

Alison Scott
Planning Department
Newcastle Council
Civic Centre
Newcastle upon Tyne, NE1 8PD

18 December 2015

Dear Alison

2015/1665/01/OUT | Outline application for approximately 462 dwellings, associated infrastructure and open space, with all matters reserved except for access. | Land East Of Morley Hill Farm And West Of Hazlerigg Newcastle

The Natural History Society of Northumbria (NHSN) is a regional charity whose aims include the protection of the flora and fauna of the North East; a role that we have played for nearly 200 years. We are a membership organisation and I am responding on behalf of the 1,200 households who support us.

NHSN **objects** to this planning application. It is unfortunate that the initial ecological assessments carried out for this development were inadequate and failed to identify that there would be ecological impacts resulting from the development of this site which would need to be mitigated in order for any development on this site to comply with planning policy. As a result no ecological mitigation/compensation has been proposed and this application should be refused until this is agreed. The applicant has a record of wishing to work positively for wildlife and we hope that once they are made aware of the inadequacy in their proposal that they will respond swiftly to address this.

Below we have set out in more detail the reasons for our objection. If this matter is not addressed by the applicant in discussions with Council Officers prior to being determined then we request to speak at that hearing.

Yours sincerely



James Littlewood
Director

NHSN Detailed Reasons for Objection

1. Loss of biodiversity

The initial ecological assessments carried out for this development are inadequate and failed to identify that there would be ecological impacts resulting from the development of this site which would need to be mitigated in order for any development on this site to comply with planning policy, namely:

Impact on wildlife present on development site:

The Ornithology Survey (2014) identifies that the development site provides breeding habitat for Skylark (Red listed as Bird of Conservation Concern, the UK BAP priority species list and included in the Newcastle BAP), Oystercatcher (Amber listed as Bird of Conservation Concern) and Meadow Pipit (Amber listed as Bird of Conservation Concern) all of which would be lost through this development. The applicant has made no attempt to mitigation or compensate for this biodiversity loss.

Impact on wildlife of adjacent Havannah Local Nature Reserve

The development site is acknowledged as adjacent to Havannah Local Nature Reserve (HLNR) yet the ecological assessment of the impacts of the development on this site are totally inadequate because:

- It failed to identify that the development of land to the south of HLNR (ie Great Park) will also have an impact on the nature reserve and therefore there is a cumulative ecological impact that has not been assessed by the applicant.
- It failed to identify that HLNR is one of the last refuges for Red Squirrels in Newcastle and that the development would have a negative impact on this species of conservation concern (see Appendix 1). The Newcastle BAP includes a Red Squirrel Action Plan setting out the city's intention to retain this species in the city and protect it from extinction.
- It has failed to identify that species in HLNR use the development site for foraging and therefore loss of this foraging habitat will have an impact on the wildlife in the reserve. Current government policy for biodiversity planning is that sites of high biodiversity, such as nature reserves, should have "buffer zones" around them to help protect them. A buffer zone for HLNR would be in the order of 100 metres, which would include the southern part of the development site. The ecological assessment has not taken this into account and as a result the plan put forwards proposes building on the buffer zone for the reserve without any mitigation or compensation.
- It has failed to recognise the impacts of pets from the development on HLNR. If the development went ahead there would be at around 1,500 people living next door to the reserve. Based on average UK pet ownership this would mean 50 cats and 50 dogs as well. A study by Woods, McDonald & Harris (*Mammal Review* 2003, Volume 33, No. 2, 174–188) found that on average, pet cats in the UK bring home 1 prey item every 2 weeks and that the percentage breakdown of prey items caught is mammals (69%), birds (24%), amphibians & reptiles (5%) and "other" (2%). Their work establishes that "In conclusion, this survey confirms that cats are major predators of wildlife in Britain." Using their average figures as a basis we can calculate that each year the 50 cats next to HLNR would kill a total of 1,300 animals (897 mammals, 312 birds and 65 amphibians). (It is worth noting that given the proximity to so much wildlife these figures could well be

higher). This is not a “one off” figure but something that would continue in perpetuity unless cat ownership were to fall. So, for example in the first 10 years alone 13,000 wild animals would be killed. A research report “Dogs, access and nature conservation” published by English Nature in 2005 found that “For breeding birds there is clear evidence, both research-based and anecdotal, that disturbance (by dogs) exposes the eggs or young to a greater risk of loss to opportunistic predators, especially corvids.....This effect is greatest for ground nesting birds in a variety of habitats.”

