



Northumberland
County Council

**HABITATS REGULATIONS
ASSESSMENT REPORT
JANUARY 2024**

OF

**EGLINGHAM
NEIGHBOURHOOD PLAN
SUBMISSION DRAFT PLAN
JANUARY 2024**

Habitats Regulations Assessment Report, January 2024
of
Eglingham Neighbourhood Plan
Submission Draft Plan
January 2024

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Habitats Regulations Assessment Report, Eglingham Neighbourhood Plan Submission Draft Plan January 2024		
Version & Date	Assessing Officer	Supervising Officer
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19/01/2024	Ann Deary Francis, MCIEEM Ecologist	David Feige, CEcol, MCIEEM Environment and Design Team Manager and County Ecologist

Summary

The assessment conclusion is:

The Eglington Neighbourhood Plan supports small scale development of housing or tourism units where certain design and eligibility criteria are met, as defined in the plan.

Policy 1 has a credible risk of a likely significant effect on European sites, and Appropriate Assessment has been undertaken.

Policy 9 provides mitigation for impacts on the Northumbria Coast SPA/Ramsar Site and the North Northumberland Dunes SAC.

Policy 10 provides mitigation for impacts on the River Tweed SAC.

The conclusion of the Appropriate Assessment is that adverse impacts on site integrity of European Sites will not occur with the proposed mitigation.

Natural England have agreed with the conclusion of this assessment.

1. Purpose of the Habitats Regulations Assessment Report

- 1.1 Eglington 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), 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, Special Protection Areas and also include Ramsar Sites. The HRA process is an iterative process and 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. The screening opinion provided in this Report will be reviewed once the Plan is submitted to the County Council to ensure that any revisions to policies arising following the pre-submission consultation stage do not result in any variation to this opinion.

2. The Process of Habitats Regulations Assessment

- 2.1 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)¹ and consider the impacts on the site(s) of the Plan alone and in combination with other plans and projects.
- 2.2 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 or consented but not yet built and operational.
- 2.3 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.

- 2.4 It is a requirement of the Habitats Regulations to consult the appropriate nature conservation statutory body (Natural England) where Likely Significant Effects on European Sites are identified. Consultation has taken place and Natural England confirm their agreement with the County Council, in their letter dated 19th January 2024 (see appendix 1) that the Eglingham Neighbourhood Plan will not result in adverse impacts on the integrity of European sites with the proposed mitigation.
- 2.5 Further consultation may be undertaken subject to the inclusion of modifications to the Plan at a later stage.
- 2.6 This HRA report will be issued to Eglingham Parish Council and the Steering Group to assist in supporting the submission of their Plan to the County Council and to assist the independent examination of the Plan in due course.

3. Stage 1A: Identification of European sites

3.1 European Sites Within the Plan Area.

The River Tweed SAC is within the plan area.

Site Name	Qualifying Features
River Tweed SAC	Floating formations of water crowfoot Atlantic salmon Brook lamprey River lamprey Sea lamprey Otter

3.2 European Sites Within a Reasonable Zone of Influence

The following European sites are wholly or partly within 10km of the plan boundary or are considered to have the potential to be affected by the Plan, and so are within the scope of the Habitats Regulations Assessment:

- Northumbria Coast Special Protection Area (SPA) and Ramsar Site 6km East
- North Northumberland Dunes Special Area of Conservation (SAC) 6km East
- Northumberland Marine SPA 6km East
- Newham Fen SAC 6km North

The sites are shown in Figure 1 overleaf.

