

Ecological Appraisal



High Ropes at Haggerston
5th October 2022



**Tyler
Grange**

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Section 1: Introduction and Site Context

- 1.1. This report has been prepared by Tyler Grange Group Ltd on behalf of Bourne Leisure Ltd. It sets out the findings of an ecological appraisal of a parcel of land within Haggerston **holiday Park** (OS Grid Reference NU 04090 43645), hereinafter referred to as the 'site' to support a planning application for the redevelopment of the site to provide a new activities area.
- 1.2. The site is located entirely within Haven Haggerston Holiday Park and measures approximately 0.6 hectares and comprises predominantly cleared land mainly covered with wood chippings with four scattered mature trees, three wooden sheds, areas of flower, shrub and vegetable planting and a small ornamental pond. See **Figure 1.1** below. It should be noted that the Figure below indicates widespread tree cover but this is a dated aerial image and much of the tree cover has been cleared .

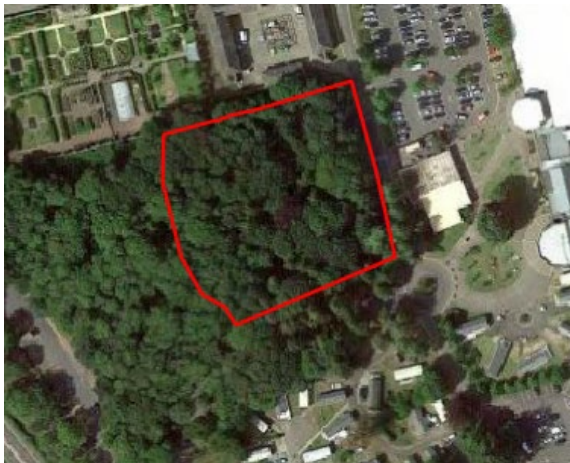


Figure 1.1 – Development area 'site'
(Aerial Imagery © Google 2022)

- 1.3. This Report:
 - Uses available background data, results of field surveys and consultation, to describe and evaluate the ecological features present within the likely 'zone of influence' (Zoi)¹ of the proposed development;
 - Describes the actual or potential ecological issues and opportunities that might arise as a result of the site's development;
 - Where appropriate, makes recommendations for mitigation of adverse effects and ecological enhancement, to ensure conformity with policy and legislation listed in **Appendix 1**; and
 - Identifies whether any further work is required to inform a future planning application.
- 1.4. This assessment and the terminology used are consistent with the 'Guidelines for Ecological Impact Assessment in the UK and Ireland'² and 'Guidelines for Preliminary Ecological Appraisals'³.

¹ Defined as the area over which ecological features may be subject to significant effects because of activities associated with a project and associated activities (CIEEM 2018).

² <https://cieem.net/resource/guidelines-for-ecological-impact-assessment-ecia/>

³ <https://cieem.net/wp-content/uploads/2019/02/Guidelines-for-Preliminary-Ecological-Appraisal-Jan2018-1.pdf>



Section 2: Methodology

Scope of Assessment

- 2.1 This report follows the guidance set out in the Chartered Institute of Ecologists and Environmental Management (CIEEM) Guidance on Preliminary Ecological Appraisals (PEA)³.
- 2.2 The extent of potential ecological effects which could arise from the proposed development were determined by undertaking a desk-based assessment of available records and published sources, together with an initial site survey. With this information, the 'Zone of Influence' (Zol) of the proposed development was established, together with potential ecological effects, opportunities, and any further work, such as detailed surveys, that might be necessary to inform detailed development designs and requirements for mitigation.

Data Search

- 2.3 A desk-based study was undertaken to identify statutory and non-statutory nature conservation designations and protected species records and relevant planning policies. The following sources were used:
- A desk based data search was undertaken in September 2022 for a 10km radius around the site for European statutory sites, a 2km radius for national statutory and non-statutory sites, a 2km radius for priority habitats. The data search was conducted by inspecting the Multi Agency Geographic Information for the Countryside website (www.magic.defra.gov.uk)⁴.
 - Local planning policies from the Local Plan were checked to identify local planning policies which need to be considered as part of the development of the site (see **Appendix 1**).

Extended Phase 1 Habitat Survey

- 2.4 An 'extended' Phase 1 habitat survey of the site was undertaken on 25th August 2022 by Hayley Care BSC, an experienced field ecologist and an associate member of CIEEM. Weather conditions on the day of the survey were optimal: 17°C temp, dry, wind BFS 1 and 100% cloud cover.
- 2.5 The survey broadly followed the methodology set out in guidance from the Joint Nature Conservation Committee (JNCC) for extended Phase 1 habitat survey⁵. This method of survey provides information on habitats and assesses the potential for legally protected or otherwise notable species to occur in and adjacent to the site and allows the ecological value of resources to be determined.
- 2.6 A basic inventory of the habitats and a representative species list was produced. Where access allowed, adjacent habitats were also considered, to assess the site within the wider landscape and to provide information with which to assess possible impacts within the context of the site boundary.

⁴ Accessed September 2022

⁵ Joint Nature Conservation Committee, (2010), *Handbook for Phase 1 habitat survey - a technique for environmental audit*.



