Habitats Regulations &

SSSI Impact Assessment Report

North Road, West Boldon

October 2020

Final Report

Report Prepared For:	**Project Ref:** ECN19 115
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Field Investigations and Data

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Summary

EcoNorth Ltd. was commissioned by Ethical Partnership to provide the relevant ecological data to inform a Habitats Regulations Assessment (HRA) in relation to proposed development plans for an area of land off North Road, West Boldon, South Tyneside. The proposal is for a residential development on land which currently supports stables and permanent pasture for horses.

This report provides the information required for the competent authority (in this case South Tyneside Council) to undertake a HRA. The report also considers the potential impacts of the change of use application on the Durham Coast Site of Special Scientific Interest (SSSI).

The Habitats Regulations screening report focuses on potential effects of the proposed development on the Northumbria Coast Special Protection Area (SPA) and Ramsar site, and Durham Coast Special Area of Conservation (SAC) which lie in close proximity to the development. The Northumbria Coast SPA is designated for three qualifying bird species: Little Tern, Purple Sandpiper and Turnstone.

The report also discusses the potential impacts of the proposal on species associated with the SSSI, which includes overwintering Sanderling in addition to Purple Sandpiper and Turnstone noted above.

The following potential impact pathways have been identified which may result in Likely Significant Effects (LSE) on the SPA and Ramsar designations:

- Recreational disturbance of SPA birds from residents associated with the development during occupation

The following potential impact pathways have been screened out of pathways which could result in LSE on the Northumbria Coast SPA based on the scale, location and nature of the operation and the urban context in which it occurs:

- Direct or indirect habitat loss
- Noise or visual disturbance from the development during occupation
- Noise disturbance during construction
- Visual disturbance during construction

This report considers the impacts above in relation to the likely magnitude of the effects in association with information on the distribution of the qualifying features of the relevant designated sites and the conservation objectives for those sites.

This report also eliminates likely significant effects on Little Tern based on the well-established location of the breeding locations of the species within the SPA, which are a considerable distance from the site. The site also lies well outside of the typical foraging range of Little Tern.

The report concludes that following the implementation of appropriate mitigation, the proposed development will not result in adverse effects on the integrity of the Natura 2000 sites. Mitigation measures required to reach this conclusion focus on influencing the behavior and use of the coast by occupants to avoid effects on Purple Sandpiper and Turnstone, and also Sanderling in relation to the SSSI.

Measures to influence occupant behaviour will also be important in avoiding adverse effects on the Durham Coast SAC.

The delivery of mitigation will be primarily via a financial contribution towards South Tyneside Council's emerging strategic HRA (Foot Print Ecology 2018). The mitigation presented within this document, which at the time of writing is going through a consultation process, identifies a financial contribution of £487 per property (which in this case would be per house or apartment) to fulfill the financial requirements of strategic mitigation objectives.

The development will contribute this amount per property or any reasonably foreseeable small-scale change which may emerge throughout the consultation period.

1. Introduction

1.1 Background

EcoNorth Ltd. was commissioned by Ethical Partnership to provide sufficient information to undertake a Habitat Regulations Assessment (HRA) in relation to a planning application at land off North Road, West Boldon, South Tyneside (central OS grid reference: NZ 34785 61189). The proposal to be assessed is for a residential development on land currently supporting a stables and being used as pasture for horses.

This report contains information required for the competent authority (in this case South Tyneside Council) to undertake a Habitat Regulations Screening Assessment.

Much of the coastline of South Tyneside and County Durham is designated as the Northumbria Coast Special Protection Area (SPA) and Ramsar site for its internationally important populations of breeding Little Tern *Sternula albifrons,* and migratory and overwintering populations of Purple Sandpiper *Calidris maritima* and Turnstone *Arenaria interpres.*

In addition, the Durham Coast Special Area of Conservation (SAC) is situated c.5.9km from the proposed development site. The Durham Coast SAC is designated owing to the presence of vegetated sea cliffs of the Atlantic and Baltic Coasts, which are listed as Annex 1 habitats in Council Directive 92/43/EEC on the Conservation of Natural Habitats and of Wild Fauna and Flora, commonly known as The 'Habitats Directive'.

The designation of the Northumbria Coast SPA and Durham Coast SAC under Council Directives 79/409/EEC on the Conservation of Wild Birds (The 'Birds Directive'), and The Habitats Directive, respectively, means that the Conservation of Habitats and Species Regulations 2017 as amended (the 'Habitats Regulations') which transpose the two EC directives noted above into UK law, apply to these Natura 2000 sites.

The Habitats Regulations requires that any plan or project not directly connected with or necessary to the management of a European site, but likely to have a significant effect thereon, either individually or in combination with other plans or projects, shall be subject to a HRA of its implications for the site in view of the site's conservation objectives. The possibility of there being a 'Likely Significant Effect' (LSE) on a European site will generate the need for an 'Appropriate Assessment' of those effects to be carried out by the competent authority in accordance with Part 6 of The Regulations. Accordingly, given the presence of Natura 2000 sites in proximity to the application site, an assessment process to identify any LSE must be carried out by the competent authority.

The relevant stages of the Habitat Regulations Process are summarized in Section 3 of this report.

