

**Appropriate Assessment of the Regional Spatial
Strategy for the North East: Addendum – Assessment of
Final Changes (June 2008)**

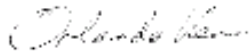
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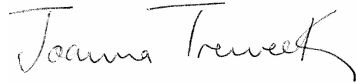
Addendum 2 – Assessment of Final Changes

Issue 1

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Appropriate Assessment of the Final changes – Important note

This report documents the Appropriate Assessment of Secretary of State's Final Changes to the North East Regional Spatial Strategy. The work was carried out to assess whether the Final Changes would have any adverse effects on the integrity of Internationally Designated Sites of Nature Conservation and to address any additional issues that were raised during consultation on the Further Proposed Changes.

As the RSS is due to be adopted this is the final stage of the Appropriate Assessment process. Appropriate Assessment documents produced prior to this include:

- Appropriate Assessment of the Regional Spatial Strategy & Secretary of State's Proposed Changes for the North East - Finalised followed consultation on Proposed Changes May 2007
- Appropriate of the Regional Spatial Strategy for the North East: addendum – Assessment of the Further Proposed Changes (February 2008) and Final Conclusions

The assessment process has lead both to the addition of new policies and the amendment of existing policies to avoid or mitigate against possible adverse effects. Following these amendments we are able to confirm that the RSS will not have an adverse effect on the integrity of European sites.

1 Introduction

Environ and Treweek Environmental Consultants (TEC) were appointed by Government Office for the North East (GONE) in September 2006 to undertake an Appropriate Assessment (AA) of the Draft Submission Regional Spatial Strategy (RSS) and Secretary of State's proposed changes, the Secretary of State's (SoS) further proposed changes and final changes.

'Appropriate Assessment (AA)' is required under the EU Habitats Directive (92/43/EEC) for any proposed plan or project which may have a significant effect on one or more European sites and which is not necessary for the management of those sites. The purpose of AA was to determine whether or not significant effects were likely and to suggest ways in which they could be avoided.

1.1 Summary of process

Results of AA of the RSS First Revision (which included the Government's proposed changes) were published in a Draft AA report. This was issued for consultation along with the RSS First Revision in May 2007. The AA report was updated to take into account the issues raised specifically on the Draft AA report during consultation and is available at: www.go-ne.gov.uk/gone/planning/regional_planning/rss_consultation/. The full title of this AA report is the Appropriate Assessment of the Regional Spatial Strategy & Secretary of State's Proposed Changes for the North East (Finalised followed consultation on Proposed Changes May 2007). It is referred to hereon as the "AA Report".

The first Addendum to the AA Report presented the final conclusions concerning possible impacts of the RSS, including those associated with the further proposed changes identified by the SoS. It examined issues that remained following consultation on the RSS First Revision and examined whether these were dealt with through the Further Proposed Changes. It also examined whether the Further Proposed Changes in themselves might have significant adverse effects.

This last period of assessment has been carried out in a similar fashion to the assessment of Further Proposed Changes. First, any consultation responses that were made specifically on the Appropriate Assessment evidence or conclusions in the AA Addendum were addressed. The updated revision of the AA Addendum is available at: www.go-ne.gov.uk/gone/planning/regional_planning/rss_consultation/. The full title of the first AA Addendum is the "Appropriate Assessment of the Regional Spatial Strategy for the North East: Addendum – Assessment of Further Proposed Changes (February 2008) and Final Conclusions". It is referred to hereon as "AA Addendum One".

Secondly the Final Proposed Changes suggested by the Secretary of State have been assessed to ensure that these amendments to the plan do not introduce or exacerbated issues that might adverse effect European sites. This report contains the assessment of the final changes. It also contains further information on European sites and specific issues of concern that were raised during consultation. This report is referred to hereon as "AA Addendum Two"

The production of separate documents has been necessary due to the limits on consultation imposed by issues of propriety. Rather than an evolving document that could incorporate Natural England's and other stakeholders' views throughout, consultation on impacts has been limited to the formal consultation periods. Finalising

the AA reports following consultation should enable the Consultees to see how their comments on the AA reports were taken into account.

1.2 Contents of the report

Chapter 1 - this chapter - summarises the AA work that has been undertaken to date.

Chapter 2 – examines the approach taken at this stage and provides the result of the assessment of the final proposed changes as well as information on some complex issues regarding European sites and appropriate assessment of Regional Spatial Strategies.