Badger Survey

- 2.7 A badger inspection was carried out during the extended phase 1 survey in August 2022. The site as shown in Figure 1 and a 30m buffer around the site (where access/views permitted) was surveyed searching for typical badger field signs which include:
- setts;
 - latrines;
 - hairs;
 - feeding signs;
 - badger paths or 'runs';
 - 'push-unders' beneath fencing or through scrub where any badger hairs are identified; and
 - badger tracks.
- 2.8 The survey effort followed the standard methodology used in the two most recent national surveys of badgers⁶ as well as Scottish Badgers guidelines⁷.
- 2.9 The area was searched systematically, with particular attention paid to areas where the vegetation and/or the topography offered good suitability for sett creation. Areas with dense ground cover (hedges, scrub, woodland, etc) were examined closely; if the vegetation prevented entry, then the perimeter was examined, in order to detect paths suggesting a hidden sett within the area.

Preliminary Roost Assessment (PRA)

- 2.10 A preliminary roost assessment (PRA) of trees and buildings within the site for bats was undertaken during the phase 1 survey. Buildings and trees within the site were subject to an external inspection to assess the likelihood of use by roosting bats and to inform the need for further surveys and/or mitigation. They were then categorised as providing negligible, low, moderate or high bat roost potential (Table 2.3), in line with the current BCT guidelines⁸.
- 2.11 Externally, the buildings (and trees) were inspected from ground level and the inspection focussed on identifying features suitable for roosting bats to gain access to potentially suitable roosting areas. This included gaps behind soffits / fascias, under lifted lead flashing, under lifted roof tiles, around windows and within masonry.

⁶ Cresswell et al 1990, Wilson et al 1997

⁷ https://www.scottishbadgers.org.uk/wp-content/uploads/2020/12/Surveying-for-Badgers-Good-Practice-Guidelines_V1-2020-2455979.pdf

⁸ Collins, J. (ed.) (2016) *Bat Surveys for Professional Ecologists: Good Practice Guidelines (3rd edn)*. The Bat Conservation Trust, London.



Table 2.3: Roost potential categories

Suitability	Description of Roosting Habitats
Negligible	Negligible habitat features on site likely to be used by roosting 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, 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). 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.
Moderate	A structure with one or more potential roost sites that could be used by bats 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 – the assessments in this table are made irrespective of species conservation status, which is established after presence is confirmed).
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 periods of time due to their size, shelter, protection, conditions, and surrounding habitat.

Evaluation

- 2.12 The habitats and species in this ecological appraisal were evaluated using published guidance produced by CIEEM⁹. The level of value of specific ecological receptors is assigned using a geographic frame of reference, i.e. international value being most important, then national, regional, county and local.
- 2.13 Value judgements are based on various characteristics that can be used to identify ecological resources or features likely to be important in terms of biodiversity. These include site designations (such as Sites of Special Scientific Interest (SSSIs)), or for undesignated features, the size, conservation status (locally, nationally or internationally) and the quality of the ecological resource. In terms of the latter, 'quality' can refer to habitats (for instance if they are particularly diverse, or a good example of a specific habitat type), other features (such as wildlife corridors or mosaics of habitats), or species populations or assemblages.

Quality Assurance

- 2.14 All ecologists at Tyler Grange are members of the Chartered Institute of Ecology and Environmental Management (CIEEM) or are working towards membership and act under the direction of members and abide by the Institute's code of conduct.

Limitations

- 2.15 Storm damage and felled trees within the woodland adjacent to the site proved difficult to fully access on the ground to search for badger signs. It is considered that enough of the woodland was searched to be confident that there was no recent badger activity within the 30m buffer.

⁹ CIEEM (2016) Guidelines for Ecological Impact Assessment in the UK and Ireland: Terrestrial, Freshwater and Coastal, 2nd edition. Chartered Institute of Ecology and Environmental Management, Winchester.



- 2.16 The findings of this report are valid at the time of writing. Owing to the dynamic nature of ecological resources, if more than 12 months have elapsed since the report was written, advice should be sought to determine whether update work is required. The findings of the report should not be relied upon without this advice.
- 2.17 This report is also partly based on ecological data returned from the Local Record Centre and as such, Tyler Grange cannot guarantee the accuracy of this third party data.
- 2.18 Due to the nature of the development i.e. activity area with no new buildings, with minimal habitat loss (2 scattered trees and some ornamental planting/ pond) purchase of species records was not deemed necessary.



Section 3: Ecological Features

Site Context

- 3.1 The site covers an area of approximately 0.6 ha, comprising predominantly cleared land mainly covered with wood chippings with four scattered mature trees, three wooden sheds, areas of flower, shrub and vegetable planting and a small ornamental pond within Haggerston Holiday Park.

Protected Sites

- 3.2 A summary description of European statutory nature conservation designations within 10 km of the site and other statutory nature conservation designations within 2km of the site, together with an evaluation (in accordance with the CIEEM geographic scale) is provided in Table 3.1 below.



