FUTURESECOLOGY

Voyage Care

Brockley Terrace, Boldon Colliery

PRELIMINARY ECOLOGICAL APPRAISAL (PEA)

Report Reference Number: FE452/PEA01

October 2024

Please note that the report is likely to be valid for a period of 12 months[1]. Where specific protected species surveys are undertaken the validation period of these surveys differs and must be considered carefully when utilising the data present within this report. For example, bat nocturnal emergency surveys are likely to be valid for a period of two seasons (a season being May – September) to support a planning application though to apply for a European Protected Species Licence surveys must be up to date and should be conducted in the current or most recent optimal survey season.

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[1] https://cieem.net/wp-content/uploads/2019/04/Advice-Note.pdf

CONTENTS

1.0 EXECUTIVE SUMMARY 3

2.0 INTRODUCTION 4

3.0 METHODOLOGY 4

4.0 RESULTS 10

5.0 DISCUSSION, CONCLUSIONS AND RECOMMENDATIONS 22

6.0 BIODIVERSITY ENHANCEMENTS 29

7.0 BIODIVERSITY IMPACT ASSESSMENT 30

TABLES

Table 1: Bat Roost Potential Classification Buildings

Table 2: Summary of Statutory and Non-statutory Designated Sites

Table 3: Summary of Relevant Protected Species Records

Table 4: Waterbodies Identified Within 500m Of the Application Site

APPENDICES

Appendix A: Botanical Species List

FIGURES

Figure 1: Site Location & Desk Study Results

Figure 2: Phase 1 Habitat Plan

Figure 3: Waterbody Location Plan

1.0 EXECUTIVE SUMMARY

1.1 A Preliminary Ecological Appraisal (PEA) was undertaken following published guidelines on the likely effects upon biodiversity as a result of proposals. The assessment draws from a desk study and field surveys of the Site and surrounding area.

1.2 The Site is situated in the village of Boldon Colliery in South Tyneside and comprised improved grassland and ephemeral / short perennial vegetation. Immediately surrounding the Site are residential areas and areas of amenity grassland, with allotments located further north-east.

1.3 The development proposals are for a care home with associated landscaping as detailed on the Proposed Landscaping Plan (31/44 Architects, Drawing number: 44/2404/PL_1400, October 2024).

1.4 Although all habitats will be lost to accommodate the development, the improved grassland and ephemeral short perennial vegetation present on-site were of limited extent and low species diversity. As such, their loss would not constitute an ecological constraint to development. It is considered that the proposed planting on-site (including two native trees and native mixed scrub) and planting on off-site land (to be determined) will more than compensate for the habitats lost.

1.5 During any excavations, an access ramp should be provided overnight to allow trapped animals an escape route. Chemicals should be stored in secure compounds and open pipes should be temporarily capped at the end of each working day to prevent any animals gaining access. These precautions will protect wildlife from harm during works.

1.6 In the unlikely event that nesting birds are found on-site, to comply with relevant legislation any removal of suitable nesting vegetation should be timed to avoid the nesting season where possible (March to August inclusive, although dates vary depending on species and weather conditions). Where it is not feasible, affected areas should be checked for nests in advance by an experienced ecologist. Any active nests identified will be left with a minimum 5m buffer to be identified by the ecologist, until such a time all birds have fledged.

1.7 Several ecological enhancements which could be incorporated into the design proposal have been recommended within Section 5 & 6, including bat and bird boxes along with a sympathetic lighting design in accordance with the Bat Conservation Guidance (BCT) Note GN08/23[2].

[2] https://www.bats.org.uk/news/2023/08/bats-and-artificial-lighting-at-night-ilp-guidance-note-update-released#:~:text=This%20free%20guidance%20is%20now,a%20Guidance%20Note%20GN08%2F23.&text=The%20new%20guidance%20(GN08%2F23,and%20sponsored%20by%20Kingfisher%20Lighting

2.0 INTRODUCTION

2.1 The following report has been prepared by Futures Ecology Ltd. on behalf of Voyage Care. It provides the results of an extended Phase 1 habitat survey and preliminary protected species survey at Brockley Terrace, Boldon Colliery (grid reference: NZ3435562329).

2.2 The Phase 1 habitat survey and preliminary protected species surveys were undertaken on 24th September 2024.

2.3 The key objectives of the Preliminary Ecological Appraisal Report (PEAR) are to:

- gain an understanding of the baseline ecology of the Site and immediate surrounding area.
- determine whether the Site supports or has the potential to support protected species.
- identify any likely ecological constraints and mitigation measures likely to be required.
- identify the opportunities offered by the potential project to deliver ecological enhancement.
- assess the potential of the development to deliver measurable net gain.

2.4 A separate Biodiversity Impact Assessment (BIA, Futures Ecology, October 2024, Report Ref: FE452/BIA01) has been undertaken. This should be read in conjunction with this report.

SITE LOCATION AND CONTEXT

2.5 The Site is situated in the village of Boldon Colliery in South Tyneside. Immediately surrounding the Site are residential areas and areas of amenity grassland, with allotments located further north-east. There is a commercial area further to the south-east. The wider landscape consists mainly of residential areas, agricultural land and parcels of woodland.

DEVELOPMENT PROPOSALS

2.6 The development proposals are for a care home with associated landscaping as detailed on the Proposed Landscaping Plan (31/44 Architects, Drawing number: 44/2404/PL_1400, October 2024).

3.0 METHODOLOGY

PERSONNEL

3.1 J. Brown MSc, BSc (Hons) has 3 years' experience of conducting and leading field surveys for protected species across a wide range of sites.

DESK STUDY

3.2 Prior to the field survey, aerial photographs and mapping tools were reviewed using online mapping resources at a minimum scale of 1:25,000; Google Maps[3]; and the Multi Agency Geographic Information for the Countryside (MAGIC)[4] to assess the landscape context of the survey area and surrounding areas.

3.3 The MAGIC website was used to obtain information about:

- Statutory designated sites of international, national and local importance;
- Impact Risk Zones (IRZs) for Sites of Special Scientific Interest (SSSIs), Special Protection Areas (SPAs), Special Areas of Conservation (SACs) and Ramsar sites;
- Approved European Protected Species Mitigation (EPSM) licences, and
- Natural England Environmental DNA surveys and Habitat Suitability Assessments of Ponds for great crested newt in support of District Level mitigation Licensing.

3.4 To support the field survey and compile baseline information of relevance to the Site, ecological information was sought from third party organisations:

- Environmental Records Information Centre North East (ERICNE, received 10/10/24);
- Natural England's Open Dataset[5].

3.5 Relevant data requested included records of protected or notable species and sites designated for nature conservation interest.

3.6 The search area for designated sites and protected species is determined by the likely Zone of Influence[6] and the likely significant affect. The search areas for the various levels of site designation and for protected / notable species is detailed below:

- Sites of international statutory designation such as Special Area of Conservation (SAC), Special Protection Area (SPA) and Ramsar sites are searched for within a 10km radius around the application Site.
- Sites of national or regional importance with a statutory designation of Site of Special Scientific Importance (SSSI) or National Nature Reserve (NNR) within 2km.
- Sites of local importance with statutory designation of Local Nature Reserve (LNR), or non-statutory designation of Site of Importance for Nature Conservation (SINC) or the equivalent Local Wildlife Site (LWS) within 1km; and
- Records of notable / protected species (i.e., including Species of Principal Importance under Section 41 of the Natural Environment and Rural Communities (NERC) Act 2006 and local Biodiversity Action Plan (LBAP) species within 1km and bats within 2km.
- EPSM licences relating to bats within 2km and GCN within 1km.

[3] www.google.com/maps
[4] www.magic.defra.gov.uk
[5] https://data.gov.uk/dataset/8643f1b9-b419-4ee8-8e9c-18200e0edc31/great-crested-newt-edna-habitat-suitability-index-pond-surveys-for-district-level-licensing-2017-2018-2019
[6] The Zone of Influence (ZOI) is defined by CIEEM as being the "area over which ecological features may be affected by biophysical changes as a result of a proposed project and associated activities" CIEEM (2018) Guidelines for Ecological Impact Assessment in the UK and Ireland. Terrestrial, Freshwater and Marine.

3.7 The following inventories were assessed for the presence of ancient woodland and trees within 1km of the Site:

- Natural England's Ancient Woodland Index on the MAGIC site[7];
- Natural England's Wood Pasture and Parkland Inventory[8]; and
- The Woodland Trusts Ancient Tree Inventory[9].

