

# East Boldon Neighbourhood Plan Strategic Environmental Assessment/ Habitat Regulations Assessment Screening

(September 2020)



South Tyneside Council

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## 2. NON-TECHNICAL SUMMARY

- 2.1 One of the 'basic conditions' that will be tested by the independent examiner is whether the making of the neighbourhood plan is compatible with relevant legal European and UK obligations including Strategic Environmental Assessment (SEA) and Habitat Regulation Assessment (HRA).
- 2.2 Not all neighbourhood plans will require a SEA to be carried out. To decide if a SEA is required, a screening exercise is used to look at the proposals in a neighbourhood plan and see if significant effects are likely.
- 2.3 A Habitats Regulations Assessment (HRA) is also a requirement needed to be considered. The HRA process looks at the potential impact of a plan on what are termed 'European sites'. Within South Tyneside there are two European Sites; Durham Coast Special Area of Conservation and the Northumbria Coast Special Protection Area and Ramsar site. The HRA process involves consideration of potential effects of the plan on the identified European Sites
- 2.4 This report details the SEA and HRA screening process for the East Boldon Neighbourhood Plan. The SEA Screening assessment concluded that the plan would not result in significant environmental effects and therefore a SEA environmental report is **not required**.
- 2.5 The HRA Screening concluded that the Neighbourhood Plan would not result in likely significant effects on the European Designations within South Tyneside and therefore a HRA Appropriate Assessment is **not required**.
- 2.6 The preliminary version of this report was sent to the three statutory consultees, known as the consultation bodies: the Environment Agency, Historic England and Natural England. This formed part of a five week consultation to gain their views on the conclusions of this report. Each consultation body agreed with the council's conclusion that a SEA and a HRA would not be required as no likely significant effects were likely as a result of the East Boldon Neighbourhood Plan.

### **3. INTRODUCTION**

- 3.1 South Tyneside Council must prepare a Screening Opinion to determine whether a Neighbourhood Plan is likely to have significant environmental effects. This report is an assessment of whether the East Boldon Neighbourhood Plan requires a Strategic Environmental Assessment (SEA) in accordance with the European Directive 2001/42/EC (SEA Directive) and the Environmental Assessment of Plans and Programmes Regulations 2004 (SEA Regulations).
- 3.2 This report will also screen to determine whether the Neighbourhood Plan requires a Habitats Regulations Assessment (HRA) in accordance with Directive 92/43/EEC – ‘The Conservation of Natural Habitats and Wild Fauna and Flora’, known as the ‘Habitats Directive’; and with Regulation 63 of the Conservation of Habitats and Species Regulations (2017). A HRA is required when it is deemed that likely adverse significant effects may occur on protected Habitats (Natura 2000) sites, as a result of the implementation of a plan or project.

### **4. STRATEGIC ENVIRONMENTAL ASSESSMENT (SEA) / HABITAT REGULATIONS ASSESSMENT (HRA)**

- 4.1 One of the ‘basic conditions’ that will be tested by the independent examiner is whether the making of the neighbourhood plan is compatible with relevant legal European and UK obligations including Strategic Environmental Assessment (SEA) and Habitat Regulation Assessment (HRA).
- 4.2 Not all neighbourhood plans will require a SEA to be carried out. To decide if a SEA is required, a screening exercise is used to look at the proposals in a neighbourhood plan and see if significant effects are likely.

#### **STRATEGIC ENVIRONMENTAL ASSESSMENT (SEA)**

- 4.3 As set out in the Planning Practice Guidance (Paragraph: 027 Reference ID: 11-027-20190722), neighbourhood plans should be screened to assess whether the plan is likely to have a significant effect on the environment in accordance with regulation 9 of the Environmental Assessment of Plans and Programmes Regulations (2004). The Environmental Assessment of Plans and Programmes Regulations (2004) transpose European Directive 2001/42/EC (SEA Directive) into English law. It ensures the environment is considered during the preparation and adoption of plans, this promotes sustainable development.
- 4.4 To establish if a Neighbourhood Plan requires a full SEA, a screening assessment is required against a series of criteria set out in the SEA Directive. Figure 4.1 sets out the screening process and how a plan would be assessed against the SEA Directive criteria.



4.5 Point 8 of the SEA screening assess whether a Neighbourhood Plan would have likely significant effect on the environment. The criteria for assessing the likely significance of effects are set out in Annex II of the SEA Directive and Schedule 1 of the Regulations. The criteria is set out below:

**ANNEX II**

**Criteria for determining the likely significance of effects referred to in Article 3(5)**

1. The characteristics of plans and programmes, having regard, in particular, to
  - the degree to which the plan or programme sets a framework for projects and other activities, either with regard to the location, nature, size and operating conditions or by allocating resources,
  - the degree to which the plan or programme influences other plans and programmes including those in a hierarchy,
  - the relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development,
  - environmental problems relevant to the plan or programme,
  - the relevance of the plan or programme for the implementation of Community legislation on the environment.
  
2. Characteristics of the effects and of the area likely to be affected, having regard, in particular, to
  - the probability, duration, frequency and reversibility of the effects,
  - the cumulative nature of the effects,
  - the transboundary nature of the effects,
  - the risks to human health or the environment (e.g. due to accidents),
  - the magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected),
  - the value and vulnerability of the area likely to be affected due to:
    - special natural characteristics or cultural heritage,
    - exceeded environmental quality standards or limit values,
    - intensive land-use,
  - the effects on areas or landscapes which have a recognised national, Community or international protection status

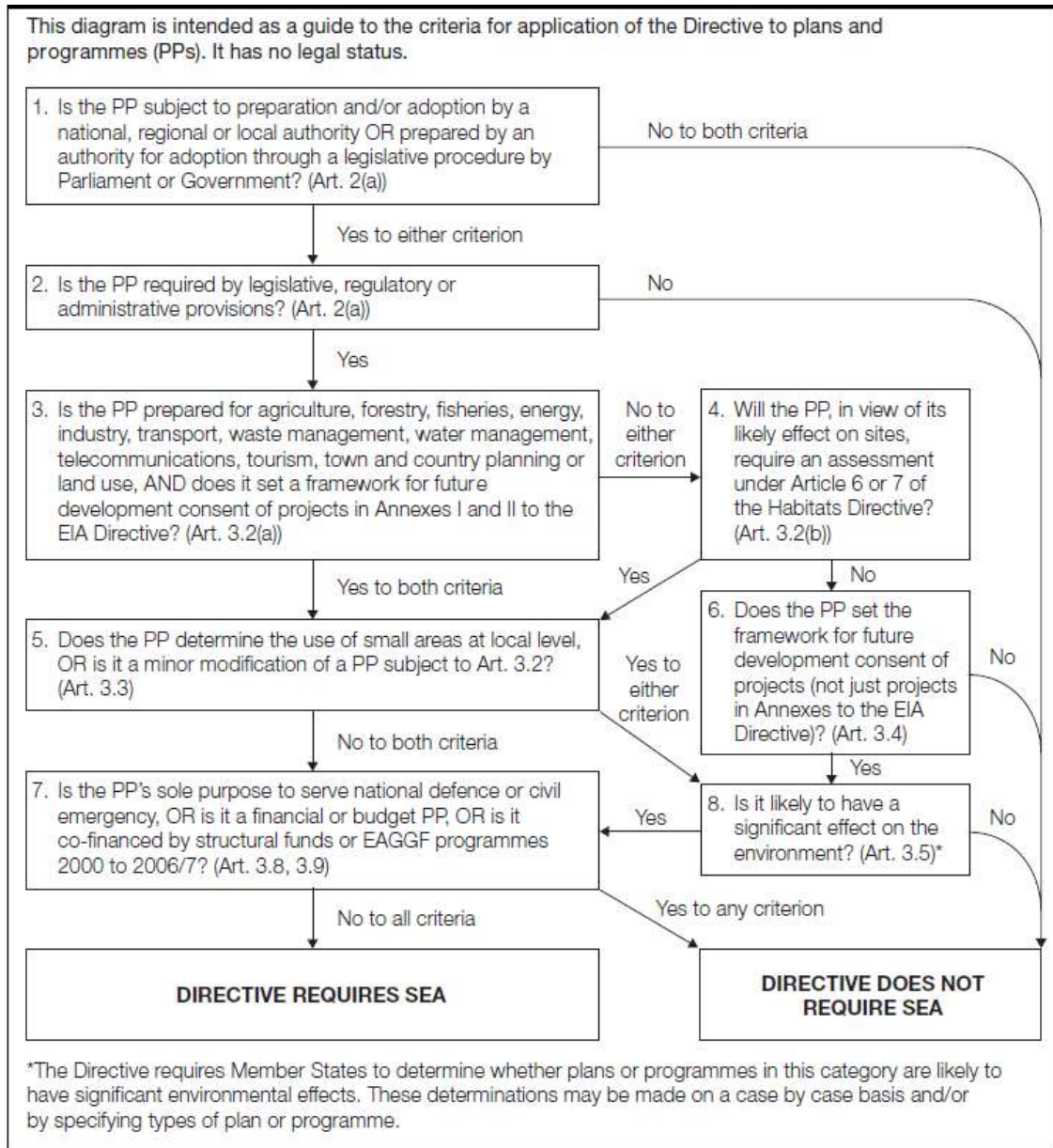
<https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32001L0042&from=EN>