Table 3.1. Statutory nature conservation designations

Site Name	Designation and (Value)	Distance and Direction from Site (km - N/S/W/E)	Description/Summary of Reason for Designation
Lindisfarne	RAMSAR, Special Protection Area (SPA)	2.8km East	Designated for its internationally important overwintering bird species ¹⁰
Berwickshire and North Northumberland coast	Special Area of Conservation (SAC)	3.5km East	Designated for ¹¹ Annex 1 habitats; mudflats and sandflats, large shallow inlets and bays, reefs and submerged or partially submerged sea caves and Annex 2 species grey seal <i>Halichoerus grypus</i> .
North Northumberland Dunes	SAC, SPA	5.3km East	Designated for ¹² Annex 1 habitats; embryonic shifting dunes, white dunes, grey dunes, dunes with <i>salix repens</i> ssp and humid dune slacks, and Annex 2 species peatwort <i>Petalophyllum ralfsii</i> .
Northumberland Coast	RAMSAR, SAC, SPA	5.5km Northeast	Designated for its internationally important overwintering bird species ¹³
Holburn Lake and Moss	RAMSAR, SPA	6.8km South	Designated for its internationally important overwintering bird species ¹⁴
Ford Moss	SAC	8.6km Southwest	Designated for ¹⁵ Annex 1 habitat active raised bogs.
Tweed Estuary	SAC	9.2km North	Designated for ¹⁶ Annex 1 habitats estuaries, mudflats and sandflats and Annex 2 species sea lamprey and river lamprey.

3.3 The proposed development does not contain habitat that could support species for which the above statutory sites are designated for and they are all considered sufficiently distant from the proposed development. Therefore no constraints are expected and they are not considered further in this report.

3.4 There are no local wildlife sites (LWS) directly adjacent to the site that would be affected by the proposed development. A full list of Northumberland LWS can be found in the local plan document¹⁷.

Habitats and Flora

3.5 The following describes the habitats within and adjacent to the site at the time of the survey. The location and extent of each habitat is shown on plan **15168_P01** appended to this report and described alphabetically below in table 3.2.

¹⁰ <https://jncc.gov.uk/jncc-assets/RIS/UK11036.pdf>

¹¹ <https://sac.jncc.gov.uk/site/UK0017072>

¹² <https://sac.jncc.gov.uk/site/UK0017097>

¹³ <https://jncc.gov.uk/jncc-assets/RIS/UK11049.pdf>

¹⁴ <https://jncc.gov.uk/jncc-assets/RIS/UK11030.pdf>

¹⁵ <https://sac.jncc.gov.uk/site/UK0030151>

¹⁶ <https://sac.jncc.gov.uk/site/UK0030292>

¹⁷ <https://www.northumberland.gov.uk/NorthumberlandCountyCouncil/media/Planning-and-Building/planning%20policy/Local%20Plan/Northumberland-Local-Plan-Adopted-March-2022.pdf>



Table 3.2. Habitat summary

Habitat*	Description	Impact assessment
Bare ground	<p>The majority of the site comprises cleared ground to earth substrate which is covered by wood chippings. Where there are areas of bare ground, particularly along the southern boundary, sparse and patchy vegetation comprising ruderals and species indicative of disturbed ground are present including common nettle <i>Urtica dioica</i>, creeping thistle <i>Cirsium arvense</i>, broadleaved dock <i>Rumex obtusifolius</i>, hogweed <i>Heracleum sphondylium</i>, greater plantain <i>Plantago major</i>, pineapple weed <i>Matricaria discoidea</i>, creeping buttercup <i>Ranunculus repens</i>, great mullein <i>Verbascum thapsus</i>, great willowherb <i>Epilobium hirsutum</i>, common sorrel <i>Rumex acetosa</i>, perennial rye grass <i>Lolium perenne</i> and annual meadow grass <i>Poa annua</i>.</p> <p>Large felled logs and piles of brash and soil are also deposited around the site, particularly along the northern boundary close to the broadleaved trees. The logs are used to delineate different sections of the site for different activities, such as the Rangers area, the high ropes climbing frame and the 'tank offroader' vehicles track.</p> <p>This habitat is considered to be of negligible ecological importance.</p>	No adverse impact anticipated and no requirement for mitigation.
Buildings	<p>Three wooden sheds are present on site. They are single storey, wooden paneled sheds with felted roofing and are used for storage and as the Ranger's center. The ranger's shed (B2) has windows and a bird box mounted on it.</p> <p>This habitat is considered to be of negligible ecological importance.</p>	Buildings are to be retained but no adverse impact anticipated and no requirement for mitigation in any event.
Introduced shrubs	<p>Small stands of introduced shrubs have been planted as part of the ranger's section in the northeast corner of the site. Species here include <i>cotoneaster</i> sp, snowberry and climbers including clematis sp.</p> <p>The <i>cotoneaster</i> sp. Plant is treated as one of the cotoneaster species listed under Schedule 9 of the Wildlife and Countryside Act 1981 (as amended).</p> <p>This habitat is considered to be of negligible ecological importance.</p>	No adverse impact anticipated and no requirement for mitigation.



