Design of New Development Supplementary Planning Document

Habitats Regulation Assessment

July 2009

Darlington Local Development Framework

DARLINGTON BOROUGH COUNCIL

CONTENTS

1.0 INTRODUCTION

1.1 BACKGROUND

1.1.1 The Council has prepared a draft Design of new Development Supplementary Planning Document (Design SPD), a key part of Darlington's Local Development Framework. In accordance with The Conservation (Natural Habitats, &c.) (Amendment) Regulations 2007and European Communities (1992) Council Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora, the Council is required to undertake a Screening for Appropriate Assessment to identify any potential impact the Design SPD may have upon Natura 2000 sites.

1.2 NATURA 2000 SITES

1.2.1 Natura 2000 sites are of exceptional importance in respect of rare, endangered or vulnerable natural habitats and species within the European Community, including Special Protection Areas (SPAs) designated under the EU 'Wild Birds' Directive, Special Areas of Conservation (SACs) designated under the EU 'Habitats Directive' and Offshore Marine Site (OMS).

1.2.2 Planning Policy Statement 9 (PPS9) 'Biodiversity and Geological Conservation' states that Ramsar sites should be taken to be part of the Natura 2000 network and treated accordingly (para 6, PPS9, ODPM, 2005). Ramsar sites are wetlands of international importance, designated under the International Wetlands Convention.

1.2.3 As such, in this report 'Natura 2000 sites' refer to Special Protection Areas (SPAs), Special Areas of Conservation (SACs) and Ramsar sites.

1.3 HABITATS REGULATION ASSESSMENT PROCESS

1.3.1 Under the Habitats Regulations, Appropriate Assessment is an assessment of the potential effects of a proposed project or plan – either a development plan document (DPD) or a supplementary planning document (SPD) – on one of more sites of international nature conservation importance. Projects and plans can only be permitted where the 'competent authority' (in this case Darlington Borough Council) is satisfied that there will be no adverse effect on the integrity of the relevant nature sites.

1.3.2 The approach is based on the EU document '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' (Oxford Brookes University, for European Commission Environment DG. European Commission Environment DG, 2001), in particular the Annex 2 assessment forms.

1.3.3 Stage 1 of the Habitats Regulations Assessment process is the screening of proposed plans or projects for significant effects. Assessment of the significance of effects is undertaken in relation to the designated interest features and conservation objectives of the European site. Any effect that would compromise the functioning and viability of a site and prevent it from sustaining those features in a favourable condition is judged to create a significant effect. Where no significant effects are identified then no further steps need to be taken. Where significant effects seem likely, a more detailed Appropriate Assessment of the proposed plan or project is necessary. If insufficient information is available to make a clear judgment the precautionary principle should be adopted. This process will often establish mitigation measures or alternatives, which can offset all significant adverse effects and enable the plan or project to go forward. Where this is not the case, other more stringent measures need to be considered.

2.0 DESCRIPTION OF THE PLAN

2.1 DESIGN SPD

2.1.1 The Design SPD needs to be assessed to identify any aspects that might influence the key environmental conditions that need to be maintained or improved in order to preserve the integrity of European sites. Indirect as well as direct impacts have been considered.

2.2.2 The Design SPD provides clarity and detail about the design of new development in the Borough, including all public and private open spaces. It sets out how the Council expects the location, form and type of new development in Darlington to be considered through the design process.

2.2.3 Unlike the Development Plan Documents (DPD's) in the LDF such as the Core Strategy, the Design SPD is not proposing any new development or allocating new land for development. Its aim is to ensure new development promotes quality design. The Design SPD clarifies 'saved' Local Plan policies, as well as local, regional and national guidance that has been published since the adoption of the Local Plan where it does not conflict with 'saved' Local Plan policies. Therefore the SPD should not have a detrimental effect on the environment. In fact, the SPD should by definition mitigate environmental harm.

2.2.4 The Design SPD sets out a series of objectives:

1) Ensure that all new development meets high standards of sustainable design and construction to minimise the impact of climate change and reduce greenhouse gas emissions.
2) Ensure that the design of development provides for a form and type of development appropriate to its location to maintain and create attractive, accessible, healthy and inclusive sustainable communities so that everyone has the opportunity to live and work in a decent, safe, high quality environment.
3) Preserve and strengthen the scale, unique character, function and sense of place of Darlington's neighbourhoods, villages, landscapes, greenspaces, habitats and countryside and ensure that its distinctiveness is reflected in the design of new development.
4) Ensure that the design of new development maintains and creates an environment that everyone can be safe and feels safe from the effects of crime and anti social behaviour whilst minimising opportunities for offending behaviour.
5) Maintain and enhance Darlington town centre's character and scale through high quality design so that it continues to develop as a vibrant, attractive, safe and comfortable historic market town.
6) Raise the design quality of the Borough's educational, social, sporting, health, recreational and cultural facilities, as well as protecting and enhancing its natural and historic environments.
7) Promote design that maintains, expands and enhances convenient facilities and networks for public transport, walking and cycling, so that everyone is able to get around the Borough easily and affordably, whilst making the most of Darlington's existing transport infrastructure, providing appropriate vehicular access and parking suitable for its use and location.
8) Reinforce Darlington's multifunctional green infrastructure network of parks, open spaces, green corridors and countryside features through high quality design to protect and enhance biodiversity alongside creating greater public access for recreation.

2.3 POTENTIAL TYPES OF IMPACT

2.3.1 Following consideration of the Design SPD objectives and themes a number of potential impacts have been identified that could affect Natura 2000 sites. These potential impacts include:

- *Air quality*: Change in the composition of air that disperses in the vicinity of a Natura 2000 site can damage vegetation and harm species living in these habitats.
- *Water quality*: Change in the composition of water that flows to Natura 2000 sites can damage vegetation and harm species living in these habitats.
- *Hydrology*: Changes in hydrology can result in drought or flooding of Natura sites that can damage vegetation and species living in these habitats.
- *Habitat/species disturbance*: Disturbance both to habitats and to species travelling to Natura 2000 sites can damage vegetation and species living in these habitats.
- *Climate change*: Climate change will require habitats to be mobile so they can adapt to climate change, restrictions to movement will restrict ability to adapt to climate change.

2.3.2 Table 1 identifies the elements of each objective and the likely identifiable impacts. Table 1 will be used as part of the methodology to determine which Natura 2000 site should be included in the screening process. It will also be used to screen the Design SPD for full Appropriate Assessment.