FIELD SURVEY – HABITATS

Extended Phase 1 Survey

3.8 The survey was undertaken on 24th September 2024 during weather conditions that were warm and dry, with low wind. Survey methodology followed guidance from Joint Nature Conservation Committee (JNCC) 2016[10] comprising a walkover of the survey area mapping (using JNCC standard habitat codes) and broadly describing and classifying the principal habitat types and other features of interest. The frequencies at which plant species occurred were noted using the DAFOR[11] method. Whilst the plant species lists obtained should not be regarded as exhaustive, sufficient information was obtained to determine broad habitat types.

3.9 A summary of the habitats present on-site is provided within the report including UK Hab equivalent habitats (from the UK Habitats Classification methodology[12]) for the purpose of the Biodiversity Impact Assessment (BIA).

3.10 Habitats were also assessed for their potential to support protected or notable species including any incidental sightings of birds recorded during the walkover. Where potentially suitable habitats were observed during the scope of this assessment, detailed protected species surveys were undertaken using methodology detailed below.

3.11 The distribution and extent of any invasive species listed on Schedule 9, Section 14 of the Wildlife and Countryside Act 1981 (*as amended)* were also noted during the survey.

FIELD SURVEY – FAUNA

Badger *Meles meles*

3.12 A badger survey was undertaken on the 24th September 2024, within the application Site and 30m beyond the boundary where possible, undertaken by an appropriately qualified ecologist. The survey followed standard methodology as outlined by Natural England

[7] http://magic.gov.uk/MagicMap.aspx?chosenLayers=ancwoodIndex,bapdecIndex,orchardIndex,bapwoodIndex,backdropDIndex,backdropIndex,europeIndex,vmlBWIndex,25kBWIndex,50kBWIndex,250kBWIndex,miniscaleBWIndex,baseIndex&box=207763:417195:576753:592195&useDefaultbackgroundMapping=false
[8] http://magic.gov.uk/MagicMap.aspx?chosenLayers=ancwoodIndex,bapdecIndex,orchardIndex,bapwoodIndex,backdropDIndex,backdropIndex,europeIndex,vmlBWIndex,25kBWIndex,50kBWIndex,250kBWIndex,miniscaleBWIndex,baseIndex&box=207763:417195:576753:592195&useDefaultbackgroundMapping=false
[9] http://magic.gov.uk/MagicMap.aspx?chosenLayers=ancwoodIndex,bapdecIndex,orchardIndex,bapwoodIndex,backdropDIndex,backdropIndex,europeIndex,vmlBWIndex,25kBWIndex,50kBWIndex,250kBWIndex,miniscaleBWIndex,baseIndex&box=207763:417195:576753:592195&useDefaultbackgroundMapping=false
[10] JNCC (2016) Handbook for Phase1 Habitat Survey – a technique for environmental audit. ISBN 0 86139 636 7
[11] https://bsbi.org/wp-content/uploads/dlm_uploads/Sampling_Guidance_-_Annex_1_v4_April_2011.pdf
[12] ukhab – UK Habitat Classification

(2015)[13] and Harris *et al* (1989)[14], Creswell *et al.* (1990)[15]. Field signs searched for include setts, earth mounds, bedding material, mammal paths, latrines, snuffle holes, prints, hairs, scratching posts etc. The identification of some signs on their own does not necessarily provide conclusive evidence of the presence of badgers.

Bats

3.13 The Daytime Bat Walkover (DBW) was undertaken on the 24th September 2024.

Roosts – Trees

3.14 There were no trees present on-site.

Roosts – Structures

External Building Visual Inspection

3.15 There were no buildings present on-site but the proposed building will attach to the row of terraces immediately to the north-west Site boundary. As such, the south-eastern aspect of this building was assessed for potential to support roosting bats using statutory guidance (Natural England[16]) and best practice survey methodology[17].

3.16 The building was inspected externally using close focussing binoculars. Features such as small gaps around or under barge/soffit/fascia boards, windows, lintels, flashing, external pipework and or raised or missing roof/ridge tiles or gaps at gable ends, which have the potential for use as access points, were noted. Evidence that bats actively used such features included: staining within and around the gaps or bat droppings / urine staining under gaps. The presence of cobwebs and or general detritus within and around potential access points was used as an indicator that bats had not recently used the area to access the building.

3.17 An assessment was made on the level of bat roosting potential offered by the structures, based on the presence of the features detailed above. Table 1 below broadly classifies the potential categories and discusses the relevance of such features, where present.

[13] Natural England (2015) Badger Surveys and Mitigation accessed May 2021 https://www.gov.uk/guidance/badgers-surveys-and-mitigation-for-development-projects#survey-methods (accessed December 2019)
[14] Harris, S., Creswell, P., & Jefferies, D. (1989). *Surveying Badgers.* The Mammal Society.
[15] Cresswell, P., Harris, S., & Jeffries, D.J. (1990) The history, distribution, status, and habitat requirements of the badger in Britain. Nature Conservancy Council.
[16] https://www.gov.uk/guidance/bats-surveys-and-mitigation-for-development-projects (accessed March 2020)
[17] Collis, J. (ed.) (2016) *Bat Surveys for Professional Ecologists: Good Practice Guidelines (3rd edn).* The Bat Conservation Trust, London.

Table 1: Bat Roost Potential Classification Buildings - Based on Table 4.1 and Table 7.2 of Bat Surveys for Professional Ecologists: Good Practice Guidelines (Collins, 2023).

Classification / Suitability	Description of Roosting Habitat within either buildings or trees	Likely Further Survey Work
None	No features onsite to be used by any roosting bats at any time of year.	No further survey required.
Negligible	No obvious features 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 further survey required.
Low	A structure with one or more potential roost sites that could be used by individual bats opportunistically at any time of the year. However, these 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).	Nocturnal presence / likely absence surveys are likely to be required to give confidence in a negative result. At least one dusk emergence survey during the appropriate survey period. Further roost characterisation surveys would be required should a roost be confirmed that will be affected by development proposals.
Moderate	A structure with one or more potential roost sites that could be used 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 site).	At least two nocturnal presence / likely absence required to give confidence in a negative result. Two dusk emergence surveys during the appropriate period. Surveys should be evenly spread throughout the season with a minimum of at least 3 weeks apart. Should a roost be confirmed further roost characterisation surveys be required.
High	A structure with one or more potential roost sites that are obviously suitable for use by larger numbers of bats on a more regular basis and potentially for longer period 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.	At least three nocturnal presence / absence surveys required to give confidence in a negative result. Surveys should be evenly spread throughout the season with a minimum of at least 3 weeks apart.
Confirmed Roost	Evidence of roosting bats in the form of live or dead bats, droppings, urine staining, mammalian fur oil staining etc.	At least three nocturnal surveys to ascertain the status of the roost during appropriate survey period. Surveys should be evenly spread throughout the season with a minimum of at least 3 weeks apart.

Foraging / Commuting Habitat

3.18 The potential for the Site and immediate surrounds to support foraging and commuting bats was also assessed, with particular regard being given to the presence of continuous treelines providing good connectivity in the landscape, and the presence of varied habitat such as scrub, woodland, grassland and open water in the vicinity.

Great Crested Newt (GCN) *Triturus cristatus*

Aquatic Habitat

3.19 OS mapping and online aerial imagery were analysed for the presence of on and off-site water bodies within 500m of the application Site in accordance with Natural England guidance[18].

Terrestrial Habitat

3.20 An assessment of the suitability of the terrestrial habitats within the Site to support GCN was completed within the subject Site. Suitable terrestrial habitat includes shelter habitat such as scrub and rank vegetation and habitat that could provide suitable hibernation sites such as rubble piles, tussock grassland and compost heaps.

Reptiles

3.21 An assessment of the suitability of the habitats present to support common reptile species was completed at the time of the habitat survey. This involved a review of habitats and habitat structure suitable for the shelter of reptiles such as areas of scrub and woodpiles, grassland with well developed, varied structure; and also, the appropriate juxtaposition of areas suitable for basking shelter and forage/hunting. This assessment was based on the methodology detailed in the Herpetofauna Workers Manual (Gent and Gibson, 1998)[19], and Froglife Advice Sheet 10 – Reptile Survey (Froglife 1999)[20].

Other species

3.22 Any sightings, evidence of or suitable habitats for other protected fauna, local Biodiversity Action Plan (BAP) species or otherwise notable species was recorded during the survey.

3.23 Butterfly conservation site[21] and UKmoths[22] were used to assess the presence of food and egg laying habitat on-site, for NERC species that were found within 1km.

