

Cambois Connection – Onshore Scheme
Environmental Statement Volume 3
Technical Appendix 4.2:
Scoping Opinion and Responses



Northumberland County Council

Edward Walker
Xodus Group
Xodus House
50 Huntly Street
Aberdeen
AB10 1RS

Our Ref: 22/04118/SCOPE
Your Ref:
Contact: Mr David Love
Direct Line: 07517553360
E-Mail: David.love@northumberland.gov.uk
Date: 4th January 2023

Dear Sir/Madam,

TOWN & COUNTRY PLANNING ACT 1990

Town and Country Planning (Environmental Impact Assessment) Regulations 2011

Proposal Scoping Opinion for the Cambois Connection Onshore Scheme

Location Land East Of A189 East Sleekburn Northumberland

I refer to your Scoping request concerning the above that was received on 4th November 2022

Please find attached the Council's Scoping opinion. Please note that the attached is a scoping opinion only and no comment or advice is provided as to the content of any subsequent application. If you require this information the council offers a pre-application advice service. Further information can be found on our website.

Please do not hesitate to contact me if I can be of any further assistance.

Yours faithfully,

Mr David Love

Development Services



Northumberland County Council

Edward Walker Xodus Group Xodus House 50 Huntly Street Aberdeen AB10 1RS	Planning Ref: 22/04118/SCOPE Your Ref: Contact: Mr David Love Direct Line: Email: David.Love@northumberland.gov.uk Date: 29th December 2022
---	--

Via email

Dear Edward

Scoping Opinion of Northumberland County Council The Town and Country Planning (Environmental Impact Assessment) Regulations 2017

Proposal: Cambois Connection Onshore Scheme
Location: Land East of A189, East Sleekburn, Northumberland

I refer to your letter dated 4th November 2022 in which you request a Scoping Opinion from Northumberland County Council based on the information contained in the Scoping Report provided with your request. Northumberland County Council's Scoping Opinion on the information to be provided in the Environmental Statement is attached.

I trust this is of some assistance. If you require any clarification on the contents of the Scoping Opinion, please do not hesitate to contact me.

Yours sincerely

David Love
Senior Planning Officer
Planning Services



Northumberland County Council

The Town and Country Planning (Environmental Impact Assessment) Regulations 2017

SCOPING OPINION

Proposal: Cambois Connection Onshore Scheme

Location: Land East of A189, East Sleekburn, Northumberland

Introduction

Regulation 15 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (“the 2017 EIA Regulations”) enables a person who is minded making an EIA application to ask the relevant planning authority to state in writing their opinion as to the information to be provided in the accompanying Environmental Statement (a “scoping opinion”). In this way, the applicant can be clear what the planning authority considers are the potential impacts on the environment which should be assessed in connection with the proposed development.

On 4th November 2022, Xodus Group (on behalf of Berwick Bank Windfarm Ltd) requested a scoping opinion from Northumberland County Council in connection with a proposed onshore connection at Cambois, East Sleekburn, Northumberland.

This is Northumberland County Council’s Scoping Opinion on the information to be provided in the Environmental Statement (ES).

Description of the proposed development and site

The proposal relates to the development of an onshore connection to the National Grid infrastructure from the Berwick Bank Offshore Windfarm. It is proposed that the development would comprise the following elements:

- A new landfall located along the Cambois coastline,
- High Voltage Direct Current (HVDC) onshore export cables connecting the offshore export cables at the new landfall and the new proposed converter station;
- A new converter station to convert HVDC electricity into High Voltage Alternating Current (HVAC), such that it can be incorporated into the UK energy network via underground HVAC cables;
- New HVAC underground grid cables connecting the new converter station and the existing National Grid substation located within the Northumberland Energy Park, adjacent to Sleek Burn and the River Blyth; and

- Works to facilitate the safe integration of the HVAC grid cables and the existing National Grid substation.

The site area totals some 700ha. However, it is understood that the site area has been drawn quite loose to allow for the design evolution. The key concerns relate to the natural environment coastal designations that the development has the potential to impact. As the design develops, we would happily provide further, in-depth comment. For example, within the entire site area there are some elements of localised flooding which may impact on the proposals but are not expected to be of considerable concern.

Need for EIA

The proposal is for the onshore connection element of the Berwick Bank Windfarm. This development required to undergo the full EIA process and as such this proposal must be considered 'in the round' and cumulative effects fully assessed. In this regard the proposal falls under Schedule one of the EIA regulations. As a result, an ES is required to support the application.

The ES should be proportionate to the proposal and should scope out those elements that have already been assessed by the original consent for the offshore windfarm. Only those elements relevant to the onshore components of the development should be assessed where they result in an impact on their own or cumulatively with the already consented windfarm.

Consultation

The Council has a duty under Regulation 15 of the 2017 Regulations to consult the relevant statutory consultation bodies before adopting a scoping opinion. In respect of this proposal, the Council has consulted the following bodies:

- Natural England
- Environment Agency
- Marine Management Organisation

The following internal consultees have also been consulted:

- County Ecologist

Copies of the responses received from the above are provided in Appendix A, as separate documents. The applicant should refer to these responses when undertaking the ES.

Scoping Methodology

In accordance with Regulation 15, before adopting a Scoping Opinion, the Council must consider the specific characteristics of the development and of development of the type

concerned, together with the environmental features likely to be affected by the proposed development.

General Structure of the Environmental Statement

Schedule 4 of 2017 Regulations provides details of information that must be included in an ES.

The Council recommends that the ES follows the structure outlined below:

- Method Statement
- Conclusions of scoping exercise – the key issues
- Description of the proposed development, site, and surroundings, including alternatives studied
- Plans and policies context
- Assessment of environmental effects by topic area
- Inter-relationships/Conclusions
- Appendices – technical data

The ES should not be overly long and should be understandable to the public. Ideally, it should not contain technical jargon or include technical data and calculations that can only be understood by experts. Technical words should always be explained where their use is unavoidable, and technical data can be provided in separate appendices.

A separate non-technical summary is also required in accordance with the 2017 Regulations. This should ideally be no more than 10 pages of easily reproducible text and illustrations. It should include information on the development, the main environmental impacts, and the mitigating measures.

Planning policies

The ES is required to demonstrate full compliance with all relevant national and local planning policies. In this instance the relevant policies would be the National Planning Policy Framework and the Planning Practice Guidance. The Development Plan consists of the Northumberland Local Plan (adopted 31 March 2022). The policies from each that are relevant to the assessment of the proposed development are listed below.

Northumberland Local Plan (March 2022):

- Policy STP 1: Spatial strategy
- Policy STP 2: Presumption in favour of sustainable development
- Policy STP 3: Principles of sustainable development
- Policy STP 4: Climate change mitigation and adaption

- Policy STP 5: Health and wellbeing
- Policy QOP 1: Good design and amenity
- Policy QOP 3: Public realm design principles
- Policy QOP 4: Landscaping and trees
- Policy QOP 5: Sustainable design and construction
- Policy TRA 2: The effects of development on the transport network
- Policy ENV 1: Approaches to assessing the impact of development on the natural, historic, and built environment
- Policy ENV 2: Biodiversity and geodiversity
- Policy ENV 3: Landscape
- Policy WAT 1: Water Quality
- Policy WAT 3: Flooding
- Policy WAT 4: Sustainable Drainage Systems
- Policy POL 1: Unstable and contaminated land
- Policy POL 2: Pollution and air, soil, and water quality
- Policy INF 5: Open space and facilities for sport and recreation

EIA Topics

The applicant has submitted an EIA Scoping Report dated 4th November 2022, the contents of which are considered in this response. Comments in the Scoping Opinion are set in the same order as the Scoping Report to assist with the identification of various topic areas.

There are no comments in relation to the following and we agree with the proposed method for the latter four bullet points:

- Introduction
- Legislative Policy and Context
- Project Description
- Approach to Scoping and EIA Methodology
- Stakeholder Engagement and Consultation
- Archaeology and Cultural Heritage
- Hydrogeology and Contaminated Land
- Traffic and Transport

- Socioeconomics, Recreation and Tourism

You should consider flood risk and construction impacts as part of the proposals.

Please note that I have not sought to recreate the general thrust of the consultee comments, therefore comments below should be considered in context of their submissions.