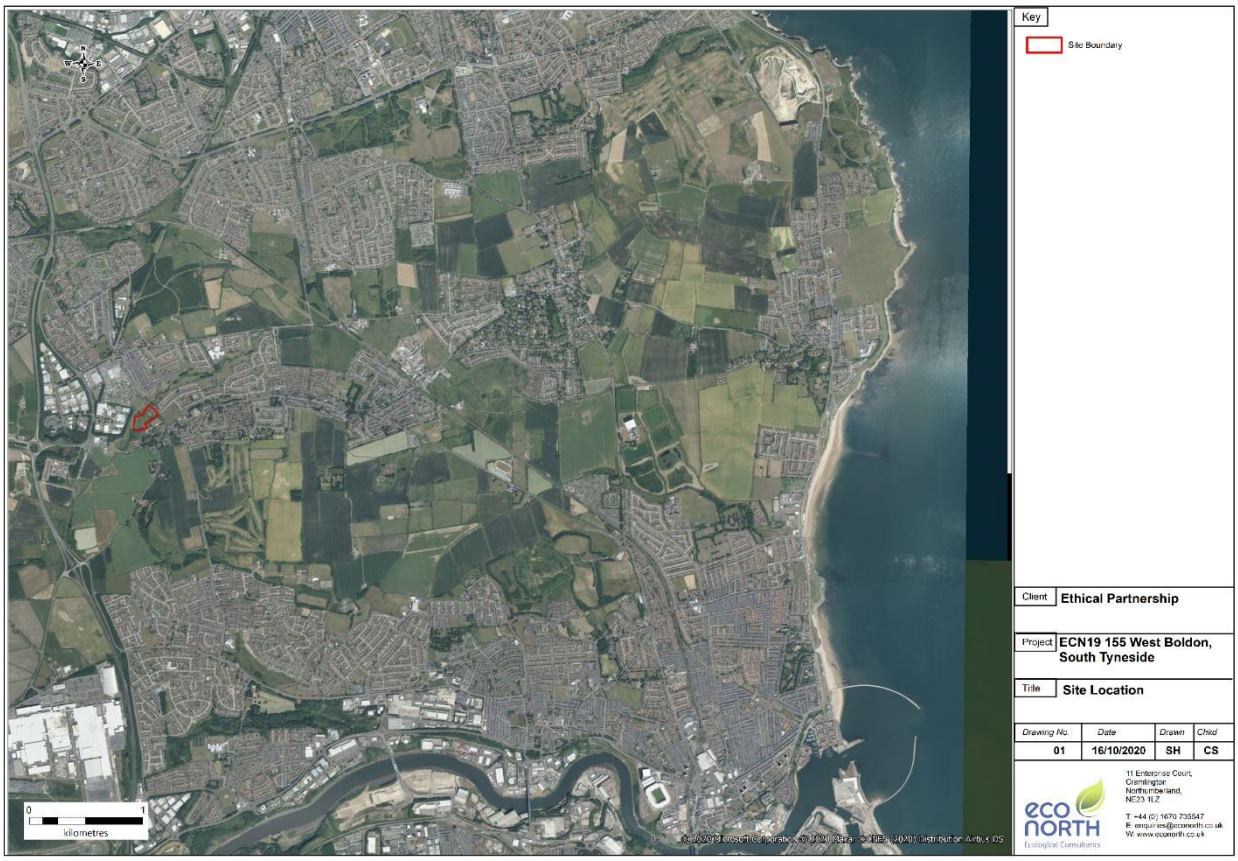
This document comprises information to enable South Tyneside Council to undertake screening for LSE and an Appropriate Assessment of any effects identified on Natura 2000 sites in accordance with Article 6(3) of the Habitats Regulations.

In addition to the SPA/Ramsar and SAC designations above, much of the coastline is designated as the Durham Coast Site of Special Scientific Interest (SSSI) the boundary for which includes more extensive areas of coastline. The SSSI is designated for Purple Sandpiper and Turnstone as per the SPA described above, and is also of national importance for Sanderling *Calidris alba*. In addition to the information required to inform the HRA, this document also includes an assessment of the potential impacts of the proposal on the qualifying features of the Durham Coast SSSI.

1.2 Site Context

Figure 1 identifies the location and extent of the development site.

Figure 1: Indicative Site Location and Boundary



The site is located within West Boldon which lies approximately 6km west of the North Sea coast. The River Don, which runs from north to south immediately to the east of the site, is a tributary of the River Tyne. The surrounding areas to the north and east are dominated by residential developments, with an industrial estate to the west. Immediately to the south east is a small stand of trees and further residential properties. In the wider landscape, there

is arable land to the south and west and further housing to the east. To the north there is a mixture of residential properties, plantation woodland and arable fields.

The development lies c.5.9km west of the Northumbria Coast SPA and Ramsar Site which overlap with the Durham Coast SAC and SSSI. Between the site and the SPA are the largely residential areas of West and East Boldon and surrounding arable land.

2. Legislation

Any site designated as an SPA under Council Directive 2009/147/EC on the Conservation of Wild Birds (The Birds Directive), or as an SAC under Council Directive 92/43/EEC on the Habitats Directive means that the Conservation of Habitats and Species Regulations 2017 as amended (The Habitats Regulations) apply to these Natura 2000 sites.

Part 6 of The Regulations require that, where an authority concludes that a development proposal or plan unconnected with the nature conservation management of a Natura 2000 site is likely to have a significant effect on that site, it must undertake an 'Appropriate Assessment' of the implications for the conservation interests for which the area has been designated.

The Local Planning Authority (South Tyneside Council), as competent authority, has a duty to:

> Stage 1: Define the proposal, the qualifying species of the SPA / SAC and identify potential effects associated with the proposal

> Stage 2: Determine whether the proposal is directly connected with, or necessary to, site management for conservation; and, if not

> Stage 3: Determine whether the proposal is likely to have a significant effect (identify LSEs) on the site either individually or in combination with other plans or projects; and, if so, then

> Stage 4: Make an appropriate assessment of the implications (of the proposal) for the site in view of that site's conservation objectives

The competent authority can only agree to the proposal under Article 6(4) of the regulations after having ascertained that it will not 'adversely affect the integrity of the site'. If this is not the case, and there are no alternative solutions, the proposal can only be allowed to proceed if the proposal is in the interests of preserving public health and safety or if there are imperative reasons of overriding public interest. In such cases, suitable compensatory measures are required.