Survey Limitations

3.24 The habitat survey was completed in September 2024, which is inside the optimal survey season for most habitats (March - October). Given the nature of the Site and that the Site

[18] Natural England: Standing Advice Sheet: Great Crested Newts Paragraph 4: 4.1
[19] Gent, A.H., & Gibson, S.D., eds 1998. Herpetofauna Workers' Manual. Peterborough, joint Nature Conservation Committee.
[20] Froglife 1999. Froglife Advice Sheet 10: Reptile Survey. Froglife, London
[21] https://butterfly-conservation.org/
[22] https://ukmoths.org.uk/species/amphipyra-tragopoginis/

visit was undertaken within the optimal survey season for the majority of habitats, no constraints are anticipated.

4.0 RESULTS

DESK STUDY

4.1 A summary of relevant information provided by third party consultees is provided below. The original data has not been included in this report and a summary of the relevant findings is provided upon Figure 1.

Statutory Designated Sites

4.2 No statutory designated sites occur within the Site boundary.

4.3 Two internationally designated sites occur within 10km of the Site. Northumbria Coast SPA/RAMSAR is located 6.1km north-east and Durham Coast SAC is located 6.5km east of the Site boundary.

4.4 One site of national importance with a statutory designation was located within 2km of the Site boundary. West Farm Meadow, Boldon SSSI is located 1.3km east of the Site boundary.

4.5 Consultation with MAGIC site check confirms that the application Site lies within the 1-2km Impact Risk Zone (IRZ) for West Farm Meadow, Boldon SSSI. However, the development proposals do not fall within the categories that would otherwise require consultation with Natural England due to their potential impact, those being:

- *Airports, helipads and other aviation proposals.*
- *Solar schemes with a footprint > 0.5ha, all wind turbines.*
- *Any industrial/agricultural development that could cause AIR POLLUTION (including industrial processes, livestock & poultry units with a floorspace > 500m², slurry lagoons > 200m² & manure stores > 250 tonnes).*
- *General combustion processes >20MW energy input. Incl: energy from waste incineration, other incineration, landfill gas generation plant, pyrolysis/gasification, anaerobic digestion, sewage treatment works, other incineration/combustion.*
- *Landfill. Including: inert landfill, non-hazardous landfill, hazardous landfill.*
- *Any composting proposal with more than 75000 tonnes maximum annual operational throughput. Incl: open windrow composting, in-vessel composting, anaerobic digestion, other waste management.*

4.6 One site of local importance with a statutory designation was located within 1km of the Site boundary. Station Burn LNR is located 315m north of the Site boundary.

Non-Statutory Designated Sites

4.7 No non-statutory designated sites occur within the Site boundary.

4.8 Five sites of local importance with non-statutory designation were present within 1km of the Site boundary (Table 2). The closest to the Site was the Staton Burn LWS, 280m north.

Ancient Woodland and Trees

4.9 From the inventories checked it was found that there were no records of ancient woodland or trees on-site or within 1km of the Site.

Habitats of Principal Importance (HPI)

4.10 No HPIs occur within the Site. Twenty-four HPIs occur within 1km of the Site, the closest being an area of deciduous woodland 105m to the east.

Table 2: Summary of Statutory and Non-statutory Designated Sites

Site Name	Designation	Proximity to site (approximate)	Description
Northumbria Coast	SPA / RAMSAR	6.1km North-East (NE)	The Northumbria Coast SPA includes much of the coastline between the Tweed and Tees Estuaries in north-east England. The site consists of mainly discrete sections of rocky shore with associated boulder and cobble beaches. The qualifying species for the SPA are Artic tern *Sterna* paradisaea, little tern *Sternula* albifrons, ruddy turnstones *Arenaria interpres*, and purple sandpiper *Calidris maritima.* The qualifying species for the Ramsar are little tern, purple sandpiper, and ruddy turnstone.
Durham Coast	SAC	6.5km east	The Durham Coast is the only example of vegetated sea cliffs on magnesian limestone exposures in the UK. These cliffs extend along the North Sea coast for over 20 km from South Shields southwards to Blackhall Rocks. Their vegetation is unique in the British Isles and consists of a complex mosaic of paramaritime, mesotrophic and calcicolous grasslands, tall-herb fen, seepage flushes and wind-pruned scrub.
West Farm Meadow, Boldon	SSSI	1.3km east	West Farm Meadow, Boldon, is important as one of very few surviving semi-natural hay meadows in the coastal plain between the Rivers Tyne and Tees. Although once widespread such species-rich fields are now severely restricted in distribution because of extensive urbanisation and agricultural intensification.
Station Burn	LNR	315m north	This is a fascinating mixture of ancient river valley landscapes, industrial history and an eclaimed colliery that, as part of the developing Great North Forest, will mature into the biggest woodland in South Tyneside. It is an excellent spot to look for the attractive, but elusive, water vole *Arvicola amphibius* and *Alcedo atthis* kingfisher.
Station Burn	LWS	280m north	The majority of the site comprises grassland, ranging from tall neutral grassland to finer more species-rich grassland.

Site Name	Designation	Proximity to site (approximate)	Description
Newton Garths	LWS	440m east	Newton Garths includes several fields heavily grazed by horses, comprising species-rich, neutral, ridge and furrow pasture sloping down to the River Don. This is a rare habitat in north-east England.
Inverness Road	LWS	530m north	Inverness Road is a bowl-shaped section of the River Don Valley bounded by the A19, to the west, and the railway line to the south. Much of the site consists of grassland.
Colliery Former Railway Line	LWS	610m east	A length of disused railway embankment, formerly part of the North Eastern Railway Boldon and Newton Garths Branch, to the north and east of Colliery Wood it supports unimproved neutral grassland, mature scrub, scattered trees and wet ditch communities.
Hedworth Dene	LWS	620m north-west	The southern end of the site comprises a bowl-shaped area of land bounded by the A19 and railway line. On either side of the River Don there are semi-natural neutral grasslands ranging from species rich to species poor. There is also a heavily grazed, but species-rich horse pasture. On the south facing slopes there is an area of broadleaf woodland and scrub.
Deciduous Woodland	HPI	105m east	Theres a total of eighteen parcels of deciduous woodland within 1km of the Site boundary.
Lowland Meadows	HPI	540m east	There are a total of three parcels of lowland meadow within 1km of the Site boundary.
No main habitats but additional habitats present	HPI	670m south-west	There is a total of three HPIs with no main habitat, but additional habitats present within 1km of the Site boundary.

Protected / Notable Species Records

4.11 Records of protected and notable species provided by desk study consultees are provided in Table 3 below. The species records have been filtered to comprise relevant protected and / or notable species within 1km (and bats within 2km) of the survey area from the last 20 years. The locations are shown on Figure 1.

Table 3: Summary of Relevant Protected Species Records

Species	Latin	Conservation Status	Total No. of Records	Location / Minimum distance of records from Site boundary (m)	Grid ref. accuracy of nearest record
Bat species					
Common pipistrelle	*Pipistrellus pipistrellus*	Regs (Sch2), WCA (Sch5), NBAP	Roost: 3 Field Record: 18 Total: 21	Roost: 807m north Field record: 541m north-west	Roost: 100m Field record: 100m

Species	Latin	Conservation Status	Total No. of Records	Location / Minimum distance of records from Site boundary (m)	Grid ref. accuracy of nearest record
Pipistrelle bat species	*Pipistrellus* spp.	Regs (Sch2), WCA (Sch5), NBAP	Roost: 1 Field Record: 0 Total: 1	Roost: 1908m north-west Field record: N/A	Roost: 100m Field record: N/A
Unidentified bat species	-	Regs (Sch2), WCA (Sch5), NBAP	Roost: 0 Field Record: 2 Total: 2	Roost: N/A Field record: 560m north-east	Roost: N/A Field record: 100m
Other mammal species					
European water vole	*Arvicola amphibius*	WCA (Sch5), NERC (SPI), NBAP	43	207m north-east	1km
European otter	*Lutra lutra*	Regs (Sch2), NERC (SPI), WCA (Sch5), NBAP	25	207m north-east	1km
West European hedgehog	*Erinaceus europaeus*	NERC (SPI), NBAP	35	160m south	1m
Bird species					
Eurasian curlew	*Numenius arquata*	BoCC (Red), NERC (SPI), NBAP	2	207m north-east	1km
Fieldfare	*Turdus pilaris*	BoCC (Red), WCA (Sch1_part1)	1	891m north-west	10m
Grasshopper warbler	*Locustella naevia*	BoCC (Red), NERC (SPI), NBAP	4	207m north-east	1km
Grey partridge	*Perdix perdix*	BoCC (Red), NERC (SPI), NBAP	5	207m north-east	1km
Greenfinch	*Carduelis chloris*	BoCC (Red), NBAP	8	207m north-east	1km
Herring gull	*Larus argentatus*	BoCC (Red)	8	207m north-east	1km
House martin	*Delichon urbicum*	BoCC (Red), NBAP	2	821m south	1km
House sparrow	*Passer domesticus*	BoCC (Red), NERC (SPI), NBAP	4	30m north-west	1m
Starling	*Sturnus vulgaris*	BoCC (Red), NBAP	10	207m north-east	1km
Lapwing	*Vanellus vanellus*	BoCC (Red), NERC (SPI), NBAP	3	207m north-east	1km
Lesser redpoll	*Acanthis cabaret*	BoCC (Red), NERC (SPI), NBAP	9	207m north-east	1km
Linnet	*Carduelis cannabina*	BoCC (Red), NBAP	2	914m north-east	2km