Likely Significant Effects of the Development

Terrestrial Ecology / Ornithology

The development site is within or may impact on the following European/internationally designated nature conservation site(s):

- Berwickshire and North Northumberland Coast Special Area of Conservation (SAC)
- Durham Coast Special Area of Conservation (SAC)
- Northumbria Coast Special Protection Area (SPA)
- Northumberland Marine Special Protection Area (SPA)
- Teesmouth and Cleveland Coast SPA
- Northumbria Coast Ramsar
- Teesmouth and Cleveland Coast Ramsar
- Lindisfarne Ramsar

The ES should thoroughly assess the potential for the proposal to affect nationally and internationally designated sites of nature conservation importance, including marine sites where relevant. European sites (Special Areas of Conservation (SAC) and Special Protection Areas (SPA) fall within the scope of the Conservation of Habitats and Species Regulations 2017 (the 'Habitats Regulations'). In addition paragraph 181 of the National Planning Policy Framework (NPPF) requires that potential SPAs, possible SAC, listed or proposed Ramsar sites, and any site identified or required as compensatory measures for adverse effects on habitat (European) sites, potential SPAs, possible SACs and listed or proposed Ramsar sites have the same protection as classified sites (NB. sites falling within the scope of regulation 8 of the Conservation of Habitats and Species Regulations 2017 are defined as 'habitats sites' in the NPPF). Under Regulation 63 of the Habitats Regulations, an appropriate assessment must be undertaken in respect of any plan or project which is (a) likely to have a significant effect on a European site (either alone or in combination with other plans or projects) and (b) not directly connected with or necessary to the management of the site. The consideration of likely significant effects should include any functionally linked land outside the designated site. These areas may provide important habitat for mobile species populations that are qualifying features of the site, for example birds and bats. This can also include areas which have a critical function to a

habitat feature within a designated site, for example by being linked hydrologically or geomorphologically.

Should a likely significant effect on a European/Internationally designated site be identified (either alone or in-combination) or be uncertain, the competent authority (in this case the Local Planning Authority) may need to prepare an appropriate assessment in addition to the consideration of impacts through the EIA process. Further guidance is set out in Planning Practice Guidance on appropriate assessment.

The development site is within or may impact on the following Site of Special Scientific Interest:

- Durham Coast Site of Special Scientific Interest (SSSI)
- Hadston Links Site of Special Scientific Interest (SSSI)
- Northumberland Shore Site of Special Scientific Interest (SSSI)

The Environmental Statement should include a full assessment of the direct and indirect effects of the development on the features of special interest within the SSSI and identify appropriate mitigation measures to avoid, minimise or reduce any adverse significant effects. The consideration of likely significant effects should include any functionally linked land outside the designated site. These areas may provide important habitat for mobile species populations that are interest features of the SSSI, for example birds and bats. This can also include areas which have a critical function to a habitat feature within a site, for example by being linked hydrologically or geomorphologically.

The proposal may affect the following Marine Conservation Zones:

- Coquet to St Mary's Marine Conservation Zone (MCZ)
- Berwick to St Mary Marine Conservation Zone (MCZ)

The ES should include a full assessment of the direct and indirect effects of the development on the site and identify appropriate mitigation measures to avoid, minimise or reduce any adverse significant effects.

Landscape and Visual Amenity

The environmental assessment should refer to the relevant National Character Areas. Character area profiles set out descriptions of each landscape area and statements of environmental opportunity.

The ES should include a full assessment of the potential impacts of the development on local landscape character using landscape assessment methodologies. We encourage the use of Landscape Character Assessment (LCA), based on the good practice guidelines produced jointly by the Landscape Institute and Institute of Environmental Assessment in 2013. LCA provides a sound basis for guiding, informing, and understanding the ability of

any location to accommodate change and to make positive proposals for conserving, enhancing or regenerating character.

A landscape and visual impact assessment should also be carried out for the proposed development and surrounding area. Natural England recommends use of the methodology set out in Guidelines for Landscape and Visual Impact Assessment 2013 ((3rd edition) produced by the Landscape Institute and the Institute of Environmental Assessment and Management. For National Parks and AONBs, we advise that the assessment also includes effects on the 'special qualities' of the designated landscape, as set out in the statutory management plan for the area. These identify the landscape and related characteristics which underpin the natural beauty of the area and its designation status.

The assessment should also include the cumulative effect of the development with other relevant existing or proposed developments in the area. This should include an assessment of the impacts of other proposals currently at scoping stage.

To ensure high quality development that responds to and enhances local landscape character and distinctiveness, the siting and design of the proposed development should reflect local characteristics and, wherever possible, use local materials. Account should be taken of local design policies, design codes and guides as well as guidance in the National Design Guide and National Model Design Code. The ES should set out the measures to be taken to ensure the development will deliver high standards of design and green infrastructure. It should also set out detail of layout alternatives, where appropriate, with a justification of the selected option in terms of landscape impact and benefit.

Noise and Vibration

The proposed approach is considered acceptable and there no further comments.

Air Quality

Air quality in the UK has improved over recent decades but air pollution remains a significant issue. For example, approximately 85% of protected nature conservation sites are currently in exceedance of nitrogen levels where harm is expected (critical load) and approximately 87% of sites exceed the level of ammonia where harm is expected for lower plants (critical level of 1µg) [1]. A priority action in the England Biodiversity Strategy is to reduce air pollution impacts on biodiversity. The Government's Clean Air Strategy also has several targets to reduce emissions including to reduce damaging deposition of reactive forms of nitrogen by 17% over England's protected priority sensitive habitats by 2030, to reduce emissions of ammonia against the 2005 baseline by 16% by 2030 and to reduce emissions of NOx and SO2 against a 2005 baseline of 73% and 88% respectively by 2030. Shared Nitrogen Action Plans (SNAPs) have also been identified as a tool to reduce environmental damage from air pollution.

The planning system plays a key role in determining the location of developments which may give rise to pollution, either directly, or from traffic generation, and hence planning

decisions can have a significant impact on the quality of air, water, and land. The ES should take account of the risks of air pollution and how these can be managed or reduced. This should include taking account of any strategic solutions or SNAPs, which may be being developed or implemented to mitigate the impacts on air quality. Further information on air pollution impacts and the sensitivity of different habitats/designated sites can be found on the Air Pollution Information System

Climate Change and Carbon Assessment

The ES should identify how the development affects the ability of the natural environment (including habitats, species, and natural processes) to adapt to climate change, including its ability to provide adaptation for people. This should include impacts on the vulnerability or resilience of a natural feature (i.e., what is already there and affected) as well as impacts on how the environment can accommodate change for both nature and people, for example whether the development affects species ability to move and adapt. Nature-based solutions, such as providing green infrastructure on-site and in the surrounding area (e.g., to adapt to flooding, drought, and heatwave events), habitat creation and peatland restoration, should be considered. The ES should set out the measures that will be adopted to address impacts.

Further information is available from the Committee on Climate Change's (CCC) Independent Assessment of UK Climate Risk, the National Adaptation Programme (NAP), the Climate Change Impacts Report Cards (biodiversity, infrastructure, water etc.) and the UKCP18 climate projections.

The Natural England and RSPB Climate Change Adaptation Manual (2020) provides extensive information on climate change impacts and adaptation for the natural environment and adaptation focused nature-based solutions for people. It includes the Landscape Scale Climate Change Assessment Method that can help assess impacts and vulnerabilities on natural environment features and identify adaptation actions. Natural England's Nature Networks Evidence Handbook (2020) also provides extensive information on planning and delivering nature networks for people and biodiversity.

The ES should also identify how the development impacts the natural environment's ability to store and sequester greenhouse gases, in relation to climate change mitigation and the natural environment's contribution to achieving net zero by 2050. Natural England's Carbon Storage and Sequestration by Habitat report (2021) and the British Ecological Society's nature-based solutions report (2021) provide further information.

Assessment of Alternatives

The ES should set out a detailed analysis of reasonable alternatives (including location and scale) and the decisions to take forward or discard alternatives, from project inception to final design of the scheme and proposed mitigation.

Cumulative Impacts

The need to address cumulative impacts as set out in the scoping report and should be included in the ES.

Closing Remarks

This Scoping Opinion is provided in accordance with the 2017 Regulations and has taken account of the nature and scale of the proposals, the nature of the receiving environment and current best practice in the preparation of Environmental Statements.

