

South Tyneside Council

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

REGULATION 63, THE CONSERVATION OF HABITATS AND SPECIES REGULATIONS 2017

PART A: The Proposal

Type of Permission: Full Planning Permission

Ref No: ST/0523/22/FUL

Proposal: Demolition of existing dwelling and erection of new residential dwelling.

Location: 19 West Meadows Road, Cleadon, South Tyneside, SR6 7TU

Maps of Application Site: At Appendix 1

European Site Names: Durham Coast SAC, Northumbria Coast SPA & Ramsar Site

List of Interest Features: The baseline information for each of the European designated sites in South Tyneside is set out below. Details are also provided for the Conservation Objectives for each site. The Conservation Objectives provide the framework which should inform any 'Habitats Regulations Assessments'. Should the planning application or project result in an effect which could undermine any of the conservation objectives, it should be considered as having a Likely Significant Effect in terms of the HRA process.

Durham Coast SAC

The Durham Coast is the only example of vegetated sea cliffs on magnesian limestone exposures in the UK. These cliffs extend along the North Sea coast for over 20 km from South Shields southwards to Blackhall Rocks. Their vegetation is unique in the British Isles and consists of a complex mosaic of paramaritime, mesotrophic and calcicolous grasslands, tall-herb fen, seepage flushes and wind-pruned scrub. Within these habitats rare species of contrasting phytogeographic distributions often grow together forming unusual and species-rich communities of high scientific interest. The communities present on the sea cliffs are largely maintained by natural processes including exposure to sea spray, erosion and slippage of the soft magnesian limestone bedrock and overlying glacial drifts, as well as localised flushing by calcareous water (www.jncc.defra.gov.uk).

Primary reason(s) for designation – Qualifying Features:

Annex I Habitat – Vegetated sea cliffs of the Atlantic and Baltic coasts

Annex I habitats present as a qualifying feature, but not a primary reason for selection of this site:

Not applicable.

Conservation Objectives:

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
- The structure and function (including typical species) of qualifying natural habitats, and
- The supporting processes on which the qualifying natural habitats rely

Northumbria Coast SPA

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.

Primary reason(s) for designation – Qualifying Features:

- a) The site qualifies under article 4.1 of the Directive (79/409/EEC) as it is used regularly by 1% or more of the Great Britain population of a species listed on Annex I in any season:
 - Little Tern (*Sterna Albifron*) - 40 pairs representing at least 1.7% of the breeding population in Great Britain (5 year peak mean 1991/2 - 1995/6)

- b) The site qualifies under article 4.2 of the Directive (79/409/EEC) as it is used regularly by 1% or more of the following bird populations of European importance in any season:
 - Purple Sandpiper (*Calidris maritime*), 763 individuals representing at least 1.5% of the wintering Eastern Atlantic - wintering population (5 year peak mean 1991/2 - 1995/6)
 - Ruddy Turnstone (*Arenaria interpres*), 1,456 individuals representing at least 2.1% of the wintering Western Palearctic - wintering population (5 year peak mean 1991/2 -1995/6).

Non-qualifying species of interest:

In addition, the site supports nationally important populations of Sanderling (*Calidris alba*), Ringed Plover (*Charadrius hiaticula*) and Redshank (*Tringa tetanus*). Northumbria Coast SPA also supports a number of Annex I birds (below the 1% qualifying level), including Arctic Tern (*Sterna paradisaea*) and Golden Plover (*Pluvialis apricaria*).

Conservation Objectives:

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.

N.B. – It should be noted that Little Tern (*Sterna Albifron*) are not known to breed in South Tyneside.

Northumbria Coast Ramsar site

The Northumbria Coast Ramsar site comprises several discrete sections of rocky foreshore between Spittal, in the north of Northumberland, and an area just south of Blackhall Rocks in County Durham. These stretches of coast regularly support nationally important numbers of purple sandpiper and high concentrations of turnstone. The Ramsar site also includes an area of sandy beach at Low Newton, which supports a nationally important breeding colony of little tern, and parts of three artificial pier structures which form important roost sites for purple sandpiper.

The site consists mainly of areas of rocky shore with associated boulder and cobble beaches. These support a rich algal flora and associated fauna and form an important feeding area for wading birds. The areas of sandy beach within the site support a flora which includes marram (*Ammophila arenaria*) and sea sandwort (*Honkenya peploides*).

Primary reason(s) for designation – Qualifying Features:

- Little Tern
- Purple Sandpiper
- Ruddy Turnstone

PART B: Identification of effects being considered and relevant features affected

Likely significant effect(s) being considered (attribute(s) affected)

Increasing levels of recreational disturbance in the Durham SAC and the Northumbria Coast SPA & Ramsar Site.

Affected qualifying features

The over-wintering birds can be vulnerable to disturbance caused by an increased numbers of visitors to the area and an increase in noise. The Purple Sandpiper and Ruddy Turnstone are over-wintering birds and are therefore susceptible to disturbance during the winter period (November – March).

The Durham Coast SAC protects the only example of vegetated sea cliffs on magnesian limestone exposures in the UK. The habitat type is a complex mosaic of grassland, fen, flushes and scrub. It is highly sensitive to impacts that change the conditions of the site, including nutrient enrichment and direct habitat damage. Disturbance effects on the Durham Coast SAC could also lead to the trampling of vegetation. Trampling can lead to physical damage to plants – reducing their ability to flower, soil compaction and nutrient loss which can affect the soils ability to support the species richness of the area. Furthermore, nutrient enrichment caused by dog fouling can also affect the natural fauna of the area by changing the mineral content of naturally low nutrient rich soils and can promote the introduction of invasive species.

