



Nile and Villiers Sunderland

Shadow Habitats Regulations Assessment

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The conclusions and recommendations contained in this document are based upon information gathered by TEP and provided by third parties. Information provided by third parties and referred to herein has not been independently verified by TEP, unless otherwise expressly stated in the document.

Nothing in this report constitutes legal opinion. If legal opinion is required, the advice of a qualified legal professional should be secured.

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Drawing 1 – G10113.001 International Sites within 10km

Drawing 2 – Proposed Masterplan Site Layout 2321-XSA-00-Z0DR-A-1001

1.0 Introduction

- 1.1 The Environment Partnership (TEP) was commissioned by TOWN in August 2023 to complete a shadow Habitats Regulations Assessment (sHRA) to support a planning application for a residential led development on a brownfield site in Sunnyside, Sunderland.
- 1.2 The 0.91ha site, located between Nile Street and Villiers Street, is allocated under the Draft Allocations and Designations Plan (2020) as Housing Allocation H8.3 for 75 units and identified as 'Sunnyside Central Area'. The development site also includes properties 19, 20, and 21 Nile Street which are not allocated.

Proposed Scheme

- 1.3 The proposed development would result in the construction of seventy five residential properties, commercial properties and associated landscaping (Drawing Masterplan. Site Layout 2321-XSA-00-Z0DR-A-1001). The site is bounded by residential and commercial development on all sides, with the city of Sunderland in the larger area beyond (see Figure 1). The site currently comprises predominantly mown modified neutral grassland and hard standing with small areas of tall ruderal and an area of bare ground.



Figure 1: Site Location in Local Context

Ecological and Survey Reference Documents

1.4 This report has been informed by the following ecological surveys and reports.

- Ecology Desk Study (TEP - 2023)
- Phase 1 Habitat Survey Technical Report (TEP - 2023)
- Bat Roost Survey Report (TEP - 2023)
- Bat Activity Survey Report (TEP - 2023)

1.1 The Durham Coast Special Area of Conservation (SAC), Northumbria Coast Special Protection Area (SPA) and Ramsar site are located to the northeast and southeast along the coastline.

The Habitat Regulations Assessment Process

1.5 Habitats Regulations Assessment (HRA) is an assessment of the potential effects of a proposed project or plan on one or more sites of international nature conservation importance.

1.6 The Habitats Directive (92/43/EEC) established a network of designated sites, within the European Community, with the objective of protecting sites that are considered to be of exceptional importance in respect of rare, endangered or vulnerable natural habitats and species. These are European designated sites and are known as Special Areas of Conservation (SAC), Special Protection Areas (SPA) and Offshore Marine Sites (OMS).

1.7 The Habitats Directive (92/43/EEC) transposed into UK law in 1994 as The Habitats Regulations, which was subsequently amended and is known as the Conservation of Habitats and Species Regulations 2017. A number of changes have been made to this by the **Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019, referred to as the 2019 Regulations**. Under the 2019 Regulations, SACs and SPAs in the UK no longer form part of the EU's Natura 2000 ecological network. The 2019 Regulations have created a National Site Network (NSN) on land and at sea, including both the inshore and offshore marine areas in the UK.

1.8 Ramsar sites are wetlands of international importance, designated under the International Wetlands Convention, which took place at Ramsar, Iran. Although Ramsar sites do not form part of the national site network, national planning policy recommends that Ramsar sites should be afforded the same level of consideration as SAC and SPA designated sites.

1.9 Under the Habitats Regulations the granting of approval (i.e. planning permissions, licences and consents) for developments is restricted if they are likely to have a significant adverse effect on an SAC, SPA or Ramsar site.

- 1.10 Guidance (EC, 2001¹; IPC, 2022²) on undertaking assessment of plans or projects that may impact upon designated European sites recommends a staged approach to the assessment process:
- Stage 1. Screening - The process of identifying potentially relevant European sites and the likely impacts of a project upon the designated features of a European site, either alone or in combination with other plans and projects and considering whether the impacts are likely to be significant.
 - Stage 2. Appropriate Assessment (AA) - Assessment of the impacts, considering proposed mitigation measures, on the integrity of the European site, either alone or in combination with other plans and projects, with regard to the site's structure and function and its conservation objectives. If it cannot be concluded beyond reasonable scientific doubt that the project would not adversely affect site integrity then development consent cannot be issued unless the steps set out in Stages 3 are successfully concluded
 - Stage 3. Derogation – consider if proposals that would have an Adverse Effect on Integrity (AEoI) of a European site(s) qualify for an exemption. There are three tests to this stage to be followed in order: consider alternative solutions; consider Imperative Reasons of Overriding Public Interest (IROPI); and secure compensatory measures. Each test must be passed in sequence for a derogation to be granted.
- 1.11 All three stages of the process are referred to cumulatively as the Habitats Regulations Assessment (HRA).
- 1.12 Guidance on what constitutes the integrity of a European site has been provided by the European Commission (EC, 2001). In this guidance, integrity is defined as “the coherence of the site’s ecological structure and function, across its whole area, which enables it to sustain the habitat, complex of habitats and/or populations of species for which the site has been designated”.
- 1.13 This document considers Stage 1 and Stage 2 of the HRA process. This assessment takes account of the 2017 'People over Wind' ruling which confirmed that mitigation cannot be taken into consideration at the screening stage prior to Appropriate Assessment.
- 1.14 Under the Habitat Regulations Sunderland City Council (SCC) is the competent authority for this development ensuring that development management decisions do not adversely affect the integrity of the NSN or Ramsar sites. As such this document is termed a ‘shadow’ Habitats Regulations Screening Assessment.

