



**Northumberland**  
County Council

**HABITATS REGULATIONS  
ASSESSMENT REPORT  
OCTOBER 2021**

**OF**

**LONGFRAMLINGTON NEIGHBOURHOOD  
DEVELOPMENT PLAN 2021 - 2036  
REGULATION 15 SUBMISSION PLAN  
MAY 2021**

**HABITATS REGULATIONS ASSESSMENT REPORT  
MARCH 2021  
OF  
LONFRAMLINGTON NEIGHBOURHOOD DEVELOPMENT PLAN  
2021 - 2036  
REGULATION 15 SUBMISSION PLAN MAY 2021**

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Habitats Regulations Assessment Report, October 2021 of Longframlington Neighbourhood Development Plan 2021 - 2036 Regulation 15 Submission Plan May 2021		
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## **1. Introduction**

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

- 1.1 Longframlington 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 Longframlington Neighbourhood Development Plan 2021- 2036 Regulation 15 Submission Plan May 2021 and undertakes an assessment of the Plan. 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 Longframlington Neighbourhood Development 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 letter dated 26<sup>th</sup> March 2021 that the Longframlington Neighbourhood Development 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 submission stage. This is included at Appendix 1. Natural England have not been re-consulted on the final HRA as there have been no material changes which would impact European Sites.
- 1.6 This HRA report will be issued to Longframlington 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 As a member of the European Union, the UK is 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 (as amended) 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.
- 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 an 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 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 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 relative precision of the plans at any particular stage and no more. There does have to be an appropriate assessment at the Local*

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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)

*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 Local Plan stage to be meaningfully assessed at this stage. Therefore some potential effects may be noted at this stage as requiring more detailed assessment during the development management process.
- 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.

### **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

This comprises an initial analysis to determine whether the Longframlington Neighbourhood Development Plan is likely to have a significant effect on any European sites. The Longframlington Neighbourhood Development 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 Longframlington Neighbourhood Development 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.

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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%20OCC%202011.pdf>

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

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

- 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.

#### Stage Two – Appropriate Assessment

- 2.12 Determination of whether any proposals or policies in the Local 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

- 2.13 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

- 2.14 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.
- 2.15 The European Court of Justice provided a ruling to the Irish Courts in case C323/17<sup>5</sup> (People over Wind) on 12<sup>th</sup> 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?’*

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*

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<http://curia.europa.eu/juris/document/document.jsf?jsessionid=0B015136ECA453B45E5BC9B13397F53A?text=&docId=200970&pageIndex=0&doclang=en&mode=lst&dir=&occ=first&part=1&cid=5349699>

*the screening stage, to take account of measures intended to avoid or reduce the harmful effects of the plan or project on that site.'*

- 2.16 This ruling overturned existing practice in the UK, which was to consider the benefits of any proposed mitigation at the screening stage, when determining whether a proposal is likely to have a significant effect on any European sites. Full consideration has been given to this ruling in the preparation of this Habitats Regulations Assessment. Reliance has not been given to mitigation measures at the screening stage, and all policies likely to have a significant effect in the absence of mitigation have been taken forward to appropriate assessment. Consequently it is considered that this HRA is consistent with the ECJ ruling in Case C 323/17.

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

- 3.1 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:

#### Special Areas of Conservation

- Simonside Hills SAC – 6.3km south west of the plan boundary.

#### Special Protection Areas

- Northumberland Marine SPA – 9.7km north east at the Coquet Estuary.