Species	Latin	Conservation Status	Total No. of Records	Location / Minimum distance of records from Site boundary (m)	Grid ref. accuracy of nearest record
Mistle thrush	*Turdus viscivorus*	BoCC (Red), NBAP	2	914m north-east	2km
Pochard	*Aythya ferina*	BoCC (Red), NBAP	1	821m south	1km
Skylark	*Alauda arvensis*	BoCC (Red), NERC (SPI), NBAP	6	207m north-east	1km
Whimbrel	*Numenius phaeopus*	BoCC (Red), WCA (Sch1_part1)	1	854m west	1km
Willow tit	*Poecile montana*	BoCC (Red), NBAP	6	207m north-east	1km
Woodcock	*Scolopax rusticola*	BoCC (Red)	3	207m north-east	1km
Swift	*Apus apus*	BoCC (Red), NBAP	8	800m north	100m
Bittern	*Botaurus stellaris*	BoCC (Amber), NERC (SPI), WCA (Sch1_part1), NBAP	2	821m south	1km
Black-headed gull	*Larus ridibundus*	BoCC (Amber)	9	207m north-east	1km
Common bullfinch	*Pyrrhula pyrrhula*	BoCC (Amber), NBAP	24	207m north-east	1km
Common redpoll	*Carduelis flammea*	BoCC (Amber)	3	207m north-east	1km
Common sandpiper	*Actitis hypoleucos*	BoCC (Amber)	1	821m south	1km
Common tern	*Sterna hirundo*	BoCC (Amber), WCA (Sch1_part1), NBAP	3	821m south	1km
Dunnock	*Prunella modularis*	BoCC (Amber), NBAP	17	207m north-east	1km
Green sandpiper	*Tringa ochropus*	BoCC (Amber), WCA (Sch1_part1)	1	821m south	1km
Grey wagtail	*Motacilla cinerea*	BoCC (Amber)	8	207m north-east	1km
Kestrel	*Falco tinnunculus*	BoCC (Amber), WCA (Sch1_part1), NBAP	4	779m east	1m

Species	Latin	Conservation Status	Total No. of Records	Location / Minimum distance of records from Site boundary (m)	Grid ref. accuracy of nearest record
Lesser black-backed gull	*Larus fuscus*	BoCC (Amber)	3	821m south	1km
Mallard	*Anas platyrhynchos*	BoCC (Amber)	12	207m north-east	1km
Meadow pipit	*Anthus pratensis*	BoCC (Amber)	3	207m north-east	1km
Mediterranean gull	*Larus melanocephalus*	BoCC (Amber), WCA (Sch1_part1)	1	821m south	1km
Mute swan	*Cygnus olor*	BoCC (Amber)	13	207m north-east	1km
Pink-footed goose	*Anser brachyrhynchus*	BoCC (Amber), NBAP	2	207m north-east	1km
Pintail	*Anas acuta*	BoCC (Amber), WCA (Sch1_part1; Sch1_part2), NBAP	1	821m south	1km
Redwing	*Turdus iliacus*	BoCC (Amber), WCA (Sch1_part1)	5	207m north-east	1km
Reed bunting	*Emberiza schoeniclus*	BoCC (Amber), NERC (SPI), NBAP	3	821m south	1km
Snipe	*Gallinago gallinago*	BoCC (Amber), NBAP	1	822m north	1m
Willow warbler	*Phylloscopus trochilus*	BoCC (Amber), NBAP	8	207m north-east	1km
Wood sandpiper	*Tringa glareola*	BoCC (Amber), WCA (Sch1_part1)	1	821m south	1km
Song thrush	*Turdus philomelos*	BoCC (Amber), NBAP	11	207m north-east	1km
Woodpigeon	*Columba palumbus*	BoCC (Amber), NBAP	14	207m north-east	1km
Moorhen	*Gallinula chloropus*	BoCC (Amber)	9	207m north-east	1km
Common gull	*Larus canus*	BoCC (Amber)	5	207m north-east	1km
Sparrowhawk	*Accipiter nisus*	BoCC (Amber), WCA (Sch1_part1)	16	207m north-east	1km
Rook	*Corvus frugilegus*	BoCC (Amber), NBAP	8	207m north-east	1km

Species	Latin	Conservation Status	Total No. of Records	Location / Minimum distance of records from Site boundary (m)	Grid ref. accuracy of nearest record
Wren	*Troglodytes troglodytes*	BoCC (Amber)	12	207m north-east	1km
Whitethroat	*Sylvia communis*	BoCC (Amber), NBAP	7	207m north-east	1km
Peregrine	*Falco peregrinus*	BoCC (Green), WCA (Sch1_part1), NBAP	1	821m south	1km
Barn owl	*Tyto alba*	BoCC (Green), WCA (Sch1_part1; Sch9_part1), NBAP	1	914m north-east	2km
Brambling	*Fringilla montifringilla*	BoCC (Green), WCA (Sch1_part1)	1	207m north-east	1km
Golden plover	*Pluvialis apricaria*	BoCC (Green), WCA (Sch1_part2), NBAP	1	854m West (W)	1km
Kingfisher	*Alcedo atthis*	BoCC (Green), WCA (Sch1_part1)	10	207m north-east	1km
Swallow	*Hirundo rustica*	BoCC (Green), NBAP	3	914m north-east	2km
Goldcrest	*Regulus regulus*	BoCC (Green), NBAP	2	207m north-east	1km
Wryneck	*Jynx torquilla*	BoCC (N/A), WCA (Sch1_part1)	1	877m south	10m
Amphibian species					
Common toad	*Bufo bufo*	WCA (Sch5), NERC (SPI)	3	790m north-east	1m
Common frog	*Rana temporaria*	WCA (Sch5)	11	207m north-east	1km
Other species					
Wall butterfly	*Lasiommata megera*	NERC (SPI)	7	481m east	100m
Small heath butterfly	*Coenonympha pamphilus*	NERC (SPI)	15	601m east	100m
Dingy skipper butterfly	*Erynnis tages*	NERC (SPI), NBAP	33	579m north-east	100m

Species	Latin	Conservation Status	Total No. of Records	Location / Minimum distance of records from Site boundary (m)	Grid ref. accuracy of nearest record
Shaded broad-bar moth	*Scotopteryx chenopodiata*	NERC (SPI)	1	207m north-east	1km
Mouse moth	*Amphipyra tragopoginis*	NERC (SPI)	1	207m north-east	1km
American mink	*Neovison vison*	WCA (Sch9)	2	509m north	100m
Himalayan balsam	*Impatiens glandulifera*	WCA (Sch9)	3	541m north-west	100m

Status Key: Regs - The Conservation of Habitats and Species Regulations 2017 (*as amended*). WCA - The Wildlife and Countryside Act 1981 (*as amended*). Sch 1 - Schedule 1. Sch 2 – Schedule 2. Sch5 - Schedule 5. Sch8 - Schedule 8. Sch9 - Schedule 9. NERC - England Natural Environment and Rural Communities Act (2006) Section 41. SPI - Species of Principal Importance. BoCC - Birds of Conservation Concern. NBAP – Newcastle Biodiversity Action Plan.

4.12 There was one record of badger *Meles meles* within 1km of the Site.

4.13 A search of the MAGIC online resource revealed there were no European Protected Species Licences (EPSL) relating to bats within 2km of the Site boundary.

4.14 There are no EPSL's relating to GCN or records of GCN surveys from Natural England's Open Dataset[23] within 1km of the Site boundary.

