



**Northumberland**  
County Council

**HABITATS REGULATIONS  
ASSESSMENT REPORT  
OCTOBER 2023**

**OF**

**HAUXLEY  
NEIGHBOURHOOD PLAN  
2023-2036  
SUBMISSION DRAFT  
OCTOBER 2023**

**Habitats Regulations Assessment Report, November 2023**  
**of**  
**Hauxley Neighbourhood Plan 2023-2036**  
**Submission Draft**  
**October 2023**

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Habitats Regulations Assessment Report, Hauxley Neighbourhood Plan Submission Draft September 2023 (October 2023)		
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# 1. Introduction

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

- 1.1 Hauxley 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.

## **Format of the Habitats Regulations Assessment Report**

- 1.4 This HRA Report establishes the scope of and the process for completing the HRA of the Hauxley Neighbourhood Plan and undertakes an assessment of the Hauxley Neighbourhood Plan Submission Draft dated October 2023. The HRA Report includes the following:
  1. HRA requirements and process.
  2. Stage 1A: Identifies the European sites.
  3. Stage 1B: Identifies the Trend Analysis.
  4. Stage 1C: Analysis of proposals and policies in the Hauxley Neighbourhood Plan - Identification of Likely Significant Effects
  5. Stage 1D: Consideration of other plans and projects
  6. Stage 2: Appropriate Assessment
  7. Conclusion
  8. BibliographyAppendices

## Habitats Regulations Assessment Consultation

- 1.5 It is a requirement of the Habitats Regulations to consult the appropriate nature conservation statutory body (Natural England). Consultation has taken place and Natural England confirm their agreement with the County Council, in their email dated 12<sup>th</sup> December 2023 (see appendix 1) that the Hauxley Neighbourhood Plan can be screened out of further stages of assessment. Further consultation may be undertaken subject to the inclusion of modifications to the Plan at later stages.
- 1.6 This HRA report will be issued to Hauxley 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.

## 2. Habitats Regulations Assessment Requirements and Process

- 2.1 When a member of the European Union, the UK was bound by the terms of the Council Directive 79/409/EEC on the Conservation of Wild Birds (the Birds Directive) and the Council Directive 92/43/EEC on the conservation of natural habitats and wild flora and fauna (the Habitats Directive).

These are implemented in the UK through the Conservation (Natural Habitats &c) Regulations which provide for the protection of areas of European importance for wildlife, in the form of Special Areas of Conservation (SACs), designated under the Habitats Directive, and Special Protection Areas (SPAs), designated under the Birds Directive. Collectively, these are termed European sites, and the overall network of European sites is termed Natura 2000.

Following the withdrawal of the UK from the European Union the Conservation of Habitats and Species Regulations 2017 as amended by the Conservation of Habitats and Species (Amendment) (EU exit) Regulations 2019, extends the legal protection of European sites after Brexit.

- 2.2 The UK is also a signatory to the Convention on wetlands of international importance especially as waterfowl habitat, which was signed in Ramsar, Iran in 1971. Areas designated under this Convention are called Ramsar sites. Although Ramsar sites are not European sites as a matter of law, the Government has chosen as a matter of policy to protect and manage them by applying the same procedures to them. Consequently, Ramsar sites are treated as European sites in practice.
- 2.3 Articles 6(3) and 6(4) of the Habitats Directive states the following concerning European sites:

*“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.*

*If, in spite of a negative assessment of the implications for the site and in the absence of alternative solutions, a plan or project must nevertheless be carried out for imperative reasons of overriding public interest, including those of a social or economic nature, the Member State shall take all compensatory measures necessary to ensure the overall coherence of Natura 2000 is protected. It shall inform the Commission of the compensatory measures adopted.”*

- 2.4 Regulation 105(1) of the Conservation of Habitats and Species Regulations 2017 states that  
*“Where a land use plan -  
(a) is likely to have a significant effect on a European site in Great Britain 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 shall, before the plan is given effect, make an appropriate assessment of the implications for the site in view of that site’s conservation objectives.”*

Regulation 106 of the Regulations states;

*“106.—(1) A qualifying body (i.e. Parish Council, or body designated as a Neighbourhood Forum) which submits a proposal for a Neighbourhood development plan must provide such information as the competent authority may reasonably require for the purposes of the assessment under regulation 105 or to enable it to determine whether that assessment is required.”*

- 2.5 The purpose of a HRA is to demonstrate that a land-use plan (or other plan or project) will not have any adverse effects on the integrity of any European sites. The assessment determines whether the plan would adversely affect the integrity of any European site in terms of its conservation objectives. Where adverse effects are identified alternative solutions should be identified and the plan modified to avoid any adverse effects. The Planning Authority can adopt the plan only after having ascertained that it will not adversely affect the integrity of a European site.
- 2.6 When preparing a suite of development plan documents, it is important that the HRA is undertaken in a way that is proportionate to the level of the document. The European Commission’s own guidance on the application of the test of likely significant effect accepts that policies in a plan that are no more than general policy statements or which express the general political will of an authority cannot be likely to have a significant effect on a site.<sup>1</sup>
- 2.7 This issue (for Local Plans) has also been addressed in the High Court case of Feeney, in which the judge stated that:  
*“A Local Plan is a high level strategic document and the detail falls to be worked out at a later stage. Each appropriate assessment must be commensurate to the*

