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Preliminary Ecological Appraisal

Land at Seaton Delaval

January 2022

Faithful and Gould

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	Name	**Position**	**Date**
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Contents

Tables

Summary

OS Ecology Ltd were commissioned by Faithful and Gould in December 2021 to undertake a Preliminary Ecological Appraisal of two parcels of land in Seaton Delaval. The site is proposed for the development of a new high school and associated car parking.

Summary Table	
Habitat Assessment	The site is made up of two parcels of land: a larger parcel where it is proposed to develop a new high school and a smaller parcel of land which is proposed for additional parking. The larger parcel of land is dominated by arable fields with a grassland margin to the site boundaries. A strip of broadleaf woodland is present along the southern boundary and an intact hedgerow crosses the northern section of the site. The smaller parcel of land is dominated by grassland with scrub and scattered trees. Habitats on site are considered to be of up to local value.
Bats	There are no suitable structures for roosting bats present within the parcels of land. Mature trees present within the broadleaf woodland have the potential to support roosting due to the presence of suitable features. Should the mature woodland be affected by the proposals further survey of the trees will be required to assess the presence / absence of roosts. The arable fields, grassland margins, scrub and woodland present within the larger parcel have the potential to support foraging and commuting bats. The site is well connected to additional blocks of woodland within the local area as well as Seaton Delaval Hall. Grassland present within the smaller parcel of land has the potential to support foraging bats however connectivity to this area is limited. Due to the habitats present and the overall small size of this parcel of land habitats are considered to be of low value to bats. Further activity survey of the larger parcel of land are recommended in order to confirm the value of the site to bat species.
Birds	Suitable foraging and nesting opportunities within the smaller parcel of land are limited to scrub and scattered trees. The grassland areas have the potential to provide a suitable foraging resource however this parcel is limited in potential due to its small size. The woodland, scrub and hedgerow habitats within the larger parcel of land have the potential to provide both foraging and nesting opportunities. The arable fields are large in size with good sightlines and located approximately 3km from the coast. There is potential for the large parcel to support breeding farmland bird species such as skylark. The small parcel of land is considered to be of low value to bird species. Further survey of the large parcel of land is required in order to confirm the value of this area to bird species.

Great Crested Newts	Areas of ephemeral water were noted in the arable fields during the survey. There are no ponds present within the development site, however the larger parcel of land is located within 90m of The New Hartley Ponds SSSI which has primarily been designated due to the presence of great crested newts. Areas of coarse grassland provide high quality connectivity between the SSSI and the development site. Coarse grassland margins, scrub, hedgerows and woodland present within the larger parcel of land have the potential to provide suitable habitat for this species during its terrestrial phase as well as connectivity both within and around the proposed site boundaries. Additional survey work is required in order to confirm the value of the larger parcel of land to this site.
Badger	No setts or other field signs of this species were recorded on site during the survey. The smaller parcel of land is considered unsuitable of supporting badger. However the woodland and hedgerow habitats within the larger parcel of land have the potential to support sett creation. In addition the coarse grassland and arable fields have the potential to provide a suitable foraging opportunity. Overall the site is consider to be of low value to this species with additional suitable habitat present within the local area.
Red Squirrel	Red squirrel are known to be present within the local area and the woodland within the larger parcel of land has the potential to provide suitable opportunities to this species. No evidence of this species was recorded during the survey and overall the site is considered to be of low value to this species with alternative suitable habitat present within the local area.
Other Protected or Notable Species	There is potential for brown hare to be present within the larger parcel of land on occasion. Hedgehog and common toad have the potential to be present within both parcels of land however the site is considered to be of low value overall. Due to the nature of the site and the habitats present additional protected or notable species are considered likely to be absent.
Designated Sites	The site is found within an identified SSSI Impact Risk Zone for the New Hartley Ponds SSSI and the nature and scale of the development fall into the identified risk categories. Consultation with the LPA should be undertaken as Natural England may require an appropriate assessment in order to further assess the potential for impacts on the SSSI.
Impact Assessment	• Loss of habitats of up to local value. • Harm or disturbance to rooting bats during tree removal works, should roosts be present. • Loss of bird nesting / foraging opportunities through site clearance works. • Harm and / or disturbance to nesting birds, should works be undertaken during the breeding bird season (March to August inclusive). • Disturbance to bat foraging and commuting routes through increased lighting on site after development works and or vegetation removal. • Risk or harm to great crested newts during site clearance and development works.

	• Loss of potential great crested newt terrestrial habitat during vegetation clearance. • Risk of harm to badger, hedgehog, brown hare and other small mammals should they be present within the site during works. • Risk of harm of disturbance to red squirrel should they be present within the site during site clearance works. • Damage to the crown or roots of retained trees and scrub during works on site through severance or asphyxiation. • Risk of spreading species listed on Schedule 9 of the Wildlife and Countryside Act 1981 as invasive species, namely Montbretia during site clearance works. • Potential for impacts on the adjacent SSSI site.
Recommendations	• Lighting that may affect the sites suitability for bats will be avoided. If required this will be limited to low level, avoiding the use of high intensity security lights. • Site clearance works will not be undertaken during the nesting bird season (March to August inclusive) unless the site is checked by an appropriately experienced ecologist and active nests are confirmed to be absent. • Any excavations left open overnight will have a means of escape for mammals that may become trapped in the form of a ramp at least 300mm in width and angled no greater than 45°. • Works will be undertaken to an approved Construction and Environmental Management Plan (CEMP). • Should further survey work confirm the presence of bat roosts within mature trees on site and impacts on these trees are predicted, a Natural England licence will be required before works to these trees can be undertaken. • Trees, scrub and hedgerows will be retained wherever possible. • Retained trees will be protected from damage in line with the recommendations in BS5837:2021. • Landscape planting shall include berry and fruit bearing species to provide increased foraging opportunities in the local area. • The provision of bat and bird boxes within the site.
Further Survey	• Bat activity survey of the mature trees in the broadleaf woodland, present within the larger parcel of land which may be affected directly or indirectly by the proposals. Two surveys, to be undertaken between May and August. • Bat transect survey and remote monitoring of the larger parcel of land should be undertaken on a monthly basis between May and September. Due to the small scale of the small parcel of land transect surveys are not recommended however remote monitoring should be undertaken on a seasonal basis. • Breeding and wintering bird surveys of the larger parcel of land should be completed. Level of survey work should be confirmed with the LPA. • Levels of great crested newt survey should be discussed with the LPA. • A botanical checking survey of the grassland areas and the woodland should be completed during the core periods for these habitats. • A badger and red squirrel checking survey of the site should be completed prior to the commencement of works on site.

	• The requirements for Net Gain should be discussed and agreed with the LPA.

1. Introduction

Site Location

1.1 The site is located to the north of Seaton Delaval village, Northumberland at an approximate central grid reference of NZ 303 757. The site location is illustrated within figure 1 in the appendices.

Site Description

1.2 The site consists of two parcels of land, the main site comprises arable land and is approximately 11.8ha in size whilst the smaller parcel of land to the south west is approximately 2.1ha in size and comprises of former playing fields and the site of the former Whytrigg Middle School.

Objectives of the Study

1.3 The objectives of this report are:

- To identify and describe any potential ecological receptors that may be present on site or within an identified zone of influence.
- To identify and assess whether proposals may impact on the identified receptors.
- To identify potential mitigation, compensation or enhancement measures if required.
- To identify and detail further surveys if required.