**HABITAT REGULATIONS ASSESSMENT (HRA)**

4.6 In addition to the SEA, plans should also be screened to establish whether a HRA is required. This is an assessment required under European Directive 92/43/EEC in the Conservation of Natural Habitats and Wild Flora and Fauna (Habitats Directive) and the Wild Birds Directive 2009/147/EC. The Habitats Directive is transposed in English Law through The Conservation of Habitats and Species Regulations (2017) as amended. HRA seeks to identify the potential of a plan or project to result in likely significant effects on a European (Natura 2000) sites and their qualifying features.

4.7 Under the 'Habitats Directive', an assessment referred to as an Appropriate Assessment must be undertaken if the plan in question is likely to have a significant effect on a European protected site. The SEA Directive requires that if a plan or programme requires 'Appropriate Assessment' under the Habitats Directive, then that plan or programme will also require an SEA.

**Figure 4.1 Application of SEA Directive to Plans and Programmes**



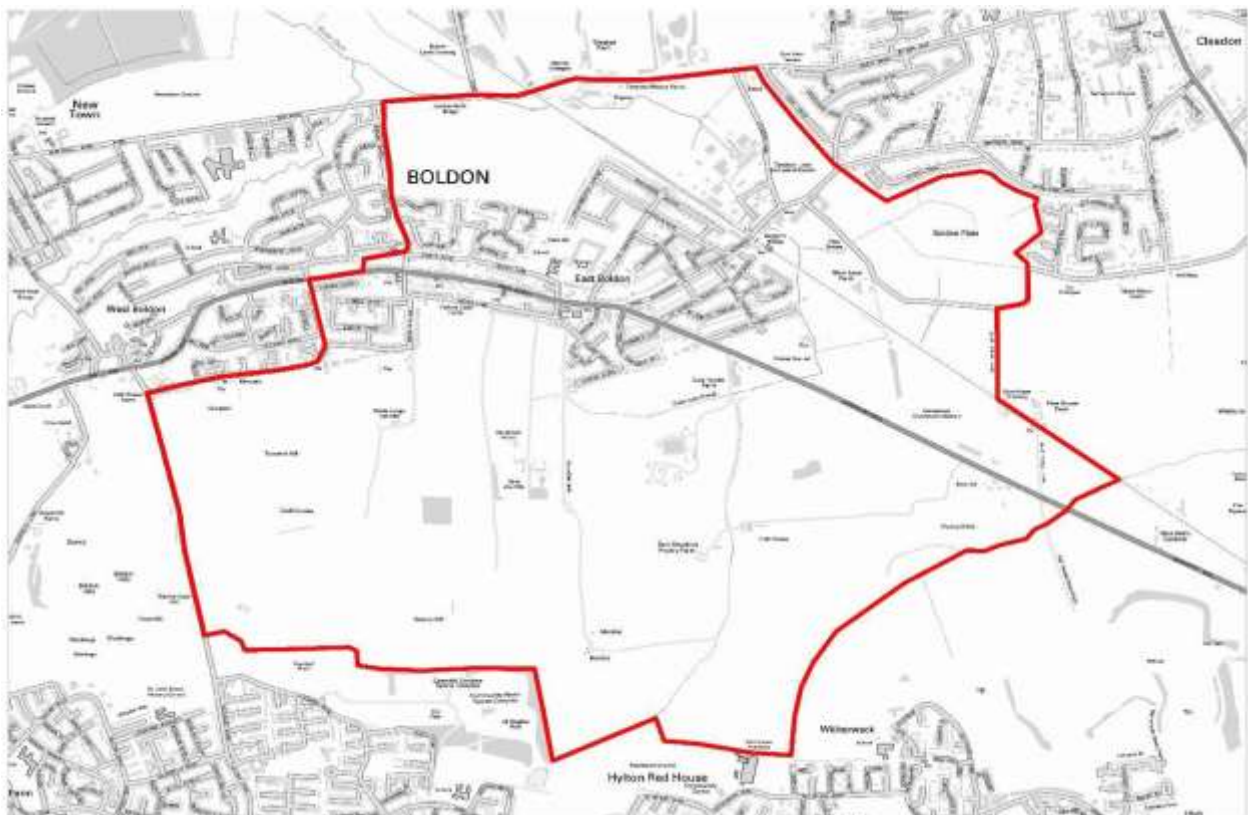
## 5. EAST BOLDON NEIGHBOURHOOD PLAN & AREA

5.1 East Boldon is located in the south of the Borough and forms part of the wider 'Boldons' area, which is in turn one of the three villages in South Tyneside. The East Boldon Neighbourhood Plan (Map 5.1) covers the eastern area of the Boldons and a significant area of Green Belt land to south of the village towards the boundary with Sunderland. The urban area of the Neighbourhood Plan area is predominantly residential, but also includes a number of important local facilities such as a shopping area, primary school and Metro station. The Neighbourhood Plan area includes the East Boldon Conservation Area, seven designated heritage assets and a number of non-designated heritage assets.

5.2 The East Boldon Neighbourhood Plan area also covers a number of environmental designations within the plan area. These include:

- Boldon Pastures Site of Special Scientific Interest (SSSI);
- Black Plantation Local Wildlife Site;
- Boldon Flats Local Wildlife Site;
- Low House Copse Local Wildlife Site;
- Tiledsheds Burn Local Wildlife Site;
- Turners Hill Local Wildlife Site.

**Map 5.1 East Boldon Neighbourhood Plan Area**



## EAST BOLDON NEIGHBOURHOOD PLAN- DRAFT

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5.3 The version of the Draft Plan assessed for the purpose of this screening opinion comprises of a suite of 25 policies intended to support the Vision and Objectives of the Plan, which was submitted to the Council on 3<sup>rd</sup> June 2020 . The policies within the draft Plan cover the following matters:

- Policy EB1: Sustainable Development
- Policy EB2: General location of new development
- Policy EB3: Design
- Policy EB4: Heritage Assets
- Policy EB5: Green and blue infrastructure
- Policy EB6: Landscape
- Policy EB7: Biodiversity
- Policy EB8: Protecting trees and woodland
- Policy EB9: Employment
- Policy EB10: Homeworking
- Policy EB11: Cleadon Lane Industrial Estate
- Policy EB12: Local retail centres
- Policy EB13: The delivery of new housing
- Policy EB14: Housing mix
- Policy EB15: Affordable housing
- Policy EB16: Community services and facilities
- Policy EB17: Local green space
- Policy EB18: Protected open space
- Policy EB19: Infrastructure
- Policy EB20: Sustainable transport and new development
- Policy EB21: Metro parking
- Policy EB22: Cycle storage and parking
- Policy EB23: Residential parking standards
- Policy EB24: Non-residential parking standards
- Policy EB25: Active travel routes

5.4 The Neighbourhood Plan does not specifically allocate any land or buildings for any new development. It does designate a number of areas as Local Green Space and Protected Green Space which would result in significant protection being afforded to these areas.

5.5 The draft Neighbourhood Plan also raises conflicts with policies in the emerging South Tyneside Local Plan. Of particular note are:

- Policy EB11: Cleadon Lane Industrial Estate – the East Boldon Neighbourhood Plan supports the continued use of the site for employment uses; whereas the Policy RG5 of the draft South Tyneside draft Local Plan identifies the site as a mixed use regeneration area with 245 new homes. Policy EB11 requires proposals for housing to



provide a comprehensive masterplan to be produced and agreed by the East Boldon Neighbourhood Forum.