Chapter 3 - presents final conclusions concerning the implications of the RSS for European Sites.

For information on the AA process, European sites, an analysis of the RSS First Revision, issues affecting European sites and in-combination effects, please refer to the AA report and AA Addendum – Assessment of the Further Proposed Changes, available at:

www.go-ne.gov.uk/gone/planning/regional_planning/rss_consultation/.

2 Review of Final Changes

2.1 Approach

Due to the amendments made by the SoS in the Further Proposed Changes we were able to conclude in the AA Addendum One that the RSS would not have an adverse effect on European sites. The focus of this assessment was therefore to ensure that the Final Changes would not introduce amendments that might lead to any further or unforeseen adverse effects, either alone or in combination.

Unfortunately the issues of propriety that were in place for the proposed changes and the further proposed changes still remain and this has meant that open dialogue has not been possible with Natural England or other environmental groups.

A table-based approach has been used to assess whether the Final Changes may have any likely significant effect on European sites (in light of their conservation objectives). For the sake of brevity we have only included information on the policies which have been amended by the Final Changes, as the AA report and Appropriate Assessment Addendum One examined both the effects of the plan holistically and considered each policy individually.

The SoS also received some comments with regard to specific issues or sites that needed further examination to ensure that concerns regarding adverse effects have been dealt with. To address some of these issues we have provided further information under section 2.4. As set out in section 1.1, the AA Addendum One was also updated to amend some factual inaccuracies which Consultees pointed out during the consultation on the Further Proposed Changes.

2.2 Description of the Final Changes

The comments received during the public consultation on the RSS Further Proposed Changes (between January and March 2008) were taken into account in preparing the "Final Changes" which include modifications throughout the RSS to both policies and supporting text. Table 1 examines the implication of these changes for European sites.

The Final Proposed Changes do not alter the broad spatial development strategy for the North East region for the period 2004-2021. Nor do they alter priorities for economic development, retail growth, transport investment, the environment, minerals, or waste treatment and disposal. They largely strengthen policies, enhance their consistency with other policies or suggest inclusion of more specific wording, e.g. by reference to particular towns or sites.

2.3 Results of assessment

Table 1 sets out the assessment of the Final Changes. New text added to the policy or supporting text is highlighted in bold and text being removed has a line through it. The Final Changes are relatively minor amendments in nature and in general are either beneficial in terms of protecting European sites or do not lead to any additional adverse effects.

Note that we have not included policies where there have been no amendments in this final stage.

Please note: For ease of understanding, the appraisal of final changes to policy in the RSS is listed with reference to the policy numbering system used in the SoS's Further Proposed Changes (February 2008), and the final changes being made to the RSS are explained in the Statement of Reasons accompanying the final RSS. However, in presentational terms some of the policies may have been renumbered in the final publication version of RSS as part of final reformatting.

THEMES	PROPOSED FINAL POLICY CHANGE	Assessment of final changes	Further mitigation required
WEAR CITY REGION	<p>included in the list of settlements at 6.1 (c)</p> <p>“c. supporting the regeneration and development of Amble, Ashington, Blythe.....”</p> <p>Amend 6.4 (d)</p> <p>“d. exploring the feasibility of a further crossing promoting a further crossing of the River Wear and improved transport connections along the river in Sunderland;</p>	those already addressed in previous changes.	Policy.
TEES VALLEY CITY REGION	<ul style="list-style-type: none"> • Policy 7 – policy change. 7.3 (c) to read: <p>“c. supporting housing market renewal programmes for the Tees valley city region; including Durham Coalfields Communities Area;”</p>	No additional effects to those already addressed in previous changes.	No requirement to amend Policy.
RURAL AREAS	<ul style="list-style-type: none"> • Policy 8 – policy change: Remove Amble from list of Rural Service Centres, as Amble is now identified as an Other Regeneration Area. Policy 8.1.a to read: <p>“8.1.a strengthening the role of the Rural Service Centres of Alnwick, Amble, Barnard Castle, Berwick-upon-Tweed....”</p>	No additional effects to those already addressed in previous changes.	No requirement to amend Policy.
BROWNFIELD MIXED-USE DEVELOPMENTS	<p>13.2. The following Brownfield Mixed-Use Locations are identified for major mixed-use regeneration projects in the Conurbations and Main Settlements:</p> <ul style="list-style-type: none"> • Blyth Estuary; • Central Newcastle; • Tyne River Corridor (East of Newburn, excluding MetroCentre in terms of Policy 26); 	No additional effects to those already addressed in previous changes.	No requirement to amend Policy.