Development Proposals

1.4 Proposals include the development of a new high school within the larger parcel of land and associated car parking facilities within the smaller parcel of land. No development proposals have been provided at this stage.

2. Methodology

Scope of Study

2.1 The site was surveyed to identify whether the following were present for legislative and planning purposes:

- Habitats of conservation value
- Priority Habitats
- Protected and Priority Species

2.2 A summary of relevant legislation and national and local planning policy is provided within Appendix 2.

2.3 The ecological characteristics of the site were reviewed to identify the scope of the assessment, with the zone of influence determined through professional judgement.

2.4 The survey area comprised the "site" defined within figure 1 (Appendix 4) and where access was available an approximate 50m buffer[1].

2.5 Access permitting, all potential bat roosting sites within the survey area were assessed. Guidance regarding the assessment of the suitability of sites for use by bats is provided within Appendix 1.

Planning Policy

2.6 Planning policy relevant to this site (National Planning Policy Framework, the emerging Northumberland Local Plan and the existing Blyth Valley Local Plan) can be found within Appendix 2.

Desk Study

2.7 Desk study was undertaken to assess the nature of the surrounding habitats and included:

- Assessment of aerial imagery and Ordnance Survey mapping.
- A search of the MAGIC website[2] for designated sites and European protected species within 2km of the survey area.
- A data search request submitted to the Local Record Centre.

[1] The survey buffer may be increased depending on the species present and their identified core sustenance zones.
[2] Multi Agency Geographic Information for the Countryside (www.magic.gov.uk)

Field Survey

Habitats/Protected Species

2.8 The site was subject to a preliminary walk over, during which habitats were assessed in line with the Joint Nature Conservation Committee's Phase 1 Habitat Survey methodology[3] and the habitat classifications detailed within the UK Habitat Classification User Manual[4].

2.9 During the preliminary survey the site was checked for evidence of protected species and habitats were assessed for their potential to support such species.

2.10 Survey was undertaken by Mandy Rackham MCIEEM and Gemma Cone ACIEEM both experienced surveyor who hold protected species licences for a range of species including bats and great crested newts. Zoe Dunnett assisted with the surveys.

2.11 The following equipment was utilised during survey:

- Binoculars.
- Digital camera.
- Garmin handheld GPS.

2.12 The survey of the larger parcel was undertaken on the 7th December 2021 with survey of the smaller parcel on 11th January 2022. Survey was undertaken in the following weather conditions:

Table 1: PEA Survey Conditions

Date	Temperature	Cloud Cover	Precipitation	Wind Conditions
07.12.2021	5°C	30%	None	WF3
11.01.2022	5°C	20%	None	WF1

Limitations to Survey

2.13 Initial site assessment of both parcels of land was undertaken outside of the peak botanical period. As such there is potential that some species of plant will not have been evident or identifiable if present.

[3] Handbook for Phase 1 Habitat Survey, A Technique for Environmental Audit, JNCC, 2010
[4] Butcher, B., Carey, P., Edmonds, R., Norton, L. and Treweek, J. (2020). The UK Habitat Classification User Manual Version 1.1 at http://www.ukhab.org/

Assessment Methodology

2.14 Guidance from the Chartered Institute of Ecology and Environmental Management (CIEEM) is utilised to provide habitat valuations.

2.15 The level of value of specific ecological receptors is assigned using a geographic frame of reference. For, example international value being most important (SACs, SPAs and pSPAs), then national (SSSIs), regional, county (LWS), district (LNR), local and lastly, within the immediate zone of influence of the site only (low).

2.16 In terms of species, for example breeding birds, should the population within the site constitute greater than 1% of the geographic population, it would be considered significant at that level. In addition, presence of designated sites, scarce species and or quality[5]/diversity of habitats are used to guide that valuation

2.17 Assessment methods for bats have been undertaken with reference to Wray et al. (2007)[6], which correlates with the geographic frame of reference. Within which they define the relative rarity of each species based on the known distribution[7] at the time and the value of the roost type, assuming that roosts such as feeding perches are of lower value that maternity roosts or sites that have a high level of fidelity.

2.18 Examples of ecological receptors at various levels of value are provided within Appendix 3.

[5] Quality can be subjective and vary in different geographic areas. Reasoned professional judgement is therefore used to inform the assessment.
[6] Wray et al (2007) Valuing Bats in Ecological Impact Assessment. In Practice. Based on a presentation at the Mammal Society – Specific Issues with Bats
[7] It should be noted that there are regular changes to our understanding of distribution as further studies are undertaken.

3. Results

Desk Study

Designated Sites

3.1 A search of the Multi Agency Geographic Information for the Countryside Website[8] indicated that the following designated sites for nature conservation lie within 2km of the site.

Table 2: Designated Sites Within 2km

Designation	Site Name	Reason for Designation	Distance from Survey Area (Closest point)
Special Area of Conservation	None within 2km		
Special Protection Area	None within 2km		
National Nature Reserve	None within 2km		
Site of Special Scientific Interest	New Hartley Ponds[9]	The seasonal ponds at New Hartley, with their vegetation cover of amphibious bistort *Polygonum amphibium*, common spike-rush *Eleocharis palustris*, water horsetail *Equisetum fluviatile* and water crowfoot *Ranunculus aquatilis*, are frequented by five species of breeding amphibian. Of particular note is the great crested newt with a population in some years in excess of 500 individuals. The other species are smooth newt with a population of 500–1000 individuals, small numbers of palmate newt (12) and about 150 individuals each of frog and toad. The ponds are also frequented by damselflies with good populations of the blue tailed damselfly *Ischnura elegans* and the common darter *Sympetrum striolatum*	170m north

[8] Multi Agency Geographic Information for the Countryside (MAGIC) www.magic.gov.uk (Accessed January 2022)
[9] https://designatedsites.naturalengland.org.uk/PDFsForWeb/Citation/1000365.pdf

Table 2: Designated Sites Within 2km			
Designation	**Site Name**	**Reason for Designation**	**Distance from Survey Area (Closest point)**
	Holywell Pond[10]	Large body of standing open water. It is attractive to wintering and migratory waterfowl, including teal, wigeon, pochard, goldeneye and tufted duck. Of particular note is a large roosting herd of whooper swans numbering up to 180 birds, comprising more than 1% of the British wintering population of this species. Breeding species include little grebe, great-crested grebe, tufted duck and yellow wagtail.	1km south east
SSSI Impact Risk Zone (IRZ) The site is found within an identified SSSI Impact Risk Zone for the above sites and the nature and scale of the development fall into the identified risk categories. Consultation with the LPA should be undertaken.			
Local Nature Reserve	East Cramlington[11]	Within the south-east sector, a medium sized pond supports a wide range of invertebrates and amphibians including common frog, common toad, palmate newts and great created newts. A couple of swans breed on the pond each year and it is frequented by mallard ducks, coots and moorhens. Bats have also been spotted flying over the pond. The site is of value to a range of declining lowland farm birds including skylark, song thrush, linnet, grey partridge and yellow hammer. The grassland is dominated by a range of species including common bent, soft brome, red fescue, Yorkshire fog and sweet vernal grass. Tufted hair grass is common in wetter areas. The north-east of the pond has been sown with yellow rattle seed and there is a population of bee orchids lying just outside the LNR. The site supports a wide range of butterflies including small copper, orange tip, green-veined white, wall, large skipper and large white.	930m north west

[10] https://designatedsites.naturalengland.org.uk/UnitDetail.aspx?UnitId=1009772
[11] https://designatedsites.naturalengland.org.uk/SiteLNRDetail.aspx?SiteCode=L1009610

Priority Habitats

3.2 A search of the MAGIC website identified the following Priority Habitat types within the Priority Habitat Inventory within 2km of the site:

- Deciduous Woodland
- Open Mosaic Habitats (draft)
- Reedbeds
- Ancient and Semi Natural Woodland

European Protected Species Licensing

3.3 The MAGIC website identified the following granted Natura England European Protected Species licenses within 2km of the site.