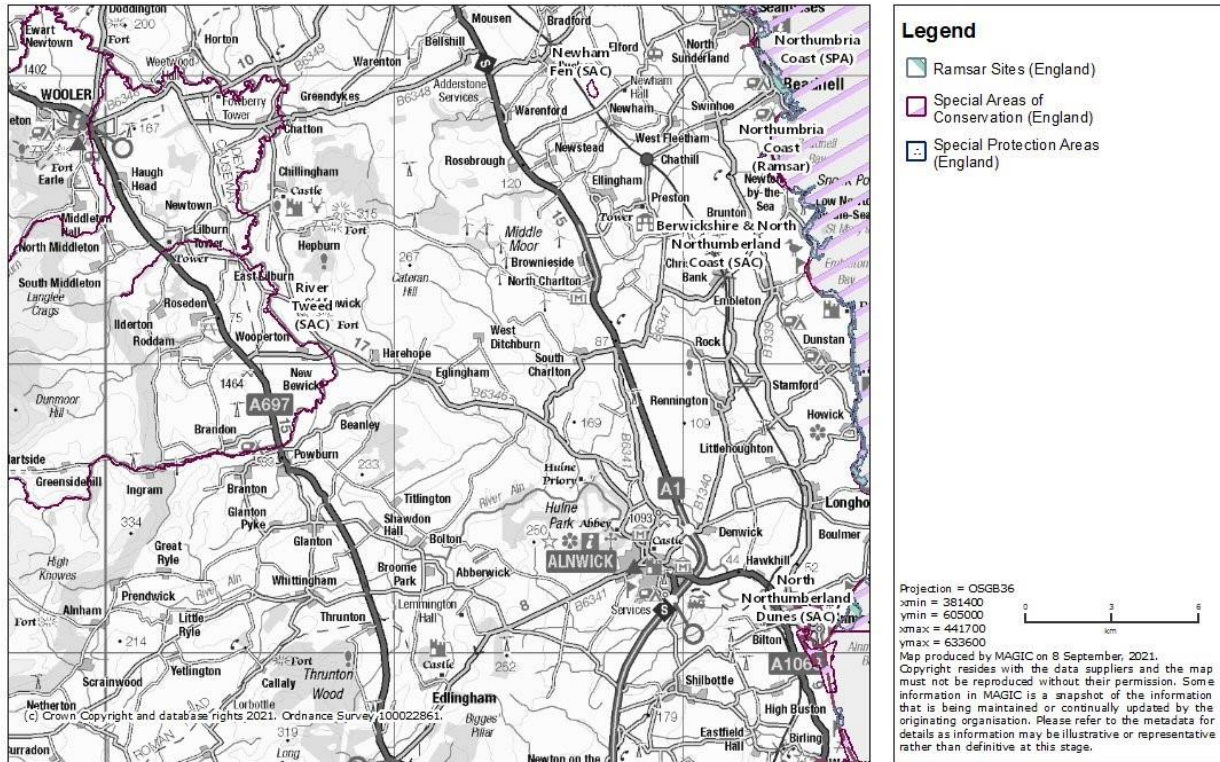


Figure 1. Designated Sites within 10km of the plan area

Site Name	Qualifying Features
Northumbria Coast Special Protection Area (SPA) and Ramsar Site	Internationally important breeding populations of little tern and arctic tern Internationally important wintering populations of purple sandpiper and turnstone
North Northumberland Dunes Special Area of Conservation (SAC)	Fixed dunes with herbaceous vegetation * Dunes with creeping willow Embryonic shifting dunes Humid dune slacks Shifting dunes with marram Petalwort
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

Site Name	Qualifying Features
Newham Fen SAC	Alkaline fens. (Calcium-rich springwater-fed fens)

Further site details including qualifying features and key environmental conditions to support site integrity can be found at <https://designatedsites.naturalengland.org.uk/>

4. 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:

- Air quality
- Water quality and hydrology
- Tourism and recreation
- Climate change
- Non-native invasive species

4.1 Air Quality

The pollutants that have the most important impacts on important plant communities in the UK comprise nitrogen compounds causing eutrophication (excessive nutrient levels), and nitrogen and sulphur compounds causing acidification.

Nitrogen Deposition

Sources of oxidised nitrogen mainly comprise nitrate (NO₂), nitrogen oxides (NO_x) and nitric acid (HNO₃) and are together referred to as NO_x. They are mainly produced by combustion of fossil fuels from power stations, vehicle exhausts and industrial and domestic combustion. Reduced nitrogen comprises gaseous ammonia (NH₃) and fine particulate ammonium (NH₄⁺) and arises mainly from agricultural sources comprising animal waste and artificial fertilizers.

Nitrogen is a major plant nutrient, but many wild plants cannot assimilate excess nitrogen from deposition. Those that can (mainly larger grass species and large fast-growing forbs such as nettles and docks) rapidly outcompete other species through shading or competition for limiting resources. This leads to the loss of slower growing and more specialist species as more vigorous ones take advantage of the increased nutrient levels, causing profound changes in semi-natural plant communities.

