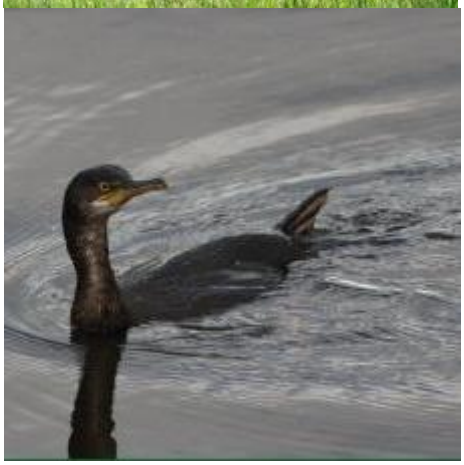






Preliminary Ecological Appraisal

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All ecologists employed on this project by Ecosurv Ltd are members of the Chartered Institute of Ecology and Environmental Management (CIEEM) and follow the Institute's code of practice when undertaking ecological surveys and associated work, or were supervised by such a member.

All assessment is based upon, and accurate to, the information made available to Ecosurv Ltd prior to the completion of this report. Any alterations to this information at a later date will reduce the accuracy of this report, to which Ecosurv Ltd cannot be held accountable.

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1 EXECUTIVE SUMMARY

Ecosurv have been instructed to undertake a Preliminary Ecological Appraisal (PEA) at the proposed development around St George the Martyr Church, East Boldon. The survey area comprised of a small area of mixed deciduous woodland. The proposals are to create a community garden out of this space, however retaining all existing trees. The tall ruderal and understory of the woodland is to be removed and replaced with wildflower planting, wildlife habitat improvement areas and no-dig pathways The purpose of this report is to provide general advice on ecological constraints and appropriate mitigation measures with the proposed development at this site.

A Preliminary Ecological Appraisal (PEA), comprised of a desktop study and site visit were completed in East Boldon and followed the CIEEM GPEA document (CIEEM, 2017) which includes: a standard Phase 1 habitat survey (JNCC, 2010); an assessment of the presence, or likely presence, of notable species; and an assessment of the value of habitats present on site. The site visit was carried out on 6th June 2024 by Harriet Davis BA (Hons).

The desktop study collated publicly available information on the biodiversity of the site and surrounding area, including the presence of any statutory and non-statutory sites. Biological records for a 2km radius surrounding the site were also obtained from the Environmental Records and Information Centre (ERIC) North East.

The site is deemed to have good ecological value up to a local level, as in the woodland present on site offers value to the local parish level. The site offers good habitats for nesting birds due to the sheltered canopy created by the trees as well as refugia for small mammals such as hedgehogs in the understory.

Any vegetation clearance should be taken place outside of nesting bird season (March – September) as many birds were active during the time of the survey in the areas which will be cleared.

Additional measures to compensate the loss of bird nesting habitat and to ensure a net gain in the biodiversity value of the site post development, as required by the revised NPPF have also been included within the compensation and enhancement sections of this report.

2 INTRODUCTION

Ecosurv Ltd were instructed by Mario Minchello Architects to undertake a Preliminary Ecological Appraisal (PEA) for the proposed development at St George the Martyr Church, East Boldon. The survey work and preparation of this report has been undertaken by Harriet Davis BA (Hons). The report has been written in accordance with the CIEEM Guidelines on Ecological report writing (CIEEM, 2017) and BS 42020:2013 (BSI, 2013).

The purpose of this report is to provide general advice on ecological constraints and recommendations for further surveys associated with the proposed development at this site.

To inform this report on potential ecological impacts regarding the proposed development at this site a PEA, comprising a desktop study and a site visit were completed in East Boldon and followed the CIEEM GPEA document (CIEEM, 2017) which includes: a standard Phase 1 habitat survey (JNCC, 2010); an assessment of the presence, or likely presence, of notable species; and an assessment of the value of habitats present on site.

The site is centred on Grid Reference NZ365896122 and can be accessed by Front Street (Figure 1). The proposed development site comprised of a small area of mixed deciduous woodland. The site is in an urban area, surrounded by residential estates and a high street.

The proposals are for the area to be created into a community garden with a bridal path and wildflower plantings. The proposals will involve the removal of the woodland's understorey vegetation, and constructing a community garden with wildflower planting, wildlife habitat improvement areas and the instalment of no-dig walkways. The aim of the study was to reasonably appraise the ecological value of the study area. The following objectives were set to achieve this aim:

- To identify potential ecological constraints to the proposed development;
- To identify the further ecological surveys needed to (inform an ecological impact assessment to be identified and appropriately designed) provide sufficiently robust data to the appropriate planning authority;
- To allow likely mitigation or compensation measures to be developed;
- To form a basis for agreeing the scope of the ecological impact assessment to be identified and appropriately designed;
- Complete a desk study of study area to gather information related to legally protected/ecologically important sites, habitats and/or species;
- Map all general habitats within the field survey area and identify any habitats that are ecologically important and/or have legal protection;
- Identify dominant species of vascular plants present within each mapped habitat type;
- Highlight any parts of the field survey area that support invasive plant species;
- Assess the potential of each identified habitat to support, and where possible also undertake initial preliminary field surveys for, any ecologically important and/or legally protected fauna species.

This information has then been used to identify potential ecological constraints to development and formulate reasonable ecological recommendations and define the future ecological scope of works.

2.1 Location

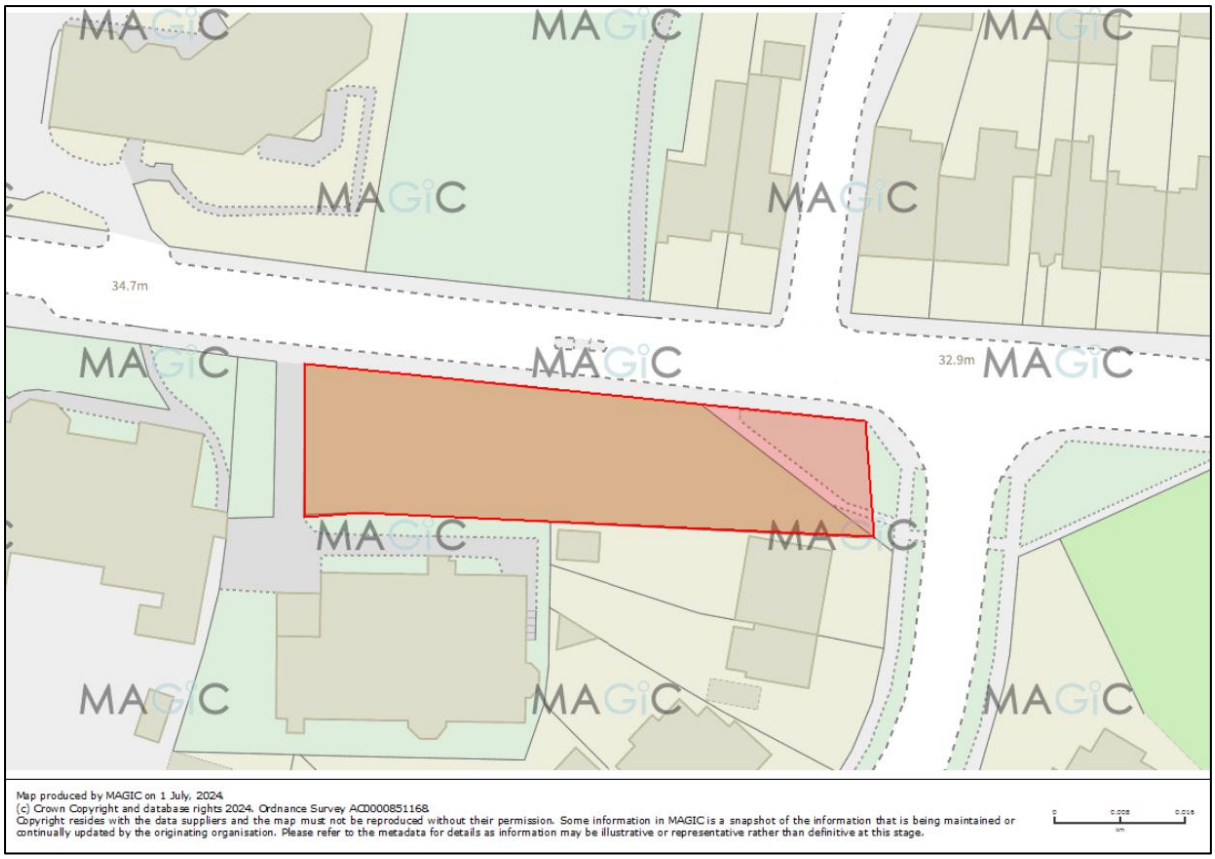


Figure 1. Site location plan. Red line shows the area proposed for development.