Table 3: Granted Natural England European Protected Species Licences within 2km			
Licence Reference	**Species**	**Licensed Work**	**Licence Period**
EPSM2009-907	Great Crested Newt	Destruction of a resting place.	2013-2020
2014-659-EPS-MIT	Brown long-eared, common pipistrelle, Natterer's soprano pipistrelle	Damage to a resting place.	2014-2016
EPSM2013-6698	Common pipistrelle	Destruction of a resting place.	2013-2014

General Land Use

3.4 A review of aerial imagery and Ordnance Survey mapping highlighted that the general land use in the surrounding area is a mixture of residential housing making up the town of Seaton Delaval with arable fields, grassland and blocks of woodland.

Data Search

Local Records Centre

3.5 Consultation with the local records centre provided records of the following protected and notable species within 2km:

Table 4: Records from LRC Data Search			
Taxon	**Species**	**No. of Records within Search Area**	**Approx. Distance of Nearest Record From The Site (m)**
Amphibians	Common Toad	7	651

Table 4: Records from LRC Data Search			
Taxon	**Species**	**No. of Records within Search Area**	**Approx. Distance of Nearest Record From The Site (m)**
	Great Crested Newt	26	340
Mammals (excluding bats)	Brown Hare	9	1643
	Eurasian Red Squirrel	92	308
	European Otter	28	1550
	European Water Vole	1	1378
	West European Hedgehog	30	469
Bats	Bats	14	739
	Common Pipistrelle	26	463
	Noctule Bat	6	667
	Pipistrelle Bat species	9	1244
	Soprano Pipistrelle	5	1281
	Unidentified Bat	4	1984
	Whiskered/Brandt's Bat	1	0
Butterflies	Small Heath	1	845
	Wall	149	538
Birds	A total of 29,896 records of 207 bird species were provided from within 2km of the proposed development site.		

3.6 Full data search results are available upon request.

3.7 The records centre also provided information regarding the following Local Wildlife Sites (LWS) which lie within 2km of the site:

Northumberland Local Wildlife Sites:

- East Cramlington Pond

Field Survey

Habitats

Table 5: Habitat Descriptions
Overview of habitats The site is made up of two parcels of land a larger parcel where it is proposed to develop a new high school and a smaller parcel of land which is proposed for additional parking. The larger parcel of land is dominated by arable fields with a grassland margin to the site boundaries. A strip of broadleaf woodland is present along the southern boundary and an intact hedgerow crosses the northern section of the site. The smaller parcel of land is dominated by grassland with scrub and scattered trees. The habitats within the site are illustrated within Figure 3 and Figure 4.

Small Parcel of Land		
Habitat Description	**Photographs**	**UK Habs. Category**
Poor semi-improved grassland and Amenity Grassland Unmanaged grassland in the south-east of the site with scattered buddlejia and willow (*Salix* sp) (accounting for more than 20% of the total grassland). Average sward height is varied and approximately 20 -50 cm and grasses dominate (over 75%). The grassland is dominated by Yorkshire-fog (*Holcus lanatus)* and *festuca* sp. Other species recorded include ribwort plantain (*Plantago lanceolata)*, *Poa* sp., *Agrostis* sp., dandelion (*Taraxacum* agg.), broad-leaved dock (*Rumex obtusifolius)*, herb Robert (*Geranium robertianum)*, creeping buttercup (*Ranunculus repens)*, common vetch (*Vicia sativa)*, creeping thistle (*Cirsium arvense)*, black medic (*Medicago lupulina*), crested dog's-tail (*Cynosurus cristatus),* ragwort (*Senecio jacobaea),* broad-leaved		*Primary Code* g4 Modified Grassland *Secondary Code* 10 Scattered Scrub 11 Scattered Trees 64 Mown 77 Neglected 510 Sports Pitch

Small Parcel of Land		
Habitat Description	**Photographs**	**UK Habs. Category**
willowherb (*Epilobium montanum)* and rosebay willowherb (*Chamerion angustifolium)* and *Trifolium* sp. Additional species recorded include bramble (*Rubus fruticosus*), *Rosa* sp. cherry laurel (*Prunus laurocerasus),* dog rose (*Rosa canina),* elder *(Sambucus nigra)* and snowberry (*Symphoricarpos albus).* Areas of brick rubble are present across the area and there is no bare ground. Several single plants of montbretia *Crocosmia x crocosmiiflora* were recorded within the grassland although the plants did not make up more than 5% of the ground cover. An area of unmanaged grassland approximately 10 – 20 cm in height is also present in the north-east of the site. Coarse grasses including cock's-foot (*Dactylis glomerata)* and Yorkshire-fog dominate. Cleavers (*Galium aparine)*, dandelion and spear thistle (*Cirsium vulgare)* were also recorded. A football field is present in the west of the site. The grassland is regularly cut and the sward height was approximately 2 – 3 cm in height. Species recorded include perennial rye-grass (*Lolium perenne),* daisy (*Bellis perennis),* ragwort, creeping buttercup and ribwort plantain. A strip approximately 2 – 3 m across of unmanaged grassland is present along the western boundary. The average sward height was 50 - 100 cm and species recorded include cock's-foot, ribwort plantain, cleavers, dandelion, creeping buttercup, broad-leaved dock, timothy (*Phleum pratense),* common nettle (*Urtica dioica)*, and tufted hair-grass (*Deschampsia cespitosa).*	 	

Species Poor Intact Hedgerow A beech (*Fagus sylvatica*) hedge is present along the south-eastern boundary approximately 4 m in height and 2 m wide. A beech hedge with trees is also present along the northern boundary although this is on the other side of the fence.		*Primary Code* h2a Hedgerow (Priority habitat) *Secondary Code* 47 Native
Scattered trees Trees within the grassland areas of the Site include the following species: whitebeam (*Sorbus aria)*, sycamore (*Acer pseudoplatanus), Pinus* sp. and lime (*Tilia* sp). There are no bat roosting features present.		*Secondary Code* 11 Scattered Trees

Hard Standing Several small areas of hard standing are present within the southern section of the site.		*Primary Code* u1b Developed Land Sealed Surface
Buildings Two metal storage containers are present in the central area of the site. Both are well sealed and are considered to be of negligible suitability to roosting bats.		*Primary Code* u1b5 Buildings