THEMES	PROPOSED FINAL POLICY CHANGE	Assessment of final changes	Further mitigation required
CASINO DEVELOPMENT	<p>Policy 17 - CASINO DEVELOPMENT</p> <p>For regional, large and small casino development, Local Development Frameworks and planning proposals should:</p> <p>a. establish the need for the development <u>if proposed outside of town centres</u>;</p> <p>b. ensure that any development is accessible by a range of transport modes, particularly public transport, cycling and walking;</p> <p>c. establish the impact of development on existing centres;</p> <p>d. develop on previously developed sites to make optimum use of existing infrastructure;</p> <p>e. maximise the contribution to regional economic growth; the creation and enhancement of sustainable communities; tourism; and wider regeneration priorities; and</p> <p>f. optimise the net additional employment opportunities that would arise locally as a result, particularly for residents of deprived wards</p>	No additional effects to those already addressed in previous changes.	No requirement to amend Policy.
EMPLOYMENT LAND PORTFOLIO	<p>Policy 18</p> <p>Replacement of the word “the” before criteria to become “of” and add the word “the” to criterion (d).</p> <p>Delete the superfluous words “the possibility of”.</p> <p>Correct the reference to general employment land referred to in the “Notes” section of the policy so they concur with figures already in the policy, i.e. Stockton 255ha and Darlington 235ha.</p>	changes made for grammar and clarity	No requirement to amend Policy.

THEMES	PROPOSED FINAL POLICY CHANGE	Assessment of final changes	Further mitigation required
KEY EMPLOYMENT LOCATIONS	Amend policy 19 criterion (b) b. seek to achieve zero or low carbon emissions, including energy conservation measures and secure energy supply from decentralised and renewable or low-carbon sources the use of renewable energy sources in accordance with the approach set out in Policy 39;	Changes simply provide consistent read across with sustainable construction policy. No further effects identified.	
PORTS	Policy 22 Reword bullet point b to read: b. supporting rail loading gauge to Teesport and the Port of Tyne;	Changes just for clarification – No additional effects on European Sites to consider.	No change needed.
DELIVERING SUSTAINABLE COMMUNITIES	Policy 24, Amend “f” to read: Linking development to appropriate provision of infrastructure, including green infrastructure , water supply, wastewater treatment and energy supplies;” (and bullet “f” - merely presentational issue only – no appraisal implications).	No significant effects on the integrity of any European site identified – included for consistency with paragraph 2.61.	No change needed.
TOTAL DWELLING CONSTRUCTION / IMPROVING THE HOUSING STOCK / DWELLING PROVISION / MANAGING HOUSING SUPPLY	Policy 30 - GROSS AND NET DWELLING PROVISION • Add the word 'average' before 'annual' in 30.1. “30.1. Total dwelling construction (Gross completions) Local Development Frameworks should make provision for the following average annual level of total dwelling construction in the period 2004-2021”. • Error: Table 3.4 setting out gross dwelling	Addition of average has no additional effect on any European Site.	None.

THEMES	PROPOSED FINAL POLICY CHANGE	Assessment of final changes	Further mitigation required
	<p>provision: figures for County Durham in 2004-21 to be amended to read 1,615 and not 1,385.</p> <ul style="list-style-type: none"> • A simply moving of wording (no new wording) from under Table 3.8 in Policy 31, to be placed below Table 3.7 in Policy 30 instead: <p>“The District Allocations set out above should not provide the justification for the refusal of windfall housing proposals that fall within the guidance set out for Strategic Housing Land Availability Assessments”.</p> <p>In 30.3 Net dwelling provision, amend printing errors:</p> <p>2016-21: Alnwick should be 85 & Berwick should be 75.</p> <p>2004-11: Redcar should be 325.</p>		
LANDSCAPE CHARACTER	<p>Policy 33</p> <p>Amend f to read: Incorporate the findings of Shoreline Management Plans and Catchment Flood Management Plans.</p>	Terminology update only,	None,
<p>SUSTAINABLE ENERGY USE (includes Sustainable construction)</p> <p>Note – updated wording on</p>	<p>Policy 39</p> <p>Policy 39 – sustainable construction (see underlining / bold)</p> <p>Strategies, plans and programmes, and planning proposals should:</p> <p>a. ensure that the layout and design of new buildings</p>		

