NORTHUMBERLAND COUNTY COUNCIL

ASSESSMENT OF LIKELY SIGNIFICANT EFFECT ON A EUROPEAN SITE

REGULATION 63, THE CONSERVATION OF HABITATS AND SPECIES REGULATIONS 2017

PART A: The Proposal

1. Type of permission:	Full planning permission
2. Application reference no:	22/00879/FUL Land North of Blyth Power Station Substation East Sleekburn, NE22 7BL
3. National Grid reference:	NZ30118325
4. Map of Application site	Please see Site Location Plan DWG. No. A100-P04 on NCC Public Access.
5. Brief description of proposal:	Erection of building for manufacturing of subsea cables, with ancillary offices and outdoor cable storage, together with associated development and infrastructure works including vehicular accesses off Brock Lane, landscaping and vehicular parking.
6. European site name(s):	UK9006131 Northumbria Coast Special Protection Area (SPA) and Ramsar Site UK9020325 Northumberland Marine SPA

7. Description of European Sites:

Northumbria Coast SPA and Ramsar Site

Description and Qualifying Features	**Conservation Objectives**	**Pressures and Threats (P/T)**
The Northumbria Coast SPA consists of mainly discrete sections of rocky shore with associated boulder and cobble beaches. The SPA also includes parts of three artificial pier structures and a small section of sandy beach. In summer, the	Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the aims of the Wild Birds Directive, by maintaining or restoring;	The Site Improvement Plan for Northumberland Coastal identifies the following prioritised issues: 1) Public Threat Access/Disturbance (T) affecting all qualifying features.

	site supports an internationally important population of breeding Little tern and Arctic tern, and two species of wintering waders occur in internationally important numbers, Turnstone and Purple sandpiper. Qualifying Features: ● A148(NB): Purple sandpiper (*Calidris maritima*) ● A195(B): Little tern (*Sterna albifrons*) ● A169(NB): Turnstone (*Arenaria interpres*) ● A194(B) Arctic tern (*Sterna*	● The extent and distribution of the habitats of the qualifying features; ● The structure and function of the habitats of the qualifying features; ● The supporting processes on which the habitats of the qualifying features rely; ● The population of each of the qualifying features; and, ● The distribution of the qualifying features within the site. Detailed Supplementary Advice on Conservation Objectives (SACOs) for each qualifying feature is available online through Natural England's 'Designated Site View'. https://designatedsites.naturalengland.org.uk/SiteSearch.aspx	Little terns are a particularly high priority in relation to disturbance affecting condition. Wintering waders and other species are also at risk. Wildlife tourism is identified as a moderate threat in Northumbria Coast SPA, due to loss of foraging habitat for birds, and there is also disturbance/displacement of birds by dog walkers, light aircraft and watersports. 2) Invasive Species (T) affecting A194(B) Arctic tern. 3) Changes in Species Distribution (T) affecting all qualifying features. Populations of the qualifying bird species in Northumbria Coast SPA, have declined or changed but it is unclear if this is site specific or driven by wider trends in distribution. 4) Predation (P&T) affecting all qualifying features. Badger, raptor and otter predation on terns in Northumbria Coast SPA. 5) Coastal Squeeze (T) affecting all qualifying features. There is loss of irreplaceable habitat caused by the cumulative effect of small scale impacts	

		resulting from existing and new developments adjacent to Northumbria Coast SPA. 6) Direct Impact from Third Party (T) affecting all qualifying features. Wildlife crime occurs in Northumbria Coast SPA. There is also unconsented sea defences and buildings. 7) Change in land management (T) affecting all qualifying features. The issue affects a number of features in a number of sites in localised, small scale areas and could have large implications that are difficult to predict. 8) Fisheries: Commercial Pressure marine and estuarine (P) affecting all qualifying features. http://publications.naturalengland.org.uk/publication/5340976100933632?category=6280398447312896

Northumberland Marine SPA

Description and Qualifying Features	**Conservation Objectives**	**Pressures and Threats (P/T)**