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<sup>1</sup> European Commission, 2000, *Managing Natura 2000 Sites: The provisions of Article 6 of the Habitats Directive 92/43/EEC* section 4.3.2 at [http://ec.europa.eu/environment/nature/natura2000/management/docs/art6/provision\\_of\\_art6\\_en.pdf](http://ec.europa.eu/environment/nature/natura2000/management/docs/art6/provision_of_art6_en.pdf)

*relative precision of the plans at any particular stage and no more. There does have to be an appropriate assessment at the Local Plan stage, but such an assessment cannot do more than the level of detail of the strategy at that stage permits”<sup>2</sup>*

- 2.8 Therefore, there is a balance to be struck between being sufficiently rigorous in the assessment of potential effects, and undertaking a lot of unnecessary work or even causing a plan to fail the appropriate assessment test of ‘adverse effect on site integrity’ on the basis of risks that are more hypothetical than real, or risks that are too poorly defined at the Plan stage to be meaningfully assessed at this stage. Therefore some potential effects may be noted at this stage as requiring more detailed assessment at another stage of plan-making.
- 2.9 The Feeney case has also provided helpful guidance concerning the role of protective policies for European sites or protective wording within policies. It is clear that a general protective policy in itself cannot be regarded as adequate mitigation for any significant effects, because planning applications must be determined in accordance with the Development Plan. Therefore relying too heavily on a general protective policy can just create internal conflicts with other policies within the Plan.
- 2.10 However, an element of a policy that safeguards European sites or a policy qualifying a particular proposal so as to avoid likely significant effect has been found to be permissible<sup>3</sup>, as has adopting something in principle that will not actually happen if the protective condition or qualification is not being satisfied<sup>4</sup>. However, it is essential that such safeguards are sufficiently specific that they are not just general safeguards apply to a range of European sites and a range of effects.
- 2.11 In the case of Neighbourhood Plans, in many cases the plan will identify the acceptability criteria for developments in a plan area, relating to location, design or the composition of types of development; with the exact detail of the resulting developments agreed via the development management process (where they are determined in accordance with the Neighbourhood Plan, the Local Plan and the National Planning Policy Framework). In most cases, the neighbourhood plan will not identify additional housing or land allocations to the Local Plan, but will set acceptability criteria. Therefore, in many cases it would be appropriate to rely on a more detailed Habitats Regulations Assessment, with more detailed mitigation measures, at a later stage or lower level of plan making. This is particularly relevant within Impact Risk Zones for European sites where certain developments are likely, alone or in combination, to have a likely significant effect on the site without mitigation.

### **Assessment Methodology to meet the requirements of the Habitats Directive**

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

#### Stage One – Screening

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<sup>2</sup> Sean Feeney v Oxford City Council and the Secretary of State CLG para 92 of the judgment dated 24 October 2011 Case No CO/3797/2011, Neutral Citation [2011] EWHC 2699 Admin <http://www.oxford.gov.uk/Library/Documents/Barton%20AAP/Barton%20AAP%20CD%207.20.1%20Appendix%20Feeney%20v%20OC%202011.pdf>

<sup>3</sup> Feeney; paragraphs 88, 90 and 92

<sup>4</sup> Feeney; paragraph 96

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

- 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 Hauxley 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.

Where required:

#### 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.

If mitigation is not possible and adverse effects on site integrity remain, the process must proceed to Stage Three

#### Stage Three – Alternative Solutions



The identification of alternative solutions to the relevant proposals or policies so as to avoid adverse effects on the integrity of European sites. The plan must then be modified in light of these findings.

#### Stage Four – Imperative Reasons of Overriding Public Interest and Compensatory Measures

If a plan or project has adverse effects on the integrity of a European site which cannot be avoided or mitigated for and there are no alternative solutions, consideration must be given to whether there are imperative reasons of overriding public interest for proceeding with the plan or project. This stage involves central Government and must be notified to the European Commission. If there are imperative reasons of overriding public interest, compensatory measures must be identified to maintain and enhance the overall coherence of the Natura 2000 network. This will only be in exceptional circumstances and must be supported by strong justification.