Table 1: Design SPD Objectives and Impacts

Objective	Potential Type of Impact	Impact
Ensure that new development meets high standards of sustainable design and construction to minimise the impact of climate change and reduce greenhouse gas emissions.	Air Quality	Objective will improve air quality
	Water Quality	Objective will improve water quality
	Hydrology	Objective will mitigate against harm to hydrology
	Habitat or Species Disturbance	Objective will improve quality
	Climate Change	Objective will reduce impact on climate change
Ensure that design provides a form and type of development appropriate to its location to maintain and create attractive, accessible, healthy and inclusive sustainable communities so that everyone has the opportunity to live and work in a safe, high quality environment.	Air Quality	No effect
	Water Quality	No effect
	Hydrology	No effect
	Habitat or Species Disturbance	No effect
	Climate Change	No effect
Ensure that Darlington's distinctiveness is reflected in the design of new development to preserve and strengthen the scale, character, function and sense of place of the Borough's neighbourhoods, villages, landscapes and countryside.	Air Quality	Objective will not have detrimental effect, may improve air quality
	Water Quality	Objective will not have detrimental effect, may improve water quality
	Hydrology	Objective will mitigate against harm to hydrology
	Habitat or Species Disturbance	Objective will not have detrimental effect, may improve habitat quality
	Climate Change	Objective will reduce impact on climate change
Ensure that the design of new development maintains and creates an environment so that everyone can be safe and feels safe from the effects of crime and anti social behaviour whilst minimising opportunities for offending behaviour.	Air Quality	No effect
	Water Quality	No effect
	Hydrology	No effect
	Habitat or Species Disturbance	No effect
	Climate Change	No effect
Through high quality design, maintain and enhance Darlington town centre's character and scale so that it continues to develop as a vibrant, attractive, safe and distinctive historic market town.	Air Quality	No effect
	Water Quality	No effect
	Hydrology	No effect
	Habitat or Species Disturbance	No effect
	Climate Change	No effect
Protect and enhance the design quality of the Borough's educational, social, sporting, health, recreational and cultural facilities, natural and historic environments.	Air Quality	Objective will not have detrimental effect, may improve air quality
	Water Quality	Objective will not have detrimental effect, may improve water quality
	Hydrology	Objective will mitigate against harm to hydrology
	Habitat or Species Disturbance	Objective will not have detrimental effect, may improve habitat quality
	Climate Change	Objective will reduce impact on climate change
Through good design maintain, expand and enhance convenient facilities and networks for public transport, walking and cycling, so that everyone is able to get around the Borough easily and affordably, whilst making the most of Darlington's existing transport infrastructure, with vehicular access and parking suitable for its use and location.	Air Quality	Objective will improve air quality
	Water Quality	Objective will not have detrimental effect, may improve water quality
	Hydrology	Objective will mitigate against harm to hydrology
	Habitat or Species Disturbance	Objective will not have detrimental effect, may improve habitat quality
	Climate Change	Objective will reduce impact on climate change
Reinforce Darlington's multifunctional green infrastructure network through high quality design to protect and enhance biodiversity alongside creating greater public access for recreation.	Air Quality	Objective will improve air quality
	Water Quality	Objective will improve water quality
	Hydrology	Objective will mitigate against harm to hydrology
	Habitat or Species Disturbance	Objective will improve quality
	Climate Change	Objective will reduce impact on climate change

3.0 IDENTIFICATION AND DESCRIPTION OF NATURA 2000 SITES

3.1 METHODOLOGY

3.1.1 When assessing the impact of a plan on Natura 2000 sites it is important to consider the impact on Natura 2000 sites not only within the area the plan is to be implemented, but also those Natura 2000 sites outside of the plan boundary, but which could still be impacted by the plan. There is no defined distance within which Natura 2000 sites could be impacted by a plan, potentially a plan could impact upon a site a significant distance away from the plan area. Consequently the catchment area within which Natura 2000 sites could be affected by the plan should be considered on a case-by-case basis.

3.1.2 A methodology has been developed to determine which Natura 2000 sites should be included for screening for Appropriate Assessment. It will assess the criteria listed below:

1) Identify the likelihood for impacts to arise from the Design SPD that could have an impact on a Natura 2000 site by analysing the contents of the plan. This is given in Table 1 in the previous section of this report.
2) Identify the likelihood for impacts of the plan to travel by air, including dust, emissions and noise, from impact sources to a Natura 2000 site.
3) Identify the likelihood for impacts of the plan to travel from impact source by pathways such as roads and waterways to a Natura 2000 site.
4) Identify the likelihood for species to be impacted through migration or foraging patterns across the Borough to Natura sites.

All of the above will help determine if development and activity related to the Design SPD in the Borough could potentially impact upon Natura 2000 sites. Sites identified through this process will be considered in the screening assessment to determine if the Design SPD requires full Appropriate Assessment.

3.2 IMPACT TYPE

3.2.1 Type of impacts, previously discussed, that could emerge from the Design SPD are as follows:

- Air quality
- Water quality
- Hydrology
- Species / habitat disturbance
- Climate change

Further details are given in Table 1 earlier in this report.

3.3 DISTANCE

3.3.1 Figure 1 shows the location of Natura sites within the Borough and within 25km (at 5km intervals) of the Borough boundary. It shows there are no sites within the Borough, no sites within 5km and only one site within 10km of the Borough. Consequently it is very unlikely that noise and dust pollution originating in the Borough as a consequence of the Design SPD would impact upon a Natura 2000 site. Despite the long distance between the Borough and the Natura 2000 sites, there is some potential for impacts by transportation of gas emissions by the prevailing north-westerly wind. Consequently Natura 2000 sites to the north west of the Borough will be included in the screening process. This includes Thrislington SAC, Castle Eden Dene SAC, Durham Coast SAC and Teesmouth and Cleveland Coast SPA/Ramsar in Hartlepool and Redcar and Cleveland.

3.4 RIVERS

3.4.1 Figure 2 shows the rivers that flow from the Borough. It shows that a number of rivers flow through Natura 2000 sites or into another river that flows through Natura 2000 sites. Natura 2000 sites that are linked to the Borough by river include Teesmouth and Cleveland Coast SPA/RAMSAR Tees Bay from Billingham Beck, Lustrum Beck and the River Tees. Activities proposed by the Design SPD within or on the banks of these rivers could impact upon this site in terms of waterborne pollution and hydrology.