- Policy EB17: Local Green Space – this policy identifies Land to the south of New Road and Tileshead Lane (LGS09) as a proposed area of Local Green Space. The draft South Tyneside Local Plan identifies this site as part of a strategic housing allocation H3.59, Land at North Farm, to provide 588 new homes.

5.6 The policies proposed in the Draft Plan are intended to support decision making that will deliver the eight objectives which are central to the achievement of the Vision. The East Boldon Neighbourhood Plan Vision is set out below:

### **A vision for East Boldon in 2036**

*East Boldon remains a thriving village full of character.*

*It has a strong sense of community where local schools and voluntary groups, including sport and leisure organisations, play an important part in bringing people together.*

*It is home to a wide range of successful businesses. These make an important contribution to village life and are actively supported by local people.*

*It is blessed with wonderful green spaces on all sides, much of which is safeguarded by Green Belt status. This has done much to protect the village from urban sprawl and help maintain its identity and separation from other settlements as well as providing important habitat for wildlife.*

*Infrastructure has been delivered to support the needs of the local community and businesses.*

*New development is sensitive to the character of the village, it provides opportunities for the enhanced wellbeing of its residents, and ensures an environment which is rich in landscape for wildlife. In short, new development is sustainable in every sense.*

*The needs of local residents, both young and old, is a major consideration in the type and location of all new development.*

*The need to keep the local community together by providing the right mix of housing is seen as a priority.*

*Any new development is seen as an opportunity to address the issue of parking and not add to it.*

5.7 The objectives of the East Boldon Neighbourhood Plan are:

- **Objective 1 - Sustainable development:** Ensure new development makes a positive contribution to social, environmental or economic needs and that any negative impacts, particularly those contributing to climate change, are adequately mitigated.
- **Objective 2 - Built and historic environment:** Ensure new development makes a positive contribution to a safe and well-designed built environment and that it respects the historic environment of the neighbourhood plan area.
- **Objective 3 – Natural environment:** Plan positively for the creation, protection and enhancement of networks of biodiversity and green infrastructure in the neighbourhood plan area including ensuring that there are linkages to wider green infrastructure networks.

- **Objective 4 – Local economy:** Support the sustainable creation and protection of employment opportunities in the neighbourhood plan area, and the vitality of the village and local centre.
- **Objective 5 – Housing:** Create and maintain a balanced and sustainable community by providing a positive framework that recognises the different types of homes that all current and future residents of the neighbourhood plan area need.
- **Objective 6 – Community wellbeing:** Contribute to community wellbeing by ensuring that the neighbourhood plan area’s community, especially its older and younger people, have access to the services and facilities they need.
- **Objective 7 – Flooding and sustainable drainage:** To reduce the causes and risks of flooding in the neighbourhood plan area.
- **Objective 8 – Transport and movement:** Manage the transport network of the neighbourhood plan area to be safer, more efficient and more environmentally friendly for all users, while ensuring adequate parking is available to meet the needs of residents, visitors and businesses.

## 6. SEA SCREENING

6.1 The application of the SEA Directive (as set out in Figure 4.1) to the East Boldon Neighbourhood Plan is provided in Table 6.1.

**Table 6.1 Application of SEA Directive to the East Boldon Neighbourhood Plan**

Stage	Yes/No	Reason
<b>1. Is the Neighbourhood Plan subject to preparation and/or adoption by a national, regional or local authority OR prepared by an authority through a legislative procedure by Parliament? (Article 2(a))</b>	Yes	The preparation of and adoption of the East Boldon Neighbourhood Plan is allowed under the Town and Country Planning Act 1990 as amended by the Localism Act 2011. The East Boldon Neighbourhood Plan will be prepared by the East Boldon Neighbourhood forum as the 'relevant body' and will be 'made' by South Tyneside Council as the Local Authority.
<b>2. Is the Neighbourhood Plan required by legislative, regulatory or administrative provisions? (Article 2 (a))</b>	Yes	The East Boldon Neighbourhood Plan is not a requirement and is optional under the provisions of the Town and Country Planning Act 1990, as amended. However, when 'made' it will form part of the statutory development plan for the Borough. It is therefore important that the screening process considers whether it is likely to have significant environmental effects and hence whether SEA is required under the Directive.
<b>3. Is the Neighbourhood Plan prepared for agriculture, forestry, fisheries, energy, industry, transport, waste management, telecommunications, tourism, town and country planning or land use, AND does it set a framework for future development consent of projects in Annexes I and II to the EIA Directive? (Article 3.2 (a))</b>	Yes	Neighbourhood plans cover town and country planning/ land uses and may also cover uses set out in the list. The East Boldon Neighbourhood Plan is a non-strategic scale document, focused upon East Boldon, however it can set the framework for future development consent of some projects in Annexes I and II to the EIA directive (see Appendix 1).
<b>4. Will the Plan in view of its likely effects on sites, require an assessment of future development under Article 6 or 7 of the Habitats Directive (Article 3.2) (b))</b>	Unknown	Section 7 of this report contains a screening assessment to ascertain whether an Appropriate Assessment is required under the Conservation of Habitats and Species Regulations 2010 which relate to Articles 6 (3) and (4) of the Habitats Directive.

<p><b>5. Does the Plan determine the use of small areas of local OR is it a minor modification of a PP subject to Article 3.2? (Article 3.3)</b></p>	<p>Yes</p>	<p>A Neighbourhood Plan can determine the use of small areas at a local level. The East Boldon Neighbourhood Plan includes policies relating to the location of sustainable development but does not specifically allocate land for development.</p>
<p><b>6. Does the Plan set the framework for future development consent of projects (not just projects in annexes to the EIA Directive)? (Article 3.4)</b></p>	<p>Yes</p>	<p>Once 'made', a Neighbourhood Plan forms part of the statutory Development Plan and will be used in the determination of planning applications in the neighbourhood area. Therefore, it sets the framework for future developments at a local level.</p>
<p><b>7. Is the Plan's sole purpose to serve the national defence or civil emergency, OR is it a financial or budget PP, OR is it co-financed by structural funds or EAGGF programmes 2000 to 2006/7? (Article 3.8, 3.9)</b></p>	<p>No</p>	<p>No the plan does not deal with these categories of the Plan.</p>
<p><b>8. Is it likely to have a significant effect on the environment? (Article 3.5)</b></p>	<p>Unknown</p>	<p>Please see Table 6.2 of this report.</p>

6.2 The conclusion of the assessment in Table 6.1 is that, an SEA may be required, dependent upon whether the Neighbourhood Plan will have a significant effect on the environment. For this reason, an analysis of the Neighbourhood Plan will be required to determine any potential significant effects on the environment.

6.3 The policies set out in the Draft East Boldon Neighbourhood Plan have been used to undertake this screening assessment. If significant change to those policies arises as the Plan progresses, or if additional policies are introduced, the Plan should be subject to a further screening assessment.

6.4 The following table (Table 6.2) presents the environmental effects which have the potential to arise because of the East Boldon Neighbourhood Plan. The assessment considers the characteristics of the Plan, the effects on the environment and the area likely to be affected. This is accompanied by a commentary on whether these effects are likely to be significant.