### 3. Stage 1A: Identification of European sites

#### 3.1 European Sites Within the Plan Area.

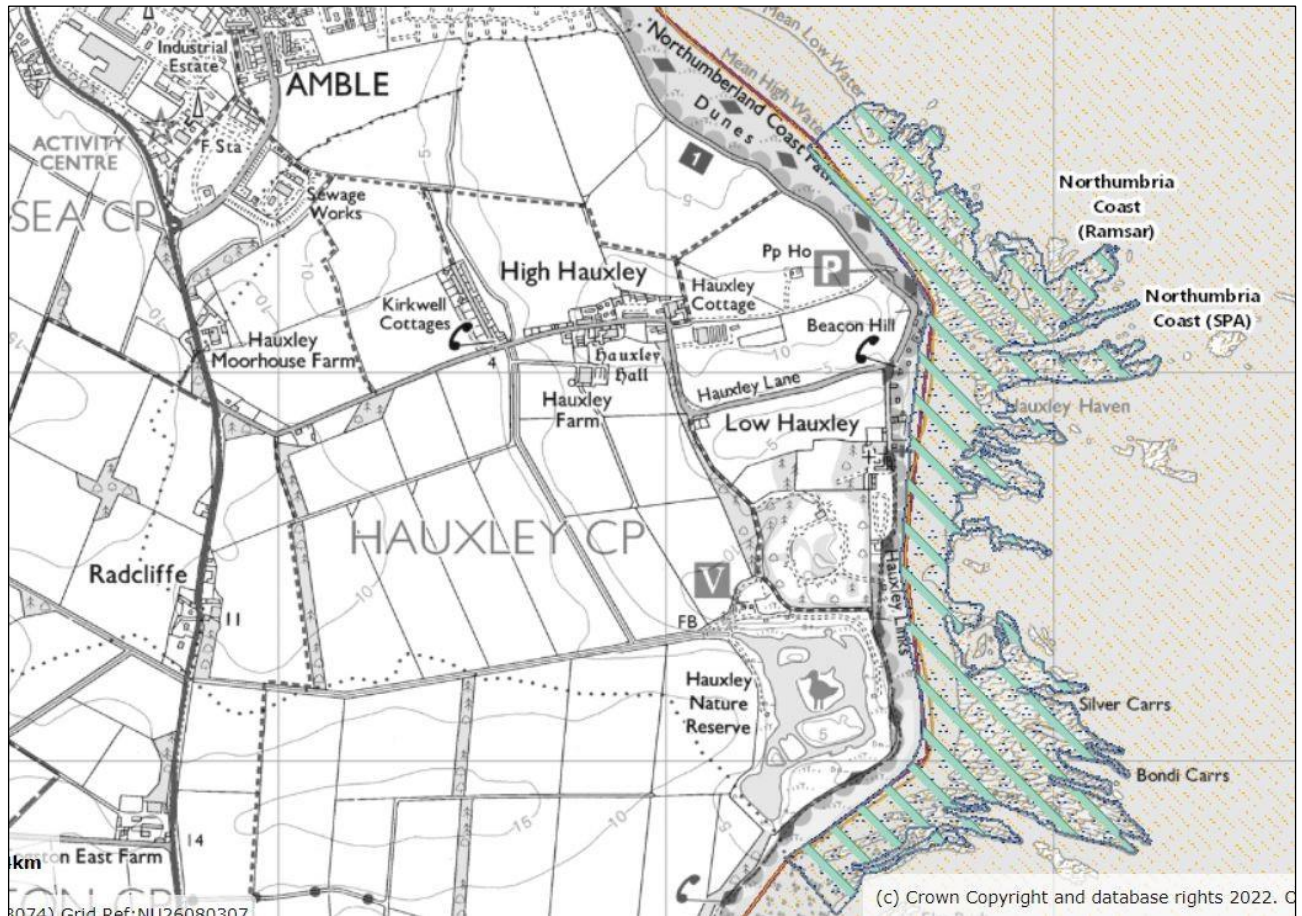


Figure 1. Designated Sites within the plan area.

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

#### 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:

- North Northumberland Dunes Special Area of Conservation (SAC)
- Coquet Island SPA
- Berwickshire and North Northumberland Coast SAC