¹ European Commission (2001) Assessment of plans and projects significantly affecting Natura 2000 Sites. Methodological guidance in the provisions of Article 6 (3) and (4) of the Habitats Directive 92/43/EEC

² The Infrastructure Planning Commission (2022). Advice Note 10: Habitat Regulations Assessment for nationally significant infrastructure projects.

2.0 Summary of Baseline Information

International Designated Sites Considered within Influencing Distance

2.1 The Site is located within 10km of the following international designated sites. Details of these sites are provided in Table 1 and within the Ecology Desk Study (TEP Ref. 10113.002).

Table 1: Internationally Designated Wildlife Sites within 10 km of the Site.

Site name:	Designation:	Distance (km) to closest component site:
Durham Coast	SAC	2.6 km southeast
Northumbria Coast	SPA	2.5 km northeast
Northumbria Coast	Ramsar	2.5 km northeast

2.2 The locations of these sites relative to the proposed development site are shown in drawing G10113.001.

Table 2: Details of Internationally Designated Wildlife Sites within 10 km of the Site.

Site name	Location of Designation in Relation to Site	Reason for Site Designation
Durham Coast SAC UK0030140		<p>The Durham Coast is the only example of vegetated sea cliffs on Magnesian Limestone exposures in the UK. These cliffs extend along the North Sea coast for over 20 km from South Shields southwards to Blackhall Rocks. Their vegetation is unique in the British Isles and consists of a complex mosaic of maritime-influenced, calcareous and species-rich-neutral grasslands, tall-herb fen, seepage flushes and wind-pruned scrub. Within these habitats rare species with varied ecological requirements often grow together, forming unusual and species-rich communities of high scientific interest. The communities present on the sea cliffs are largely maintained by natural processes including exposure to sea spray, erosion and slippage of the soft Magnesian Limestone bedrock and overlying glacial drifts, as well as localised flushing by calcareous water.</p> <p>The site is designated under article 4(4) of the Directive (92/43/EEC) as it hosts the following habitats listed in Annex I:</p> <ul style="list-style-type: none"> - Vegetated sea cliffs of the Atlantic and Baltic coasts
Northumbria Coast SPA UK9006131		<p>The Northumbria Coast Special Protection Area (SPA) includes much of the coastline between the Tweed and Tees Estuaries in north-east England. The site consists of mainly discrete sections of rocky shore with associated boulder and cobble beaches. The SPA also includes parts of three artificial pier structures and a small section of sandy beach.</p> <p>The site qualifies under Article 4.1 for regularly supporting internationally important populations of the following species:</p>

Site name	Location of Designation in Relation to Site	Reason for Site Designation
		<p>Species regularly supported during the breeding season:</p> <ul style="list-style-type: none"> • Little Tern <i>Sterna albifrons</i> (Eastern Atlantic - breeding) 1.7% of the GB breeding population 5 year peak means 1992/3-1996/7 <p>Species regularly supported during the winter season:</p> <ul style="list-style-type: none"> • Turnstone <i>Arenaria interpres</i> (Western Palearctic - wintering) 2.6% of the East Atlantic Flyway population 5 year peak means 1992/3-1996/7 • Purple sandpiper <i>Calidris maritima</i> (Eastern Atlantic - wintering) 1.6% of the East Atlantic Flyway population 5 year peak means 1992/3-1996/7 <p>Since the Northumbria Coast SPA was classified in 2000, the colony of Arctic terns <i>Sterna paradisaea</i> at Newton Links/Long Nanny has undergone a sustained increase, and now meets qualification criteria on the basis of the latest 5-year mean, as the site supports 2.9% of the GB population of this Annex I species. Arctic tern has therefore been added as a new qualifying feature to the Northumbria Coast SPA.</p>
Northumbria Coast Ramsar 7UK148		<p>The site comprises several discrete sections of rocky foreshore between Spittal, in the north of Northumberland, and an area just south of Blackhall Rocks in County Durham.</p> <p>These stretches of coast regularly support internationally important numbers of purple sandpiper (<i>Calidris maritima</i>) and turnstone (<i>Arenaria interpres</i>, 1739 individuals, 2.6 % of the Eastern Atlantic Flyway population).</p> <p>The Ramsar site also includes an area of sandy beach which supports a nationally important breeding colony of little tern and parts of three artificial piers which form important roost sites for purple sandpiper.</p>

Conservation objectives

2.3 The conservation objectives for the Durham Coast SAC are as follows:

2.4 Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the Favourable Conservation Status of its Qualifying Features, by maintaining or restoring;

- The extent and distribution of qualifying natural habitats
- The structure and function (including typical species) of qualifying natural habitats, and
- The supporting processes on which qualifying natural habitats rely

2.5 The conservation objectives for the Northumbria Coast SPA are as follows:

2.6 *The conservation objective for the internationally important populations of the regularly occurring Annex 1 bird species*

- 2.7 *Subject to natural change, maintain in favourable condition⁵ the habitats for the internationally important populations of the regularly occurring Annex 1 bird species (little tern *Sterna albifrons*), under the Birds Directive, in particular:*
- 2.8 *• Sandy beaches at Low Newton; Shallow inshore waters at Low Newton.*
- 2.9 *The conservation objective for the internationally important populations of regularly occurring migratory bird species:*
- 2.10 *Subject to natural change, maintain in favourable condition the habitats for the internationally important populations of regularly occurring migratory bird species purple sandpiper *Calidris maritima* and turnstone *Arenaria interpres*, under the Birds Directive, in particular:*
- 2.11 *• Rocky shores with associated boulder and cobble beaches; Artificial high tide roost site.*