#### Ramsar Sites

- None



## Site Analysis

- 3.2 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>
Simonside Hills SAC	Blanket bogs * European dry heaths	To maintain in (or restore to) favourable condition the qualifying features	Blanket bog – high water table, low grazing levels, absence of burning, absence or low levels of human activity that cause erosion (eg military activities, recreational pressure), low atmospheric or aquatic nutrient inputs. Dry heaths - grazing pressure not limiting dwarf shrub cover, mosaic of small burns and unburnt areas if burnt, low atmospheric or aquatic nutrient inputs.
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 available yet

## 4. Stage 1B: Analysis of Trends

## 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:

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

### **Air Quality**

4.3 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

4.4 Sources of oxidised nitrogen mainly comprise nitrate (NO<sub>2</sub>), nitrogen oxides (NO<sub>3</sub>) and nitric acid (HNO<sub>3</sub>) and are together referred to as NO<sub>x</sub>. They are mainly produced by combustion of fossil fuels from power stations, vehicle exhausts and industrial and domestic combustion. Reduced nitrogen comprises gaseous ammonia (NH<sub>3</sub>) and fine particulate ammonium (NH<sub>4</sub><sup>+</sup>) and arises mainly from agricultural sources comprising animal waste and artificial fertilizers.

4.5 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.

#### Acid Deposition

4.6 The main sources of acid deposition are SO<sub>2</sub> from power stations and industrial combustion processes burning large quantities of fossil fuels, NO<sub>x</sub> also from combustion and the transformation of ammonia from agriculture to acidifying nitrogen compounds. The contribution of SO<sub>2</sub> 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.

- 4.7 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.
- 4.8 Although technological advances have reduced NO<sub>x</sub> emissions from vehicle engines, this benefit is offset by increasing traffic levels, and NO<sub>x</sub> levels are identified as a problem for sensitive sites adjacent to major transport routes.
- 4.9 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 Bridges<sup>6</sup> 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<sub>x</sub> 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.

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<sup>6</sup> <http://www.dft.gov.uk/ha/standards/dmr/vol11/section3/ha20707.pdf>

European sites currently receiving acid deposition, nitrogen deposition or both above their critical loads

4.10 The following tables are based on data from the UK Air Pollution Information System (APIS)<sup>7</sup>. The ‘Site Relevant Critical Loads’ tool in APIS provides critical loads for nitrogen and acidity in all SACs and SPAs in the UK for which critical load data is available. It also provides deposition data for each site and apportionment information for major sources. A Critical Load is defined as a quantifiable estimate of exposure to one or more pollutants below which significant harmful effects on specified sensitive elements of the environment do not occur according to present knowledge.

**Nitrogen**

Site	Most sensitive interest feature	Critical Load (kg N/ha/yr) <sup>8</sup>	Deposition (kg N/ha/yr) <sup>9</sup>			Source Attribution
			Max	Min	Mean	
Simonside Hills SAC	Blanket bogs	5-10	15.8	14.8	14.9	Livestock 36% Fertilizer 8% Road vehicles 6%

**Acid Deposition**

Site	Most sensitive interest feature	Critical Load <sup>10</sup> (Nitrogen Sulphur keq H+/ha/yr)	Current Deposition (Nitrogen Sulphur keq H+/ha/yr) <sup>11</sup>			Source Attribution
			Max	Min	Mean	
Simonside Hills SAC	Blanket bogs	Min 0.321 0.291 Max 0.321 0.348	1.16 0.25	1.03 0.24	1.07 0.25	Livestock 28% Fertilizer 6% Road vehicles 5% Industrial and residential combustion 5%

<sup>7</sup> [www.apis.ac.uk/srd](http://www.apis.ac.uk/srd) accessed 07-09/11/18

<sup>8</sup> A range is given to reflect the range of ecosystem responses to nitrogen inputs

<sup>9</sup> Based on 3 year monitoring data for 2013-2015

<sup>10</sup> Calculating acidity critical loads is complex due to the range of nitrogen and sulphur compounds involved. However the minimum figure is an indication of the level that could cause harm to the interest feature in the most sensitive situation and the maximum figure is that likely to cause harm in any situation. Keq H+ is a measure of potential acidity resulting from deposition of sulphur and oxidised and reduced nitrogen.

<sup>11</sup> Based on 3 year monitoring data for 2013-2015

- 4.11 The table shows that the most significant exceedences of critical loads of acid deposition occur in heathland and mire communities, and are especially severe in the North Pennines SAC, Simonside Hills SAC, Harbottle Moors SAC, Border Mires SAC, and Moor House-Upper Teesdale SAC. Exceedences of critical loads of nitrogen occur more widely across heathland, mire and grassland communities.