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3 LEGISLATION

3.1 Summary of legislation

This section summarises the legislation which is relevant, in ecological terms, to this assessment, i.e. legislation relevant to species present or potentially present within the survey area is included here along with legislation relevant to protected sites in the vicinity.

- Wildlife and Countryside Act 1981 (as amended);
- Countryside and Rights of Way (CROW) Act 2000;
- The Protection of Badgers Act (1992);
- Wild Mammals (Protection) Act 1996;
- The Conservation of Habitats and Species Regulations 2017 (as amended);
- Environment Act 1995;
- Natural Environment and Rural Communities (NERC) Act 2006.

The most significant legislation governing the protection of British wildlife is the Wildlife and Countryside Act 1981, the Countryside Rights of Way Act 2000 and The Conservation of Habitats and Species Regulations 2017. The Wildlife and Countryside Act, as amended mainly by the Countryside Rights of Way Act, protects animal species listed in Schedule 5 and plant species in Schedule 8 of the Act from being killed, injured, and used for trade. The provisions of this act further protect certain species, such as great crested newts and bats from being disturbed or taken from the wild, as well as protecting elements of their habitats. The Act also specifies that offences occur regardless of whether they were committed intentionally or recklessly. The parts of this legislation that apply to most reptile species are in regard to killing, injury and trade only and do not protect their habitat, nor are they protected from disturbance or from being taken from their habitat.

The Conservation of Habitats and Species Regulations is the English enactment of European legislation and provides similar but subtly different protection for species listed on Schedules 2 and 4 of those regulations. The provisions of this act complement those of the Wildlife and Countryside Act. Species to which these provisions apply are the European Protected Species. Activities that might cause offences to be committed can be legitimised by obtaining a licence from the relevant statutory body.

The following EC Directives and international conventions are applied by some of the above UK Acts and Regulations:

- Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and wild fauna and flora (as amended);
- Council Directive 79/409/EEC of 2 April 1979 on the conservation of wild birds (as amended);
- Convention on the Conservation of European Wildlife and Natural Habitats (the Bern Convention) (1979) (as amended);
- Convention on the Conservation of Migratory Species of Wild Animals (the Bonn Convention) (1979) (as amended);
- Agreement on the Conservation of Bats in Europe (1999) (as amended).

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3.2 National Planning Policy

The National Planning Policy Framework (NPPF) published in 2012 and revised in December 2023 states that policy should contribute to and enhance the natural and local environments by:

- Protecting and enhancing valued landscapes, geological conservation interests and soils;
- Recognise the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including economic and other benefits of best and most versatile agricultural land, and trees and woodland;
- Maintaining the character of the undeveloped coast, while improving public access where appropriate;
- Minimising impacts on and providing net gains for biodiversity, included by establishing coherent ecological networks that are more resilient to current and future pressures.
- preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans; and
- remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate.

The NPPF also states that planning for biodiversity should be done at a landscape scale across local authority boundaries, identifying components of the local ecological network including nationally and locally important sites for biodiversity and wildlife corridors and stepping stones that connect them.

Of particular significance with the revised NPPF 2023 requires opportunities to incorporate biodiversity improvements in and around development, rather than simply making it optional.

186. When determining planning applications, local planning authorities should apply the following principles:

a) if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused;

b) development on land within or outside a Site of Special Scientific Interest, and which is likely to have an adverse effect on it (either individually or in combination with other developments), should not normally be permitted. The only exception is where the benefits of the development in the location proposed clearly outweigh both its likely impact on the features of the site that make it of special scientific interest, and any broader impacts on the national network of Sites of Special Scientific Interest;

c) development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists; and

d) development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to improve biodiversity in and around developments should be integrated as part of their design, especially where this can secure measurable net gains for biodiversity or enhance public access to nature where this is appropriate.

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Further details on the legislation protecting species of British wildlife and habitats relevant to this assessment can be found in section 9.1 of this report.

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4 METHODS

4.1 Overview

The PEA involved a desktop study and a site visit. The desktop study collected publicly available information regarding the biodiversity of the area, including the habitat structure of the site and wider landscape, as well as the presence of any statutory or non-statutory designated sites, using the Multi-Agency Geographic Information for the Countryside (MAGIC) resource. Biological records within 2km of the site were also requested from the Environmental Records and Information Centre (ERIC) North East, which included records of protected and notable species and any nearby non-statutory designated sites not available through MAGIC.

The objective of the survey was to ascertain if any protected species may be using the site, document the habitats present and identify any potential ecological constraints likely to be encountered with the proposed development. The survey would be completed under suitable weather conditions and by an experienced ecologist. The results of the desktop study and site survey would then be assessed to determine potential ecological impacts posed by the work, the requirement for additional survey work, and recommend how ecological impacts should be mitigated and compensated for.

The survey work and the preparation of this report has been conducted by Harriet Davis BA (Hons) who is experienced in protected species survey work. All survey and assessment work has been completed in line with official guidelines produced by Natural England and the Chartered Institute for Ecology and Environmental Management, and British Standard document BS 42020: 2013 'Biodiversity – Code of practice for planning and development.'

4.2 Limitations

4.2.1 Desk study limitations

Species specific groups, were not contacted for their detailed records within the survey area. However, the combination of data obtained was felt to be sufficient to achieve the objectives of the report.

4.2.2 Field Survey Limitations

Due to the time of year in which the survey was carried out some floral species are likely to have been missed, as most floral species are more readily identifiable during spring or summer. Additional species would undoubtedly be recorded at different times of the year due to the variety of flowering strategies.

4.3 Survey Area

The application site is located at Grid Reference NZ365896122 and can be accessed via Front Street. The assessment focused on the application site, as well as all habitats in the immediate surrounding area (where access was available).

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Figure 2. Satellite Image of the surveyed area. Application site boundary is shown by the red line.

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4.4 PEA Field survey

The field survey followed the CIEEM GPEA document (CIEEM, 2013) and BS 42020:2013 document (BSI, 2013). The PEA was carried out by Harriet Davis BA (Hons) on the 6th June 2024. The survey area included the site and extended into areas which were deemed to be a potential receptor of ecological impact due to the proposed development.

Habitats found on the site were identified using the standard Phase 1 Habitat Survey methodology (JNCC 2010) with target notes made to describe features of interest.

In addition to mapping habitat types and dominant flora, the potential for the survey area to support any legally protected faunal species and/or faunal species of nature conservation importance, e.g. BAP priority species, was assessed. Detailed surveys were not undertaken; rather the potential for the survey area to support each species/species group was assessed.

Features that would likely support protected species, holes in trees, drainage ditches, ponds, embankments etc. were all examined for the possible presence of species known to utilise these features, in accordance with the methodologies outlined in section 4.5. In addition, field signs or sightings of such species were recorded as seen.