3.0 Stage 1 Screening Assessment

Impact Pathways to be included in the Habitats Regulations Assessment

- 3.1 The Stage 1 Screening Assessment for the proposed development is presented in Table 4.1. Due to the proposed development type, the following potential impact pathways have been identified that could potentially affect the conservation status of the identified NSN and Ramsar sites, which will be further assessed:
- Potential pollution impacts via hydrological linkages during the construction and operational stages
 - Potential air quality impacts from vehicle emissions during the construction and operational stages
 - Potential recreational disturbance during the operational stage
- 3.2 It is confirmed that the proposed development is in no way linked to the conservation management of NSN or Ramsar sites.

Table 4.1: HRA Stage 1: Screening

Impacting including pathway	Assessment	Included in HRA
<p>Durham Coast SAC Deterioration of SAC habitat via pollution through hydrological linkages</p> <p>Construction and operational</p>	<p>Impact characterisation:</p> <p>There is potential for runoff from construction and operational activities to affect habitats associated with this designation.</p> <p>The proposed development is outside of the SAC and located in an urban location 2.6km at distance from the SAC. Foul drainage for the development will consist of unrestricted discharge to the combined water public sewer network. Surface water from the development will be managed via treatment of roof runoff using rain gardens, permeable pavements and a SuDS detention basin/bioretention area to provide treatment for runoff from external hardstanding areas, lined SuDS features to prevent infiltration (as per instructions from the Lead Local Flood Authority) and restricted discharge from the site at QBar (greenfield runoff rate) to the public combined sewer network.</p> <p>The the use of industry standard pollution prevention measures will include best-practice methods on how site run-off will be controlled, how site waste will be managed and will include emergency procedures in the event of a pollution incident.</p> <p>The risk of run off/pollution affecting the qualifying featurres is therefore considered negligible.</p> <p>It is concluded that there will be no likely significant effect as a result of water borne pollution.</p>	<p>No</p>
<p>Durham Coast SAC Nitrogen deposition/air quality</p> <p>Construction and Operational</p>	<p>Impact characterisation:</p> <p>The proposed development has the potential to lead to increases in vehicle emissions during the construction phase and operational phase. Natural England's guidance on assessing the impacts of air quality impacts on designated sites³ states that Natural England and Highways England are in agreement that protected sites falling within 200 metres of the edge of a road affected by a plan or project need to be considered further. The Durham Coast SAC is not within 200m of the proposed development and the proposed development site is located within an established urban area away from the coast. It is therefore expected that trips between work and home will utilise the existing inland road network.</p> <p>Furthermore the Natural England guidance states that if the consultation (i.e. the development) does not fall within the distance criterion for designated sites (i.e. 200m for road traffic proposals), no further steps of the assessment are necessary and that such proposals are likely to have no effect on sites at all and so do not need to be subject to assessment in-combination with other plans and projects. A screening conclusion of no likely significant effect on the site can be advised with regard to the risk of road traffic emissions affecting air quality.</p> <p>It is concluded that there will be no likely significant effect as a result of air quality impacts.</p>	<p>No</p>

³ Natural England (2018). Internal Guidance – Approach to advising competent authorities on Road Traffic Emissions and HRAs V1.4 Final.

Impacting including pathway	Assessment	Included in HRA
<p>Durham Coast SAC Dust generation Construction</p>	<p>Impact characterisation: There is potential for increases in dust during the construction phase. However the site is located in an urban location and Durham Coast SAC is 2.7km to the southeast and therefore dust is not considered to be an issue given this distance. The use of industry standard pollution prevention measures will include best-practice methods on how dust will be controlled. The risk of dust affecting the qualifying features is therefore considered negligible. It is concluded that there will be no likely significant effect as a result of dust generation.</p>	<p>No</p>
<p>Durham Coast SAC Recreational impacts Operational</p>	<p>Impact characterisation: The proposed development could lead to additional recreational use of the coast and in particular the habitats within the SAC resulting in erosion of soils, loss and damage to sensitive vegetation, and changes in vegetation diversity through nutrient enrichment from dog waste⁴. The Habitats Regulations Assessment for the Sunderland City Council Core Strategy and Development Plan⁵ identified that the vegetated sea cliffs of the Atlantic and Baltic coasts for which the SAC is designated are generally not considered to be vulnerable to trampling related impacts due to the steep nature of the cliff habitats. Access is typically clearly defined by well-used paths and warning signs advise visitors to stay away from the cliff edge. The most recent condition assessment (2009) for the component SSSI units (Units 14⁶ and 15⁷) of the SAC closed to the development site does not make any reference to issues related to nutrient enrichment as a result of dog fouling. It is concluded that there will be no likely significant effect on SAC qualifying habitat as a result of recreational impacts.</p>	<p>No</p>
<p>Northumbria Coast SPA and Ramsar</p>	<p>Impact characterisation: There is potential for runoff from construction and operational activities to affect habitats associated with this designation.</p>	<p>No</p>

⁴ Hoskin, R., Liley, D., Panter, C., & Caals, Z. (2020). Sunderland Recreational Mitigation Strategy (to accompany the Allocations and Designations Plan). Unpublished report for Sunderland City Council.