Of the relevant sites within the zone of influence of the Neighbourhood Plan the following may be affected by increased nitrogen deposition:

- North Northumberland Dunes Special Area of Conservation (SAC)

Acid Deposition

The main sources of acid deposition are SO₂ from power stations and industrial combustion processes burning large quantities of fossil fuels, NO_x also from combustion and the transformation of ammonia from agriculture to acidifying nitrogen compounds. The contribution of SO₂ has declined hugely since the 1970s as emissions from large combustion plants have been tackled and sulphur levels in fuels have been reduced, and consequently nitrogen emissions are now the main sources of acid deposition.

Acid deposition causes direct and indirect effects. Direct effects comprise damage to sensitive vegetation, while indirect effects are caused mainly by changes to soil chemistry as the pH falls, such as the mobilisation of toxic aluminium ions and leaching of important base cations such as magnesium. These changes alter the composition of plant communities, as species intolerant of more acid conditions decline and are lost. The significance of impacts depends on the levels of deposition and the buffering capacity of the receiving environment; basic environments have a higher buffering capacity while acid soils and waters have a much lower buffering capacity and so are more severely affected.

Although technological advances have reduced NO_x emissions from vehicle engines, this benefit is offset by increasing traffic levels, and NO_x levels are identified as a problem for sensitive sites adjacent to major transport routes.

Vehicle use is likely to continue to increase in Northumberland for a number of reasons; rising levels of car ownership, increasing levels of economic activity and increasing levels of tourism. The Design Manual for Roads and Bridges⁶ includes an equation describing the characteristic decrease in pollutant concentrations with increasing distance from roads. Based on this and other research, it is considered that NO_x emissions generated within 200m of a European site which has interest features which are vulnerable to nitrogen deposition need to be considered in Habitats Regulations Assessments.

The most significant exceedences of critical loads of acid deposition occur in heathland and mire communities. Exceedences of critical loads of nitrogen occur more widely across heathland, mire and grassland communities.

Of the relevant sites within the zone of influence of the Neighbourhood Plan the following may be affected by increased acid deposition:

- Northumberland Dunes SAC
- Newham Fen SAC may be vulnerable to significant changes

4.2 Water Quality

Maintaining high water quality is central to the wellbeing of a number of European sites in Northumberland. Some sites could be adversely affected by raised nutrient inputs from agricultural fertilizer and manure or sewage, reaching these sites via aquatic pathways. Parts of rural Northumberland are not served by mains sewerage, resulting in the usage of non-mains systems such as septic tanks and package treatment plants. Their proper functioning is dependent on appropriate maintenance by their owners, which isn't always kept up, potentially resulting in a large number of small sources of pollution that can be hard to trace and manage.

Of the relevant sites within the zone of influence of the Neighbourhood Plan the following may be affected by increased acid deposition:

- River Tweed SAC
- Newham Fen SAC

4.3 Tourism and Recreation

Tourism is concentrated in certain areas of the county, especially the coast.

The Northumberland Coast is of national and international importance for its wildlife. This includes a wide range of wading birds and wildfowl (ducks, geese and swans) that pass through on migration each spring or autumn or spend the winter there before returning to arctic breeding grounds; little terns and arctic terns that nest on beaches in the north of the county; and the diverse plant communities found on its sand dunes.

Areas of the coast of national importance for their bird populations or plant communities are protected through designation as Sites of Special Scientific Interest (SSSIs), and areas of international importance are also designated as Special Protection Areas (SPAs) and Wetlands of International Importance under the Ramsar Convention (Ramsar Sites). Dune grasslands of international importance are designated as Special Areas of Conservation (SACs).

New development can have a range of impacts on these protected areas, but one that is likely to arise from all new housing or tourist accommodation is increased disturbance to the bird species that are their special features, arising from increased recreational activity on the coast.

Of the relevant sites within the zone of influence of the Neighbourhood Plan the following may be affected by increased recreational disturbance:

- Northumbria Coast Special Protection Area (SPA)
- North Northumberland Dunes SAC

4.4 Climate Change

Changes in climate arising from increasing levels of atmospheric CO₂ are very complex and difficult to predict. However, increasingly warm dry

summers and mild, stormy winters along with rising sea levels seem to be the most likely trends. Possible impacts on European sites include the following:

- coastal squeeze, as habitats such as saltmarshes and sand dunes are caught in a decreasing amount of space between rising sea levels on their seaward side and human land uses on their landward side. This is likely to affect all coastal European sites, but effects will be felt first and most severely on European sites with intertidal habitats and dunes, which include the North Northumberland Dunes SAC and Northumbria Coast SPA and Ramsar Site.
- rivers and wetlands increasingly affected by low flows in summer and floods in winter, for example the River Tweed SAC.
- increasing rates of colonisation by new species, including pests and diseases
- higher summer water temperatures, with consequent decrease in levels of dissolved oxygen and increases in levels of primary productivity and decay processes.

