

Belchford and Fulletby Neighbourhood Development Plan

Stage 1 Habitat Regulations Assessment

The Belchford and Fulletby Neighbourhood Development Plan

1. Belchford and Fulletby Parish Council is proposing to introduce a Neighbourhood Development Plan (NDP) for its Parish Area. NDPs were introduced by the Localism Act 2011. An NDP allows communities to develop a shared vision for their area and shape the development and growth of their community. The Belchford and Fulletby NDP does not allocate land for development. It seeks to shape design of new development and protect views and important greenspaces.

The Regulations

2. Regulations 105 and 106 of the Conservation of Habitats and Species Regulations 2017 (as amended) require that Neighbourhood Development Plans, are assessed to determine if they are likely to have a significant effect on a European site or a European offshore marine site (either alone or in combination with other plans or projects).

The Habitat Regulations Assessment (HRA) Process

3. There are four stages to an HRA. The first stage is referred to as screening. This determines whether the plan is likely, alone or in combination with other plans and programmes, to have a significant effect on European sites. This will determine whether or not a full 'Appropriate Assessment' is needed. If it is deemed to have significant effects, Stage 2 (Appropriate Assessment) then determines whether, in view of the sites conservation objectives, the plan would have an adverse effect on the integrity of the site. This allows the plan to be fine tuned as it emerges to ensure significant effects on European sites are avoided. *If stages 1 and 2 are successful in avoiding any significant effects on the integrity of international sites, Stages 3 and 4 will become unnecessary.* Stage 3 is the Assessment of Alternative Solutions. Where the plan is considered to have an adverse effect on the integrity of a site or sites, there should be an examination of alternatives solutions to avoid negative impacts. Stage 4 is - Assessment where no alternative solutions remain and where adverse impacts remain. Where adverse effects remain, compensation measures are required, however, plans will only be permitted where the plan would be necessary for Imperative Reasons of Overriding Public Interest (IROPI).

4. This document represents the first stage in the process. The screening stage identifies whether a plan - either alone or in combination with other plans or projects - is likely to have a significant impact on a European site. Screening, should:

- i. Identify if there are any sites falling under the regulations, which may be affected by the proposals
- ii. Determine whether the plan is directly connected with or necessary to the management of the protected site – if it is, then no further assessment is necessary;
- iii. Describe the plan or project and other plans and projects that, 'in combination', have the potential to have significant effects on a European site;
- iv. Examine the conservation objectives for the site or sites;
- v. Identifying the potential effects on the European site in terms of magnitude, duration, location and extent; and
- vi. Assess the significance of any effects on the European site.

Screening

5. There are ten internationally designated sites of relevance to East Lindsey, all are located along the coast:

- Humber Estuary Special Area of Conservation (SAC)
- Humber Estuary Special Protection Area (SPA) and Ramsar sites;
- Greater Wash SPA;
- Saltfleetby-Theddlethorpe Dunes and Gibraltar Point SAC;
- Gibraltar Point SPA and Ramsar;
- The Wash and North Norfolk Coast SAC; and
- The Wash SPA and Ramsar sites.

6. The Belchford and Fulletby NDP is not directly connected with or necessary to the management of any of these protected sites, therefore further assessment is required.

The Belchford and Fulletby Neighbourhood Development Plan

7. Belchford and Fulletby Parish Council is proposing to introduce a Neighbourhood Development Plan (NDP) for its Parish Area. The Belchford and Fulletby NDP does not allocate land for development. It seeks to shape design of new development and protect views and important greenspaces. The policies cover Protected Historic Features, Protected Views, Protected Local Green Space, Settlement Density, Development Design, Housing Type, Sustainable Design, Commercial Development and Dark Skies.

The Sites

The Humber

8. The Humber Estuary is a large estuary with a high tidal range. The high suspended sediment loads in the estuary feed a dynamic and rapidly changing system of accreting and eroding intertidal and sub-tidal mudflats and sand flats as well as saltmarsh and reedbeds. Other notable habitats include a range of sand dune types in the outer estuary, together with sub-tidal sandbanks and coastal lagoons. A number of developing managed realignment sites on the estuary also contribute to the wide variety of estuarine and wetland habitats. The estuary supports a full range of saline conditions from the open coast to the limit of saline intrusion. As salinity declines upstream tidal reedbeds and brackish saltmarsh communities fringe the estuary.