Main Site		
Habitat Description	**Photographs**	**UK Habs. Category**
Poor semi-improved grassland The improved grassland within the main site comprises of unmanaged field margins dominated by cocks-foot and perennial rye grass. Other species within the sward include creeping thistle, broad-leaved dock, dandelion, common nettle, cranesbill (*Geranium sp).*, cleavers, common hogweed (*Heracleum sphondylium).*, cow parsley (*Anthriscus slvestris)*, ivy (*Hedera helix)* and mugwort (*Artemisia vulgaris).*		*Primary Code* g4 Modified Grassland *Secondary Code* 10 Scattered Scrub 11 Scattered Trees
Hedgerow with Trees **Species-poor Intact Hedgerow** On the western boundary of the site a hedgerow approximately 50m in length is positioned at the site boundary. The hedgerow is intact and comprises of hawthorn *Crataegus sp.* and blackthorn *Prunus spinosa* with ivy at the base. To the north of the site a defunct hedgerow dominated by hawthorn separates the two parcels of arable land. The hedgerow is unmanaged with scattered field trees within it, including sycamore, ash *Fraxinus excelsior* and elder *Sambucus nigra*.		*Primary Code* H2a Hedgerow (Priority Habitat) *Secondary Code* 47 Native

Dense scrub **Scattered scrub** There are small parcels of dense scrub along the southern boundary of the site, at the edge of the arable fields. The scrub is dominated by bramble *Rubus sp.* with ruderal species such as nettle and broadleaved dock present at the scrub margins. There is a low coverage of scattered scrub associated with the defunct hedgerow and field margin to the north of the site. The scrub comprises of primarily secondary growth with ash, elder, field maple *Acer campestris* and sycamore present.		*Primary Code* h3d Bramble Scrub h3h Mixed Scrub *Secondary Code* 47 Native
Arable The arable fields consisted of overwintered stubble at the time of survey with occasional ragwort *Jacobaea vulgaris*, bittercress *Cardamine hirsuta*, groundsel *Senecio vulgaris* and *brassica sp*. present. Small areas of inundated land were noted, although a lack of aquatic vegetation would suggest these are a temporary feature.		*Primary Code* c1 Cropland

Semi-natural broadleaved woodland A narrow belt of semi-natural deciduous woodland is situated along the south eastern site boundary. The woodland supports both semi-mature and mature trees with evidence of regeneration as well as standing deadwood. Along the western edge of the woodland there is a row of hawthorn, suggesting a remnant hedgerow at the woodland edge. Species present within the woodland include beech *Fagus sp.*, ash, sycamore, elder with occasional conifer trees. There is a dense bramble understorey throughout the woodland.		*Primary Code* w1g Other Broadleaf Woodland *Secondary Code* 47 Native

Protected Species

Bats

3.8 There are no structures within the parcels of land however mature trees within the broadleaf woodland strip which have features suitable of supporting roosting bats.

3.9 The grassland margins around the arable fields in the larger parcel of land have the potential to support foraging bats and the site is well connected to the wider area with hedgerows and tree lines along site boundaries.

Birds

3.10 Wood pigeon, blackbird, common gull and crow were all recorded within the site during the walkover survey visit.

3.11 The woodland, scattered trees and scrub present within the parcels of land all have the potential to support foraging and nesting bird species. The grassland habitats present within the smaller parcel have the potential to provide a suitable foraging resource.

3.12 The large arable fields present within the larger parcel of land have good sight lines and have the potential to support farmland bird species such as skylark.

Great Crested Newts

3.13 There are no ponds present within the site boundaries. Small areas of ephemeral water were present within the arable fields during the initial walkover, which if present during the spring could provide suitable habitat for this species.

3.14 The New Hartley ponds SSSI designated for great crested newts is located approximately 90m to the north of the site boundary. Coarse grassland margins, hedgerows and woodland present within the site have the potential to support this species during its terrestrial phase.

Badger

3.15 No evidence of badger was recorded within either parcel of land during the survey.

3.16 The woodland and hedgerows present within the larger parcel have the potential to provide suitable sett creation opportunities. The arable fields have the potential to provide a suitable foraging resource.

Red Squirrel

3.17 No evidence of red squirrel was recorded on site during the survey. The woodland in the larger parcel of land has the potential to provide suitable opportunities for this species.

Other protected species

3.18 There is potential for brown hare to be present within the arable fields within the larger parcel of land. Hedgehog and common toad maybe present within both parcels of land.

3.19 Due to the nature of the habitats present additional protected or notable species are considered likely to be absent.

4. Site Assessment

Assessment of Survey Findings

Habitats

4.1 Habitats on site are considered to be of up to local value. The broadleaf woodland on the southern boundary of the site is connected to a larger parcel of woodland connected to Seaton Delaval Hall. As a larger parcel of woodland this habitat is considered to be of higher value however the small parcel of woodland present within the site boundary is considered to be of local value.

4.2 The arable fields and grassland margins are widely replicated within the wider area as are the areas of grassland. Scattered trees are considered to be of low value along with scattered scrub habitats. However the initial survey of both parcels of land were undertaken outside of the peak botanical period as such further survey of the woodland and grassland areas is required in order to confirm the value of these habitats.

4.3 Montbretia, listed as invasive on Schedule 9 of the Wildlife and Countryside Act 1981 has been recorded within the smaller parcel of land.

Bats

4.4 There are no structures present within the parcels of land. Mature trees present within the broadleaf woodland have the potential to support roosting due to the presence of suitable features. Should the mature woodland be affected by the proposals further survey of the trees will be required to assess the presence / absence of roosts.

4.5 The arable fields, grassland margins, scrub and woodland present within the larger parcel have the potential to support foraging and commuting bats. The site is well connected to additional blocks of woodland within the local area as well as Seaton Delaval Hall.

4.6 Further activity survey of the larger parcel of land are required in order to confirm the value of the site to bat species.

4.7 Grassland present within the smaller parcel of land has the potential to support foraging bats however connectivity to this area is limited. Due to the habitats present and the overall small size of this parcel of land habitats are considered to be of low value to bats.

Birds

4.8 Suitable foraging and nesting opportunities within the smaller parcel of land are limited to scrub and scattered trees. The grassland areas have the potential to provide a suitable foraging resource however this parcel is limited in potential due to its small size.

4.9 The woodland, scrub and hedgerow habitats within the larger parcel of land have the potential to provide both foraging and nesting opportunities. The arable fields are large

in size with good sightlines and located approximately 3km from the coast. There is potential for the large parcel to support farmland bird species such as skylark.

4.10 The small parcel of land is considered to be of low value to bird species. Further survey of the large parcel of land is required in order to confirm the value of this area to bird species.

Great Crested Newts

4.11 Areas of ephemeral water were noted in the arable fields during the survey. There are no ponds present within the development site, however the larger parcel of land is located within 90m of The New Hartley Ponds SSSI which has primarily been designated due to the presence of great crested newts. Additional ponds are also present within coarse grassland immediately adjacent to the northern boundary of the larger site. Areas of coarse grassland provide high quality connectivity between the SSSI and the development site.

4.12 Coarse grassland margins, scrub, hedgerows and woodland present within the larger parcel of land have the potential to provide suitable habitat for this species during its terrestrial phase as well as connectivity both within and around the proposed site boundaries.

