



**Northumberland**  
County Council

**HABITATS REGULATIONS  
ASSESSMENT REPORT  
MARCH 2024**

**OF**

**CRESSWELL  
NEIGHBOURHOOD PLAN  
SUBMISSION DRAFT  
MARCH 2024**

**Habitats Regulations Assessment Report, March 2024**  
**of**  
**Cresswell Neighbourhood Plan**  
**Submission Draft**  
**March 2024**

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**Habitats Regulations Assessment Screening Assessment,  
Cresswell Neighbourhood Plan  
Submission Draft  
March 2024.**

## **Summary**

**The screening conclusion is that:**

**The Neighbourhood Plan sets out the objectives and two policies for planning in the Parish.**

**There is no support for new units of accommodation (tourism or dwellings) and there are no likely significant effects on European Sites from the plan, either alone or in combination.**

**No policies in the plan have a credible risk of a likely significant effect on European sites, and Appropriate Assessment is not required.**

**There is no requirement for SEA because of ecological concerns.**

### **1. Introduction**

#### **Purpose of the Habitats Regulations Screening Assessment Report**

- 1.1 The Parish Council are leading the preparation of a neighbourhood development plan (the Plan) to provide locally specific planning policies intended to address issues identified as being important to the local community, particularly where those issues are perceived as not being adequately addressed through existing planning policies.
- 1.2 As the 'competent authority' under the Conservation of Habitats and Species Regulations 2017 (as amended) (the Regulations) Northumberland County Council is required to assess development plans through the HRA process. The purpose of a HRA is to assess possible effects of development plans on the nature conservation interests of sites designated under the Habitats and Wild Birds Directives. These sites consist of Special Areas of Conservation (SACs), Special Protection Areas (SPAs) and also include Ramsar Sites. The integration of the HRA process as part of the preparation of development plans is fundamental to the plan making process as policies in the plan can potentially affect designated sites.
- 1.3 HRA is an iterative process and the remaining stages will be completed alongside and will inform preparation of the Plan.
- 1.4 There is no requirement to consult Natural England where a screening assessment has concluded that significant effects on European Sites are not likely.

#### **1.5 How do we do this?**

The HRA report will detail the reasons for the site(s) being designated (the interest features), Natural England's current assessment of the site condition and conservation objectives (including supplementary guidance where provided)<sup>1</sup> and consider the impacts on the site(s) of the Plan alone and in combination with other plans and projects.

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<sup>1</sup> <https://designatedsites.naturalengland.org.uk/SiteSearch.aspx>

In combination effects are multiple effects on the same habitat or site that arise from the development proposed together with those from all developments that have been built and are operational, and with other plans and projects proposed/consented but not yet built and operational.

The Council has adopted the following assessment methodology to meet the requirements of the Habitats Directive:

### Stage One – Screening

This comprises an initial analysis to determine whether the Neighbourhood Plan is likely to have a significant effect on any European sites. The Neighbourhood Plan will require appropriate assessment unless it is certain that it will not have a significant effect on any European sites.

**Where there is a credible risk of an effect and in the absence of objective evidence demonstrating that there will not be it has to be concluded that there is a likely significant effect.**

- Stage 1A: Identification of European sites relevant to the assessment, and analysis of them in terms of reasons for designation, factors affecting their integrity and trends affecting them.
- Stage 1B: Identification of underlying trends that could affect the integrity of sites.
- Stage 1C: Analysis of the Neighbourhood Plan objectives, proposals and proposed policies in terms of their possible adverse effects on the integrity of European sites, examination of options and alternatives to avoid or reduce these effects.
- Stage 1D: Identification of other plans and projects relevant to the assessment, to identify any likely in-combination effects. Article 6(3) of the Habitats Directive requires that plans and projects likely to have a significant effect on a European site alone *or in combination with other plans or projects* shall be subject to appropriate assessment.

