting processes on which qualifying natural habitats and the habitats of qualifying species rely;

- ➤ The populations of qualifying species; and
- > The distribution of qualifying species within the site.

This document should be read in conjunction with the accompanying Supplementary Advice document, which provides more detailed advice and information to enable the application and achievement of the Objectives set out above. This is available at http://publications.naturalengland.org.uk/publication/4808896162037760

Qualifying Features:

H6210. Semi-natural dry grasslands and scrubland facies: on calcareous substrates (FestucoBrometalia); Dry grasslands and scrublands on chalk or limestone

H9130. Asperulo-Fagetum beech forests; Beech forests on neutral to rich soils

S1083. Lucanus cervus; Stag beetle