Key features identified during the survey are summarised in the form of Target Notes. Nomenclature for plant species names is taken from Stace (2019) and the Botanical Society of the British Isles (BSBI) plant checklist (2007).

4.5 Protected Species

Based on the habitats present, the site was assessed with particular regard to determine the presence or otherwise of badgers (*Meles meles*), bats, great crested newts (GCN) (*Triturus cristatus*), nesting birds, and reptiles. An overview of the survey methods used is outlined below.

Badgers: An assessment of the site and surrounding habitats (where access was available), with particular focus on any areas of dense vegetation, was carried out in order to identify any evidence of badgers, including:

- the presence of any setts
- well-used runs/tracks
- supplementary evidence, such as hairs or prints
- badgers themselves

Bats: any habitats suitable for bats to roost, commute and forage both on site and in the surrounding area (where access was available) to determine the suitability of the site for bats and further survey requirement in accordance with the current Bat Conservation Trust (BCT) Bat Surveys for Professional Ecologists Good Practice Guidelines 4th Ed. (Collins, 2023).

Evidence of roosting bats can include: bat droppings; staining around access points; small scratches around an entrance hole; audible squeaking at dusk or in warm weather; smoothening of surfaces around cavity or an entrance hole; distinctive smell of bats.

The structures were then categorised based on their suitability and potential for roosting bats, which was evaluated in accordance with the BCT guidelines detailed in Table 1 and criteria outlined in the Bat Mitigation Guidelines

Table 1. Guidelines for assessing the potential suitability of structures

Potential Suitability	Description	
	Roosting habitats in structures	**Potential flight-paths and foraging habitats**
None	No Habitat features on site likely to be used by any roosting bats at any time of year (i.e. a complete absence of crevices/suitable shelter at all ground/underground levels).	No habitat features on site likely to be used by any commuting or foraging bats at any time of year, (i.e. no habitats that provide continuous lines of shade/protection for flight-lines or generate shelter/insect populations available to foraging bats).
Negligible*	No obvious habitat features on site likely to be used by roosting bats; however, a small element of uncertainty remains as bats can use small and apparently unsuitable features on occasion.	No obvious habitat features on site likely to be used as flight-paths or by foraging bats; however a small element of uncertainty remains in order to account for non-standard bat behaviour.

Low	A structure with one or more potential roost sites that could be used by individual bats opportunistically at any time of year. However, these potential roost sites do not provide enough space, shelter, protection, appropriate conditions and/or suitable surrounding habitat to be used on a regular basis or by larger numbers of bats (i.e. unlikely to be suitable for maternity and not a classic cool/stable hibernation site, but could be used by individual hibernating bats).	Habitat that could be used by small numbers of bats as flight path, such as gappy hedgerow or unvegetated stream. But isolated, i.e. not very well connected to the surrounding landscape by other habitat. Suitable, but isolated habitat that could be used in small numbers. The foraging bats, such as a lone Tree (not in a Parkland situation) or a patch of scrub.
Moderate	A structure with one or more potential roost sites that could be used by bats do due to their size, shelter, protection, conditions and surrounding habitat but unlikely to support a roost of high conservation status (with respect to roost type only, such as maternity and hibernation - the categorisation described in this table is made irrespective of species conservation status, which is established after presence is confirmed).	Continuous habitat connected to the wider landscape that could be used by bats for flight-paths such as lines of trees and scrub or linked back gardens. Habitat that is connected to the wider landscape that could be used by bats for foraging such as trees scrub, grassland or water.
High	A structure with one or more potential roost sites that are obviously suitable for use by larger number of bats on a more regular basis and potentially for longer periods of time due to their size, shelter, protection, conditions, and surrounding habitat. These structures have the potential to support high conservation status roosts, e.g. maternity or classic cool/stable hibernation site.	Continuous, high-quality habitat that is well connected to the wider landscape that is likely to be used regularly by bats for flight-paths such as river valleys, streams, hedgerows, lines of trees and woodland edge. High-quality habitat that is well connected to the wider landscape that is likely to be used regularly by foraging bats such as broadleaved woodland, tree-lined watercourses and grazed parkland. Site is close to and connected to known roosts.

In addition, a Ground Level Tree Assessment (GLTA) of any trees on site was caried out. This involves a detailed inspection of the exterior if the tree from the ground to look for features that bats could use for roosting (PRFs) to determine the suitability of the site for bats and further survey requirement in accordance with the current Bat Conservation Trust (BCT) survey guidelines (Collins, 2023). PRF types that can be exploited by bats include, but not exclusively; woodpecker holes, knot holes, wounds, cankers, forks, lifting bark, cracks, fluting and ivy.

The trees were then categorised based on their suitability and potential for roosting bats, which was evaluated in accordance with the BCT guidelines detailed in Table 2 and criteria outlined in the Bat Mitigation Guidelines,

Table 2. Guidelines for assessing the potential suitability of trees

Suitability	**Roosting habitats in Trees**	
None	Either no PRFs in the tree of highly unlikely to be any.	
FAR	Further assessment required to establish if PRFs are present in the tree by means of an elevated search to inspect PRFs either by climbing of the use of equipment such as ladders, MEWPS or scaffolding towers.	
PRF	A tree with at least one PRF present	
	PRF-I	PRF-M
	PRF is only suitable for individual bats of very small numbers of bats either due to size of lack of suitable surrounding habitats.	PRF is suitable for multiple bats and may therefore be used by a maternity colony.

Further survey effort to determine the presence/likely absence of bats and/or mitigation is site specific and should be carried out in accordance with the BCT Bat Survey Guidelines, however the following can be used a general guide:

Table 3. Guidelines for further survey effort

Suitability	**Further Survey Effort**	**Timing**
PRF-1	No further surveys required.	
Low roost suitability	One dusk emergence survey	May to August. Note: The discovery of a roosting bat during this single bat activity survey will require further survey effort.
Moderate roost suitability	Two separate dusk emergence surveys.	May to September with at least one of the surveys between May and August. Surveys should be at least three weeks apart, preferably more. Note: The discovery of a roosting bat during this single bat activity survey will require further survey effort.
High roost suitability or PRF-M	Three separate dusk emergence surveys.	May to September with at least two of the surveys between May and August. Surveys

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		should be at least three weeks apart, preferably more.

**If the structure has been classified as having low suitability for bats, an ecologist should make a professional judgement on how to proceed based on all of the evidence available and the balance of probabilities. Thought processes and decision making should be adequately recorded as a paper trail. If all areas (including voids, cracks and crevices) of a structure have been inspected and no evidence found (and is unlikely to have been removed by weather or cleaning or be hidden), then further surveys are not appropriate.*

If complete inspection is not possible then proportionality must be considered. A single survey during the summer months may be adequate to ensure nothing obvious has been missed and/or precautionary measures could be applied during works. This is likely to be a proportionate approach then carrying out multiple surveys.

Great Crested Newts: The habitats on site were assessed in regards to their suitability to support GCN. Potential refugia (such as logs, stones, discarded building materials etc.) present were also checked for the presence of GCN.

Nesting Birds: The habitats on site were assessed to determine their suitability for nesting, with a check carried out for the presence of any active nests or any evidence of nesting behaviour

Reptiles: The site was also assessed in regards to its suitability to support reptiles, which is largely based on an assessment of the habitats present on site and whether they afford sufficient opportunities to support basking, foraging and sheltering. Any refugia present was also checked for the presence of reptiles or evidence of reptiles, such as sloughs (shed skins).

Other Wildlife: In accordance with good practice, the site was checked for the presence of any other protected/notable species, with particular regard to any other species highlighted in the desktop study.

Invasive Species: The site was also surveyed for the presence of any invasive, non-native flora or fauna.

4.6 Assessment methodology Biodiversity value

The CIEEM Guidelines

These guidelines provide a framework criterion for determining the value and importance of each potential ecological receptor found within the survey area.