	The Northumberland Marine SPA is located on the Northumberland coast between Blyth and Berwick-Upon-Tweed. The site supports a wide range of marine habitats. The coastal parts of the site consist of sandy bays separated by rocky headlands backed by dunes or soft and hard cliffs. There are extensive areas of inter-tidal rocky reef, long sandy beaches at Beadnell, Embleton and Druridge Bay and extensive sand and mud flats at Budle Bay and Fenham Flats at Lindisfarne. Discrete areas of intertidal mudflats and estuarine channels are also included where the site extends into the Aln, Coquet, Wansbeck and Blyth estuaries. The open coast habitats extend into the subtidal zone, where large shallow inlets and bays and extensive rocky reefs are present. Further offshore, soft sediments predominate. The Northumberland coast and surrounding sea supports important breeding colonies of seabirds and auks, protected at four existing SPAs: Farne Islands SPA, Coquet Island SPA, Lindisfarne SPA and **Northumbria Coast SPA**. The surrounding waters are	Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the aims of the Wild Birds Directive, by maintaining or restoring; ● The extent and distribution of the habitats of the qualifying features; ● The structure and function of the habitats of the qualifying features; ● The supporting processes on which the habitats of the qualifying features rely; ● The population of each of the qualifying features; and, ● The distribution of the qualifying features within the site. Detailed Supplementary Advice on Conservation Objectives (SACOs) for each qualifying feature is available online through Natural England's 'Designated Site View'. ps://designatedsites.naturalengland.org.uk/SiteSearch.aspx	The Site Improvement Plan for Northumberland Coastal covers the Northumbria SPA (see above) which overlap with the Northumberland Marine SPA http://publications.naturalengland.org.uk/publication/5340976100933632

protected by Northumberland Marine SPA, these areas are used by the seabirds and auks for foraging and maintenance activities, such as bathing and preening. Qualifying Features: ● A191 Sterna sandvicensis; Sandwich tern (Breeding) ● A192 Sterna dougallii; Roseate tern (Breeding) ● A193 Sterna hirundo; Common tern (Breeding) ● A194 Sterna paradisaea; Arctic tern (Breeding) ● A195 Sternula albifrons; Little tern (Breeding) ● A199 Uria aalge; Common guillemot (Breeding) ● A204 Fratercula arctica; Atlantic puffin (Breeding) ● Seabird assemblage		

8. Is the proposal directly connected with or necessary to the management of the European site for nature conservation?	No

If the answer to Q8. is "Yes" proceed no further. Sign and date form (at Qs 13 & 15) and send copy to Natural England for comment.

ASSESSMENT OF LIKELY SIGNIFICANT EFFECT ON A EUROPEAN SITE (Continued)
REGULATION 63, THE CONSERVATION OF HABITATS AND SPECIES REGULATIONS 2017

PART B: Risk Assessment
9. What potential hazards are likely to affect the interest features?

Interest Feature: (refer to point 7)	**Potential hazard:**	**Mechanism of effect/impact (including the probability that the interest feature will be affected, and the magnitude, duration and reversibility of the effect)**
Little tern and arctic tern (Northumbria Coast SPA and Ramsar Site)	None – too far away from breeding beach.	The breeding site is about 45km north of the development site, and so there will be no effects arising from the scheme.
Purple Sandpiper and turnstone (Northumbria Coast SPA and Ramsar Site)	Disturbance to feeding and roosting areas during **construction**.	Supplementary Advice on Conservation Objectives: *The nature, scale, timing and duration of some human activities can result in bird disturbance (defined as any human-induced activity sufficient to disrupt normal behaviours and / or distribution of birds in the absence of the activity) at a level that may substantially affect their behaviour, and consequently affect the long-term viability of the population. Such disturbing effects can for example result in changes to feeding or roosting behaviour, increases in energy expenditure due to increased flight, abandonment of nest sites and desertion of supporting habitat (both within or outside the designated site boundary where appropriate). This may undermine successful nesting, rearing, feeding and/or roosting, and/or may reduce the availability of suitable habitat as birds are displaced and their distribution within the site contracts. Disturbance associated with human activity may take a variety of forms including noise, light, sound, vibration, trampling, presence of people, animals and structures.* The northern tip of the Blyth section of the SPA and Ramsar Site is about 500m south east of the development site. **Purple sandpiper and turnstone** also use the North Side Staithes (1km south of the development site) and **turnstone** feed at roost at Mount Pleasant (900m south west of the development site).