### **Water Quality**

- 4.12 Maintaining high water quality is central to the wellbeing of a number of European sites in Northumberland; most obviously the Roman Wall Loughs SAC, the River Eden SAC and the River Tweed SAC. However, other sites such as Newham Fen SAC and Ford Moss SAC 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.

### **Hydrology**

- 4.13 The supply of water in Northumberland is divided into two water resource zones, Kielder WRZ and Berwick and Fowberry WRZ. The Kielder WRZ serves most of the population of Northumberland and is supplied via river systems and reservoirs. For the most part, there are no water availability issues within this WRZ, primarily due to the very substantial supplies at Kielder Reservoir; however, both the rivers Coquet and Font have been identified as experiencing water availability issues. The Berwick and Fowberry WRZ is supplied primarily from an underlying aquifer, and supply shortages have been experienced during periods of high demand. Water abstraction for agriculture occurs from the Tweed catchment rivers, potential impacts on the SAC are being managed through abstraction licence reviews.

### **Tourism and Recreation**

- 4.14 Tourism is concentrated in certain areas of the county, especially the coast, although the Hadrian's Wall corridor is being increasingly promoted as a tourist destination, as is Northumberland National Park (a separate local planning authority area) and, to a lesser extent, the North Pennines AONB. 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. Disturbance of breeding birds caused by increasing levels of recreational access can also be an issue away from the coast, especially in upland SPAs, where breeding populations of golden plover, merlin and hen harrier all require low levels of disturbance. Dogs, especially off-lead animals, increase the effect of casual disturbance of birds by walkers.
- 4.17 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. European sites vulnerable to disturbance from increasing visitor numbers include the North Pennines SPA. The Tyne and Allen River Gravels SAC is vulnerable to damage from the Pennine Way and from riverside caravan and camping sites.

- 4.18 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.

### **Large Scale Development**

- 4.19 Development of land is occurring at a comparatively modest pace in Northumberland, with the bulk of housing and industrial development occurring in and adjacent to the settlements of south-east Northumberland, on the periphery of the Tyneside conurbation. New development causes a range of impacts that can affect European sites, including increased or changing patterns of air pollution from changing or increasing vehicle uses, and increases in water demand and in waste arisings. Urban expansion can also cause loss of or increased disturbance to land which is used as high tide and night time roosts by bird species which are key features of the coastal SPAs, and it can increase disturbance within these SPAs, for example through increased recreational use of the intertidal zone and through light pollution. Recreational disturbance such as dog walking can be a particular problem when new residential development occurs close to the Northumbria Coast SPA and Ramsar Site; feeding opportunities for turnstone and purple sandpiper are already restricted by the tides and the limited daylight of winter, so lost feeding time and increased energy use evading perceived predators could be significant. Some high tide and night time roost sites used by these species are known to occur in close proximity to development, but overall knowledge of the location of roost sites is incomplete. There is currently a high degree of uncertainty about the breeding locations of the golden plover that winter on the Northumberland Coast; however, adverse effects on the wintering populations could affect the integrity of the North Pennines Moors SPA or other SPAs that they breed in.
- 4.20 Demand for particular types of building stone, for markets within and outwith Northumberland, can create demand for particular sites to be quarried. In Northumberland, demand for dimensional building stone is generally for sandstone, with a low likelihood of significant effects on European sites.
- 4.21 The highest quality concreting sands and gravels in Northumberland are derived from igneous rocks, and so occur in the north of the county, in valleys of rivers which are within the River Tweed SAC. Potential significant effects include releases of silt or pollutants to the watercourses and hydrological changes arising from water abstraction for processing.

### **Climate Change**

- 4.22 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.