The Humber SAC

9. The Humber Estuary SAC extends about 70km from the mouth of the Humber, past the ports of Grimsby, Immingham, Hull and Goole and up to the limit of saline intrusion on the rivers Ouse and Trent, and along the East Lindsey coastline as far as Mablethorpe North End. The SAC is home to a significant breeding population of the grey seal. Intertidal mud on the Humber has high organic matter and the resulting food resource supports numerous SPA birds of international and national importance as well as juvenile flatfish. Littoral sands and muddy sands are a major component of the Humber Estuary mudflats and sand flats feature and cover large areas of the outer estuary, particularly on more sheltered shores and at the mouth of the estuary. The sediments of the north bank of the outer estuary are mainly sands and muddy sands, particularly from Cleethorpes to Donna Nook where conditions are relatively stable, while the sediments of the south bank of the outer estuary are predominantly sandy. These also provide large areas of habitat for numerous SPA birds of international and national importance. The high diversity of the species living within these sediments makes this habitat particularly important in terms of the food resource for birds, as well as for flatfish such as plaice and flounder.

Conservation objectives

10. Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the Favourable Conservation Status of its Qualifying Features, by maintaining or restoring;

- The extent and distribution of qualifying natural habitats and habitats of qualifying species
- The structure and function (including typical species) of qualifying natural habitats
- The structure and function of the habitats of qualifying species

- The supporting processes on which qualifying natural habitats and habitats of qualifying species rely
- The populations of qualifying species, and
- The distribution of qualifying species within the site.

Qualifying Features

- H1110. Sandbanks which are slightly covered by sea water all the time; Subtidal sandbanks
- H1130. Estuaries
- H1140. Mudflats and sand flats not covered by seawater at low tide; Intertidal mudflats and sand flats
- H1150. Coastal lagoons*
- H1310. Salicornia and other annuals colonising mud and sand; Glasswort and other annuals colonising mud and sand
- H1330. Atlantic salt meadows (*Glauco-Puccinellietalia maritimae*)
- H2110. Embryonic shifting dunes
- H2120. Shifting dunes along the shoreline with *Ammophila arenaria* ("white dunes"); Shifting dunes with marram
- H2130. Fixed dunes with herbaceous vegetation ("grey dunes"); Dune grassland*
- H2160. Dunes with *Hippophae rhamnoides*; Dunes with sea-buckthorn
- S1095. *Petromyzon marinus*; Sea lamprey
- S1099. *Lampetra fluviatilis*; River lamprey
- S1364. *Halichoerus grypus*; Grey seal

The Humber SPA and Ramsar Site

11. The Humber SPA and Ramsar sites also extend as far as North End Mablethorpe. On the North Lincolnshire coast, the saltmarsh is backed by low sand dunes with marshy slacks and brackish pools. Parts of the estuary are owned and managed by conservation organisations. The estuary supports important numbers of water birds (especially geese, ducks and waders) during the migration periods and in winter. In summer, it supports important breeding populations of bittern *Botaurus stellaris*, marsh harrier *Circus aeruginosus*, avocet *Recurvirostra avosetta* and little tern *Sterna albifrons*.

Conservation objectives

12. 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.

Qualifying Features

- A021 *Botaurus stellaris*; Great bittern (Non-breeding)
- A021 *Botaurus stellaris*; Great bittern (Breeding)
- A048 *Tadorna tadorna*; Common shelduck (Non-breeding)
- A081 *Circus aeruginosus*; Eurasian marsh harrier (Breeding)
- A082 *Circus cyaneus*; Hen harrier (Non-breeding)
- A132 *Recurvirostra avosetta*; Pied avocet (Non-breeding)
- A132 *Recurvirostra avosetta*; Pied avocet (Breeding)
- A140 *Pluvialis apricaria*; European golden plover (Non-breeding)
- A143 *Calidris canutus*; Red knot (Non-breeding)
- A149 *Calidris alpina alpina*; Dunlin (Non-breeding)
- A151 *Philomachus pugnax*; Ruff (Non-breeding)
- A156 *Limosa limosa islandica*; Black-tailed godwit (Non-breeding)
- A157 *Limosa lapponica*; Bar-tailed godwit (Non-breeding)
- A162 *Tringa totanus*; Common redshank (Non-breeding)
- A195 *Sterna albifrons*; Little tern (Breeding)
- Waterbird assemblage

13. The Humber Estuary is an extremely dynamic estuarine system with a high sediment budget, which results in changing morphology, allowing the movement of the intertidal and subtidal habitats in response to physical and biological variables. The habitats within the estuary are interdependent and inextricably linked to the structure and functioning of one another and of the system as a whole.