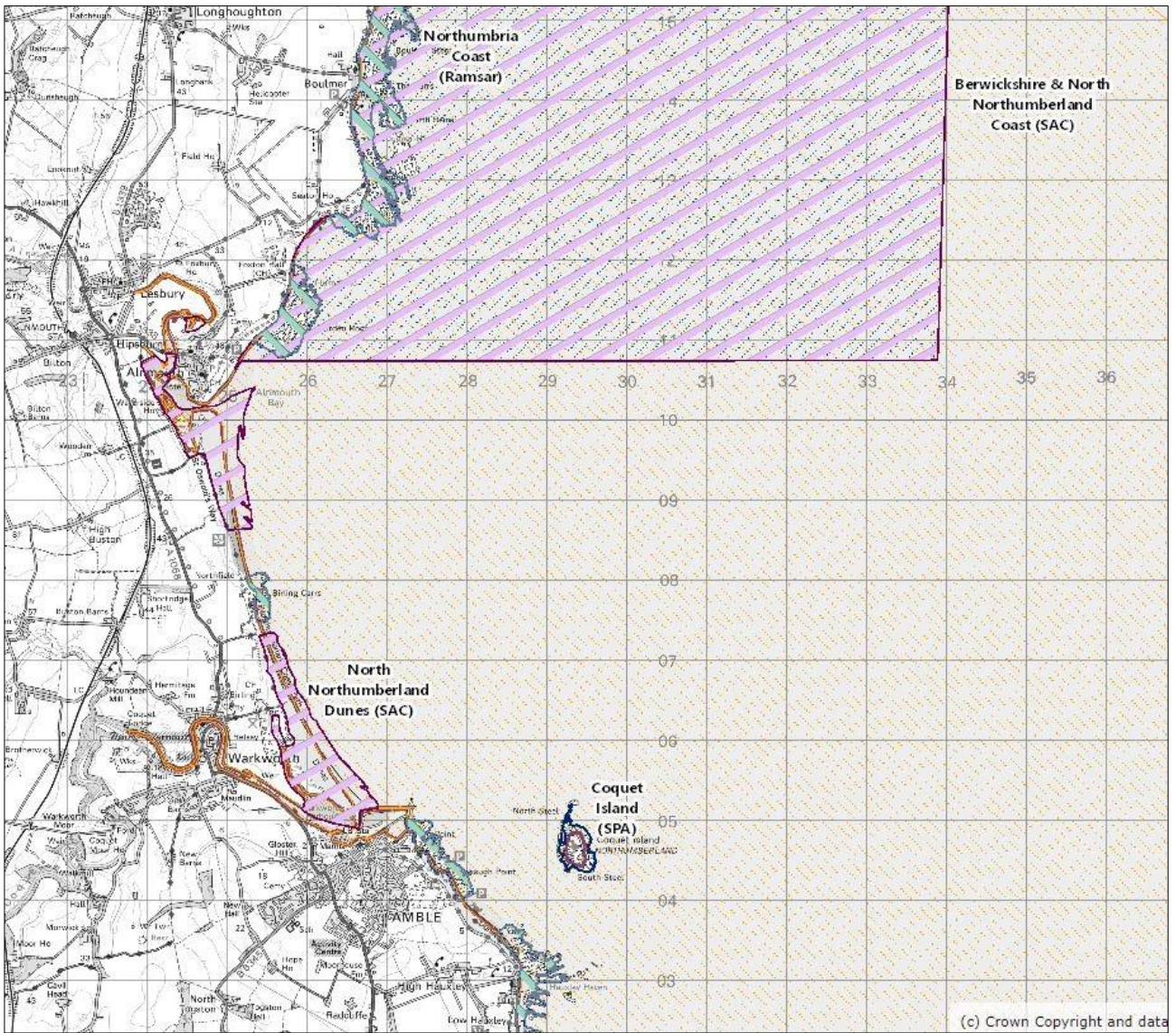


Figure 2. Designated Sites within 10km of the plan area

## Site Analysis

- 3.3 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.

<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.

Site	Qualifying Features	Conservation Objectives	Key Environmental Conditions to Support Site Integrity
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	<ul style="list-style-type: none"> <li>• Subject to natural change, to maintain in (or restore to) favourable condition the listed habitats.</li> <li>• To maintain in (or restore to) favourable condition, the habitats for the population of petalwort.</li> </ul>	<ul style="list-style-type: none"> <li>• Fixed dunes – appropriate grazing levels to maintain species and structural diversity, no increase in area occupied by invasive species e.g.</li> <li>• Dunes with creeping willow – maintain active successional processes.</li> <li>• Embryonic shifting dunes – sufficient area between high water mark and stable dunes to allow development of embryonic dunes, presence of beach plain at low tide to supply blown sand</li> <li>• Humid dune slacks – maintenance of hydrological regime</li> <li>• Shifting dunes with marram -sufficient area between high water mark and stable dunes to allow development of embryonic dunes, presence of beach plain at low tide to supply blown sand, no increase in linear extent or area constrained by introduced structures or landforms, no increase in area where vegetation establishment is prevented by human activity.</li> <li>• Petalwort – maintenance of very short vegetation in dune slacks</li> </ul>
Coquet Island SPA	<i>Sterna sandvicensis</i> ; Sandwich tern (Breeding) <i>Sterna dougallii</i> ; Roseate tern (Breeding) <i>Sterna hirundo</i> ; Common tern (Breeding) <i>Sterna paradisaea</i> ; Arctic tern (Breeding)	<p>Subject to natural change, to maintain in (or restore to) favourable condition the</p> <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</li> <li>• The distribution of the qualifying features within the site</li> </ul>	<ul style="list-style-type: none"> <li>• Reduce disturbance from visitors and threats from third parties.</li> <li>• Maintenance of nesting areas.</li> <li>• Management of feeding habitats and fisheries (linked to Marine SPA).</li> <li>• Maintain predator control measures.</li> <li>• Control of invasive species.</li> </ul>

<b>Site</b>	<b>Qualifying Features</b>	<b>Conservation Objectives</b>	<b>Key Environmental Conditions to Support Site Integrity</b>
Berwickshire and North Northumberland Coast SAC	Large shallow inlets and bays Intertidal mudflats and sandflats Reefs Submerged or partially submerged sea caves Grey seal	Subject to natural change, to maintain in (or restore to) favourable condition the <ul style="list-style-type: none"> <li>• Extent, distribution, diversity and species richness of reef communities.</li> <li>• Diversity of sea cave communities and their characteristic zonation.</li> <li>• The extent of eelgrass and mussel communities and the diversity of infaunal communities in the intertidal mud and sandflats</li> </ul> Grey seal habitats, especially the extent and suitability of breeding habitat on the Farne Islands	<ul style="list-style-type: none"> <li>• Reefs – no significant change in water clarity (e.g. due to increases in suspended material), temperature or salinity, or in the distribution of rocky shore communities.</li> <li>• Sea caves – no significant change in water clarity (e.g. due to increases in suspended material), temperature or salinity, or in the distribution of sea cave biotypes.</li> <li>• Intertidal mud or sandflats – no reduction in extent, no significant change in sediment character (particle size composition, organic content) ensuring no increase in the extent of algal mats or significant changes in the distribution and abundance of eelgrass beds, mussel beds or distribution of infaunal biotopes.</li> </ul> Grey seal habitats – human disturbance low enough to avoid reduction in numbers or displacement from key areas; no reduction in extent of rocky and coarse sediment shores used for breeding and hauling out.