4.15 The Site does not fall within an area of District Level Licensing (DLL).

Local Biodiversity Action Plan (LBAP)

4.16 Newcastle Biodiversity Action Plan[24] includes forty Habitat and Species Action Plans for:

- Buildings and structures
- Estuary and coastal
- Brownfield land
- Transport corridors
- Open water and wetland
- Rivers and watercourses
- Managed urban greenspace
- Native woodland
- Lowland grassland
- Scrub, shrub, and hedgerow
- Urban birds

[23] https://data.gov.uk/dataset/8643f1b9-b419-4ee8-8e9c-18200e0edc31/great-crested-newt-edna-habitat-suitability-index-pond-surveys-for-district-level-licensing-2017-2018-2019

[24] https://www.newcastle.gov.uk/services/planning-building-and-development/trees-wildlife-and-green-environment/newcastle-and-north

- Farmland birds
- Bat species
- Amphibians
- Dingy skipper *Erynnis tages*
- Otter *Lutra lutra*
- Red squirrel *Sciurus vulgaris*
- Slow worm *Anguis fragillis*
- Water vole *Arvicola amphibius*
- Brown hare *Lepus europaeus*
- Bumblebees *Bombus* spp.

HABITATS

4.17 The location of the habitats recorded during the extended Phase 1 Habitat Survey, and associated target notes, are presented on Figure 2 and described below. The botanical species list recorded in association with each broad habitat type are listed in Appendix A.

Improved grassland (g4)

4.18 Improved grassland was present in the south of the Site (Photograph 1). The grassland consisted of frequent Yorkshire-fog *Holcus lanatus*, dandelion *Taraxacum officinale* agg., and perennial rye-grass *Lolium perenne.* Dock *Rumex sp.*, meadow buttercup *Ranunculus acris*, and white clover *Trifolium repens* were occasional and creeping thistle *Cirsium arvense* and a liverwort (Marchantiophyta) were rare.



Photograph 1: Improved grassland in the south of Site (24.09.24).

Ephemeral / short perennial vegetation (81)

4.19 The northern part of Site consisted of hard standing with rubble and bricks from a previously demolished building (Photographs 2 and 3).

4.20 There was some sparse vegetation which included butterfly bush *Buddleja davidii* which occurred frequently throughout. Willow saplings *Salix* sp. were also found occasionally. Other species present were rare and included common ragwort *Jacobaea vulgaris*, silver birch saplings *Betula pendula*, common nettle *Urtica dioica*, dandelion *Taraxacum officinale* agg., yarrow *Achillea millefolium*, creeping thistle *Cirsium arvense*, willowherb species *Epilobium sp.*, lesser snapdragon *Misopates orontium* and herb-robert *Geranium robertianum*.



Photographs 2 and 3: Ephemeral / short perennial vegetation present on-site (24.09.24).

FAUNA

Badger

4.21 From the desk study there is one record of badger *Meles meles* within 1km from the Site boundary.

4.22 The habitats present on-site could provide very minimal foraging habitat for badgers, however the substrate is considered unsuitable for sett making and given its location within Boldon Colliery it would be considered unlikely that badger would be present on-site.

Bats

4.23 From the desk study up to three bat species / species groups were recorded within 2km of the Site (common pipistrelle *Pipistrellus pipistrellus*, pipistrelle bat species *Pipistrellus spp.*, unidentified bat species).

Roosts – Buildings

4.24 There were no buildings present on-site but the proposed building will attach to the row of terraces immediately to the north-west Site boundary (Photographs 4 and 5). The offsite building was assessed as providing negligible bat roosting potential.




Photographs 4 and 5: Building on the north-western edge of Site (24.09.24).

Foraging / Commuting Habitat

4.25 On-site habitats (improved grassland, ephemeral short perennial) provide very minimal foraging opportunity for bats. There were no linear features which linked to the wider environment and as such the Site was considered to provide negligible resource for the local bat population.

Great Crested Newts (GCN)

4.26 From the desk study there were no records of GCN inside or within 1km of the Site boundary. There are no EPSL's relating to GCN or records or GCN surveys from Natural England's Open Dataset[25] within 1km of the Site boundary.

4.27 The Site does not fall within a DLL Zone.

Aquatic habitat

4.28 No ponds were identified within or immediately adjacent to the Site boundary. Reference to 1:25,000 ordnance survey maps, and other publicly available information revealed there was one watercourse and two ditches within 500m of the application Site (Figure 3). Table 4 below provides a summary of the locations in relation to the Site and an overview as to whether there is suitable connective habitat between the pond and Site.

Table 4: Waterbodies Identified Within 500m Of the Application Site (refer to Figure 1).

Pond Ref.	Locality	Straight Line Distance / Direction. Distance via Optimal Connective Habitat in (m)	OS Grid Reference	Connectivity to Application Site
River Don	Running north of Boldon Colliery	Straight line distance: 366m N Connective Distance: >450m	NZ 34393 62714	The River Don is flowing and therefore unsuitable for breeding amphibians. **No further surveys recommended.**

[25] https://data.gov.uk/dataset/8643f1b9-b419-4ee8-8e9c-18200e0edc31/great-crested-newt-edna-habitat-suitability-index-pond-surveys-for-district-level-licensing-2017-2018-2019

Pond Ref.	Locality	Straight Line Distance / Direction. Distance via Optimal Connective Habitat in (m)	OS Grid Reference	Connectivity to Application Site
D1	Possible wet ditch in wooded area	Straight line distance: 363m E Connective Distance: >510m	NZ 34797 62244	Ditch D1 is over 250m away, which is considered to be the maximum routine migratory range for GCN[26]. The ditch is surrounded by woodland, which constitutes good shelter / foraging habitat for GCN. As such, it is considered unlikely that GCN would commute onto Site if present in ditch D1. **No further surveys recommended.**
D2	Possible wet ditch in urban area	Straight line distance: 415m SW Connective Distance: >565m	NZ 34070 61984	Ditch D2 is over 250m away, which is considered to be the maximum routine migratory range for GCN[27]. If GCN were present within ditch D2, they would have to commute over 500m through the urban environment. As such, it is considered unlikely that GCN would commute onto Site if present in ditch D2. **No further surveys recommended.**

Terrestrial Habitat

4.29 Suitable terrestrial habitat is present within the Site (improved grassland, ephemeral short perennial, bricks/rubble) which could provide potential foraging and shelter for GCN, however this is of limited extent. The Site is also fairly isolated within the urban environment.

Reptiles

4.30 From the desk study no records of reptiles were present within 1km of Site.

4.31 Suitable habitat on-site (improved grassland, ephemeral short perennial, bricks/rubble) could provide shelter and foraging habitat for reptiles, but these habitats are of limited extent. The Site generally lacks ecotones which would otherwise provide optimal reptile habitat. The Site is also fairly isolated within the urban environment.

Birds

4.32 From the desk study several records of farmland and urban edge bird species were present within 1km of the Site boundary, the closest being a house sparrow *Passer domesticus* 30m north-west.

[26] Kovar, R., Brabec, M., Vita, R. and Bocek, R. (2009) Spring migration distances of some central European amphibian species. Amphibia-Reptilia, 30: 367-378 and http://publications.naturalengland.org.uk/publication/134002
[27] Kovar, R., Brabec, M., Vita, R. and Bocek, R. (2009) Spring migration distances of some central European amphibian species. Amphibia-Reptilia, 30: 367-378 and http://publications.naturalengland.org.uk/publication/134002

4.33 The majority of the records are associated with Station Burn LWS/LNR to the north. The on-site habitats lack woody vegetation which would provide nesting opportunities and offers minimal foraging opportunities for birds.

Other

4.34 Thirty-five records of hedgehog were present within 1km of the Site boundary. The habitats present on-site (improved grassland, ephemeral short perennial) offer some limited foraging potential for hedgehog, although the Site lacks areas of shelter for this species.

4.35 There were 43 and 25 records of water vole and otter respectively within 1km of Site. However, the Site does not contain the aquatic / riparian habitat needed to support either of these species.

4.36 There are multiple records of butterflies and moths within 1km (Table 3). A range of caterpillar foodplants[28, 29] for these species are present on-site. However, the Site is limited in size and given the fairly limited species diversity of the habitats present, it is not considered to provide a significant food source for the local butterfly and moth populations.

5.0 DISCUSSION, CONCLUSIONS AND RECOMMENDATIONS

PROPOSALS

5.1 The development proposals are for a care home with associated landscaping as detailed on the Proposed Landscaping Plan (31/44 Architects, Drawing number: 44/2404/PL_1400, October 2024).