		The construction of the Site is expected to extend from Q3 2022, to Q1 2024, some of which time will include the landscaping and commissioning of the site. Throughout the 18month construction programme of the development there will be some noise disturbance during some aspects of the construction process. The noise related activity will be concentrated around the first 6-9 months of the construction programme when the ground works are under way and the steel frame has been erected. After that initial site activity most of the construction work will be associated with cladding the steel frame and internal fitting out of the factory, when external noise issues will be low and have a minimal impact beyond the site boundary. Consequently, there is a danger that construction noise could displace purple sandpiper and turnstone from feeding or roosting areas in the first 6-9 months of the construction programme. Depending on factors such as the availability of quality of and distance to alternative feeding or roosting areas, this could adversely affect the condition of the birds affected, thereby increasing mortality or affecting breeding success the following summer. **Without the control of noise levels Likely Significant Effects cannot be screened out and must be considered through a Hab Regs appropriate assessment.**
Purple Sandpiper and turnstone (Northumbria Coast SPA and Ramsar Site)	Disturbance to feeding and roosting areas during the **operation** of the site.	Supplementary Advice on Conservation Objectives: *The nature, scale, timing and duration of some human activities can result in bird disturbance (defined as any human-induced activity sufficient to disrupt normal behaviours and / or distribution of birds in the absence of the activity) at a level that may substantially affect their behaviour, and consequently affect the long-term viability of the population. Such disturbing effects can for example result in changes to feeding or roosting behaviour, increases in energy expenditure due to increased flight, abandonment of nest sites and desertion of supporting habitat (both within or outside the designated site boundary where appropriate). This may undermine successful nesting, rearing, feeding and/or roosting, and/or may reduce the availability of suitable habitat as birds are displaced and their distribution within the site contracts. Disturbance associated with human activity may take a variety of forms including noise, light, sound, vibration, trampling, presence of people, animals and structures.*

		When operational the facility will be open 24 hours, 7 days a week for approximately 362 days a year. Vehicle access to the site will be as existing, to the north off Brock Lane and there is access to the dock on the eastern side. As a working factory there will be vehicular movements around the site delivering and moving raw and finished material however when the factory is fully operational most of the production activity will be confined within the interior of the building. The Noise Impact Assessment for human receptors (Waterman, February 2022) demonstrates that the noise across the estuary and West Staithes can be controlled to be between 35 – 40dB. The 70dB LAmax noise level has been agreed with Natural England for identifying the threshold at which noise could be likely to have a significant effect on birds. Precise technical specification of the plant is not currently known and therefore it is proposed to secure these levels by planning condition. **Without the control of noise levels Likely Significant Effects cannot be screened out and must be considered through a Hab Regs appropriate assessment.** The site will be lit during operation. Natural England's advice on shoreside industry and operations indicates that purple sandpiper and turnstone are sensitive to the pressure of light introduction. However, a drawing of the outline lighting scheme showing lux plot demonstrates that the light spill can be reduced to 1 lux at around 30m from the southern edge of the site (Kingfisher Lighting Dwg. No. D38137/LC/D) and therefore **Likely Significant Effects from lighting can be screened out of further assessment.** No impacts are anticipated from the number of vessels using the dock as traffic frequency within the Blyth harbour will remain broadly the same. The harbour may be utilised for the shipping out of cables, the frequency of which would depend on the contracts secured. Based on the operation of the Hartlepool facility this is estimated to be in the region of 10 – 20 journeys per year. Therefore, **vessel movements can be screened out from further assessment**. Proposed new landscaping (native species woodland mix) on the southern boundary of the site, once established, is likely to provide some screening of the site from the estuary. This would be a positive effect but is not specifically required as mitigation.