Comments and recommendations in this Scoping Opinion should be read in conjunction with the information submitted with this request. The Scoping Opinion does not represent the Northumberland County Council's final view in relation to an application for planning permission. This Scoping Opinion does not preclude Northumberland County Council from subsequently requiring the person who made the request (or submits a planning application for the proposed development) to submit additional information in connection with any application for planning permission.

In accordance with Regulation 28 of the 2017 Regulations, a copy of this Scoping Opinion will be made available for public inspection on the planning register.

Report author: Name: David Love, Senior Planning Officer

Date:

Checked by: Name: Tamsin Wood

Date: 4/1/23

Fw: Planning Consultation 22/04118/SCOPE Land East Of A189 East Sleekburn Northumberland

Louise Deas <Louise.Deas@northumberland.gov.uk>


on behalf of

Planning Mailbox <planning@northumberland.gov.uk>

Fri 18/11/2022 10:57 AM

To: Planning Comments <PlanningComments@northumberland.gov.uk>

Cc: David Love <David.Love@northumberland.gov.uk>

 1 attachments (72 KB)

ufm2_External_Consultation_21days.pdf;

Hi,

Please see below re comments.

Thanks,

Louise

Central Registry Team
Planning Department
County Hall
Morpeth
Northumberland
NE61 2EF

To help us with your enquiry please quote the **planning reference number** and keep the **email chain** when replying thank you!

To help us reduce the number of emails and make efficient use of our resources it would be appreciated if you do not copy in this mailbox unless absolutely necessary.

Northumberland County Council fully supports the submission of applications online through the Planning Portal. Why not [submit your application online?](#)

From: SM-MMO-SH - MFA Marine Consents (MMO) <marine.consents@marinemanagement.org.uk>

Sent: 18 November 2022 10:43

To: Planning Mailbox <planning@northumberland.gov.uk>

Subject: FW: Planning Consultation 22/04118/SCOPE Land East Of A189 East Sleekburn Northumberland

CAUTION: This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Marine Licensing, Wildlife Licences and other permissions

Dear Sir/Madam,

Please be aware that any works within the Marine area require a licence from the Marine

Management Organisation. It is down to the applicant themselves to take the necessary steps to ascertain whether their works will fall below the Mean High Water Springs mark.

Response to your consultation

The Marine Management Organisation (MMO) is a non-departmental public body responsible for the management of England's marine area on behalf of the UK government. The MMO's delivery functions are; marine planning, marine licensing, wildlife licensing and enforcement, marine protected area management, marine emergencies, fisheries management and issuing European grants.

Marine Licensing

Works activities taking place below the mean high water mark may require a marine licence in accordance with the Marine and Coastal Access Act (MCAA) 2009.

Such activities include the construction, alteration or improvement of any works, dredging, or a deposit or removal of a substance or object below the mean high water springs mark or in any tidal river to the extent of the tidal influence.

Applicants should be directed to the MMO's online portal to register for an application for marine licence

<https://gbr01.safelinks.protection.outlook.com/?url=https%3A%2F%2Fwww.gov.uk%2Fguidance%2Fmake-a-marine-licence-application&data=05%7C01%7Cplanning%40northumberland.gov.uk%7Ced410cfdbb3545f3f36008dac951c19a%7Cbb13a9de829042f0a980dc3bdfe70f40%7C0%7C0%7C638043650483940202%7CUnknown%7CTWFpbGZsb3d8eyJWljojMC4wLjAwMDAiLCJQIjoiV2luMzliLCJBTiI6IjEhaWwiLCJXVCi6Mn0%3D%7C3000%7C%7C%7C&:sdata=tvUvOEr0KVQ2FX5bykqPCNtA5Ut9TU5eFSDRjjow3ys%3D&reserved=0>

You can also apply to the MMO for consent under the Electricity Act 1989 (as amended) for offshore generating stations between 1 and 100 megawatts in English waters.

The MMO is also the authority responsible for processing and determining Harbour Orders in England, together with granting consent under various local Acts and orders regarding harbours.

A wildlife licence is also required for activities that that would affect a UK or European protected marine species.

The MMO is a signatory to the coastal concordat and operates in accordance with its principles. Should the activities subject to planning permission meet the above criteria then the applicant should be directed to the follow pages: check if you need a marine licence and asked to quote the following information on any resultant marine licence application:

- * local planning authority name,
- * planning officer name and contact details,
- * planning application reference.

Following submission of a marine licence application a case team will be in touch with the relevant planning officer to discuss next steps.

Environmental Impact Assessment

With respect to projects that require a marine licence the EIA Directive (codified in Directive 2011/92/EU) is transposed into UK law by the Marine Works (Environmental Impact Assessment) Regulations 2007 (the MWR), as amended. Before a marine licence can be granted for projects that require EIA, MMO must ensure that applications for a marine licence are compliant with the MWR.

In cases where a project requires both a marine licence and terrestrial planning permission, both the MWR and The Town and Country Planning (Environmental Impact Assessment) Regulations <https://gbr01.safelinks.protection.outlook.com/?url=http%3A%2F%2Fwww.legislation.gov.uk%2Fuksi%2F2017%2F571%2Fcontents%2Fmade&data=05%7C01%7Cplanning%40northumberland.gov.uk%7Ced410cfdbb3545f3f36008dac951c19a%7Cbb13a9de829042f0a980dc3bdfe70f40%7C0%7C0%7C638043650483940202%7CUnknown%7CTWFpbGZsb3d8eyJWljiMC4wLjAwMDAiLCJQIjoiV2luMzliLCJBTiI6IjEhaWwiLCJXVCI6Mn0%3D%7C3000%7C%7C%7C&reserved=0> may be applicable.

If this consultation request relates to a project capable of falling within either set of EIA regulations, then it is advised that the applicant submit a request directly to the MMO to ensure any requirements under the MWR are considered adequately at the following link

<https://gbr01.safelinks.protection.outlook.com/?url=https%3A%2F%2Fwww.gov.uk%2Fguidance%2Fmake-a-marine-licence-application&data=05%7C01%7Cplanning%40northumberland.gov.uk%7Ced410cfdbb3545f3f36008dac951c19a%7Cbb13a9de829042f0a980dc3bdfe70f40%7C0%7C0%7C638043650483940202%7CUnknown%7CTWFpbGZsb3d8eyJWljiMC4wLjAwMDAiLCJQIjoiV2luMzliLCJBTiI6IjEhaWwiLCJXVCI6Mn0%3D%7C3000%7C%7C%7C&reserved=0>

Marine Planning

Under the Marine and Coastal Access Act 2009 ch.4, 58, public authorities must make decisions in accordance with marine policy documents and if it takes a decision that is against these policies it must state its reasons. MMO as such are responsible for implementing the relevant Marine Plans for their area, through existing regulatory and decision-making processes.

Marine plans will inform and guide decision makers on development in marine and coastal areas. Proposals should conform with all relevant policies, taking account of economic, environmental and social considerations. Marine plans are a statutory consideration for public authorities with decision making functions.

At its landward extent, a marine plan will apply up to the mean high water springs mark, which includes the tidal extent of any rivers. As marine plan boundaries extend up to the level of the mean high water spring tides mark, there will be an overlap with terrestrial plans which generally extend to the mean low water springs mark.

A map showing how England's waters have been split into 6 marine plan areas is available on our website. For further information on how to apply the marine plans please visit our Explore Marine Plans service.

Planning documents for areas with a coastal influence may wish to make reference to the MMO's licensing requirements and any relevant marine plans to ensure that necessary regulations are adhered to. All public authorities taking authorisation or enforcement decisions that affect or might affect the UK marine area must do so in accordance with the Marine and Coastal Access Act and the UK Marine Policy Statement unless relevant considerations indicate otherwise. Local authorities may also wish to refer to our online guidance and the Planning Advisory Service soundness self-assessment checklist. If you wish to contact your local marine planning officer you can find their

details on our gov.uk page.

Minerals and waste plans and local aggregate assessments

If you are consulting on a mineral/waste plan or local aggregate assessment, the MMO recommend reference to marine aggregates is included and reference to be made to the documents below;

- * The Marine Policy Statement (MPS), section 3.5 which highlights the importance of marine aggregates and its supply to England's (and the UK) construction industry.
- * The National Planning Policy Framework (NPPF) which sets out policies for national (England) construction minerals supply.
- * The Managed Aggregate Supply System (MASS) which includes specific references to the role of marine aggregates in the wider portfolio of supply.
- * The National and regional guidelines for aggregates provision in England 2005-2020 predict likely aggregate demand over this period including marine supply.