**Table 6.2 East Boldon Neighbourhood Plan SEA Screening Assessment**

Criteria (Schedule I)	Significant Effect Likely?	
	Yes/ No	Justification
<b>1) The characteristics of plans and programmes, having regard, in particular, to:</b>		
<b>a) The degree to which the plan or programme sets a framework for projects and other activities, either with regard to the location, nature, size and operating conditions or by allocating resources,</b>	No	The strategic planning policy framework will be set through the emerging South Tyneside Local Plan and its predecessor documents, the South Tyneside Local Development Framework (LDF) which continue to form of the statutory development plan for the Borough. These documents, the LDF and the emerging Local Plan, are separately subject to SA/SEA. The East Boldon Neighbourhood Plan must be in general conformity with the strategic policies in the development plan. The Neighbourhood Plan does not seek to allocate land for development and generally sets positive planning policies seeking to support sustainable development.
<b>b) The degree to which the plan or programme influences other plans and programmes including those in a hierarchy,</b>	No	The East Boldon Neighbourhood Plan will both influence and be influenced by the emerging South Tyneside Local Plan. However, it must be in general conformity with the adopted Local Development Framework (LDF) and the emerging Local Plan. The Neighbourhood Plan would therefore support higher tier policies within the planning system, and is therefore not considered to give rise to a significant environmental effect.
<b>c) The relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development,</b>	No	Policy EB1 of the East Boldon Neighbourhood Plan promotes sustainable development within the plan area. Further policies within the draft neighbourhood plan seek to protect local environmental assets and do not seek to relax higher tier sustainability principles. It is therefore unlikely to result in a significant environmental effect.
<b>d) environmental problems relevant to the plan or programme,</b>	No	The policies within the East Boldon Neighbourhood Plan do not allocate land for development and support sustainable development and the protection of sensitive local assets and designations. It is considered unlikely that the Plan will result in a significant environmental effect with regard to environmental problems.
<b>e) the relevance of the plan or programme for the implementation of European Community legislation on the environment (e.g. plans and programmes linked to waste-</b>	No	The East Boldon Neighbourhood Plan does not directly address issues of waste- management or water protection; however, it must be in conformity with the statutory development plan for South Tyneside which will have regard to European Community legislation.



management or water protection)		
<b>2. Characteristics of the effects and of the area likely to be affected, having regard, in particular, to:</b>		
<b>a) the probability, duration, frequency and reversibility of the effects,</b>	No	The East Boldon Neighbourhood Plan supports some forms of development and also designates a number of Local Green Space and Protected Green Space sites. It is therefore acknowledged that there may be some long term and permeant environmental effects. However, the plan supports the principles of sustainable development and seeks to protect it local assets. Any development will also be in conformity with the emerging Local Plan and NPPF. It is therefore considered that the environmental effects will not be significant.
<b>b) the cumulative nature of the effects,</b>	No	It is unlikely that the East Boldon Neighbourhood Plan will result in any negative cumulative effects. The neighbourhood Plan does not support a level of development above the South Tyneside emerging Local Plan and should be in general conformity with the overarching Development Plan.
<b>c) the transboundary nature of the effects,</b>	No	Policies within the Neighbourhood Plan relate wholly to the plan area and therefore effects will be local. There may be some transboundary effects on neighbouring areas however these effects are expected to be limited.
<b>d) the risks to human health or the environment (e.g. due to accidents),</b>	No	It is unlikely that the Neighbourhood Plan would result in any effects resulting in a risk to human health.
<b>e) the magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected),</b>	No	It is expected that effects will be localised and will only affect a small area covered by the plan area.
<b>f) the value and vulnerability of the area</b> <b>i) likely to be affected due to special natural characteristics or cultural heritage,</b>	No	The plan area covers a number of heritage and environmental assets which could be affected by development. The plan area includes the East Boldon Conservation Area and seven Grade II Listed Buildings. The Plan does not identify development proposals within or adjacent to the conservation area or these assets. Policy EB4: Heritage Assets, seeks to prevent heritage assets from being harmed from inappropriate development. The plan area also includes a SSSI, Local Nature Reserve and five Local Wildlife Sites. The Plan does not identify development proposals within or adjacent to these designations, although it is noted that proposed active travel routes as identified on Policies

			<p>Map 2 and EB25: Active Travel, may encourage disturbance in areas close to Local Wildlife Site (Black Plantation LWS), however, the effects may not be significant. Policy EB7: Biodiversity seeks to protect and enhance biodiversity where appropriate within the plan area.</p> <p>Overall, it is considered unlikely that the Neighbourhood Plan would result in likely significant effects.</p>
<b>g) the value and vulnerability of the area</b>	No		<p>The plan area does not include any known environmental quality management areas (i.e. air quality management area AQMA's). The plan does not identify areas for development and is therefore unlikely to result in any significant effects</p>
<b>ii) likely to be affected due to exceeded environmental quality standards or limit values,</b>			
<b>h) the value and vulnerability of the area</b>	No		<p>The plan does not identify areas for development and is unlikely to result in the intensification of land-use in the plan area. It is unlikely to result in significant effects.</p>
<b>iii) likely to be affected due to intensive land-use,</b>			
<b>j) the effects on areas or landscapes which have a recognised national, Community or international protection status</b>	No		<p>The plan area contains areas of Green Belt, environmental designations and heritage designations. The plan does not identify areas for new development; policies support development within the existing built-up area and support the protection of heritage and environmental assets. It is therefore unlikely to result in significant effects.</p>

## CONCLUSION: SEA SCREENING

6.5 On the basis of the SEA Screening Assessment set out in Table 6.2, the Local Authority have concluded that the East Boldon Neighbourhood Plan will not have likely significant effects in relation to any of the criteria set out in Schedule 1 of the SEA Regulations, and therefore the plan does not need to be subject to a SEA. The main reason for this conclusion is that the Neighbourhood Plan does not include policies allocating land or buildings for new development within the plan area. Policies are in general conformity with the South Tyneside Local Development Framework (LDF) and generally seek to support sustainable development within the plan area. It is therefore considered that the East Boldon Neighbourhood Plan is likely to have a slight positive effect on the environment.

## 7. HRA SCREENING

- 7.1 The Habitats Regulations Assessment (HRA) refers to the assessment required for any plan or project to assess the potential of likely significant effects on what are known as European sites. Such sites consist of areas designated as Special Areas of Conservation (SAC) and Special Protection Areas (SPA).
- 7.2 The screening stage is the first step in the HRA process. The role of screening is to identify which parts of the plan could possibly result in LSE occurring to a European Protected Site and to determine whether an Appropriate Assessment will be required. If the screening stage concludes that the plan or project will not result in any likely significant effects, then no further assessment is necessary. Should the screening stage identify any significant impact or be uncertain as to the potential impact on the European site, a Stage 2 Appropriate Assessment will be required.
- 7.3 The Habitat Regulations require the consideration of all Natura 2000 sites that have potential to be impacted by the plan or project. The effects of a plan could impact upon sites within the plan boundary; however, the nature of the plans impacts may not only be confined to these sites and may also affect Natura 2000 sites beyond the boundary of the plan and the local authority boundaries. It is therefore necessary to identify which Natura 2000 sites should be included within this HRA screening.

### IDENTIFICATION OF EUROPEAN SITES: EUROPEAN SITES WITHIN SOUTH TYNESIDE

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- 7.4 Within South Tyneside the designated Natura 2000 sites are:
- Durham Coast Special Area of Conservation;
  - Northumbria Coast Special Protection Area;
  - Northumbria Coast Ramsar site
- 7.1 It should be noted that these designations extend along the coast beyond the boundaries of South Tyneside into the neighbouring authorities of North Tyneside, Sunderland and County Durham. There are no other European designated sites within 15km of South Tyneside boundary. A 15km buffer to identify neighbouring Natura 200 sites has been widely used by other HRA's and is regarded as best practice.
- 7.2 The baseline information for each of the European designated sites in South Tyneside is set out below, details of qualifying features and favourable conditions are set out in Appendix 2. Details are also provided for the Conservation Objectives for each site. The Conservation Objectives provide the framework which should inform any 'Habitats Regulations Assessments'. Should the Neighbourhood Plan result in an effect which could undermine any of the conservation objectives, it should be considered as having a Likely Significant Effect in terms of the HRA process.

Map 7.1

Designated Natura 2000 sites in South Tyneside



[https://www.southtyneside.gov.uk/media/41703/Habitats-Regulations-Assessment-of-the-South-Tyneside-Pre-Publication-Draft-Plan/pdf/Habitats\\_Regulations\\_Assessment\\_of\\_the\\_South\\_Tyneside\\_Pre-Publication\\_Draft\\_Plan.pdf](https://www.southtyneside.gov.uk/media/41703/Habitats-Regulations-Assessment-of-the-South-Tyneside-Pre-Publication-Draft-Plan/pdf/Habitats_Regulations_Assessment_of_the_South_Tyneside_Pre-Publication_Draft_Plan.pdf)

## DURHAM COAST SPECIAL AREA OF CONSERVATION (SAC)

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### 7.5 Site Description:

The Durham Coast is the only example of vegetated sea cliffs on magnesian limestone exposures in the UK. These cliffs extend along the North Sea coast for over 20 km from South Shields southwards to Blackhall Rocks. Their vegetation is unique in the British Isles and consists of a complex mosaic of paramaritime, mesotrophic and calcicolous grasslands, tall-herb fen, seepage flushes and wind-pruned scrub. Within these habitats rare species of contrasting phytogeographic distributions often grow together forming unusual and species-rich communities of high scientific interest. The communities present on the sea cliffs are largely maintained by natural processes including exposure to sea spray, erosion and slippage of the soft magnesian limestone bedrock and overlying glacial drifts, as well as localised flushing by calcareous water