Various characteristics can be used to identify important biodiversity features (sites, habitats, and species) that are likely to represent potentially significant constraints to the development project. These include a feature's:

- Rarity at various geographical scales;
- Threat status and vulnerability at various geographical scales;
- Diversity and/or its synergistic associations;
- Population size, and;
- Location in relation to its' known geographical distribution and range at various geographical scales.

The characteristics listed above help define a features' conservation status which can then be used to help determine its biodiversity value. CIEEM (2006) provides further information on how the relative value and

importance of a receptor can be determined and states that its biodiversity value should be measured against published selection criteria where available.

It is also useful to distinguish between the biodiversity value of a receptor and its legal status. Features of high biodiversity value may not necessarily attract legal protection and vice versa. For example, a viable area of ancient woodland is likely to be considered of high biodiversity value even if it does not receive any formal statutory designations.

In the evaluation of biodiversity value, reference is also made to HA, UK and Local BAPs, inclusion on national or county Red Data Books, and to conservation status (such as nationally notable/scarce, etc.). However, the inclusion within a BAP reflects the fact that the population of the species/habitat concerned is in a sub-optimal state (and hence that conservation action is required) and does not necessarily imply any specific level of value. Despite this, priority BAP species/habitats may represent a significant ecological constraint if their presence triggers planning guidance implications (as outlined above).

In accordance with CIEEM (2006), each biodiversity feature should be assessed as valuable, or potentially valuable, based on the following geographic frame of reference (some examples of ecological receptors that may be potentially valuable at each geographical scale are provided below):

- International e.g. biodiversity feature that warrant designation of an area as a SPA, SAC, or Ramsar site;
- National (i.e. UK), e.g. biodiversity feature that warrants designation of an area as a SSSI;
- Regional, e.g. biodiversity features valuable at a regional level e.g. North East England;
- County, e.g. biodiversity features valuable at a county (i.e. Tyne and Wear) level;
- District, e.g. biodiversity features of value at the district (i.e. South Tyneside) level;
- Local, e.g. biodiversity features of value in a local (i.e. parish or within ~5km of the scheme extent) context;
- Biodiversity features of value within the immediate survey area of the scheme only;
- Local, e.g. species populations of value in a local (i.e. within ~5km of the scheme extent) context;
- Species of value within the immediate survey area of the scheme only.

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5 RESULTS

5.1 Desktop Study

5.1.1 Statutory Protected Sites

There are 5 of statutory sites within 2km of the proposed development, and there are none or adjacent to the site.

A summary of the sites is provided in table 4 below, with their location presented on the map in figure 3.

Table 4. Summary of Surrounding Statutory Protected Sites

Name	Features	Distance	Impact
Sites of Special Scientific Interest (SSSI's)			
FULWELL QUARRY	A designated SSSI due to its rare Magnesium Limestone geology. The site has large areas of wildflower meadows and grasslands, and which supports a large butterfly population. The site covers an area of 6.2ha.	1.9km Southeast	Negligible
WEST MEADOW FARM	An area which covers 3.1ha and consists of neutral low-lying grassland. Areas of scrubland also encroach on the site.	1.2km Northwest	Negligible
BOLDON PASTURE	An area which covers 3.5ha and is neutral low-lying grassland used for agricultural grazing.	1.7km East	Negligible
Local Nature Reserves (LNR's)			
FULWELL QUARY	The site has large areas of wildflower meadows and grasslands and which supports a large butterfly population. The site covers an area of 6.2ha.	1.9km Northeast	Negligible
TILESHEDS	An area of 1.3ha previously used for clay tile works, now a large area of wetland with large populations of animals and wildflowers.	1km North	Negligible

Due to the location, limited footprint of the development and lack of connectivity between the site and surrounding statutory protected sites, it is considered that none of the sites will be significantly impacted.

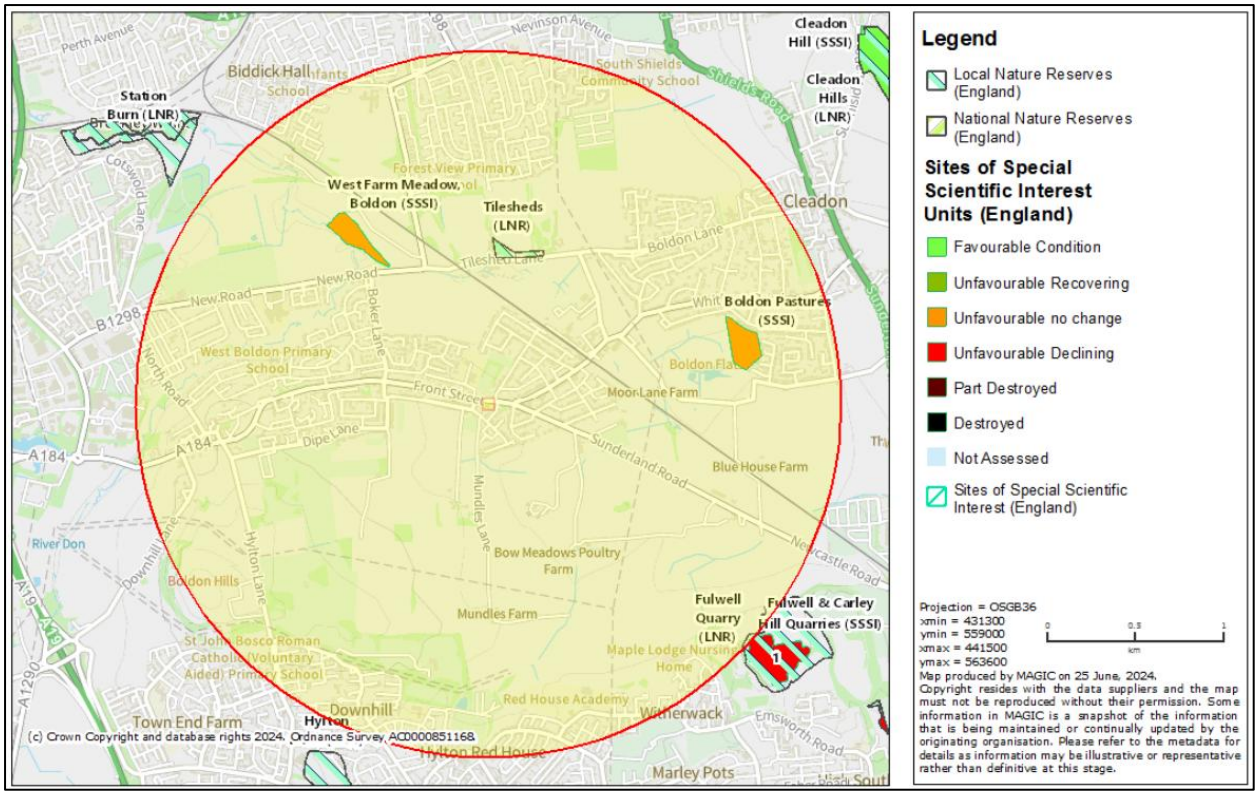


Figure 3. Location of site in relation to surrounding statutory protected sites

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5.1.2 Non-statutory sites

14 Local Wildlife Site (LWS) were identified within 2km of the proposed development site. The sites ranged from meadows to plantations and riverbanks. The closest site is Boldon Flats which comprise of low-lying pastures and meadows which flood annually. Due to the distance from the development these LWS's are unlikely to be significantly impacted.