Internationally important breeding populations of Annex 1 species: Sandwich tern Roseate tern Common tern Arctic tern Little tern Common guillemot Atlantic puffin An internationally important seabird assemblage of over 20,000 birds (Northumberland Marine SPA)	Disturbance of roosting common tern and sandwich tern during **construction and operation**.	Supplementary Advice on Conservation Objectives: *The nature, scale, timing and duration of some human activities can result in bird disturbance (defined as any human-induced activity sufficient to disrupt normal behaviours and / or distribution of birds in the absence of the activity) at a level that may substantially affect their behaviour, and consequently affect the long-term viability of the population. Such disturbing effects can for example result in changes to feeding or roosting behaviour, increases in energy expenditure due to increased flight, abandonment of nest sites and desertion of supporting habitat (both within or outside the designated site boundary where appropriate). This may undermine successful nesting, rearing, feeding and/or roosting, and/or may reduce the availability of suitable habitat as birds are displaced and their distribution within the site contracts. Disturbance associated with human activity may take a variety of forms including noise, light, sound, vibration, trampling, presence of people, animals and structures.* The West Staithes, which lie adjacent to the power station site, are used for roosting by small numbers of **common tern and sandwich tern**. This occurs mainly in June – August and so appears to be a post-breeding roost. Numbers of sandwich tern are typically less than 10 birds, although 52 were present on one occasion in July 2016, representing about 1.2% of the SPA population. Numbers of common tern are typically between 10 and 25 birds, the higher number representing 1% of the SPA population. Therefore, the numbers of birds present is normally less than 1% of the SPA population of both species. Taking a zone of influence of 200m, 0.017% of the area of the SPA could be affected. <u>Constuction</u> The construction of the Site is expected to extend from Q3 2022, to Q1 2024, some of which time will include the landscaping and commissioning of the site. Throughout the 18month construction programme of the development there will be some noise disturbance during some aspects of the construction process. The noise related activity will be concentrated around the first 6-9 months of the construction programme when the

		ground works are under way and the steel frame has been erected. After that initial site activity most of the construction work will be associated with cladding the steel frame and internal fitting out of the factory, when external noise issues will be low and have a minimal impact beyond the site boundary. Consequently, there is a danger that construction noise could displace common tern and sandwich tern roosting areas. **Likely Significant Effects cannot be screened out and must be considered through a Hab Regs appropriate assessment.** <u>Operation</u> When operational the facility will be open 24 hours, 7 days a week for approximately 362 days a year. Vehicle access to the site will be as existing, to the north off Brock Lane and there is access to the dock on the eastern side. As a working factory there will be vehicular movements around the site delivering and moving raw and finished material however when the factory is fully operational most of the production activity will be confined within the interior of the building. The Noise Impact Assessment for human receptors (Waterman, February 2022) demonstrates that the noise across the estuary and West Staithes can be controlled to be between 35 – 40dB. The 70dB LAmax noise level has been agreed with Natural England for identifying the threshold at which noise could be likely to have a significant effect on birds. Precise technical specification of the plant is not currently known and therefore it is proposed to secure these levels by planning condition. **Without the control of noise levels Likely Significant Effects cannot be screened out and must be considered through a Hab Regs appropriate assessment.** The site will be lit during operation. Natural England's advice on shoreside industry and operations indicates that although the pressure of light introduction is considered high risk, the evidence base is not considered to be developed enough for assessments to be made of sensitivity. A drawing of the outline lighting scheme showing lux plot demonstrates that the light spill can be reduced to 1 lux at around 30m from the southern edge of the site (Kingfisher Lighting Dwg. No. D38137/LC/D). This is in the context of a wider area that is already subject to artificial light spill and so is unlikely to have a significant effect on any European sites. Accordingly, **lighting impacts can be screened out from further assessment.**