<http://publications.naturalengland.org.uk/file/4980991928041472>

### 7.6 Qualifying features:

Annex I Habitat – Vegetated sea cliffs of the Atlantic and Baltic coasts

<http://publications.naturalengland.org.uk/file/4980991928041472> )

### 7.7 Conservation Objectives:

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;

- 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

<http://publications.naturalengland.org.uk/file/5518496490586112>

## NORTHUMBRIA COAST SPECIAL PROTECTION AREA

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### 7.8 Site Description:

The Northumbria Coast SPA includes much of the coastline between the Tweed and Tees Estuaries in north-east England. The site consists of mainly discrete sections of rocky shore with associated boulder and cobble beaches. The SPA also includes parts of three artificial pier structures and a small section of sandy beach (Stroud et al. 2001). The rocky shore areas with reefs, have small areas of sand interspersed amongst the main reefs. The man-made structures such as the piers at River Tyne South Pier and Seaham Harbour pier are used as high tide roosts. The tops of the piers and the sides are used by birds throughout the tidal cycle. The inter-tidal rock platform is an important resource used by wintering purple sandpiper and turnstones although they are commonly found along the strandline of sandy beaches. The rocky shores and the strand line support high densities of invertebrates which are important food for waterfowl. Purple sandpiper are almost entirely restricted to the rocky shore where they feed on a variety of marine invertebrates but their main food preference is for mussels, winkles and dog whelks (Feare 1996). Turnstones feed on seaweed covered rocks congregating at high tide to roost on the mainland shore or continue to feed on the washed up seaweed on the strandline. Discrete areas



of estuarine intertidal mudflats and sand flats are also included within the Northumbria Coast SPA. Arctic and little terns nest at Newton Links/Long Nanny. The Long Nanny tern site is situated at the mouth of the Long Nanny burn, in Beadnell Bay and comprises of a long section of sandy beach ending in a small, low-lying sand spit at the mouth of the river, bordered by an accreting sand dune system to the west (Bridge et al. 2014). The beaches of fine sand, vegetated banks of sea rocket and dunes of marram and lyme grass provide good conditions for nesting. Terns forage in Beadnell Bay and the surrounding coastal waters, which support large numbers of lesser sandeel *Ammodytes lancea* (Bridge et al. 2014).

<http://publications.naturalengland.org.uk/file/5648449390772224>

#### 7.9 Qualifying features:

- Little Tern (*Sterna Albifron*)
- Arctic Tern (*Sterna paradisaea*)
- Purple Sandpiper (*Calidris maritime*)
- Ruddy Turnstone (*Arenaria interpres*)

N.B. – It should be noted that Little Tern (*Sterna Albifron*) and Arctic Tern (*Sterna paradisaea*) are not known to breed in South Tyneside.

<http://publications.naturalengland.org.uk/file/5648449390772224>

#### 7.10 Conservation Objectives:

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;

- The extent and distribution of the habitats of the qualifying features
- The structure and function of the habitats of the qualifying features
- The supporting processes on which the habitats of the qualifying features rely
- The population of each of the qualifying features, and,
- The distribution of the qualifying features within the site.

<http://publications.naturalengland.org.uk/file/5211071631851520>

## NORTHUMBERIA COAST RAMSAR SITE

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#### 7.11 Site Description:

The Northumbria Coast Ramsar site comprises several discrete sections of rocky foreshore between Spittal, in the North of Northumberland, and an area just south of Blackhall Rocks in County Durham. These stretches of coast regularly support internationally important numbers of purple sandpiper and turnstone. The Ramsar site also includes an area of sandy beach at Low Newton, which supports a nationally important breeding colony of little tern, and parts of three artificial pier structures which form important roost sites for purple sandpiper.

#### 7.12 Species occurring at International Importance:

- Purple Sandpiper
- Turnstone
- Little Turn

<https://rsis.ramsar.org/RISapp/files/RISrep/GB1019RIS.pdf>

## EAST BOLDON NEIGHBOURHOOD PLAN: HRA SCREENING ASSESSMENT

7.13 Table 7.1 sets out the HRA screening assessment for the East Boldon Neighbourhood Plan. The assessment identifies potential effects which could be generated from the policy and the likelihood as to how significant those effects could be on the European Sites identified in the previous section.

**Table 7.1 East Boldon Neighbourhood Plan – HRA Screening Assessment**

Plan Policy	Likely Effects from Policy	Could the proposal result in likely significant effects on European Sites?
<b>Policy EB1: Sustainable Development</b>	Recreational disturbance Increased road traffic (air pollution)	This policy explains the overarching development principles in East Boldon. It supports sustainable development in the neighbourhood plan, but does not identify new development sites, therefore significant effects from recreational disturbance and air pollution are unlikely to occur from this policy. The policy includes reference to protecting and enhancing biodiversity sites - No LSE.
<b>Policy EB2: General location of new development</b>	Recreational disturbance Increased road traffic (air pollution)	The policy supports development within the settlement boundary of East Boldon and does not identify new sites for development. Significant likely effects from this policy are unlikely to occur – No LSE.
<b>Policy EB3: Design</b>	n/a	This policy sets out design principles for new development within the plan area. It does not result in new development itself – No LSE.
<b>Policy EB4: Heritage Assets</b>	n/a	The policy seeks to protect heritage assets and their settings and will not result in new development – No LSE.
<b>Policy EB5: Green and blue infrastructure</b>	n/a	The policy seeks to protect and improve green and blue infrastructure networks in the plan area. It will not result in new development – No LSE.
<b>Policy EB6: Landscape</b>	n/a	The policy seeks to protect the landscape and character of the plan area. The policy will not result in new development – No LSE.
<b>Policy EB7: Biodiversity</b>	n/a	The policy aims to protect and enhance biodiversity in the plan area and support opportunities for biodiversity in new

		developments. The policy will not result in new development – No LSE.
<b>Policy EB8: Protecting trees and woodland</b>	n/a	The policy seeks to protect trees in the plan area. No new development will occur from this policy – No LSE.
<b>Policy EB9: Employment</b>	Increased road traffic (air pollution)	The policy supports the creation and protection of jobs in the plan area. The policy will not directly result in new development and is unlikely to cause a significant increase in air pollution and road traffic – No LSE.
<b>Policy EB10: Homeworking</b>	n/a	This policy encourages development proposals to support home working and will not result in new development – No LSE.
<b>Policy EB11: Cleadow Lane Industrial Estate</b>	Recreational Disturbance Increased road traffic (air pollution)	<p>The policy supports the continued use of Cleadow Lane Industrial Estate for employment uses. The policy details masterplan criteria which is required should the site be developed for housing. The retention of the site for employment use is not considered to result in new development or an increase in road traffic – No LSE.</p> <p>Should the site be brought forward for housing development, there may be an LSE resulting from recreational disturbance. However, this is likely to be brought forward through the South Tyneside Local Plan; any potential LSE will be considered through a Borough-wide HRA to support the Local Plan.</p>
<b>Policy EB12: Local retail centres</b>	n/a	The policy supports appropriate development in local retail centres. The policy is unlikely to result in new development – No LSE.
<b>Policy EB13: The delivery of new housing</b>	Recreational Disturbance Increased road traffic (air pollution)	<p>The policy supports the delivery of new housing but does not allocate sites for new development – No LSE.</p> <p>New housing development within the plan area may result in an LSE from recreational disturbance. However, new housing development is likely to be brought forward through the South Tyneside emerging Local Plan; any potential LSE will be considered through a</p>