Habitat*	Description	Impact assessment
Ornamental Pond	<p>A small pond has been newly created (within the last 6 months) in the northeast corner. It is plastic lined and has some aquatic vegetation, including pond lily. It also currently contains at least one goldfish. Rocks and wooden stumps border the pond. It is approximately 3m by 1.5m in size. The water is filtered by a pump and looks clear. A young sapling has been planted nearby but currently the pond is not shaded.</p> <p>Given its ornamental nature and small size, this habitat is considered to be of negligible ecological importance.</p>	No adverse impact anticipated and no requirement for mitigation.
Scattered trees	<p>Four scattered mature trees are present on site. Two coniferous trees; a western red cedar <i>Thuja plicata</i> (T1*) and a hybrid larch <i>Larix eurolepis</i> (T3), lie adjacent to the eastern boundary and two broad-leaved trees; a copper beech (T25) and sycamore (T26) lie to the north.</p> <p>A couple of remaining tree stumps with ivy cover are present in the north.</p> <p>Some young tree saplings/whips have been planted in the northeast Ranger's area as part of the new flower beds and activity area boundaries.</p> <p>This habitat is considered to be of local ecological importance.</p> <p>*tree numbers are linked to the tree references in the arboricultural report tree constraints plan (Woodsman Arboricultural Consultancy, 2022).</p>	<p>Trees T25 and T26 would be retained. Tree T1 and T3 are proposed for removal.</p> <p>As a result, two replacement trees should be re-planted in the wider holiday park to mitigate for the loss.</p> <p>No adverse impacts are expected on retained trees as long as appropriate tree protection fencing can be installed and maintained for the duration of the construction phase.</p>
Target Note TN01	<p>Newly established flower beds (with native and non-native species), mixed vegetable and herbs are being grown within the ground and raised beds in the northeast corner of the site.</p> <p>This habitat is considered to be of negligible ecological importance.</p>	No adverse impact anticipated and no requirement for mitigation.
Invasive species	<p>The <i>cotoneaster sp.</i> recorded within the site is assumed to be one of the species listed under Schedule 9 of the Wildlife and Countryside Act 1981 (as amended). Montbretia, recorded in adjacent land, is also identified under Schedule 9 of the Wildlife and Countryside Act 1981 (as amended).</p>	It is an offence to plant or otherwise cause to grow in the wild any plant listed under Schedule 9 of the Wildlife and Countryside Act. For this reason, the removal of the cotoneaster plant should be done in a manner to prevent its spread in adjacent land i.e. with the entirety of the root system removed, whole plant chipped and treated as controlled waste.

*images are presented in appendix 3



Habitats Adjacent to the site

- 3.6 Woodland directly adjacent to the development boundary to the west is likely what the site would have been like before being cleared. It is a mixed semi-natural woodland with canopy species including sycamore, beech, ash, holly, Scots pine, pedunculate oak, western red cedar and wild cherry. Trees have been subject to damage by weather, with some being recently felled, fallen or partially fallen. As such there is a lot of fallen and standing deadwood present. Ash dieback is also prevalent in the woodland canopy. There is evidence of self seeding and different ages within the woodland with young elder, hawthorn, dogwood and sycamore saplings present in understorey. The ground flora was dominated by tall ruderal at the woodland edges (including common nettle and great willowherb) with bramble, ivy, and wood avens within the woodland itself. Some rare occurring ornamental species including snowberry, *Montbretia* sp. and Pheasant berry *Leycesteria formosa*. A large earthen bund and fallen partially buried trees and rubble lies along the eastern woodland edge and the western site boundary, presumably created when the site was cleared. *Montbretia* is listed as a species under Schedule 9 of the Wildlife and Countryside Act 1981 (as amended).
- 3.7 A former Italian walled garden lies adjacent to the site to the Northwest. It is bound on all sides by an intact high stone wall, except at the south-eastern corner which is open with two large metal gates (this end is closest to the site). Within the gardens there are three rectangular ornamental ponds. The ponds were extremely turbid with either duckweed and/or algae so no detail about their contents could be seen but they will be lined. The ponds are immediately surrounded by paving slabs and well-established shrub beds and hedgerows.
- 3.8 The rest of the site comprises a caravan park with associated leisure buildings, caravan plots on amenity grassland with scattered trees and areas of introduced shrub. There is a large lake 170m east of the site beyond the main leisure complex of buildings and car parking.
- 3.9 A large pond is situated within the caravan grounds (P5) 244m northeast. It is large and bound by amenity grassland and scattered trees including sycamore, willow, cherry and ash.

Fauna

- 3.10 The following describes the protected/notable species potential onsite described alphabetically below in table 3.2.



Table 3.3. Habitat summary

Fauna	Description	Impact assessment
<p>Amphibians</p>	<p>The small ornamental pond within the site is not likely to provide suitable breeding habitat for great crested newt (GCN) given its lined nature and lack of suitable egg-laying substrate. The land immediately surrounding the pond (i.e. cleared/arable land) is also unsuitable for GCN and other amphibians in their terrestrial phase.</p> <p>In its current state the site offers unsuitable terrestrial habitat for amphibians. There is potential refuge sites within the brush and rubble piles that form the northern site boundary. This boundary is also adjacent to the new pond P1 and the closest boundary to offsite ponds detailed below.</p> <p>There are five additional waterbodies within 250m of the site:</p> <ul style="list-style-type: none"> • Pond P2 40m north • Pond P3 72m west • Pond P4 79m north west • Pond P5 244m northeast • Lake L1 170m east <p>Ponds P2-P4 look to be of low suitability due to their current lack of aquatic vegetation and poor condition (covered in duckweed).</p> <p>Even if amphibians including GCN do utilise the more suitable off-site ponds for breeding, there is no suitable terrestrial habitat for this species within the site and the likelihood of presence is considered to be exceptionally low.</p> <p>It is recommended, however, that site clearance activities are done in a sensitive manner to protect individual amphibians which may disperse through the site.</p>	<p>Recommendation for sensitive clearance methods secured by planning condition to ensure that any individual amphibians are protected.</p>
<p>Badger</p>	<p>No signs of badger were recorded on site or within 30m of the site. The adjacent woodland has potential habitat for sett building for badger. The site itself provides low foraging habitat for badger being bare with little vegetation cover. The wider landscape would provide foraging habitat, particularly on the short mown lawns. Site is considered to be of negligible ecological importance for badger.</p>	<p>No adverse impact on badgers but if additional clearance work is required there is a recommendation for a pre-commencement check prior to works beginning on-site.</p>