For the purposes of this assessment the integrity of the site is generally considered to be 'the coherence of the site's ecological structure and function, across its whole area, that enables it to sustain the habitats, complex of habitats and/or populations of species for which the site is or will be classified', (Tyldesly,2011).

Parts of the surrounding area are also designated a SSSI under the Wildlife and Countryside Act (1981) (as amended). Under this legislation, the following offences are identified:

- It is an offence for any person to intentionally or recklessly damage or destroy any of the features of special interest of a SSSI, or to disturb wildlife for which the site was notified
- It is an offence for owners and occupiers to carry out, or allow to be carried out, operations listed in the notification without consent

Thus, this assessment also aims to identify whether any of the features for which the SSSI is designated could be damaged or destroyed as a consequence of the proposed development.

For a full understanding of the relevant legislation, readers are advised to refer to the original legislation.

3. Habitat Regulations Assessment

3.1 Stage One Screening

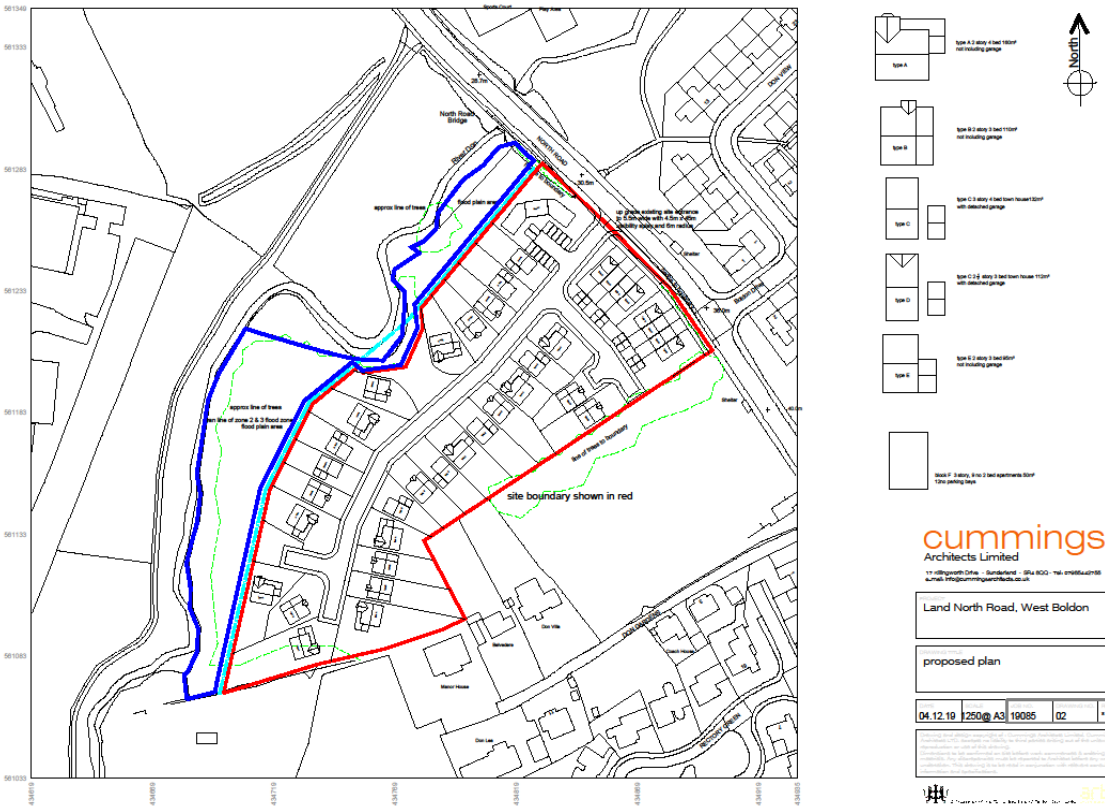
3.1.1 Description of Proposed Project

The proposed development assesed within this document comprises:

- Demolition of an existing stable
- Construction of 36 houses and 9 apartments with the following typology:
    - 10 Type A (2 storeys, 4 bed)
    - 10 Type B (2 storeys, 3 bed)
    - 8 Type C (3 storeys, 4 bed)
    - 4 Type D (2.5 storeys, 3 bed)
    - 4 Type E (2 storeys, 3 bed)
    - 9 Block F (3 storeys, 2 bed apartments)
- New landscaping including car parking spaces for use of residents only
- A buffer zone between the development and river
- All associated infrastructure.

The estimated population of the proposed development has been based on a 'worst case scenario' of all bedrooms being occupied by two persons, assuming that all bedrooms within the development are double bedrooms. As there are therefore 144 bedrooms to be provided by the proposed development, it is assumed that a maximum of 288 persons will occupy the buildings. Figure 2 below shows the current proposed development plan for the site.

Figure 2: Current Proposed Development Plan provided by Cummings



3.1.2 Relevant European Sites

There are two Natura 2000 sites within 2km of the site boundary; Northumbria Coast SPA (which is also designated as a Ramsar site for the same qualifying bird species) and the Durham Coast SAC which is designated for its vegetation communities. Table 1 details the distance and qualifying features of each European site, with qualifying interests of the Durham Coast SSSI included in Table 2; Figures 3 and 4 display the location of these sites in relation to the plan/project.

