

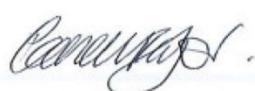


North Tyneside Council Local Plan

Habitat Regulations Assessment -
Appropriate Assessment
March 2017



Quality Management

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1. Executive Summary

- 1.1.1 North Tyneside Council is currently developing their Local Plan. The Local Plan will set out the preferred policies and proposals that the Council will use to guide planning decisions and establish the framework for sustainable growth and development of North Tyneside.
- 1.1.2 The Council are required to undertake a Habitats Regulations Assessment (HRA) in line with the requirements set by the amended Conservation of Habitats and Species Regulations (2010) to assess the effects of the plan of European Sites.
- 1.1.3 Non-physical disturbance, toxic and non-toxic contamination are all considered potential sources of impacts to the European Sites. These impacts are expected to arise as a result of the construction activities which will be undertaken to facilitate the implementation of the policies. Recreational disturbance is considered to be the major long-term source of effects on the European Sites.
- 1.1.4 Recreational disturbance along the coast comes from two distinct pathways:
- **Residential pressure within a local catchment.** Residents are likely to visit frequently and consistently e.g. to walk the dog or exercise.
 - **Visitor pressure from a wider catchment.** Visitors are likely to be “tourists” who visit less frequently with a preference for visits at a specific time to specific attractions such as sandy beaches.
- 1.1.5 At this stage it is not possible to fully detail a mitigation strategy for all of the measures contained within the Local Plan (in implementation) due to the need for further liaison and research to ensure a consistent and effective site-wide approach. An outline approach is therefore detailed below to be built upon as the measures within the plan are implemented in practice. It is however believed that the measures proposed are able to reduce impacts to a level where they will have no adverse effect on European Site integrity.
- 1.1.6 Four broad levels of mitigation are proposed for the duration of the Local Plan, these are:

- Management of International Sites through Local Plan Policy DM5.6;
- Off-setting recreational pressure;
- Managing visitor behaviour; and
- Further work and monitoring.

1.1.7 Research undertaken has shown that new residential development as well as improvements and enhancements to coastal tourist destinations will result in increased recreational disturbance to the coast which may impact upon both bird species and habitats.

1.1.8 The assessment shows that for all likely impacts, effective mitigation approaches are available at lower levels such as through implementation of individual projects or schemes which arise as a result of the Local Plan. Provided that effective and appropriate mitigation is implemented it can be concluded that no adverse effects on European Site integrity will occur as a result of adopting the Local Plan. Detailed assessments will be required at the project levels to identify any likely significant effects at the site-specific level and implementation of the required mitigation to avoid these.

2. Introduction

- 2.1.1 North Tyneside Council is currently developing their Local Plan and is undertaking Habitats Regulations Assessment (HRA) in line with the requirements set by the amended Conservation of Habitats and Species Regulations (2010) (hereinafter referred to as “the Habitats Regulations”).
- 2.1.2 This HRA report addresses the Appropriate Assessment (AA) stage of HRA which will identify whether any of the measures identified in the Screening Assessment¹ will lead to an adverse effect on European Site integrity.

2.2 Requirement for Habitats Regulations Assessment

- 2.2.1 The European Directive (92/43/EEC) on the Conservation of Natural Habitats and Wild Flora and Fauna (the ‘Habitats Directive’) protects habitats and species of European nature conservation importance. The Habitats Directive establishes a network of internationally important sites designated for their ecological status. These are referred to as European Sites and comprise Special Areas of Conservation (SACs) and Special Protection Areas (SPAs) (classified under the Council Directive 79/409/EEC on the conservation of wild birds, the ‘Birds Directive’).
- 2.2.2 Additionally, it is a matter of policy throughout the UK that Ramsar sites identified through the Ramsar Convention (1971) should receive the same protection. These requirements are also extended to the consideration of effects on sites that are proposed for designation such as potential SPAs (pSPA) and candidate SACs (cSAC).
- 2.2.3 Articles 6 (3) and 6 (4) of the Habitats Directive require AA to be undertaken on proposed plans or projects which are not necessary for the management of the site but which are likely to have a significant effect on one or more European Sites either individually, or in combination with other plans and projects².

¹ North Tyneside Local Plan: Consultation Draft 2015, Draft Habitats Regulations Assessment, January 2015

² Determining whether an effect is ‘significant’ is undertaken in relation to the designated interest features and conservation objectives of the Natura 2000 sites. If an impact on any conservation objective is assessed as being adverse then it should be treated as significant. Where information is limited the precautionary principle applies and significant effects should be assumed until evidence exists to the contrary.

- 2.2.4 In October 2005, the European Court of Justice ruled that the UK had failed to correctly transpose the provisions of Articles 6 (3) and (4) of the Habitats Directive into national law; in that it had failed to ensure that land use plans were subject to Appropriate Assessment where they may result in a significant effect on a European Site. Following this ruling the Department for Environment, Food and Rural Affairs (Defra) published the amended Habitats Regulations 2010 (formerly the Conservation of Habitats & Species Regulations 1994) to transpose the amendments into English legislation. An Appropriate Assessment is therefore now required for local, regional and national planning documents, including the North Tyneside Council Local Plan.
- 2.2.5 The purpose of this HRA/AA is to assess the effects of the plan both alone and in combination with the effects of other plans and projects, against the conservation objectives of European Sites and to ascertain whether it would adversely affect the integrity³ of that site. Where adverse effects are identified, alternative options or mitigation measures should be examined. The scope of the HRA/AA is dependent on the location, size and significance of the proposed plan and the sensitivities and nature of the interest features of the European Sites under consideration. If it is not possible to avoid or remove the identified effects assessed as arising from the plan in implementation, then (if the plan makers wish to proceed with the policies/ proposals as set) it must be demonstrated that there are Imperative Reasons of Overriding Public Interest (IROPI)⁴ to continue with the plan (Article 6(4) of the Habitats Directive).

³ Integrity is described as the sites' coherence, ecological structure and function across the whole area that enables it to sustain the habitat, complex of habitats and/or levels of populations of species for which it was classified, (ODPM, 2005).

⁴ Article 6 also states that, where the Site hosts a priority habitat and/or species, the only considerations which may be raised are those relating to human health or public safety.

2.3 Guidance for Habitats Regulations Assessment/Appropriate Assessment

2.3.1 The approach used in this HRA is based on The Habitats Regulations Assessment of Local Development Documents, Revised Draft Guidance for Natural England (David Tyldsely, 2009). A number of other guidance documents have also been referred to and are cited in the references section of this document. The County Durham Plan HRA⁵ has also been used as an example of best practice in assessing such plans. Guidance recommends that HRA is approached in three main stages as outlined in Table 2.1. This report outlines the method and findings for stage 2 of the HRA process: **Appropriate Assessment**.

⁵ The County Durham Plan Addendum to the Habitat Regulations Assessment of the County Durham Plan pre-Submission, March 2014 (para 4.1).