The NPPF informed MASS guidance requires local mineral planning authorities to prepare Local Aggregate Assessments, these assessments have to consider the opportunities and constraints of all mineral supplies into their planning regions - including marine. This means that even land-locked counties, may have to consider the role that marine sourced supplies (delivered by rail or river) play - particularly where land based resources are becoming increasingly constrained.

If you require further guidance on the Marine Licencing process, please follow the link <https://gbr01.safelinks.protection.outlook.com/?url=https%3A%2F%2Fwww.gov.uk%2Ftopic%2Fplanning-development%2Fmarine-licences&data=05%7C01%7Cplanning%40northumberland.gov.uk%7Ced410cfdbb3545f3f36008dac951c19a%7Cbb13a9de829042f0a980dc3bdfe70f40%7C0%7C0%7C638043650483940202%7CUnknown%7CTWFpbGZsb3d8eyJWljojMC4wLjAwMDAiLCJQIjoiV2luMzliLCJBTiI6IjEhaWwiLCJXVCI6Mn0%3D%7C3000%7C%7C%7C&sdata=i6DUAf2Ggu03UQIKLge%2BLyzjZh5Nov0T1QOI%2FSuJrxo%3D&reserved=0>

Regards
Andy

Andy Davis | Administration Officer Business Support Team | Marine Management Organisation

Lancaster House, Hampshire Court, Newcastle Business Park, Newcastle upon Tyne, NE4 7YH
Andrew.Davis@marinemanagement.org.uk | Tel: +44 02080265093 Mob: 07920365419
Website | Twitter | Facebook | LinkedIn | Blog | Instagram | Flickr | YouTube | Google+ | Pinterest
Our MMO Values: Together we are Accountable, Innovative, Engaging and Inclusive

-----Original Message-----

From: planning@northumberland.gov.uk <planning@northumberland.gov.uk>

Sent: 16 November 2022 12:22

To: SM-MMO-SH - MFA Marine Consents (MMO) <marine.consents@marinemanagement.org.uk>

Subject: Planning Consultation 22/04118/SCOPE Land East Of A189 East Sleekburn Northumberland

Please see attached planning consultation

Save Time Do It Online!

We have made a few key improvements to our site to make our services easy to access. Now you can do everything from paying your council tax, to reporting a faulty street light online. Go to:

[https://gbr01.safelinks.protection.outlook.com/?](https://gbr01.safelinks.protection.outlook.com/?url=http%3A%2F%2Fwww.northumberland.gov.uk%2F&data=05%7C01%7Cplanning%40northumberland.gov.uk%7Ced410cfdbb3545f3f36008dac951c19a%7Cbb13a9de829042f0a980dc3bdfef70f40%7C0%7C0%7C638043650483940202%7CUnknown%7CTWFpbGZsb3d8eyJWlloiMC4wLjAwMDAiLCJQljoiv2luMzliLCJBTiI6I6k1haWwiLCJXVCI6Mn0%3D%7C3000%7C%7C%7C&sdata=p19qCd8PQzc4uEcJoMO6ksaT8Ox86SwHAJ3ACFvx5kA%3D&reserved=0)

[url=http%3A%2F%2Fwww.northumberland.gov.uk%2F&data=05%7C01%7Cplanning%40northumberland.gov.uk%7Ced410cfdbb3545f3f36008dac951c19a%7Cbb13a9de829042f0a980dc3bdfef70f40%7C0%7C0%7C638043650483940202%7CUnknown%7CTWFpbGZsb3d8eyJWlloiMC4wLjAwMDAiLCJQljoiv2luMzliLCJBTiI6I6k1haWwiLCJXVCI6Mn0%3D%7C3000%7C%7C%7C&sdata=p19qCd8PQzc4uEcJoMO6ksaT8Ox86SwHAJ3ACFvx5kA%3D&reserved=0](http%3A%2F%2Fwww.northumberland.gov.uk%2F&data=05%7C01%7Cplanning%40northumberland.gov.uk%7Ced410cfdbb3545f3f36008dac951c19a%7Cbb13a9de829042f0a980dc3bdfef70f40%7C0%7C0%7C638043650483940202%7CUnknown%7CTWFpbGZsb3d8eyJWlloiMC4wLjAwMDAiLCJQljoiv2luMzliLCJBTiI6I6k1haWwiLCJXVCI6Mn0%3D%7C3000%7C%7C%7C&sdata=p19qCd8PQzc4uEcJoMO6ksaT8Ox86SwHAJ3ACFvx5kA%3D&reserved=0) and click 'pay, apply or report' to

access the relevant forms.

This email is intended solely for the individual or individuals to whom it is addressed, and may contain confidential and/or privileged material. If you are not the intended recipient you are notified that disclosing, copying, distributing or taking any action in reliance on the contents of this email is prohibited. If you receive this email in error, please contact the sender and delete the email from any computer. All email communication may be subject to recording and/or monitoring in accordance with internal policy and relevant legislation.

[Northumberland County Council Stay Home]

This message has been sent using TLS 1.2

The Marine Management Organisation (MMO) The information contained in this communication is intended for the named recipient(s) only. If you have received this message in error, you are hereby notified that any disclosure, copying, distribution or taking action in reliance of the content is strictly prohibited and may be unlawful. Whilst this email and associated attachments will have been checked for known viruses whilst within MMO systems, we can accept no responsibility once it has left our systems. Communications on the MMO's computer systems may be monitored and/or recorded to secure the effective operation of the system and for other lawful purposes.

From: Miriam Baines, Ecologist

Ref: 22/04118/SCOPE

To: Development Management

Date: 13/12/2022

Extension: 07740 368782

Copy to: David Feige, Environment & Design Team
Manager and County Ecologist

Scoping Opinion for the Cambois Connection Onshore Scheme | Land East Of A189 East Sleekburn Northumberland

Thank you for consulting me on this planning application.

Summary

The scoping Opinion is based on an undefined project covering a large area, most of which won't be impacted by the development and the Preliminary Ecological Appraisal submitted (SLR 2022) will help inform the location and scope of the development and therefore the scope of the surveys required to fully assess the impacts of the development.

It is important that we are reconsulted when further decisions have been made and my response to this scoping opinion is necessarily general and confined mostly to the questions asked within the Scoping Document.

Overall, the Scoping report and Preliminary Ecological Appraisal are on the right lines though there is the potential for further adjustments to be required. There will clearly be a need for an assessment under the Conservation of Habitats and Species Regulations 2017 (HRA) for ornithology, as well as a full Ecological Impact Assessment for both terrestrial and ornithological receptors.

The scope of the development may need to be assessed further out to sea than the area of "the Project" as some of the Protected sites (eg the Northumberland Coast SPA and Ramsar Site and the Northumberland Marine SPA) locations include marine environment and the full extent of impacts will need to be assessed.

Terrestrial Ecology

Question 1

Do you agree that the data sources and surveys identified are likely to be sufficient to inform the terrestrial ecology baseline for the EIA?

In general the data sources are adequate for initial baseline.

There is a possibility that other data sources may be required to provide further information to inform specific surveys once the development has been refined. These can be advised as part of further consultation.

Question 2

Do you agree that all the statutory and non-statutory designated sites within the potential to be affected have been identified?

The response from Natural England also includes a number of European Protected Sites which lie at a distance from the development site. They advise that potential impacts to these sites need to be considered in the EIA and will need to be subject to Screening within the HRA.

Question 3

Do you have any comments on the proposed scope and extent of the further surveys for protected, priority and notable species?

At this stage, No. However further survey and the refinement of the development footprint may reveal the need for further surveys.

For instance, in this area, Open Mosaic Habitat may be more extensive than realised and the extent of associated invertebrates which specialise in this habitat (eg butterflies such as dingy skipper and grayling) may be unknown. Invertebrates may thrive on areas of grassland which do not necessarily meet the standard of Habitats of Principal Importance but have specific plant species and microclimate requirements which are present. Invertebrate surveys are scoped in, and if any open mosaic habitat is present and potentially impacted then the default is that invertebrate surveys are required.