3.4.2 The River Tees flows through part of the Pennine Moors but as it is 20km or more upstream of Darlington, activities suggested in the Design SPD will not have an impact on this site. There are no other Natura 2000 sites that have rivers that flow through them from Darlington.

3.5 ROADS

3.5.1 Figure 3 shows the roads linking the Borough to other areas of population. Research has shown that emissions from road traffic from motorways and major roads reach background levels beyond 200m, therefore emissions from motorways can be higher than background levels within 200m of a major road. English Nature's (now Natural England's) advice to Runnymede Borough Council on traffic-related air pollution, based on interim guidance from the Department for Transport (2005), was that NO2 emissions only need to be considered if there is a road carrying a significant proportion of new traffic related to the plan within 200m of a European site. Therefore, Natura 2000 sites within 200m of a major road could be damaged as a consequence of higher than normal levels of pollutants from vehicle emissions.

3.5.2 As there are no Natura 2000 sites within Darlington, if these sites are to be affected by increased traffic generation it will occur as a result of traffic travelling to and from the Borough. Figure 3.3 identifies the main centres of population outside of Darlington and the main roads linking these centres to Darlington. The main centres of population are within the Tees Valley City Region including Hartlepool, Stockton, Middlesbrough and Redcar and Cleveland. Other potential centres are those to the north in Tyne and Wear and centres in North Yorkshire, both accessed by the A1. The map shows the main routes between these centres and Darlington do not pass within 200m of a Natura 2000 site. Consequently it is unlikely increased traffic generation as a consequence of the Design SPD will impact upon a Natura 2000 site.

3.6 SPECIES MOVEMENT

3.6.1 Figure 4 shows, the distance between the Borough and Natura 2000 sites. Combined with the small scale development considerations advocated by the Design SPD it means it is unlikely that species movement to and from Natura 2000 sites will be affected by the Design SPD.

4.0 NATURA 2000 SITES TO BE ASSESSED

4.0.1 Based on the assessment in the previous section of this chapter, the Natura 2000 sites listed below are to be included in the screening assessment. These sites include:

- Castle Eden Dene SAC, Easington
- Thrislington SAC, Sedgefield
- Teesmouth and Cleveland Coast SPA/RAMSAR, Hartlepool
- Teesmouth and Cleveland Coast SPA/RAMSAR, Hartlepool and Redcar & Cleveland
- Durham Coast SAC, Easington

4.0.2 To understand the potential impacts of the Design SPD on the Natura 2000 sites it is important to understand the following key factors about each site (see pp 10-12 for details):

- Description of each site in terms of species and habitats it contains.
- Conservation objectives of each site
- Aspects of the site that are vulnerable and that could be particularly sensitive to change in the environment.

4.0.3 Tables 2 to 6 provide this information for each of the identified Natura 2000 sites. A number of data sources were used to compile this data. The data sources used are listed below:

- English Nature, Appropriate Assessment development plans – North East England, provision of site information.
- Joint Nature Conservation Committee www.jncc.gov.uk
- Government Office for the North East, Draft Appropriate Assessment of the Regional Spatial Strategy.
- Natural England GIS Digital Boundary Datasets http://www.english-nature.org.uk/pubs/gis/gis_register.asp

Natura 2000 Sites – Key Factors

Thrislington SAC, Sedgefield
Located within 20km of the Borough, Thrislington is a relatively small site (22.58ha) but contains the largest of the few surviving stands of CG8 Sesleria albicans - Scabiosa columbaria grassland
Brief Description*   Designated under Article 4.1 of the Directive (79/409/EEC) as it supports populations of European importance on Annex I: ▪ **Semi-natural dry grasslands and scrubland facies: on calcareous substrates** *(Festuco-Brometalia)*
Conservation Objectives**   To maintain, in favourable condition: ▪ unimproved calcareous grassland, particularly semi-natural dry grasslands and scrubland facies on calcareous substrates (CG8 grasslands)
Vulnerability   • The conditions of these grasslands are dependent upon continuous management by seasonally-adjusted grazing and no fertiliser input. The site is now a National Nature Reserve and management on these traditional lines has been reintroduced at the site.   • The site is fairly stable and there are little vulnerabilities. Strategies increasing the population, the amount of traffic and development are likely to exacerbate air quality impacts.   • The vegetation composition and structure is also at risk of being affected by increased nutrient inputs.

*Natura 2000 Data form for Thrislington SAC, JNCC
**SAC: Thrislington Component SSSI: Thrislington Plantation Draft Conservation objectives for the European interest on the SSSI, 2006, Natural England

Castle Eden Dene SAC, Durham
Located within 20km of the Borough, Castle Eden Dene (194.4ha) represents the most extensive northerly native occurrence of yew *Taxus baccata* woods in the UK. Extensive yew groves are found in association with ash-elm *Fraxinus-Ulmus* woodland. It is the only site selected for yew woodland on Magnesian limestone in north-east England.
Brief Description*   This site is designated under Article 4.1 of the Directive (79/409/EEC) as it supports populations of European importance listed on Annex I: ▪ **Taxus baccata woodland**
Conservation Objectives**   To maintain, in favourable condition: ▪ Taxus baccata woodland.   This can be done by: ▪ Ensuring no loss of ancient semi natural stands   ▪ Site management   ▪ Limiting air pollution   ▪ Limiting grazing by ungulates where it leads to undesirable shifts in the composition/structure of the land.
Vulnerability   • Yew woodlands are distributed throughout the site within other woodland types. The site is managed as a National Nature Reserve and the Management Plan provides for regeneration of this woodland type.   • Site management is essential to maintain the current level and structural diversity.   • It is currently affected and at risk from pollution, including eutrophication from adjacent farmland; whilst excessive grazing may lead to undesirable changes in composition and structure.   • Increased air pollution is likely to damage site integrity through disease of trees and an associated increase in the rate of Taxus baccata-mortality in the long term.

*Natura 2000 data form for Castle Eden Dene SAC, JNCC
**cSAC: Castle Eden Dene Component SSSI: Castle Eden Dene Conservation objectives for the European interests on the SSSI, 2006, Natural England

Durham Coast SAC, Durham
Partially located within 20km of the Borough, it is the only example of vegetated sea cliffs on Magnesian limestone exposures in the UK. These cliffs (393.63ha) extend along the North Sea coast for over 20km from South Shields southwards to Blackhall Rocks.
Brief Description*   This site is designated under Article 4.1 of the Directive (79/409/EEC) as it supports populations of European importance listed on Annex I: ▪ **Vegetated sea cliffs** of the Atlantic and Baltic coasts.   Within these habitats rare species of contrasting phytogeographic distributions often grow together forming unusual and species-rich communities of high conservation interest. The communities 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.
Conservation Objectives**   Subject to natural change, to maintain, in favourable condition: ▪ vegetated sea cliffs of the Atlantic and Baltic Coasts   This can be done by: ▪ maintaining the overall length and/or area of habitat with no increase in linear extent   ▪ maintaining a range of physical conditions on the site, continued range of maritime grasslands and community transitions

- preventing no increase in species not normally associated with this community in the UK.