Table 2.1: HRA AA Key Stages

Stage 1	
Screening – <i>Identifies likely significant effects</i>	<ul style="list-style-type: none"> Identify international sites Examine conservation objectives of the interest features Review plan policies and proposals and consider potential effects on European sites Examine other plans and programmes that could contribute to ‘in combination’ effects
	<ul style="list-style-type: none"> If no effects likely – report no significant effect If effects are judged likely or uncertainty exists – the precautionary principle applies proceed to stage 2
Stage 2	
Appropriate Assessment – <i>Identifies whether there will be an adverse effect on European Site integrity</i>	<ul style="list-style-type: none"> Complete additional scoping work including the collation of further information on sites as necessary to evaluate impact in light of conservation objectives Agree scope and method of AA Consider how the plan ‘in combination’ with other plans and programmes will interact when implemented Consider how adverse effects on the integrity of site could be avoided by changes to the plan and the consideration of alternatives Develop mitigation measures (including timescale and mechanisms) Report outcomes of AA including mitigation measures If the plan will not significantly affect European site proceed without further reference to Habitats Regulations
	<ul style="list-style-type: none"> If effects or uncertainty remain following the consideration of alternatives and development of mitigations proceed to Stage 3
Stage 3	
Procedures where significant effect on integrity of international site remains	<ul style="list-style-type: none"> Consider alternative solutions, delete from plan or modify Consider if priority species/ habitats affected Identify ‘imperative reasons of overriding public interest’ (IROPI) economic, social, environmental, human health, public safety Notify Defra

2.4 Overview

2.4.1 North Tyneside Council has prepared a Local Plan which sets out the planning policies for guiding development and regeneration in the Borough until 2032. The Local Plan will set out the preferred policies and proposals that the Council will use to guide planning decisions and establish the framework for sustainable growth and development of North Tyneside.

2.4.2 The key aims that the North Tyneside Local plan is required to comply with are set out in the National Planning Policy Framework (NPPF) 2012; central to this is the “*presumption in favour of sustainable development*”.

2.4.3 Natural England has been consulted throughout the Screening and Appropriate Assessment stages of this HRA and their comments and queries have been addressed and incorporated in to this document. Further consultation will be undertaken as the Local Plan and associated documents are finalised. Consultation Responses are provided in Appendix D.

2.5 Purpose and Structure of Report

2.5.1 This report documents the process and the findings from the Appropriate Assessment stage of the HRA for the North Tyneside Council 2015 Local Plan. Following this introductory section the document is organised into a further three sections:

- **Method**
Outlines the method used for the Appropriate Assessment and includes reference to the key information sources used and the consultation comments received to date.
- **Appropriate Assessment**
Detailed assessment of adverse effects on European Site integrity, including mitigation measures where appropriate.
- **Conclusions and Recommendations**
Outlines the conclusions and how the plan should now proceed with reference to the Habitats Regulations.

3. Method

3.1.1 The key tasks employed for the Appropriate Assessment stage of the HRA are set out in Table 3.5. The Screening Assessment identified which European Sites within and around the plan area should be considered in further detail as part of an Appropriate Assessment as well as identifying policies with potential for likely significant effects.

3.1.2 Table 3.1 details the sites which have been screened in for further assessment, with Table 3.2 providing details of the policies with potential to cause likely significant effects. (Table 3.3 shows the allocated development sites screened in to the Appropriate Assessment).

Table 3.1: European Sites Screened In.

Site	Qualifying Features	Conservation Objectives
Berwickshire and North Northumberland Coast SAC	<ul style="list-style-type: none"> • Mudflats and sandflats not covered by seawater at low tide • Large shallow inlets and bays • Reefs • Submerged or partially submerged sea caves • Grey seal 	<p>Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the Favourable Conservation Status of its Qualifying Features, by maintaining or restoring;</p> <ul style="list-style-type: none"> • The extent and distribution of qualifying natural habitats and habitats of qualifying species • The structure and function (including typical species) of qualifying natural habitats • The structure and function of the habitats of qualifying species • The supporting processes on which qualifying natural habitats and the habitats of qualifying species rely • The populations of qualifying species, and, • The distribution of qualifying species within the site.
Durham Coast SAC	<ul style="list-style-type: none"> • Vegetated sea cliffs of the Atlantic and Baltic coasts 	<p>Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the Favourable Conservation Status of its Qualifying Features, by maintaining or restoring;</p> <ul style="list-style-type: none"> • The extent and distribution of qualifying natural habitats • The structure and function (including typical species) of qualifying natural habitats, and • The supporting processes on which the qualifying natural habitats rely.
North Northumberland	<ul style="list-style-type: none"> • Embryonic shifting dunes • Shifting dunes along the 	<p>Ensure that the integrity of the site is maintained or restored as appropriate,</p>

Site	Qualifying Features	Conservation Objectives
Dunes SAC	shoreline with <i>Ammophila arenaria</i> <ul style="list-style-type: none"> • Shifting dunes with marram • Fixed dunes with herbaceous vegetation • Dune grassland • Dunes with <i>Salix repens</i> • Humid dune slacks • Petalwort 	and ensure that the site contributes to achieving the Favourable Conservation Status of its Qualifying Features, by maintaining or restoring; <ul style="list-style-type: none"> • The extent and distribution of qualifying natural habitats and habitats of qualifying species • The structure and function (including typical species) of qualifying natural habitats • The structure and function of the habitats of qualifying species • The supporting processes on which qualifying natural habitats and the habitats of qualifying species rely • The populations of qualifying species, and, • The distribution of qualifying species within the site.
Northumbria Coast SPA / Ramsar	<ul style="list-style-type: none"> • Purple sandpiper <i>Calidris maritime</i> (non-breeding) • Ruddy turnstone <i>Arenaria interpres</i> (non-breeding) • Little tern <i>Sterna albifrons</i> (breeding) 	Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the Favourable Conservation Status of its Qualifying Features, by maintaining or restoring; <ul style="list-style-type: none"> • The extent and distribution of qualifying natural habitats and habitats of qualifying species • The structure and function (including typical species) of qualifying natural habitats • The structure and function of the habitats of qualifying species • The supporting processes on which qualifying natural habitats and the habitats of qualifying species rely • The populations of qualifying species, and, • The distribution of qualifying species within the site.

Table 3.2: Local Plan Policies Screened In.

Policy	Reason
AS8.12 Fish Quay and New Quay	This policy references the River Tyne as an area of economic and tourism development; sufficient uncertainty on the effects on Natura 2000 sites remains to indicate that an appropriate assessment should be carried out.
AS18.5 The Coastal Sub Area	This is an overarching, reasonably vague, policy that sets out the general strategy for the Coastal area before being expanded on further in other, more specific, policies elsewhere in the Plan.
AS2.5 River Tyne North Bank	This policy references the River Tyne as an area of economic development; sufficient uncertainty on the effects on Natura 2000 sites remains to indicate that an appropriate assessment should be carried out.
AS8.16 Tourism and Visitor Accommodation at the Coast	This policy is concerned with tourism promotion within the coastal area, including encouraging visitors. Sufficient uncertainty on the effects on Natura 2000 sites remains to indicate that an appropriate assessment should be carried out.
AS8.17 Visitor Attractions and Activities at the Coast	Part of the policy is concerned with the use of Beaconsfield, which is a known roosting area for species associated with the Northumbria Coast SPA. Following the advice of the Council's Biodiversity Officer and Natural England, the policy has been rewritten to only permit activity of the site outside of the winter period and to not permit any loss of the site. This part of the policy is not considered to represent a likely significant affect on Natura 2000 sites. However, the remainder of the policy is concerned with tourism-related development across the wider coastal area that would serve to encourage visitors. It is not possible at this stage to know the nature of development and the effects on visitor numbers and so sufficient uncertainty on the effects on Natura 2000 sites remains to indicate that an appropriate assessment should be carried out.
AS8.22 Coastal Green Links	Depending on location of cycle route development, and the amounts of visitors they could attract, there could be an impact on Natura 2000 sites.
AS8.19 Whitley Bay Town Centre Public Realm	This policy discusses enhancements at the coast which could potentially impact on Natura 2000 sites, either through the works themselves and/or through increased visitors. Also encourages better access.
AS8.18 The Spanish City	The potential for increased visitor numbers could have an effect on Natura 2000 sites.
AS8.23 Coastal Transport	This policy looks to improve access to the coast. This may involve works that could directly disturb Natura 2000 sites and/or increase visitors.
S2.1 Economic Growth Strategy	This is an overarching policy that sets out the general strategy for economic growth before being expanded on further in other, more specific policies elsewhere in the Plan.
S3.1 Competitive Centres	This policy discusses regeneration and growth in already built-up retail areas that are not Natura 2000 sites.
DM 4.5 Criteria for New Housing Development	This policy is in place to guide decisions on residential uses outside of areas designated for residential use. It doesn't set out a quantum or location. To ensure the protection of species, the policy has been written to include that residential uses will be considered positively where they... "Demonstrate that they accord with the policies within this Local Plan". There are proposed policies in place for the protection of biodiversity (S5.4 and DM5.5) that would be used in any planning application decision.