- There has been no attempt to assess the impact of increased recreational disturbance on HLNR, instead an assumption is made that there will be no impact. Given the arrival of approx. 1,500 people adjacent to HLNR and the applicant themselves highlighting the recreational appeal of HLNR it seems highly unlikely that there would be no adverse impact without some form of mitigation. We would disagree with AMECs judgement and request that an actual assessment is made of the impact if they wish to claim that there will be no impact.

Green spaces on development site

The applicant has incorporated a number of connected green spaces into the development, which we welcome. Reference is made in some of the documents to these green spaces providing an ecological resource but we cannot see anywhere in the documentation a plan that sets out how these sites are to provide enhanced ecological value which could in any way compensate for that which is being lost. Most of the plans show these areas being for recreational use with formal landscaping typically found around housing estates. There will be no pond creation, indeed surface water will be stored underground, contrary to good ecological practice which recommends storing surface water in ponds that would provide habitat for wildlife.

For a development site adjacent to a nature reserve this is very disappointing and a missed opportunity. For example it would be relatively easy to create new habitat on the development site for the rare Dingy Skipper Butterfly, a Newcastle BAP species which is found at HLNR.

As set out in the application, the green spaces on the development site do not adequately mitigate for the biodiversity loss that will be caused.

2. Failure to comply with policy

As we have shown above the result of this planning application will be a net loss for biodiversity in Newcastle, which means that this is not a sustainable development and does not comply with the following policies:

Newcastle/Gateshead Core Strategy policy CS18 Green Infrastructure and the Natural Environment:

A high quality and comprehensive framework of interconnected green infrastructure that offers ease of movement and an appealing natural environment for people and wildlife will be achieved by:

- 2. Protection, enhancement and management of green infrastructure assets which include:*

i. Biodiversity and geodiversity assets, including designated sites, designated wildlife corridors and priority habitats and species;

[It is worth noting that the Sustainability Appraisal for the Newcastle/Gateshead Core Strategy stated that policy CS18 would ensure that developments that came forwards would mitigate for any biodiversity loss and thus overall there would not be a net loss in biodiversity in NewcastleGateshead (as required by NPPF) and thus the Core Strategy was “sustainable”. Failure by the planning authority to ensure that new developments comply with CS18 would mean that the Core Strategy would be unsustainable.]

National Planning Policy Framework

109: The planning system should contribute to and enhance the natural and local environment by:

- *minimising impacts on biodiversity and providing net gains in biodiversity where possible, contributing to the Government’s commitment to halt the overall decline in biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures;*

118: When determining planning applications, local planning authorities should aim to conserve and enhance biodiversity by applying the following principles:

- *if significant harm 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;*

The Natural Environment and Rural Communities Act (2006) places a duty on all public bodies to conserve biodiversity:

40. Duty to conserve biodiversity:

- (1) Every public authority must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity.*

The Newcastle Biodiversity Action Plan includes farmland birds as priority species, in particular Skylark, and identifies habitat loss as a reason for their decline. This includes targets to “retain existing suitable habitat for ground nesting birds” and “increase suitable habitat for ground nesting birds on 10 sites”.

Appendix 1: Red Squirrels

The ecological assessment failed to identify that Havannah Local Nature Reserve (HLNR) is one of the last refuges for Red Squirrels in Newcastle and that the development would have a negative impact on this species of conservation concern. Ironically the applicants’ Mater Planning document does mention that there are Red Squirrels present at HLNR (see Appendix 1).

In particular gardens provide a refuge for Grey Squirrels and many residents put out food for squirrels (or for birds which the squirrels eat). As a result the housing adjacent to HLNR would create an ideal habitat for Grey Squirrels enabling them to move into the woodland in HLNR and either displace the Red Squirrels or pass on the squirrel-pox virus. The Newcastle BAP includes a Red Squirrel Action Plan setting out the city’s intention to retain this species in the city and protect it from extinction.

There is a local precedent for the development of housing adjacent to Red Squirrel habitat and the mitigation required for this. In 2011 Bellway Homes submitted a planning application to North Tyneside Council for a site adjacent to Gosforth Park Nature Reserve (Newcastle), which we manage and has a population of Red Squirrels. In discussions with their ecologist a package of mitigation was agreed and this development/mitigation is in the process of being taken forwards:

Red Squirrel Awareness Project

The developer would fund the production of a leaflet for residents of the new development and a visit to all households to raise awareness and give advice about how and why to discourage Grey Squirrels from their gardens.

Grey Squirrel Control

The developer would fund Grey Squirrel control in the adjacent nature reserve (and if necessary around the new housing development) in order to protect the local Red Squirrel population.