The ruling of the Court of Justice of the European Union in case C-323/17 *People over Wind* in given in April 2018 has had a profound effect on the approach to screening. Prior to this ruling it was established practice to take account of mitigation measures included in a plan or project when determining if that plan or project was likely to have a significant effect. However, paragraph 40 of the ruling states that:

*Article 6(3)... must be interpreted as meaning that, in order to determine whether it is necessary to carry out, subsequently, an appropriate assessment of the implications, for a site concerning, of a plan or project, it is not appropriate, at the screening stage, to take account of measures intended to avoid or reduce the harmful effects of the plan or project on that site'*

Accordingly, the benefit of measures intended to avoid or reduce the harmful effects of a plan or project must be disregarded when determining whether it is likely to have a significant effect on a European site.

## Stage Two – Appropriate Assessment

Determination of whether any proposals or policies in the Neighbourhood Plan identified at the screening stage as having a likely significant effect would have an adverse effect on the integrity of any European sites, in view of the conservation objectives for those sites and the nature of the likely significant effect that has been identified. Modifications to those proposals or policies are identified to avoid any adverse effects on site integrity.

## 2. Stage 1A: Identification of European Sites.

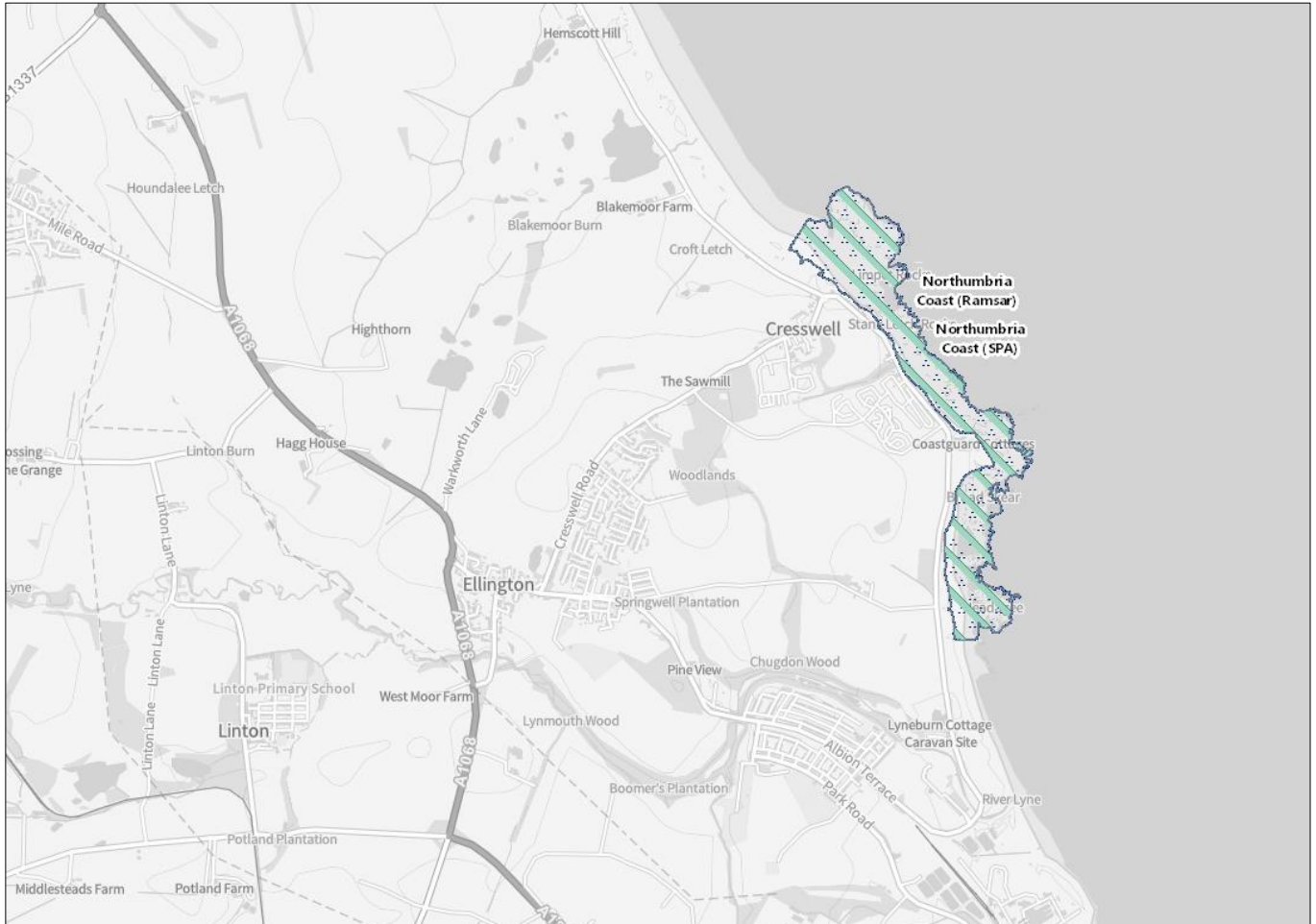


Figure 1. Designated sites within the plan area.

### 2.1 European Sites Within the Plan Area.

- Northumbria Coast Special Protection Area (SPA)
- Northumbria Coast Ramsar Site
- Northumberland Marine Special Protection Area (SPA)

### 2.2 European Sites within a Reasonable Zone of Influence.

There are no additional European Sites within 10km.

Further site details including qualifying features and key environmental conditions to support site integrity are provided at Appendix 1.

## **2.3 Stage 1B: Underlying trends**

Trends are influences on a European site other than other plans and projects, which have influenced it and are likely to continue to influence it. It is important that relevant trends are considered alongside the plan that is subject to Habitats Regulations Assessment and other plans and projects, in order to identify the factors which, in combination, may be affecting a European site.

The following trends have been identified as being relevant to this Habitats Regulations Assessment:

- Tourism and recreation