THEMES	PROPOSED FINAL POLICY CHANGE	Assessment of final changes	Further mitigation required
	c. effect on the region’s World Heritage Sites and other national and internationally designated heritage sites <u>or landscape</u> areas, their settings <u>including the impact of proposals close to their boundaries.</u>	previous changes.	
WASTE MANAGEMENT PROVISION	<p>Policy 47 Strategies, plans and programmes should provide the management capacity for the annual tonnage of waste arisings set out in Table 3 & 3A. The type and number of facilities should reflect local circumstances within the strategic framework established by RSS policies and will be based on:</p> <p>Household Waste – to increase recycling and composting to 40% by 2010 and 46% by 2016</p>	The addition of the target for 2016 reflects Waste Strategy 2007. No additional effects on the integrity of any European Site identified.	None needed.
REGIONAL TRANSPORT CORRIDORS	<p>Policy 50 REGIONAL TRANSPORT CORRIDORS 50.2. Particular priorities should be:</p> <ul style="list-style-type: none"> ● East Coast Main Line power supply ● Rail <u>loading</u> gauge enhancements to Teesport; 	No additional effects on the integrity of any European Site identified.	None needed.
DEMAND MANAGEMENT MEASURES	<p>Policy 54 PARKING AND TRAVEL PLANS 54.2. To complement these statements, Local Transport Plans and other strategies, plans and programmes, and planning proposals should:</p> <ul style="list-style-type: none"> a. seek to minimise parking provision for non-residential developments, linked to coordinated proposals for public transport and accessibility improvements and demand management; b. apply guidance set out in national planning policy on residential parking standards, reflecting local circumstances; 	No additional effects on the integrity of any European Site identified.	None needed

THEMES	PROPOSED FINAL POLICY CHANGE	Assessment of final changes	Further mitigation required
	<p>c. ensure travel plans are prepared for all major development proposals that will generate significant additional journeys which should seek to maximise travel by public transport, cycling, and walking and car sharing. At the Key Employment Locations and Brownfield Mixed-Use Locations consideration should be given to developing a coordinated approach for the whole site, including overall levels of parking provision; and</p>		
<p>SUSTAINABLE FREIGHT DISTRIBUTION</p>	<p>Policy 57 SUSTAINABLE FREIGHT DISTRIBUTION Local Transport Plans and other strategies, plans and programmes should:</p> <ul style="list-style-type: none"> a. prioritise strategic freight movements, alongside strategic passenger movement on the Regional Transport Corridors; b. support rail loading gauge enhancements to Teesport and the Port of Tyne, particularly from the East Coast Main Line; 	<p>No additional effects on the integrity of any European Site identified.</p>	<p>None needed.</p>
<p>KEY DIAGRAM, INSET (N), INSET (S)</p>	<p>Amendments made to positioning and depiction of symbols and images.</p>	<p>Beneficial as wind energy symbols moved to avoid the SPA and Ramsar.</p>	<p>None needed.</p>

2.4 Addressing outstanding issues

2.4.1 Dealing with the introduction of a target for delivery of micro renewables

Policy 39 'Sustainable construction' reintroduces a target for securing energy from decentralised and renewable or low-carbon sources. It sets out that 'in advance of local targets being set in DPDs, major new developments of more than 10 dwellings or 1000m² of non-residential floorspace should secure at least 10% of their energy supply from decentralised and renewable or low-carbon sources, unless, having regard to the type of development involved and its design, this is not feasible or viable'.

The implications of these changes in policy for European sites are currently unclear. Driving a change to renewable sources is beneficial in terms of reducing local and diffuse air pollution, reducing the production of waste from traditional fossil fuel or nuclear sources and mitigating against the effects of climate change. However, it is not known whether this target will increase the likelihood of numerous small local impacts on European sites or qualifying species when they are using habitat outside of sites. Possible adverse impacts are increases in disturbance or mortality to birds or bats from the cumulative build up of small wind turbines.

Section 2.4.2 of AA Addendum One explains some of the constraints to setting out effective avoidance and mitigation measures when planning for renewables in the RSS so that information is not repeated here. Whether or not sites such as the Tees Estuary SPA/Ramsar will be adversely affected by the inclusion of this target is largely down to implementation and there is not a clear understanding of the capacity of the region to accommodate renewables or micro renewables without impact on European sites.