4.13 Additional survey work is required in order to confirm the value of the larger parcel of land to this site.

Badger

4.14 No setts or other field signs of this species were recorded on site during the survey. The smaller parcel of land is considered unsuitable of supporting badger. However the woodland and hedgerow habitats within the larger parcel of land have the potential to support sett creation. In addition the coarse grassland and arable fields have the potential to provide a suitable foraging opportunity.

4.15 Overall the site is consider to be of low value to this species with additional suitable habitat present within the local area.

Red Squirrel

4.16 Red squirrel are known to be present within the local area and the woodland within the larger parcel of land has the potential to provide suitable opportunities to this species. No evidence of this species was recorded during the survey and overall the site is considered to be of low value to this species with alternative suitable habitat present within the local area.

Other Protected Species

4.17 There is potential for brown hare to be present within the larger parcel of land on occasion. Hedgehog and common toad have the potential to be present within both parcels of land however the site is considered to be of low value overall.

4.18 Due to the nature of the site and the habitats present additional protected or notable species are considered likely to be absent.

Designated Sites

4.19 The coastal designated sites are located over 3km to the east of the proposed development site.

4.20 The site is found within an identified SSSI Impact Risk Zone for the New Hartley Ponds SSSI and the nature and scale of the development fall into the identified risk categories. Consultation with the LPA should be undertaken as Natural England may require an appropriate assessment in order to further assess the potential for impacts on the SSSI.

5. Impact Assessment

5.1 The following impact assessment is based on the survey work to date and the understanding that the Client wishes to undertake the following:

- Develop the larger parcel of land with a new school development and the smaller parcel of land with car parking facilities. At this stage no detailed development plans have been provided.

5.2 As a result of the assessment completed and the nature of the proposed works, the likely impacts, without appropriate avoidance measures, mitigation and/or compensation scheme, are anticipated to be:

- Loss of habitats of up to local value.
- Harm or disturbance to rooting bats during tree removal works, should roosts be present.
- Loss of bird nesting / foraging opportunities through site clearance works.
- Harm and / or disturbance to nesting birds, should works be undertaken during the breeding bird season (March to August inclusive).
- Disturbance to bat foraging and commuting routes through increased lighting on site after development works and or vegetation removal.
- Risk or harm to great crested newts during site clearance and development works.
- Loss of potential great crested newt terrestrial habitat during vegetation clearance.
- Risk of harm to badger, hedgehog, brown hare and other small mammals should they be present within the site during works.
- Risk of harm of disturbance to red squirrel should they be present within the site during site clearance works.
- Damage to crowns or roots of retained trees and scrub during works on site through severance or asphyxiation.
- Risk of spreading Schedule 9 invasive species Montbretia during site clearance works.
- Potential for impacts on the adjacent New Hartley Ponds SSSI site.

6. Recommendations

Further Survey

6.1 Based on the nature of the site the following survey work is recommended, but should be discussed with the Local Planning Authority in the context of survey already completed within the wider area:

- Bat activity survey of the mature trees in the broadleaf woodland, present within the larger parcel of land which may be affected directly or indirectly by the proposals. Two surveys, to be undertaken between May and August.
- Bat transect survey and remote monitoring of the larger parcel of land should be undertaken on a monthly basis between May and September. Due to the small scale of the small parcel of land transect surveys are not recommended however remote monitoring should be undertaken on a seasonal basis.
- Breeding and wintering bird surveys of the larger parcel of land should be completed. Level of survey work should be confirmed with the LPA.
- Levels of great crested newt survey should be discussed with the LPA.
- A botanical checking survey of the grassland areas and the woodland should be completed during the core periods for these habitats.
- A badger and red squirrel checking survey of the site should be completed prior to the commencement of works on site.
- The requirements for Net Gain should be discussed and agreed with the LPA.

Avoidance Measures

6.2 The following measures should be incorporated into the design of the scheme to avoid impacts on wildlife:

- Lighting that may affect the sites suitability for bats will be avoided. If required this will be limited to low level, avoiding the use of high intensity security lights.
- Site clearance works will not be undertaken during the nesting bird season (March to August inclusive) unless the site is checked by an appropriately experienced ecologist and active nests are confirmed to be absent.
- Any excavations left open overnight will have a means of escape for mammals that may become trapped in the form of a ramp at least 300mm in width and angled no greater than 45°.

Mitigation Strategy

6.3 The following is recommended:

- Works will be undertaken to an approved Construction and Environmental Management Plan (CEMP).

- Should further survey work confirm the presence of bat roosts within mature trees on site and impacts on these trees are predicted, a Natural England licence will be required before works to these trees can be undertaken.
- Trees, scrub and hedgerows will be retained wherever possible.
- Retained trees will be protected from damage in line with the recommendations in BS5837:2021.

Compensation Scheme

6.4 The following is recommended:

- Landscape planting shall include berry and fruit bearing species to provide increased foraging opportunities in the local area.
- The provision of bat and bird boxes within the site. The numbers and style of boxes will be confirmed following the completion of the further recommended surveys, however as a minimum 5 bird boxes and 5 bat boxes (suitable for general use) will be provided.

Appendix 1 – Bat Suitability and Survey Effort

Classifications of suitability are based on those provided within the Bat Conservation Trust Good Practice Survey Guidelines[12], with the table below taken from page 35 of the guidelines (table 4.1).

Table 6: Guidelines for Assessing the Potential Suitability of Proposed Development Sites for Bats
(based on the presence of habitat features within the landscape, to be applied using professional judgement)

Suitability	Description	
	Roosting Habitats	**Commuting and foraging habitats**
Negligible	Negligible habitat features on site, likely to be used by roosting bats	Negligible habitat features on site, likely to be used by commuting and foraging bats
Low	A structure with one or more potential roost sites that could be used by individual bats opportunistically. However, these potential roost sites do not provide enough space, shelter, protection, appropriate conditions[a] 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 or hibernation[b]. A tree of sufficient size and age to contain PRFs but with none seen from the ground or features seen with only very limited roosting potential[c].	Habitat that could be used by small numbers of commuting bats 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 by small numbers of foraging bats such as a lone tree (not in a parkland situation) or a patch of scrub.
Moderate	A structure or tree with one or more potential roost sites that could be used by bats due to their size, shelter, protection, conditions[a] and surrounding habitat but unlikely to support a roost of high conservation status (with respect to roost type only – the assessments in this table are 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 commuting 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 or tree 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 periods of time due to their size, shelter, protection, conditions[a] and surrounding habitat	Continuous high-quality habitat that is well connected to the wider landscape that is likely to be used regularly by commuting bats 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 watercourse and grazed parkland. Site is close to and connected to known roosts.

a. For example in terms of temperature, humidity, height above ground level, light levels or levels of disturbance.
b. Evidence from the Netherlands shows mass swarming events of common pipistrelle bats in the autumn followed by mass hibernation in a diverse range of building types in urban environments (Korsten et al., 2015). This phenomenon requires some research in the UK but ecologists should be aware of potential for larger numbers of this species to be present during the autumn and winter in larger buildings in highly urbanised environments.
c. The system of categorisation aligns with BS 8596:2015 Surveying for bats in trees and woodland (BSI, 2015)

[12] Collins, J. (ed) (2016) Bat Surveys for Professional Ecologists: Good Practice Guidelines (3rd Edition). Bat Conservation Trust

The classification of the suitability relates to the level of further survey recommended.