### **2.3.1 Tourism and Recreation**

Tourism is concentrated in certain areas of the county, especially the coast. Disturbance can be a significant impact arising from coastal recreation, with potential adverse impacts on nesting and feeding tern species, feeding and roosting migratory and winter waders and wildfowl and on fragile dune communities. Dogs, especially off-lead animals, increase the effect of casual disturbance of birds by walkers.

European sites at particular risk of disturbance impacts include the Northumbria Coast SPA and Ramsar Site, Lindisfarne SPA and Ramsar Site and the North Northumberland Dunes SAC.

## **3. Stage 1C: Screening of Policies.**

The policies within the Cresswell Neighbourhood Plan Submission Draft March 2024 do not support new housing or tourism units.

<b>Policy number &amp; Title</b>	<b>Brief description</b>	<b>Likely Effect?</b>
Vision & Objectives	Overall objectives	No
Policy 1 Design Local Greenspace	Environmental protection Policy	No
Policy 2 Tourism	This policy sets out the evidence that developers will need to supply about housing need and how proposals will be considered in terms of design and acceptability criteria. It is therefore (at most) neutral in terms of its support for new development.	No
Community Actions	These set out plans for community involvement and there are no likely impacts on European Sites	No

### **3.1 Consideration of Impacts on European Sites**

As detailed at Appendix 1 and at Stage 1B above, the sites within the zone of influence of the Neighbourhood Plan area are impacted by increased visitors. In the context of the Northumbria Coast SPA and Ramsar this is because of disturbance to wintering and nesting birds.

There is no support in the plan for new units of residential or tourism occupation and no policies in the plan which are likely to lead to increased footfall on the coastal sites and therefore there is no likely significant effect.

As there is no support for increased dwellings there is also no possibility of impacts on the Northumberland Marine SPA.

Impacts from pollution are also not a likely effect of the plan policies as there is no support for increased traffic or discharges to water.

### **4. Stage 1D: Identification of Other Plans and Projects Relevant to the Assessment.**

As there is no additional impact from the plan policies an in-combination effect is also unlikely.

Northumberland County Council has agreed strategic mitigation for disturbance impacts on coastal sites whereby any new unit of accommodation on the coast is required to provide a contribution to the Coastal Mitigation Service. The contributions from developers are funding a ranger team who are out on the coast working with visitors and residents, raising awareness and providing warden services.