## 4. Stage 1B: Analysis of Trends

4.1 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.

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

- Tourism and recreation
- Climate change
- Non-native invasive species

### **Tourism and Recreation**

4.3 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.

4.4 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.

4.5 Improvements in treatment of sewage arising from coastal settlements in order to meet Urban Waste Water Treatment Directive obligations will help to ensure that increasing visitor numbers do not contribute to the eutrophication of intertidal and subtidal habitats.

### **Climate Change**

4.6 Changes in climate arising from increasing levels of atmospheric CO<sub>2</sub> 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 are Berwickshire and North Northumberland Coast SAC, Tweed Estuary SAC, North Northumberland Dunes SAC, Lindisfarne SPA and Ramsar Site, Northumbria Coast SPA and Ramsar Site. Increased depths of water due to sea level rise may also affect coastal reefs and caves in the Berwickshire and North Northumberland Coast SAC.
- distribution patterns of many species affected by shifts in their 'climate space' (the geographic area which has the appropriate climate for that species) which may have impacts on coastal sites.
- 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.

4.7 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. Examples of ecosystem services include coastal realignment (the setting back of coastal defences) which 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.

4.8 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.

### **Invasive Species**

4.9 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.
- *Spartina* (a saltmarsh grass) is adversely affecting mudflats within the Berwickshire and North Northumberland Coast SAC and Lindisfarne SPA.
- Pacific oyster *Crassostrea gigas*, a non-native invasive species is currently being farmed within Lindisfarne SPA and Ramsar Site, Northumberland Marine SPA and the Berwickshire and North Northumberland Coast SAC.

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



- 5.1 The objectives, policies and community actions contained within the Hauxley Neighbourhood Plan have been evaluated to identify where there could be a likely significant effect on the interest features of European sites.

Paragraph 182 of the NPPF states that the presumption in favour of sustainable development does not apply where the plan or project is likely to have a significant effect on a habitats site (either alone or in combination with other plans or projects), unless an appropriate assessment has concluded that the plan or project will not adversely affect the integrity of the habitats site.

- 5.2 The following European sites are within the boundary of the Plan.
- Northumbria Coast Special Protection Area (SPA) and Ramsar Site
  - Northumberland Marine Special Protection Area (SPA)

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:

- North Northumberland Dunes Special Area of Conservation (SAC)
- Berwickshire and North Northumberland Coast SPA

Each European Site is underpinned by a number of component Sites of Special Scientific Interest.

### 5.3 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.
North Northumberland Dunes SAC	Fixed dunes with herbaceous vegetation * Dunes with creeping willow Embryonic shifting dunes Humid dune slacks Shifting dunes with marram Petalwort	<u>Bamburgh Coast and Hills</u> 5 units in favourable condition, one in unfavourable no change and one in unfavourable recovering. <u>Newton Links SSSI</u> 2 units in favourable condition, one unit in unfavourable recovering condition. <u>Bamburgh Dunes</u> All units in unfavourable recovering condition <u>Alnmouth Saltmarsh and Dunes</u> 100% favourable condition <u>Lindisfarne</u>	Recreational Disturbance Coastal squeeze from development Air quality also contributing to the loss of feeding grounds. Invasive species

Site	Qualifying Features	Current Condition of Component SSSIs within 10km of the Plan boundary	Threats to Site Integrity
North Northumberland Dunes SAC		7 units in unfavourable condition. 3 units and a further 6 geological in favourable condition. <u>Warkworth Dunes and Saltmarsh SSSI</u> All units in favourable condition.	
Coquet Island SPA	Breeding populations of international significance of <i>Sterna sandvicensis</i> ; Sandwich tern <i>Sterna dougallii</i> ; Roseate tern <i>Sterna hirundo</i> ; Common tern <i>Sterna paradisaea</i> ; Arctic tern	100% of the site is in unfavourable recovering condition.	Increased recreational pressure Third party threat – unauthorised access and disturbance Water pollution Reduction in feeding resources through fisheries pressure or climate change Predation Changes in land management resulting in loss of nesting sets Disease (e.g. avian flu) Invasive species impacting nesting sites and interest features
Berwickshire and North Northumberland Coast SAC	Large shallow inlets and bays Intertidal mudflats and sandflats Reefs Submerged or partially submerged sea caves Grey seal	<u>Bamburgh Coast and Hills SSSI</u> 5 units in favourable condition, one in unfavourable no change and one in unfavourable recovering. <u>Castle Point to Cullernose Point SSSI</u> all units in favourable condition. <u>Farne Islands SSSI</u> All units in unfavourable recovering condition <u>Howick to Seaton Point SSSI</u> All units in favourable condition. <u>Lindisfarne SSSI</u> 7 units in unfavourable condition. 3 units and a further 6 geological in favourable condition <u>Newton Links SSSI</u> 2 units in favourable condition, one unit in unfavourable recovering condition. <u>Northumberland Shore SSSI</u> All units in favourable condition.	Recreational Disturbance Coastal squeeze from development Direct disturbance from coastal activities including fishing and watersports Poor water and air quality leading to increased eutrophication impacting habitats and ecosystems. Invasive species