- increasing wildfires affecting combustible plant communities such as heaths and bogs, affecting upland sites such as the North Pennines Moors SAC, North Pennines Moors SPA, Harbottle Moors SAC, Simonside Hills SAC, Border Mires Kielder-Butterburn SAC, Moor House – Upper Teesdale SAC, Irthinghead Mires Ramsar Site and Langholm – Newcastleton Hills SPA.
- rivers and wetlands increasingly affected by low flows in summer and floods in winter, for example the River Tweed SAC, River Eden SAC, Tyne and Allen River Gravels SAC, Tyne and Nent SAC.
- distribution patterns of many species affected by shifts in their ‘climate space’ (the geographic area which has the appropriate climate for that species), predominately towards higher latitudes and higher altitudes. This may affect arctic-alpine communities in the North Pennines Moors SAC and Moor House-Upper Teesdale SAC especially severely.
- 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.

4.23 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 the hydrological functioning of blanket bogs in absorbing large quantities of water from rainfall and gradually releasing it to watercourses, and the flood storage function of river floodplains. The hydrological function of blanket bogs in the uplands of Northumberland and surrounding areas has been adversely affected by the excavation of drainage ditches, especially during the 1950s – 1970s, and through afforestation. Projects to block ditches and restore afforested bogs are underway in the North Pennines and the Border Uplands, but are of a small scale compared to the areas affected. The area of functional floodplain in Northumberland has been greatly reduced over a long time period as flood defences have been put in place for settlements and farmland; however, increasingly severe winter storms will increase the need for it. 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.

4.24 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**

4.25 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.
- 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.
- Crayfish plague, associated with the introduced signal crayfish, is spreading in northern England, and so the integrity of the River Eden SAC is at risk.
- 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 Longframlington Neighbourhood Development Plan - Identification of Likely Significant Effects

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

Paragraph 177 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 a 10km of the boundary of the Plan. Each European Site is underpinned by a number of component Sites of Special Scientific Interest.

### Special Areas of Conservation

- Simonside Hills

### Special Protection Areas

- Northumberland Marine

### Ramsar Sites

None

### 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
Simonside Hills SAC	Blanket Bog * European dry heaths	<u>Simonside Hills SSSI</u>  14.92% favourable 85.08% unfavourable recovering (13 units)	Blanket bog – loss of high water table, increased grazing levels, burning, increased levels of human activity that cause erosion (eg military activities, recreational pressure), increased atmospheric or aquatic nutrient inputs. Dry heaths - grazing pressure limiting dwarf shrub cover, burning, increased atmospheric or aquatic nutrient inputs.
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	Underpinned by a number of terrestrial SSSIs. Condition not directly related to condition of marine habitats.	Failure to maintain or restore: <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> <li>• The distribution of the qualifying features within the site.</li> </ul>

## **Assessment of the Plan's Objectives:**

- 5.4 **OBJECTIVE 1:** In order to preserve the special landscapes around Longframlington, and the rural setting of the village, we will identify a settlement boundary beyond which there is a presumption against development which does not meet specified needs.

This objective is a general statement of policy, which seeks to define the acceptability of proposals and match future housing to community needs. It is therefore not likely to have a significant effect on a European Site.

- 5.5 **OBJECTIVE 2:** To support housing development which meets an identified local need in the Neighbourhood Area.

This objective is a general statement of policy/general aspiration and is therefore not likely to have a significant effect on a European Site.

- 5.6 **OBJECTIVE 3:** To support the local economy and the community by supporting businesses and preserving our valued community facilities.

This objective is a general statement of policy/general aspiration and is therefore not likely to have a significant effect on a European Site.

- 5.7 **OBJECTIVE 4:** To support and promote biodiversity within the Neighbourhood Area, and to ensure all new development delivers net gains for biodiversity.

This is an environmental protection objective. There is no likely negative significant effect on European Sites.

- 5.8 **OBJECTIVE 5:** To identify and protect Local Green Spaces, and outdoor recreation spaces in the village that are valued by the local community and are vital for creating the distinctive character of Longframlington.

This objective is a general statement of policy/general aspiration and is therefore not likely to have a significant effect on a European Site.

- 5.9 **OBJECTIVE 6:** To support sustainable and high-quality design that reflects the special character of Longframlington village.