⁵ BSG Ecology (2018). Habitat Regulations Assessment for the Sunderland City Council Core Strategy and Development Plan

⁶ <https://designatedsites.naturalengland.org.uk/UnitDetail.aspx?UnitId=1022950>

⁷ <https://designatedsites.naturalengland.org.uk/UnitDetail.aspx?UnitId=1022951>

Impacting including pathway	Assessment	Included in HRA
<p>Deterioration of SPA via pollution through hydrological linkages</p> <p>Construction and operational</p>	<p>The proposed development is located in an urban location outside of the SPA and Ramsar and located 2.5km at distance from the designated site. Foul drainage for the development will consist of unrestricted discharge to the combined water public sewer network. Surface water from the development will be managed via treatment of roof runoff using rain gardens, permeable pavements and a SuDS detention basin/bioretenion area to provide treatment for runoff from external hardstanding areas, lined SuDS features to prevent infiltration (as per instructions from the Lead Local Flood Authority) and restricted discharge from the site at QBar (greenfield runoff rate) to the public combined sewer network.</p> <p>The use of industry standard pollution prevention measures will include best-practice methods on how site run-off will be controlled, how site waste will be managed and will include emergency procedures in the event of a pollution incident.</p> <p>The risk of run off/pollution affecting the qualifying features is therefore considered negligible.</p> <p>It is concluded that there will be no likely significant effect as a result of water borne pollution.</p>	
<p>Northumbria Coast SPA and Ramsar</p> <p>Nitrogen deposition/air quality</p> <p>Construction and Operational</p>	<p>Impact characterisation:</p> <p>The proposed development has the potential to lead to increases in vehicle emissions during the construction phase and operational phase. Natural England's guidance on assessing the impacts of air quality impacts on designated sites⁸ states that Natural England and Highways England are in agreement that protected sites falling within 200 metres of the edge of a road affected by a plan or project need to be considered further. The Northumbria Coast SPA and Ramsar is not within 200m of the proposed development, and the proposed development sites is located within an established urban area away from the coast. It is therefore expected that trips between work and home will utilise the existing inland road network.</p> <p>Furthermore the guidance states that the if the consultation (i.e. the development) does not fall within the distance criterion for designated sites (i.e. 200m for road traffic proposals), no further steps of the assessment are necessary and that such proposals are likely to have no effect on sites at all and so do not need to be subject to assessment in-combination with other plans and projects. A screening conclusion of no likely significant effect on the site can be advised with regard to the risk of road traffic emissions affecting air quality.</p> <p>It is concluded that there will be no likely significant effect as a result of air quality impacts.</p>	<p>No</p>

⁸ Natural England (2018). Internal Guidance – Approach to advising competent authorities on Road Traffic Emissions and HRAs V1.4 Final.

Impacting including pathway	Assessment	Included in HRA
<p>Northumbria Coast SAC and Ramsar</p> <p>Dust generation</p> <p>Construction</p>	<p>Impact characterisation:</p> <p>There is potential for increases in dust during the construction phase. However the site is located in an urban location and Northumbria Coast SPA and Ramsar is 2.5km to the northeast and therefore dust is not considered to be an issue given this distance.</p> <p>The use of industry standard pollution prevention measures will include best-practice methods on how dust will be controlled.</p> <p>The risk of dust affecting the qualifying features is therefore considered negligible.</p> <p>It is concluded that there will be no likely significant effect as a result of dust generation.</p>	<p>No</p>
<p>Northumbria Coast SAC and Ramsar</p> <p>Recreational impacts</p> <p>Operational</p>	<p>Impact characterisation:</p> <p>The proposed development could lead to additional recreational use of the coast and disturbance to qualifying bird species. This disturbance may result in short term or long term displacement of birds; reduced rate of food intake of birds; Increased energy expenditure through flying; physiological impacts through increased stress levels; or direct mortality/nest predation.</p> <p>The SPA qualifies for its breeding population of Little Tern and Arctic Tern and overwintering populations of Purple Sandpiper and Turnstone. Within the Northumbria Coast SPA, there is limited habitat for Little Terns to nest (Hoskin et al, 2020) and the key location for the species is Beadnell Bay (Newton Links/Long Nanny) where the Arctic Terns also nest, which is a considerable distance to the north (approx. 71km) of the development site and well outside of its core foraging zone. Little Tern and Arctic Tern are unlikely to establish a nesting colony along the Sunderland City coast due to lack of open beach that has a low level of surrounding urbanisation and recreational use.</p> <p>It is concluded that there will be no likely significant effect on qualifying species Little Tern and Arctic Tern.</p> <p>With regard to the overwintering populations of Purple Sandpiper and Turnstone, the Regulations 33 advice lists rocky shores with associated boulder and cobble beaches as key sub features for these species. The rocky shores provide invertebrate food sources for both species. Both species are known to use locations within and outside the SPA.</p> <p>The Habitats Regulations Assessment for the Sunderland City Council Core Strategy and Development Plan references surveys carried out during the wintering bird surveys undertaken during 2014/15 and 2015/16 which revealed that Purple Sandpiper has a restricted distribution within SCC's area. This species was recorded regularly on the rocky shore to the north of South Bents, with the area around Whitburn being one of the more regularly used areas of shore. This species was</p>	<p>No – Little Tern and Arctic Tern</p>

