

NOTE TO FILE

JBA Project Code 2017s5644
 Contract Newcastle and Gateshead SA and SEA Assessment
 Client Newcastle City Council
 Day, Date and Time 2 July 2019
 Author Shantelle Friesen
 Reviewer / Sign-off
 Subject Newcastle and Gateshead SA and SEA Assessment

1 Communications with Natural England

The following provides a summary of consultation and communications with Natural England since 2016.

1.1 Scoping Report 2016

Natural England (NE) was consulted on the Scoping Report in early 2016. Responses were received in April 2016. Of the responses received there was no formal mention of an HRA.

Table 1 details the 2016 consultation responses.

Table 1: 2016 Consultation Responses from NE.

Consultee	Comments
Natural England	<p>Relevant Plans, Policies and Programmes</p> <p>Natural England has not reviewed the plans listed. However, we advise that the following types of plans relating to the natural environment should be considered where applicable to your plan area:</p> <ul style="list-style-type: none"> Green infrastructure strategies Biodiversity plans Rights of Way Improvement Plans Shoreline management plans Coastal access plans River basin management plans AONB and National Park management plans. Relevant landscape plans and strategies. <p>In addition, we advise to add the 'Conservation of Habitats and Species Regulations 2010' as national legislation.</p>
Natural England	<p>The source for the baseline information for SSSIs is in Appendix B described as 'Newcastle City Council, 2016'. It is not clear what source this is and what information this contains.</p>
Natural England	<p><i>Sustainability issues and objectives</i></p> <p>Soils and agricultural land: There no specific objective relating to the Best and Most Versatile Agricultural Land. We advise adding "Avoidance of the loss of best and most versatile agricultural land".</p> <p>Priority habitats and species: We also advise to consider the presence of priority habitats and species in the area and the impacts that the document will have on their habitats.</p> <p>Air and water: We advise that you should also consider the impacts on water quality and water supply with regards to natural environmental sensitivities. This should include water quality and water supply sensitive designated sites, such as some SSSIs. Likewise, the SA should also consider the impact of air quality on designated sites.</p>
Natural England	<p>The natural environment metrics in the baseline information are largely driven by factors other than the plan's performance. They are thus likely to be of little value in monitoring the performance of the document. It is important that any monitoring indicators relate to the effects of the plan itself, not wider changes. Bespoke indicators should be chosen relating to the outcomes of development management decisions.</p>

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1.2 Formal HRA query 2017

Natural England was contacted formally on the 11 May 2017 to enquire regarding the potential requirement for the Newcastle City Council's DPD and site allocations to require a HRA.

Natural England responded by email on 29th June 2017 stating the following:

The Conservation of Habitats and Species Regulations 2010 (As amended)

Further to your email I can confirm that in Natural England's view in regards to the need for this DPD to undergo Habitats Regulations screening for likely significant effect that as the whole Core Strategy has undergone an HRA assessment, and was found not likely to have a significant effect on European designated sites, this DPD is also not likely to have a significant effect.

I trust the above information is of use to you, however should you require any further information please contact me on this email or the number below.

Regards

Michael Miller

Sustainable Development Advisor

1.3 Sustainability Appraisal Scoping Report 2017

Natural England was consulted in May/June 2017 on the Sustainability Appraisal (SA) Scoping Report with responses received in July 2017. Responses from NE did not make reference to the requirement for an HRA. Table 2 details the May/June 2017 consultation responses from Natural England.

Table 2: Consultation responses from NE from May/June 2017 consultation period

Consulted	Date	Response – Brief Details	Actions
Natural England	4th July 2017	Baseline Information No comment.	None
		Sustainability Issues of Objectives No comments	None
		Soils and Agricultural Land There are no specific objectives relating to the Best and Most Versatile Agricultural Land. We advise adding the "avoidance of the loss of the best and most versatile agricultural land."	Amended wording to SA objectives
		Priority habitats and species We also advise to consider the presence of priority habitats and species in the area and impacts that the document will have on their habitats.	Amended wording of SA objectives.
		Air and Water We advise that you should consider the impacts on water quality and water supply with regards to natural environment sensitivities. This should include water quality and water supply sensitive designated sites, such as some SSSI's. Likewise, the SA should also consider the impact of air quality on designated sites.	Noted

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		Summary NE welcomes the overarching emphasis of the Sustainability Appraisal Scoping Report in promoting, enhancing and protecting nature conservation through the delivery of planning policy.	Noted.
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1.4 Sustainability Appraisal and Draft DAP 2017

Natural England was consulted in October/November 2017 on the SA Environmental Report and Draft DAP with responses received in January 2018. Responses from NE did not make reference to the requirement for a HRA. Table 3 details the NE consultation responses from the October/November 2017 consultation period.

Table 3: NE Consultation responses from the October/November 2017 consultation period.

Consulted	Date	Response – Brief Details	Actions
Natural England	January 2018	Regarding policy DM33 on Dewley Hill as an Area of Search, it should be noted that potential impacts of mineral extraction at Dewley Hill on Hallow Hill Site of Special Scientific Interest Should be considered at an early stage.	Hallow Hill SSSI is south of the A69 and south of Throckley. The nearest wildlife site to Dewley Hill is Callerton Pond which is a Local Wildlife Site just to the east of the site. Darras Hall Grassland SSSI is also located to the north of the site. Policy DM28 requires development to consider impacts on Sites of Special Scientific Interest. Policy DM32 states that the extraction of minerals will only be permitted, subject to such proposals having no unacceptable adverse impact on (iii) nationally or locally designated wildlife sites, protected species and their habitats and ecological networks. Any mineral extraction application at Dewley Hill Area of Search would therefore need to demonstrate no unacceptable adverse impacts on Hallow Hill SSSI.
Natural England	January 2018	Natural England welcomes policy DM25 on sustainable drainage systems (SuDS) to control water quantity and treat water quality and that includes a preference for 'soft SuDS' that mimic natural drainage and provide environmental benefits (section 6.11.10). We also welcome the inclusion of the Tyne	Policies map has been amended to clarify. Reference to ancient woodland has been included. Net gain has been included.

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Consulted	Date	Response – Brief Details	Actions
		<p>Estuary and opportunities for estuarine habitat improvement (section 6.11.15), which will benefit priority and protected species.</p> <p>We welcome policy DM26 on green infrastructure, which is well connected with other relevant policies, such as on biodiversity, flood risk, climate change and sustainable transport links, to reflect its multi-functional character. However, on the policies map the difference between green infrastructure corridors and opportunity areas is not clear. As connectivity of green infrastructure is included in the Plan and a distinction is made between corridors and opportunity areas, the link between the plan's text and the map might be improved by separately displaying the corridor and the opportunity areas.</p> <p>With regards to policy DM27 and its supporting text on trees, there is no specific reference on ancient woodland. Potential adverse impacts on ancient woodland should be considered: https://www.gov.uk/ancient-woodland-and-veteran-trees-protection-surveys-licences</p> <p>We welcome policy DM28 on biodiversity and consider it a robust policy, including the identification of wildlife enhancement corridors separate to green infrastructure. There might be an opportunity to specifically refer to net gain on biodiversity (NPPF paragraph 9, 109 and 152), which could be linked to the Green Infrastructure Strategy and any biodiversity strategies.</p> <p>Section 6.14.3 quotes: 'Sites of Special Scientific Interest (SSSI's)', this should be '(SSSIs)'.</p>	

1.5 Sustainability Appraisal and Pre-Submission Draft DAP 2018

Natural England was consulted in October/November 2018 on the SA Environmental Report and Pre-Submission Draft DAP. Responses from NE did not make reference to the requirement for an HRA.