Question 4

Do you agree that all potential impacts have been identified for important onshore ecological features?

Further impacts may be required once the development has been refined and once initial surveys have been undertaken and we cant predict all impacts to ecology at this stage.

Our experience of EclAs and HRAs on coastal sites is that noise levels may need to be assessed for ecological receptors (especially, but not necessarily exclusively for birds), not just for human receptors. Disturbance by noise is scoped into the Ornithological section 7 of the Scoping Document but not specifically within the Terrestrial ecology and I wanted to specifically highlight this potentially important impact for this development.

Question 5

Do you agree that the proposed mitigation measures described provide a suitable means for managing and mitigating the potential effects of the project on important onshore ecological features (insofar as it is possible to identify relevant mitigation requirements at this early stage)

This needs further survey and assessment to verify, it is too soon to be certain.

Question 6

Please could consultees provide details of any other developments that should be included in the cumulative assessment?

Although not a development, it is important to note that there is a site at Cambois that is managed by NCC as a mitigation site for SSSI waders, in connection with the Blyth Local Development Order. Accordingly, it will be important to avoid impacts on this. Further details will be supplied directly to SLR.

Ornithology

The approach has been agreed with Natural England and apparently Northumberland County Council (I don't have details of these discussions) and it would seem a sensible approach in view of the recent marine assessment. The main impacts that we are likely to be concerned with are set out and in particular functional habitat (high tide roosting sites and breeding sites for SPA, SSSI and protected sea birds) must be fully identified, assessed and impacts mitigated.

With respect to other birds, it is unlikely that breeding bird or wintering bird surveys will be required, but this can't be ruled out completely until we have a more detailed project and habitat surveys.

I hope that these comments are of assistance but if you require any further information regarding this matter, please contact me at this office.

Miriam Baines

Ecologist

Environment & Design, Northumberland County Council.



Historic England

Mr David Love

Direct Dial: 0191 4031632

Northumberland County Council

County Hall

Our ref: **W**: P01555775

Morpeth

Northumberland

NE61 2EF

13 February 2023

Dear Mr Love

**T&CP (Development Management Procedure) (England) Order 2015
& Planning (Listed Buildings & Conservation Areas) Regulations 1990**

**LAND EAST OF A189 EAST SLEEKBURN NORTHUMBERLAND
Application No. 22/04118/SCOPE**

Thank you for your letter of 24 January 2023 regarding the above Scoping request.

There appear to be no heritage assets which would normally fall within Historic England's statutory remit within the study area. As such, although the scoping report seems to take into account other designated heritage assets, we suggest that your specialist conservation and archaeological advisers would be best placed to comment on this in detail, if they have not already done so.

You may also find it helpful to refer to our published advice at <https://historicengland.org.uk/advice/find/>

It is not necessary to consult us on this application again, unless there are material changes to the proposals. However, if you would like advice from us, please contact us to explain your request.



BESSIE SURTEES HOUSE 41-44 SANDHILL NEWCASTLE-UPON-TYNE NE1 3JF

Telephone 0191 269 1255
HistoricEngland.org.uk





Historic England

Yours sincerely

Mike Collins

Team Leader (Development Advice)

E-mail: mike.collins@HistoricEngland.org.uk



BESSIE SURTEES HOUSE 41-44 SANDHILL NEWCASTLE-UPON-TYNE NE1 3JF

Telephone 0191 269 1255
HistoricEngland.org.uk



Historic England is subject to both the Freedom of Information Act (2000) and Environmental Information Regulations (2004). Any Information held by the organisation can be requested for release under this legislation.

Development Management
Development Services
County Hall
Morpeth
NE61 2EF

Our ref: NA/2022/116075/01-L01
Your ref: 22/04118/SCOPE
Date: 14 December 2022

Dear David

SCOPING OPINION FOR THE CAMBOIS CONNECTION ONSHORE SCHEME LAND EAST OF A189 EAST SLEEK BURN NORTHUMBERLAND

Thank you for referring the above Scoping Opinion which we received on 16 November 2022. Having reviewed the supporting documentation, we would expect the following matters to be considered and dealt with as part of any planning application of these works:

Flood Risk

The development raises some environmental concerns/issues regarding flood risk. The developer may need to undertake further work to show how these issues can be satisfactorily addressed to ensure no adverse environmental impacts. We welcome that a Flood Risk Assessment (FRA) is proposed to be completed as part of the EIA report, it should consider the following:

Sources of flooding

The main sources of potential flooding are from the River Wansbeck to the North, the Sleek Burn to the South and the North Sea to the East. There could be other local sources of flooding such as groundwater and surface water.

We have published a suite of interactive maps that indicate where possible flooding from different sources could occur ([Check the long term flood risk for an area in England - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/collections/check-the-long-term-flood-risk-for-an-area-in-england)). Our maps are not suitable for a detailed Flood Risk Assessment (FRA), but they can indicate where further assessment may be needed.

FRA Advice

The FRA must assess flood risk from all sources of flooding and recommend the mitigation measures that will be implemented to ensure a safe development. The

predominant flood risk will be from tidal elements however there maybe fluvial elements and should be assessed accordingly. Although the flood zones only impact a small area of the site these do not take account for any impact of climate change. The 1 in 100 year (fluvial)/1 in 200 year (tidal) flood event, taking account of climate change should be considered. It must also demonstrate that flood risk will not be increased elsewhere.

From our knowledge of specific flooding issues in this area we can advise that the FRA should consider the following, in particular:

1. Access and egress for staff, and flood plan for emergency planning
2. Flood risk offsite/compensatory storage for any fluvial flood risk
3. Flood resistance and resilience to allow continuing operation and safety in times of flood

The FRA should also assess the minimum finished floor levels of buildings in relation to expected inundation levels associated with a in 200 year (tidal) flood event (including an allowance for climate change plus freeboard), and should define mitigation measures as necessary.

Under our latest climate change guidelines, we would expect the FRA to consider the impact of climate change on flood levels for the lifetime of the development under the higher central and upper end tidal allowances. For information on our new climate change requirements, please see: <https://www.gov.uk/guidance/flood-risk-assessments-climate-change-allowances>

For general information about Flood Risk Assessments please refer to <https://www.gov.uk/guidance/flood-risk-and-coastal-change#Site-Specific-Flood-Risk-Assessment-checklist-section> the NPPF Planning Practice Guidance on 'Flood Risk and Coastal Change'.

Further specific information regarding flood risk may be available from local sources, such as Strategic Flood Risk Assessments (SFRA) produced by the relevant local planning authority and normally accessible on their website.

Consents and Permits

The River Wansbeck and the Sleek Burn are designated 'main rivers' and under the Environmental Permitting Regulations certain works within 16m of a tidal main river, or within 16m of any flood defence structure on a tidal main river, require a Flood Risk Activity Permit from the Environment Agency. You can find more information on permit requirements using the following link: <https://www.gov.uk/guidance/flood-risk-activities-environmental-permits>. If a permit is required, it must be obtained prior to beginning the works.

You may a need MMO license depending on if any works will be undertaken below the mean high water springs (MHWS).

Information the EA holds

Sometimes we have information on historical flooding, and modelled flood levels on rivers where modelling has been carried out, and also information on our assets that may reduce the risk of flooding in the area.

In this area we have flood modelling information for the Sleek burn only, the flood model outline for the 1 in 200 year event is ea1212133. We also have a recorded flood information from Dec 2013.

For further details about our products /service and to request information, please contact our local Customer & Engagement team on northeast-newcastle@environment-agency.gov.uk.

You may also wish to contact the Lead Local Flood Authority or Northumbrian Water for more information regarding potential flooding and drainage issues.

Ecology

We have reviewed the provided Environmental Impact Assessment Scoping Report and Preliminary Ecological Appraisal and consider the proposed scope of the EIA to be appropriate. We are also satisfied with the recommendations for the proposed further ecological survey requirements.

As most of the area was not accessible for detailed field surveys at the time of the Preliminary Ecological Appraisal, we recommend that once plans have been finalised, a thorough environmental assessment is completed so that results are not based on the interpretation of aerial imagery. We have no further recommendations on the proposed scope of the EIA regarding ecology.

25 Year Environment Plan

The Government's 25 Year Environment Plan aims to improve the environment within a generation. One of the key principles within this plan is Environmental Net Gain (ENG). ENG enables a more inclusive way of recognising the broader benefits a well planned developments can provide. We would support and welcome further information on opportunities for ENG and Natural Capital enhancement through this development would be welcomed.