Fauna	Description	Impact assessment
<p>Bats</p>	<p>Tree PRA Findings Trees T3, T25 and T26 all have stems covered by mature ivy. Even though this has been cut in places, the ivy stems are dense enough in sections to create a PRF behind it, although it is likely to be of no more than low suitability, particularly in T3 which is quite isolated and airy as its ivy is mostly dead. Additionally, in the case of T26, the ivy cover could be obscuring other PRFs. T1 had negligible bat roosting potential.</p> <p>Building PRA Findings: B1 Shed: Wooden clad with a flat, felted roof. There is a small gap between the top of the walls and the roof but it is not considered to be a feature suitable for roosting bats. Shed B2 has a damaged corner of the porch overhang on the northeast corner which enables access to underneath the roofing felt in this area. However, it is too exposed and airy a crevice to be of any roosting potential.</p> <p>Shed B3 has no PRFs present. All buildings are considered to have negligible bat roost potential.</p> <p>The site foraging habitat is limited to areas adjacent to the woodland, the new pond and flower beds and scattered trees where prey are most likely to be found. The rest of the site is devoid of vegetation so is limited in its foraging suitability. The site is unlikely to be lit at night and does lie directly adjacent to an established woodland, the ornamental garden and associated historical buildings. As such is likely that bats may still commute across or along the site boundaries where adjacent woodland and tree lines are still present.</p>	<p>Trees T3, T25 and T26 have low bat roost potential. The removal of T3 would need to be undertaken utilising soft-felling procedures, outlined in the following section. No recommendation for further survey or mitigation with regards to T25 or T26</p> <p>All buildings have negligible bat roost potential and there is no need for further surveys or mitigation on these buildings. They are due to be retained in the developed site, however.</p> <p>Given the small scale of the proposed works, no adverse impacts on foraging/commuting bats are expected and there is no recommendation for further surveys or mitigation.</p>
<p>Birds</p>	<p>During the survey a grey wagtail was seen visiting the ornamental pond P1. Also at least two pairs of woodpigeon were recorded actively nesting in T26. Old nests were present in the canopy's of T1 and T3. A bird box had been mounted on T1 and B2. The bird boxes, trees and an ivy-covered stump covered in the north provide suitable nesting habitat for birds on site.</p> <p>Overall, however, the site was considered to be of negligible ecological importance for birds.</p>	<p>Recommendation for sensitively timed vegetation clearance – see following section.</p>
<p>Hedgehog</p>	<p>The site could be used by commuting and foraging hedgehog, although it is very sparse and open. They could find shelter underneath the sheds and within the brash piles on site, particularly in the northwest and northern site boundary. Overall, however, the site was considered to be of negligible ecological importance for birds.</p>	<p>Recommendation for sensitive site clearance methods – see following section.</p>



Fauna	Description	Impact assessment
Invertebrates	The new planting in vegetable and planted borders within the range section were being visited by pollinators including Red admiral and large white butterfly and bees. An insect hotel has been created in the Ranger activity section. If left in situ, the logs and standing deadwood would also provide suitable habitat for invertebrates in an otherwise open and clear landscape. Overall, however, the site was considered to be of negligible ecological importance for invertebrates and they won't be discussed further in this report.	No adverse impacts and no recommendation for further surveys or mitigation.
Reptiles	The site doesn't provide any suitable cover for reptiles and there is a lack of connectivity between other suitable habitat offsite. There would be no adverse impact on this species group and will not be considered further in this report.	No adverse impacts and no recommendation for further surveys or mitigation.
Otter and water vole	The site provides no suitable habitat for these species and they would not be affected by the proposed works. They will not be considered further in this report.	No adverse impacts and no recommendation for further surveys or mitigation.



Section 4: Conclusions and Recommendations

- 4.1. The proposals would require the loss of two trees. It is therefore recommended that a minimum of two additional trees are planted within the proposed development to replace those lost.
- 4.2. No adverse impacts on protected sites or habitats are expected, and the following recommendations are made in relation to protected/notable fauna:
- Soft felling of T3 categorised as having low bat roosting potential and scheduled for removal. Under current survey guidelines, there is no requirement for further surveys for bats should tree loss be necessary in low potential trees, but mitigation for the removal of these trees, if required, should comprise soft-felling techniques whereby:
 - Each tree is climbed and sectionally felled, lowering each limb onto the ground; and
 - Each limb is left on the ground for a period of 24 hours before moving off-site/chipping.
 - Pre-commencement badger survey of site and within 30m if additional clearance work is required;
 - Check for nesting birds if vegetation is cleared within the 'core' nesting bird season, accepted to run between March and August inclusive;
 - Controlled clearance of cotoneaster plants;
 - If the small ornamental pond and flower/ vegetable beds are to be cleared, sensitive site clearance methodologies to protect amphibians and small mammals, would need to be secured by planning condition.