Table 3.3: Allocated Development Sites Screened In.

Development Sites	Pathway of significant effects
Site at Coquet Avenue Whitley Bay. Site 48.	Increased recreational disturbance (both residential and tourist)
Whiskey Bends, Promenade, Whitley Bay. Site 50.	
High Point Hotel, Promenade, Whitley Bay. Site 51.	
The Avenue PH, Whitley Bay. Site 123.	
Land at Esplanade, Whitley Bay. Site 138.	

3.1.3 Following formal consultation, the Screening stage of this HRA has been revisited and policy S4.4 (a): *Murton Strategic Allocation Concept Plan* has been Screened in to the Appropriate Assessment. Details of the policy are provided in Table 3.4 below.

Table 3.4: Policy S4.4 (a)

S4.4 (a) Murton Strategic Allocation Concept Plan
<p>A Strategic Allocation is identified at Murton (Sites 35 to 41) to secure the delivery of approximately 3,000 homes during the plan period in a mix of housing tenures, types and sizes informed by available evidence of the housing needs of the borough, and convenience retail provision of approximately 1,000sqm.</p> <p>The key principles for development of the Murton strategic allocation are illustrated on the Policies Map through an indicative concept plan, to be delivered where necessary in accordance with the requirements of the Infrastructure Delivery Plan, include provision of:</p> <ul style="list-style-type: none"> • New housing, retail and community facilities in the general development locations identified; and, • Primary and secondary access points suitable to accommodate evidence based traffic flows to, from and through the sites as appropriate; and, • Strategic transport route connecting Earsdon by-pass with New York Road and Norham Road; • Education provision delivered in agreement with the Local Education Authority, at locations indicatively or identified on the Policies Map, providing a primary school located broadly to the south west of the site; • A network of green and blue infrastructure that: <ul style="list-style-type: none"> i. Enables provision of strategic open space breaks to avoid the joining together of Shiremoor with Monkseaton, whilst integrating with existing communities; and, ii. Provides safe and secure cycle and pedestrian links through the site that ensure appropriate connectivity with the existing network; and, iii. Retains, connects and enhances the biodiversity of each site; and, iv. Retains and enhances any important hedgerows or trees; and, v. Provides well-integrated and strategic green spaces for recreation; and, vi. Incorporates sustainable drainage systems.
<p>Reason: Increased residential development within 6km of the European Sites is likely to result in an increase in recreational disturbance to the coast.</p>

Table 3.5: Key Tasks of the HRA AA

<p>Task 1 Scoping and Additional Information Gathering</p>	<ul style="list-style-type: none"> ▪ Gathering additional information on European sites ▪ Gathering additional data on background environmental conditions ▪ Further analysis of plans/ projects that have the potential to generate 'in-combination' effects.
<p>Task 2 Assessing the Impacts (in-combination) Appropriate Assessment</p>	<ul style="list-style-type: none"> ▪ Examination of the policies and proposals identified during the screening phase and their likely significant effects on European sites ▪ Consideration of whether effects are direct/ indirect/ cumulative ▪ Consideration of whether other plans and programmes are likely to generate effects that have the potential to act cumulatively with those arising from the plan.
<p>Task 3 Developing Mitigation Measures (including initial avoidance)</p>	<ul style="list-style-type: none"> ▪ If effects identified – either arising from the plan alone and/or 'in-combination' with other plans – consider initial opportunities to avoid (e.g. delete/ remove or amend policy from plan) ▪ Develop mitigation measures – must be deliverable by the plan and have clear delivery/ monitoring responsibilities.
<p>Task 4 Findings and Recommendations</p>	<ul style="list-style-type: none"> ▪ Conclude the assessment; explain key findings and analysis informing conclusions.
<p>Task 5 Consultation</p>	<ul style="list-style-type: none"> ▪ Undertake further consultation.

4. Appropriate Assessment

4.1 Assessing the Impacts

- 4.1.1 The HRA Screening Assessment report described the aims, objectives and outlined the key policies of the plan. It also considered and identified which policies had the potential (in implementation) to affect the integrity of the European Sites. This section considers in more detail where the impacts identified are likely to have an adverse effect on site integrity either alone or in combination with other plans and projects.
- 4.1.2 The Local Plan is a high level policy document and in most cases does not provide a sufficient level of detail regarding the specific projects or proposals or how they will be implemented. As a result, it has not been possible to fully assess specific impacts of the measures on integrity of specific European Sites. However, it is recognised that this plan sets a framework and strategic direction for North Tyneside and therefore must flexibly allow the assessment of alternatives at a lower level while not prescribing measures which are inherently not feasible whilst maintaining the integrity of European Sites.
- 4.1.3 Table 4.1 sets out a range of potential impacts that the Local Plan policies may have on European sites along with a description of each pathway. A detailed assessment of potential impacts arising from each policy is provided in Table 4.2 with an assessment of European Site vulnerabilities provided in Table 4.3. A Location Plan showing each of the European Sites is provided in Appendix A.
- 4.1.4 Non-physical disturbance, toxic and non-toxic contamination are all considered potential sources of impacts to the European Sites. These impacts are expected to arise as a result of the construction activities which will be undertaken to facilitate the implementation of the policies. Recreational disturbance is considered to be the major long-term source of impacts on the European Sites. This is discussed in further detail below.