Vulnerability

- The site is currently affected by, or at risk from increasing physical constraints which would reduce the mobility of the cliffs and reduce the range of communities. Any changes in the composition of cliff vegetation communities will damage site integrity.
- Parts of the site are managed as a 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.

*Natura 2000 data form Durham Coast SAC, JNCC

**SPA: Northumbria Coast, SPA: Teesmouth and Cleveland Coast, pSAC: Durham Coast Component SSSI: Durham Coast Draft Conservation objectives for the European interest on the SSSI, 2006, Natural England

Teesmouth and Cleveland Coast SPA, Redcar and Cleveland, Stockton on Tees, Hartlepool

Partially located within 20km of the Borough, Teesmouth and Cleveland Coast (1247.31ha) includes a range of coastal habitats – sand and mud-flats, rocky shore, saltmarsh, freshwater marsh and sand dunes – on and around an estuary which has been considerably modified by human activities.

Brief Description*

This site is designated under Article 4.1 of the Directive (79/409/EEC) as it supports populations of European importance listed on Annex I:

- **Little Tern** *Sterna albifrons,* during breeding season, 37 pairs representing at least 1.5% of the breeding population in Great Britain (4 year mean 1993-1996).
- **Sandwich Tern** *Sterna sandvicensis*, on passage, 2,190 individuals representing at least 5.2% of the population in Great Britain (5 year mean 1991-1995)

Supporting criterion for;

- **Ringed Plover** *Charadrius hiaticula*, on passage, 634 individuals representing at least 1.3% of the Europe/Northern Africa - wintering population (5 yr mean spring 91-95) (On Passage)
- **Knot** *Calidris canutus*, Over winter, 4,190 individuals representing at least 1.2% of the wintering Northeastern Canada/Greenland/Iceland/Northwestern Europe population (5 year peak mean 1991/2 - 1995/6)
- **Redshank** *Tringa totanus*, over winter, 1,648 individuals representing at least 1.1% of the wintering Eastern Atlantic - wintering population (5 year peak mean 87-91)

Assemblage qualification: A wetland of international importance. The area qualifies under Article 4.2 of the Directive (79/409/EEC) by regularly supporting at least 20,000 waterfowl. Over winter, the area regularly supports 21,406 individual **waterfowl** (5 year peak mean 1991/2 - 1995/6) including: Sanderling *Calidris alba*, Lapwing *Vanellus vanellus*, Shelduck *Tadorna tadorna*, Cormorant *Phalacrocorax carbo*, Redshank *Tringa totanus*, Knot *Calidris canutus*.

Conservation Objectives**

To maintain, in favourable condition:

- the habitats for populations of Annex 1 [Wild Birds Directive] (Little Tern) species of European importance, particularly; intertidal sand and mudflats, sand dunes, coastal waters
- the habitats for the populations of migratory bird species (Redshank and Knot) of European importance, particularly; rocky shores, intertidal sand and mudflats, saltmarsh, freshwater marsh
- the habitats for the populations of waterfowl that contribute to the wintering waterfowl assemblage of European importance, particularly; rocky shores, intertidal sand and mudflats, saltmarsh, freshwater marsh, standing water

This can be done by;

- maintaining food availability
- suitable areas for breeding terns
- lack of disturbance
- maintenance of hydrology and flow, suitable water depth

Vulnerability

- Disturbance caused by offshore/marine activity is a key issue for designated species – this may take the form of recreational use of surrounding waters.
- This site is influenced by chemical discharges from industrial use along the Tees and from nutrient enrichment from agricultural use of the Tees Valley.
- Increased nitrogen deposition is likely to have a negative affect on the site. It is likely to alter the vegetation structure and composition, and reduce the area of un-vegetated beach suitable for nesting Little Tern.
- Increased recreational use of waters surrounding the site is likely to affect Tern breeding success.
- Reduced water quality may affect the invertebrate populations supporting wintering and breeding birds.

*Natura 2000 data form for Teesmouth and Cleveland Coast SPA, JNCC

**SPA: Teesmouth and Cleveland Coast (Extended Area) Component SSSI: Tees and Hartlepool Foreshore and Wetlands Draft Conservation objectives for the European interest on the SSSI, 2006, Natural England

Teesmouth and Cleveland Ramsar, Redcar and Cleveland, Stockton-on-Tees, Hartlepool

Partially located within 20km of the Borough, Teesmouth and Cleveland Coast (1247.31ha) includes a range of coastal habitats – sand- and mud-flats, rocky shore, saltmarsh, freshwater marsh and sand dunes – on and around an estuary which has been considerably modified by human activities.

Brief Description*

This site is designated under Article 4.1 of the Directive (79/409/EEC) as it supports populations of European importance listed on Annex I:

- **Waterfowl** - internationally important numbers of passage/winter water birds at designation: 9258 waterfowl (5 year peak mean 1998/99 – 2002/2003).
- **Common redshank** - (Tringa totanus totanus): 883 individuals, representing an average of 0.7 % of the UK population (5 year peak mean 1998/9-2002/3)
- **Red knot** - (Calidris canutus islandica). (migrating from West and Southern Africa) (wintering): 2579 individuals, representing an average of 0.9 % of the UK population (5 year peak mean 1998/9-2002/3)

Supporting criteria for designation:
- **Little Tern -** *(Sternula albifrons albifrons)* nationally important numbers of breeding (40 pairs, circa 2% of the national population)

Passage species of importance (at designation):
- **Northern shoveler -** *(Anas clypeata)* (migrating between NW and C Europe): 7 individuals representing an average of 0% of the GB population (5 year peak mean 1998/9-2002/3);
- **Common greenshank -** *(Tringa nebularia),* (migrating between Europe and West Africa): 7 individuals representing an average of 1.1% of the GB population (5 year peak mean 1998/9-2002/3).