Figure 3: Natura 2000 Sites Considered in the Assessment

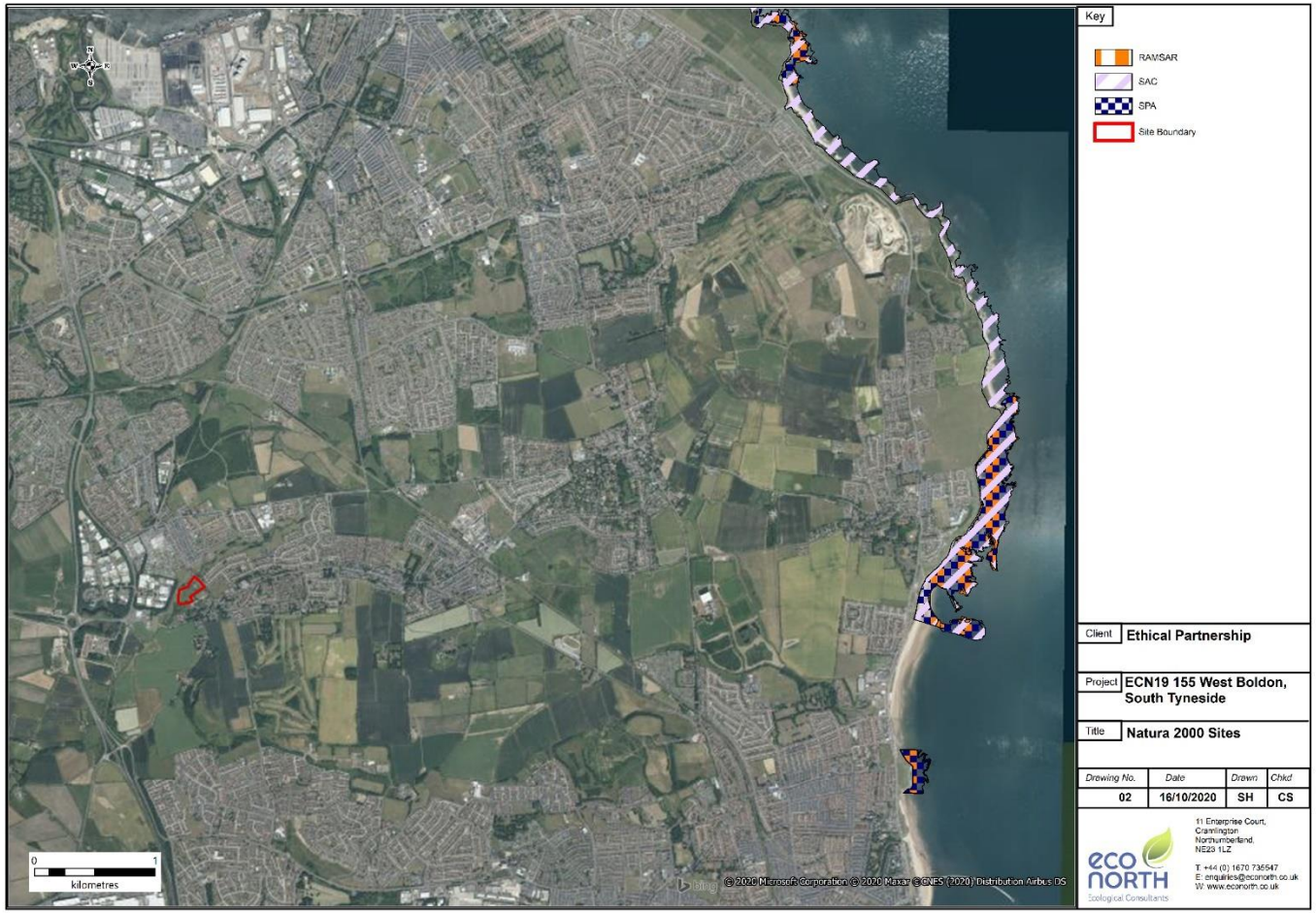


Figure 4: SSSI Sites Considered in the Assessment

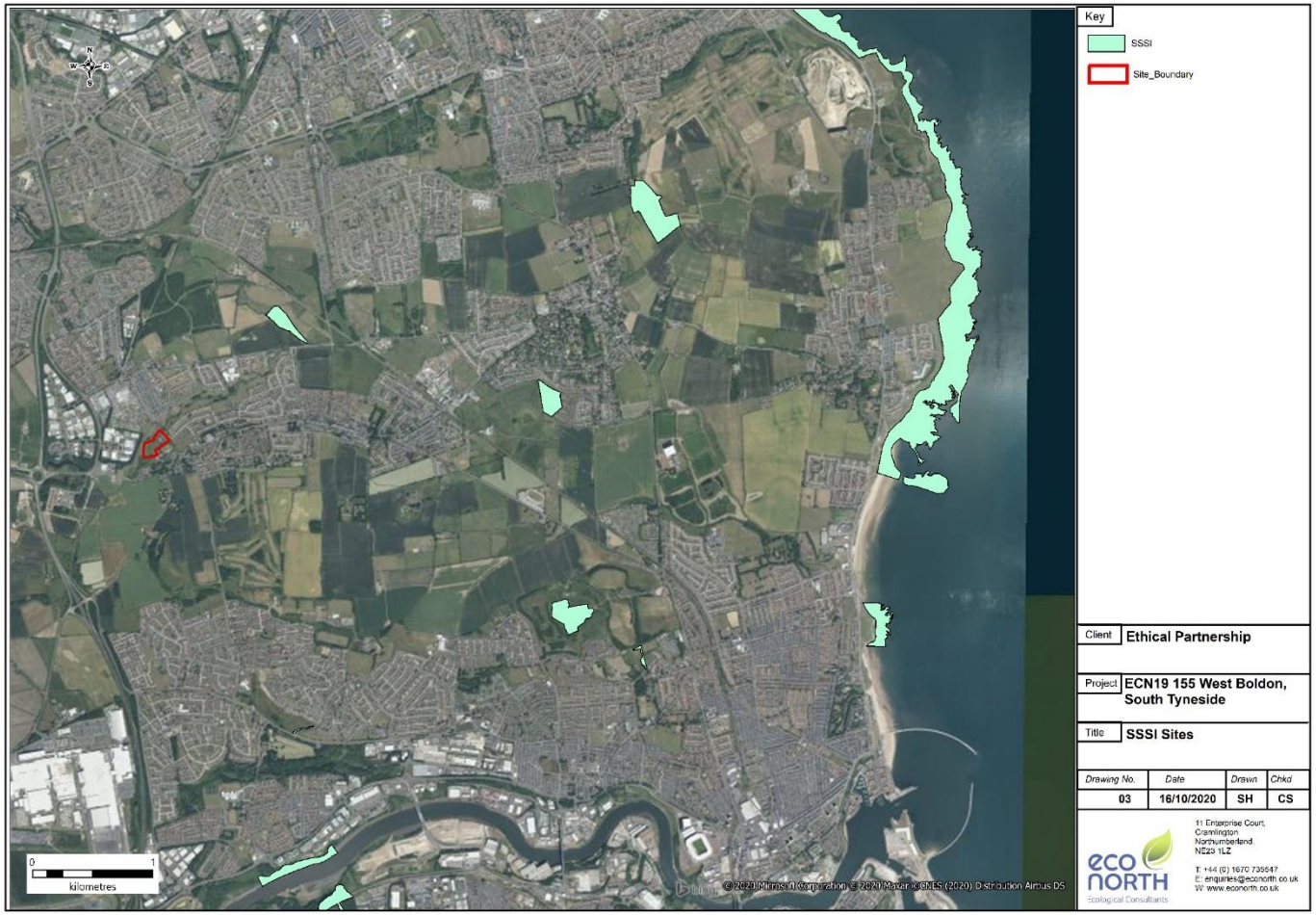


Table 1: Natura 2000 and Ramsar Sites Within a 6km Radius

Designated Site	Closest Point to Development Site	Description and Criteria for Designation	Current Status
Northumbria Coast SPA	Approx. 5.9km east	Northumbria Coast Special Protection Area qualifies under Article 4.1 of the EU Birds Directive by supporting internationally important populations of regularly occurring Annex 1 species: • Arctic Tern *Sternula paradisaea*, 1,549 pairs representing at least 2.92% of the breeding population in Great Britain (5 year peak mean 2010-2014) • Little Tern *Sternula albifrons,* 40 pairs representing at least 1.7% of the breeding population in Great Britain (5 year peak mean 1991/2 - 1995/6) It also qualifies under Article 4.2 of the EU Birds Directive in that it supports internationally important populations of regularly occurring migratory species: • Purple Sandpiper *Calidris maritima,* 763 individuals representing at least 1.5% of the wintering Eastern Atlantic - wintering population (5 year peak mean 1991/2 - 1995/6) • 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)	All relevant units of Durham Coast SSSI which overlap with the SPA are assessed as being in favourable condition. Similarly, units of the Northumberland Coast SSSI are also reported as being in favourable condition combined these SSSI sites overlap with the Northumbria Coast SPA. As an overall condition report of the SPA could not be sourced however, the favourable condition of SSSI units is used as a surrogate and the assessment assumes favourable condition of the SPA in this location.
Northumbria Coast Ramsar Site	Approx. 5.9km east	The Ramsar site is coincident with the Northumbria Coast SPA set out above. The qualifying species for the Ramsar site are: Species regularly supported during breeding season: • Little Tern *Sternula albifrons.* 5 yr mean for 1993-1997 – 40 pairs, 1.7 % GB Species with peak counts in winter: • Purple Sandpiper *Calidris maritima*, 5 yr peak mean for 1992/93 - 1996/97 = 787 1.6% E Atlantic (wintering) • Ruddy Turnstone *Arenaria interpres* (5 yr peak mean for 1992/93 - 1996/97 =, 1,739 2.6% W Palearctic (wintering))	

Designated Site	Closest Point to Development Site	Description and Criteria for Designation	Current Status