Table 4.1: Sources and Pathways of Impacts

Categories of potential impacts on European Sites	Examples of activities responsible for the potential impacts
Physical damage <ul style="list-style-type: none"> • Sedimentation / silting • Prevention of natural processes • Habitat degradation • Erosion • Trampling • Fragmentation • Severance / barrier effect • Edge effects • Fire 	<ul style="list-style-type: none"> • Dredging • Watercourse maintenance (including deculverting) • Recreation (e.g. motor cycling, cycling, walking, horse riding, water sports, caving) • Development (e.g. infrastructure, tourism, adjacent housing etc.) • Vandalism • Arson • Cessation of or inappropriate management for nature conservation
Non-physical disturbance <ul style="list-style-type: none"> • Noise • Vibration • Visual presence • Human presence • Light pollution 	<ul style="list-style-type: none"> • Construction (e.g. flood defence infrastructure housing, industrial) • Watercourse maintenance (including deculverting) • Recreation (e.g. dog walking, water sports) Industrial activity • Vehicular traffic • Artificial lighting (e.g. street lighting)
Toxic contamination <ul style="list-style-type: none"> • Water pollution • Soil contamination • Air pollution 	<ul style="list-style-type: none"> • Increased discharge (e.g. drainage, runoff) • Navigation Oil / chemical spills • Vehicular traffic • Industrial waste / emissions
Non-toxic contamination <ul style="list-style-type: none"> • Nutrient enrichment (e.g. of soils and water) • Algal blooms • Changes in salinity • Changes in thermal regime • Changes in turbidity • Air pollution (dust) 	<ul style="list-style-type: none"> • Sewage discharge • Water abstraction • Industrial activity • Construction
Biological disturbance <ul style="list-style-type: none"> • Direct mortality • Out-competition by non-native species • Selective extraction of species • Introduction of disease • Rapid population fluctuations • Natural succession 	<ul style="list-style-type: none"> • Development (e.g. housing areas with domestic and public gardens) • Introduction of non-native species (e.g. from planting river banks) • Fishing • Changes in land use and management (e.g. grazing regimes, access controls, cutting / clearing)

Table 4.2: Assessment of policies with potential likely significant effects

Policy	Pathway of Significant Effects	Key Sources of Impacts
AS8.12 Fish Quay and New Quay	<p>Impacts from the construction phase of new developments will be mitigated at the project level and it is considered that good practice construction and timing of works will result in no likely significant effects. This will be achieved through measure DM5.6 in the emerging Local Plan.</p> <p>Development of new housing and increase / improvements to tourism and recreation facilities is likely to result in increased recreational pressure on the coast which may result in disturbance for bird species which are qualifying features of the European Sites.</p>	<ul style="list-style-type: none"> • Recreational disturbance • Non-physical disturbance
AS18.5 The Coastal Sub Area	<p>Proposals promote improvements to facilities in the Coastal Sub area as well as improving access provision, both of which are likely to increase numbers of visitors to the coast resulting in increased disturbance to bird species which are qualifying features of the SPA.</p>	<ul style="list-style-type: none"> • Recreational disturbance • Non-physical disturbance

Policy	Pathway of Significant Effects	Key Sources of Impacts
AS2.5 River Tyne North Bank	Industrial developments along the north bank of the Tyne may result in construction phase disturbance through activities such as dredging, in-river workings, sedimentation and turbidity. However it is anticipated that project level construction methods and timings will be able to reduce effects to no likely significant effects on the SPA. These measures are ensured through policy DM5.6	<ul style="list-style-type: none"> • Physical Damage • Contamination • Non-physical disturbance
AS8.16 Tourism and Visitor Accommodation at the Coast	This policy actively promotes tourism in the area which is likely to result in increased recreational disturbance to qualifying features of the European Sites.	<ul style="list-style-type: none"> • Recreational disturbance
AS8.17 Visitor Attractions and Activities at the Coast	This policy actively promotes tourism in the area which is likely to result in increased recreational disturbance to qualifying features of the European Sites, in particular to breeding little tern though the Longsands temporary events area.	<ul style="list-style-type: none"> • Recreational disturbance
AS8.22 Coastal Green Links	Improvements to the cycle network may result in construction phase disturbance which can be successfully mitigated at the project level through good practice working methods and timing of works as ensured through policy DM5.6. Improved cycle facilities have the potential to increase visitors to the coast which may result in recreational disturbance to qualifying bird species of the SPA.	<ul style="list-style-type: none"> • Recreational disturbance • Non-physical disturbance
AS8.19 Whitley Bay Town Centre Public Realm	Improvements to visitor facilities as well as access has potential to increase visitor numbers to the area which could increase disturbance to qualifying bird species of the SPA.	<ul style="list-style-type: none"> • Recreational disturbance
AS8.18 The Spanish City	Improvements to the Spanish City visitor attraction has potential to increase visitor numbers to the area which could increase disturbance to qualifying bird species of the SPA.	<ul style="list-style-type: none"> • Recreational disturbance
AS8.23 Coastal Transport	Improved access through availability of parking spaces and non-motorised user facilities may result in increased visitor numbers causing an increase in recreational disturbance to qualifying bird species.	<ul style="list-style-type: none"> • Recreational disturbance
S2.1 Economic Growth Strategy	Increased industrial developments may result in construction phase disturbance through activities such as dredging, in-river workings, sedimentation and turbidity. Improvements to retail and leisure facilities have potential to increase recreational disturbance.	<ul style="list-style-type: none"> • Physical Damage • Contamination • Recreational disturbance
S3.1 Competitive Centres	Increased amenity facilities as well as a potential increase in housing have potential to increase recreational disturbance to the coast.	<ul style="list-style-type: none"> • Recreational disturbance • Non-physical disturbance
DM 4.5 Criteria for New Housing Development	An increase in residential properties will increase populations potentially resulting in increased recreational disturbance at the coast. Construction phase impacts such as disturbance and contamination may also occur.	<ul style="list-style-type: none"> • Recreational disturbance • Non-physical disturbance

Table 4.3: European Sites & Vulnerabilities

Berwickshire and North Northumberland Coast SAC	<ul style="list-style-type: none"> • Mudflats and sandflats not covered by seawater at low tide • Large shallow inlets and bays • Reefs • Submerged or partially submerged sea caves • Grey seal 	
	<p>VULNERABILITIES:</p> <ul style="list-style-type: none"> • Rocky reef and sea cave communities are sensitive to operations that may result in their damage or removal e.g. trawling, dredging, anchoring and coastal development or from contamination by oil or sewage • Features found on sand such as eel grass and mussel beds and associated animals that live in the sediment are sensitive to removal activities e.g. trawling, dredging and coastal defence works and contamination by oil, chemical or sewage discharges. • Threats to all of this can also come from recreational use, fisheries and waste water discharge. 	
Impact Assessment	<ul style="list-style-type: none"> • Physical damage 	<p>It is not considered that any of the measures contained within the Local Plan will result in adverse impacts due to physical damage. While policies promote the fishing industry it is considered that fishing activity is controlled at the “project” level through consents and licences. While recreational activities within the water may result in physical damage; the site is thought to be a significant distance from the Local Plan areas and unlikely to experience an increase in recreational visits due to the policies.</p>
	<ul style="list-style-type: none"> • Recreation 	<p>The SAC is located approximately 15 miles from the Local plan area and as such it is unlikely that implementation of policies within the plan will increase recreational pressure on this SAC.</p>
Durham Coast SAC	<p>VULNERABILITIES:</p> <ul style="list-style-type: none"> • Vegetated sea cliffs of the Atlantic and Baltic coasts • Erosion of vegetation 	
	<p>Recreation</p>	<p>Although this designation falls outside of the administrative boundary it is within a 5mile radius and as such it is likely that policies in the plan will increase visitors to the coast. Increased visitors will result in trampling of vegetation and enrichment of phosphorus and nitrogen due to increased use of the site by dogs.</p> <p>Increased presence of dogs may dissuade graziers to use the land for stock grazing therefore altering local habitat composition.</p>
North Northumberland Dunes SAC	<ul style="list-style-type: none"> • Embryonic shifting dunes • Shifting dunes along the shoreline with <i>Ammophila arenaria</i> • Shifting dunes with marram • Fixed dunes with herbaceous vegetation • Dune grassland • Dunes with <i>Salix repens</i> • Humid dune slacks • Petalwort 	
	<p>VULNERABILITIES:</p> <ul style="list-style-type: none"> • Invasion by the non-native <i>Acaena novae-zealandinae</i> is a problem in some areas. 	