Nationally important invertebrates (British Red Data Book species):
- Pherbellia grisecens
- Thereva valida
- Longitarsus nigerrimus
- Dryops nitidulus
- Macroplea mutica
- Philonthus dimidiatipennis
- Trichohydnobius suturalis

Nationally scarce higher plants:
- Festuca arenaria
- Puccinellia rupestris
- Ranunculus baudotii

Conservation Objectives

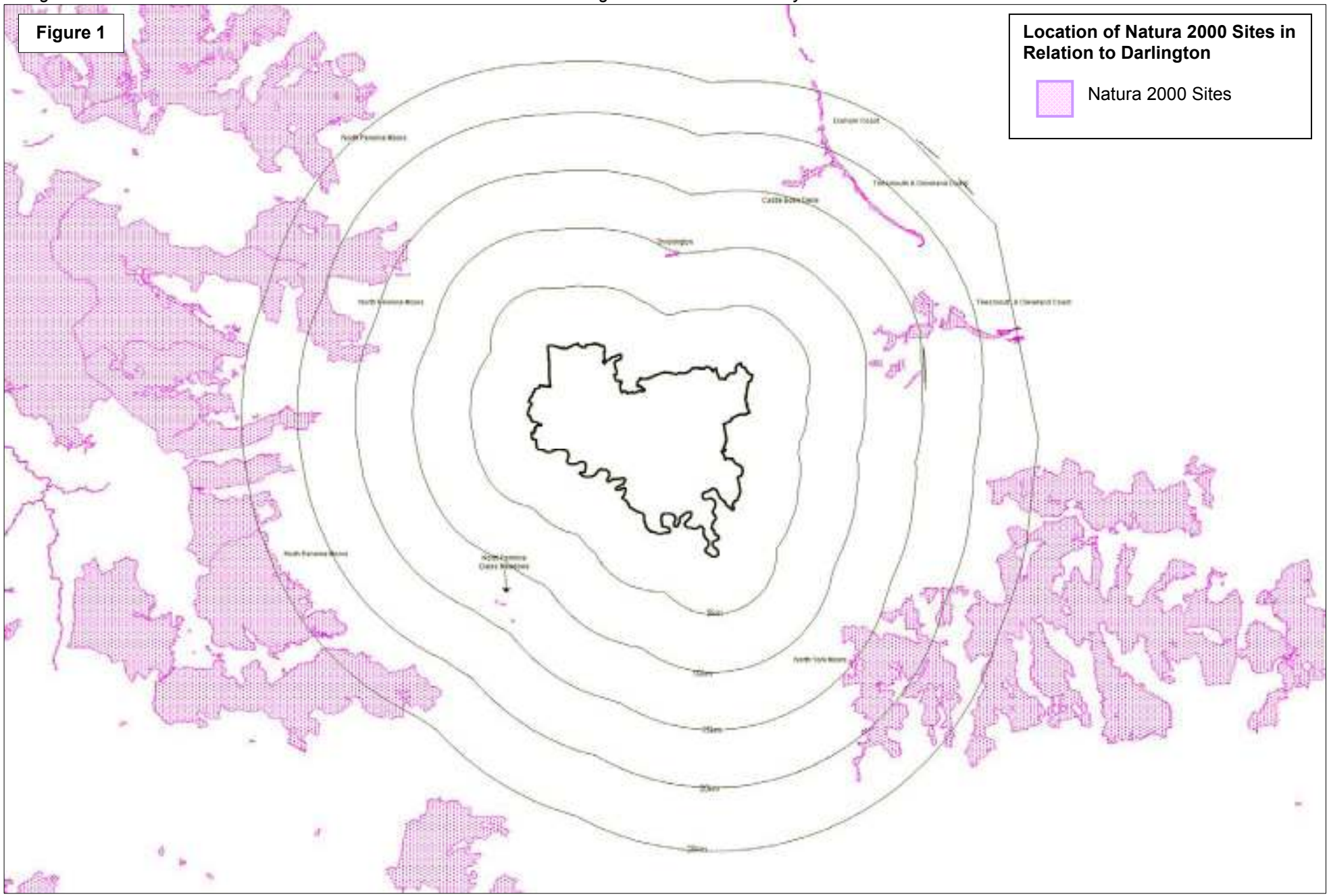
No information is available, but the conservation objectives are likely to be similar to Teesmouth and Cleveland Coast SPA as above.

Vulnerability

- The site is currently affected by nitrogen enrichment from sewage discharges, encroachment of scrub into dune habitats, disturbance from recreational use of the site and incursion of coarse marine sediment into estuary (the latter is a natural process).
- Disturbance caused by offshore/marine activity is a key issue for designated species. This may take the form of recreational use of surrounding waters which is likely to affect Tern breeding success.
- Reduced water quality may affect the invertebrate populations supporting wintering and breeding birds.