Appendix 1: Legislation and Planning Policy

Legislation

- A1.1 Specific habitats and species receive legal protection in the UK under various pieces of legislation, including:
- The Wildlife and Countryside Act (WCA) 1981 (as amended);
 - The Conservation of Habitats and Species 2017 (as amended).
 - The Countryside and Rights of Way (CRoW) Act 2000;
 - The Hedgerows Regulations 1997;
 - The Protection of Badgers Act 1992; and
 - The Natural Environment and Rural Communities Act (NERC) 2006.
- A1.2 The European Council Directive on the Conservation of Natural Habitats and of Wild Flora and Fauna, 1992, often referred to as the 'Habitats Directive', provides for the protection of key habitats and species considered of European importance. Annexes II and IV of the Directive list all species considered of community interest. The legal framework to protect the species covered by the Habitats Directive has been enacted under UK law through The Conservation of Habitats and Species Regulations 2017 (as amended).
- A1.3 In Britain, the WCA 1981 (as amended) is the primary legislation protecting habitats and species. SSSIs, representing the best examples of our natural heritage, are notified under the WCA 1981 (as amended) by reason of their flora, fauna, geology or other features. All breeding birds, their nests, eggs and young are protected under the Act, which makes it illegal to knowingly destroy or disturb the nest site during nesting season. Schedules 1, 5 and 8 afford protection to individual birds, other animals and plants.
- A1.4 The CRoW Act 2000 strengthens the species enforcement provisions of the WCA 1981 (as amended) and makes it an offence to 'recklessly' disturb a protected animal whilst it is using a place of rest or shelter or breeding/nest site.

National Planning Policy

National Planning Policy Framework (NPPF), July 2021

- A1.5 The National Planning Policy Framework (NPPF) was updated in July 2021 and sets out the Government's planning policies for England and how these should be applied. It replaces the National Planning Policy Framework published in July 2019.
- A1.6 Paragraph 11 states that:

"Plans and decisions should apply a presumption in favour of sustainable development."



- A1.7 Section 15 of the NPPF (paragraphs 174 to 182) considers the conservation and enhancement of the natural environment including habitats and biodiversity (paragraphs 179-182)
- A1.8 Paragraph 174 states that planning and decisions should contribute to and enhance the natural and local environment by:
- “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);
 - 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; and
 - minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures”
- A1.9 Paragraph 175 states that plans should distinguish between the hierarchy of international, national and locally designated sites; allocate land with the least environmental or amenity value; 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.
- A1.10 Paragraph 179 states that in order to protect and enhance biodiversity and geodiversity, plans should:
- “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 partnerships for habitat management, enhancement, restoration or creation; and
 - 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.”
- A1.11 When determining planning applications, Paragraph 1780 states that local planning authorities should aim to conserve and enhance biodiversity by applying the following principles:
- “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;
 - 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;

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

A1.12 As stated in paragraph 181 the following should be given the same protection as habitats sites:

- “potential Special Protection Areas and possible Special Areas of Conservation;
- listed or proposed Ramsar sites; and
- 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.”

A1.13 Paragraph 182 states that the presumption in favour of sustainable development does not apply where the planned project is likely to have a significant effect on a habitat site (alone or in combination with other plans or projects) unless an appropriate assessment has concluded the plan or project will not adversely affect the integrity of the habitats site.

Office of the Deputy Prime Minister (ODPM) Circular 06/2005: Biodiversity and Geological Conservation - Statutory Obligations and their Impact within the Planning System

A1.14 ODPM Circular 06/05 was prepared to accompany PPS9, however continues to be valid, and material in the consideration of planning applications since PPS9's replacement by the NPPF.

A1.15 ODPM Circular 06/05 provides guidance on applying legislation in relation to nature conservation and planning in England. Part I considers the legal protection and conservation of internationally designated sites (namely candidate Special Areas of Conservation (cSACs), SACs, potential Special Protection Areas (pSPAs), SPAs and Ramsar sites) and Part II considers the legal protection and conservation of nationally designated sites, namely Sites of Special Scientific Interest (SSSIs).

A1.16 Part III considers the protection of habitats and species outside of designated areas (particularly UK Biodiversity Action Plan species and habitats), which it states are capable of being a material consideration in the preparation of local development documents and the making of planning decisions.

A1.17 Part IV considers species protected by law and states that the presence of a protected species is a material consideration in the consideration of a development proposal that, if carried out, would be likely to result in harm to the species or its habitat and 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.

Local Planning Policy

- A1.18 The Northumberland local plan (2016-2036) was adopted in March 2022¹⁸ and lists the following policies that are relevant to ecology.
- A1.19 Policy ENV 2: Biology and Geology.
- A1.20 *Development proposals affecting biodiversity and geodiversity, including designated sites, protected species, and habitats and species of principal importance in England (also called priority habitats and species), will: a. Minimise their impact, 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. Secure a net gain for biodiversity as calculated, to reflect latest Government policy and advice, through planning conditions or planning obligations.*
- A1.21 *Where sites are designated for their biodiversity or geodiversity, planning decisions will reflect the hierarchical approach set out in Policy ENV 1.*
- A1.22 *In the case of Local Wildlife and Geological Sites and Local Nature Reserves: a. If significant harm to biodiversity value 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 will be refused. b. Geological value and soils within these sites will be protected and enhanced in a manner commensurate with the identified quality. c. Where permission can be granted in accordance with (3) (a) or (b) above, planning conditions or obligations will be used to protect the site's remaining nature conservation or geological interest and to provide appropriate compensatory measures for the harm caused.*
- A1.23 *The Council expects the ecosystem approach to be applied in development through the following measures, individually or in combination: 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 the ecological resilience and proper functioning 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; where disruption to these networks cannot be avoided, adequate mitigation or, as a last resort, compensatory measures that relate to the integrity of the network will be sought; 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, and*

¹⁸<https://www.northumberland.gov.uk/NorthumberlandCountyCouncil/media/Planning-and-Building/planning%20policy/Local%20Plan/Northumberland-Local-Plan-Adopted-March-2022.pdf>



ecological enhancement for species of conservation concern, 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.