Biodiversity Net Gain

In accordance with the NPPF, biodiversity net gain should be considered within the Environmental Statement. We recommend that a Biodiversity Net Gain Calculator is used to calculate biodiversity net gain.

Water Framework Directive (WFD)

We are pleased to see that WFD will be considered and included as part of the EIA Report. Developers have a responsibility not to compromise the achievement of UK compliance with the WFD. A fundamental objective of WFD is that there should be no deterioration in the ecological condition of any waterbody. It is also the default objective for every waterbody to be improved to good ecological status or good ecological potential by 2027.

The following link provides further guidance on how to assess the impact of your activity in estuarine (transitional) and coastal waters for the Water Framework Directive (WFD).

<https://www.gov.uk/guidance/water-framework-directive-assessment-estuarine-and-coastal-waters>

Please do not hesitate to contact me if you have any questions regarding the advice in this letter

Yours sincerely,

Cameron Chandler
Planning Advisor

Direct dial 07553520763

Direct e-mail cameron.chandler@environment-agency.gov.uk

Team e-mail: planning.nane@environment-agency.gov.uk

Date: 12 December 2022
Our ref: 414123
Your ref: 22/04118/SCOPE



Northumberland County Council
planningcomments@northumberland.gov.uk

BY EMAIL ONLY

Consultations
Hornbeam House
Crewe Business Park
Electra Way
Crewe
Cheshire
CW1 6GJ

T 0300 060 900

Dear Sir or Madam,

Environmental Impact Assessment Scoping consultation (Regulation 15 (4) of the Town and Country Planning EIA Regulations 2017): Scoping Opinion for the Cambois Connection Onshore Scheme.

Location: Land East Of A189 East Sleekburn Northumberland.

Thank you for seeking our advice on the scope of the Environmental Statement (ES) in the consultation dated 16 November 2022, received on 16 November 2022.

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.

A robust assessment of environmental impacts and opportunities based on relevant and up to date environmental information should be undertaken prior to a decision on whether to grant planning permission. Annex A to this letter provides Natural England's advice on the scope of the Environmental Impact Assessment (EIA) for the proposed development.

Further guidance is set out in Planning Practice Guidance on [environmental assessment, natural environment and climate change](#).

Should the proposal be amended in a way which significantly affects its impact on the natural environment then, in accordance with Section 4 of the Natural Environment and Rural Communities Act 2006, Natural England should be consulted again.

Please note that Natural England must be consulted on Environmental Statements.

Please send any new consultations or further information on this consultation to consultations@naturalengland.org.uk.

Yours faithfully,

Shannon Bowes
Consultations Team

Annex A – Natural England Advice on EIA Scoping

General Principles

[Schedule 4](#) of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017, sets out the information that should be included in an Environmental Statement (ES) to assess impacts on the natural environment. This includes:

- A description of the development – including physical characteristics and the full land use requirements of the site during construction and operational phases
- Expected residues and emissions (water, air and soil pollution, noise, vibration, light, heat, radiation etc.) resulting from the operation of the proposed development
- An assessment of alternatives and clear reasoning as to why the preferred option has been chosen
- A description of the aspects of the environment likely to be significantly affected by the development including biodiversity (for example fauna and flora), land, including land take, soil, water, air, climate (for example greenhouse gas emissions, impacts relevant to adaptation, cultural heritage and landscape and the interrelationship between the above factors
- A description of the likely significant effects of the development on the environment – this should cover direct effects but also any indirect, secondary, cumulative, short, medium, and long term, permanent and temporary, positive, and negative effects. Effects should relate to the existence of the development, the use of natural resources (in particular land, soil, water and biodiversity) and the emissions from pollutants. This should also include a description of the forecasting methods to predict the likely effects on the environment
- A description of the measures envisaged to prevent, reduce and where possible offset any significant adverse effects on the environment
- A non-technical summary of the information
- An indication of any difficulties (technical deficiencies or lack of know-how) encountered by the applicant in compiling the required information

Further guidance is set out in Planning Practice Guidance on [environmental assessment](#) and [natural environment](#).

Cumulative and in-combination effects

The ES should fully consider the implications of the whole development proposal. This should include an assessment of all supporting infrastructure.

An impact assessment should identify, describe, and evaluate the effects that are likely to result from the project in combination with other projects and activities that are being, have been or will be carried out. The following types of projects should be included in such an assessment (subject to available information):

- a. existing completed projects;
- b. approved but uncompleted projects;
- c. ongoing activities;
- d. plans or projects for which an application has been made and which are under consideration by the consenting authorities; and
- e. plans and projects which are reasonably foreseeable, i.e. projects for which an application has not yet been submitted, but which are likely to progress before completion of the development and for which sufficient information is available to assess the likelihood of cumulative and in-combination effects.

Environmental data

Natural England is required to make available information it holds where requested to do so. National datasets held by Natural England are available at <http://www.naturalengland.org.uk/publications/data/default.aspx>.

Detailed information on the natural environment is available at www.magic.gov.uk.

Natural England's SSSI Impact Risk Zones are a GIS dataset which can be used to help identify the potential for the development to impact on a SSSI. The dataset and user guidance can be accessed from the [Natural England Open Data Geoportal](#).

Natural England does not hold local information on local sites, local landscape character, priority habitats and species or protected species. Local environmental data should be obtained from the appropriate local bodies. This may include the local environmental records centre, the local wildlife trust, local geo-conservation group or other recording society.

Biodiversity and Geodiversity

General principles

The [National Planning Policy Framework](#) (paragraphs 174-175 and 179-182) sets out how to take account of biodiversity and geodiversity interests in planning decisions. Further guidance is set out in Planning Practice Guidance on the [natural environment](#).

The potential impact of the proposal upon sites and features of nature conservation interest and opportunities for nature recovery and biodiversity net gain should be included in the assessment.

Ecological Impact Assessment (EclA) is the process of identifying, quantifying, and evaluating the potential impacts of defined actions on ecosystems or their components. EclA may be carried out as part of the EIA process or to support other forms of environmental assessment or appraisal. [Guidelines](#) have been developed by the Chartered Institute of Ecology and Environmental Management (CIEEM).

Local planning authorities have a [duty](#) to have regard to conserving biodiversity as part of their decision making. Conserving biodiversity can include habitat restoration or enhancement. Further information is available [here](#).

Designated nature conservation sites

International and European sites

The development site is within or may impact on the following **European/internationally designated nature conservation site(s)**:

- Berwickshire and North Northumberland Coast Special Area of Conservation (SAC)
- Durham Coast Special Area of Conservation (SAC)
- Northumbria Coast Special Protection Area (SPA)
- Northumberland Marine Special Protection Area (SPA)
- Teesmouth and Cleveland Coast SPA
- Northumbria Coast Ramsar
- Teesmouth and Cleveland Coast Ramsar
- Lindisfarne Ramsar

European site conservation objectives are available at <http://publications.naturalengland.org.uk/category/6490068894089216>

The ES should thoroughly assess the potential for the proposal to affect nationally and internationally designated sites of nature conservation importance, including marine sites where relevant. European sites (Special Areas of Conservation (SAC) and Special Protection Areas (SPA) fall within the scope of the Conservation of Habitats and Species Regulations 2017 (the 'Habitats Regulations'). In addition paragraph 181 of the National Planning Policy Framework (NPPF) requires that potential SPAs, possible SAC, listed or proposed Ramsar sites, and any site identified or required as compensatory measures for adverse effects on habitat (European) sites, potential SPAs, possible SACs and listed or proposed Ramsar sites have the same protection as classified sites (NB. sites falling within the scope of regulation 8 of the Conservation of Habitats and Species Regulations 2017 are defined as 'habitats sites' in the NPPF). Under Regulation 63 of the Habitats Regulations, an appropriate assessment must be undertaken in respect of any plan or project which is (a) likely to have a significant effect on a European site (either alone or in combination with other plans or projects) and (b) not directly connected with or necessary to the management of the site. The consideration of likely significant effects should include any functionally linked land outside the designated site. These areas may provide important habitat for mobile species populations that are qualifying features of the site, for example birds and bats. This can also include areas which have a critical function to a habitat feature within a designated site, for example by being linked hydrologically or geomorphologically.