Measures likely to assist in reducing the impacts of or in adapting to climate change include habitat restoration to improve 'ecosystem services', and land use change to facilitate the movement of communities and species. Coastal realignment (the setting back of coastal defences) has the potential to allow coastal habitats such as saltmarsh to migrate landwards rather than being lost to coastal squeeze; projects are currently underway at Alnmouth and Goswick through the Northumberland Foreshores Project which will demonstrate the potential of this approach, although again these are of very limited scale compared to the problem.

The issue of facilitating the movement of communities and species in response to movements in their climate space is complex, as they vary greatly in their ability to make such movements and their requirements that they have in order to do so; accordingly such changes are likely to be chaotic rather than simple, with more adaptable species and less specialist communities faring much better than more demanding and specialist ones. It is unclear whether beneficial land management practices can be initiated on a significant enough scale to assist in this process; however, those activities that are most likely to have a beneficial effect in this respect include restoring existing habitats to good condition to maximise their resilience, and increasing ecological connectivity by increasing the overall extent of semi-natural vegetation in the wider countryside; reinforcing and expanding features that act as links and corridors such as watercourses and their associated riparian habitats; increasing the density of networks of habitats such as wetlands, semi-natural grasslands and native woodlands; and managing farmland in a way that integrates food production and wildlife conservation. This requires that nature conservation is planned and implemented at a landscape scale, rather than on the traditional site-by-site basis.

4.5 Non-Native Invasive Species

Thousands of non-native species have become established in the UK, having been brought here either intentionally or accidentally by people. A small proportion of non-native plants have become highly invasive, displacing native vegetation and forming dense single-species stands of little value to wildlife. Similarly, a few such animals are displacing native species, either directly or via pests or diseases that they have brought with them. Significant problems within European sites are as follows:

- Pirri-pirri bur is adversely affecting dune grassland within the North Northumberland Dunes SAC.
- Japanese knotweed and giant hogweed is displacing native riparian vegetation in the River Tweed SAC, a problem which is being addressed through the Tweed Invasives Project.
- Pacific oyster *Crassostrea gigas*, a non-native invasive species is currently being farmed within the Northumberland Marine SPA.

5. Stage 1C: Analysis of proposals and policies in the Eglingham Neighbourhood Plan - Identification of Likely Significant Effects

- 5.1 The objectives, policies and community actions contained within the Eglingham Neighbourhood Plan have been evaluated to identify where there could be a likely significant effect on the interest features of European sites.
- 5.2 The policies within the Eglingham Neighbourhood Plan potentially support small numbers of new housing or tourism units where this meets a defined local need, and in accordance with certain design parameters.
- 5.3 No European sites are directly impacted and large-scale impacts such as hydrological change or increased airborne pollution are considered unlikely for several reasons.
- No large-scale development is proposed, only small numbers of new housing or tourism units.
 - As a result of the small-scale nature of the proposed developments a significant increase in air pollution is also unlikely as there will be no significant increase in traffic or discharges to water.
 - Significant additional environmental pressures leading to climate change are also unlikely.
- 5.4 The sites identified as being potentially at risk of a significant effect are:
- a) Those sensitive to human disturbance (including the spreading of non-native species)
- Northumbria Coast Special Protection Area (SPA)
 - North Northumberland Dunes Special Area of Conservation (SAC)
- b) Those sensitive to pollution and nutrient enrichment from small scale sources such as non-mains drainage.
- River Tweed SAC

5.5 Screening of Policies to Assess Likely Significant Effects.

Policy number & Title	Brief description	Likely Effect?
Vision and Objectives	Overall objectives	No
Policy 1 Settlement boundaries for the villages of Eglingham and South Charlton	Support for development including residential development where certain criteria are met	Yes
Policy 2 High Quality and Sustainable Design	Heritage and Design Policy	No
Policy 3 Eglingham Village Conservation Area	Heritage and Design Policy	No