*Information Sheet on Ramsar Wetlands (RIS), JNCC

Figure 1


Location of Natura 2000 Sites in Relation to Darlington
Natura 2000 Sites

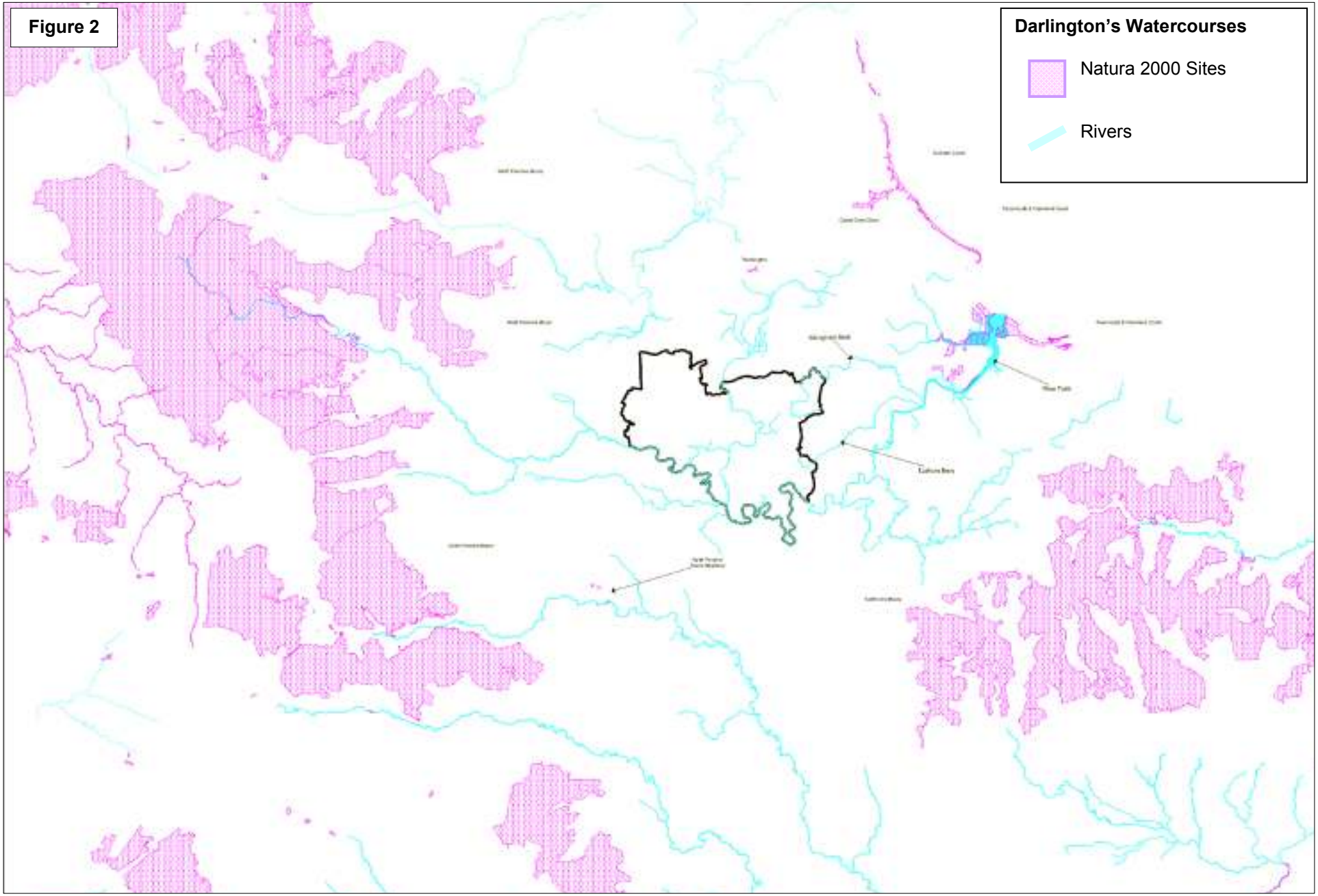


Figure 2
Darlington's Watercourses
Natura 2000 Sites
Rivers

Figure 3

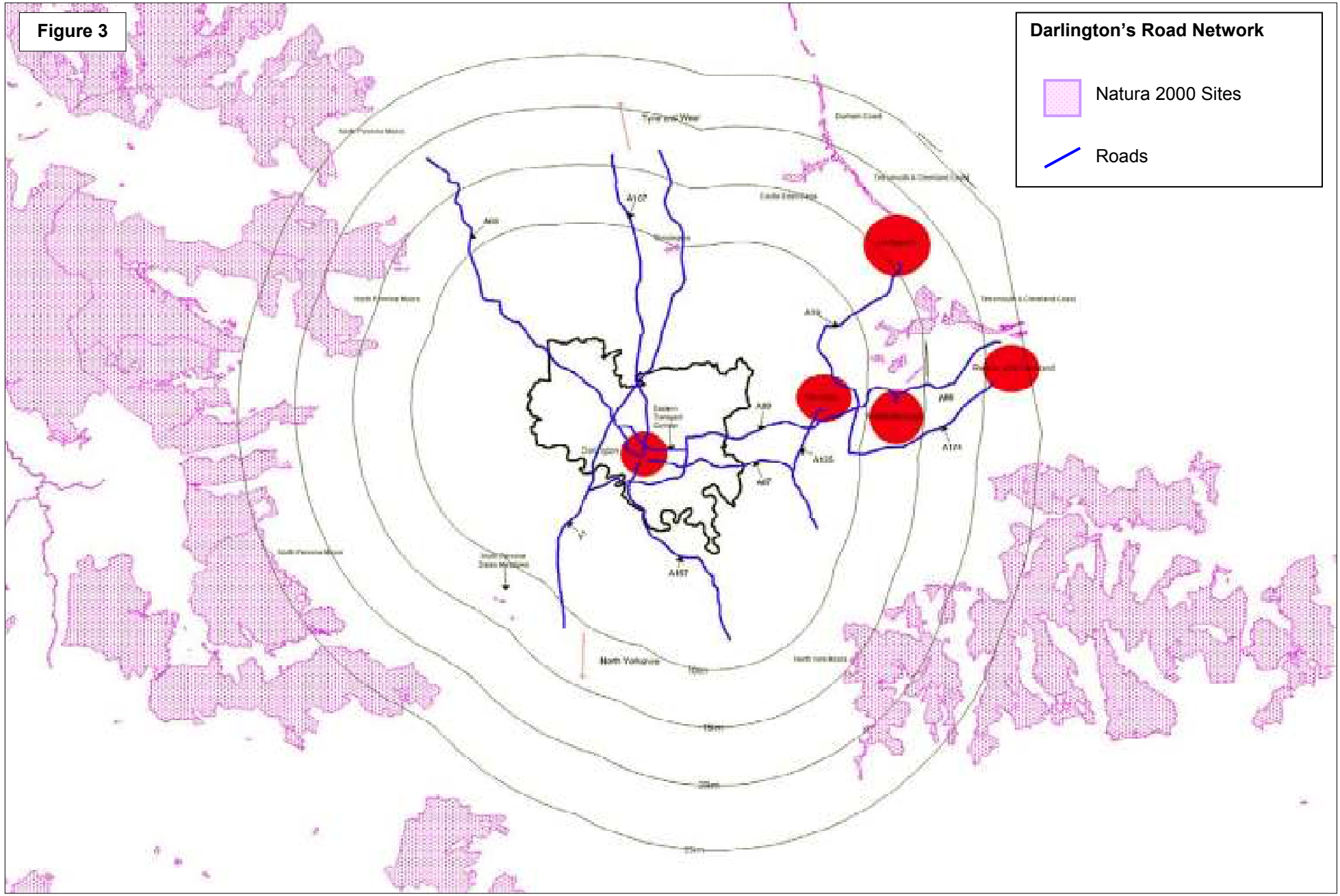
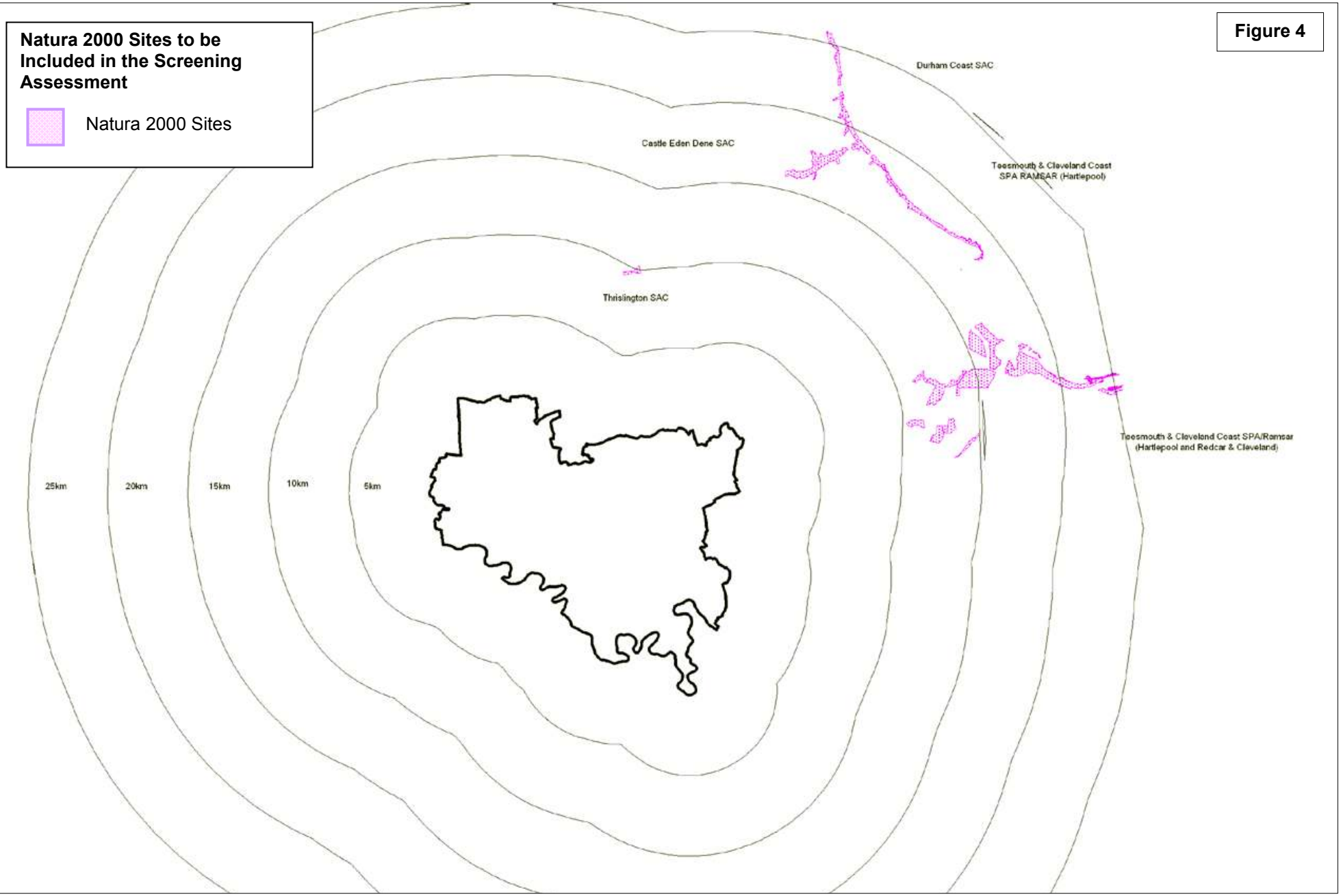