Durham Coast SAC	Approx. 5.9km east	Annex 1 habitat types: Vegetated sea cliffs of the Atlantic and Baltic Coasts. 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 20km from South Shields southwards to Blackhall Rocks. Their vegetation is unique in the British Isles and consists of a complex mosaic of maritime-influenced, calcareous and species-rich-neutral grasslands, tall-herb fen, seepage flushes and wind-pruned scrub. Within these habitats, rare species with varied ecological requirements 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.	All relevant units of the Durham Coast SSSI are assessed as being in favourable condition. In this instance, in the absence of a condition assessment for the SAC, the condition of the SSSI is used as a surrogate and the SAC is assumed to be in favourable condition.

Table 2: SSSI Designations Included Within This Assessment

Designated Site	Closest Point to Development Site	Description and Criteria for Designation	Current Status
Durham Coast SSSI	Approx. 5.9km east	The Durham Coast between South Shields and Hart Warren is of considerable biological, geological, and physiographic interest. It contains most of the paramaritime magnesian limestone vegetation in Britain, as well as a species-rich dune system, and supports nationally important numbers of wintering shore birds and breeding Little Tern which contribute to the internationally important populations of the north-east coast.	All relevant units of the Durham Coast SSSI are assessed as being in favourable condition

3.1.3 Conservation Objectives of Each European Site

Table 3 details the conservation objectives of each European site to assess the potential impacts of the proposed plan/project.

Table 3: Conservation Objectives of Each European Site

Designated Site	Conservation Objectives
Northumbria Coast SPA	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 • The distribution of the qualifying features within the site
Northumbria Coast Ramsar Site	As the interest features of the Ramsar site are the same as those for the Northumbria Coast SPA, the conservation objectives for the SPA are applied.
Durham Coast SAC	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

3.2 Stage 2 – Determine whether the proposed development is connected with or necessary for site management of the Natura 2000 site(s)

The proposal is for a residential development on land currently occupied by stables and used as pasture for horses; the proposals are not considered to be necessary for, or connected to the management of the Natura 2000 site(s).