Policy number & Title	Brief description	Likely Effect?
Policy 4 Local Green Spaces	Environmental Protection Policy	No
Policy 5 Areas of High Landscape Value	Environmental Protection Policy	No
Policy 6 Non-Designated Heritage Assets and Areas of Archaeological Interest	Heritage Protection Policy	No
Policy 7 Community Facilities	Community policy to protect community assets	No.
Policy 8 Habitats and Species	Environmental Protection Policy	No.
Policy 9 Coastal Mitigation Service	Environmental Protection Policy - mitigation for recreational disturbance	Mitigation Policy
Policy 10 River Tweed SAC	Environmental Protection Policy - mitigation for water quality impacts	Mitigation Policy

5.7 Consideration of Impacts on European Sites

5.7.1 River Tweed SAC

Discharges from non-mains drainage have the potential to impact water quality within the River Tweed SAC, impacting the interest features including water courses with *R.fluitantis*, salmon, lamprey species and otter.

The SAC designation in the plan area is underpinned by the Tweed Catchment Rivers - England: Till Catchment SSSI. This SSSI's units are in unfavourable condition with water quality being identified as a key threat to the interest features of the site.

5.7.2 Northumbria Coast Special Protection Area SPA/Ramsar Site

Whilst the underlying SSSI units for the site are currently in favourable condition, The risk of recreational disturbance to the interest features (over-wintering and breeding birds) is recognised as being a key threat to the integrity of the site.

Increases in units of accommodation (residential or tourism) have the potential to increase footfall in the SPA/Ramsar.

Increased levels of disturbance can reduce time that birds spend foraging in winter, leading to wasted energy avoiding perceived threats and ultimately has potential to reduce an individual's fitness to survive and breed. Dog walking and specifically off-lead dogs are a significant threat.

Similarly, the nearest known breeding colony of arctic and little tern at Long Nanny is also susceptible to increased disturbance which may lead to nest loss or abandonment.

Given the main risk of increased recreational activities resulting from the plan policies without mitigation there would be a likely significant effect arising from disturbance to turnstone and purple sandpiper, arctic and little tern.

5.7.3 North Northumberland Dunes Special Area of Conservation (SAC)

Potential increases in visitor numbers may lead to disturbance of natural processes and prevention of vegetation establishment on shifting dunes with marram. Increased footfall may cause further introduction and spread of invasive species, particularly pirri-pirri bur which is a growing problem on dunes within the SAC.

Without mitigation there would be a likely significant effect arising from disturbance and the introduction and spread of non-native invasive species.

5.7.4 Northumberland Marine SPA

The Northumberland Marine SPA's interest features are a seabird assemblage of international importance. Due to the nature of the interest features and the marine habitats on which they depend there can be no conceivable impact of the Neighbourhood Plan policies on this site.

The areas used by the seabird assemblage is very large and largely offshore. Recreational powered craft are strictly regulated and licensed in a number of defined locations. There is no likely significant effect as small numbers of new units of accommodation would not cause additional disturbance in the SPA.

5.7.5 Newham Fen SAC

Newham Fen SAC is identified as being potentially at risk from air and water quality changes and land management changes. Interest features are not considered to be vulnerable to small scale increases in housing or accommodation within a 10km buffer and so a likely significant effect on that site is ruled out.

6. Stage 1 D Identification of other plans and projects relevant to the assessment, to identify any likely in-combination effects.

- 6.1 Policy 1 is screened in because of the potential impact of housing/tourism growth on the Northumbria Coast SPA, the North Northumberland Dunes SAC and the River Tweed SAC.

Whilst small numbers of additional units of accommodation may not, alone, cause significant likely effects on the European Sites, an in-combination

effect is likely when considered alongside the development of other units of accommodation in the zone of influence of those sites and when considered against other underlying trends and factors such as increased visitor numbers in Northumberland and underpinning water quality impacts through, for example, agricultural run-off.

The likely effects have been considered against the baseline condition of those sites and the potential threats to site integrity as detailed by Natural England.

This policy will be taken forward to Appropriate Assessment.

- 6.2 Where significant impacts on a European site can only be avoided with mitigation, as a competent authority Northumberland County Council must consider the Implications of Case C 323/17 in the Court of Justice of the European Union (People over Wind). The ECJ provided a ruling to the Irish Courts in the above case on 12th April 2018 in response to a request for a ruling to answer the following question: *‘Whether, or in what circumstances, mitigation measures can be considered when carrying out screening for appropriate assessment under Article 6(3) of the Habitats Directive?’*
- 6.3 The ruling was: *‘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 concerned, 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.’*
- 6.4 As such, it is not possible to conclude at the screening stage that additional housing sites will not have significant effects on European Sites and the policies and objectives related to those sites require Appropriate Assessment, at which stage the mitigation measures can be considered. Accordingly, an appropriate assessment is required to determine if the above policies will have an adverse effect on the integrity of the interest features of the Northumbria Coast SPA and Ramsar Site, North Northumberland Dunes SAC and River Tweed SAC.
- 6.5 None of the other policies will have any effect on any European sites.