		No impacts are anticipated from the number of vessels using the dock as traffic frequency within the Blyth harbour will remain broadly the same. The harbour may be utilised for the shipping out of cables, the frequency of which would depend on the contracts secured. Based on the operation of the Hartlepool facility this is estimated to be in the region of 10 – 20 journeys per year. Therefore, **vessel movements can be screened out from further assessment**. Proposed new landscaping (native species woodland mix) on the southern boundary of the site, once established, is likely to provide some screening of the site from the estuary. This would be a positive effect but is not specifically required as mitigation.
Water Quality As a supporting process/habitat for the qualifying features of the Northumbria Coast SPA/Ramsar and Northumberland Marine SPA	Materials entering the SPAs via ground or surface water drainage or windblow during construction works and operation of the site.	Supplementary Advice on Conservation Objectives: *Contaminants may have a range of biological effects on different species within the supporting habitat, depending on the nature of the contaminant. This in turn can adversely affect the availability of bird breeding, rearing, feeding and roosting habitats, and potentially bird survival.* Adherence to relevant legislation and codes of conduct/best practice during construction and operation will be used irrespective of if a European site might be affected (e.g., https://www.gov.uk/guidance/pollution-prevention-for-businesses) and therefore, considered an essential feature and characteristic of the project. **Likely Significant Effects as a result of changes to water quality during operation can be screened out of further assessment**.
Air Quality As a supporting process/habitat for the qualifying features of both the	There is potential for air quality impacts arising from process emissions associated with the **operation** of the factory.	Supplementary Advice on Conservation Objectives: *The structure and function of habitats which support this SPA features may be sensitive to changes in air quality. Exceeding critical values for air pollutants may result in changes to the chemical status of its habitat substrate, accelerating or damaging plant growth, altering vegetation structure and composition and thereby affecting the quality and availability of feeding or roosting habitats.*

Northumbria Coast SPA/Ramsar and Northumberland Marine SPA		The site entrance on Brock Lane is over 200m from the SPA boundary and the average daily traffic movements (AADT) resulting from the development will not exceed 1000 on affected roads and therefore environmental effects could be regarded as neutral and can be screened out of further assessment. The air quality assessment report states that the combustion plant would be designed to meet relevant air quality guidance however the precise technical specification of the plant is not currently known and therefore **further assessment is required.**

10. Is the effect likely to be significant? (Refer to relevant effects matrix.)	
a) Alone? (Explain conclusion, e.g., in relation to *de minimus* criteria)	<u>Northumbria Coast SPA</u> Yes – there is a credible risk of impacts arising from potential noise impacts during construction and operation, for which mitigation is required. **Consequently, an appropriate assessment required.** Yes – the site may be sensitive to changes in air quality which requires further investigation. **Consequently, an appropriate assessment required.** <u>Northumberland Marine SPA</u> Yes – arising from potential noise impacts during construction and operation, for which mitigation is required. **Consequently, an appropriate assessment required.** Yes – the site may be sensitive to changes in air quality which requires further investigation. **Consequently, an appropriate assessment required.**

b) In combination with other plans or projects? (Explain conclusion and which plans/projects have been included, including those associated with other functions).	The remediation of the site prior to the commencement of this proposed development has been approved under application 16/04722/LDO (and 22/00407/VARYCO awaiting approval), and subject to a separate Habitat Regulations Assessment which was able to conclude that with the implementation of mitigation there would be no adverse impact on the integrity of any European sites.