The previous changes made to Policy 40 and 41 within AA Addendum One will act as suitable mitigation for the amendments made to Policy 39. The 10% target for securing decentralised and renewable or low-carbon sources from new development contributes to the overall renewable energy targets within Policy 40. So the text making clear that the achievement of the target should not be done at the expenses of breaching the requirements of the Habitats Regulations is a requirement that is applicable to Policy 39 and this does not need to be repeated.

In line with recommendations made in AA Addendum One we suggest that further studies be commissioned to allow the RPB to provide a clearer picture to local authorities of appropriate locations to develop certain types of renewable and micro renewable energy generation.

2.4.2 Tiering in Appropriate Assessment

The Appropriate Assessment Report finalised in May 2007¹ explained in detail our approach to the Appropriate Assessment of this Regional Spatial Strategy. This included our recommendations regarding tiering of appropriate assessment and use of these AA

¹ TEC (2007) Appropriate Assessment of the Regional Spatial Strategy & Secretary of State's Proposed Changes for the North East. Finalised followed consultation on Proposed Changes

reports to inform subsequent AA studies of LDFs or specific proposals. Tiering in HRA and the assessment of named proposals in plans continues to be a sensitive and contentious issue. In the absence of formal guidance from CLG on this issue we examined the approach taken in other Appropriate Assessment of Regional Spatial Strategies and consulted widely with other AA practitioners before and whilst we have been involved in this work.

The following points elaborate on the information provided in the Appropriate Assessment Report finalised in May 2007 and seek to further explain our approach to dealing with specific proposals where impacts depend mostly on implementation.

Due to the uncertainties inherent in plan making the exact effect of a policy or proposal may not be certain until detailed implementation. This can make it difficult to conclude with any certainty that adverse effects on integrity won't take place. Due to the clear requirement within the Habitats Directive to apply the precautionary principle, however, we have attempted to propose measures first to avoid and then, if this is not possible, to mitigate for adverse effects which could occur using the approach outlined below:

- 1). Identify opportunities to avoid adverse effects by changing policy, e.g. through alternative modes of implementation or altering scales or rates of development.
- 2). Where effects cannot be avoided completely but are uncertain, include 'Rules' to reduce their likelihood or occurring, for example by identifying thresholds or constraints.
- 3). Where the likelihood and significance of effects depends substantially on spatial factors and detailed implementation, provide guidance to lower levels or later stages of playing concerning how impacts can be avoided. Highlight issues that should be considered in project level AA. Inclusion of a particular project in a plan does not preclude the need for further consideration of the project under the requirements of the Habitats Regulations, or the need for other avoidance/mitigation measures identified through project level AA.
- 4). Where there is residual uncertainty, identify the need for further information, modelling or assessment. Hopefully if the steps above are applied there will be no or few issues to deal with at the project level but AA may be needed and monitoring may be necessary to validate predictions.

2.4.3 Eroding Historic Coastal Landfill Sites

There have been a number of queries with regard to the effect of historic coastal landfill sites on European sites in the region if future coastal erosion results in their exposure. Although this may be a future issue for coastal European sites which rely on good water quality the RSS is unlikely to cause or exacerbate this problem.

The issue of coastal squeeze relates to the inability of habitats to migrate landward as sea level rises because of fixed hard coastal defences. The coastal landfill sites are in fixed positions and the RSS does not promote any development that would cause specific erosion to take place at these sites. The RSS promotes a positive approach to protecting the aquatic and marine environment, favouring the evolution of the coast,

estuaries and near shore zones through natural processes wherever possible in line with Government and Environmental Agency policies².

Government considers this to be a site specific issue which is outside the remit of the RSS. It is better addressed through the Shoreline Management Plans and the Integrated Coastal Zone Management Plans. The SMP would need to address options for protection or realignment that might affect areas of coast at threat from erosion.

2.4.4 Increases in water temperature resulting from new power stations

The RSS does not promote or influence the development of new thermal power stations in the region and therefore does not need to consider mitigation measures to protect European sites from potential discharges. Policies 2, 2A and 39 all include measures to improve energy efficiency and reduce energy consumption, whilst policies 40, 41 and 42 plan for renewable energy generation which in the majority of cases will not lead to discharges that alter water temperature.

In addition this is a highly site specific issue. The AA of this RSS does not preclude the need for further consideration of projects in the region under the requirements of the Habitats Regulations and the need for other avoidance/mitigation measures which may be identified through project level AAs.