**APPROPRIATE ASSESSMENT OF
EGLINGHAM NEIGHBOURHOOD PLAN
SUBMISSION DRAFT PLAN
JANUARY 2024**

7. Stage 2: Appropriate Assessment

- 7.1 The screening assessment of the Eglington Neighbourhood Plan identified that the following objectives and policies are likely to have a significant effect on the Northumbria Coast SPA and Ramsar Site.
- Policy 1 - Settlement boundaries for the villages of Eglington and South Charlton
- 7.2 The housing numbers are estimated to be low. Measured against the existing threshold (condition of the designated sites and their interest features) and taken cumulatively and in-combination with other plans and projects a significant effect is likely. Accordingly, an appropriate assessment is required to determine if the above policies will have an adverse effect on the integrity of the interest features of the Northumbria Coast SPA and Ramsar Site, the North Northumberland Dunes SAC and the River Tweed SAC.
- 7.3 The potential impact arises the policy on the Northumbria Coast SPA and Ramsar Site, the North Northumberland Dunes SAC is the cumulative increase in recreational disturbance arising from increased housing numbers within the coastal zone of influence. Disturbance primarily arises from recreational activities such as walking and sea angling, with off-lead dogs being a particular concern because they range more widely than their owners and because the birds, as species that feed and roost on the ground, have to have a strong predator avoidance response to mammals such as fox and wolf, and therefore domestic dogs. Repeated disturbance causes birds to waste foraging time monitoring what they perceive to be potential predators, and to waste energy repeatedly taking flight to avoid them, and this can affect them in a range of ways that ultimately can affect their survival rates.
- 7.4 Impacts also occur on dune grasslands, with a particular problem in Northumberland being the spread of pirri-pirri bur, a non-native invasive species spread mainly on the clothes of people and the coats of dogs. This invasive species can adversely impact on the delicate balance of species which comprise dune grassland habitats.
- 7.5 The impact being considered for the River Tweed SAC is deterioration of water quality within the SAC as a result of small-scale non-mains drainage discharges. Whilst alone these may not be significant, in combination with other similar impacts and wider issues relating to agricultural run-off in the catchment
- 7.6 The assessment is summarised in the table overleaf.

PART A: The Proposal	
1. Type of Plan: Neighbourhood Plan	2. Author/Lead: Eglingham Parish Council
3. Brief description of proposal: Eglingham Neighbourhood Plan (Submission Draft Plan January 2024) covering the Parish Council and local community's priorities for a presently undefined period. Policy 1 - Settlement boundaries for the villages of Eglingham and South Charlton The policy supports a net increase in residential units within the 10km zone of influence for coastal sites, where certain design and acceptability criteria are met.	
4. European site name(s):	Northumbria Coast SPA and Ramsar Site North Northumberland Dunes SAC River Tweed SAC
5. List of interest features: <u>Northumbria Coast SPA and Ramsar Site</u> Internationally important breeding population of little tern and arctic tern Internationally important migratory and wintering populations of purple sandpiper and turnstone <u>North Northumberland Dunes SAC</u> Fixed dunes with herbaceous vegetation * (priority habitat) Dunes with creeping willow Embryonic shifting dunes Humid dune slacks Shifting dunes with marram Petalwort <u>River Tweed SAC</u> Floating formations of water crowfoot Atlantic salmon Brook lamprey River lamprey Sea lamprey Otter	