Favourable condition target(s) for relevant feature(s) based on conservation objectives set for SPA/Ramsar

Restrict the frequency, duration and/or disturbance affecting roosting, foraging, feeding, moulting and/or loafing birds so that they are not significantly disturbed.

Restrict the frequency, duration and/or disturbance affecting habitat/vegetation.

Contribution of attribute(s) to site integrity (ecological structure and functioning of site)

Direct effects on qualifying feature therefore inherent to site integrity.

PART C: Assessment

Significant effect being considered (attribute affected)

Effects on the Durham Coast SAC, and the Northumbria Coast SPA & Ramsar Site, when considered in combination with other plans and projects, including direct effects on purple sandpiper and turnstone (qualifying features).

Adverse Effect of proposal alone on attribute and/or feature and in relation to conservation objective for the feature

The development is for **a replacement dwelling, approximately 2.2 kilometres away** from the European Sites, and **would not** cause likely significant effects on either the Durham Coast SAC, or the Northumbria Coast SPA & Ramsar Site, when considered in isolation.

Adverse Effect of proposal in combination with other plans or projects, on attribute and /or feature

Disturbance arises from a range of recreational activities, such as walking, dog-walking, rockpooling and sea angling.

Disturbance reduces foraging time and increases energy expenditure because birds have to spend more time engaging in vigilance and escape activities. Reduced food intake combined with increased energy expenditure decreases fitness, which in turn increases mortality at the wintering grounds or on migration, or results in birds arriving at their breeding grounds in poorer condition, reducing their productivity.

Disturbance effects on the Durham Coast SAC could lead to the trampling of vegetation. Trampling can lead to physical damage to plants – reducing their ability to flower, soil compaction and nutrient loss which can affect the soils ability to support the species richness of the area. Furthermore, nutrient enrichment caused by dog fouling can also affect the natural fauna of the area by changing the mineral content of naturally low nutrient rich soils and can promote the introduction of invasive species.

Can adverse effects be avoided?

Yes. While no mitigation measures are included as part of the application proposal itself, adverse effects would be avoided due to mitigation secured through South Tyneside Council's Mitigation Strategy for European Sites.

The Mitigation Strategy document sets out the Council's strategic approach to mitigating effects due to development pressure arising from residential pressure within 6 kilometres of the site. Analysis of recent housing completions shows that minor development accounts for less than 4% of new dwellings when all residential permissions are taken into account. The vast majority of housing delivery has been through permissions for 10 or more dwellings. The Council's strategy is therefore to seek developer contributions to provide mitigation for impacts on protected sites to be obtained through residential developments of 10 dwellings or more. A small weighting is included in these contributions to provide mitigation for smaller residential schemes such as this one, through contributions required for major residential development projects.

Adverse effect on integrity; long term, short term. Yes, no or uncertain?

No.

PART D: South Tyneside Council's Conclusion

CAN IT BE ASCERTAINED THAT THE PLAN OR PROJECT WILL NOT ADVERSELY AFFECT THE INTEGRITY OF THE EUROPEAN SITE(S)?

This is an application for a minor residential development within the 6km zone of influence outside of the European Sites that is identified within the Interim HRA and SPD23. Mitigation will be secured to address likely significant in-combination effects due to recreational disturbance through developer contributions obtained through this strategy, which are obtained on a tariff basis from major residential developments, which is set at a level designed to also provide sufficient mitigation to address effects associated with minor residential development proposals.

Accordingly, it can be ascertained that the proposal, in-combination with other plans and projects, **will not** have an adverse effect on the integrity of the Durham Coast SAC and the Northumbria Coast SPA & Ramsar Site.

Case officer: Nick Graham

Date: 04/10/2022

Supervising officer: Geoff Horsman

Date: 06/10/2022

PART E: Consultation with Natural England on Part D

Note: Natural England has provided Standing Advice (letter dated 20/05/2019) on Appropriate Assessments undertaken for mitigation relating to recreational disturbance to the Northumbria Coast SPA, Northumbria Coast Ramsar site and Durham Coast SAC. **Direct consultation with Natural England will therefore not be required where the Standing Advice is applicable and where the competent authority's Appropriate Assessment is consistent with the Standing Advice.** The letter sets out the parameters within which the Standing Advice is applicable. Where other adverse impacts beyond these parameters are identified, Natural England **must** be consulted for further advice.

Is Natural England's Standing Advice applicable to this case? Yes

Is the competent authority's Appropriate Assessment consistent with the Standing Advice? Yes

Is further consultation with Natural England required? No

«END»

Appendix 1 - Maps of Application Site & Context Relating To European Sites



- Site Location Plan – Planning Application Submission ST/0523/22/FUL



Map of European Sites & Zone of Influence – Interim SPD23 (NTS) – Including approx. site location

References

The information in the document has been informed by the following studies / documents:

- Planning application submission documents
- South Tyneside Interim Habitats Regulations Assessment and Supplementary Planning Document; Report 1: HRA of emerging growth scenarios and options (February 2018)
- South Tyneside Interim Habitats Regulations Assessment and Supplementary Planning Document; Report 2: Recreation Mitigation Strategy (February 2018)
- South Tyneside Council Interim Supplementary Planning Document 23: Mitigation Strategy for European Sites (Recreational Pressure from Residential Development)
- The Habitats Regulations Assessment Handbook
- Natural England Standing Advice (20 May 2019) – Natural England's response to Appropriate Assessments undertaken for mitigation relating to recreational disturbance to Northumbria Coast SPA; Northumbria Coast Ramsar site; Durham Coast SAC