Biodiversity Action Plans

- A1.24 The UK Post-2010 Biodiversity Framework succeeded the UK BAP partnership in 2011 and covers the period 2011 to 2020. However, the lists of Priority Species and Habitats agreed under the UKBAP still form the basis of much biodiversity work in the UK. The current strategy for England is 'Biodiversity 2020: A Strategy for England's wildlife and ecosystem services' published under the UK Post-2010 UK Biodiversity Framework. Although the UK BAP has been succeeded, Species Action Plans (SAPs) developed for the UK BAP remain valuable resources for background information on priority species under the UK Post-2010 Biodiversity Framework.
- A1.25 Priority Species and Habitats identified under the UKBAP are also referred to as Species and Habitats of Principal Importance for the conservation of biodiversity in England and Wales within Sections 41 (England) and 42 (Wales) of the NERC Act 2006. The commitment to preserving, restoring or enhancing biodiversity is further emphasised for England and Wales in Section 40 of the NERC Act 2006.

Local Biodiversity Action Plans

- A1.26 The Northumberland biodiversity action plan¹⁹ lists the following relevant species and habitats; gardens, bats and garden birds.

¹⁹ https://www.nwt.org.uk/sites/default/files/2018-10/Nland_Biodiversity_Action_Plan.pdf



Appendix 2: Site proposals





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Arboricultural Impact Assessment
Tree Protection Plan
Retained and Removed Trees Shown On Proposed
Site Layout - With Protective Measures

External Works/Groundworks
For Haven - Haggerston Castle

Drawing Number: TPP HaggerstonGrounds.No1.
Edited: Jim Richardson 16/05/2022
Scale: 1:200 @A1
Revisions:
Based on Original Plan:
2074-Haggerston-ProposedPlan

Key

- Tree Number
- Tree Name
- Retention Category
- T - Tree (H - Hedge K - Small Tree
- W - Woodland
- S - Shrub
- Green Centre
High Retention Value
(Denoted By Letter A)
- Blue Centre
Medium Retention Value
(Denoted By Letter B)
- Grey Centre
Low Retention Value
(Denoted By Letter C)
- Red Centre
Unsuitable Retention Value
(Denoted By Letter U)
- Existing Tree Canopy True Shape -
Tree Retention
With N/E/W Axis Lines (Shaded Light Green)
- Future Tree Canopy - Approximate
Predicted Growth (Shaded Dark Green)
- Current Shadow Cast - Approximate
- Future Shadow Cast - Approximate
- Existing Tree Canopy
Tree Removed
With N/E/W Axis Lines (No Shading)
- Root Protection Area - Indicative
- Root Protection Area 20%
- Root Protection Area - Actual Area
Pavement
- Protective Barrier Positioning
(Continuous Blue Lines)
- Ground Protection Required (Area
Indicated By Orange Hexagonal
Hatching)
- Special 'No Dig' Construction Methods
Required (Areas Indicated With
Hexagonal Purple Hatching)
- Tree or Woodland Group (Areas
Indicated With Dashed Dark Green
Hatching)

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Drawing produced in colour - monochrome re-productions should not be
accepted.
All rights reserved. This drawing should not be reproduced without prior
written permission. Do not scale from drawing. All dimensions to be verified
on-site. Discrepancies, omissions or ambiguities in dimensions, tree
positioning or other information used in this drawing, or the accompanying
report should be reported to Woodsmán Arboricultural Consultancy for
clarification.

Protective Measures

1. No works access should be allowed into the construction exclusion zone during the development phase.
2. No storage of any building materials or any other materials should be allowed within the construction Exclusion Zone.
3. Once the exclusion zone has been protected by barriers and/or ground protection, construction work can commence. All weather notices should be erected on the barrier with words such as: "Construction exclusion zone - Keep out".
4. In addition the following should be addressed or avoided.
 - A. Care should be taken when planning site operations to ensure that wide or tall loads, or plant with booms, jibs and counterweights can operate without coming into contact with retained trees. Such contact can result in serious damage to them and might make their safe retention impossible. Transit or traverse of plant in close proximity to trees should be conducted under the supervision of a banksman to ensure that adequate clearance from trees is maintained at all times. In some circumstances it may be impossible to maintain adequate clearance thus necessitating access facilitation pruning.
 - B. Material which will contaminate the soil, e.g. concrete mixings, diesel oil and vehicle washings, should not be discharged within 10 m of the tree stem.
 - C. Fires should not be lit in a position where their flames can extend to within 5 m of foliage, branches of trunk. This will depend on the size of the fire and the wind direction.
 - D. Notice boards, telephone cables or other services should not be attached to any part of the tree.
 - E. It is essential that allowance should be made for the slope of the ground so that damaging materials such as concrete washings, mortar or diesel oil cannot run towards trees.