Impacting including pathway	Assessment	Included in HRA
	<p>also recorded along the south-west breakwater in the Port of Sunderland, at Salterfen Rocks and in the vicinity of the harbour at Seaham. Low numbers of Purple Sandpiper were recorded along the section of the coast nearest the proposed development between October 2019 to February 2020⁹. A maximum count of 5 were recorded during high tide surveys and 8 during low tide surveys.</p> <p>Turnstone have been recorded on most sections of the coast particularly where littoral rock is present, as well as at piers. A maximum count of 67 was recorded during high tide surveys and 23 during low tide surveys between October 2019 to February 2020 along the section of the coast nearest the proposed development .</p> <p>Recreational disturbance of purple sandpiper and turnstone is possible in those areas where favoured habitat is close to areas that attract visitors, particularly in locations used by dog walkers, though the majority of visitors will avoid the littoral rock as it is uneven and can be very slippery making walking challenging (BSG Ecology, 2018).</p> <p>Visitor surveys covering multiple parts of the Northumbria Coast reported by Hoskin et al. (2020) recorded a significant use of the coast by local residents with 75% of interviewees living within 7.2km of the coast. The proposed development will result in seventy five new dwellings with associated residents, a proportion of whom are likely to visit the coastline.</p> <p>It is concluded that there will be likely significant effects on Northumbria Coast SPA and Ramsar qualifying species (Purple Sandpiper and Turnstone) as a result of recreational impacts.</p>	<p>Yes – Purple Sandpiper and Turnstone</p>

⁹ Whittingham Ecology and Associates (2020). Non-Breeding Bird Survey of the South Tyneside, Sunderland and County Durham Coast 2019/2020.

4.0 Stage 2 Appropriate Assessment

- 4.1 The Appropriate Assessment stage of the HRA focuses on those impacts judged at the screening stage to have a likely significant effect and seeks to conclude whether they would result in an adverse effect on the integrity of the NSN or Ramsar site(s) for which likely significant effects are identified, or where insufficient certainty regarding this remains.
- 4.2 The integrity of a site depends on the site being able to sustain its 'qualifying features' across the whole of the site and ensure their continued viability.

Impact Pathways to be included in the Assessment

- 4.3 The following impact pathways have been identified for the proposed development to be considered at Appropriate Assessment stage:
- Recreational impacts on locations supporting qualifying species Purple Sandpiper and Turnstone.
- 4.4 The Appropriate Assessment therefore assesses potential impacts on the Northumbria Coast SPA and Ramsar from recreational impacts.
- 4.5 It is now acceptable to take account of mitigation measures when determining if the proposed development will have any effect on the integrity of National Site Network sites and Ramsar sites in the UK. This approach is consistent with the 'People over Wind' ruling.

Recreational pressure

- 4.6 Based on desk based and bird survey information available SPA/Ramsar qualifying bird species are recorded foraging and roosting in locations along the City of Sunderland coastline, including within and outside of the designated Northumbrian Coast SPA and Ramsar sites.
- 4.7 The nearest areas of suitable habitat to the proposed development site likely to be used by these qualifying species are within the Port of Sunderland 1.3km to the east of the site, outside of the designated sites. However the Port of Sunderland is not accessible to the public and so recreational pressure is unlikely.
- 4.8 However there are areas of suitable habitat such as along the Old North Pier which provide suitable foraging habitat for Turnstone and Purple Sandpiper which are also publically accessible, and in close proximity to the proposed development site (within 3.2km by road).
- 4.9 The proposed development will comprise 75 dwellings, with 26 x 2 bed units, 39 x 3 bed units, and 10 x 3 bed units. The maximum capacity of people that the

development could support on completion would therefore be 281 people. Although there is publically accessible open space with a 10 minute walk of the site, such as Mowbray Park and Hudson Road Park it is anticipated that a proportion of these residents will access the coast for recreational activities, including for dog walking. Dog walking in particular was identified as the main purpose for visiting the coast in the results of visitor surveys along the Tyneside, Sunderland and Durham coastline over Spring 2019 and Winter 2019/2020¹⁰.

4.10 The proposed development therefore has the potential to result in increased recreational pressure on locations supporting qualifying bird species both within and outside of the Northumbria Coast SPA and Ramsar and result in disturbance of birds in a number of ways, including the following:

- Short term or long term displacement of birds (Cryer et al. 1987; Gill 1996; Burton et al. 2002; Burton, Rehfisch & Clark 2002; Liley & Sutherland 2007)
- Reduced rate of food intake of birds, either due to being displaced to areas with less food resources, or through increased vigilance resulting in less available time to feed (Stillman & Goss-Custard 2002; Bright et al. 2003)
- Increased energy expenditure through flying as a result of birds being flushed by disturbance (Nolet et al. 2002)
- Physiological impacts through increased stress levels. This may also result in increased energy expenditure (Regel & Putz 1997; Thiel et al. 2011).
- Direct mortality, e.g. through domestic dog predation (Liley & Sutherland 2007)

Mitigation

4.11 To address such recreational impacts on the Northumbria Coast SPA and Ramsar site SCC have issued the Sunderland Recreation Mitigation Strategy, to accompany the Allocations and Designations Plan (Hoskin et al, 2020). This allows developers to make financial contribution to mitigate the recreational effects of the new development. Mitigation includes provision for Sustainable Alternative Natural Greenspace (SANG) and sustainable Strategic Access Management and Monitoring (SAMM), which may include a ranger service and maintenance for of a minimum of 75 years¹¹. The tariff for this is £557.14 per residential unit, confirmed by the SCC Ecology Team in its pre application consultation response (Appendix A).

4.12 The client has confirmed it will be making this contribution. The contribution will be secured by a planning obligation under Section 106 of the Town and Country Planning Act (1990).