This objective is a general statement of policy/general aspiration and is therefore not likely to have a significant effect on a European Site.

## **Assessment of the Plan Policies:**

- 5.10 POLICY LNP1 – New Housing Development  
The plan does not include support for significant numbers of new housing (above that already consented) and therefore significant impacts on European Sites are not likely.
- 5.11 POLICY LNP2: The Local Economy  
The policy concerns the suitability of proposals and is not considered to have a likely significant effect on European Sites. Tourism which includes increased units of accommodation is considered not likely to be at a threshold level which would increase recreational disturbance at Simonside Hills SAC.
- 5.12 POLICY LNP3 – Community Facilities  
This policy relates to safeguarding and increasing the community facilities in the village and could have no conceivable effect on a European Site.
- 5.13 POLICY LNP4 – Outdoor Recreation Areas  
Environmental Protection policy - screened out.
- 5.14 POLICY LNP5 - Biodiversity  
Environmental Protection policy - screened out.
- 5.15 POLICY LNP6 Local Green Space  
Environmental Protection policy - screened out.
- 5.16 Policy LNP7: High Quality and Sustainable Design.  
This policy sets out criteria for the design and suitability of proposals within the plan area. There is no conceivable impact on European Sites. Screened out.
- 5.17 Community Projects.

As statements of intent for community action they are by their nature not likely to have a significant effect on European sites.

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

The policies within the Longframlington Neighbourhood Development Plan 2021 - 2036 Regulation 15 Submission Plan May 2021 potentially support small numbers of potential new housing or tourism units (in addition to that already consented) where this meets a defined local need.

The interest features and conservation objectives of the Northumberland Marine SPA are unlikely to be affected based on the nature of the interest features (seabird assemblage not prone to recreational disturbance except potentially by watercraft) and the distance from the plan boundary (9.2km). It is considered there can be no conceivable effect on this European Site.

Recreational disturbance to European sites which are outside of the 10km buffer to the plan boundary (Northumbria Coast SPA/Ramsar Site and North Northumberland Dunes) are screened out as the plan boundary is not within the defined Coastal Mitigation Buffer Zone agreed by Northumberland County Council and Natural England.

Recreational pressure (via trampling) is identified as a potential threat to the site integrity of the Simonside Hills SAC. However, in this case the numbers of new dwellings within reach of the Simonside Hills is below a threshold where any significant effect is likely. Additionally, access to the Simonside Hills is via a number of well-used public rights of way and tracks with access away from those tracks and into habitats which comprise the interest features considered to be rare. Any additional pressure is therefore considered *de minimis*.

The plan boundary is outside of the Impact Risk Zone for the Simonside Hills SSSI (which underpins the SAC designation) and it is therefore not considered (in Natural England's view) that developments within the plan boundary will impact on the European Site or its constituent SSSI units.

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

- 6.1 The policies alone are not considered likely to have a likely significant effect on the Simonside Hills SAC or the Northumberland Marine SPA.
- 6.2 In combination effects are considered to have been assessed via the *Northumberland Local Plan: Publication Draft Plan (Regulation 19) December 2018 Habitats Regulations Assessment* which has screened out any likely significant effect on the Simonside Hills SAC. Impacts on that SAC are considered to be related to land use which largely falls outside of the remit of the Local Plan.
- 6.3 The *Northumberland Local Plan: Publication Draft Plan (Regulation 19) December 2018 Habitats Regulations Assessment* has screened in potential likely significant effects on the Northumberland Marine SPA from coastal/marine recreation, industrial development near the coast and increased ship traffic. Those impacts have been assessed as being *de minimis* at Appropriate Assessment due to the nature of the

interest features and the habitats they utilise. These impacts are sector specific and are not considered likely to cause in-combination impacts with the sectors included in the Plan.