Table 5. Summary of Surrounding Local Wildlife Sites

Name	Features	Distance	Impact
Sunderland Local Wildlife Sites			
Fulwell Meadows	A large area of wildflower meadows located in Fulwell Quarry.	2km Southeast	Negligible
Downhill Meadows	An area of wildflower meadows with a large population of rare flowering plants.	1.9km Southwest	Negligible
South Tyneside Local Wildlife Sites			

Black Plantation	An area that covers 13.8ha and comprises of semi-mature birch, scattered with oak and other broadleaved trees.	900m Southwest	Negligible
Boldon Flats	An area of low lying pasture which is subject to seasonal flooding. The grassland is considered to be neutral.	700m Northeast	Negligible
Downhill Old Quarry	The former quarry base and paddock has a range of species-rich grassland types grading from Magnesian limestone grassland communities through to more neutral grasslands.	2km Southwest	Negligible
Turner's Hill	A small area of grassland located within Boldon Golf Course. The hill is extremely species rich.	1.2km Southwest	Negligible
Cotsman Gardens	An area which covers 4.1ha and comprises species-rich neutral grassland with some characteristics of northern dale hay meadow.	1.8km North northeast	Negligible
Tileshed/Tileshed Burn	An area of wetland with ditches and hedgerows.	800m North	Negligible
Low House Corpse	A 0.8ha area of broadleaved plantation with tall herbs in the understorey.	1.1km East	Negligible
River Don – North Road	The site consists of a section of the River Don between North Road and Newcastle Road. In this stretch the Don has mostly unmodified riverbank with features such as meanders, eroding earth cliffs, riffles and pools, and dead wood.	1.4km West	Negligible
River Don – West Boldon	This is a linear site and covers the banks of the River Don as it flows through West Boldon between North Road and New Road. The Don here has mostly unmodified riverbank with features such as meanders, eroding earth cliffs, riffles and pools, and dead wood.	1.9km West	Negligible
Newton Garths	This area comprises of several heavily grazed by horses.	1.9km Northwest	Negligible
Boldon Colliery former Railway Line	A length of disused railway embankment, formerly part of the North Eastern Railway Boldon and Newton Garths Branch, which dates from at least 1855 (OS First edition). Situated to the north and east of Colliery Wood	1.7km Northwest	Negligible

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	it supports unimproved neutral grassland, mature scrub, scattered trees and wet ditch communities.		
South Tyneside LGS			
Downhill Old Quarry	The former quarry base and paddock has a range of species-rich grassland types grading from Magnesian limestone grassland communities through to more neutral grasslands.	1.9km Southwest	Negligible

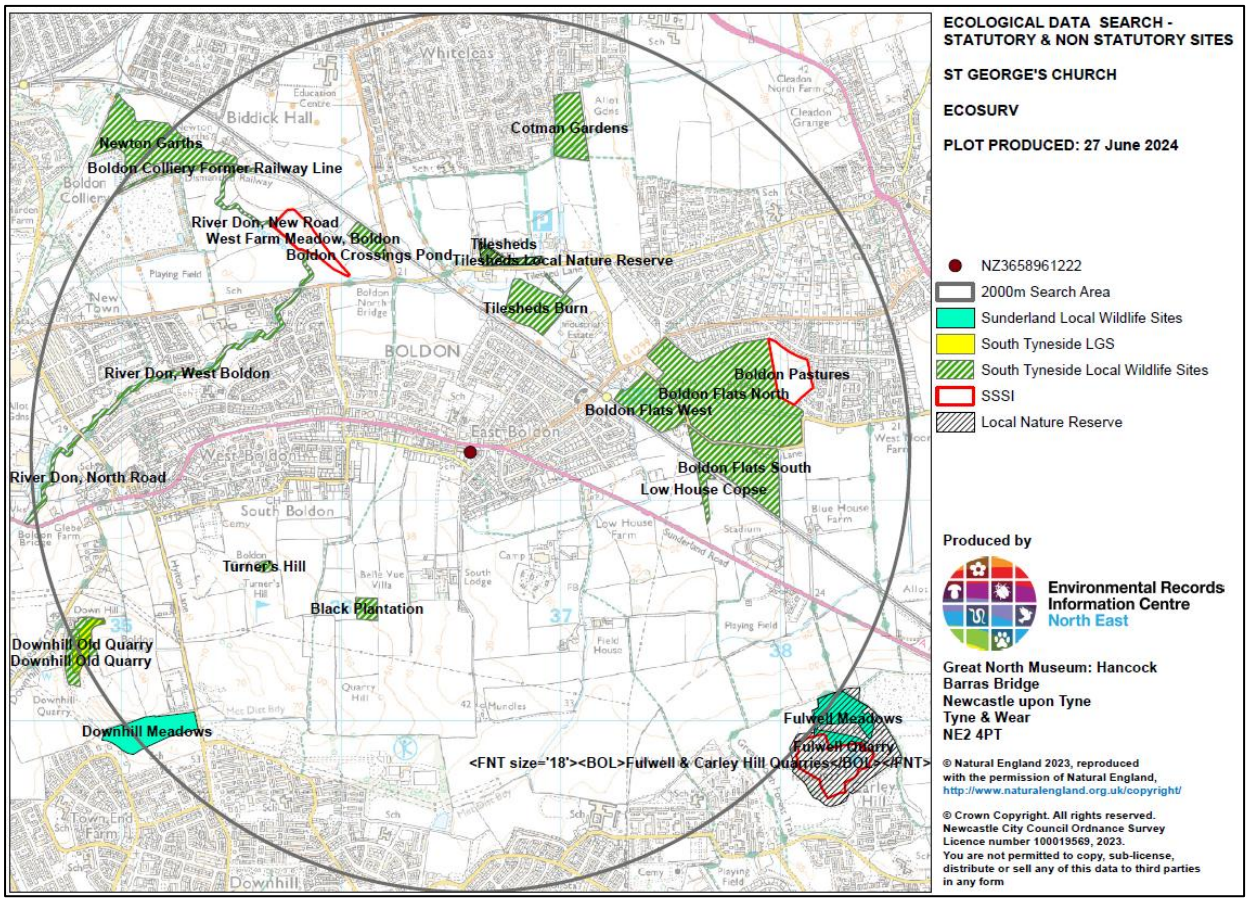


Figure 4. Map of Local wildlife sites located within a 2km radius of the proposed development. ©Environmental Records and Information Centre North East

5.1.3 Priority Habitats

There are no priority habitats on or adjacent to the site. The priority habitats found in a 2km radius if the site comprise of many grasslands, woodlands and no main habitats but additional habitats. The location of Priority Habitats is shown on the map in figure 5.

Due to the footprint of the development and its proximity to surrounding priority habitat, it is unlikely that there will be any significant impacts to surrounding Priority Habitats.