3.3 Stage 3 - Determine whether the proposal is likely to have a significant effect (identify Likely Significant Effects) on the site either individually or in combination with other plans or projects

3.3.1 Receiving Environment for the Proposed Development

In this subsection of the report, consideration is given to the suitability of the proposed development area to support the relevant qualifying species of the designated sites described above.

The proposed development footprint lies entirely within pastoral land. No part of the development site lies within land designated as SAC, SPA or SSSI habitat.

The development is situated in West Boldon adjacent to the River Don. The site is surrounded by arable land and residential properties.

Based on the distance of the proposed development and land use between the site and the SPA, the site is considered highly unsuitable to support qualifying features of the Northumbria Coast SPA.

The following background information on species distribution and ecology will be considered during the screening and assessment process below.

Due to the distance inland from the Natura 2000 sites and the unsuitability of the site, comprising of stables and pastoral land, the proposed development is not within the vicinity of the breeding, feeding or roosting distribution of Little Tern, Purple Sandpiper, Turnstone or Sanderling which are based along the Durham Coast. **No likely significant effect.**

3.3.2 Potential Impact Pathways

Habitat Loss

The site lies entirely outside of the designated site boundaries and therefore no direct habitat loss will occur.

The development is located on pastoral land, c.5.9km from the SPA and is not considered suitable for use by the aforementioned interest species. No sandy sediment shores, rocky shore or other habitats such as mudflat or saltmarsh will be affected as a result of the development. It is therefore not considered to provide functional habitat for species associated with the designated sites due to the enclosed environment and high levels of general activity, including vehicular and pedestrian activities. Given these considerations, no functional habitat loss is predicted as a result of the application and therefore habitat loss of any kind is not considered further. **No Likely Significant Effect.**

Construction Stage Pollution

Although there is a hydrological pathway from the River Don immediately adjacent to the site, given the distance between the site and the SPA and SSSI boundaries, the buffer in place between the development and the river, and the implementation of measures detailed within the Construction Environmental Management Plan (CEMP) to avoid pollution of the watercourse, any risk of construction stage disturbance is considered minimal and it is not considered likely that significant effects would occur due to airborne

or waterborne pollutants as a result of the proposal. **No likely significant effects are predicted.**

Disturbance Due to Noise During Construction Stage

Due to the size of the development and distance from the Northumbria Coast SPA of c. 5.9km, any demolition or construction works taking place are not considered to have the potential to result in disturbance of the designated sites. **No Likely Significant Effect.**

Visual Disturbance

A review of the typical distances at which waders were seen to take flight in reaction to people is presented by Cutts *et al.* (2009), whereby typical distances of 90-100m were reported for Redshank *Tringa totanus* and Curlew *Numenius arquata* taking flight to avoid perceived danger. Shorter ranges (60m and 40m) of flight response were noted for Oystercatcher *Haematopus ostralegus* and Golden Plover *Pluvialis apricaria* respectively. Observations at various sites along the Northumberland Coast indicate that Turnstone respond by taking flight at relatively shorter-range approaches (J. Thompson, *pers obs*), similarly studies of overwintering birds at and around St. Mary's Island (North Tyneside) showed that Turnstone habituate to human activity more frequently than other species.

Due to the distance of c.5.9km, there is not considered to be any risk of visual disturbance as a result of the proposals. **No likely significant effects are predicted.**

Operational Noise at Source

Due to the size of the development and distance from the Northumbria Coast SPA of c. 5.9km there is considered negligible risk of the mentioned bird species being impacted by any additional noise. **No Likely Significant Effect.**

Operational Pollution

Given the nature of the development site, the assessment is based on the likelihood that foul water treatment will be treated in a similar manner to the surrounding properties. For this reason, no significant change and no likely significant effects are therefore predicted. **No Likely Significant Effect.**

Operational Predation

The presence of pets such as cats within residential developments can result in negative impacts upon bird populations as a result of increased predation. Based on the lack of suitable habitat within the site for the qualifying species, and the distance of the development site from the designated areas, there is not considered to be the potential for the proposals to result in increased predation risk. **No Likely Significant Effects.**

Operational Disturbance

Human activity along the coastline can have the effect of disturbing birds from feeding areas by both preventing birds from actively foraging, and in some cases expending energy reserves fleeing from the presence of people (and associated dogs). The response of birds

to flee at the approach of a human is due to their perception of predation (Gill *et al*., 1996). Fleeing birds suffer as they are expending energy to fly and because they may be interrupted from activities that enhance their survival and / or reproduction. Disturbance that has a negative effect on energy stores can have a population level effect on bird species (Mikola *et al*., 1994). Disturbance in a migratory bird protected or designated area can have the additional effect of causing the birds to leave the site (Burger, 1981).

The risks associated with human activity along the coastline have increasingly been identified by local authorities when evaluating the requirements of the Habitats Regulations when assessing local plans and associated predictions in residential development. South Tyneside Council through Local Plan Policy neighboring authorities within North East England have established strategic mitigation strategies to protect Natura 2000 designations (including the Northumbria Coast SPA which spans multiple LPA boundaries) from the effects of increases in residential development and associated increases in disturbance to qualifying species as described above. Particular concern is held with this regard in relation to dog walking.

Given that the site is located within travelling distance from the coastline and areas with potential to be used at different times by SPA (and SSSI) qualifying features, likely significant effects as a result of increased recreational disturbance / coastal visitor pressure cannot be ruled out.

3.3.3 Summary of Screening Assessment

Likely significant effects on Little Tern are screened out of further consideration within this assessment.

Likely significant effects have been screened out in relation to the following effect pathways.