## Assessment of the Plan Policies:

- 5.4 Objectives – as general aspirations these are not considered to have potential impacts on European Sites.
- 5.5 Policy H1 Coastal Mitigation this is an environmental protection policy provided as mitigation for recreational impacts on European Sites and is therefore screened out. This is considered as mitigation in the Appropriate Assessment.
- 5.6 Policy H2 – Local Green Space this is an environmental protection policy and is screened out.
- 5.7 Policy H3 – Green Gaps this is an environmental protection policy and is screened out.
- 5.8 Policy H4 – Local Distinctiveness This policy is a general criteria for testing the acceptability or sustainability of proposals regarding their design. There is no likely negative significant effect on European Sites. Screened out.
- 5.9 Policy H5 – Residential Design Codes  
This policy sets out the circumstances in which housing development would be supported should it come forward. Any net increase in housing (either residential or tourist accommodation) within the 10km buffer of the coast will bring additional recreational disturbance to coastal sites, and impact upon the interest features for which those sites are designated.

Should such development come forward, mitigation (as provided at Policy H1) will be required to ensure that it does not have an adverse effect on the integrity of the Northumbria Coast SPA. Accordingly, it is necessary to conclude that this policy is likely to have a significant effect on European sites.

- 5.10 Policy H6 – Sustainable Location of New Development  
This policy sets out the circumstances in which housing development would be supported should it come forward. Any net increase in housing (either residential or tourist accommodation) within the 10km buffer of the coast will bring additional recreational disturbance to coastal sites, and impact upon the interest features for which those sites are designated.

Should such development come forward, mitigation (as provided at Policy H1) will be required to ensure that it does not have an adverse effect on the integrity of the Northumbria Coast SPA. Accordingly, it is necessary to conclude that this policy is likely to have a significant effect on European sites.

- 5.11 Community Actions- screened out.

## 5.14 Screening of Policies to Assess Likely Significant Effect.

<b>Policies likely to lead to a net increase in residential units or disturbance to coastal habitats</b>		
<ul style="list-style-type: none"> <li>• Policy H5 – Residential Design Codes</li> <li>• Policy H6 – Sustainable Location of New Development</li> </ul>		
<b>Interest Feature:</b>	<b>Potential hazard:</b>	<b>Mechanism of effect/impact (including the probability that the interest feature will be affected, and the magnitude, duration and reversibility of the effect)</b>
Purple Sandpiper and turnstone (Northumbria Coast SPA and Ramsar Site)	Disturbance of feeding or roosting birds during winter.	<p>The nearest part of the SPA/Ramsar is within the plan boundary, with good road linkages and parking from the inland parts of the plan area. This is well within the distance used for activities such as daily dog walks and so the increased population resulting from the development could result in increased recreational disturbance.</p> <p>This would lead to increased footfall on beaches and rocky shore by walkers/dog walkers which shall potentially increase disturbance of wintering birds, particularly associated with rocky shore. Other disturbance impacts may arise from angling, water sports and bait digging. Evidence indicates that disturbance from off-lead dogs can be the biggest single source of disturbance, probably because off-lead dogs can range widely from owner, at speed and can be perceived by coastal birds as a direct predator.</p> <p>The magnitude of the disturbance effect over the long term on a population level is unknown, not least because bird the population is influenced by many factors. However increased levels of disturbance can reduce time spent foraging, lead to wasted energy avoiding perceived threats and ultimately has potential to reduce an individual's fitness to survive and breed.</p> <p>Given the main risk of increased recreational activities resulting from the development without mitigation there would be a likely significant effect arising from disturbance to turnstone and purple sandpiper.</p>

<b>Interest Feature:</b>	<b>Potential hazard:</b>	<b>Mechanism of effect/impact (including the probability that the interest feature will be affected, and the magnitude, duration and reversibility of the effect)</b>
Sandwich tern Roseate tern Common tern Arctic tern Little tern (Northumberland Marine SPA)	Disturbance of feeding terns during the summer by terrestrial recreation.	The nearest part of the SPA/Ramsar is within the plan boundary, with good road linkages and parking from the inland parts of the plan area. Theoretical risk of increase disturbance by recreation on sandy beach areas upon shallow water feeding areas close to the shore. However as the area of the SPA is very large alternative feeding areas are readily available, therefore the effect of disturbance shall be very limited. In addition terns are relatively tolerant, maintaining feeding behaviour offshore. Accordingly the effect of disturbance is unlikely to be significant and so this can be screened out.
Sandwich tern Roseate tern Common tern Arctic tern Little tern (Northumberland Marine SPA)	Disturbance of feeding terns during the summer by marine recreation, particularly powered craft such as jet skis.	<p>The nearest part of the SPA/Ramsar is within the plan boundary, with good road linkages and parking from the inland parts of the plan area. There is a risk of increase disturbance by recreation particularly with powered craft in areas of shallow water that terns may use to forage. Little tern preferentially use shallower waters for foraging so theoretically may be more susceptible to this impact. However the southern alongshore extent for foraging for little tern is about 6km.</p> <p>The number of launch points for powered craft are restricted. These launching points are regulated through licences and boats operated under a code of conduct. Furthermore, the area of the SPA is very large, therefore other feeding areas are readily available, therefore the effect of disturbance is unlikely to be significant and so this can be screened out.</p>
Fixed dunes with herbaceous vegetation * (priority habitat) Dunes with creeping willow Embryonic shifting dunes Humid dune slacks Shifting dunes with marram Petalwort (North Northumberland Dunes SAC)	Increased risk of introduction and spread of invasive species impacting dune habitat.	<p>The SAC is within 10km of the plan boundary.</p> <p>This is well within the distance used for activities such as daily dog walks and so the increased population resulting from developments could result in increased recreational activity within the SAC.</p> <p>Potential increases in visitor numbers may lead to further introduction and spread of invasive species, particularly pirri-pirri bur which is a severe problem on dunes at Lindisfarne and a growing problem on other dunes within the SAC.</p>