	<ul style="list-style-type: none"> Natural England is working with the local authorities and site managers to address the impact of recreational activities on the dunes, which can be localised. 	
Impact Assessment	Biological disturbance	While the designation falls outside of the assumed 10 mile radius likely to be travelled for recreational purposes, in the absence of detailed survey information it is assumed that the plan may result in increased recreational pressure on this SAC. Increased footfall (including dogs) is likely to increase the frequency and extent of spread of invasive non-natives: potentially in to areas not previously identified as having infestation.
	Recreation	Increased recreational pressure on the dunes causes trampling and changes to the local habitats. Continued used of the same route through the dune system causes weakening and potential collapse of the structures.
Northumbria Coast SPA	VULNERABILITIES: <ul style="list-style-type: none"> Purple sandpiper <i>Calidris maritima</i> (non-breeding) Ruddy turnstone <i>Arenaria interpres</i> (non-breeding) Little tern <i>Sterna albifrons</i> (breeding) 	
	<ul style="list-style-type: none"> Rocky reef and sea cave communities are sensitive to operations that may result in their damage or removal e.g. trawling, dredging, anchoring and coastal development or from contamination by oil or sewage Features found on sand such as eel grass and mussel beds and associated animals that live in the sediment are sensitive to removal activities e.g. trawling, dredging and coastal defence works and contamination by oil, chemical or sewage discharges. Threats to all of this can also come from recreational use, fisheries and waste water discharge. Little terns are vulnerable to disturbance in the summer leading to reduced breeding success. 	
Impact Assessment	Physical damage	It is not considered that any of the measures contained within the Local Plan will result in adverse impacts due to physical damage. While policies promote the fishing industry it is considered that fishing activity is controlled at the “project” level through consents and licences. While recreational activities within the water may result in physical damage; the site is thought to be a significant distance from the Local Plan areas and unlikely to experience an increase in recreational visits due to the policies.
	Recreation	Increased recreational pressure results in disturbance to bird species through the breeding and wintering periods.

4.2 Recreational disturbance

4.2.1 The EU Commission defines disturbance as “*any phenomenon that causes a significant change in the dynamics or ecological characteristics of populations of birds*” within this definition there is much variance in terms of disturbance level i.e. magnitude, frequency, spatial context and duration as well as variance in species, age, season and habitats. Wetland Birds Survey (WeBS) data indicates that over 26% of human activities were responsible for disturbance to birds with the greatest disturbance (35-40% of activities) from June to September (Robinson & Pollit 2002).

4.2.2 The significance of disturbance is however difficult to define, with the level being determined not by how much disturbance occurs but at what level this becomes relevant to the species or habitats present.

4.2.3 Disturbance to birds results in increased energetic output in the short-term with long-term disturbance causing changes in distribution and feeding patterns. Where disturbance reduces time spent feeding, this may result in failed breeding clutches or failure of migrants to return to their breeding grounds.

4.2.4 Recreational disturbance along the coast comes from two distinct pathways:

- **Residential pressure within a local catchment.** Residents are likely to visit frequently and consistently e.g. to walk the dog or exercise. (A number of studies have shown walking and dog walking are the most frequently recorded recreational activities along the coast with disturbance being greater where activities are in close proximity to birds).
- **Visitor pressure from a wider catchment.** Visitors are likely to be “tourists” who visit less frequently with a preference for visits at a specific time to specific attractions such as sandy beaches. (Each year almost six million people visit North Tyneside with the majority of the visits being to the coast (North Tyneside Tourism Strategy, 2014)).

- 4.2.5 A study into recreational disturbance undertaken on the Teesmouth and Cleveland Coast Marine Site indicated that visitors were most likely to live adjacent to the site or travel 5-10 miles for their visits which occurred daily or multiple visits per week. Similar studies undertaken on Salisbury Plain SPA also found that 82% of visitors visit for the purpose of dog walking with 89% of these living within 9 miles of the site. A further study on the Solent returned figures of 70% visiting to walk dogs, 76% visiting at least once per week with the majority living within 4 miles of the site. It has therefore been assumed that the majority of recreational disturbance from the “wider catchment” will result from a radius of 5 – 10 miles (a plan showing this radius in relation to the Local Plan administrative area is in provided in Appendix B).
- 4.2.6 Following data analysis of visitor numbers, both the Durham and Sunderland Plans have used a 6km buffer to determine impacts as a result of increased recreational disturbance⁶ resulting from housing development. A plan showing the 6km buffer zone most vulnerable to disturbance from the local catchment is provided in Appendix C.
- 4.2.7 Due to the distance between the Local Plan administrative area and the European Sites identified though the Screening exercise, it is considered that Northumbria Coast SPA / Ramsar and Durham Coast SAC are the sites where adverse effects as a result of increased recreational disturbance may occur.
- 4.2.8 As well as direct disturbance from the presence of people and dogs, indirect impacts can occur as a result of increased recreational pressure. Habitats (particularly those which form part of the qualifying criteria of the SAC) are susceptible to trampling and increases in phosphorus and nitrogen levels which occur through the addition of dog faeces and urine. Where habitats rely upon specific grazing levels, increased presence of dogs may dissuade graziers to use such sections of land for their stock resulting in changes in local habitat composition.⁷ Irresponsible behaviour such as littering and setting fires can also result in localised changes to habitat structure.

⁶ The County Durham Plan, Addendum to the Habitat Regulations Assessment of the County Durham Plan, Pre-Submission, March 2014

⁷ Grazing Theme Plan (IPENSTP016) Natural England, 2015.

- 4.2.9 North Tyneside Council housing forecasts for between 2011/12 to 2031/32 estimates the development of 17,388 new homes, which equates to an average of 828 homes per year. Population profile analysis indicates that by 2032 the population of North Tyneside will have increased by 23,651 people, an increase of the 2011 population of 12%. Population Age Profile Analysis also indicates that the majority of this increase is likely to be in the 65+ age group.
- 4.2.10 Each of the policies identified have the potential to increase recreational disturbance to the European Sites through improving visitor attractions and therefore expected visitors to the coast and through increases in residential dwellings. It expected that the in-combination effect will further increase visitor numbers and therefore recreational disturbance. As it is impossible to predict exactly what the increase in numbers will be and how this will impact upon the qualifying features of the European Sites, the following interim mitigation measures are proposed.

5. Mitigation Measures

5.1.1 There are inherent uncertainties when carrying out Appropriate Assessment for higher level plans such as the Local Plan. The absence of project level detail and often spatial context means that impacts of lower-tier projects arising as a result of the adoption of this plan cannot always be identified at this stage, particularly with regard to recreational patterns. As a result, it has not been possible to provide detailed consideration of the impact of the policies on specific qualifying features of the European Sites.

5.1.2 Generic, project level mitigation for impacts identified have been provided in Table 5.1 with further discussion on recreational disturbance provided below.