STATUTORY DESIGNATED SITES

5.2 Sites such as SPA's and SAC's are afforded protection under the Conservation of Habitats and Species Regulation 2017 (as amended). This legislation transposes European Council Directives 92/43/EEC (EC Habitats Directive) Directive 2009/145/EC (Wild Birds Directive) into domestic law. The purpose of this legislation is to provide protection for natural habitats, wild flora and fauna of international importance.

5.3 Paragraphs 180, 181 and 182 of the National Planning Policy Framework (2023)[30] have relevance to internationally designated sites and state:

180. 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;

[28] https://butterfly-conservation.org/
[29] https://ukmoths.org.uk/species/amphipyra-tragopoginis/
[30] https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1182995/NPPF_Sept_23.pdf

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 reasons63 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.

181. The following should be given the same protection as habitats sites:

a) potential Special Protection Areas and possible Special Areas of Conservation;

b) listed or proposed Ramsar sites; and

c) sites identified, or required, as compensatory measures for adverse effects on habitats sites, potential Special Protection Areas, possible Special Areas of Conservation, and listed or proposed Ramsar sites.

182. The presumption in favour of sustainable development does not apply where the plan or project is likely to have a significant effect on a habitats site (either alone or in combination with other plans or projects), unless an appropriate assessment has concluded that the plan or project will not adversely affect the integrity of the habitats site.

5.4 Northumbria Coast SPA/RAMSAR is located 6.1km north-east, designated for its intertidal rock platform, that supports Artic tern *Sterna* paradisaea, little tern *Sternula* albifrons, turnstones *Arenaria interpres*, purple sandpiper *Calidris maritima*, and ruddy turnstone *Arenaria interpresI*. Durham Coast SAC is located 6.5km east of the Site boundary, designated for its vegetated sea cliffs on magnesium limestone exposures. It is also designated for its paramartime, mesotrophic, and calcicolous grasslands, tall-herb fen, seepage flushes and wind-pruned scrub.

Information to Inform an Appropriate Assessment

5.5 The Site falls within 10km of the Northumbria Coast SPA/Ramsar and Durham Coast SAC.

5.6 The proposed development is not considered to result in any likely significant effects (LSE) upon the SPA/Ramsar or SAC due to the following:

- The development does not occur within any of the sites, thus there will be no direct loss of habitats within the SAC/SPA/Ramsar.
- None of the habitats or species either site is designated for (as mentioned above) are present within the proposed development Site. Thus, there will be no loss of supporting habitat.

- Habitats within the application Site are not suitable/suboptimal for the qualifying bird species of the SPA or Ramsar (Arctic tern, little tern, purple sandpiper and turnstones). Therefore, there will be no loss or impacts to functionally linked land.
- Given that the proposed development is several kilometres away, the small size of the development and the nature of the development as a care home, impacts arising from increased road traffic and recreational pressure are considered to be nugatory.
- As the development is located at over c. 6km from either site, there is not considered to be any impacts from the urban edge effect[31].
- There are no direct hydrological links between the Site and the SPA/Ramsar or SAC.
- No construction phase impacts, such as dust, noise and/or pollution are expected due the intervening distance (>6km)[32].

5.7 West Farm Meadow, Boldon is located 1.3km east of the Site boundary. Consultation with MAGIC site[33] check confirms that the application Site lies within the 1-2km Impact Risk Zone (IRZ) for this site. However, the development proposals do not fall within the categories that would otherwise require consultation with Natural England due to their potential impact.

5.8 Station Burn LNR is located 315m north of the Site boundary. No construction phase impacts, such as direct (e.g. accidental damage resulting in habitat loss) or indirect impacts (e.g. pollution events), are expected upon the LNR given the intervening distance (over 300m)[34] between the Site. Given the size and nature of the development, impacts arising from increased road traffic and recreational pressure are considered to be nugatory.

NON-STATUTORY DESIGNATED SITES

5.9 Local sites are not protected by law but do receive consideration in both national and local planning policy. Local sites have a role in meeting overall national biodiversity targets and appropriate weight should be attached to designated sites in making planning decisions.

5.10 Five sites of local importance with non-statutory designation were present within 1km of the Site boundary, the closest of which was Station Burn LWS which was located 280m north. As above, no construction or operational impacts are anticipated upon these sites.

HABITATS OF PRINCIPAL IMPORTANCE (HPI)

5.11 The nearest HPI is classified as deciduous woodland, present 105m east of the Site boundary. Twenty-four HPIs in total occur within 1km of the Site, including lowland meadow and no main habitat but additional habitats present. Given the intervening distance as well as the size and nature of the development, no direct or indirect impacts

[31] Urban Edge Effect - fly tipping; dumping of garden waste and resultant introduction of invasive/alien plants; traffic causing air pollution and rat running along minor roads and tracks; off-road vehicles leading to track erosion; disturbance to (conservation) grazing livestock; increased incidence of wildfire; and predation from domestic pets and urban scavengers.
[32] https://iaqm.co.uk/text/guidance/construction-dust-2014.pdf
[33] https://magic.defra.gov.uk/
[34] https://iaqm.co.uk/text/guidance/construction-dust-2014.pdf

during the construction or operational phase of the development are expected as a result of the proposals upon HPIs within 1km.

ANCIENT WOODLAND AND TREES

5.12 From the inventories checked it was found that there were no records of ancient woodland or trees on-site or within 1km of the Site.

HABITATS

5.13 Habitats receive consideration through the planning system by:

- their inclusion in specific National planning policy: such as consideration in the National Planning Policy Framework (2023)[35] for veteran trees, ancient woodland, non-statutory sites, and ecological networks.
- classification as a Habitat of Principal Importance (HPI) for the conservation of biodiversity under the Natural Environment and Rural Communities (NERC) Act 2006, from which are also derived Priority Habitats under local Biodiversity Action Plan (LBAP) and Priority Habitat for England under Biodiversity 2020[36],
- their inclusion in specific local policy.

5.14 Although all habitats will be lost to accommodate the development, the improved grassland and ephemeral short perennial vegetation present on-site were of limited extent and low species diversity. As such, their loss would not constitute an ecological constraint to development.

5.15 It is considered that the proposed planting on-site (including two native trees and native mixed scrub) and planting on off-site land (to be determined) will more than compensate for the habitats lost.

5.16 Direct lighting of newly planted habitats during the operational phase could result in crepuscular / nocturnal species avoiding these habitats. Lighting should be designed to prevent post development impacts from new development lighting. The lighting scheme should be designed in accordance with guidelines from BCT (2023)[37]. It should be designed and positioned to reduce spill and be downwardly directional, of 1 lux or less LED lamps and ideally set on motion sensors on short timers.

FAUNA

Badger

5.17 Badgers are relatively common and widespread in England and whilst legally protected, the emphasis of The Protection of Badgers Act 1992 is focused on protection from persecution, rather than on conservation.

[35] https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1182995/NPPF_Sept_23.pdf
[36] Biodiversity 2020: *A strategy for England's wildlife and ecosystem services,* August 2011, Department for Environment, Food and Rural Affairs.
[37] https://www.bats.org.uk/news/2023/08/bats-and-artificial-lighting-at-night-ilp-guidance-note-update-released#:~:text=This%20free%20guidance%20is%20now,a%20Guidance%20Note%20GN08%2F23.&text=The%20new%20guidance%20(GN08%2F23,and%20sponsored%20by%20Kingfisher%20Lighting.

5.18 The grassland on-site could provide very minimal foraging habitat for badgers; however, the substrate on-site is considered unsuitable for sett making and given its location within Boldon Colliery it would be considered unlikely that badger would be present on-site.

5.19 However, given the presence of suitable foraging habitat for badger on-site, an access ramp should be provided overnight to allow trapped animals an escape route during any excavations (or excavations covered). Chemicals should be stored in secure compounds and open pipes should be temporarily capped at the end of each working day to prevent any animals gaining access. These precautions will protect badger and other wildlife from harm during works and should be outlined in a Construction and Environmental Management Plan (CEMP) which would be conditioned on any planning permission.

Bats

5.20 All species of UK bats and their roosts are listed on the Conservation of Habitats and Species Regulations 2017 (as amended) making it illegal to deliberately disturb any such animal or damage / destroy a breeding site or roosting place of any such animal. Bats are also afforded full legal protection under Schedule 5 of the Wildlife and Countryside Act 1981 (as amended). Under this legislation it is illegal to recklessly or intentionally kill, injure or take a species of bat or recklessly or intentionally damage or obstruct access to or destroy any place of shelter or protection or disturb any animal whilst they are occupying such a place of shelter or protection. Seven bat species, including brown long-eared, noctule and soprano pipistrelle are Species of Principal Importance under the NERC Act 2006.