¹⁰ Panter, C. and Caals, Z. (2022). South Tyneside and Sunderland Coast Visitor Survey Analysis. Unpublished report by Footprint Ecology.

¹¹ Sunderland City Council (2020). Planning Obligations Supplementary Planning Document.

5.0 In-combination Assessment

- 5.1 An updated in-combination effects assessment was undertaken to determine whether there are other projects or plans currently in the planning system which have the potential to affect the Northumbria Coast SPA and Ramsar , focussing on potential impacts from recreational activities on the coast.
- 5.2 As the majority of the site is allocated for housing as part of the local plan process, as discussed below, and SCC has a mitigation strategy in place to mitigate the recreational effects of new development, a search for all other proposed residential developments which may result in an combination effects assessment has not been undertaken.
- 5.3 Consideration has been given to the SCC Core Strategy and Development Plan (2015-2033) and The Draft Allocations and Designations Plan (December 2022). The Core Strategy and Development Plan sets out the long-term plan for development across the city to 2033. Strategic Policy SP2 Urban Core of the plan identifies regeneration of central Sunderland and promotes mixed use development in Areas of Change, including Sunnyside with residential led mixed use.
- 5.4 Policy NE2 Biodiversity and geodiversity of the Core Strategy and Development Plan states development will only be permitted where the council is satisfied that any necessary mitigation is included such that, in combination with other development, there will be no significant effects on the integrity of European Nature Conservation Sites.
- 5.5 The Draft Allocations and Designations Plan (December 2022) Policy H8 seeks to allocate sites for housing development, and includes H8.3 Sunnyside Central Area, Villiers Street, the proposed development site.
- 5.6 The adjoining South Tyneside Council also has a similar mitigation strategy¹² in place to address recreational pressure from residential development on NSN sites.
- 5.7 Due to the relevant local plans having been subject to Habitats Regulations Assessments and mechanisms being in place to mitigate any increase in recreational pressure from new residential developments through an established mitigation strategy, there will be no significant in-combination impacts with this development.

¹² : Hoskin, R., Liley, D., Panter, C, & Underhill-Day, J. (2018) South Tyneside Interim Habitats Regulations Assessment and Supplementary Planning Document. Report 3: Supplementary planning Document. Mitigating for the Effect of Increased Coastal Recreation from New Residential Development. Unpublished report for South Tyneside Council

Conclusion

- 5.8 There are therefore no predicted significant in-combination impacts with any plans or projects on any NSN or Ramsar sites.

6.0 Conclusions

- 6.1 The proposed development is located on land between Nile Street and Villiers Street, Sunnyside, Sunderland.
- 6.2 Three National Site Network and Ramsar sites were identified within 10km of the proposed development: Durham Coast SAC, Northumbria Coast SPA and Northumbria Coast Ramsar.
- 6.3 The first part of this assessment took the form of a Test of Likely Significant Effect or "TOLSE".
- 6.4 The TOLSE identified likely significant effects for potential deterioration of the Northumbria Coast SPA and Northumbria Coast Ramsar sites from increased recreational pressure. This impact pathway was taken forward to Appropriate Assessment Stage.
- 6.5 The proposed development has the potential to result in increased recreational pressure on locations supporting qualifying bird species both within and outside of the Northumbria Coast SPA and Ramsar sites and to result in disturbance of qualifying bird species Turnstone and Purple Sandpiper.
- 6.6 The proposed development will be making the required financial contribution to the Sunderland Recreation Mitigation Strategy to mitigate the recreational effects of the new development on the NSN and Ramsar sites.
- 6.7 Therefore this assessment concludes that the proposed development alone, or in combination with other projects or plans, will not affect the integrity of National Site Network sites or Ramsar sites in the UK.

TEP Appendix A

PLANNING CONSULTATION RESPONSE

From	Sunderland Ecology Team	Date	29/03/2023
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To	Development Management
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Address	Bound By 184 High Street West To The North, Villiers Street To The East, Nile Street To The West And Coronation Street To The South.
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Response:

The enquiry is not supported by ecological information, therefore it is not possible to make detailed comments on the potential for significant ecological effects or the nature of potential mitigation measures.

Any application should be supported by an Ecological Impact Assessment. Note, this is distinct from a Preliminary Ecological Appraisal, which is intended to inform the design process and can provide the basis for producing an EclA together with any additional surveys required.

The scope of ecological surveys will be determined by the project ecologist, but it is expected that the scope will include investigation of the potential for any structures potentially affected by the proposals to support roosting bats in addition to any other ecological features identified by preliminary work.

As the proposals are for major development there will be a requirement to demonstrate a measurable biodiversity net gain. As the proposals involve the loss of vegetated habitats it is likely that this will require some offsite compensation measures. The applicant will need to submit the following information to describe the change in ecological value as a result of the proposals.