Should a likely significant effect on a European/Internationally designated site be identified (either alone or in-combination) or be uncertain, the competent authority (in this case the Local Planning Authority) may need to prepare an appropriate assessment in addition to the consideration of impacts through the EIA process. Further guidance is set out in Planning Practice Guidance on appropriate assessment

<https://www.gov.uk/guidance/appropriate-assessment>

This should also take into account any agreed strategic mitigation solution that may be being developed or implemented in the area to address recreational disturbance, nutrients, or other impacts.

Nationally designated sites

The development site is within or may impact on the following **Site of Special Scientific Interest:**

- Durham Coast Site of Special Scientific Interest (SSSI)
- Hadston Links Site of Special Scientific Interest (SSSI)
- Northumberland Shore Site of Special Scientific Interest (SSSI)

Sites of Special Scientific Interest are protected under the Wildlife and Countryside Act 1981 and paragraph 180 of the NPPF. Further information on the SSSI and its special interest features can be found at www.magic.gov.

Natural England's SSSI Impact Risk Zones can be used to help identify the potential for the development to impact on a SSSI. The dataset and user guidance can be accessed from the [Natural England Open Data Geoportal](#).

The Environmental Statement should include a full assessment of the direct and indirect effects of the development on the features of special interest within the SSSI and identify appropriate mitigation measures to avoid, minimise or reduce any adverse significant effects. The consideration of likely significant effects should include any functionally linked land outside the designated site. These areas may provide important habitat for mobile species populations that are interest features of the SSSI, for example birds and bats. This can also include areas which have a critical function to a habitat feature within a site, for example by being linked hydrologically or geomorphologically.

The proposal may affect the following **Marine Conservation Zones:**

- Coquet to St Mary's Marine Conservation Zone (MCZ)
- Berwick to St Mary Marine Conservation Zone (MCZ)

The ES should include a full assessment of the direct and indirect effects of the development on the site and identify appropriate mitigation measures to avoid, minimise or reduce any adverse significant effects.

Regionally and Locally Important Sites

The ES should consider any impacts upon local wildlife and geological sites, including local nature reserves. Local Sites are identified by the local wildlife trust, geoconservation group or other local group and protected under the NPPF (paragraph 174 and 175). The ES should set out proposals for mitigation of any impacts and if appropriate, compensation measures and opportunities for enhancement and improving connectivity with wider ecological networks. Contact the relevant local body for further information.

Protected Species

The conservation of species protected under the Wildlife and Countryside Act 1981 and the Conservation of Habitats and Species Regulations 2017 is explained in Part IV and Annex A of Government Circular 06/2005 [Biodiversity and Geological Conservation: Statutory Obligations and their Impact within the Planning System.](#)

The ES should assess the impact of all phases of the proposal on protected species (including, for example, great crested newts, reptiles, birds, water voles, badgers and bats). Natural England does not hold comprehensive information regarding the locations of species protected by law. Records of protected species should be obtained from appropriate local biological record centres, nature conservation organisations and local groups. Consideration should be given to the wider context of the site, for example in terms of habitat linkages and protected species populations in the wider area.

The area likely to be affected by the development should be thoroughly surveyed by competent ecologists at appropriate times of year for relevant species and the survey results, impact assessments and appropriate accompanying mitigation strategies included as part of the ES. Surveys should always be carried out in optimal survey time periods and to current guidance by suitably qualified and, where necessary, licensed, consultants.

Natural England has adopted [standing advice](#) for protected species, which includes guidance on survey and mitigation measures. A separate protected species licence from Natural England or Defra may also be required.

District Level Licensing for Great Crested Newts

District level licensing (DLL) is a type of strategic mitigation licence for great crested newts (GCN) granted in certain areas at a local authority or wider scale. A [DLL scheme for GCN](#) may be in place at the location of the development site. If a DLL scheme is in place, developers can make a financial contribution to strategic, off-site habitat compensation instead of applying for a separate licence or carrying out individual detailed surveys. By demonstrating that DLL will be used, impacts on GCN can be scoped out of detailed assessment in the Environmental Statement.

Priority Habitats and Species

Priority Habitats and Species are of particular importance for nature conservation and included in the England Biodiversity List published under section 41 of the Natural Environment and Rural Communities Act 2006. Most priority habitats will be mapped either as Sites of Special Scientific Interest, on the Magic website or as Local Wildlife Sites. Lists of priority habitats and species can be found [here](#). Natural England does not routinely hold species data. Such data should be collected when impacts on priority habitats or species are considered likely.

Consideration should also be given to the potential environmental value of brownfield sites, often found in urban areas and former industrial land. Sites can be checked against the (draft) national Open Mosaic Habitat (OMH) inventory published by Natural England and freely available to [download](#). Further information is also available [here](#).

An appropriate level habitat survey should be carried out on the site, to identify any important habitats present. In addition, ornithological, botanical, and invertebrate surveys should be carried out at appropriate times in the year, to establish whether any scarce or priority species are present.

The Environmental Statement should include details of:

- Any historical data for the site affected by the proposal (e.g. from previous surveys)
- Additional surveys carried out as part of this proposal
- The habitats and species present
- The status of these habitats and species (e.g. whether priority species or habitat)
- The direct and indirect effects of the development upon those habitats and species
- Full details of any mitigation or compensation measures
- Opportunities for biodiversity net gain or other environmental enhancement

Ancient Woodland, ancient and veteran trees

The ES should assess the impacts of the proposal on any ancient woodland, ancient and veteran trees, and the scope to avoid and mitigate for adverse impacts. It should also consider opportunities for enhancement.

Natural England maintains the Ancient Woodland [Inventory](#) which can help identify ancient woodland. The [wood pasture and parkland inventory](#) sets out information on wood pasture and parkland.

The [ancient tree inventory](#) provides information on the location of ancient and veteran trees.

Natural England and the Forestry Commission have prepared [standing advice](#) on ancient woodland, ancient and veteran trees.

Biodiversity net gain

Paragraph 174 of the NPPF states that decisions should contribute to and enhance the natural and local environment by minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures.

Biodiversity Net Gain is additional to statutory requirements relating to designated nature conservation sites and protected species.

The ES should use an appropriate biodiversity metric such as [Biodiversity Metric 3.0](#) together with ecological advice to calculate the change in biodiversity resulting from proposed development and demonstrate how proposals can achieve a net gain.

The metric should be used to:

- assess or audit the biodiversity unit value of land within the application area
- calculate the losses and gains in biodiversity unit value resulting from proposed development
- demonstrate that the required percentage biodiversity net gain will be achieved

Biodiversity Net Gain outcomes can be achieved on site, off-site or through a combination of both. On-site provision should be considered first. Delivery should create or enhance habitats of equal or higher value. When delivering net gain, opportunities should be sought to link delivery to relevant plans or strategies e.g. Green Infrastructure Strategies or Local Nature Recovery Strategies.

Opportunities for wider environmental gains should also be considered.

Landscape

Landscape and visual impacts

The environmental assessment should refer to the relevant [National Character Areas](#). Character area profiles set out descriptions of each landscape area and statements of environmental opportunity.

The ES should include a full assessment of the potential impacts of the development on local landscape character using [landscape assessment methodologies](#). We encourage the use of Landscape Character Assessment (LCA), based on the good practice guidelines produced jointly by the Landscape Institute and Institute of Environmental Assessment in 2013. LCA provides a sound basis for guiding, informing, and understanding the ability of any location to accommodate change and to make positive proposals for conserving, enhancing or regenerating character.

A landscape and visual impact assessment should also be carried out for the proposed development and surrounding area. Natural England recommends use of the methodology set out in *Guidelines for Landscape and Visual Impact Assessment 2013* ((3rd edition) produced by the Landscape Institute and the Institute of Environmental Assessment and Management. For National Parks and AONBs, we advise that the assessment also includes effects on the 'special qualities' of the designated landscape, as set out in the statutory management plan for the area. These identify the particular landscape and related characteristics which underpin the natural beauty of the area and its designation status.

The assessment should also include the cumulative effect of the development with other relevant existing or proposed developments in the area. This should include an assessment of the impacts of other proposals currently at scoping stage.