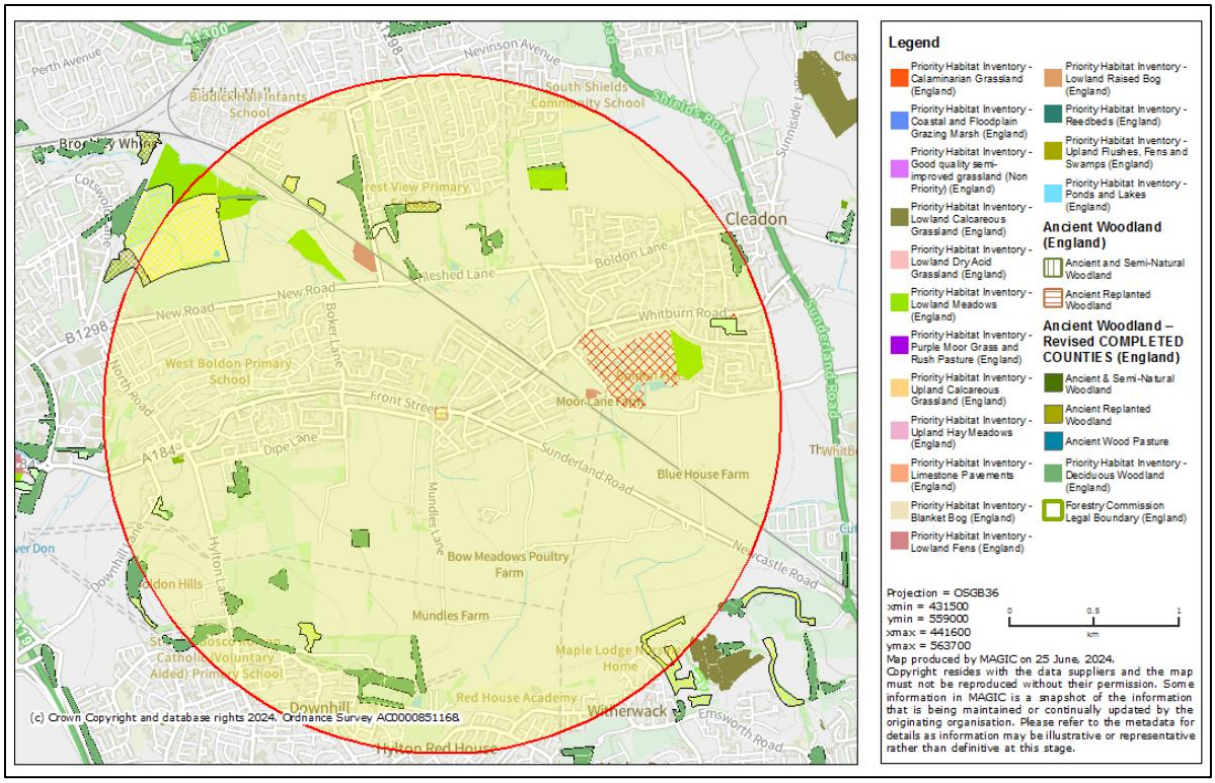


Figure 5. Map of Priority Habitat within 2km of the Proposed Development

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5.1.4 Biological Records

Biological records were obtained from the Environmental Records Information Centre North East for a 2km radius surrounding the application site. A total of 10040 records were obtained, which can be separated into the following groups: 33 amphibian records (common toad, common frog, smooth newt); 9281 bird records (197 species); 3 conifer record; 1 fish record (1 species); 109 flowering plant records (43 species); 267 insect records (25 species); 3 reptile records; 292 terrestrial mammal records (21 species).The significance of individual species records in the context of the current proposals is discussed in section 5.3. A full list of received records is available on request with the permission of the records centre, excluding records of sensitive species.

5.2 Site Assessment

5.2.1 On-site Habitats and Ecological Features

The site comprised of mixed deciduous woodland. The characteristics and ecological value of each habitat is described in the paragraphs below. The extent and locations of these habitats and ecological features is also outlined on the phase 1 habitat map (Appendix 9.3 - Figure 8).

Mixed Deciduous Woodland

The tree species that were present on site were ash *Fraxinus excelsior,* common elderberry *Sambucus nigra,* common laburnum *Laburnum anagyroides* garden privet *Ligustrum ovalifolium,* holly *Ilex aquifolium,* horse chestnut *Aesculus hippocastanum,* oak *Quercus robur, Rowan Sorbus aucuparia,* sycamore maple *Acer pseudoplatanus,* guelder rose *Viburnum opulus* and wych elm *Ulmus glabra.*

Ground flora within the woodland comprised of bramble *Rubus fruticosus,* broad-leaf dock *Rumex obtusifolius*, creeping buttercup *Ranunculus repens,* cleavers *Galium aparine,* cow parsley *Anthriscus sylvestris,* dandelion

Taraxacum officinale, forget-me-not *Myosotis sylvatica*, ivy *Hedera sp.,* nettle *Urtica dioica,* large-leaved avens *Geum macrophyllum,* poppy *Papaver somniferum,* spear thistle *Cirsium vulgare,* rose *Rosa rubiginosa,* ragwort *Jacobaea vulgaris* and wood spurge *Euphorbia amygdaloides.*

5.2.2 Off-site Habitat and Ecological Features

The surrounding habitats include residential estates which are to the south, east and west of the site. A large playing field is across the main road north of the site. A small patch of neutral grassland is directly adjacent to the site on the west. Due to the urban area, the opportunity for good ecological connectivity is limited.

5.3 Protected Species

Badgers: 5 records of badgers were identified during the data search, the closest within 900m of the site. The site offers some habitat for a badger sett creation; however, no setts were identified during the survey or evidence of badger foraging. The site offers opportunities for foraging within the woodland, however, due to the lack of connectivity and lack of good ecological off-site habitats, the likelihood of badger sett creation on site is unlikely and therefore, it is considered that any impact to badgers as a result of the proposed development is unlikely.

Bats: There are no buildings on site however, there are many trees and an old church building at the rear of the site. The woodland on site is likely to be of value to foraging and commuting bats. The trees on site may also offer some suitable for roosting bats There were 48 records of bats identified within the data search, the closest being 178m from the site where a bat was seen foraging. The trees were assessed to be PRF-I. This means that the trees offer some potential bat roost suitability however, none that would be suitable for a large number of bats, most likely small roosts or individual bats. The church located behind the site offered some potential bat roosting features and therefore, due to the woodland's proximity to this structure, it is more likely that bats will use the site for foraging and commuting. The records show that bats within the area have been recorded roosting and foraging, and as the site is located on a linear street, it is likely that any bats in the area would use the woodland on site as an area for foraging. As a result, the likelihood of the site being used for flight paths and commuting is considered moderate.

Great Crested Newts: The site offered some suitable habitat for Great Crested Newts due to the presence of hibernaculum created by the piles of twigs and dead wood located on the southern boundary of the site, which were created by the St George the Martyr Church's youth group. However, no Great Crested Newts were identified on site. There were also no ponds within 500m of the site. Three records of Great Crested Newts were identified in the data search, all of which are at least 30 years old. Therefore, it is unlikely that Great Crested Newts are present on site and therefore unlikely that they will be impacted by the proposed development.

Nesting Birds: The site offers excellent habitat for nesting birds, with a large rookery identified in the canopy of the woodland. Blackbirds *Turdus merula* and wrens *Troglodytes troglodytes* were also seen carrying nesting material into the vegetation present on the fenced boundary at the south of the site. Bird boxes had been installed on the site which were in use. Due to the presence of nesting birds on site, the mitigation strategies recommended should be followed.

Reptiles: Some appropriate habitat for reptiles was identified in the hibernaculum at the south boundary of the site. However, no reptiles were found during the survey. Only 3 records of reptiles were identified within the data search, the most recent being from 2012. Overall, it is considered unlikely that reptiles will be impacted by the proposed development.

5.3.1 Other notable species:

The site offered suitable habitats for hedgehogs and other mammals due to the vegetation present on site. Therefore, the appropriate mitigation strategies should be implemented.

5.4 Invasive Species

No invasive species – including non-native invasive species listed on Schedule 9 of the Wildlife and Countryside Act 1981 (as amended) – were recorded within the site extent at the time of the site survey, or within habitats adjacent to the site.

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6 CONCLUSIONS & RECOMMENDATIONS

The site offers good ecological value overall however, the site has poor connectivity due to the surrounding urban area. Following the site assessment and upon review of the findings, the following is recommended:

6.1 Further Surveys

Table 6. Recommended further Surveys

Habitats/Species	Action required
Birds	If vegetation must be removed within the breeding bird season, a competent ecologist should undertake a breeding bird risk assessment to check for any active birds' nests. If an active nest is discovered, a suitable buffer zone must be implemented in much no vegetation removal may occur until the end of the breeding bird season or the nest can be confirmed as no longer active.