Interest Feature:	Potential hazard:	Mechanism of effect/impact (including the probability that the interest feature will be affected, and the magnitude, duration and reversibility of the effect)
<p>Large shallow inlets and bays Intertidal mudflats and sandflats Reefs Submerged or partially submerged sea caves Grey seal (Berwickshire and North Northumberland Coast SAC)</p>	<p>Eutrophication (habitats) Disturbance (grey seals)</p>	<p>This site is 7km to the north of the plan boundary and there are no pathways for water pollution from the Hauxley parish. Grey seal haul outs at Lindisfarne are over 35km from the Hauxley parish and are not considered to be vulnerable to disturbance from increased housing within the plan.</p>
<p>Breeding populations of international significance of <i>Sterna sandvicensis</i>; Sandwich tern <i>Sterna dougallii</i>; Roseate tern <i>Sterna hirundo</i>; Common tern <i>Sterna paradisaea</i>; Arctic tern (Coquet Island SPA)</p>	<p>Increased human access and disturbance</p>	<p>The island is 1.1km to the east and there is no unauthorised public access. There is a negligible risk of any increased access by humans from any policies in the plan.</p>

<b>Is the effect likely to be significant?</b>	
<b>a) Alone?</b> (explain conclusion, e.g. in relation to <i>de minimus</i> criteria)	Northumberland Marine SPA, Coquet Island SPA, Berwickshire and North Northumberland Coast SAC – No – <i>de minimus</i> Northumbria Coast SPA and Ramsar Site, North Northumberland Dunes SAC – there is a credible risk of an effect and so in the absence of objective evidence demonstrating that there will not be it has to be concluded that there is a likely significant effect.
<b>b) In combination with other plans or projects?</b>	Yes, for Northumbria Coast SPA and Ramsar, North Northumberland Dunes SAC.  All proposed housing development within the coastal buffer zone for the full length of the European sites (Berwick to Crimdon) contribute to in-combination effects.
<b>Conclusion:</b>	Northumbria Coast SPA and Ramsar Site: <b>Yes - appropriate assessment required</b> North Northumberland Dunes SAC: <b>Yes - appropriate assessment required</b> Northumberland Marine SPA, Coquet Island SPA, Berwickshire and North Northumberland Coast SAC: No - screened out



- 6. Stage 1 D Identification of other plans and projects relevant to the assessment, to identify any likely in-combination effects.**
- 6.1 Policies H5 and H6 are screened in because of the potential impact of housing growth on the Northumbria Coast SPA and the North Northumberland Dunes SAC and so 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 Coastal 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.
- 6.5 None of the other policies will have any effect on any European sites and therefore cannot contribute to in-combination effects.

**APPROPRIATE ASSESSMENT OF  
HAUXLEY  
NEIGHBOURHOOD PLAN  
PRE-SUBMISSION DRAFT (OCTOBER 2023)**

## 7. Stage 2: Appropriate Assessment

- 7.1 The screening assessment of the Hauxley 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 H5 – Residential Design Codes
  - Policy H6 – Sustainable Location of New Development
- 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 and the North Northumberland Dunes SAC.
- 7.3 The same potential impact arises from each of these policies, which 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 Because the same impact is being considered for the policies being assessed, they are considered as a whole rather than individually. The assessment is summarised in the table overleaf.

<b>PART A: The Proposal</b>	
<b>1. Type of Plan:</b> Neighbourhood Plan	<b>2. Author/Lead:</b> Hauxley Parish Council
<b>3. Brief description of proposal:</b> Hauxley Neighbourhood Plan (pre-submission Draft October 2023) covering the Parish Council and local community's priorities for a presently undefined period. <ul style="list-style-type: none"> <li>• Policy H5 – Residential Design Codes</li> <li>• Policy H6 – Sustainable Location of New Development</li> </ul> The policy supports a net increase in residential units within the 10km zone of influence for coastal sites.	
<b>4. European site name(s):</b>	Northumbria Coast SPA and Ramsar Site North Northumberland Dunes SAC
<b>5. List of interest features:</b>  <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	

<b>PART B: Identification of effects being considered and relevant features affected</b>			
<b>Significant effect being considered (attribute affected)</b>	<b>Affected qualifying feature(s)</b>	<b>Favourable condition target(s) for relevant feature(s) based on conservation objectives set for SPA/ Ramsar</b>	<b>Contribution of attribute(s) to site integrity (ecological structure and functioning of site)</b>
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