ASSESSMENT OF LIKELY SIGNIFICANT EFFECT ON A EUROPEAN SITE (Continued)
REGULATION 63, THE CONSERVATION OF HABITATS AND SPECIES REGULATIONS 2017

PART C: County Council's Conclusion		
11. Conclusion: **Is the proposal likely to have a significant effect on a European site?**	Without further investigation or mitigation Likely Significant Effects on both the Northumberland Coast SPA & Ramsar site and the Northumberland Marine SPA cannot be screened out and consequently an appropriate assessment is required.	
12. **Name of Assessing Officer:**	Nadine Rolls	**Job Title:** Ecologist
13. **Signed:**	*N.A Rolls*	**Date:** 27th April 2022
14. **Name of Supervising Officer:**	David Feige	**Job Title:** Environment & Design Team Manager and County Ecologist
15. **Signed:**		**Date:** 3 May 2022
PART D: Consultation with Natural England on Part C		
16. **Natural England comment on conclusion:**	Natural England agrees with the assessment of Likely Significant Effects on the European Sites in question and with the conclusions stated in Part C.	

17.	**Name of NE Officer:**	Nick Lightfoot	**Job Title:** Lead Adviser – Sustainable Development and Planning
18.	**Signed:**		**Date:** 5th May 2022
IF THE PROPOSAL IS LIKELY TO HAVE A SIGNIFICANT EFFECT AN APPROPRIATE ASSESSMENT WILL BE REQUIRED (see part B for suggested scope).			

NORTHUMBERLAND COUNTY COUNCIL

APPROPRIATE ASSESSMENT OF A PROPOSAL LIKELY TO HAVE A SIGNIFICANT EFFECT ON A EUROPEAN SITE

THE CONSERVATION OF HABITATS AND SPECIES REGULATIONS 2017

PART A: The Proposal

1. **Type of permission:**	2. **Application reference:**	**3. National Grid reference:**
Full Planning permission	22/00879/FUL Land North of Blyth Power Station Substation East Sleekburn, NE22 7BL	NZ30118325
4. Map of application site attached: Please see Site Location Plan DWG. No. A100-P04 on NCC Public Access.	**5. Brief description of proposal:** Erection of building for manufacturing of subsea cables, with ancillary offices and outdoor cable storage, together with associated development and infrastructure works including vehicular accesses off Brock Lane, landscaping and vehicular parking.	
6.European site name(s):	UK9006131 Northumbria Coast SPA and Ramsar Site UK9020325 Northumberland Marine SPA	

7.List of interest features:
Likely Significant Effects could not be screened out for:

- Northumbria Coast SPA and Ramsar Site – purple sandpiper and turnstone (disturbance), little tern and arctic tern (air quality)
- Northumberland Marine SPA - Sandwich tern and common tern only (disturbance and air quality).

APPROPRIATE ASSESSMENT OF A PROPOSAL LIKELY TO HAVE A SIGNIFICANT EFFECT ON A EUROPEAN SITE
(Continued)
THE CONSERVATION OF HABITATS AND SPECIES REGULATIONS 2017

PART B: Identification of effects being considered and relevant features affected			
Significant effect being considered (attribute affected)	**Affected qualifying feature(s)**	**Favourable condition target(s) for relevant feature(s) based on conservation objectives set for SPA/ Ramsar**	**Contribution of attribute(s) to site integrity (ecological structure and functioning of site)**
Disturbance to post-breeding birds roosting on the West Staithes Disturbance to migratory and wintering waders feeding or roosting in the Blyth estuary	Northumberland Marine SPA: • Common tern • Sandwich tern Northumbria Coast SPA and Ramsar Site: • Turnstone • Purple sandpiper	Supplementary Advice on Conservation Objectives (SACOs) Target: Restrict the frequency, duration and / or intensity of disturbance affecting roosting, foraging, feeding, moulting and/or loafing birds so that they are not significantly disturbed.	The West Staithes provide a post-breeding roost site for low numbers of **common and sandwich terns**. Up to 40 of an SPA population of 2572 common terns, representing 1.5% of the SPA population. Typically, less than 10 birds of an SPA population of 4324 sandwich terns roost on the West