Table 5.1: Mitigation

Impact Pathway	Impact	Mitigation
Physical damage	<ul style="list-style-type: none"> • Sedimentation / silting • Habitat degradation 	<p>Each project arising as a result of the identified policies will be required to comply with policy DM5.6 to ensure no adverse effects on European Site integrity.</p> <p>Generic project level mitigation measures may include:</p> <ul style="list-style-type: none"> • Use of silt traps or silt fences to prevent turbidity and sedimentation. • Water quality monitoring. • Works following recommendations in Pollution Prevention Guidance 5 (PPG5, PPG21)
Non-physical disturbance	<ul style="list-style-type: none"> • Noise • Vibration • Visual presence • Human presence • Light pollution 	<p>Each project arising as a result of the identified policies will be required to comply with policy DM5.6 to ensure no adverse effects on European Site integrity.</p> <p>Generic project level mitigation measures may include:</p> <ul style="list-style-type: none"> • Timing of works to avoid sensitive periods e.g. no works between October – March. • Avoid noise creating activities e.g. concerts during sensitive periods • Where works occur during sensitive periods use machinery which maintains noise below 70dB • Use screens to reduce visual disturbance • No working to take place between dusk and dawn to reduce impacts from additional lighting
Toxic contamination	<ul style="list-style-type: none"> • Water pollution • Soil contamination • Air pollution 	<ul style="list-style-type: none"> • Works following recommendations in Pollution Prevention Guidance 5 (PPG5, PPG21) • Use of Best Available Technology to reduce likelihood of contaminants occurring
Non-toxic contamination	<ul style="list-style-type: none"> • Nutrient enrichment (e.g. of soils and water) • Changes in turbidity • Air pollution (dust) 	<p>Generic project level mitigation measures may include:</p> <ul style="list-style-type: none"> • Use of silt traps or silt fences to prevent turbidity and sedimentation. • Water quality monitoring. • Works following recommendations in Pollution Prevention Guidance 5 (PPG5, PPG21) • Use of dust prevention methods such as wheel washing, dampening, no work in bad weather etc.

- 5.1.3 Natural England's Site Improvement Plan (SIP) for the Northumberland Coastal area (including Northumbria Coast SPA) and Durham Coast SAC identify recreational disturbance as a priority issue for condition of the site and goes on to propose measures to address the issues along with timescales and bodies likely to be involved in the delivery. The mitigation proposed below builds on this SIP alongside the advice provided in Natural England's Theme Plan for Public Access and Disturbance. It is therefore proposed that a mechanism is agreed with Natural England to deliver the following measures for the duration of the Local Plan, in collaboration and consultation with neighbouring authorities and interested parties.
- 5.1.4 Part 9 of the Marine and Coastal Access Act 2009 aims to improve public access to, and enjoyment of the English coastline by creating or improving public rights of way along the coast through a national coastal train known as the England Coast Path. It is therefore difficult to prescribe measures to mitigate recreational disturbance resulting solely from the policies contained within the North Tyneside Local Plan, as such it is recommended that there is ongoing, open dialogue with neighbouring authorities regarding recreational impacts to the coast and a flexible approach to mitigating these.
- 5.1.5 At this stage it is not possible to fully detail a mitigation strategy for all of the measures contained within the Local Plan (in implementation) due to the need for further liaison and research to ensure a consistent and effective site-wide approach. An outline approach is therefore detailed below to be built upon as the measures within the plan are implemented in practice. It is however, believed that the measures proposed are able to reduce impacts to a level where they will have no adverse effect on European Site integrity.
- 5.1.6 Drawing NT-CAP-EBD-00-DR-V-0003 in Appendix C shows the area where developments are most likely to result in increased recreational disturbance to both the Northumbria Coast SPA /Ramsar and Durham Coast SAC. A combination of mitigation measures should be used in this area to provide a greater contribution to mitigation. A combination of mitigation measures should also be used within the 6km buffer and are likely to be more stringent than those for the wider 5 – 10 miles buffer radius to reflect the source and pathways of predicted impacts.

5.1.7 While the mitigation measures detailed below are designed to reduce the impacts on Durham Coast SAC and Northumbria Coast SPA /Ramsar; it is likely that other European Sites such as North Northumberland Dunes SAC and Berwickshire and North Northumberland Coast SAC will benefit from measures such as a code of conduct, educational display boards and working with local groups to improve awareness.

5.1.8 Four broad levels of mitigation are therefore proposed for the duration of the Local Plan, these are:

- Management of International Sites⁸
- Off-setting recreational pressure
- Managing visitor behaviour
- Further work and monitoring

5.2 Management of International Sites

5.2.1 In order to provide a higher level of guidance for project level mitigation, Policy DM5.6 is re-worded to the following:

5.2.2 *In accordance with European Legislation, proposals that are likely to have significant effects on the features of internationally designated sites, either alone or in-combination with other plans or projects will require an appropriate assessment. Proposals that adversely affect site's integrity can only proceed where there are no alternatives, imperative reasons of overriding interest are proven and the effects are compensated.*

5.2.3 *Expert advice will be sought on such proposals and if necessary, developer contributions or conditions secured to implement measures to ensure avoidance or mitigation of, or compensation for, adverse effects. Such measures would involve working in partnership with the council (and potentially other bodies) and could include, either alone or a combination of the following measures:*

⁸ North Tyneside Local Plan Policy DM5.6

- a) *Appropriate signage to encourage responsible behaviour;*
- b) *Distribution of information to raise public awareness;*
- c) *Working with local schools, forums and groups to increase public understanding and ownership;*
- d) *Use of on-site wardens to inform the public of site sensitivities;*
- e) *Adoption of a code-of conduct;*
- f) *Zoning and / or seasonal restrictions to minimize disturbance in particular sensitive areas at particularly sensitive times;*
- g) *Specifically considered design of access points and routes;*
- h) *Undertaking of the sites condition and species count;*
- i) *Provision of a Suitable Accessible Natural Green Space (SANGS);*
- j) *A combination of two or more of the above mitigation measures.*

5.3 Off-setting Recreational Pressure

5.3.1 As mentioned above recreational pressure must be managed through a two-pronged approach:

- Managing the predicted increase in recreational pressure linked to new housing developments supported through Local Plan policies;
- Raising awareness and managing access to reduce impacts by occasional visitors which are expected to increase as visitor attractions and tourist facilities along the coast improve.

5.3.2 Although 60% of visitors state “beaches” as their main purpose for visit, it is possible that creation of Suitable Alternative Natural Green Spaces (SANGS) would provide an alternative recreational space if factors such as distance and amenities were favourable.

- 5.3.3 In line with policy DM5.6 of the Local Plan: projects or proposals arising from the plan will be required to provide justification that these proposals will not result in adverse effects on European Sites. Where this cannot be proven, mitigation or compensation may be provided in the form of SANGS.
- 5.3.4 Under article 3(1) of the General Permitted Development Order and regulations 73 and 75 of the Conservation of Habitats and Species Regulations 2010, a development which is likely to have a significant effect and is not directly connected with or necessary to the management of the site, must not be begun or continued before the developer has received written notification of the approval of the local planning authority. Approval can only be granted after the local planning authority determines there will not be an adverse effect on the integrity of the site.
- 5.3.5 While it is recognised that recreating the coast as an alternative green space is almost impossible, it is considered that it is possible to provide areas of green space which would displace some of the recreational pressure away from the coast, especially for dog walking, where it is well documented that the key amenities for dog walkers are that an area:
- Allows off-lead access for dogs;
 - Is away from traffic; and
 - Is close to home to allow regular visits.
- 5.3.6 It is recommended that the provision of SANGS (defined above) is the responsibility of both the Local Authority but also as a matter of policy for developers.
- 5.3.7 Taking in to consideration existing SANG guidance alongside the known requirements of dog owners and the existing North Tyneside Green Space Strategy recommendations, the following is recommended with regard to the provision of SANGS:
- Sites should be natural / semi-natural in appearance in order to replicate the same sense of space as visiting the coast;

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- Sites should be within 300m and at least 2ha in size; or within 2km and 20ha in size;
- Sites should aim to allow for a return or circular route journey of 2.7km
- Sites should include sufficiently large and open areas to allow dogs to walk off their leads;
- Where existing spaces are to be used, they should be assessed to ensure there are no conflicting interests with existing uses e.g. children's play areas;
- Each site should be assessed to measure the carrying capacity.