Darlington's Road Network
Natura 2000 Sites
Roads
A167
A66
A1(M)
A19
A689
A1(M)
A167
North Yorkshire

Figure 4


Natura 2000 Sites to be Included in the Screening Assessment
Natura 2000 Sites
Durham Coast SAC
Castle Eden Dene SAC
Teesmouth & Cleveland Coast SPA RAMSAR (Hartlepool)
Thrislington SAC
Teesmouth & Cleveland Coast SPA/Ramsar (Hartlepool and Redcar & Cleveland)
25km
20km
15km
10km
5km

4.0 ASSESSMENT OF LIKELY SIGNIFICANCE

4.1 SCREEING PROCESS

4.1.1 As part of the screening process set out in the EU Guidance for Appropriate Assessment the assessment forms in Annex 2 of the guidance must be completed. The assessment forms include:

- Screening Matrix
- Finding of no significant effects report matrix

This section of the report addresses the questions set out in the assessment forms. The evidence that informs the responses is contained in previous sections of this report, plus supporting information in Tables 2-7.

4.2 ASSESSMENT TABLE

4.2.1 Tables 8 - 12 set out any potential impacts the content of the Design SPD could have upon the Natura 2000 sites. The potential impacts of the Design SPD are those identified previously in this report. The assessment table concludes that there are no detrimental impacts generated by the Design SPD, which could then have an adverse affect on Natura 2000 sites.

4.3 ASSESSMENT WITH OTHER PLANS

4.3.1 Even where a plan on its own may not have a significant impact on a European site, it may have a significant 'in combination' impact with other trends, plans and projects. However it is important to note that if the Design SPD does not generate any impacts it is not necessary to consider 'in combination' impacts. This is supported by Levett-Therivel Sustainability Consultants et al. that 'if the plan plus existing trends alone are unlikely to significantly affect a site, then the effects of other plans and projects do not need to be considered' (Appropriate Assessment of Plans (2006), p.24). At this stage of the assessment no likely impacts can be established, hence it is not possible to assess 'in combination' impacts at this stage.

Potential Impacts on Air Quality				
Sites Potentially Affected	**Impact**	**Significance**	**In combination?**	**Mitigation**
Thrislington SAC	No detrimental impact.	None	No	None
Durham Coast SAC				
Teesmouth & Cleveland Coast SPA/ RAMSAR Tees Bay				
Teesmouth &Cleveland Coast SPA/RAMSAR Hartlepool				
Castle Eden Dene SAC				
Conclusion: This element can be screened out at this stage.				
Potential Impacts on Water Quality				
Sites Potentially Affected	**Impact**	**Significance**	**In combination?**	**Mitigation**
Thrislington SAC	No detrimental impact. Water quality may be improved.	None	No	None
Durham Coast SAC				
Teesmouth & Cleveland Coast SPA/RAMSAR Tees Bay				
Teesmouth & Cleveland Coast SPA/RAMSAR Hartlepool				
Castle Eden Dene SAC				
Conclusion: This element can be screened out at this stage.				
Potential Impacts on Direct Disturbance				
Sites Potentially Affected	**Impact**	**Significance**	**In combination?**	**Mitigation**
Thrislington SAC	No detrimental impact.	None	No	None
Durham Coast SAC				
Teesmouth & Cleveland Coast SPA/RAMSAR Tees Bay				
Teesmouth & Cleveland Coast SPA/RAMSAR Hartlepool				
Castle Eden Dene SAC				
Conclusion: This element can be screened out at this stage.				