		Disturbance should be judged as significant if an action (alone or in combination with other effects) impacts on (water)birds in such a way as to be likely to cause impacts on populations of a species through either i. changed local distribution on a continuing basis; and/or ii. changed local abundance on a sustained basis; and/or iii. the reduction of ability of any significant group of birds to survive, breed, or rear their young.	Staithes, but a maximum of 52 birds has been recorded on a single occasion, representing 1.2% of the SPA population. Around 10-20 **turnstone** are present in the Blyth estuary over winter, utilising a high tide roost at the Mount Pleasant peninsula (0.5 - 1.1% of the SPA population) and around 30 **purple sandpiper** roost at the North Side Staithes (3.8% of the SPA population)
Impacts to air quality during operation. As a supporting process/habitat for the qualifying features of both the Northumbria Coast SPA/Ramsar and Northumberland Marine SPA	<u>Northumbria Coast SPA & Ramsar</u> The APIS data show that the existing nitrogen deposition maximum value exceeds the critical load for: • little tern • artic tern But not for other features.	<u>Supplementary Advice on Conservation Objectives (SACOs)</u> Target: Maintain concentrations and deposition of air pollutants to below the site-relevant Critical Load or Level values given for this feature of the site on the Air Pollution Information System (APIS).	Direct effect on a supporting process/habitat of a qualifying feature therefore inherent to site integrity.

	There are no acid deposition critical loads available for the features of this SPA as they are not considered sensitive. <u>Northumberland Marine SPA</u> The APIS data show that the existing nitrogen deposition maximum value exceeds the critical load for: • artic tern, • sandwich tern, • little tern, • common tern and • roseate tern. The APIS data identifies that for puffin and guillemot the species' broad habitat is not sensitive to eutrophication and therefore no negative impacts from changes to air quality are expected.	The structure and function of habitats which support this SPA features may be sensitive to changes in air quality. Exceeding critical values for air pollutants may result in changes to the chemical status of its habitat substrate, accelerating or damaging plant growth, altering vegetation structure and composition and thereby affecting the quality and availability of feeding or roosting habitats.	

PART C: Assessment				
Significant effect being considered (attribute affected)	**Adverse effect of proposal alone on attribute and/or feature and in relation to conservation objective for the feature**	**Adverse effect of proposal in combination with other plans or projects, on attribute and /or feature**	**Can adverse effects be avoided?**	**Adverse effect on integrity; long term, short term. Yes, no or uncertain?**
Disturbance to post-breeding birds roosting on the West Staithes, which is adjacent to the application site	Roosting birds could be displaced by noise, vibration and visual disturbance during the construction period.	n/a	During construction a Construction Environmental Management Plan will be in place reference 'Construction Environmental Management Plan Former Blyth Power Station, Land south of Brock Lane, Cambois, Blyth February 2022 Waterman Infrastructure & Environment Limited'. The following mitigation measures are proposed to be put in place during the work programme: ● Common and sandwich tern numbers and activity in the Blyth estuary will be monitored, so that any times when unusually large numbers of birds are present can be identified and limits imposed on work as appropriate ● The impact on development on these birds will be monitored.	No. Even without additional mitigation measures any adverse effects would be temporary as the construction period will affect a single year. However, should bird numbers build up to the point that additional mitigation measures will be required, it is certain that these will be effective because they could include the complete cessation of the activity causing the disturbance for the duration required.

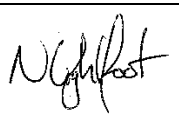
			Should a risk of adverse effects on the integrity of the SPA be identified, site-specific measures will be agreed with the LPA and Natural England to control noise, visual disturbance or vibration sources as appropriate. ● Strict exclusion zones for construction workers and activities will be imposed, including the West Staithes, the adjacent mudflats and the north bank of the Blyth estuary.	
Disturbance to migratory and wintering waders feeding or roosting in the Blyth estuary	Foraging and roosting birds could be displaced by noise, vibration and visual disturbance during the construction period.	n/a	The construction of the Site is expected to extend from Q3 2022, to Q1 2024, some of which time will include the landscaping and commissioning of the site. The noise related activity will be concentrated around the first 6-9 months of the construction programme when the ground works are under way and the steel frame has been erected. After that initial site activity most of the construction work will be associated with cladding the steel frame and internal fitting out of the factory, when external noise issues will be low and have a minimal impact beyond the site boundary.	No. Even without additional mitigation measures any adverse effects would be temporary as the construction period will affect a single year. However, should bird numbers build up to the point that additional mitigation measures will be required, it is certain that these will be effective because they could include the complete cessation of the activity