- Habitat loss
- Construction stage disturbance
- Construction stage pollution
- Operational noise at source
- Increased predation risk
- Operational pollution

Likely significant effects on the qualifying features of the Durham Coast SAC also require further consideration in relation to:

- Increase in recreational disturbance due to a net increase in occupied properties within 6km of the SPA boundary.

3.4 Stage 4 - Undertake an Appropriate Assessment of Likely Significant Effects of Proposal on Natura 2000 Sites

In order to undertake an Appropriate Assessment, a summary of baseline and proposed conditions are presented below.

Table 4: Overview of Existing and Proposed Conditions

Condition	Existing	Proposed
Occupancy	The proposed development site at present is used as pastoral land and stables. With no residential occupation present on site.	The proposed development proposes to create 45 properties with a predicted maximum occupancy of 288 increasing the occupation on site by 100%.
Dogs and dog walkers	The site is not open to public access however, the public path along the River Don to the west is frequently used by people walking their dogs.	The new residents could potentially own dogs, increasing the pressure from dog walking in the immediate surroundings along the River Don as well as along the coast which is approximately a 10-minute drive from the site.
Vehicle movements	Access to the stables and horses only.	Anticipated increase in light duty vehicle movements during occupation are predicted likely to be spread throughout the day. Some short-term increase in numbers and heavier traffic types may be present in the short-term during construction and demolition
Air quality	Information was not available at the time of writing.	Requirement for assessment of conditions in relation to nitrogen dioxide from vehicle emissions and the requirement for a dust assessment during construction were both scoped out due to the distance of sensitive receptors (designated sites from development site).

A range of potential effects as a result of the proposal are considered in relation to stated conservation objectives for the designated sites and these are outlined in Table 5. Where they are not considered, some justification is presented within the table.

Table 5: Potential Effects in Relation to Stated Conservation Objectives as a Result of the Proposal

Objective	Potential Effect
Objective 1: Maintain or Restore - The extent and distribution of the habitats of the qualifying features	No direct habitat loss is predicted as a result of the proposal as the application is c.5.9km at its closest point from the Natura 2000 sites. For this reason, no likely significant effects are predicted in relation to this stated conservation objective. For this reason, no likely significant effects are predicted in relation to this stated conservation objective.
Objective 2: Maintain or Restore - The structure and function of the habitats of the qualifying features	As the proposed development is 5.9km from the closest Natura 2000 site no impact is considered likely. As the proposal is c.5.9km from the closest Natura 2000 site and no features are proposed which would represent a significant change to tidal movements, sediment changes or other processes which may support habitats for roosting and feeding waders, no likely significant effects are predicted in relation to this stated conservation objective.
Objective 3: Maintain or Restore – The supporting processes on which the habitats of the qualifying features rely	As the proposed development is c.5.9km from the closest Natura 2000 site and no features are proposed which would represent a significant change to tidal movements, sediment changes or other processes which may support habitats for roosting and feeding waders, no likely significant effects are predicted in relation to this stated conservation objective.
Objective 4: Maintain or Restore - The population of each of the qualifying features	Potential effects on the populations of qualifying features as a result of the proposal could be considered through loss of condition due to disturbance which may reduce the ability of birds to survive the winter months, migrate or breed.
Objective 5: Maintain or Restore - The distribution of the qualifying features within the site	Potential effects on qualifying features are considered as a result of disturbance or displacement of species arising as a result of the application which may in turn influence their distribution throughout the site.

Following a review of the conservation objectives, adverse effects as a result of habitat loss are ruled out and the assessment of effects below focuses on objectives 2-5.

Table 6 assesses the main potential effects considered specifically associated with this planning application.

Table 6: Potential Adverse Effects on the Natura 2000 Qualifying Features

Potential Effects on the Natura 2000 Features	Site and Features	Effects on Qualifying Features
Pollution incidents during construction, site preparation and operation	**Northumbria Coast SPA** – Purple Sandpiper & Turnstone	Although there is a hydrological pathway from the River Don immediately adjacent to the Site, given the distance between the site and the SPA and SSSI boundaries, the buffer in place between the development and the River, and the implementation of measures within the CEMP to avoid pollution of the watercourse, any risk of construction stage disturbance is considered minimal and it is not considered likely that significant effects would occur due to airborne or waterborne pollutants as a result of the proposal. Taking this into account **no adverse effects on the SPA are predicted as a result of acute pollution incidents in relation to SPA bird species**
Increased Disturbance to SPA features during occupation of the development	**Northumbria Coast SPA** - Purple Sandpiper and Turnstone	The baseline conditions at the site include stables and horse pasture, with no current residential occupation. The proposed development will provide 45 properties with a predicted maximum occupancy of 288 increasing the occupation on site by 100%. Therefore, it is considered likely that the coastline will be subject to an increase of dog walking and recreational walking by new residents, as the site is a 10-minute drive from the coastline. There is the potential for there to be a significant difference in recreational walking pressure upon protected sites. Taking into account this increase in recreational pressure, there is considered likely to be adverse effects on site integrity as a result of the proposed development due to increased disturbance by people. However, in accordance with an approach of adopting a precautionary principle with respect to protection of the SPA features, a financial contribution to South Tyneside Council's mitigation strategy for Natura 2000 sites, which includes management of alternative greenspace and warden provision along the coast, will be paid in line with contributions identified in the Supplementary Planning Document SPD prepared by FootPrint Ecology (2018).