5.3.8 Provision of suitable alternative greenspace must be made in advance of or in conjunction with new developments likely to increase the recreational pressure to the coast.

5.3.9 When a developer notifies the Council of a development involving the formation of new residential housing, the Council will advise the developer of 'Likely Significant Effects' under the Habitat Regulations if applicable. Where there is likely to be a significant effect the Council will require the developer to contribute towards the on-going research and monitoring commitments through a legal agreement and other appropriate means before it is able to grant approval. Contribution will also be made to other measures which when used in combination are likely to provide a greater level of mitigation.

5.3.10 Each development will be assessed to determine what proportion of the contribution will fund research and monitoring, and how much will contribute towards other mitigation elements such as a coastal warden or information boards. For example, it is likely that a new housing development would be expected to secure SANGS, but a commitment would also be expected to monitoring the success of this once the development is operational.

5.3.11 Where necessary, provision of suitable green space should be funded through developer contributions, secured via Section 106 agreements. The cost to the developer will take account of cost of land purchase, costs to upgrade to a suitable standard and management costs of the site in perpetuity. Alternatively developers may choose to provide their own suitable green space, in which case this must be in line with the local planning policies and the Green space Strategy.

5.4 Managing Visitors

5.4.1 Previous research has shown that the level of disturbance is determined more by how people behave and exactly where they go, rather than purely being determined by numbers of visitors / visits. As such visitor management will be key to reducing disturbance. A package of mitigation measures to aid in the delivery of the SIP should include:

- Coastal Rangers to work on the ground to reduce disturbance by influencing behaviour and educating the general public on the nature conservation interest of the site.
- Dog free zones in areas known to support particularly sensitive species coupled with initiatives to encourage dog walkers to less sensitive areas. For Northumbria Coast SPA this should focus on both the coastal site which falls within the footprint of the designation and areas outside of the site which are used as high tide roost site for the qualifying species.
- Zoning of uses including *Biodiversity Zones* as well as rationalisation of access points and routes. Northumbria Coast SPA in particular comprises several habitat types. It is likely that many of the areas used primarily for recreation will include more accessible habitats such as sandy beaches which are less valuable to the qualifying bird species.
- Dedicated paths and/or routes should be encouraged to reduce the overall spatial range of the disturbance.
- Production of a Code of Conduct to encourage appropriate behaviours which can then be managed on the ground through the Coastal Ranger.

- Improved signage on and around the coast, production of information leaflets, webpages and school initiatives to inform the public of the qualifying features of the site, the vulnerabilities and good practice when using the coast.

5.5 Further Work and Monitoring

5.5.1 Increased recreational disturbance can be attributed to a number of factors outside of those promoted within the Local Plan although it is almost impossible to distinguish between sources; for example climate change has resulted in drier summers, statutory leave entitlement and aging populations has increased available recreational time. It is therefore necessary to adopt a flexible approach to further work and mitigation measures.

5.5.2 It is recommended that a focus group is formed who will be responsible for the delivery of these measures within the local area. The group could include representatives from interested parties such as Natural England, Local Wildlife Trusts, neighbouring Local Authorities, and the RSPB.

5.5.3 A management plan should be developed with the following objectives:

- Further surveys and monitoring;
- Rationalisation of access points and routes;
- Production of information and signage;
- Habitat management and creation;
- Community engagement;
- Engagement with the tourism sector.

- 5.5.4 Due to the localised and often temporary nature of disturbance it can be difficult to determine the severity of an impact upon a species. It has been suggested that for this reason research needs to focus upon species which have shown declining populations with an inherent implication that human disturbance is a contributing factor. Through this it would be possible to restrict access where it is a known issue rather than using broad generalisations.
- 5.5.5 Further surveys should be undertaken along the coast to identify access and usage patterns and to map recreational pressure. These surveys should be undertaken at various times of the year to account for seasonal changes in bird behaviour. Alongside visitor surveys, bird surveys will be required to simultaneously determine how qualifying bird species are using the coast in relations to humans and how the birds are reacting to disturbance events.
- 5.5.6 Visitor surveys involving questionnaires should be undertaken to assess the reasons behind behavioural patterns of those using the coast and to inform future mitigation measures. The questions should focus on:
- Reasons why people visit the coast
 - How far they travel to visit the coast
 - Understanding of the effects of recreation on the coast
 - Feasibility of coastal ranger / code of conduct
- 5.5.7 It is recognised that a monitor and manage approach alone is not an effective mitigation measure, however developer contributions sought at the time of planning permission being granted should contribute to a combination of research as well as on-ground measures such as those discussed in 5.3 and 5.4.
- 5.5.8 Where mitigation is implemented both at a strategic level and at a project level, there is a requirement to monitor the effectiveness of such measures and ensure that a mechanism is in place to allow for corrective actions. Table 5.1 provides outline guidance for these monitoring measures.

5.6 Policy S4.4 (a) Murton Strategic Allocation

5.6.1 It is recognised that the delivery of up to 3000 new houses as identified in this policy, is likely to result in increased recreational pressure on both Northumbria Coast SPA and Durham Coast SAC, as both are within 6km of the proposed development site. In order to ensure that this allocation can be delivered in accordance with the Habitats Regulations, avoidance, mitigation and compensation measures will be required both on-site (the allocation boundary) and off-site (the coast). It is recommended that, as with other screened in policies, a cross-reference is provided to Policy DM5.6 in the supporting text and Policy S4.4 (a) is reworded as follows:

5.6.2 *A strategic allocation is identified at Murton (Sites 35 to 41) to secure the delivery of approximately 3,000 homes during the plan period in a mix of housing tenures, types and sizes informed by available evidence of the housing needs of the Borough and convenience retail provision of approximately 1,000m² net.*

The key principles for development of the Murton strategic allocation are illustrated on the Policies Map through an indicative Concept Plan, to be delivered where necessary in accordance with the requirements of the Infrastructure Delivery Plan, include provision of:

a. New housing, retail and community facilities in the general development locations identified; and,

b. Primary and secondary access points suitable to accommodate evidence based traffic flows to, from and through the sites as appropriate; and,

c. Strategic transport route connecting Earsdon by-pass with New York Road and Norham Road; and

d. Education provision delivered in agreement with the Local Education Authority, at locations indicatively identified on the Policies Map, providing a primary school located broadly to the south west of the site; and

e. A network of green and blue infrastructure that:

i. Enables provision of strategic open space breaks to avoid the joining together of Shiremoor with Monkseaton, whilst integrating with existing communities; and,