<b>PART C: Assessment</b>				
<b>Significant effect being considered (attribute affected)</b>	<b>Adverse Effect of proposal alone on attribute and/or feature and in relation to conservation objective for the feature</b>	<b>Adverse Effect of proposal in combination with other plans or projects, on attribute and /or feature</b>	<b>Can adverse effects be avoided?</b>	<b>Adverse effect on integrity; long term, short term. Yes, no or uncertain?</b>
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 H2 requires mitigation via a contribution to the Coastal Mitigation Service	No

<b>PART C: Assessment (continued)</b>				
<b>Significant effect being considered (attribute affected)</b>	<b>Adverse Effect of proposal alone on attribute and/or feature and in relation to conservation objective for the feature</b>	<b>Adverse Effect of proposal in combination with other plans or projects, on attribute and /or feature</b>	<b>Can adverse effects be avoided?</b>	<b>Adverse effect on integrity; long term, short term. Yes, no or uncertain?</b>
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 H2 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 H2 requires mitigation via a contribution to the Coastal Mitigation Service	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)?**

**No.**

This is a plan supporting residential development within the 10km coastal buffer zone where recreational disturbance is likely. Mitigation is proposed for this in Policy H1, which requires any new development within the coastal impacts buffer to contribute to the Coastal Mitigation Service or provide alternative effective mitigation.

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



## **8. Conclusion.**

- 8.1 This is a record of the determination as to whether the Hauxley Neighbourhood Plan Pre-Submission Draft (October 2023) 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 Policies H5 and H6 are likely to have a significant effect on the Northumbria Coast SPA/Ramsar Site and the North Northumberland Dunes SAC for the reasons identified in Section 5 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 Hauxley Neighbourhood Plan Pre-Submission Draft (October 2023) will have an adverse effect on the integrity of European sites without mitigation.
- 8.4 Policy H1 provides mitigation for recreational disturbance impacts on the Northumbria Coast SPA/Ramsar Site.
- 8.5 As such, it can be concluded that the Hauxley Neighbourhood Plan Pre-Submission Draft (October 2023) will not have adverse impacts on the site integrity of the Northumbria Coast SPA and Ramsar Site.
- 8.6 Natural England have confirmed their agreement with the conclusion of this assessment in their letter dated 12<sup>th</sup> December 2023.
- 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  
12<sup>th</sup> December 2023

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## Appendix 1. Comments from Natural England

Date: 12 December 2023  
Our ref: 456300  
Your ref: Hauxley Neighbourhood Plan



Ms Ann Deary Francis  
Northumberland County Council

**BY EMAIL ONLY**  
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Dear Ms Deary Francis

### Hauxley Neighbourhood Plan - HRA Report Consultation

Thank you for your consultation on the above dated and received by Natural England on 09 November 2023.

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.

### Screening Request: Habitats Regulations Assessment (HRA)

**It is Natural England's advice, on the basis of the material supplied with the consultation, that significant effects on Habitats Sites are unlikely,**

The proposed neighbourhood plan is unlikely to significantly affect any Special Areas of Conservation (SAC), Special Protection areas (SPA), Ramsar wetland or sites in the process of becoming SACs or SPAs ('candidate SACs', 'possible SACs', 'potential SPAs') or a Ramsar wetland.

Where Neighbourhood Plans could have significant environmental effects, they may require a Strategic Environmental Assessment (SEA) under the Environmental Assessment of Plans and Programmes Regulations 2004 (as amended). The Neighbourhood Plan proposals should also be screened to ascertain whether Strategic Environmental Assessment is necessary. Further guidance on deciding whether the proposals are likely to have significant environmental effects and the requirements for consulting Natural England on SEA are set out in the [planning practice guidance](#).

Guidance on the assessment of Neighbourhood Plans, in line with the Environmental Assessment of Plans and Programmes Regulations 2004 is contained within the [Planning Practice Guidance](#). This identifies three triggers that may require the production of an SEA:

- a neighbourhood plan allocates sites for development
- the neighbourhood area contains sensitive natural or heritage assets that may be affected by the proposals in the plan
- the neighbourhood plan may have significant environmental effects that have not already been considered and dealt with through a sustainability appraisal of the Local Plan.

Natural England does not hold information on the location of significant populations of protected species, so is unable to advise whether this plan is likely to affect protected species to such an extent as to require an SEA. Further information is included in Natural England's [standing advice](#) on protected species.

Furthermore, Natural England does not routinely maintain locally specific data on all environmental assets. The plan may have environmental impacts on priority species and/or habitats, local wildlife sites, soils and best and most versatile agricultural land, or on local landscape character that may be sufficient to warrant an SEA. Information on ancient woodland, ancient and veteran trees is set out in Natural England/Forestry Commission [standing advice](#).

We therefore recommend that advice is sought from your ecological, landscape and soils advisers, local record centre, recording society or wildlife body on the local soils, best and most versatile agricultural land, landscape, geodiversity and biodiversity receptors that may be affected by the plan before determining whether a SEA is necessary.

Natural England reserves the right to provide further advice on the environmental assessment of the plan. This includes any third party appeal against any screening decision you may make. If a SEA is required, Natural England must be consulted at the scoping and environmental report stages.

Please send any new consultations, or further information on this consultation to [consultations@naturalengland.org.uk](mailto:consultations@naturalengland.org.uk).

Yours sincerely

Sally Wintle  
Consultations Team