6.2 Mitigation

- Works should be timed to occur outside the bird breeding season (March – August inclusive) to avoid impacting any actively breeding birds. Alternatively, if vegetation must be removed within the breeding bird season, a competent ecologist should undertake a breeding bird risk assessment to check for any active birds' nests. If an active nest is discovered, a suitable buffer zone must be implemented in much no vegetation removal may occur until the end of the breeding bird season or the nest can be confirmed as no longer active.
- To reduce the impact to other wildlife that may use the site, it is recommended that any trenches or voids are dug and filled within the same working day. Should this not be possible, an adequate means of escape should be provided and/ or the trench should be securely covered overnight.
- Any trees to be retained should be protected using *Heras* or equivalent fencing around their Root Protection Areas, in accordance with British Standard documentations BS 5837:2012 – '*Trees in relation to design, demolition and construction. Recommendations*.'
- A low-level lighting scheme should be implemented both during and after construction to avoid indirect disturbance to foraging and commuting bats, birds and mammals that may be using boundary vegetation and green corridors for connectivity to other habitats. The strategy should include the following elements:
    - Sensitive positioning of lighting to avoid unnecessary spill onto the woodland, as well as any habitat enhancement features to be incorporated into the development;
    - Angle of lighting: avoidance of direct lighting and light spill onto areas of habitat that are of importance as commuting pathways and/or foraging areas;
    - Type of lighting: studies have shown that light sources emitting higher amounts of UV light have a greater impact to wildlife. Use of narrow-spectrum bulbs that avoid white and blue wavelengths are likely to reduce the number of species impacted by the lighting;
    - Reduce the height of lighting columns to avoid unnecessary light spill.

6.3 Compensation

- As some suitable bird nesting habitat will be lost through the clearance of vegetation on site, it is recommended that bird nesting features are installed on any retained trees or integrated within the final building design. Some example designs can be seen in Appendix 9.5.

6.4 Enhancement

- External or integrated bat roosting features could be installed on the building or within the boundary trees to enhance the biodiversity value of the site post development. Some example designs can be seen in Appendix 9.5.

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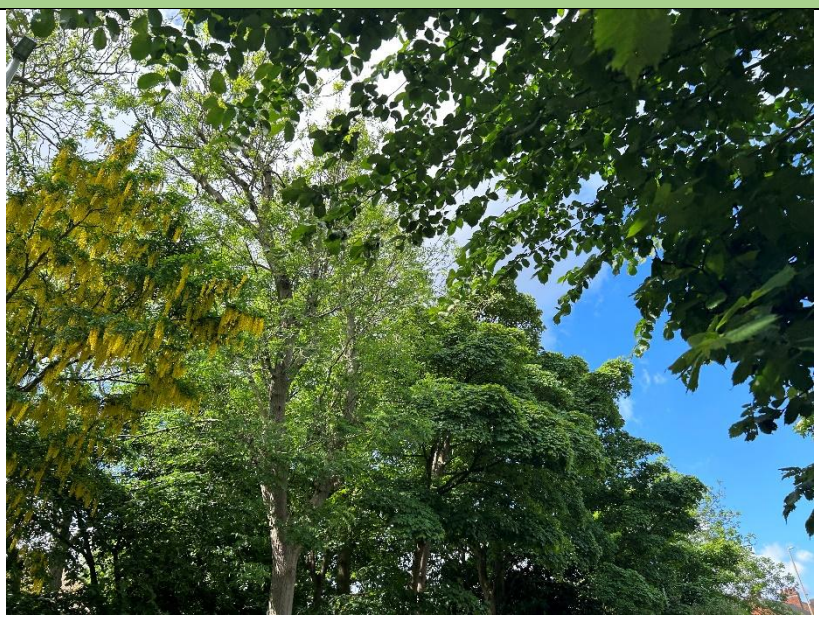
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8 SITE IMAGES

No.	Description	Image
1.	View of the canopy from northern elevation	
2.	Northern section of woodland	

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3.	Overhead Electricity Cable	
4.	Woodland from northern boundary	

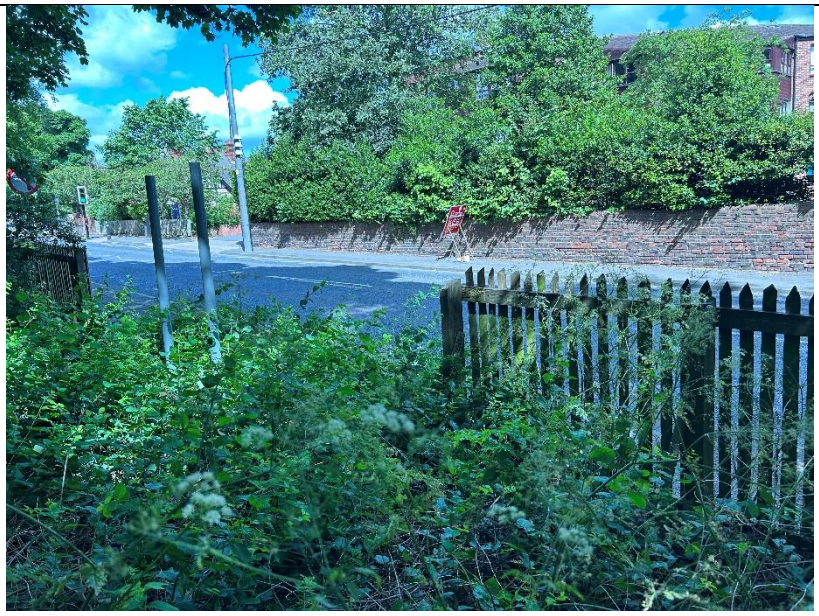
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5.	Bramble and ivy to woodland floor	
6.	Bird box mounted in the understorey	

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7.	Gate and fence at the south of the site	
8.	Electricity pole within the woodland	

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9.	Fence gap in the north of the site	
10.	Fence and woodland from southern elevation	

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11.	Artificial hibernacula	
12.	Hibernacula	

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9 APPENDIX

9.1 Additional Information for the Legislation of Protected Habitats and Species

Species Legislation

European protected species (EPS)

These animals are fully protected through inclusion within Schedule II of The Conservation of Habitats and Species Regulations 2010(as amended).

This legislation makes it an offence to deliberately capture, kill or disturb an EPS. For the purposes of this legislation disturbance has been defined by the European Commission (EC) and Natural England as that likely to significantly affect: i) the ability of a significant group of an EPS to survive, breed, rear or nurture their young or ii) the local distribution or abundance of the species (EC, 2007, Natural England, 2007). Further detail on what constitutes significant disturbance and significant groups in relation to most EPS can be obtained from these guidance documents.

It is also an offence under the Habitats Regulations 1994 (as amended) to damage or destroy and/or obstruct access to a breeding site or resting place of these species; please note the former is a strict liability offence. This legislation applies to all life stages of an EPS, including eggs. Former defences relating to actions being the incidental result of a lawful operation or taking place within a dwelling house no longer apply to offences under the Habitats Regulation 1994 for EPS.

EPS potentially present in the survey area:

- All bats within England and Wales.
- Great Crested Newt.

Bats

The primary legislative protection for bats is under the Habitats Regulations 1994 through designation as an EPS (see above). However, bats are also partially protected in England and Wales through their inclusion in Schedule 5 of the Wildlife and Countryside Act 1981 (as amended). It is an offence to intentionally or recklessly disturb a bat whilst it is using a place of rest or shelter. This applies to individuals, but is subject to a number of defences including if the disturbance was the 'incidental result of a lawful operation that could not reasonably have been avoided'. The legislation applies to all life stages.

Great crested newt

The primary legislative protection for GCNs is under the Habitats Regulations 1994 through designation as an EPS (see above). However, the GCN is also partially protected in England and Wales through its inclusion in Schedule 5 of the Wildlife and Countryside Act 1981 (as amended). Under this legislation, it is an offence to intentionally or recklessly disturb a GCN whilst it is using a place of rest or shelter. This applies to individuals, but is subject to some defences including if the disturbance was the 'incidental result of a lawful operation that could not reasonably have been avoided'. The legislation applies to all life stages.