PART B: Identification of effects being considered and relevant features affected			
Significant effect being considered (attribute affected)	Affected qualifying feature(s)	Favourable condition target(s) for relevant feature(s) based on conservation objectives set for SPA/ Ramsar	Contribution of attribute(s) to site integrity (ecological structure and functioning of site)
Increasing levels of recreational disturbance in Northumbria Coast SPA	Non-breeding populations of: Turnstone Purple sandpiper	Restrict the frequency, duration and/or disturbance affecting roosting, foraging, feeding, moulting and/or loafing birds so that they are not significantly disturbed.	Direct effect on qualifying feature therefore inherent to site integrity
Increasing levels of recreational disturbance in Northumbria Coast SPA and Ramsar Site	Breeding populations of: Little tern Arctic tern Roseate tern	Restrict the frequency, duration and/or disturbance affecting roosting, nesting, foraging, feeding, moulting and/or loafing birds so that they are not significantly disturbed.	Direct effect on qualifying feature therefore inherent to site integrity
Spread of pirri-pirri bur within North Northumberland Dunes SAC - degradation of qualifying features including one that is a priority habitat type	Fixed dunes with herbaceous vegetation (priority habitat type) Shifting dunes with marram	Subject to natural change, to maintain in (or restore to) favourable condition the listed habitats: Fixed dunes – appropriate grazing levels to maintain species and structural diversity, no increase in area occupied by invasive species	Attributes are qualifying features including one that is a Priority Habitat Type in Annex 1 to the Habitats Directive - therefore inherent to site integrity
Deterioration in water quality within the River Tweed SAC	Floating formations of water crowfoot Atlantic salmon Brook lamprey River lamprey Sea lamprey Otter	To maintain in (or restore to) favourable condition the river as a habitat for the qualifying interest features	Direct effect on qualifying features therefore inherent to site integrity

PART C: Assessment				
Significant effect being considered (attribute affected)	Adverse Effect of proposal alone on attribute and/or feature and in relation to conservation objective for the feature	Adverse Effect of proposal in combination with other plans or projects, on attribute and /or feature	Can adverse effects be avoided?	Adverse effect on integrity; long term, short term. Yes, no or uncertain?
Northumbria Coast SPA and Ramsar Site - Increasing levels of recreational disturbance - direct effect on purple sandpiper and turnstone (qualifying features)	<p>Disturbance arises from a range of recreational activities, such as walking, dog-walking, rockpooling and sea angling.</p> <p>Disturbance reduces foraging time and increases energy expenditure because birds have to spend more time engaging in vigilance and escape activities. Reduced food intake combined with increased energy expenditure decreases fitness, which in turn increases mortality at the wintering grounds or on migration, or results in birds arriving at their breeding grounds in poorer condition, reducing their productivity.</p>	<p>Disturbance arises from a range of recreational activities, such as walking, dog-walking, rockpooling and sea angling.</p> <p>Disturbance reduces foraging time and increases energy expenditure because birds have to spend more time engaging in vigilance and escape activities. Reduced food intake combined with increased energy expenditure decreases fitness, which in turn increases mortality at the wintering grounds or on migration, or results in birds arriving at their breeding grounds in poorer condition, reducing their productivity.</p>	Policy 9 requires mitigation via a contribution to the Coastal Mitigation Service	No

PART C: Assessment (continued)				
Significant effect being considered (attribute affected)	Adverse Effect of proposal alone on attribute and/or feature and in relation to conservation objective for the feature	Adverse Effect of proposal in combination with other plans or projects, on attribute and /or feature	Can adverse effects be avoided?	Adverse effect on integrity; long term, short term. Yes, no or uncertain?
Northumbria Coast SPA and Ramsar Site - Increasing levels of recreational disturbance - direct effect on little tern and arctic tern (qualifying features)	Recreational disturbance arising from a single housing development is unlikely to have a significant effect on the SPA/Ramsar Site	Disturbance arises from a range of recreational activities, especially walking, dog-walking and general beach recreation. Disturbance at or near the nest can cause adults to temporarily leave eggs or young, exposing them to increased predation risk; disruption to provisioning visits by adults, reducing food intake by the young; loss of eggs to trampling damage and nest abandonment. All of these impacts reduce productivity.	Policy 9 requires mitigation via a contribution to the Coastal Mitigation Service	No
North Northumberland Dunes SAC - Degradation of qualifying features	Increased spread of pirri-pirri bur arising from increased foot fall from a single housing development is unlikely to have a significant effect	Increased spread of pirri-pirri bur via people's clothing and boots and on dog fur will degrade the dune grassland plant community through displacement of important species	Policy 9 requires mitigation via a contribution to the Coastal Mitigation Service	No

PART C: Assessment (continued)				
Significant effect being considered (attribute affected)	Adverse Effect of proposal alone on attribute and/or feature and in relation to conservation objective for the feature	Adverse Effect of proposal in combination with other plans or projects, on attribute and /or feature	Can adverse effects be avoided?	Adverse effect on integrity; long term, short term. Yes, no or uncertain?
River Tweed SAC – deterioration in water quality due to small scale non-mains drainage discharge	Small scale individual discharge are unlikely to have an impact alone.	Numerous small discharges along with underlying trends and known threats such as agricultural run-off may combine to cause significant deterioration in water quality	Yes. Policy 10 is clear that all non-mains drainage will be subject to controls in levels of nitrogen and phosphates	No

PART D: County Council's Conclusion

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

YES.