14. It is subject to the impacts of human activities (past and present) as well as ongoing processes such as sea level rise and climate change. Key issues include coastal squeeze, impacts on the sediment budget, and changes to geomorphological structure and function of the estuary (due to sea level rise, flood defence works, dredging, and the construction, operation and maintenance of ports, pipelines and other infrastructure), changes in water quality and flows, pressure from additional built development, and damage and disturbance arising from access, recreation and other activities.

Greater Wash SPA

15. The Greater Wash SPA covers circa 3,536km² and is located in the mid-southern North Sea between Bridlington Bay in the north and the Outer Thames Estuary SPA in the south. It is a marine site and protects important areas of sea used by water birds during the nonbreeding period, and for foraging terns in the breeding season. Breeding tern colonies along the coast are already protected by a number of existing classified SPAs: Humber Estuary, Gibraltar Point, North

Norfolk Coast, Breydon Water and Great Yarmouth North Denes. The landward boundary of the site extends to the Mean High Water mark.

Conservation Objectives

16. The Conservation Objectives for the site are to 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.

Qualifying Features:

- A001 *Gavia stellata*; Red-throated diver (Non-breeding);
- A065 *Melanitta nigra*; Common scoter (Non-breeding);
- A177 *Hydrocoloeus minutus*; Little gull (Non-breeding);
- A191 *Sterna sandvicensis*; Sandwich tern (Breeding);
- A193 *Sterna hirundo*; Common tern (Breeding); and
- A195 *Sternula albifrons*; Little tern (Breeding).

17. The Greater Wash SPA is a large, predominantly marine environment, and the East Lindsey coastline is very much on its periphery. This part of the Lincolnshire Coast is heavily populated with tourism development and there are already thousands of visitors to this part of the coast at any given point over the summer months.

Saltfleetby – Theddlethorpe Dunes and Gibraltar Point SAC

18. This collection of sites is protected as a good example of shifting dunes within a complex site that exhibits a range of dune types. Within this dune complex there are extensive areas of fixed dune vegetation within largely intact geomorphologically-active systems. The lime-rich dunes support a rich and diverse flora. The fixed dunes are part of a successional transition, and the rapidly-accreting dunes on the seaward sand bars and shingle banks make this an important site for research into the processes of coastal development.

Conservation Objectives

19. Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the Favourable Conservation Status of its Qualifying Features, by maintaining or restoring;

- The extent and distribution of the qualifying natural habitats;
- The structure and function (including typical species) of the qualifying natural habitats; and,
- The supporting processes on which the qualifying natural habitats rely.
- The population of each of the qualifying features, and
- The distribution of the qualifying features within the site.

Qualifying Features

- Shifting dunes along the shoreline with *Ammophila arenaria* ("white dunes");
- "Fixed coastal dunes with herbaceous vegetation ("grey dunes");
- Dunes with *Hippopha rhamnoides*; and
- Humid dune slacks

20. The site is subject to a high number of visitors which require close management as many of the vegetation types supported by sand dunes are fragile and vulnerable to erosion from heavy trampling. It may be necessary to take steps to manage activities in vulnerable areas. Where recreation pressure is not severe, the impact of trampling can help to retain diversity on some sites – sandy tracks break up the vegetation sward and provide areas of bare sand thus increasing the diversity of habitats available.

Gibraltar Point SPA and Ramsar

21. Gibraltar Point SPA consists of an actively accreting sand-dune system, saltmarsh and extensive intertidal flats. All stages of dune development are represented with the older dunes extensively colonised by scrub. There are also small areas of freshwater marsh and open water. The site accommodates large numbers of overwintering birds and significant colonies of breeding terns. The terns feed outside the SPA in nearby waters. The site is also important for waders during the spring and autumn passage period.

22. Gibraltar Point is also a Ramsar site and was classified for breeding little tern and non-breeding bar-tailed godwit, sanderling and grey plover. These habitats provide important feeding and breeding sites for both birds and other wildlife. The coastal waters adjacent to the SPA provide a vital food source for the breeding tern populations by supporting large populations of small fish. The sand and shingle beaches in the SPA further support breeding little terns by providing important nesting areas.