2.4.5 Consideration of Thrislington SAC and air quality

The supporting text of Policy 38A does not make reference to Thrislington SAC as being adversely affected by air pollution and at risk of further increases. The information available from APIS system³ and the Environment Agency database⁴ suggested that this site is not receiving air pollution above the site's critical levels and loads. See Table 2

Table 2 Information on air pollution at Thrislington SAC (source: APIS)

SAC	Grid ref.**	acid dep.	N dep.	ozone	N Critical load ranges
Thrislington SAC	NZ317328	0.44	0.97	0.95	N ranges 15-25. this AA uses 20

Key	0.25-0.74	0.75-0.99	1-1.24	1.25-1.99	2+

² Environment Agency (2008) Managing and planning for floods http://www.environment-agency.gov.uk/subjects/flood/1217883/1217968/?version=1&lang=_e

³ Air Pollution Information System (2008). Found at: <http://www.apis.ac.uk/>

⁴ Impact of atmospheric emissions from JEP coal and oil-fired power stations on sites protected by the Habitats Directive. Diane Brooke, Steve Griffiths, Keith Sadler and Rob Lennard. Joint Environment Programme report ENV/054/2005, PT/06/BE130/R. Issued February 2006.

Although, we understand that these models have their limitations⁵ we have also considered the following when addressing risks to this site.

- Thrislington SAC is located more than 200m from A1 and East Coast Main Line. As set out in the air quality chapter within the AA report research by Laxen and Wilson (2002) suggests that NO₂ emissions from main roads essentially reach background levels within 200m. Therefore there is unlikely to be a direct link between schemes such as the rail freight interchange at TurSDale (4-5km north of Thrislington SAC) and air pollution received at this site.
- The qualifying feature for this site is semi-natural dry grasslands and scrubland facies: on calcareous substrates (*Festuco-Brometalia*). Responses to acid deposition are strongly dependent on soil type and bed rock geology and its buffering capacity. This site is less sensitive to acid deposition as it contains (lime) CaCO₃.
- Natural England consider unlikely that landfill in the quarry void would be a problem for the SAC, especially not from gas migration⁶. In addition, any change in type of landfill material that Thrislington Quarry is receiving would need consent from the Environment Agency and would be checked against requirements under the habitats Regulations.
- Although the site is dependent upon limited fertiliser input and management by seasonally-adjusted grazing the Natura 2000 Data Form states that management on these traditional lines has been reintroduced.

There is no evidence available to suggest that the RSS presents a specific risk and as such that the site should be listed in the supporting text for Policy 38A.

2.4.6 Monitoring air quality

Ensuring suitable monitoring is in place to ensure critical air quality thresholds are not exceeded is vital for achieving no adverse effects on European sites. It is required so that the RPB can prescribe additional measures to be put in place in an RSS revision that would prevent adverse effects from air pollution.

The SA adoption statement sets out the measures to be taken to monitor the significant effects of the implementation of the plan or programme. It states that “the purpose of this monitoring is to identify unforeseen effects of the implementation of the plan. It is the responsibility of the North East Assembly as the Regional Planning Body to carry out this monitoring and review in liaison with Government Office North East and other partners. The latter, which among others include One NorthEast, the Regional Observatory and the statutory agencies, have important roles to play in monitoring the progress of the RSS. Their roles should be co-ordinated by the Assembly in order that, where possible, a common evidential base is created and duplication avoided”.

⁵ More information is provided on the limitations of the APIS and Electricity Supply Industry Habitats Spreadsheet in the AA Report - Appropriate Assessment of the Regional Spatial Strategy & Secretary of State's Proposed Changes for the North East. Finalised followed consultation on Proposed Changes.

⁶ Mike Quigley, Julie McNish, Robert Cussen. Natural England (19th December 2006). Pers Comm.

The North East Assembly will publish an Annual Monitoring Report (AMR), which will be submitted to the Secretary of State by the end of February each year. The Annual Monitoring Report, together with Government's headline and good practice guide indicators will provide the context for measuring progress towards the key objectives of the RSS.

Indicators that have been included to monitor diffuse air pollution or the sources of air pollution include:

- Days when air pollution is moderate or high
- Levels of road traffic
- Ambient air quality – SO₂, NO₂ and PM₁₀
- Average daily traffic flow

The following indicator has been added to the AMR to direct local authorities to monitor concentrations of pollutants on the roads alongside sensitive sites:

- Monitoring of air quality and its effects on key sensitive nature conservation sites alongside the A66 and A19

Monitoring of these indicators will ensure a better understanding of changes in air quality in the region and whether DEFRA's air quality predictions and the presumption of improvement is correct. Action will need to be taken through revisions should the trend deviate from the improvements predicted.