		Borough-wide HRA to support the Local Plan.
<b>Policy EB14: Housing mix</b>	n/a	The policy aims to influence the type and tenure of housing on new residential developments. It is not considered to result in new development – No LSE.
<b>Policy EB15: Affordable housing</b>	n/a	The policy aims to influence affordable housing provision within the plan area. It is not considered to result in new development – No LSE.
<b>Policy EB16: Community services and facilities</b>	n/a	The policy seeks to enhance and protect existing community facilities within the plan area. It is not considered that new development will occur from this policy – No LSE.
<b>Policy EB17: Local green space</b>	n/a	The policy identifies 10 areas to be designated as Local Green Space and protected from development – No LSE.
<b>Policy EB18: Protected open space</b>	n/a	The policy identifies 5 areas of proposed Protected Open Space and details mitigation measures should these areas be lost for development – No LSE.
<b>Policy EB19: Infrastructure</b>	n/a	The policy requires developments in the plan area to contribute towards local infrastructure requirements. It is not considered to result in new development – No LSE.
<b>Policy EB20: Sustainable transport and new development</b>	n/a	The policy supports the use of sustainable modes of transport and seeks to mitigate impacts on the highway network. It is not considered to result in new development and could contribute to reducing road traffic – No LSE.
<b>Policy EB21: Metro parking</b>	n/a	The policy supports the development of additional car parking for the East Boldon metro station. The policy does not identify a site for development – No LSE.
<b>Policy EB22: Cycle storage and parking</b>	n/a	The policy details requirements for cycle storage in new residential developments. The policy will not result in new development – No LSE.
<b>Policy EB23: Residential parking</b>	n/a	The policy details parking standards for residential developments. The policy is unlikely

<b>standards</b>		to result in new development – No LSE.
<b>Policy EB24: Non-residential parking standards</b>	n/a	The policy details parking standards for non-residential developments. The policy is unlikely to result in new development – No LSE.
<b>Policy EB25: Active travel routes</b>	n/a	The policy supports the extension of walking and cycling networks in the plan area. The policy is unlikely to result in new development – No LSE.

## CONCLUSION: HRA SCREENING

- 7.12 On the basis of the HRA Screening Assessment set out in Table 7.1 , the Local Authority have concluded that the East Boldon Neighbourhood Plan will not have likely significant effects on the Durham Coast SAC and Northumbria Coast SPA and Ramar site, and therefore the plan does not need to be subject to a HRA and Appropriate Assessment.

## 8. CONSULTATION & CONCLUSION

- 8.1 This report contains the SEA and HRA Screening for the East Boldon Neighbourhood Plan. The screening reports establish whether there is a requirement for the undertaking of a full SEA as required by the Environmental Assessment of Plans and Programmes Regulations 2004 (SEA Regulations) and / or Appropriate Assessment as required by the Conservation of Habitats and Species Regulations (2017) as amended.
- 8.2 The assessment for screening of both requirements was undertaken on the draft Neighbourhood Plan policies submitted to the council on 3<sup>rd</sup> June 2020. The conclusions based on the assessments set out in this report are that a full SEA and Appropriate Assessment are not required. The reasons for this conclusion are set out in Sections 6 and 7 of this document. These conclusions have been supported by the consultation bodies (please see Appendix 3 for responses).



## APPENDIX 1 : ANNEXES I AND II EIA DIRECTIVE

- All projects listed in Annex I are considered as having significant effects on the environment and require an Environmental Impact Assessment.
- Annex 1 and 2 of the EIA Directive 2011/92/EU can be found here: <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32011L0092&from=EN>

### ANNEX I

#### PROJECTS REFERRED TO IN ARTICLE 4(1)

1. Crude-oil refineries, installations for the gasification and liquefaction of 500 tonnes or more of coal or bituminous shale per day.
2. Thermal power stations and other combustion installations, Nuclear power stations, nuclear reactors including the dismantling or decommissioning of such power stations or reactors.
3. Installations for the processing, reprocessing, production or enrichment of irradiated nuclear fuel; disposal and storage of radioactive waste.
4. Integrated works for the initial smelting of cast iron and steel and the production of non-ferrous crude metals from ore.
5. Installations for the extraction of asbestos and for the processing and transformation of asbestos and products containing asbestos.
6. Integrated chemical installations for the production of basic organic and inorganic chemicals; fertilisers, plant health products, pharmaceutical products using chemical or biological process, or explosives.
7. Construction of lines for long-distance railway lines, airports with a basic runway length of 2 100 m or more, the construction of motorways and express roads. Construction of a new road of four or more lanes, or realignment and/or widening of an existing road of two lanes or less so as to provide four or more lanes, where such new road or realigned and/or widened section of road would be 10 km or more in a continuous length.
8. Inland waterways and ports for inland-waterway traffic, trading ports and piers
9. Waste disposal installations for the incineration, chemical treatment and hazardous waste.
10. Waste disposal installations for the incineration or chemical treatment and non-hazardous waste.
11. Groundwater abstraction or artificial groundwater recharge schemes.
12. Works for the transfer of water resources between river basins.
13. Waste water treatment plants.
14. Extraction of petroleum and natural gas for commercial purposes.
15. Dams and other installations designed for the holding back or permanent storage of water.
16. Pipelines for the transport of gas, oil, chemicals and carbon dioxide (CO<sub>2</sub>) streams for the purposes of geological storage.
17. Installations for the intensive rearing of poultry or pigs.
19. Quarries and open-cast mining, or peat extraction.
20. Construction of overhead electrical power lines with a voltage of 220 kV or more and a length of more than 15 km.
21. Installations for storage of petroleum, petrochemical, or chemical products.
22. Storage sites pursuant to Directive 2009/31/EC of the European Parliament and of the Council of 23 April 2009 on the geological storage of carbon dioxide.
23. Installations for the capture of CO<sub>2</sub> streams for the purposes of geological storage where the total yearly capture of CO<sub>2</sub> is 1.5 megatonnes or more.
24. Any change to or extension of projects listed in this Annex where such a change or extension in itself meets the thresholds, if any, set out in this Annex.

## **ANNEX II**

### **PROJECTS REFERRED TO IN ARTICLE 4(2)**

#### **1. AGRICULTURE, SILVICULTURE AND AQUACULTURE**

- (a) Projects for the restructuring of rural land holdings;
- (b) Projects for the use of uncultivated land or semi-natural areas for intensive agricultural purposes;
- (c) Water management projects for agriculture, including irrigation and land drainage projects;
- (d) Initial afforestation and deforestation for the purposes of conversion to another type of land use;
- (e) Intensive livestock installations (projects not included in Annex I);
- (f) Intensive fish farming;
- (g) Reclamation of land from the sea.

#### **2. EXTRACTIVE INDUSTRY**

- (a) Quarries, open-cast mining and peat extraction (projects not included in Annex I);
- (b) Underground mining;
- (c) Extraction of minerals by marine or fluvial dredging;
- (d) Deep drillings, in particular:
  - (i) geothermal drilling;
  - (ii) drilling for the storage of nuclear waste material;
  - (iii) drilling for water supplies;with the exception of drillings for investigating the stability of the soil;
- (e) Surface industrial installations for the extraction of coal, petroleum, natural gas and ores, as well as bituminous shale.

#### **3. ENERGY INDUSTRY**

- (a) Industrial installations for the production of electricity, steam and hot water (projects not included in Annex I);
- (b) Industrial installations for carrying gas, steam and hot water; transmission of electrical energy by overhead cables (projects not included in Annex I);
- (c) Surface storage of natural gas;
- (d) Underground storage of combustible gases;
- (e) Surface storage of fossil fuels;
- (f) Industrial briquetting of coal and lignite;
- (g) Installations for the processing and storage of radioactive waste (unless included in Annex I);
- (h) Installations for hydroelectric energy production;
- (i) Installations for the harnessing of wind power for energy production (wind farms);
- (j) Installations for the capture of CO<sub>2</sub> streams for the purposes of geological storage pursuant to Directive

#### **4. PRODUCTION AND PROCESSING OF METALS**

- (a) Installations for the production of pig iron or steel (primary or secondary fusion) including continuous casting;
- (b) Installations for the processing of ferrous metals:
  - (i) hot-rolling mills;
  - (ii) smitheries with hammers;
  - (iii) application of protective fused metal coats;
- (c) Ferrous metal foundries;
- (d) Installations for the smelting, including the alloyage, of non-ferrous metals, excluding precious metals, including recovered products (refining, foundry casting, etc.);
- (e) Installations for surface treatment of metals and plastic materials using an electrolytic or chemical process;
- (f) Manufacture and assembly of motor vehicles and manufacture of motor-vehicle engines;
- (g) Shipyards;
- (h) Installations for the construction and repair of aircraft;
- (i) Manufacture of railway equipment;
- (j) Swaging by explosives;

(k) Installations for the roasting and sintering of metallic ores.

#### **5. MINERAL INDUSTRY**

- (a) Coke ovens (dry coal distillation);
- (b) Installations for the manufacture of cement;
- (c) Installations for the production of asbestos and the manufacture of asbestos products (projects not included in Annex I);
- (d) Installations for the manufacture of glass including glass fibre;
- (e) Installations for smelting mineral substances including the production of mineral fibres;
- (f) Manufacture of ceramic products by burning, in particular roofing tiles, bricks, refractory bricks, tiles, stoneware or porcelain.