			Section 13 of the CEMP address Minimisation of Ecological Disturbance. This includes undertaking agreed ecological mitigation measures and procedures as set out in the LDO and the 2017 permission. As with earlier phases of work noise monitoring will be in place and should the 70db level be breached work will be halted, and methods and machinery changed to reduce noise levels as required.	causing the disturbance for the duration required.
Impacts to air quality during operation. As a supporting process/habitat for the qualifying features of both the Northumbria Coast SPA/Ramsar and Northumberland Marine SPA	The air quality assessment report states that the combustion plant would be designed to meet relevant air quality guidance however the precise technical specification of the plant is not currently known. The structure and function of habitats which support this SPA features may be sensitive to changes in air quality. Exceeding critical values for air pollutants may result in changes to the chemical status of its habitat substrate, accelerating or damaging	n/a	Yes. Northumbria Coast SPA: The breeding site and key habitats for little tern and arctic tern is about 45km north of the development site. Taking account of the distance between source and receptor, and the regular tidal washing it may be inferred that there will be no adverse effect. Northumberland Marin SPA: Sandwich tern and common tern both use the Blyth and Sleekburn estuaries for foraging and roosting. Roosting can be discounted as this behaviour depends on hard surfaces such as coal staithes and will not be affected in any way by NOx deposition. Foraging comprising plunge-diving for prey items such as sand eels within the	No.

	plant growth, altering vegetation structure and composition and thereby affecting the quality and availability of feeding or roosting habitats.		water column. The APIS identifies a potentially beneficial effect of increases in NOx levels in the water column through positive impacts on the terns' food supply. The proposed development will be licenced and regulated by the Environment Agency in line with the Environmental Permitting Regulations. Chemical process emissions associated with the proposed development will therefore be carefully controlled and monitored in line with the limits and procedures set out in the Environmental Permit. APIS data also shows that the total background Nitrogen deposition trend is downwards, and it is reasonable to expect it to continue to fall over the lifetime of the project reflecting wider, anticipated improvements in air quality particular around nitrogen from agriculture e.g. https://jncc.gov.uk/our-work/nitrogen-futures/ The SACOs for both sites acknowledge that achieving the conservation objective target for air quality may be subject to the development, availability and effectiveness of abatement technology	

			and measures to tackle diffuse air pollution, within realistic timescales.	

PART D: County Council's Conclusion	
CAN IT BE ASCERTAINED THAT THE PLAN OR PROJECT WILL NOT ADVERSELY AFFECT THE INTEGRITY OF THE EUROPEAN SITE(S)? YES/NO (Please provide explanation for answer given and attach any relevant supporting information) Yes, subject to the imposition of a planning condition securing the above mitigation measures. This will ensure effective control of any impacts to the point that there will be no adverse effect on site integrity.	
Name of Assessing Officer: Nadine Rolls	**Name of Supervising Officer:** David Feige
Job Title: Ecologist	**Job Title:** Environment & Design Team Manager and County Ecologist
Signed:	**Signed:** David Feige
Date:	**Date:** 3 May 2022

PART E: Consultation with Natural England on Part D	
Natural England comment on conclusion: Natural England agrees with the conclusions and mitigation outlined in Part D of this assessment. By securing these mitigation measures, we are confident that the development proposal will not have an adverse effect on the Northumbria Coast SPA/Ramsar or the Northumberland Marine SPA.	
Name of NE Officer: Nick Lightfoot	**Job Title:** Lead Adviser – Sustainable Development
Signed: 	**Date:** 5th May 2022