Potential Impacts on Hydrology				
Sites Potentially Affected	**Impact**	**Significance**	**In combination?**	**Mitigation**
Thrislington SAC	No detrimental impact.	None	No	None
Durham Coast SAC				
Teesmouth & Cleveland Coast SPA/RAMSAR Tees Bay				
Teesmouth & Cleveland Coast SPA/RAMSAR Hartlepool				
Castle Eden Dene SAC				
Conclusion: This element can be screened out at this stage.				
Potential Impacts on Climate Change				
Sites Potentially Affected	**Impact**	**Significance**	**In combination?**	**Mitigation**
Thrislington SAC	No detrimental impact. May reduce the impact on climate change.	None	No	None
Durham Coast SAC				
Teesmouth & Cleveland Coast SPA/RAMSAR Tees Bay				
Teesmouth & Cleveland Coast SPA/RAMSAR Hartlepool				
Castle Eden Dene SAC				
Conclusion: This element can be screened out at this stage.				

5.0 SCREENING MATRIX

5.0.1 Tables 13 and 14 describe the possible impacts resulting from any policies or proposals in the Design SPD on the Natura 2000 sites. The assessment in Table 13 has been used to complete the Screening Matrix.

Table 13: Screening Matrix

Brief Description of the Project or Plan
The Design SPD provides clarity and detail about the design of new development in the Borough, including all public and private open spaces. It sets out how the Council expects the location, form and type of new development in Darlington to be considered through the design process.
Brief Description of Natura Sites
The following sites have been included in the Screening Matrix for the Design SPD: • Castle Eden Dene SAC, Easington • Thrislington SAC, Sedgefield • Teesmouth and Cleveland Coast SPA/RAMSAR, Hartlepool • Teesmouth and Cleveland Coast SPA/RAMSAR, Hartlepool and Redcar & Cleveland • Durham Coast SAC, Easington
Describe the individual elements of the project (either alone or in combination with other plans or projects) likely to give rise to impacts on a Natura 2000 site
The Design SPD is not likely to give rise to impacts on any Natura 2000 sites.
Describe any likely direct, indirect or secondary impacts of the project (either alone or in combination with other plans or projects) on the Natura 2000 sites
The Design SPD is not likely to give rise to impacts on any Natura 2000 sites.
Describe any likely changes to the site arising as a result of: • **reduction of habitat area:** • **disturbance to key species;** • **habitat or species fragmentation;** • **reduction in species density;** • **changes in key indicators of conservation value (water quality etc.);** • **climate change**
The Design SPD is not likely to give rise to impacts on any Natura 2000 sites.
Describe any likely impacts on the Natura 2000 site as a whole in terms of: • **interference with the key relationships that define the structure of the site;** • **interference with key relationships that define the function of the site.**
The Design SPD is not likely to give rise to impacts on any Natura 2000 sites.
Provide indicators of significance as a result of the identification of effects set out above in terms: • **loss;** • **fragmentation;** • **disruption;** • **disturbance;** • **change to key elements of the site (e.g. water quality etc.).**
The Design SPD is not likely to give rise to impacts on any Natura 2000 sites.
Describe from the above those elements of the project or plan, or combination of elements, where the above impacts are likely to be significant or where the scale or magnitude of impacts is not known
The Design SPD is not likely to give rise to impacts on any Natura 2000 sites.

6.0 FINDING OF NO SIGINIFICANT EFFECTS REPORT MATRIX

6.0.1 For all objectives in the Design SPD no significant effects have been identified. As such the matrix that reports the finding of no significant effects (Table 14) has been completed.

Table 14: No Significant Effects Matrix

Criteria	Assessment
Name of project or plan	Darlington Borough Council Design SPD.
Name and location of Natura 2000 sites	Castle Eden Dene SAC, Easington Thrislington SAC, Sedgefield Teesmouth and Cleveland Coast SPA/RAMSAR, Hartlepool Teesmouth and Cleveland Coast SPA/RAMSAR, Hartlepool and Redcar & Cleveland Durham Coast SAC, Easington
Description of the project or plan	The Design SPD provides clarity and detail about the design of new development in the Borough, including all public and private open spaces. It sets out how the Council expects the location, form and type of new development in Darlington to be considered through the design process.
Is the project or plan directly connected with or necessary to the management of the site (provide details)?	No
Are there other projects or plans that together with the project or plan being assessed could affect the site (provide details)?	No

7.0 CONCLUSIONS

7.0.1 This report finds no significant detrimental effects of the Design SPD. Following consultation on the Design of New Development SPD and related Appropriate Assessment no adverse comments were received. The Design AA has been amended to reflect the comments made. Therefore the Darlington Design SPD is not likely to give rise to any negative impacts on any Natura 2000 sites.

APPENDIX 1: REFERENCES

EC Guidance
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, European Commission, 2001
The Habitats Directive' Directive 92/43/EEC on the Conservation of Natural Habitats and Wild Fauna and Flora, Council of the European Communities, 1992

Government Guidance
Planning for the Protection of European Sites: Appropriate Assessment – Guidance for Regional Spatial Strategies and Local Development Documents, DCLG, 2006
Consultation on the Conservation (Natural Habitats, &c.) (Amendment) (England and Wales) Regulations DEFRA, 2006

Other Organisations Guidance
Appropriate Assessment of development plans – North East England, Provision of site information, English Nature, 2006
www.jncc.gov.uk/page-4, Joint Nature Conservation Committee, 2007
Appropriate Assessment of Plans, Scott Wilson, Levett-Therival, TEC and LUC, 2006
Habitats Regulations Assessment, Screening Matrix for the Knowsley-Peel-Linacre Supplementary Planning Document and Stanley Road Supplementary Planning Document and Canalside Sites Supplementary Planning Document, Sefton Council, 2007
Draft Appropriate Assessment of the Regional Spatial Strategy for the North East, Treweek Environmental Consultants, 2007