- Completed Biodiversity Metric calculation tool in the most up-to-date version (currently metric 4.0)

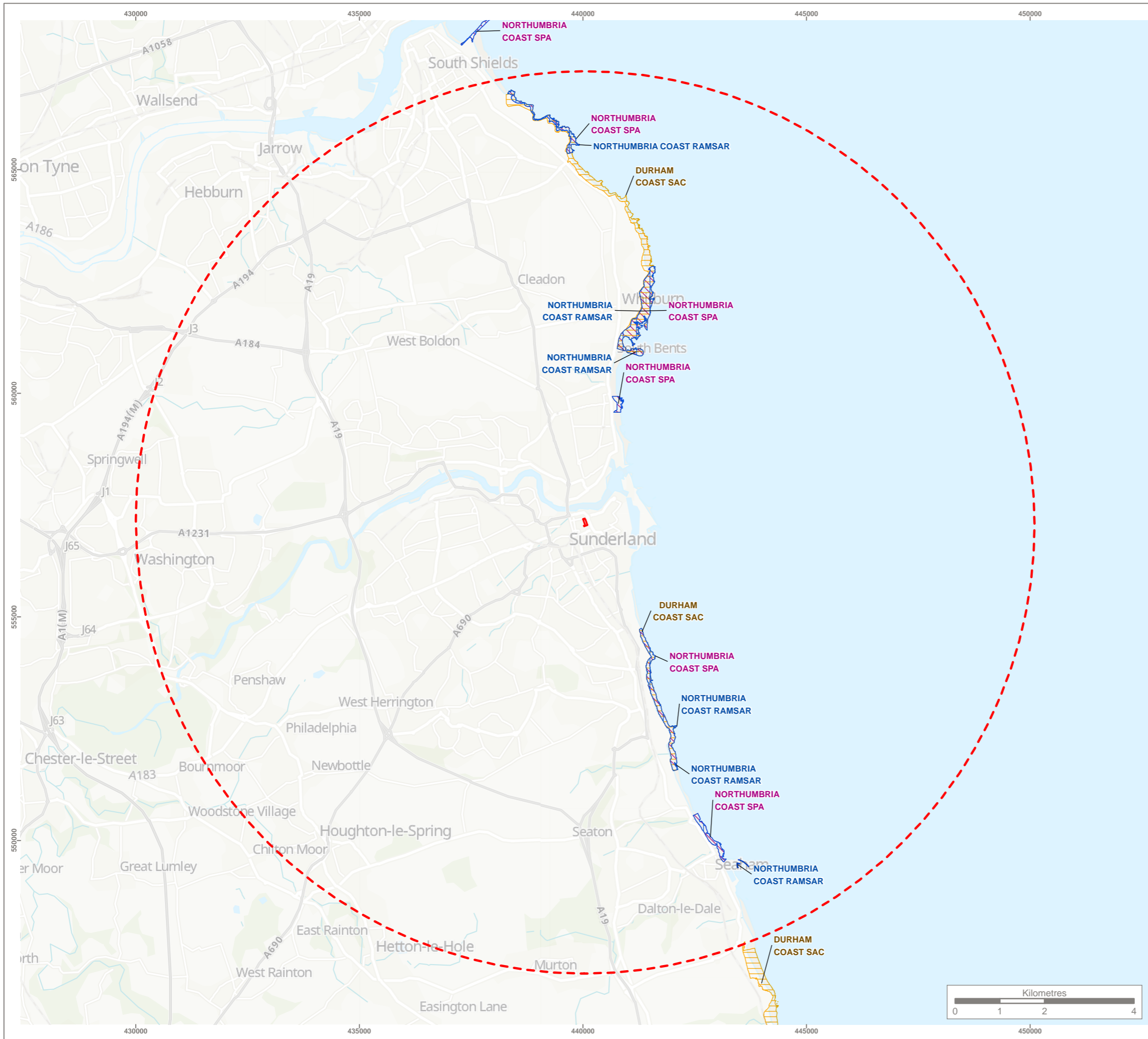
- Before development habitat maps showing habitat types used to populate the baseline tabs of the calculation tool
- Post-development habitat map showing the predicted habitat types based on the development proposals used to populate the post development tabs of the calculation tool
- A supporting report describing the justification for other metric input values, including baseline condition assessments and predicted conditions

The site is located within the 7.2 km buffer of the coastal European designated sites. In this respect the development will need to provide a financial contribution to the Sunderland Recreation Mitigation Strategy in respect of the anticipated increase in recreational pressure. The current rate is £557.14 per residential unit.

Drawings

Drawing 1 – G10113.003 International Sites within 10km

Drawing 2 – Proposed Masterplan. Site Layout 2321-XSA-00-Z0DR-A-
1001



KEY

- Site location
- Site boundary 10km buffer
- Ramsar
- Special Area of Conservation (SAC)
- Special Protection Area (SPA)

Sites searched for were as follows:
 - Ramsar
 - Special Protection Areas (SPA)
 - Special Areas of Conservation (SAC)

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Rev	Description	Drawn	Approved	Date

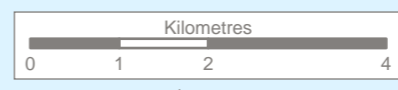
TEP | **THE ENVIRONMENT PARTNERSHIP**
 401 Faraday Street, Birchwood Park, Warrington, WA3 6GA
 Tel 01925 844004 e-mail tep@tep.uk.com www.tep.uk.com

Project
Nile and Villiers

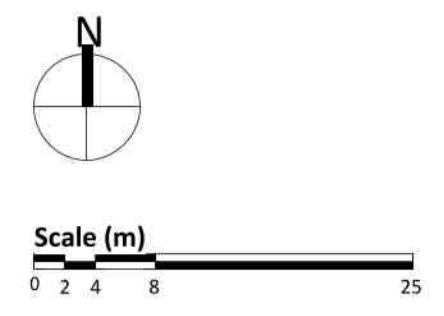
Title
Internationally Designated Sites Within 10km