23. Additionally, both extensive areas of intertidal mud and sand support high densities of marine invertebrates, such as mud snails, providing a food source for internationally important populations of wading birds. Saltmarsh also provides key feeding and roosting habitats for important bird species within the site. The site is important throughout the year; during the spring and autumn passage periods and over winter the site is used by bar-tailed godwit, sanderling and grey plover that use the site for feeding and roosting. During summer Gibraltar Point is used for breeding by little tern. As a Ramsar site, Gibraltar Point was designated on two criteria: criterion 1 the dune and saltmarsh habitats present on the site are representative of all the stages of colonisation and stabilisation, and criterion 2 it supports an assemblage of wetland invertebrate species of which eight species are listed as rare in the British Red Data Book and a further four species listed as vulnerable.

Conservation Objectives

24. 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.

Qualifying Features:

- Bar-tailed godwit (*Limosa lapponica*), Non-breeding
- Grey plover (*Pluvialis squatarola*), Non-breeding
- Little tern (*Sternula albifrons*), Breeding
- Sanderling (*Calidris alba*), Non-breeding

25. This site is sensitive to erosion from heavy trampling and high levels of recreational pressures may require steps to manage access or control activities in vulnerable areas. It may also be necessary to manage access to limit the impacts of disturbance on breeding birds, for example for dog walking, bait digging etc. Saltmarsh change including coastal erosion can result from coastal flood-defence works, rising sea-levels, variations in sediment deposition, and land claim for development. The location and extent of mud or sand flats is dependent on the extent to which the estuary or coast where they occur is constrained from responding to sea level rise and changing sediment regimes.

The Wash and North Norfolk Coast SAC

26. The Wash and North Norfolk Coast SAC forms one of the most important marine areas in the UK and European North Sea coast. It includes extensive areas of varying, but predominantly sandy, sediments subject to a range of conditions. Communities in the intertidal area include those characterised by large numbers of polychaetes, bivalve and crustaceans. Subtidal communities cover a diverse range from the shallow to the deeper parts of the embayments and include dense brittlestar beds and areas of an abundant reef-building worm ('ross worm') *Sabellaria spinulosa*. The embayment supports a variety of mobile species, including a range of fish, otter *Lutra lutra* and common seal *Phoca vitulina*. The extensive intertidal flats provide ideal conditions for common seal breeding and hauling-out. Sandy sediments occupy most of the subtidal area, resulting in one of the largest expanses of subtidal sandbanks in the UK.

27. The subtidal sandbanks provide important nursery grounds for young commercial fish species, including plaice *Pleuronectes platessa*, cod *Gadus morhua* and sole *Solea solea*. The tide-swept approaches to the Wash include reefs which stand up to 30 cm proud of the seabed and which extend for hundreds of metres. The reefs are diverse and productive habitats which support many associated species that would not otherwise be found in predominantly sedimentary areas. Sandy flats predominate in the intertidal zone with some soft mudflats in the areas sheltered by barrier beaches and islands along the north Norfolk coast. The site contains the largest single area of saltmarsh in the UK and is one of the few areas in the UK where saltmarshes are generally accreting.

Conservation Objectives

28. Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the Favourable Conservation Status of its Qualifying Features, by maintaining or restoring:

- The extent and distribution of qualifying natural habitats and habitats of qualifying species;
- The structure and function (including typical species) of qualifying natural habitats;
- The structure and function of the habitats of qualifying species;
- The supporting processes on which qualifying natural habitats and the habitats of qualifying species rely;
- The populations of qualifying species; and
- The distribution of qualifying species within the site.

Qualifying Features

- Coastal lagoons
- Embryonic shifting dunes

- Fixed dunes with herbaceous vegetation (“Grey dunes”)
- Humid dune slacks
- Mediterranean and thermo-Atlantic halophilous scrubs (Sarcocornetea fruticosi)
- Otter (*Lutra lutra*)
- Perennial vegetation of stony banks
- Petalwort (*Petalophyllum ralfsii*)
- Shifting dunes along the shoreline with *Ammophila arenaria* (“White dunes”)

29. The site is vulnerable to natural sea level rise, storm surges and changes in erosion patterns which are increasingly likely to affect the freshwater grazing marsh and reed bed habitats. Increasing interest in abstraction of groundwater for irrigation of arable land may affect freshwater spring flows onto grazing marshes and would be addressed through application of provisions under the Habitat Regulations. The site is visited by a large number of tourists especially in the summer.

