



North Tyneside Council

Quadrant
The Silverlink North
Cobalt Business Park
North Tyneside
NE27 0BY

28/07/2021

16/01304/FUL | A detailed application for the approval of 133 Affordable Dwellings (C3) with associated open spaces, landscaping, accesses, car parking and infrastructure on land adjacent to Gosforth Park Way, Longbenton, North Tyneside **Revised Description and Revised Plans & Associated Reports Uploaded 14.07.2021 | Land At Salters Lane Longbenton NEWCASTLE UPON TYNE**

Dear Planning Officer,

Thank you for consulting Northumberland Wildlife Trust on the above planning application. The Trust **objects** to these proposals, as we have a number of significant concerns regarding the proposals.

Designated Sites

The proposed development sits in close proximity to a number of statutory and non-statutory designated sites, namely Gosforth Park Site of Special Scientific Interest (SSSI), Gosforth Park Nature Reserve Local Wildlife Site (LWS), and Black Woods and Ponds LWS. Gosforth Park SSSI/LWS is owned by the Natural History Society of Northumbria (NHSN). Two further LWS lie within the 2km impact zone of the development – Jesmond Dene LWS and Northumberland Golf Club LWS.

The addition of 133 dwellings in close proximity to these sites poses a significant risk to their wildlife interest through the indirect impacts of increased recreational pressure and pet ownership. Proposed mitigation is as follows:

- Dog-walking route provided within development site
- No direct access across Salters' Lane to the Gosforth Park Nature Reserve SSSI/LWS
- Fencing to be erected around Gosforth Park
- Residents will be gifted membership to the NHSN, in an aim to promote responsible behaviour
- Literature will be provided to residents on the importance of the SSSI/LWS, and on alternative dog-walking facilities
- Information boards will highlight the SSSI and the impact of recreation, and provide directions to alternative dog-walking routes



Trespassing and disturbance by dog walkers is a significant problem faced by most land owners, and this issue has only gotten worse in light of the Covid-19 pandemic. Frankly, these suggested measures are not nearly enough to deter recreational impacts or dog-walking. As the proposed site layout provides very little option for dog walking, and the surrounding business parks and housing estates do not create an enticing offer, a number of dog walkers will invariably end up in the SSSI and LWSs. Northumberland Wildlife Trust owns and manages over 60 nature reserves, and we have never found signage or fencing to be an adequate deterrent to dog walkers or trespassers. On the contrary, we are constantly battling with damage to our infrastructure, with the most determined individuals cutting through fencing and tearing down or otherwise defacing signage to enable their continued access. We would expect that NHSN will experience similar problems and will require significant resource to provide wardening in order to maintain the signage and fencing in good condition, despite it doing little to deter trespassing/dog-walking.

Additionally, none of the proposed mitigation benefits any of the other Local Wildlife Sites in the vicinity of the development. Black Woods and Ponds LWS, which is directly adjacent to Gosforth Park, is also likely to make an attractive offering to dog-walkers and other recreational users, and will experience habitat degradation and disturbance to wildlife as a result.

Habitats and Species

According to the Ecological Impact Assessment provided by OS Ecology (November 2020), the development will result in the loss of 3.9ha of various habitats, and 170m of hedgerow. Most notably, the development will result in the loss of 1.22ha of dense scrub, and 1.23ha of semi-improved neutral grassland. These are habitats that are currently utilised by a number of protected and priority species, including breeding birds, bats and mammals.

The plans propose the creation of 0.78ha of habitat within the housing development, including SUDS pond and adjacent water meadow, native broadleaf woodland, hedgerow, scrub, wildflower meadow and grassland, with an additional 240m woodland buffer. However, whilst we welcome this habitat creation, these areas are small and isolated, and will be negatively impacted by disturbance (light, noise, recreation) owing to the proximity to the housing. This will make these habitats of less value to wildlife. It would appear that the previously planned off-site mitigation is no longer being proposed, and so this 0.78ha of low-value habitat is the sum-total of habitat mitigation being offered by the development. If this is not the case, we would welcome an updated EIA that takes account of any off-site mitigation. If this is the case, the net loss of habitat will have a significant impact on the species that the area is able to support, and in all likelihood this development will result in a substantial net loss to biodiversity.

In addition to the habitat loss, pet ownership is also likely to have an impact on protected species within and around the proposed development. The proposed mitigation includes a provision that cat ownership will be 'discouraged'. However, this is in all likelihood unenforceable and so predation by cats will pose a risk to a number of protected and priority species in the vicinity. The adjacent SSSI supports a population of water vole (*Arvicola amphibius*), which are particularly sensitive to the presence of cats and may be ultimately be excluded from the area. Therefore, the presence of cats puts a population of a NERC Act (2006) section 41 priority species at risk of local extinction, which is unacceptable. Water voles are a rare and declining species in the North-East of England,



and to the best of our knowledge the population at Gosforth Park is the only confirmed extant population in Newcastle & North Tyneside. Therefore, the local extinction of this population as a result of cat predation would be a substantial loss for biodiversity, and we would consider this to be a significant impact of *at least* county level. Cats will also likely predate birds, and both the on and off-site habitats support Birds of Conservation Concern and section 41 bird species, equating to further unacceptable risk to protected and priority species.