Drawing Number
G10113.001

Drawn	Checked	Approved	Scale	Date
BJ	CW	AE	1:85,000 @ A3	18/09/2023



site area .
7650 . main island site
465 .
total . 8115m² . 0.81ha



- 1. residential . terrace housing
- 2. commercial frontage
- a. commercial zone - gateway . 'public square' / commercial courtyard
- b. home zone . community garden . service spine
- c. gateway . entrance

movement . links

landscape spine

Commercial	2321 - XSA - 04 - ZZ - DR - A - 1210 / 1240	10no. envisaged
House Type A	2321 - XSA - 01 - ZZ - DR - A - 1210 / 1240	39no. total
Maisonette	2321 - XSA - 03 - ZZ - DR - A - 1210 / 1240	13no. [26no] total

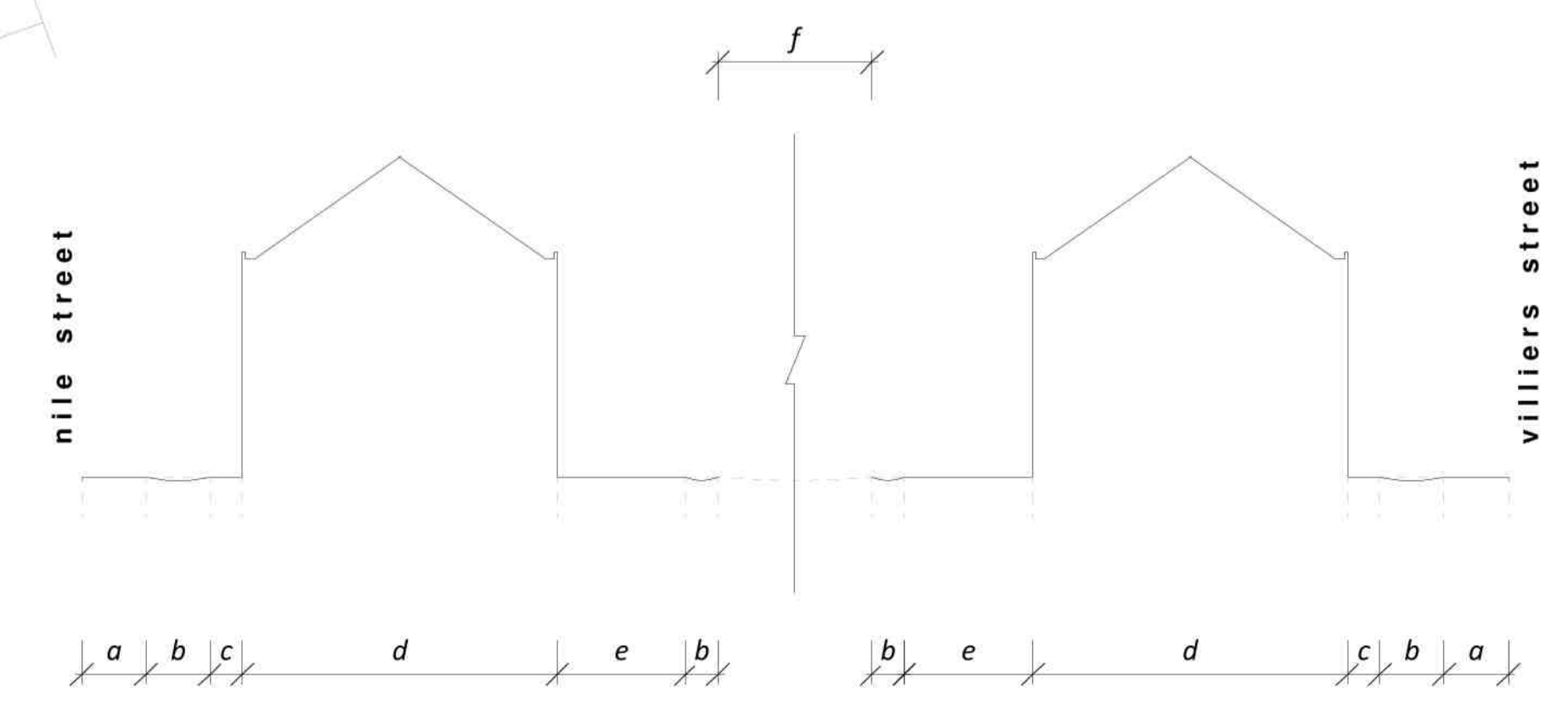
GIA
Commercial ex. Tyre Shop 575sqm
Commercial inc. Tyre Shop 987sqm
*subject to design development

3B6P . Terrace House	39no.
3B6P Maisonette	10no.
2B4P Maisonette	26no.

75no. dwellings total
refer to 2321-XSA-00-ZZ-SC-A-9900 for accommodation schedule / GIFA



30m travel distance . ADH - travel distances



- a. public . pavement
 - b. semi private . SuDS
 - c. private . rain garden / amenity
 - d. dwelling
 - e. rear amenity
 - f. semi private . shared amenity / SuDS
- Section_Strategy
1 : 200

1 P1	Masterplan update	31.08.23	SCU
# Issue	Revision Description	Date	Issue / CH
2321 - XSA-00-ZZ-DR-A-1001			
Status:	Purpose of Issue:	Scale at A1:	
SO	WIP	As	
Revision:		imprinted	
P1		SCU	
Project:	Nile + Villiers		
Town:	Town		
Drawing:	Masterplan . Site Layout Plan		
Project:		xsite	
Nile + Villiers		architecture LLP	
Town		info@xsitearchitecture.co.uk	
Drawing:		Masterplan . Site Layout Plan	
Project:		2321	
xsite ref:		2321	



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