Table 7: Survey Effort and Timing Depending on Suitability of the Structure or Tree *(Tables 7.1-7.3 in the BCT Guidelines*			
	Low roost suitability	**Moderate roost suitability**	**High roost suitability**
Survey Effort	One survey visit One dusk emergence or dawn re-entry survey	Two separate visits One dusk emergence and a separate dawn re-entry survey	Three separate visits At least one dusk emergence and a separate dawn re-entry survey. The third can be either dusk or dawn.
Timings	May-August (structures) No further survey (trees)	May to September. At least one must be in the optimum period (May to August)	May to September. two must be in the optimum period (May to August)
If bats are recorded	If bats emerge from or enter a building during surveys, the survey schedule will be adjusted to increase the survey effort so that enough information can be collected to characterise the roost and provide data should a Natural England Licence be required.		

Appendix 2 – Policy and Legislation

Planning Policy

National Planning Policy Framework (NPPF)[13]

The revised National Planning Policy Framework sets out the government's planning policies for England and how these are expected to be applied. It provides a framework within which locally prepared plans for housing and other development can be produced. Planning law requires that applications for planning permission be determined in accordance with the development plan. The key paragraphs from the relating to the natural environment are detailed below.

Table 8: Ecologically Relevant Paragraphs of the NPPF

Paragraph	Statement
8	Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives): a) an economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure; b) a social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering well-designed, beautiful and safe places, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and c) an environmental objective – to protect and enhance our natural, built and historic environment; including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy
174	Planning policies and decisions should contribute to and enhance the natural and local environment by: a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan); b) recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland; c) maintaining the character of the undeveloped coast, while improving public access to it where appropriate; d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures; e) 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 f) remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate
175	Plans should: distinguish between the hierarchy of international, national and locally designated sites; allocate land with the least environmental or amenity value, where consistent with other policies in this Framework; take a strategic approach to maintaining and enhancing networks of habitats and green infrastructure; and plan for the enhancement of natural capital at a catchment or landscape scale across local authority boundaries
179	To protect and enhance biodiversity and geodiversity, plans should: a) Identify, map and safeguard components of local wildlife-rich habitats and wider ecological networks, including the hierarchy of international, national and locally designated sites of importance for biodiversity; wildlife corridors and stepping stones that connect them; and areas identified by national and local

[13] National Planning Policy Framework July 2021 (https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1005759/NPPF_July_2021.pdf)

Table 8: Ecologically Relevant Paragraphs of the NPPF	
Paragraph	**Statement**
	partnerships for habitat management, enhancement, restoration or creation; and b) promote the conservation, restoration and enhancement of priority habitats, ecological networks and the protection and recovery of priority species; and identify and pursue opportunities for securing measurable net gains for biodiversity.
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; 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 sites64; 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.

Local Planning Policy

The following table details the ecologically relevant policies of the local plan relevant to this site.

Table 9: Ecologically Relevant Policies of the Draft Northumberland Local[14]	
Policy No.	Policy
Policy ENV 1	Approaches to assessing the impact of development on the natural, historic and built environment (Strategic Policy) 1. The character and significance of Northumberland's distinctive and valued natural, historic and built environments, will be conserved, protected and enhanced by: a. Giving appropriate weight to the statutory purposes and special qualities of the hierarchy of international, national and local designated and non-designated nature and historic conservation assets or sites and their settings, as follows: i. Greatest weight will be given to international and national designations, in accordance with the obligations set out in relevant legislation and advice; ii. Following this, those of regional and local importance; b. Protecting Northumberland's most important landscapes and applying a character-based approach to, as appropriate, manage, protect or plan landscape across the whole County.

[14] Northumberland Local Plan, Publication Draft Plan (Regulation 19), January 2019, Northumberland County Council

Table 9: Ecologically Relevant Policies of the Draft Northumberland Local[14]	
Policy No.	Policy
	2. In applying part (a) above, recognising that: a. Assets or sites with a lower designation or non-designated, can still be irreplaceable, may be nationally important and/or have qualitative attributes that warrant giving these the appropriate protection in-situ; b. Development and associated activity outwith designations can have indirect impacts on the designated assets or sites; 3. An ecosystem approach will be taken that demonstrates an understanding of the significance and sensitivity of the natural resource. Such an approach should result in a neutral impact on, or net benefit for those ecosystems and the ecosystem services that they provide.
Policy ENV 2	Biodiversity and geodiversity 1. Development proposals affecting biodiversity and geodiversity will minimise their impact and net gains for biodiversity will be secured by: a. Avoiding significant harm through location and/ or design. Where significant harm cannot be avoided, applicants will be required to demonstrate that adverse impacts will be adequately mitigated or, as a last resort compensated for; b. Securing net biodiversity gains and/or wider ecological enhancements through new development. 2. Where sites are designated for their biodiversity or geodiversity, planning decisions will reflect the hierarchical approach set out in Policy ENV 1. 3. In the case of Local Wildlife and Geological Sites and Local Nature Reserves: a. development clearly outweigh the harm to the nature conservation value of the site. b. Where permission can be granted in accordance with (3)(a) above, planning conditions or obligations will be used to protect the site's remaining nature conservation interest and to provide appropriate compensatory measures for the harm caused. 4. The Council expects the ecosystem approach to be applied in development through: a. The conservation, restoration , enhancement, creation and/or (where appropriate) the re-creation of priority habitats and the habitats of priority species; b. The protection and enhancement of all ecological networks and links to promote migration, dispersal and genetic exchange, including the South East Northumberland Wildlife Network, as shown on the Policies Map, including its linkages with Newcastle and North Tyneside; c. Measures that will buffer or extend existing sites of ecological value, support the development of the Border Uplands Nature Improvement Area and Northumberland Coalfield Nature Improvement Area or contribute to national or local biodiversity objectives; d. Minimising any adverse effects on habitats and species caused by the wider impacts of development and its associated activities including: i. Disturbance; or ii. The inadvertent introduction of non-native species: or iii. Reductions in water quality; or iv. Other forms of pollution that would adversely affect wildlife; The above to be achieved through precautionary measures including appropriate buffer zones and developer contributions to the Coastal Mitigation Service within zones shown on the Policies Map; e. Maximising opportunities to incorporate biodiversity in and around development through additional built-in or planted features; and f. Securing the continued management of those ecological features created, restored or enhanced as a result of development. 5. Harm to geological conservation interests will be prevented and, where appropriate, opportunities for public access to those features will be provided.

Government Circular ODPM 06/2005 Biodiversity and Geological Conservation[15] (England only)

This Circular provides administrative guidance on the application of the law relating to planning and nature conservation as it applies in England.

Part IV - Conservation of Species protected by Law details that the presence of a protected species is a material consideration when considering a development proposal that may result in harm to the species or its habitat and that planning authorities must have regard to species protected under the Habitat Regulations.
It goes on to say that: *it is essential that the presence or otherwise of protected species, and the extent that they may be affected by the proposed development, is established before the planning permission is granted, otherwise all relevant material considerations may not have been addressed in making the decision. The need to ensure ecological surveys are carried out should therefore only be left to coverage under planning conditions in exceptional circumstances, with the result that the surveys are carried out after planning permission has been granted.*

Natural Environment and Rural Communities (NERC) Act 2006[16] [17]

Section 40 – To conserve biodiversity

This section puts a duty on public authorities to conserve biodiversity when undertaking its duties and functions.