5.21 From the desk study up to three species of bat were recorded within 2km of the Site (common pipistrelle *Pipistrellus pipistrellus*, pipistrelle bat species *Pipistrellus spp.*, unidentified bat species).

Roosts –Buildings

5.22 There were no buildings present on-site but the proposed building will attach to the row of terraces immediately to the north-west Site boundary. This offsite building was assessed as providing negligible bat roosting potential.

Foraging / Commuting habitat

5.23 On-site habitats (improved grassland, ephemeral short perennial) provide very minimal foraging opportunity for bats. There were no linear features which linked to the wider environment and as such the Site was considered to provide negligible resource for the local bat population.

5.24 Integrated bat boxes should be installed upon the new building (avoiding areas where there would be any external lighting), this will provide new roosting opportunities for the local bat population.

5.25 Care should be taken to avoid inappropriate lighting of any new ecological landscape planting and retained boundary features or any new structural planting. Artificial light can deter some more sensitive bat species and can impact upon foraging and commuting routes. To minimise post development impacts, a sensitive lighting scheme should be

adopted to ensure that boundary habitats / ecological landscape planting will not be illuminated. The lighting scheme will be designed in accordance with guidelines from BCT (2023)[38] i.e. light spill of 1 lux or less. Any external lighting (on buildings or in public places) adjacent to suitable bat habitats should be downward facing with LED lamps, on motion sensors set to as short as possible timer (1 minute) to minimise impacts from lighting.

Great Crested Newts (GCN)

5.26 GCN are afforded legal protection under the Wildlife & Countryside Act 1981 *(as amended)* and the Conservation of Habitats and Species Regulations 2017 (*as amended*). This legislation makes it illegal to deliberately disturb a GCN, damage / destroy a breeding site or resting place of a GCN, recklessly or intentionally kill, injure or take a GCN, recklessly or intentionally damage or obstruct access to or destroy any place of shelter or protection, disturb a GCN whilst they are occupying such a place of shelter or protection. GCN are also listed as a Species of Principal Importance in England under Section 41 of the Natural Environment and Rural Communities (NERC) Act 2006.

5.27 From the desk study no records of GCN were present within 1km of the Site boundary.

Aquatic habitat

5.28 No ponds were identified within or immediately adjacent to the Site boundary. A watercourse and two ditches were present within 500m of the application Site. However, the River Don was unsuitable for GCN as it was flowing. Ditch D1 is situated 363m east in an area of woodland and ditch D2 is 415m south-west within a residential area.

Terrestrial Habitat

5.29 Suitable terrestrial habitat is present within the Site (improved grassland, ephemeral short perennial, bricks/rubble) which could provide potential foraging and shelter for GCN, however these are of limited extent.

Summary

5.30 It is considered that if GCN were present within ditch D1 and ditch D2 they would be unlikely to commute onto Site given:

- The distance to the Site is over the maximum routine migratory distance of GCN from breeding ponds in the terrestrial phase, which is 250m[39].
- D1 is within woodland, which offers more suitable habitat for foraging and feeding.
- Suitable terrestrial habitats on-site are of limited extent and the Site is also isolated within the urban environment, making it unlikely that newts will commute onto Site.

5.31 GCN are therefore likely absent from the Site and are not considered to pose a constraint to the development.

[38] https://theilp.org.uk/publication/guidance-note-8-bats-and-artificial-lighting/
[39] Kovar, R., Brabec, M., Vita, R. and Bocek, R. (2009) Spring migration distances of some central European amphibian species. Amphibia-Reptilia, 30: 367-378 and http://publications.naturalengland.org.uk/publication/134002

Reptiles

5.32 All common reptile species are partially protected under Sections 9(1) and 9(5) of Schedule 5 of the Wildlife and Countryside Act 1981 (*as amended*) which protects them from intentional killing/injury, possession, and transport. Common reptiles are also Species of Principal Importance under Section 41 of the Natural Environment and Rural Communities Act 2006.

5.33 From the desk study no records of reptiles were present within 1km of Site.

5.34 Suitable habitat on-site (improved grassland, ephemeral short perennial, bricks/rubble) could provide shelter and foraging habitat for reptiles, but these habitats are of limited extent. The Site generally lacks ecotones which would otherwise provide optimal reptile habitat. As such, reptiles are likely to be absent from Site and are not considered to pose a constraint to development.

Birds

5.35 All wild bird species are protected while nesting by the Wildlife and Countryside Act (1981) (as amended). This legislation protects wild birds, their nests and eggs from intentional harm, and makes it illegal to intentionally kill, injure or take any wild birds; take, damage or destroy the nest of a wild bird while the nest is in use of being build or take / destroy an egg of a wild bird.

5.36 Several records of farmland and urban edge bird species were present within 1km of the Site boundary.

5.37 The majority of the records are associated with Station Burn LWS/LNR to the north of the Site. Habitats on-site (improved grassland and ephemeral short perennial) lack nesting opportunities, and provide minimal foraging opportunity. Given the small scale of the development, the loss of a small amount of low quality habitat, the proposals are unlikely to have a significant impact on the local bird population.

5.38 It is considered that the proposed planting including two native trees and areas of native mixed scrub, will be of benefit to the local bird population.

5.39 Installation of a variety of bird boxes upon and integrated into new building would increase the availability of roosting and nesting habitat for these species' groups.

5.40 In the unlikely event that nesting birds are found on-site, to comply with relevant legislation any removal of suitable nesting vegetation should be timed to avoid the nesting season where possible (March to August inclusive, although dates vary depending on species and weather conditions). Where it is not feasible, affected areas should be checked for nests in advance by an experienced ecologist. Any active nests identified will be left with a minimum 5m buffer to be identified by the ecologist, until such a time all birds have fledged.

Hedgehog

5.41 The hedgehog population in Britain has rapidly declined in recent years with a third thought to be lost since 2020 [40]. Hedgehogs are listed as a Species of Principal Importance under NERC Act (2006) and as such are a material consideration during the planning process.

5.42 Thirty-five records of hedgehog was present within 1km of the Site boundary. The habitats present on-site (improved grassland, ephemeral short perennial) offer some limited foraging potential for hedgehog, although the Site lacks areas of shelter.

5.43 During any excavations, an access ramp should be provided overnight to allow trapped animals an escape route (or they must be covered). Chemicals should be stored in secure compounds and open pipes should be temporarily capped at the end of each working day to prevent any animals gaining access. These precautions will protect wildlife such as hedgehog from harm during works and should be outlined in CEMP which would be conditioned on any planning permission.

If fences/walls are required, provisions for this species during the operational phase of the development should include the installation of hedgehog gaps (c .13cm x 13cm) within boundary treatments to allow access to on-site habitats (suitable for foraging hedgehog). The creation of log piles throughout proposed greenspaces would also increase foraging and sheltering opportunities for this species.

6.0 BIODIVERSITY ENHANCEMENTS

6.1 In accordance with NPPF (2023)[41], The Environment Act 2021[42], and Policies EA3 and DM7 of the South Tyneside Core Strategy (June 2007)[43] and Development Management Policies (December 2011)[44] respectively, the development should incorporate features to encourage biodiversity, and retain and where possible enhance existing features of nature conservation value within the Site.

6.2 Proposals will increase diversity of habitats present and provide structural diversity including:

- New landscape planting including trees and mixed scrub to use native species which bear fruit and nectar.
- Installation of a variety of bat and bird boxes upon and integrated into the care home to increase the availability of roosting and nesting habitat for these species groups.

6.3 Where appropriate, an ecological management plan should be produced and adhered to for all retained and created habitats in order for them to maintain existing value and / or

[40] Wilson E & Wembridge, D (2018) *The State of Britain's Hedgehogs 2018.* British Hedgehog Preservation Society and Peoples Trust for Endangered Species.
[41] https://www.gov.uk/government/publications/national-planning-policy-framework--2
[42] https://www.legislation.gov.uk/ukpga/2021/30/contents
[43] https://www.southtyneside.gov.uk/media/2322/Core-Strategy-June-2007/pdf/Core_Strategy_Final_Adopted_Version_-_cWHS_modified_2014.pdf?m=1654078491523
[44] https://citizen.stc3-prd.gosshosted.com/media/2324/Development-Management-Policies/pdf/Development_Management_Policies_revised_adopted_Dec.2011_-_cWHS_modified_2014.pdf?m=1654079775113

increase their value, making sure that the management is appropriate for the development in the long term.