2.4.7 Minerals Strategy

Questions have been raised regarding the impact on European sites from the import of marine aggregates and provision of wharves for this purpose. However, it is important to note that the RSS does not set targets for the extraction of marine aggregates or provide any information regarding the location from which marine aggregates should be won. The quantities and locations of marine aggregates are agreed under separate licensing arrangements. Policy 44 sets out the need to safeguard wharves and any locations for this would be subject to the criteria under Policy 22 "ports". For reference further information regarding the licensing arrangements for marine aggregates is provided below but it is also important to note that this policy does not drive levels of extraction that would require activities that are damaging to European sites. Nor does it negate the need for further consideration of extraction proposals under the requirements of the Habitats Regulations and the need for other avoidance/mitigation measures which may be identified through project level AAs.

Marine aggregate extraction is subject to licensing by the Crown Estates Office (and Scottish Marine Estates) once proposals have been favourably considered under the "government view" procedure, which involves consultation with the relevant government departments. These procedures are currently under review and statutory procedures are to be adopted.

In England the Department for Communities and Local Government (DCLG) administers this process. Marine Minerals Guidance 1⁷ (MMG1) provides a statement of the

⁷ DCLG (2006) Marine Mineral Guidance 1: Extraction by dredging from the English seabed

Government's policies on the extraction of marine sand and gravel and other minerals from the English seabed (Published July 2002). This indicates a range of controls over mineral dredging activities to ensure that extraction does not cause unacceptable adverse impacts.

Currently, dredging licences are issued by the Crown Estate. A non-statutory "Government View" (GV) procedure was introduced in 1968, under which a licence is only issued if the Government has indicated that it is content that the impacts on the environment of the proposed dredging activity are acceptable. The GV procedure was amended in 1998 with the introduction of 'Interim Procedures', to make the application and determination process faster and more transparent. Guidance on the Interim Procedures was published in May 1998 (DETR, 1998). The revised GV system will itself be replaced shortly by a statutory system which will transpose the provisions of the Environmental Impact Assessment and Habitats Directives, insofar as they relate to marine minerals dredging, into UK law. The statutory procedures will require dredging operators to obtain a Dredging Permission from the Secretary of State. However guidance on how possible cumulative effects could be assessed at regional level is not currently available. It is also not clear to what extent the combined apportionments of different regions are likely to result in significant pressure on marine resources. Understanding on this issue would benefit from a specific technical study.

2.4.8 Hazardous Waste

Questions have been raised about the exportation of specialist and hazardous waste and the potential for adverse effects upon sites outside the Region.

Although there is no evidence available that Hazardous Waste is or will have adverse effects on European sites any specific proposals for the transport or management of such waste which might effect a European site will be subject to assessment under the requirements of the Habitats Regulations.

The Environment Agency's tests of consent for location and operation of hazardous waste facilities are extremely rigorous and would apply the statutory protection in place through the Habitats Regulations.

3 Final Conclusions

This Addendum, the Appropriate Assessment Report and the Appropriate Assessment Addendum One constitutes a record of the appropriate assessment required by Regulation 85B of the Conservation (Natural Habitats, &c.) (Amendment) regulations 2007, undertaken by Government Office North East in respect of the North East Regional Spatial Strategy, in accordance with the Habitats Directive (Council Directive 92/43/EEC).

The focus of the assessment at this stage was to ensure that the Final Changes would not introduce amendments that might lead to any further or unforeseen adverse effects either alone or in combination. This addendum documents the process and results.

Addendum 2 – Assessment of Final Changes

In addition, particular issues raised by consultees during the consultation on the Further Proposed Changes have been examined to assess whether further measures would be needed through the Final Changes to avoid or mitigate against adverse effects.

The final changes do not introduce any additional adverse effects for which further mitigation measures are considered necessary. Many changes are beneficial, ensuring consistency with other parts of the plan or clarifying the protection needed for European sites.

The appropriate assessment carried out for the RSS does not preclude the need for consideration of lower tier plans and projects against the requirements of the Habitats Directive. However, the process has been successful in dealing with issues that are appropriately managed at the regional level and the RSS has met with the requirements of the Habitats Regulations through modification to policy as necessary.