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Breeding birds

All wild birds in England and Wales are protected under Section 1 of the Wildlife and Countryside Act, 1981 (as amended) which makes it an offence to intentionally kill, injure or take any wild bird, or take, damage or destroy the nest (whilst being built or in use) or its eggs. Species listed on Schedule 1 of The Act, e.g. kingfisher *Alcedo atthis*, receive further protection which makes it an offence to intentionally or recklessly disturb these species while building a nest, or in, on or near a nest containing eggs or young; or to disturb dependent young of such a bird. Further enhanced statutory protection is provided for bird species included on Annexe 1 of the Wild Birds Directive.

Badger

Badgers receive protection under the Protection of Badgers Act 1992 and the Wildlife and Countryside Act 1981 (as amended), under Schedule 6, Section 11. Under this legislation badgers receive protection from killing or taking by certain methods. It is also an offence to wilfully kill, injure, take or attempt to kill, injure or take a badger or interfere with a badger sett by damaging a sett or any part thereof. It is also an offence to wilfully destroy a sett, obstruct access to a sett or disturb a badger while occupying a sett. The 1992 Act defines a badger sett as "any structure or place, which displays signs indicating current use by a badger".

Penalties for offences can be severe with fines of up to £5000, plus six months imprisonment for each illegal interference, badger death or injury. It is recognised however that there exists a range of certain legitimate activities which need to be conducted in spite of badger presence.

Other wildlife protection/control

The main legislation dealing with species protection/control at the national level is the Wildlife and Countryside Act 1981 (as amended). Plants listed under Schedule 8 and animals under Schedule 5 of the Act receive varying levels of protection. There are also measures to control the spread of non-native species contained in Schedule 9. Other relevant legislation may include the Protection of Badgers Act 1992 and the Wild Mammals (protection) Act 1996. Details of the protection/control afforded to the following species/groups considered of relevance to the survey area are given below.

Invasive plant species

Heracleum *mantegazzianum* giant hogweed, *Fallopia japonica* Japanese Knotweed and *Impatiens glandulifera* Indian Balsam are listed in Schedule 9, Part II of the Wildlife and Countryside Act 1981 (as amended) which makes it an offence to plant these species or otherwise cause them to grow in the wild. Any material containing Japanese knotweed or giant hogweed is also identified as 'controlled waste' under the Environment Protection Act 1990 and must be disposed of properly at landfill.

Rare and/or protected plants

Some plants are listed on Schedule 8 of the Wildlife and Countryside Act 1981 (as amended) which makes it an offence to intentionally pick, uproot, destroy or trade in these plants. Other plants appear on national red data lists, or are considered nationally, regionally or locally scarce, though these classifications do not confer any legal protection.

Other invertebrates

In England and Wales the Wildlife and Countryside Act 1981 (as amended) and The Conservation of Habitats and Species Regulations 2010 (as amended) offer legal protection to certain invertebrate species. Under the

aforementioned legislation, 17 invertebrate species in Britain have European protection and 45 species in England and Wales are fully protected at a national level.

Other Mammals

All non-domesticated mammal species including common species, such as rabbit Oryctolagus cuniculus and deer, receive protection under the Wild Mammals (Protection) Act 1996. This act protects wild mammals from certain cruel acts and makes it an offence to intentionally inflict unnecessary suffering on wild mammals.

Habitat Legislation Statutory Protected Sites & Features

Ramsar sites

Ramsar sites are designated under the Convention on Wetlands of International Importance, agreed in Ramsar, Iran, in 1971. Originally intended to protect sites of importance, especially as waterfowl habitat, the Convention has broadened its scope over the years to cover all aspects of wetland conservation and wise use, recognising wetlands as ecosystems that are extremely important for biodiversity conservation in general and for the well-being of human communities. They generally receive legal protection under the Wildlife and Countryside Act 1981 (as amended) as most UK Ramsar sites are also designated as SSSIs (see below). The majority are also SPAs (see below). Planning Policy Statement (PPS) 9 (see Section 2.3) also recommends that all Ramsar sites receive similar protection from development as Natura 2000 sites.

Special Areas of Conservation (SAC)

SACs receive full protection under the EC Habitats Directive (Council Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora). SACs are areas that have been identified as best representing the range and variety within the European Union of habitats and (non-bird) species listed on Annexes I and II of the Directive. SACs, together with Special Protection Areas (SPAs), form the Natura 2000 network. Natura 2000 sites are protected under The Conservation of Habitats and Species Regulations 2010(as amended) and any development likely to have significant impacts upon such a site will have to be assessed for its implications on the site's conservation status, an obligation under the aforementioned Regulations.

Special Protection Areas (SPAs)

SPAs receive full protection under the EC Birds Directive (Council Directive 79/409/EEC on the conservation of wild birds). SPAs are areas of the most important habitat for rare (listed on Annex I to the Directive) and migratory birds within the European Union. SPAs, together with SACs, form the Natura 2000 network. Natura 2000 sites are protected under The Conservation of Habitats and Species Regulations 2010(as amended) and any development likely to have significant impacts upon such a site will have to be assessed for its implications on the site's conservation status, an obligation under the aforementioned Regulations.

Sites of Special Scientific Interest (SSSIs)

SSSIs provide full statutory protection for the best examples of the UK's flora, fauna, geological, or physiographical features. Originally notified under the National Parks and Access to the Countryside Act 1949, SSSIs are now notified under the Wildlife and Countryside Act 1981 (as amended). Improved provisions for the protection and management of SSSIs were introduced by the Countryside and Rights of Way Act 2000. They are designated in England by Natural England who have powers to prevent damaging operations within and around the site. There is an obligation upon landowners and relevant authorities to notify Natural England if any activity they undertake may impact upon the conservation status of a SSSI.

National Nature Reserves (NNRs)

NNRs are fully protected from damaging operations within and around them under the National Parks and Access to the Countryside Act 1949 (as amended) and the Wildlife and Countryside Act 1981 (as amended). NNRs contain examples of nationally important natural and semi-natural terrestrial and coastal ecosystems in Great Britain.

Local Nature Reserves (LNRs)

LNRs are designated under the National Parks and Access to the Countryside Act 1949 (as amended) as areas of geological or wildlife interest of special local interest. They are normally owned and managed by local authorities, though increasingly local wildlife trusts are taking over this role. They can be protected from damaging operations within or around them through local bylaws or the policies of the local development framework.

Local Wildlife Sites (LWS) / Sites of Importance for Nature Conservation (SINC's)

SINCs/LWSs are identified by local planning authorities (in this case Durham County Council) on account of their value for wildlife. These receive a measure of protection through local planning policies.

Important hedgerows

The Hedgerows Regulations 1997 seek to protect 'important' hedgerows in the countryside by controlling their removal through a system of notification to the relevant local planning authority.

Tree Preservation Orders (TPOs)

TPOs give some measure of protection to individual trees, groups or trees or even entire woodlands that are considered by the Local Planning Authority (LPA) to be of value. They are protected under the Town and Country Planning Act 1990 and the Town and Country Planning (Trees) Regulations 1999. Trees subject to a TPO are protected from deliberate damage, and an application to the LPA would be necessary to remove any such tree.

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9.2 Proposed Development Plan



Figure 6. Proposed Site Plan

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9.3 Phase One Habitat Map



Figure 7. Phase One Habitat Ma

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9.4 Table of Target Notes

Table 7. List of Target Notes for Phase One Habitat Map

Target Note	Description
1	Hibernacula
2	Wooden Hibernacula
3	Bird Box

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9.5 Example Compensatory and Enhancement Features

Habibat Tree/Wall Mounted Nest Boxes





Habibat Wall/Tree Mounted Bat Boxes

017 External Access Box



Triple Chambered Access Box



Integrated Bat Roosting/Access Features

3S Integrated Bat Box

Clay Access Tile

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