Section 41 – Biodiversity list and Action

Requires the Secretary of State *to publish a list of the living organisms and types of habitat which in the Secretary of State's opinion are of principal importance for the purpose of conserving biodiversity*. They must also *take such steps as appear to the Secretary of State to be reasonably practicable to further the conservation of the living organisms and types of habitat included in any list published under this section or promote the taking by others of such steps*.

The 2007 lists were superseded by the UK Post-2010 Biodiversity Framework.

Table 10: UK Priority Habitats (excl. marine habitats)[18]

UK BAP Broad Habitat	UK BAP Priority Habitat
Rivers and Streams	• Rivers
Standing Open Waters and Canals	• Oligotrophic and Dystrophic Lakes • Eutrophic Standing Waters • Ponds • Aquifer Fed Naturally Fluctuating Water Bodies • Mesotrophic Lakes
Arable and Horticultural	• Arable Field Margins

[15]ODPM Circular 06/2005 Office of the Deputy Prime Minister Eland House, Bressenden Place, London SWIE 5DU Government Circular: Biodiversity and Geological Conservation – Statutory Obligations and their Impact within the Planning System
[16] https://www.legislation.gov.uk/ukpga/2006/16/section/40
[17] https://www.legislation.gov.uk/ukpga/2006/16/section/41
[18] http://jncc.defra.gov.uk/page-5706

Table 10: UK Priority Habitats (excl. marine habitats)[18]	
UK BAP Broad Habitat	**UK BAP Priority Habitat**
Boundary and Linear Features	• Hedgerows
Broadleaved, Mixed and Yew Woodland	• Traditional Orchards • Upland Mixed Ashwoods • Wood-Pasture and Parkland • Wet Woodland • Upland Oakwood • Lowland Mixed Deciduous Woodland • Lowland Beech and Yew Woodland • Upland Birchwoods
Coniferous Woodland	• Native Pine Woodlands
Acid Grassland	• Lowland Dry Acid Grassland
Calcareous Grassland	• Lowland Calcareous Grassland • Upland Calcareous Grassland
Neutral Grassland	• Lowland Meadows • Upland Hay Meadows
Improved Grassland	• Coastal and Floodplain Grazing Marsh
Dwarf Shrub Heath	• Lowland Heathland • Upland Heathland
Fen, Marsh and Swamp	• Upland Flushes, Fens and Swamps • Purple Moor Grass and Rush Pastures • Lowland Fens • Reedbeds
Bogs	• Lowland Raised Bog • Blanket Bog
Montane Habitats	• Mountain Heaths and Willow Scrub
Inland Rock	• Inland Rock Outcrop and Scree Habitats • Calaminarian Grasslands • Open Mosaic Habitats on Previously Developed Land • Limestone Pavements
Supralittoral Rock	• Maritime Cliff and Slopes
Supralittoral Sediment	• Coastal Vegetated Shingle • Machair • Coastal Sand Dunes

Protected Species Legislation

European Protected Species

European Protected Species (EPS) are species of plants and animals (other than birds) protected by law throughout the European Union. They are listed in Annexes II and IV of the European Habitats Directive and receive full protection under The Conservation of Species and Habitats Regulations 2017 (as amended). This make it an offence to:

- deliberately capture, injure or kill any European Protected Species (EPS)
- deliberately disturb any European Protected Species (EPS);
- damage or destroy a breeding site or place of rest or shelter used by any European Protected Species (EPS).

The Wildlife and Countryside Act 1981 (as amended) adds further protection by making it an offence to intentionally or recklessly[19] disturb an EPS while it is occupying a structure or place which it uses for shelter or protection, or to obstruct access to any structure or place the species uses for shelter or protection.

Table 11: European Protected Species Relevant to the UK			
Animals		**Plants**	
All bat species	Great Crested Newt	Yellow marsh saxifrage	Creeping marshwort
Large blue butterfly	Otter	Shore dock	Slender naiad
Wild cat	Smooth snake	Killarney fern	Fen Orchid
Dolphins, porpoises and whales (all species)	Sturgeon fish	Early gentian	Floating-leaved water plantain
Dormouse	Natterjack toad	Lady's slipper	
Sand lizard	Pool Frog		
Fisher's Estuarine Moth	Snail, Lesser Whirlpool Ram's-horn		
Marine turtles			

Other Protected Species

Table 12: Other Protected Species Legislation		
Species	**Legislation**	**Level of Protection**
Red Squirrel	Wildlife and Countryside Act 1981 (as amended) Wild Mammals (Protection) Act 1996	The species is listed on Schedule 5 of the Wildlife and Countryside Act (1981) makes the following actions offences: • intentionally killing, injuring, or taking red squirrels • intentionally or recklessly damaging, destroying or obstructing access to any structure or place used for shelter or protection • disturbing red squirrels whilst they are using any structure or place used for shelter or protection Under the Wild Mammals (Protection) Act, squirrels are protected from unnecessary suffering by a number of methods.
Birds	Wildlife and Countryside Act 1981 (as amended)	Under the Wildlife and Countryside Act (1981) it is an offence if any person: • intentionally kills, injures or takes any wild bird • intentionally takes, damages or destroys the nest of any wild bird whilst that nest is in use of being built; • intentionally takes, damages or destroys eggs of any wild bird; Wild birds listed on Schedule 1 of the Wildlife and Countryside Act 1981 (as amended) are protected from:

[19] Under the Countryside and Rights of Way Act 2000 (CROW Act) extended the protection to cover reckless damage or disturbance

Table 12: Other Protected Species Legislation		
Species	**Legislation**	**Level of Protection**
		• intentional or reckless disturbance whilst it is building a nest or is in, on or near a nest containing eggs or young; • disturbance of dependent young
Badger	Protection of Badgers Act 1992 Wild Mammals (Protection) Act 1996	The Protection of Badgers Act (1992) makes it an offence to wilfully or attempt to: • kill or injure a badger • possesses a dead badger or any part of, or anything derived from a dead badger; • digs for badgers; • damages a badger sett or any part of it; • destroys a badger sett • obstructs access to, or any entrance of, a badger sett; • causes a dog to enter a badger sett; • disturbs a badger whilst it is occupying a badger sett. Under the Wild Mammals (Protection) Act, badgers are protected from unnecessary suffering by a number of methods.