The Wash SPA and Ramsar

30. The Wash is the largest estuarine system in the UK and comprises very extensive saltmarshes, major intertidal banks of sand and mud, shallow waters and deep channels. The sheltered nature of The Wash creates suitable breeding conditions for shellfish which are important food sources for some water birds. The Wash is of outstanding importance for a large number of geese, ducks and waders, both in spring and autumn migration periods, as well as through the winter. The SPA is especially notable for supporting a very large proportion (over half) of the total population of Canada/Greenland breeding Knot *Calidris canutus islandica*. In summer, the Wash is an important breeding area for terns and as a feeding area for Marsh Harrier *Circus aeruginosus* that breed just outside the SPA. To the north, the coastal habitats of The Wash are continuous with Gibraltar Point SPA, whilst to the east The Wash adjoins the North Norfolk Coast SPA.

Conservation Objectives

31. The objectives are to ensure that, subject to natural change, the integrity of the site is maintained or restored as appropriate, and 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 populations of the qualifying features; and

- the distribution of the qualifying features within the site.

Qualifying Features

- Bar-tailed godwit (*Limosa lapponica*), Non-breeding
- Bewick's swan (*Cygnus columbianus bewickii*), Non-breeding
- Black-tailed godwit (*Limosa limosa islandica*), Non-breeding
- Common scoter (*Melanitta nigra*), Non-breeding
- Common tern (*Sterna hirundo*), Breeding
- Curlew (*Numenius arquata*), Non-breeding
- Dark-bellied brent goose (*Branta bernicla bernicla*), Non-breeding
- Dunlin (*Calidris alpina alpina*), Non-breeding
- Gadwall (*Mareca strepera*), Non-breeding
- Goldeneye (*Bucephala clangula*), Non-breeding
- Grey plover (*Pluvialis squatarola*), Non-breeding
- Knot (*Calidris canutus*), Non-breeding
- Little tern (*Sternula albifrons*), Breeding
- Oystercatcher (*Haematopus ostralegus*), Non-breeding
- Pink-footed goose (*Anser brachyrhynchus*), Non-breeding
- Pintail (*Anas acuta*), Non-breeding
- Redshank (*Tringa totanus*), Non-breeding
- Sanderling (*Calidris alba*), Non-breeding
- Shelduck (*Tadorna tadorna*), Non-breeding
- Turnstone (*Arenaria interpres*), Non-breeding
- Waterbird assemblage, Non-breeding
- Wigeon (*Mareca penelope*), Non-breeding

32. The biological richness of The Wash is largely dependent on the physical processes. The intertidal zone is vulnerable to coastal squeeze as a result of land-claim, coastal defence works, sea-level rise, and storm surges. Intertidal habitats are potentially affected by changes in sediment budget caused by dredging and coastal protection, construction of river training walls and flood defence works. The volume and quality of water entering The Wash is dependent on the use made of the surrounding rivers for water abstraction and agricultural and domestic effluents – such consents and licenses are managed under the provisions of the Habitats Regulations.

Test of Likely Effects

Identify the potential effects on the European site

34. Belchford and Fulletby Parish lies approximately 22km from the Greater Wash SPA and from the Humber Estuary SAC, Humber Estuary SPA and Ramsar site. It is approximately 22 km from the northern portion of the Saltfleetby – Theddlethorpe Dunes and Gibraltar Point SAC, and approximately 28km from its southern portion at Gibraltar Point. It is similarly approximately 28km from,

Gibraltar Point SPA and Ramsar site, and the Wash and North Norfolk Coast SAC and The Wash SPA and Ramsar site.

35. As the East Lindsey Local Plan identifies Belchford as a small village and Fulletby is deemed to be a hamlet, the amount of development coming forward in the villages is likely to be low. In any case, the Belchford and Fulletby NDP does not allocate or promote development. It seeks to shape any applications that are received by East Lindsey District Council. It is considered that the NDP will not have a significant impact on the European sites listed above. There are currently no other plans or programmes to which the NDP could contribute to an in-combination impact on the European sites listed above.

36. As a result, it is considered that the Belchford and Fulletby Neighbourhood Development Plan does not require Appropriate Assessment.