Table 7: Potential Adverse Effects on Durham Coast SSSI Features (excluding those detailed above)

Potential Effects on the SSSI Features	Feature	Effects on Qualifying Features
Increased disturbance to SSSI features during occupation of the development.	**Sanderling**	Similar to the analysis of potential impacts on the SPA bird species (Purple Sandpiper and Turnstone) the proposed development supports an associated risk of increased people accessing the foreshore with a potential for resultant disturbance to SSSI bird species (Sanderling). Taking into account this increase in recreational pressure there is considered likely to be adverse effects on site integrity as a result of the proposed development due to increased disturbance by people. However, in accordance with an approach of adopting a precautionary principle with respect to protection of the SPA features, a financial contribution to South Tyneside Council's mitigation strategy for Natura 2000 sites, which includes management of alternative greenspace and warden provision along the coast, will be paid in line with contributions identified in the Supplementary Planning Document SPD prepared by FootPrint Ecology (2018).

3.4.1 Potential Effects of Proposal on Natura 2000 Sites - Conclusions

Following a review of all the relevant qualifying species, this report concludes that the proposal and associated impact pathways considered where likely significant effects are examined will not result in an adverse effect on site integrity on any of the Natura 2000 sites named and included within the scope of this report. This takes into account the following key themes associated with the proposed development:

- SPA species distribution associated with the proposed development is very limited within the immediate vicinity of the proposed development. This, along with the short-term nature of construction and demolition mean that noise impacts during construction will be negligible
- A financial contribution to South Tyneside Council's mitigation strategy for Natura 2000 sites, which includes management of alternative greenspace and warden provision along the coast, will be paid in line with contributions identified in the Supplementary Planning Document SPD prepared by FootPrint Ecology (2018).

Ultimately the competent authority responsible for determining the Habitats Regulations Assessment will need to reach this conclusion for the application to proceed in compliance with the requirements of the Habitats Regulations.

3.4.2 Potential Effects on SSSI features - Conclusions

Adverse effects on the SSSI vegetation communities are not predicted as a result of the proposed development, taking into account the distance of the site. As the SAC vegetation communities overlap with the SSSI, the same conclusion is predicted for the SAC terrestrial habitat communities.

3.4.3 Consideration of Alternatives

The site is currently used as a stable and pasture.

- The consideration of the application to replace the current pasture and stables with residential buildings is presented above. This assessment predicts no adverse effects on site integrity as a result of the proposal
- A further option for the site is to retain the function as a stable and pasture.

In a 'do-nothing' scenario the current baseline conditions would be retained and there would be no change from current conditions in relation to the conservation objectives of the SPA and Ramsar qualifying species.

4. Effect of the Project in Combination with Other Plans or Projects

A review of similar applications submitted in the last 31 days has been undertaken; of these, only significant developments relevant to potential cumulative effects at West Boldon were noted.

It is understood that South Tyneside Council is working towards a strategic HRA approach in relation to residential development; for this reason the distance between relevant applications and the designations are presented within the Appendix A.

The review of applications in this context included in Appendix A has identified no projects within South Tyneside which have the potential for in-combination effects.

5. Mitigation and Monitoring

Mitigation of any residual risk due to disturbance of SPA and SSSI bird species as identified above will be through a number of measures to influence occupant behaviour with respect to the sensitive designations adjacent to the SAC, SPA and SSSI.

The delivery of mitigation will be primarily via a financial contribution towards South Tyneside Council's emerging strategic HRA (Foot Print Ecology 2018). The mitigation presented within this document, which at the time of writing is going through a consultation process, identifies a financial contribution of £487 per property (which in this case would be per house or apartment) to fulfill the financial requirements of strategic mitigation objectives. This may only be required for the properties within the 6km zone, which does not encompass the entire site. The number of properties considered within the zone which requires a financial contribution should be agreed with the Local Planning Authority.

Included within the financial contribution are inputs towards regular monitoring requirements for the designated sites.

The development will contribute this amount per property or any reasonably foreseeable small scale change which may emerge throughout the consultation period.

A Construction Environmental Management Plan (CEMP) will be implemented during the construction phase of the development.

Applying the precautionary principle with this type of development in travelling distance to the SPA, monitoring of any possible increases in walking and associated trampling pressures should be undertaken to ensure the effectiveness of mitigation measures proposed within this document. Where the mitigation is shown to be ineffective, the application of mitigation applied using funding from the development should be reviewed in conjunction with South Tyneside Council.

6. References

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Appendix A – Additional planning applications reviewed in relation to in-combination effects

Application Reference	Project	Local Authority	Description	Distance to SAC/ SPA	Effects	Mitigation	Residual Effects	In-combination Effects
ST/0754/20/NMA	Vacant Formerly Brydan Court Nursing Home (Now Chuter View) Galsworthy Road South Shields NE34 9HN	South Tyneside	Application for a non-material amendment to previously approved planning application ST/0232/15/FUL that granted approval for conversion of former care home into a 22no. apartment complex. Amendment now sought for external changes to landscaping, bin stores, boundary treatment and parking markings.	c. 5.2km	None anticipated due to the application in this instance being non-material	N/A	N/A	Planning previously approved for conversion from care home to apartments (in 2015). However, within this application non-material considerations only therefore no impact likely.
ST/0841/20/NMA	Site of Former Narec Clothier Laboratories Land to the West of Victoria Road West Hebburn	South Tyneside	Application for Non-Material Amendment in relation to previously approved Planning Application ST/0983/18/FUL that granted approval for the erection of 167 dwellings with associated infrastructure, including vehicular access from Victoria Road West and landscaping. Amendment now sought to amend handing of house type 15 and omitting windows to side gables.	c. 7.9km	None anticipated due to the application in this instance being non-material	N/A	N/A	Planning previously approved for construction of 167 dwellings (in 2018). However, within this application non-material considerations only therefore no impact likely.
ST/0844/20/FUL	22 Shipton Close Boldon Colliery NE359JL		Change of use of land at side and rear of 22 Shipton Close to private garden/residential curtliage including the erection of a new close boarded timber fence.	5.8km	None anticipated due to the small scale of the development	N/A	N/A	None - Change of land use only