This is a plan supporting residential development within the 10km coastal buffer zone where recreational disturbance is likely, and where impacts on water quality within the River Tweed SAC may occur through non-mains drainage discharges. Mitigation is proposed for these likely impacts in:

- Policy 9, which requires any new development within the coastal impacts buffer to contribute to the Coastal Mitigation Service or provide alternative effective mitigation.
- Policy 10, which requires any proposed new non-mains drainage to be of a high standard which will not impact water quality.

Therefore, there are no likely adverse impacts on site integrity on the Northumbria Coast SPA and Ramsar Site, the North Northumberland Dunes SAC or the River Tweed SAC.

8. Conclusion.

- 8.1 This is a record of the determination as to whether the Eglington Neighbourhood Plan Draft Plan (January 2024) is likely to have a significant effect on any European sites, as required under Regulation 106 of the Conservation of Habitats and Species Regulations 2017 as amended.
- 8.2 Policy 1 is likely to have a significant effect on the Northumbria Coast SPA/Ramsar Site, the North Northumberland Dunes SAC and the River Tweed SAC for the reasons identified in Section 3 of this report. Accordingly an appropriate assessment has been undertaken of this objective and these policies.
- 8.3 In accordance with Regulation 106 of the Conservation of Habitats and Species Regulations 2017 as amended, Northumberland County Council concludes that the Eglington Neighbourhood Plan Pre-Submission Draft (October 2023) will have an adverse effect on the integrity of European sites without mitigation.
- 8.4 Policy 9 provides mitigation for recreational disturbance impacts on the Northumbria Coast SPA/Ramsar Site. Policy 10 provides mitigation for impacts on water quality within the River Tweed SAC.
- 8.5 As such, it can be concluded that the Eglington Neighbourhood Plan Draft Plan (January 2024) will not have adverse impacts on the site integrity of the Northumbria Coast SPA and Ramsar Site, the North Northumberland Dunes SAC or the River Tweed SAC.
- 8.6 Natural England have agreed this conclusion in their letter dated 19th January 2024 which is at Appendix 1.
- 8.7 However, it should be noted that this is an iterative process, and any significant subsequent changes to the Plan will need to be subject to further Habitats Regulations Assessment which will include further consultation with Natural England.

ADF

14th December 2023, updated 19th January 2024

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Appendix 1. Comments from Natural England

Date: 19 January 2024
Our ref: 463362
Your ref: Eglington Neighbourhood Plan



Ann Deary-Francis
Northumberland County Council

BY EMAIL ONLY

Hornbeam House
Crewe Business Park
Electra Way
Crewe
Cheshire
CW1 6GJ

T 0300 060 3900

Dear Ann Deary-Francis,

Eglington Neighbourhood Plan

Thank you for your consultation on the above dated 14 December 2023 which was received by Natural England on the same date.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

Habitats Regulations Assessment (HRA)

Natural England notes that your authority, as competent authority, has undertaken an appropriate assessment of the proposed neighbourhood plan in accordance with regulation 105 of the Conservation of Species and Habitats Regulations 2017 (as amended). Natural England is a statutory consultee on the appropriate assessment stage of the Habitats Regulations Assessment process.

Your appropriate assessment concludes that your authority is able to ascertain that the proposal will not result in adverse effects on the integrity of any of the sites in question. Having considered the assessment, and the measures proposed to mitigate for all identified adverse effects that could potentially occur as a result of the proposal, Natural England advises that we concur with the assessment conclusions, providing that all mitigation measures are appropriately secured in any planning permission given.

Natural England does not have any specific comments on this draft neighbourhood plan.

However, we refer you to the attached annex which covers the issues and opportunities that should be considered when preparing a Neighbourhood Plan.

Please send any new consultations, or further information on this consultation to consultations@naturalengland.org.uk.

Yours sincerely,

Linnea Groot
Northumbria Area Team