#### **6. CHEMICAL INDUSTRY (PROJECTS NOT INCLUDED IN ANNEX I)**

- (a) Treatment of intermediate products and production of chemicals;
- (b) Production of pesticides and pharmaceutical products, paint and varnishes, elastomers and peroxides;
- (c) Storage facilities for petroleum, petrochemical and chemical products.

#### **7. FOOD INDUSTRY**

- (a) Manufacture of vegetable and animal oils and fats;
- (b) Packing and canning of animal and vegetable products;
- (c) Manufacture of dairy products;
- (d) Brewing and malting;
- (e) Confectionery and syrup manufacture;
- (f) Installations for the slaughter of animals;
- (g) Industrial starch manufacturing installations;
- (h) Fish-meal and fish-oil factories;
- (i) Sugar factories.

#### **8. TEXTILE, LEATHER, WOOD AND PAPER INDUSTRIES**

- (a) Industrial plants for the production of paper and board (projects not included in Annex I);
- (b) Plants for the pre-treatment (operations such as washing, bleaching, mercerisation) or dyeing of fibres or textiles;
- (c) Plants for the tanning of hides and skins;
- (d) Cellulose-processing and production installations.

#### **9. RUBBER INDUSTRY**

Manufacture and treatment of elastomer-based products.

#### **10. INFRASTRUCTURE PROJECTS**

- (a) Industrial estate development projects;
- (b) Urban development projects, including the construction of shopping centres and car parks;
- (c) Construction of railways and intermodal transshipment facilities, and of intermodal terminals (projects not included in Annex I);
- (d) Construction of airfields (projects not included in Annex I);
- (e) Construction of roads, harbours and port installations, including fishing harbours (projects not included in Annex I);
- (f) Inland-waterway construction not included in Annex I, canalisation and flood-relief works;
- (g) Dams and other installations designed to hold water or store it on a long-term basis (projects not included in Annex I);
- (h) Tramways, elevated and underground railways, suspended lines or similar lines of a particular type, used exclusively or mainly for passenger transport;
- (i) Oil and gas pipeline installations and pipelines for the transport of CO<sub>2</sub> streams for the purposes of geological storage (projects not included in Annex I);

- (j) Installations of long-distance aqueducts;
- (k) Coastal work to combat erosion and maritime works capable of altering the coast through the construction, for example, of dykes, moles, jetties and other sea defence works, excluding the maintenance and reconstruction of such works;
- (l) Groundwater abstraction and artificial groundwater recharge schemes not included in Annex I;
- (m) Works for the transfer of water resources between river basins not included in Annex I.

#### **11. OTHER PROJECTS**

- (a) Permanent racing and test tracks for motorised vehicles;
- (b) Installations for the disposal of waste (projects not included in Annex I);
- (c) Waste-water treatment plants (projects not included in Annex I);
- (d) Sludge-deposition sites;
- (e) Storage of scrap iron, including scrap vehicles;
- (f) Test benches for engines, turbines or reactors;
- (g) Installations for the manufacture of artificial mineral fibres;
- (h) Installations for the recovery or destruction of explosive substances;
- (i) Knackers' yards.

#### **12. TOURISM AND LEISURE**

- (a) Ski runs, ski lifts and cable cars and associated developments;
- (b) Marinas;
- (c) Holiday villages and hotel complexes outside urban areas and associated developments;
- (d) Permanent campsites and caravan sites;
- (e) Theme parks.

13. (a) Any change or extension of projects listed in Annex I or this Annex, already authorised, executed or in the process of being executed, which may have significant adverse effects on the environment (change or extension not included in Annex I);

(b) Projects in Annex I, undertaken exclusively or mainly for the development and testing of new methods or products and not used for more than two years.

**APPENDIX 2: DURHAM COAST SAC & NORTHUMBRIAN COAST SPA & RAMSAR SITE  
– QUALIFYING FEATURES & CONSERVATION OBJECTIVES**

Qualifying Features and Conservation Objectives of Durham Coast SAC and Northumbria Coast SPA			
Qualifying Features	Favourable Conditions	Vulnerabilities	Conservation Objectives
<b>Durham Coast SAC</b>			
<b>Habitat 1230:</b> <b>Vegetated sea cliffs of the Atlantic and Baltic coasts</b>	<ul style="list-style-type: none"> <li>• No loss in habitat</li> <li>• Minimal disturbance</li> <li>• Open terrain – no reduction in views</li> <li>• Food availability – fish, crustaceans, worms, molluscs, sub-surface invertebrates &amp; epibenthic invertebrates.</li> <li>• Retention of structures for high tide roosts</li> </ul>	Vegetated sea cliffs range from vertical cliffs in the north with scattered vegetated ledges, to the Magnesian limestone grassland slopes of the south. Parts of the site are managed as National Nature Reserve, and plans provide for the non-interventionist management of the vegetated cliffs. The majority of the site is in public ownership and an agreed management plan is being developed to protect nature conservation interests.	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"> <li>• The extent and distribution of qualifying natural habitats;</li> <li>• The structure and function (including typical species) of qualifying natural habitats;</li> <li>• The supporting processes on which the qualifying natural habitats rely.</li> </ul>
<b>Northumbria Coast SPA</b>			
<b>Arctic Tern</b> <i>Sterna paradisaea</i> 1549 pairs representing 2.92% of GB population  <b>Little Tern</b> <i>Sterna albifrons</i> - 40 pairs representing at least 1.7% of the breeding population in Great Britain (1993 - 1997)  <b>Purple Sandpiper</b> <i>Calidris maritima</i> 787 individuals representing at	<ul style="list-style-type: none"> <li>• Minimal disturbance</li> <li>• Food availability – epibenthic invertebrates, marine fish, crustaceans, worms and molluscs.</li> <li>• No loss in habitat</li> <li>• Open ground with sparse vegetation and open terrain</li> <li>• Retention of structures for high tide roosts.</li> </ul>	Little terns are vulnerable to disturbance by tourists in the summer causing reduced breeding success. The National Trust employs wardens each summer to protect the little tern colony at Beadnell Bay	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> <li>• The distribution of qualifying features within the site.</li> </ul>



<p>least 1.6% biogeographic population (1992/3 – 1996/7)</p> <p><b>Turnstone</b> <i>Arenaria interpres</i> - 1,739 individuals representing at least 2.6% biogeographic population (1992/3 – 1996/7)</p>			
<b>Northumbria Coast Ramsar Site</b>			
<p><b>Little tern ,</b> <i>Sterna albifrons,</i> <b>Purple sandpiper,</b> <i>Calidris maritima</i> <b>Ruddy turnstone,</b> <i>Arenaria interpres</i></p>		<p>Little terns are vulnerable to disturbance by tourists in the summer causing reduced breeding success.</p> <p>The National Trust employs wardens each summer to protect the little tern colony at Beadnell Bay</p>	



Deborah Lamb  
South Tyneside Council  
Development Services  
Town Hall  
Westoe Road  
South Shields  
NE33 2RL

Our ref: PL00715462  
Your ref:  
Mobile 07757 834 316  
Date 18<sup>th</sup> September  
2020

Sent by email to [Deborah.lamb@southtyneside.gov.uk](mailto:Deborah.lamb@southtyneside.gov.uk)

Dear Deborah Lamb,

**RE: Environmental Assessment Regulations 2004: Regulation 9  
East Boldon Neighbourhood Plan: SEA Screening Opinion, September 2020**

Thank you for consulting Historic England on the above Strategic Environment Assessment (SEA) Screening Opinion. As the public body that advises on England's historic environment, we are pleased to offer our comments.

Based on the analysis set out in the Screening Opinion, and within the areas of interest to Historic England, we agree that the emerging plan is unlikely to result in significant environmental effects and, therefore, it does not need SEA. In coming to this view we have taken the following factors into consideration:

- The plan area contains a number of heritage assets including a conservation area, a scheduled monument, several listed buildings, and the potential for non-designated assets.
- Heritage assets are fragile and irreplaceable and can be damaged by change through development both directly and indirectly by development in their setting.
- The plan is not expected to allocate sites for development.