Appendix 3 - Receptor Valuation

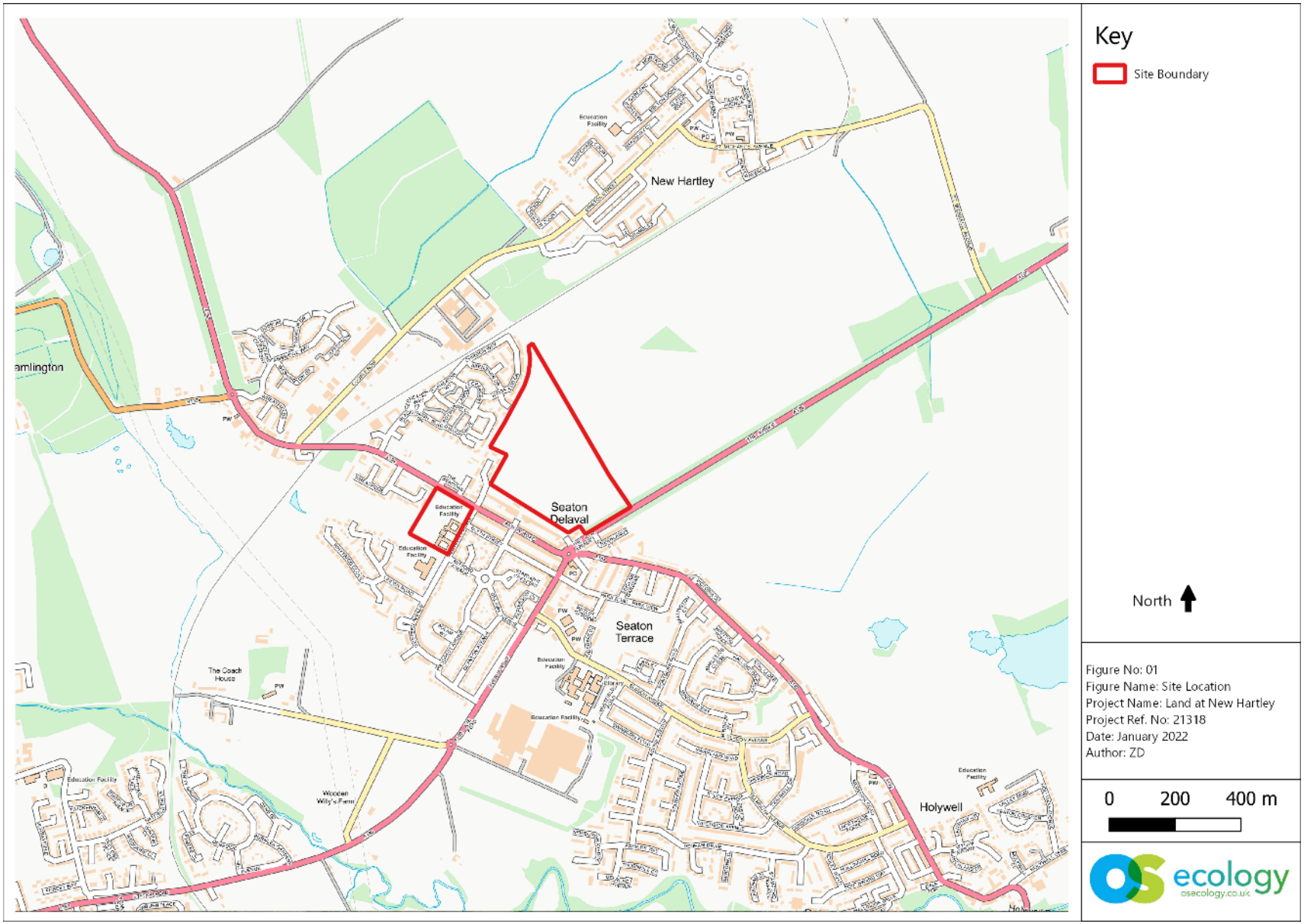
The importance of ecological features is considered within a defined geographic context, examples of which are provided within the table below. The valuation of features is a complex process and, in many cases, requires the application of expert judgement. Valuation considers a range of factors including statutory designations, national biodiversity lists, biodiversity action plan lists and lists of declining, rare or legally protected species. Other factors to be considered include the 'naturalness' of habitats, the functional importance of features and whether habitats are irreplaceable.

Table 13: Examples of Importance of Ecological Features (Geographic Context)[20]			
Importance	**Designated Site**	**Habitat**	**Species**
International and European	Special Protection Area/Proposed Special Protection Area Special Area of Conservation/Proposed Special Area of Conservation Ramsar Site	A significant area of a Priority Habitat listed on Annex 1 of the Habitats Directive or a smaller area of such habitat that is thought to be functionally linked to a significant area of such habitat	An area that is functionally important to a species listed on Annexes II, IV or V of the Habitats Directive or Annex I of the Birds Directive which is present in internationally significant numbers (>1% of the biogeographic population)
National	Site of Special Scientific Interest	A significant area of a Priority Habitat listed as a habitat of principal importance under Section 41 of the Natural Environment and Rural Communities Act 2006 or a smaller area of such habitat that is thought to be functionally linked to a significant area of such habitat	An area that is functionally important to a species listed as a species of principal importance under Section 41 of the Natural Environment and Rural Communities Act 2006, which is present in nationally significant numbers (>1% of the national population)
Regional	-	An area of a Priority Habitat listed as a habitat of principal importance under Section 41 of the Natural Environment and Rural Communities Act 2006 which is not significant enough in extent to be considered of national importance but is considered to be of greater than metropolitan or county value.	An area that is functionally important to a species which is present in regionally significant numbers (>1% of the regional population
Metropolitan area or County	Local Wildlife Site designated at a metropolitan area or county level	A significant area of a Priority Habitat listed within the relevant local Biodiversity Action Plan or a smaller area	An area that is functionally important to a species listed as a Priority Species within the relevant local Biodiversity

[20] Based on information provided within Guidelines for Ecological Impact Assessment in the UK and Ireland (2018) CIEEM

Table 13: Examples of Importance of Ecological Features (Geographic Context)[20]			
Importance	**Designated Site**	**Habitat**	**Species**
Local (District/ Borough of Parish)	Local Wildlife Site designated at a district or borough level	of such habitat that is thought to be functionally linked to a significant area of such habitat	Action Plan, which is present in significant numbers within the geographic context.
Low	-	Habitats that are unexceptional in a local context and do not meet the above criteria.	Species populations that are unexceptional in a local context and do not meet the above criteria.

Appendix 4 – Figures


New Hartley
Seaton Delaval
Seaton Terrace
Holywell
The Coach House
Wooden Willy's Farm
Education Facility
Key
Site Boundary
North
Figure No: 01
Figure Name: Site Location
Project Name: Land at New Hartley
Project Ref. No: 21318
Date: January 2022
Author: ZD
0
200
400 m


Key
Site Boundary
North
Figure No: 02
Figure Name: Site Boundary
Project Name: Land at New Hartley
Project Ref. No: 21318
Date: December 2021
Author: ZD
0
50
100 m


Key
Site Boundary
Habitat Areas
Arable
Poor, Semi-improved Grassland
Amenity Grassland
Semi-natural Broadleaved Woodland
Dense Scrub
Linear Habitats
Intact, Species-poor Hedgerow
Species-poor Hedgerow with Trees
Fence
Habitat Points
Broadleaved Tree
Coniferous Tree
Scattered Scrub
North
Figure No: 03
Figure Name: Phase 1 Habitat Map
Project Name: Land at New Hartley
Project Ref. No: 21318
Date: January 2022
Author: ZD
0
50
100 m

Key

- Site Boundary
- g4 - Modified Grassland
- w1g - Other Woodland broadleaved
- c1 - Arable and Horticulture
- u1b - Developed Land, Sealed Surface
- u1b5 - Buildings
- h3d - Bramble Scrub
- h2a - Hedgerow (Priority Habitat)

Secondary Codes
10 - Scattered Scrub
11 Scattered Trees
47 - Native
64 - Mown
510 - Sports Pitch

North

Figure No: 4
Figure Name: UKI Habs Map
Project Name: Land at Seaton Delaval
Project Ref. No: 21318
Date: January 2022
Author: MR

0 75 150 m