## **7. Conclusion.**

- 7.1 This is a record of the determination as to whether the Longframlington Neighbourhood Development Plan 2021 – 2036 Regulation 15 Submission Plan May 2021 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.
- 7.2 In accordance with Regulation 106 of the Conservation of Habitats and Species Regulations 2017 as amended, Northumberland County Council concludes that the Longframlington Neighbourhood Development Plan 2021 – 2036 Regulation 15 Submission Plan May 2021 will not have a likely significant effect on European Sites within 10km of the plan boundary, either alone or in combination.
- 7.3 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  
11/10/2021

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## APPENDIX 1 Natural England Response to Consultation

Date: 26 March 2021  
Our ref: ~~Longframlington~~ NP HRA (March 2021)  
Your ref: ~~Longframlington~~ NP HRA (March 2021)



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**BY EMAIL ONLY**

Dear Mr. Anderson,

Habitats Regulations Assessment March 2021 of the ~~Longframlington~~ Neighbourhood Development Plan 2021 – 2036 Pre-Submission Draft

Thank you for your consultation on the above dated 26 March 2021

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.

Natural England is a statutory consultee in neighbourhood planning and must be consulted on draft neighbourhood development plans by the Parish/Town Councils or Neighbourhood Forums where they consider our interests would be affected by the proposals made.

**Natural England agrees with the conclusions of the Habitats Regulations Assessment of the ~~Longframlington~~ Neighbourhood Development Plan 2021 - 2036 pre-submission draft.**

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

For any further consultations on your plan, please contact: [consultations@naturalengland.org.uk](mailto:consultations@naturalengland.org.uk).

Yours sincerely

Nick Lightfoot  
Northumbria Area Team

# Annex 1 - Neighbourhood planning and the natural environment: information, issues and opportunities

## Natural environment information sources

The [Magic](http://magic.defra.gov.uk/)<sup>1</sup> website will provide you with much of the nationally held natural environment data for your plan area. The most relevant layers for you to consider are: **Agricultural Land Classification, Ancient Woodland, Areas of Outstanding Natural Beauty, Local Nature Reserves, National Parks (England), National Trails, Priority Habitat Inventory, public rights of way (on the Ordnance Survey base map) and Sites of Special Scientific Interest (including their impact risk zones)**. Local environmental record centres may hold a range of additional information on the natural environment. A list of local record centres is available [here](#)<sup>2</sup>.

**Priority habitats** are those habitats of particular importance for nature conservation, and the list of them can be found [here](#)<sup>3</sup>. Most of these will be mapped either as **Sites of Special Scientific Interest**, on the Magic website or as **Local Wildlife Sites**. Your local planning authority should be able to supply you with the locations of Local Wildlife Sites.

**National Character Areas (NCAs)** divide England into 159 distinct natural areas. Each character area is defined by a unique combination of landscape, biodiversity, geodiversity and cultural and economic activity. NCA profiles contain descriptions of the area and statements of environmental opportunity, which may be useful to inform proposals in your plan. NCA information can be found [here](#)<sup>4</sup>.

There may also be a local **landscape character assessment** covering your area. This is a tool to help understand the character and local distinctiveness of the landscape and identify the features that give it a sense of place. It can help to inform, plan and manage change in the area. Your local planning authority should be able to help you access these if you can't find them online.

If your neighbourhood planning area is within or adjacent to a **National Park** or **Area of Outstanding Natural Beauty (AONB)**, the relevant National Park/AONB Management Plan for the area will set out useful information about the protected landscape. You can access the plans on from the relevant National Park Authority or Area of Outstanding Natural Beauty website.

General mapped information on **soil types** and **Agricultural Land Classification** is available (under 'landscape') on the [Magic](http://magic.defra.gov.uk/)<sup>5</sup> website and also from the [LandIS website](http://landis.org.uk/)<sup>6</sup>, which contains more information about obtaining soil data.

## Natural environment issues to consider

The [National Planning Policy Framework](#)<sup>7</sup> sets out national planning policy on protecting and enhancing the natural environment. [Planning Practice Guidance](#)<sup>8</sup> sets out supporting guidance.

Your local planning authority should be able to provide you with further advice on the potential impacts of your plan or order on the natural environment and the need for any environmental assessments.