As such, from the perspective of our area of interest, the need for SEA of the draft plan can be screened out as it is unlikely to result in significant environmental effects (positive or negative). However, the views of the other two statutory consultees should be taken into account before you conclude on whether SEA is needed. According to Regulation 11 of the above Regulations, I look forward to receiving a copy of your determination in this case.

We reserve the right to review our opinion should the plan change materially in its content and direction. Please do not hesitate to contact us if you have any queries relating to our comments or would like any further information.



Yours sincerely,

HENRY CUMBERS

**Henry Cumbers**

Historic Environment Planning Adviser

Historic England

Telephone: 07757 834316

e-mail: [henry.cumbers@historicengland.org.uk](mailto:henry.cumbers@historicengland.org.uk)

Environment Agency:

Received 11/09/2020

Based on matters within our remit, it is considered that the East Boldon Neighbourhood Plan is unlikely to have significant effects on the environment when considered against the criteria set out in Schedule 1 of the SEA Regulations. Therefore, a SEA will not be required.

Please can you send any statutory planning consultation emails to [planning.nane@environment-agency.gov.uk](mailto:planning.nane@environment-agency.gov.uk)

Many thanks

Lucy Mo

Planning Technical Specialist, Sustainable Places, North East

Environment Agency

Date: 15 September 2020  
Our ref: 325000  
Your ref: DRAFT SEA/HRA Screening



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Ms D. Lamb  
South Tyneside Council  
Development Services  
Town Hall  
Westoe Road  
South Shields  
NE33 2RL  
[Local.Plan@southtyneside.gov.uk](mailto:Local.Plan@southtyneside.gov.uk)

#### **BY EMAIL ONLY**

Dear Ms Lamb

#### **Planning Consultation: Habitats Regulations Assessment (HRA) and Strategic Environmental Assessment (SEA) Screening Opinion for East Boldon Neighbourhood Plan**

Thank you for your consultation on the above dated 11 August 2020 which was received by Natural England on the same date.

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

#### **Screening Request - Habitats Regulations Assessment**

Natural England notes that your authority, as competent authority under the provisions of the Habitats Regulations, has screened East Boldon Neighbourhood Plan ('the Plan') to check for the likelihood of significant effects on European sites. With reference to Table 7.1 – HRA Screening Assessment of the draft SEA/HRA screening report, policy EB1 Sustainable Development sets out overarching development principles for the Plan. As explained in the said policy and throughout the report, the Plan does not allocate land for development or identify new development sites therefore significant effects from recreational disturbance and air pollution are unlikely to occur from the policies. Furthermore, where development within the settlement boundaries is supported, and comes forward through the South Tyneside Local Plan (as indicated in policy EB11 Cleadon Lane Industrial Estate and EB13 The Delivery of New Housing) "any potential LSE (Likely Significant Effects) will be considered through a Borough-wide HRA to support the Local Plan." As such the report concludes in section 7.12 that Appropriate Assessment of the Plan is not required.

Natural England agree with the conclusion of the screening assessment and note that the Plan does not allocate land for development.

#### **Screening Request: Strategic Environmental Assessment**

It is our advice, on the basis of the material supplied with the consultation, that, in so far as our strategic environmental interests (including but not limited to statutory designated sites, landscapes and protected species, geology and soils) are concerned, that there are unlikely to be significant environmental effects from the proposed plan.

Natural England agree with the conclusion of the SEA screening report.



## Neighbourhood Plan

Guidance on the assessment of Neighbourhood Plans, in light of the Environmental Assessment of Plans and Programmes Regulations 2004 (as amended), is contained within the [National Planning Practice Guidance](#). The guidance highlights three triggers that may require the production of an SEA, for instance where:

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

We have checked our records and based on the information provided, we can confirm that in our view the proposals contained within the plan will not have significant effects on sensitive sites that Natural England has a statutory duty to protect.

We are not aware of significant populations of protected species which are likely to be affected by the policies / proposals within the plan. It remains the case, however, that the responsible authority should provide information supporting this screening decision, sufficient to assess whether protected species are likely to be affected.

Notwithstanding this advice, Natural England does not routinely maintain locally specific data on all potential environmental assets. As a result the responsible authority should raise environmental issues that we have not identified on local or national biodiversity action plan species and/or habitats, local wildlife sites or local landscape character, with its own ecological and/or landscape advisers, local record centre, recording society or wildlife body on the local landscape and biodiversity receptors that may be affected by this plan, before determining whether an SA/SEA is necessary.

Please note that Natural England reserves the right to provide further comments on the environmental assessment of the plan beyond this SEA/SA screening stage, should the responsible authority seek our views on the scoping or environmental report stages. This includes any third party appeal against any screening decision you may make.

General advice regarding Biodiversity Net Gain and wider environmental gains that can be afforded through development plan policies is included in Annex A below.

For any queries relating to the specific advice in this letter only please contact Carolyn Simpson on 020 80265319. For any new consultations, or to provide further information on this consultation please send your correspondences to [consultations@naturalengland.org.uk](mailto:consultations@naturalengland.org.uk).

Yours sincerely

Carolyn Simpson  
Northumbria Area Team

## Annex A

### Biodiversity net gain

#### ***General advice and benefits of embedding biodiversity net gain***

Biodiversity net gain is a key tool to help nature's recovery and is also fundamental to health and wellbeing as well as creating attractive and sustainable places to live and work in. The National Planning Policy Framework (NPPF) highlights the role of '*policies and decision making to minimise impacts and provide net gains for biodiversity*' (para 170).

Planning Practice Guidance describes net gain as an '*approach to development that leaves the natural environment in a measurably better state than it was beforehand*' and applies to both biodiversity net gain and wider environmental net gains. For biodiversity net gain, the Biodiversity Metric 2.0, can be used to measure gains and losses to biodiversity resulting from development. We advise you to use this metric to implement development plan policies on biodiversity net gain. Any action, as a result of development, that creates or enhances habitat features can be measured using the metric and as a result count towards biodiversity net gain.

The Chartered Institute of Ecology and Environmental Management, along with partners, has developed 'good practice principles' for biodiversity net gain, which can assist plan-making authorities in gathering evidence and developing policy.

#### ***Advice on wider environmental gains***

Natural England focusses our advice on embedding biodiversity net gain in development plans, since the approach is better developed than for wider environmental gains. However your authority should consider the requirements of the NPPF (paragraph 72, 102, 118 and 170) and seek opportunities for wider environmental net gain wherever possible. This can be achieved by considering how policies and proposed allocations can contribute to wider environment enhancement, help adapt to the impacts of climate change and/or take forward elements of existing green infrastructure, open space or biodiversity strategies. Opportunities for environmental gains, including nature based solutions to help adapt to climate change, might include.

- Identifying opportunities for new multi-functional green and blue infrastructure.
- Managing existing and new public spaces to be more wildlife friendly (e.g. by sowing wild flower strips) and climate resilient
- Planting trees, including street trees, characteristic to the local area to make a positive contribution to the local landscape.
- Improving access and links to existing greenspace, identifying improvements to the existing public right of way network or extending the network to create missing footpath or cycleway links.
- Restoring neglected environmental features (e.g. a hedgerow or stone wall or clearing away an eyesore)
- Designing a scheme to encourage wildlife, for example by ensuring lighting does not pollute areas of open space or existing habitats.

Any habitat creation and/or enhancement as a result of the above may also deliver a measurable biodiversity net gain.

#### ***Evidence gathering***

Existing environmental evidence can be gathered from various sources including online data sources like MAGIC, Local Environmental Record Centres (LERCs) and strategies for green infrastructure, open space provision, landscape character, climate and ecosystem services and biodiversity opportunity mapping. Biodiversity data can also be obtained from developments that were subject to Environmental Impact Assessment (EIA) Monitoring, the discharge of conditions or monitoring information from legal agreements with a biodiversity element. This can help establish a baseline to understand what assets exist and how they may relate to wider objectives in the plan area. Cross boundary environmental opportunities can also be considered by working with neighbouring authorities, local nature partnership and/or the local enterprise partnership.



The relationship between environmental assets and key strategic growth areas may help to highlight potential opportunities that development could bring for the natural environment. The following may also be useful when considering biodiversity priorities in your plan area:

- What biodiversity currently exists, what is vulnerable or declining?
- How are existing assets connected, are there opportunities to fill gaps and improve connectivity?
- How does the above relate to neighbouring authority areas, can you work collaboratively to improve links between assets or take strategic approaches to address issues or opportunities?