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- ii. Provides safe and secure cycle and pedestrian links through the site that ensure appropriate connectivity with the existing network; and,*
- iii. Retains, connects and enhances the local, national and international biodiversity; and,*
- iv. Retains and enhances any important hedgerows or trees; and,*
- v. Provides well-integrated and strategic green spaces for recreation which includes 'Suitable Accessible Natural Green Space' (SANGS); and,*
- vi. Incorporates sustainable drainage systems.*

Table 5.2: Monitoring Proposals

Impact Pathway	European Site	Mitigation	Proposed monitoring of mitigation	Potential Source of Funding	Timescale / Duration	Action point	Corrective actions
Recreational disturbance – increased housing	Northumbria Coast SPA / Ramsar	SANGS Coastal Warden Code of Conduct Group education e.g school visits Research programme	Visitor surveys Bird surveys	Developer contributions from the 6km buffer. Co-ordination with an action group	Every 2 years over the plan period	Coast still preferentially used by residents. Decline in qualifying species. Active intervention by Natural England or other statutory agent.	Closure of sensitive areas. Increase on-site interpretation and information.
Recreational disturbance – increased tourism	Northumbria Coast SPA / Ramsar	Dog free zones Information boards Signposted routes Research programme	Monitoring visitor numbers Bird surveys	Developer contributions from the 5 – 10 mile buffer. Co-ordination with an action group.	2 x every two years (summer / winter) over the plan period	Dogs in dog free zones. Decline in qualifying species Intervention by Statutory Agent.	Introduction of by-laws
Non-physical disturbance	Northumbria Coast SPA / Ramsar Durham Coast SAC	Policy DM5.6 – Project level HRA Timing of works to avoid sensitive periods e.g. no works between October – March. Avoid noise creating activities e.g. concerts during sensitive periods Where works occur during sensitive periods use machinery which maintains noise below 70dB Use screens to reduce visual disturbance	Bird surveys	Developer contributions	During the construction project	Decline in qualifying species	Consultation with Natural England over management to improve condition of sites.

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Impact Pathway	European Site	Mitigation	Proposed monitoring of mitigation	Potential Source of Funding	Timescale / Duration	Action point	Corrective actions
		No working to take place between dusk and dawn to reduce impacts from additional lighting					
Contamination	Northumbria Coast SPA / Ramsar Durham Coast SAC	<p>Policy DM5.6 – Project level HRA.</p> <p>Works following recommendations in Pollution Prevention Guidance 5 (PPG5, PPG21)</p> <p>Use of Best Available Technology to reduce likelihood of contaminants occurring</p> <p>Generic project level mitigation measures may include:</p> <p>Use of silt traps or silt fences to prevent turbidity and sedimentation.</p> <p>Water quality monitoring.</p> <p>Works following recommendations in Pollution Prevention Guidance 5 (PPG5, PPG21)</p> <p>Use of dust prevention methods such as wheel washing, dampening, no work in bad weather etc.</p>	<p>Monitoring of contamination incidents</p> <p>Habitat condition assessment</p>	Developer contributions	During each construction project	<p>Decline in habitat quality</p> <p>Decline in qualifying species</p> <p>Intervention by Statutory Agent</p>	<p>Consultation with Natural England over management to improve condition of sites.</p>

5.7 In Combination Effects

5.7.1 Article 6(3) of the Habitats Directive requires the potential for in-combination effects is considered. Plans and strategies identified as having the potential for in-combination effects with the North Tyneside Local Plan:

- South Tyneside Local Development Framework Core Strategy June 2007
- Planning For the Future, Core Strategy and Urban Core Plan for Gateshead and Newcastle upon Tyne 2010 – 2030 (Adopted March 2015)
- Sunderland Local Plan: Core Strategy and Development Management Policies Draft revised Preferred Options August 2013
- Northumberland Core Strategy Consultation Draft February 2015
- North Tyneside Council Tourism Strategy 2014 – 2021

5.7.2 Due to the strategic level of the above strategy / plan documents it is considered that as with the North Tyneside Local Plan the in-combination effects would be likely as a result in increased recreational pressure due to policies promoting improvements to visitor attractions at the coast along with improvements to infrastructure and transport.

5.7.3 The proposed mitigation above, in combination with similar approaches adopted by neighbouring authorities will be able to quantify recreational disturbance and provide on- going, coast-wide mitigation.

6. Findings and Recommendations

- 6.1.1 Research undertaken has shown that new residential development as well as improvements and enhancements to coastal tourist destinations will result in increased recreational disturbance to the coast which may impact upon both bird species and habitats.

- 6.1.2 The assessment shows that for all likely impacts, effective mitigation approaches are available at lower-tier levels. Provided that effective and appropriate mitigation is implemented it can be concluded that no adverse effects on European Site integrity will occur as a result of adopting the Local Plan. Detailed assessments will be required at lower-tier levels to identify any likely significant effects at the site-specific level and implementation of the required mitigation to avoid these.

7. References

- European Communities (1979) Council Directive 79/409/EEC on the conservation of wild birds the 'Birds Directive'
- European Communities (1992) Council Directive 92/43/EEC on the conservation of natural habitats and wild fauna and flora the 'Habitats Directive'
- Ramsar Convention on Wetlands (1971) – Intergovernmental Treaty. The Conservation (Natural Habitats, & c. (Amendment) (England and Wales) Regulations 2007)
- Conservation of Habitats and Species Regulations, 2010
- Durham County Council (March 2014) The County Durham Plan, Habitats Regulations Assessment
- European Commission (EC) (2000) Managing Natura 2000 Sites: The Provisions of Article 6 of the 'Habitats' Directive 92/43/EEC
- EC (2001) Assessment of Plans and Projects Significantly Affecting Natura 2000 sites: methodological Guidance on the Provisions of Article 6(3) and (4) of the Habitats Directive 92/43/EEC
- DCLG (2006) Planning for the Protection of European Sites: Appropriate Assessment. Guidance for Regional Spatial Strategies and Local Development Documents (August 2006, consultation draft)
- Institute of Estuarine and Coastal Studies, University of Hull, Construction and Waterfowl: Defining Sensitivity, Response, Impacts and Guidance.
- Natural England (2015), Site Improvement Plan: Durham Coast
- North Tyneside Council & Capita (2015), North Tyneside Council Green Space Strategy
- North Tyneside Council & Capita (2015) DRAFT North Tyneside Green Infrastructure Strategy
- ODPM (2005) Planning Policy Statement 9: Biodiversity and Geological Conservation
- ODPM (2005) Government Circular: Biodiversity and Geological Conservation – Statutory Obligations and their Impact within the Planning System
- Katherine Simpson (University of York) A Study into recreational Disturbance at the Teesmouth and Cleveland Coast European Marine Site
- David Tyldesley and Associates for the Countryside Council for Wales (November 2009): Guidance for Plan Making Authorities in Wales – the Appraisal of Plans under the Habitats Directive
- David Tyldesley and Associates for the Countryside Council for Wales: Guidance Note – Methodological Approaches to the Habitats Regulations Assessment of Plans and Projects Requiring Multiple Consents
- Institute of Ecology and Environmental Management's (IEEM) Guidelines for Ecological Impact Assessment in the United Kingdom
- South Norfolk Council (October 2013), HRA of Site Allocations Document, Wymondham AAP, Long Stratton AAP and Cringleford Neighborhood Plan for South Norfolk Council

Appendix A : European Site Location Plan

Appendix B : 5-10mile Distance Buffers

Appendix C : 6km Distance Buffer

Appendix D : Consultation Responses

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