Appendix 3: Site Images



Appendix 3: Site photographs



Figure 1 Bare ground dominates the site



Figure 2 shed B1



Figure 3 shed B2



Figure 4 shed B3





Figure 5 Pond P1 in the north of the site



Figure 6 Scattered trees T25 & T26 and stump in north of site (with spoil and rubble piles in RPA)



Figure 7 Rubble and soil forming Northern boundary



Figure 8 Gateway to adjacent walled garden from northern site boundary



Figure 9 Mixed semi-natural woodland edge



Figure 10 P2



Figure 11 P3



Figure 12 P4



Figure 13 P5



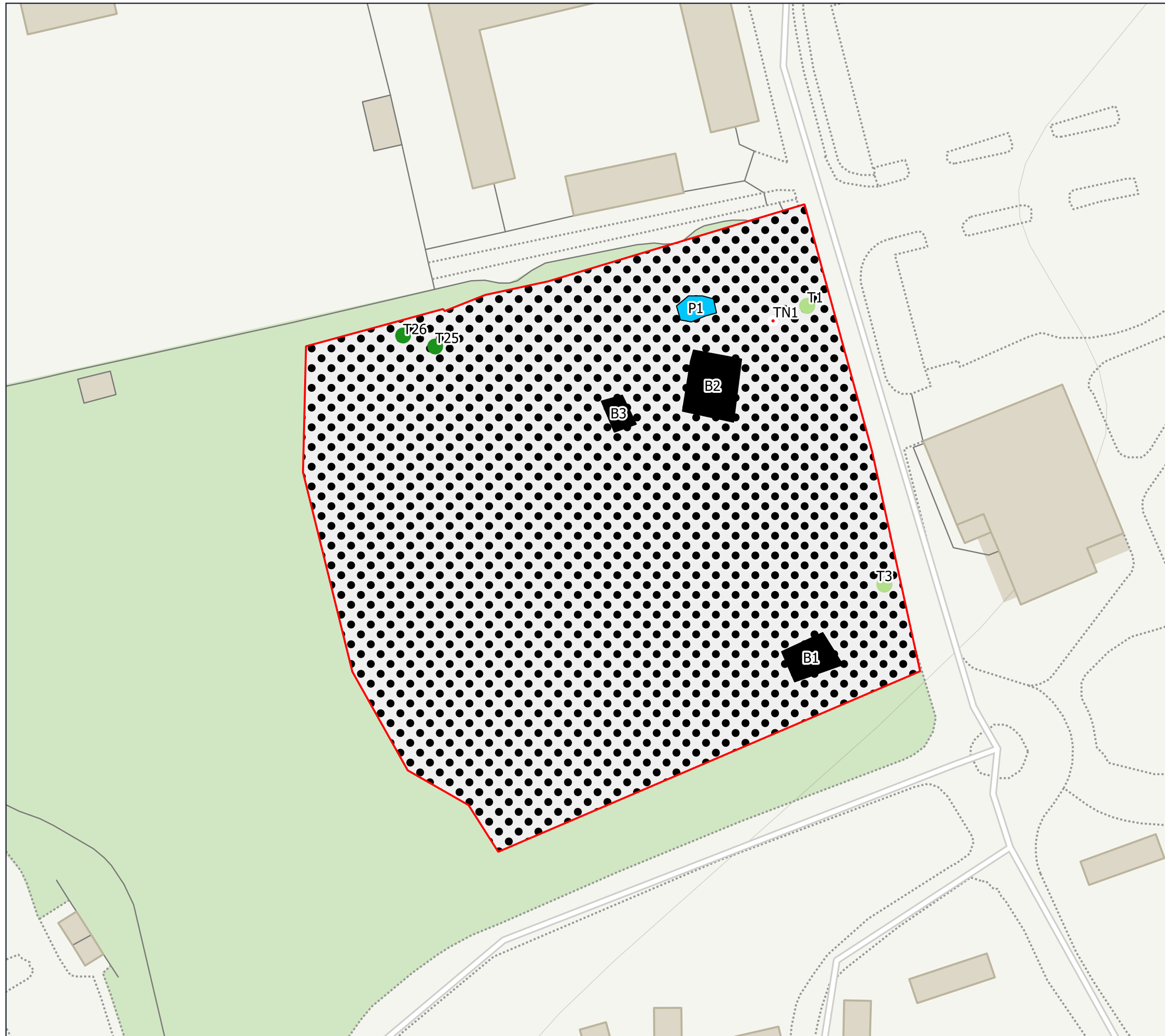
Figure 14 Lake to the east of the site










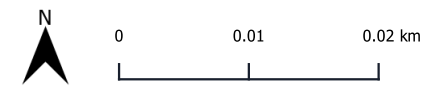
Figure 15 Brook that lies to the northeast of the site

15168_P01_Habitat_Features_Plan





-  Redline Boundary
-  Bare ground
-  Buildings
-  Ornamental Pond
-  Scattered Broadleaf Tree
-  Scattered Coniferous Tree
-  Baseline - Target Notes



Project	High ropes, Haggerston
Drawing Title	Habitat Features Plan
Scale	As Shown (Approximate)
Drawing No.	15168/P01
Date	15th September 2022
Checked	AS/JD



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