7.0 BIODIVERSITY IMPACT ASSESSMENT

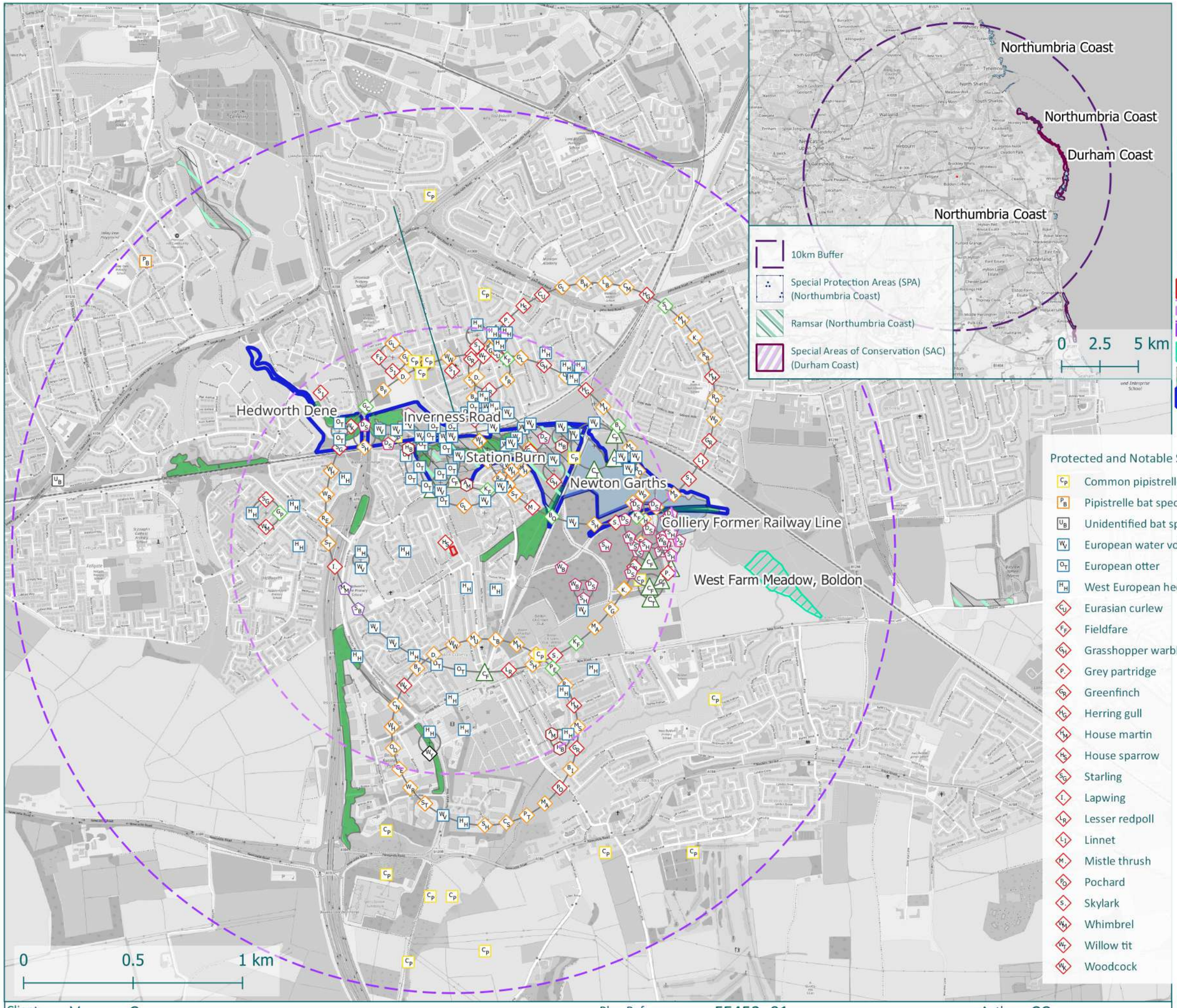
7.1 A separate Biodiversity Impact Assessment (BIA, Futures Ecology, October 2024, Report Ref: FE452/BIA01) has been undertaken. This should be read in conjunction with this report.

APPENDIX A: BOTANICAL SPECIES LIST

The habitat types were mapped within the Site and a representative species list for each habitat type recorded. Species lists are not exhaustive of all flora present in each habitat type.

Common Name	Scientific Name	DAFOR
Improved grassland		
Yorkshire-fog	*Holcus lanatus*	F
White clover	*Trifolium repens*	O
Dandelion	*Taraxacum officinale* agg.	F
Meadow buttercup	*Ranunculus acris*	O
Liverwort	Marchantiophyta	R
Perennial rye-grass	*Lolium perenne*	F
Creeping thistle	*Cirsium arvense*	R
Dock	*Rumex* sp.	O
Ephemeral short perennial vegetation		
Butterfly-bush	*Buddleja davidii*	F
Common ragwort	*Jacobaea vulgaris*	R
Silver birch saplings	*Betula pendula*	R
Common nettle	*Urtica dioica*	R
Dandelion	*Taraxacum officinale* agg.	O
Yarrow	*Achillea millefolium*	R
Creeping thistle	*Cirsium arvense*	R
Willowherb	*Epilobium* spp.	R
Lesser snapdragon	*Misopates orontium*	R
Herb-robert	*Geranium robertianum*	R
Willow saplings	*Salix* sp.	O
Yorkshire-fog	*Holcus lanatus*	R
White clover	*Trifolium repens*	O
Meadow buttercup	*Ranunculus acris*	R

DAFOR: D=dominant, A=abundant, F=frequent, O=occasional, R=Rare, L=Locally



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Key

- Site Boundary
- 1km Buffer
- 2km Buffer
- Sites of Special Scientific Interest (SSSI)
- Local Nature Reserves (LNR)
- Local Wildlife Sites (LWS)

Habitat of Principle Importance (HPI)

- Deciduous woodland
- Lowland meadows
- No main habitat but additional habitats present

Protected and Notable Species

- Common pipistrelle bat
- Pipistrelle bat species
- Unidentified bat species
- European water vole
- European otter
- West European hedgehog
- Eurasian curlew
- Fieldfare
- Grasshopper warbler
- Grey partridge
- Greenfinch
- Herring gull
- House martin
- House sparrow
- Starling
- Lapwing
- Lesser redpoll
- Linnet
- Mistle thrush
- Pochard
- Skylark
- Whimbrel
- Willow tit
- Woodcock
- Swift
- Bittern
- Black-headed gull
- Common bullfinch
- Common redpoll
- Common sandpiper
- Common tern
- Dunnock
- Green sandpiper
- Grey wagtail
- Kestrel
- Lesser black-backed gull
- Mallard
- Meadow pipit
- Mediterranean gull
- Mute swan
- Pink-footed goose
- Pintail
- Redwing
- Reed bunting
- Snipe
- Willow warbler
- Wood sandpiper
- Song thrush
- Woodpigeon
- Moorhen
- Common gull
- Sparrowhawk
- Rook
- Wren
- Whitethroat
- Peregrine
- Barn owl
- Brambling
- Golden plover
- Kingfisher
- Swallow
- Goldcrest
- Wryneck
- Common toad
- Common frog
- Wall butterfly
- Small heath butterfly
- Dingy skipper butterfly
- Shaded broad-bar moth
- Mouse moth
- American mink
- Himalayan balsam

Client:	Voyage Care	Plan Reference:	FE452_01	Author:	CC
Project:	Brockley Terrace, Boldon Colliery	Project Reference:	FE452	Date:	20/10/2024
Title:	Figure 1 - Site Location & Desk Study Results Plan	Report Reference:	PEA01	Scale:	1:17,500

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Key

Site Boundary

Phase 1 Habitats

Cultivated/disturbed land - ephemeral/short perennial

I Improved grassland

Client:	Voyage Care	Plan Reference:	FE452_02	Author:	JB
Project:	Brockley Terrace, Boldon Colliery	Project Reference:	FE452	Date:	20/10/2024
Title:	Figure 2 - Phase 1 Habitat Plan	Report Reference:	PEA01	Scale:	1:200

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Key

- Site Boundary
- 250m Buffer
- 500m Buffer
- Watercourses and ditches

Client:	Voyage Care	Plan Reference:	FE452_03	Author:	CC
Project:	Brockley Terrace, Boldon Colliery	Project Reference:	FE452	Date:	21/10/2024
Title:	Figure 3 - Waterbody Plan	Report Reference:	PEA01	Scale:	1:5,000

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