Local Plan Policy

There are a number of North Tyneside Local Plan (2017) policies that are applicable to this development and that it fails to meet the requirements of. These are S5.4 Biodiversity and Geodiversity, DM5.5 Managing effects on Biodiversity and Geodiversity, and DM5.9 Trees, Woodland and Hedgerows.

S5.4 Biodiversity and Geodiversity states that:

“The Borough’s biodiversity and geodiversity resources will be protected, created, enhanced and managed having regard to their relative significance. Priority will be given to:

- a. The protection of both statutory and non-statutory designated sites within the Borough, as shown on the Policies Map;”*

As we have laid out above, this development fails to protect or enhance a number of statutory and non-statutory designated sites. Therefore, it fails to meet the requirements of policy S5.4.

DM5.5 Managing effects on Biodiversity and Geodiversity states that:

“All development proposals should:

- a. Protect the biodiversity and geodiversity value of land, protected and priority species and buildings and minimise fragmentation of habitats and wildlife links; and,*
- b. Maximise opportunities for creation, restoration, enhancement, management and connection of natural habitats; and,*
- c. Incorporate beneficial biodiversity and geodiversity conservation features providing net gains to biodiversity, unless otherwise shown to be inappropriate.*

[...]

Proposed development on land within or outside a SSSI likely to have an adverse effect on that site would only be permitted where the benefits of the development clearly outweigh both the impacts that it is likely to have on the features of the site that make it of special scientific interest and any broader impacts on the SSSI national network.”

As demonstrated above, the development does not protect biodiversity, nor does it maximise opportunities for restoration or creation of habitats or provide net gains for biodiversity. Additionally, as it is likely to have an adverse effect on a SSSI, the applicants would need to demonstrate that the benefits of the development clearly outweigh the impacts, which they have not done so. Therefore, this development is does not meet the requirements of policy DM5.5.



Policy DM5.9 Trees, Woodland and Hedgerows states:

“Where it would not degrade other important habitats the Council will support strategies and proposals that protect and enhance the overall condition and extent of trees, woodland and hedgerows in the Borough, and:

- a. Protect and manage existing woodland, trees, hedgerows and landscape features.*
- b. Secure the implementation of new tree planting and landscaping schemes as a condition of planning permission for new development.*
- c. Promote and encourage new woodland, tree and hedgerow planting schemes.”*

As identified in the EIA, this development will result in the loss of 0.8ha of existing woodland and 170m of hedgerow. Whilst the exact amount of new woodland and hedgerow to be provided is unclear, it is unlikely it will fully mitigate for the lost habitat. Therefore, we consider this application is unable to meet the requirements of policy DM5.9.

Additionally, the site of the proposed housing development is currently allocated for employment land (North Tyneside Local Plan Policies Map 2017), and the development therefore fails to fit in with Local Plan policies.

National Planning Policy Framework

A number of National Planning Policy Framework (NPPF) policies are relevant to this application.

Policy 174 states that:

“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);*

[...]

- 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;”*

Given that the development does not protect or enhance sites of biodiversity, or minimise impacts on/provide net gains for biodiversity, we consider this development to be contrary to the requirements of the NPPF policy 174.

Policy 180 states that:

“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;"

As we have demonstrated, the proposed development puts species and habitats at significant risk, with inadequate mitigation provided. The development would also have an adverse effect on a SSSI, and there is no clear benefit to the development that outweighs its impact to the SSSI. Therefore, we consider this development to be contrary to the requirements of the NPPF policy 180.

Summary

The proposed housing development is inappropriate at the suggested location, and will result in a number of significant impacts to biodiversity. These include habitat loss, direct and indirect impacts to protected species, and indirect impacts to the adjacent Gosforth Park SSSI. The proposed mitigation measures for these impacts are not nearly adequate enough, and will result in a significant net loss to biodiversity, as well as impacts to a SSSI which are not outweighed by the benefits of the development. In addition, the proposals fail to meet several Local Plan Policy and National Planning Policy Framework requirements.

Given the above, Northumberland Wildlife Trust **strongly objects** to these plans, and we urge North Tyneside Council to refuse planning. We hope that this response has been helpful. If there are any questions regarding our response, please get in touch.

Kind regards,

Alice McCourt

Conservation Officer

Northumberland Wildlife Trust

