

South Tyneside Council

ASSESSMENT OF LIKELY 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

Application Site Distance from European Sites:

Approx 2.2km from the Durham Coast SAC, Northumbria Coast SPA and 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

Summary of Favourable Conditions, Vulnerabilities, and Existing Condition of European Sites:

It is also important to gain an understanding of the favourable conditions and the existing condition of the Durham Coast SAC and Northumbrian Coast SPA. The favourable conditions for each site are the qualities of the protected sites which should be protected or retained in order support the qualifying features. The favourable conditions for the two sites and their identified vulnerabilities are set out below:

Natura 2000 Site	Favourable Conditions Summary	Vulnerabilities
<p style="text-align: center;">Durham Coast SAC</p>	<ul style="list-style-type: none"> • No loss in habitat • Minimal disturbance • Open terrain – no reduction in views • Food availability – fish, crustaceans, worms, molluscs, sub-surface invertebrates & epibenthic invertebrates. • Retention of structures for high tide roosts 	<p>Vegetated sea cliffs range from vertical cliffs in the north with scattered vegetated ledges, to the Magnesian limestone grassland slopes of the south. Parts of the site are managed as National Nature Reserve, and plans provide for the non-interventionist management of the vegetated cliffs. The majority of the site is in public ownership and an agreed management plan is being developed to protect nature conservation interests.</p> <p>(Natural England: publications.naturalengland.org.uk/file/4520446)</p>
<p style="text-align: center;">Northumbria Coast SPA and Ramsar</p>	<ul style="list-style-type: none"> • Minimal disturbance • Food availability – epibenthic invertebrates, marine fish, crustaceans, worms and molluscs. • No loss in habitat • Open ground with sparse vegetation and open terrain • Retention of structures for high tide roosts. 	<p>Little terns are vulnerable to disturbance by tourists in the summer causing reduced breeding success. The National Trust employs wardens each summer to protect the little tern colony at Beadnell Bay.</p> <p>http://jncc.defra.gov.uk/ProtectedSites/SACselectio/n2kforms/UK0030140.pdf</p>

Natural England report that the component SSSI's for each SAC and SPA are reported to be in 'Favourable Condition'.

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

PART B: Screening of Likely Significant Effects

Is the effect likely to be significant?

a) Alone? No. The development is for the erection of a single replacement dwelling, approximately 2.2 kilometres (at its nearest point) away from the Durham Coast SAC, and 2.2 kilometres (at its nearest point) away from the Northumbria Coast SPA & Ramsar Site, and **would not** cause likely significant effects on either the Durham Coast SAC, the Northumbria Coast SPA & Ramsar Site, when considered in isolation.

b) In combination with other plans or projects? Yes, there is a credible risk of likely significant effects on the Durham Coast SAC, the Northumbria Coast SPA & Ramsar Site, when considered in combination with other plans and projects.

The following potential impacts which could result from the proposed development have been assessed as part of this screening assessment:

- Habitat Loss
- Disturbance

Habitat Loss

Development pressure could result in the loss of areas of designated sites or areas of functional land which contribute to maintaining the integrity of the European sites. The loss of habitat can also lead to habitat fragmentation, the breaking up of habitats into smaller or more isolated areas which can affect the ability to support habitat dependent species, including the qualifying features of European sites.

The development is located approximately 2.2 kilometres from the European sites (at its nearest points), **and so would not have direct impacts in respect of habitat loss.** This does not include consideration of any potential effects on habitats within the designated sites arising indirectly from disturbance, which are considered below.

Disturbance

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 presence of people and their activities has been shown to affect the behaviour of birds as they are often perceived as threats and can cause disturbance events where the birds are forced to fly away from their roosting site. The presence of dogs is a common cause of disturbance events, especially when dogs are off the lead. The reaction resulting from the disturbance has an 'energy cost' for the birds, which is particularly significant during winter when feeding opportunities maybe limited or the weather conditions harsh. The longer term consequences of frequent disturbance events and energy expenditure could make the birds more vulnerable to predation, as well as affecting their ability to build fat reserves which are required to fuel migration towards breeding grounds. These impacts can have an impact on survival rates and the population of the species.

Temporary disturbance to birds may also be an effect during the construction stages of the project, particularly if the development is situated close to important bird areas (such as feeding areas or roost sites). The effects of noise can lead to impacts on the bird's density at roosting sites and their demography.

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.

The project presents a credible risk of likely significant effects on the Durham Coast SAC, Northumbria Coast SPA & Ramsar Site, through disturbance due to the effects of the development in combination with other residential development projects, in particular arising from the presence of people and dogs, through increased recreational activity affecting the European sites.

There is not considered to be a likely significant effect through temporary disturbance to birds during the construction stages of the project, due to the scale of the project and its distance from the European Sites.

No mitigation measures are included as part of the project itself, however South Tyneside Council's Mitigation Strategy for European Sites 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.

This mitigation strategy cannot be given any weight in determining whether the proposal would have likely significant effects.

PART C: South Tyneside Council's Conclusion

Conclusion: Is the proposal likely to have a significant effect on a European site?

Durham Coast SAC: Yes - appropriate assessment required

Northumbria Coast SPA & Ramsar Site: Yes - appropriate assessment required

Case officer: Nick Graham

Date: 04/10/2022

Supervising officer: Geoff Horsman

Date: 06/10/2022

PART D: Consultation with Natural England on Part C

Send to Natural England for information purposes, if Appropriate Assessment is required but only if their Standing Advice is not applicable.

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

N.B. IF THE PROPOSAL IS LIKELY TO HAVE A SIGNIFICANT EFFECT AN APPROPRIATE ASSESSMENT WILL BE REQUIRED

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:

- 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
- Habitat Regulations Assessment, Marsden Grotto, South Shields, N19081E, dated May 2019 by Patrick Parsons Ltd.
- All documents submitted as part of the planning application ref: ST/0745/21/FUL