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<sup>1</sup> <http://magic.defra.gov.uk/>

<sup>2</sup> <http://www.nbn-nfbr.org.uk/nfbr.php>

<sup>3</sup> <http://web.archive.nationalarchives.gov.uk/20140711133551/http://www.naturalengland.org.uk/ourwork/conservation/biodiversity/protectandmanage/habsandspeciesimportance.aspx>

<sup>4</sup> <https://www.gov.uk/government/publications/national-character-area-profiles-data-for-local-decision-making>

<sup>5</sup> <http://magic.defra.gov.uk/>

<sup>6</sup> <http://www.landis.org.uk/index.cfm>

<sup>7</sup> [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/807247/NPPF\\_Feb\\_2019\\_revised.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/807247/NPPF_Feb_2019_revised.pdf)

<sup>8</sup> <http://planningguidance.planningportal.gov.uk/blog/guidance/natural-environment/>

### Landscape

Your plans or orders may present opportunities to protect and enhance locally valued landscapes. You may want to consider identifying distinctive local landscape features or characteristics such as ponds, woodland or dry stone walls and think about how any new development proposals can respect and enhance local landscape character and distinctiveness.

If you are proposing development within or close to a protected landscape (National Park or Area of Outstanding Natural Beauty) or other sensitive location, we recommend that you carry out a landscape assessment of the proposal. Landscape assessments can help you to choose the most appropriate sites for development and help to avoid or minimise impacts of development on the landscape through careful siting, design and landscaping.

### Wildlife habitats

Some proposals can have adverse impacts on designated wildlife sites or other priority habitats (listed [here](#)<sup>9</sup>), such as Sites of Special Scientific Interest or [Ancient woodland](#)<sup>10</sup>. If there are likely to be any adverse impacts you'll need to think about how such impacts can be avoided, mitigated or, as a last resort, compensated for.

### Priority and protected species

You'll also want to consider whether any proposals might affect priority species (listed [here](#)<sup>11</sup>) or protected species. To help you do this, Natural England has produced advice [here](#)<sup>12</sup> to help understand the impact of particular developments on protected species.

### Best and Most Versatile Agricultural Land

Soil is a finite resource that fulfils many important functions and services for society. It is a growing medium for food, timber and other crops, a store for carbon and water, a reservoir of biodiversity and a buffer against pollution. If you are proposing development, you should seek to use areas of poorer quality agricultural land in preference to that of a higher quality in line with National Planning Policy Framework para 171. For more information, see our publication [Agricultural Land Classification: protecting the best and most versatile agricultural land](#)<sup>13</sup>.

## **Improving your natural environment**

Your plan or order can offer exciting opportunities to enhance your local environment. If you are setting out policies on new development or proposing sites for development, you may wish to consider identifying what environmental features you want to be retained or enhanced or new features you would like to see created as part of any new development. Examples might include:

- Providing a new footpath through the new development to link into existing rights of way.
- Restoring a neglected hedgerow.
- Creating a new pond as an attractive feature on the site.
- Planting trees characteristic to the local area to make a positive contribution to the local landscape.
- Using native plants in landscaping schemes for better nectar and seed sources for bees and birds.
- Incorporating swift boxes or bat boxes into the design of new buildings.
- Think about how lighting can be best managed to encourage wildlife.
- Adding a green roof to new buildings.

<sup>9</sup><http://webarchive.nationalarchives.gov.uk/20140711133551/http://www.naturalengland.org.uk/ourwork/conservation/biodiversity/protectandmanage/habsandspeciesimportance.aspx>

<sup>10</sup><https://www.gov.uk/guidance/ancient-woodland-and-veteran-trees-protection-surveys-licences>

<sup>11</sup><http://webarchive.nationalarchives.gov.uk/20140711133551/http://www.naturalengland.org.uk/ourwork/conservation/biodiversity/protectandmanage/habsandspeciesimportance.aspx>

<sup>12</sup><https://www.gov.uk/protected-species-and-sites-how-to-review-planning-proposals>

<sup>13</sup><http://publications.naturalengland.org.uk/publication/35012>