### **5. Required Mitigation.**

None required.

### **6. Other Ecological Considerations.**

As noted at section 5 of the Neighbourhood Plan, the plan area includes locally and nationally designated sites and priority habitats including:

- Cresswell and Newbiggin Shores Site of Special Scientific Interest (SSSI)
- Northumberland Shore SSSI

- Cresswell Ponds SSSI
- Cresswell Dunes Local Nature Reserve
- Warkworth Lane Pond
- Lyne Dene and Chugdon Woods Local Wildlife Site (LWS) Ancient Woodland

Priority Habitats: deciduous woodland, coastal sand dunes, reedbeds and fens, saline lagoons.



## **Appendix 1. Site Analysis (see Stage 1A)**

This stage of the assessment details the reasons that relevant European sites have been designated (the qualifying features), the objectives intended to be achieved by designating and managing the sites, and the environmental conditions that are key to maintaining the integrity of the site. Guidance from the European Commission states that 'a site can be described as having a high degree of integrity where the inherent potential for meeting site conservation objectives is realised, the capacity for self-repair and self-renewal under dynamic conditions is maintained, and a minimum of external management support is required' (EC, 2000; para 4.6.3). An asterisk \* beside a qualifying feature indicates that the feature is listed as a priority habitat on Annex I of the Habitats Directive.

**Table 1. European Site key features and environmental conditions to support site integrity**

<b>Site</b>	<b>Qualifying Features</b>	<b>Conservation Objectives</b>	<b>Key Environmental Conditions to Support Site Integrity</b>
Northumbria Coast SPA and Ramsar Site	Internationally important breeding populations of little tern and arctic tern Internationally important wintering populations of purple sandpiper and turnstone	To maintain in (or restore to) favourable condition the sand dunes for the breeding populations of little tern and arctic tern; To maintain in (or restore to) favourable condition rocky shores with boulder and cobble beaches for wintering purple sandpiper and turnstone.	All features – no significant increase in human disturbance or that caused by off-lead dogs. Maintenance of sparsely vegetated dunes for nesting (little tern). Extent and quality of rocky shore feeding and roosting habitat (purple sandpiper and turnstone)
Northumberland Marine SPA	Internationally important breeding populations of Annex 1 species: Sandwich tern Roseate tern Common tern Arctic tern Little tern Common guillemot Atlantic puffin An internationally important seabird assemblage of over 20,000 birds	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; <ul style="list-style-type: none"> <li>• The extent and distribution of the habitats of the qualifying features</li> <li>• The structure and function of the habitats of the qualifying features</li> <li>• The supporting processes on which the habitats of the qualifying features rely</li> <li>• The population of each of the qualifying features, and,</li> </ul> The distribution of the qualifying features within the site.	Not yet available but impacts of poor water quality, climate change, overfishing, avian flu and other disease, human disturbance and the loss of nest and roost sites are all threats to the populations of seabirds which are interest features of the site.

**Table 2. Current Condition of Designated Sites and Threats to Site Integrity**

Site	Qualifying Features	Current Condition of Component SSSIs within 10km of the Plan boundary	Threats to Site Integrity
Northumbria Coast SPA/Ramsar Site	Internationally important breeding populations of little tern and arctic tern Internationally important wintering populations of purple sandpiper and turnstone	100% of the underlying SSSI units are assessed as being in favourable condition.	All features –significant increase in human disturbance or that caused by off-lead dogs. Loss of sparsely vegetated dunes for nesting (little tern). Changes to the extent and quality of rocky shore feeding and roosting habitat (purple sandpiper and turnstone)
Northumberland Marine SPA	Internationally important breeding populations of Annex 1 species: Sandwich tern Roseate tern Common tern Arctic tern Little tern Common guillemot Atlantic puffin An internationally important seabird assemblage of over 20,000 birds	Not available yet	Not yet available but impacts of poor water quality, climate change, overfishing, avian flu and other disease, human disturbance and the loss of nest and roost sites are all threats to the populations of seabirds which are interest features of the site.