To ensure high quality development that responds to and enhances local landscape character and distinctiveness, the siting and design of the proposed development should reflect local characteristics and, wherever possible, use local materials. Account should be taken of local design policies, design codes and guides as well as guidance in the [National Design Guide](#) and [National Model Design Code](#). The ES should set out the measures to be taken to ensure the development will deliver high standards of design and green infrastructure. It should also set out detail of layout alternatives, where appropriate, with a justification of the selected option in terms of landscape impact and benefit.

Heritage Landscapes

The ES should include an assessment of the impacts on any land in the area affected by the development which qualifies for conditional exemption from capital taxes on the grounds of outstanding scenic, scientific, or historic interest. An up-to-date list is available at www.hmrc.gov.uk/heritage/lbsearch.htm.

Connecting People with nature

The ES should consider potential impacts on access land, common land, public rights of way and, where appropriate, the England Coast Path and coastal access routes and coastal margin in the vicinity of the development, in line with NPPF paragraph 100. It should assess the scope to mitigate for any adverse impacts. Rights of Way Improvement Plans (ROWIP) can be used to identify public rights of way within or adjacent to the proposed site that should be maintained or enhanced.

Measures to help people to better access the countryside for quiet enjoyment and opportunities to connect with nature should be considered. Such measures could include reinstating existing footpaths or the creation of new footpaths, cycleways, and bridleways. Links to other green

networks and, where appropriate, urban fringe areas should also be explored to help promote the creation of wider green infrastructure. Access to nature within the development site should also be considered, including the role that natural links have in connecting habitats and providing potential pathways for movements of species.

Relevant aspects of local authority green infrastructure strategies should be incorporated where appropriate.

Soils and Agricultural Land Quality

Soils are a valuable, finite natural resource and should also be considered for the ecosystem services they provide, including for food production, water storage and flood mitigation, as a carbon store, reservoir of biodiversity and buffer against pollution. It is therefore important that the soil resources are protected and sustainably managed. Impacts from the development on soils and best and most versatile (BMV) agricultural land should be considered in line with paragraphs 174 and 175 of the NPPF. Further guidance is set out in the Natural England [Guide to assessing development proposals on agricultural land](#).

As set out in paragraph 211 of the NPPF, new sites or extensions to sites for peat extraction should not be granted planning permission.

The following issues should be considered and, where appropriate, included as part of the Environmental Statement (ES):

- The degree to which soils would be disturbed or damaged as part of the development
- The extent to which agricultural land would be disturbed or lost as part of this development, including whether any best and most versatile (BMV) agricultural land would be impacted.

This may require a detailed Agricultural Land Classification (ALC) survey if one is not already available. For information on the availability of existing ALC information see www.magic.gov.uk.

- Where an ALC and soil survey of the land is required, this should normally be at a detailed level, e.g. one auger boring per hectare, (or more detailed for a small site) supported by pits dug in each main soil type to confirm the physical characteristics of the full depth of the soil resource, i.e. 1.2 metres. The survey data can inform suitable soil handling methods and appropriate reuse of the soil resource where required (e.g. agricultural reinstatement, habitat creation, landscaping, allotments and public open space).
- The ES should set out details of how any adverse impacts on BMV agricultural land can be minimised through site design/masterplan.
- The ES should set out details of how any adverse impacts on soils can be avoided or minimised and demonstrate how soils will be sustainably used and managed, including consideration in site design and master planning, and areas for green infrastructure or biodiversity net gain. The aim will be to minimise soil handling and maximise the sustainable use and management of the available soil to achieve successful after-uses and minimise off-site impacts.

Further information is available in the [Defra Construction Code of Practice for the Sustainable Use of Soil on Development Sites](#) and

The British Society of Soil Science Guidance Note [Benefitting from Soil Management in Development and Construction](#).

Air Quality

Air quality in the UK has improved over recent decades but air pollution remains a significant issue. For example, approximately 85% of protected nature conservation sites are currently in exceedance of nitrogen levels where harm is expected (critical load) and approximately 87% of sites exceed the level of ammonia where harm is expected for lower plants (critical level of 1µg) ^[1]. A priority action in the England Biodiversity Strategy is to reduce air pollution impacts on biodiversity. The Government's Clean Air Strategy also has a number of targets to reduce emissions including to reduce damaging deposition of reactive forms of nitrogen by 17% over England's protected priority sensitive habitats by 2030, to reduce emissions of ammonia against the 2005 baseline by 16% by 2030 and to reduce emissions of NO_x and SO₂ against a 2005 baseline of 73% and 88% respectively by 2030. Shared Nitrogen Action Plans (SNAPs) have also been identified as a tool to reduce environmental damage from air pollution.

The planning system plays a key role in determining the location of developments which may give rise to pollution, either directly, or from traffic generation, and hence planning decisions can have a significant impact on the quality of air, water and land. The ES should take account of the risks of air pollution and how these can be managed or reduced. This should include taking account of any strategic solutions or SNAPs, which may be being developed or implemented to mitigate the impacts on air quality. Further information on air pollution impacts and the sensitivity of different habitats/designated sites can be found on the Air Pollution Information System (www.apis.ac.uk).

Information on air pollution modelling, screening and assessment can be found on the following websites:

- SCAIL Combustion and SCAIL Agriculture - <http://www.scail.ceh.ac.uk/>
- Ammonia assessment for agricultural development <https://www.gov.uk/guidance/intensive-farming-risk-assessment-for-your-environmental-permit>
- Environment Agency Screening Tool for industrial emissions <https://www.gov.uk/guidance/air-emissions-risk-assessment-for-your-environmental-permit>
- Defra Local Air Quality Management Area Tool (Industrial Emission Screening Tool) – England <http://www.airqualityengland.co.uk/laqm>

Water Quality

The planning system plays a key role in determining the location of developments which may give rise to water pollution, and hence planning decisions can have a significant impact on water quality, and land. The assessment should take account of the risks of water pollution and how these can be managed or reduced. A number of water dependent protected nature conservation sites have been identified as failing condition due to elevated nutrient levels and nutrient neutrality is consequently required to enable development to proceed without causing further damage to these sites. The ES needs to take account of any strategic solutions for nutrient neutrality or Diffuse Water Pollution Plans, which may be being developed or implemented to mitigate and address the impacts of elevated nutrient levels. Further information can be obtained from the Local Planning Authority.

Climate Change

The ES should identify how the development affects the ability of the natural environment (including habitats, species, and natural processes) to adapt to climate change, including its ability to provide adaptation for people. This should include impacts on the vulnerability or resilience of a natural feature (i.e. what's already there and affected) as well as impacts on how the environment can accommodate change for both nature and people, for example whether the development affects species ability to move and adapt. Nature-based solutions, such as providing green infrastructure on-site and in the surrounding area (e.g. to adapt to flooding, drought and heatwave events), habitat creation and peatland restoration, should be considered. The ES should set out the measures that

[1] [Report: Trends Report 2020: Trends in critical load and critical level exceedances in the UK - Defra, UK](#)

will be adopted to address impacts.

Further information is available from the [Committee on Climate Change's \(CCC\) Independent Assessment of UK Climate Risk](#), the [National Adaptation Programme \(NAP\)](#), the [Climate Change Impacts Report Cards](#) (biodiversity, infrastructure, water etc.) and the [UKCP18 climate projections](#).

The Natural England and RSPB [Climate Change Adaptation Manual](#) (2020) provides extensive information on climate change impacts and adaptation for the natural environment and adaptation focussed nature-based solutions for people. It includes the Landscape Scale Climate Change Assessment Method that can help assess impacts and vulnerabilities on natural environment features and identify adaptation actions. Natural England's [Nature Networks Evidence Handbook](#) (2020) also provides extensive information on planning and delivering nature networks for people and biodiversity.

The ES should also identify how the development impacts the natural environment's ability to store and sequester greenhouse gases, in relation to climate change mitigation and the natural environment's contribution to achieving net zero by 2050. Natural England's [Carbon Storage and Sequestration by Habitat report](#) (2021) and the British Ecological Society's [nature-based solutions report](#) (2021) provide further information.

Contribution to local environmental initiatives and priorities

The ES should consider the contribution the development could make to relevant local environmental initiatives and priorities to enhance the environmental quality of the development and deliver wider environmental gains. This should include considering proposals set out in relevant local strategies or supplementary planning documents including landscape strategies, green infrastructure strategies, tree and woodland strategies, biodiversity strategies or biodiversity opportunity areas.