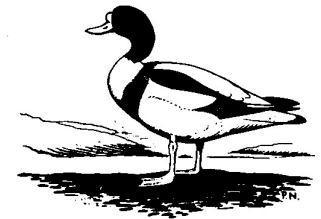


PROPOSED NEW NORTH TEESSIDE HOSPITAL, WYNYARD – COMMENTS ON A PLANNING APPLICATION

Prepared by
TEESMOUTH BIRD CLUB



Teessmouth Bird Club
Registered Charity No 508850

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RPT/023/ECP

1.0 INTRODUCTION

Teesmouth Bird Club

- 1.1 The Teesmouth Bird Club (TBC) was formed in 1960 and is one of the longest standing nature conservation bodies in North East England. We produce the annual *'Cleveland Bird Report'*, which is composed of vetted records of birds seen in the Cleveland sub-region during each year. Our membership now stands at over 450. We published *'The Breeding Birds of Cleveland'* in November 2008, the first breeding birds atlas ever produced for Cleveland. This is an invaluable aid to biodiversity planning and will act as a benchmark against which all future population changes can be measured. It also provides data to inform EIAs carried out in the Cleveland area and for assessing the environmental impacts of developments on specific sites. We possess a detailed knowledge of the birds of the Cleveland area, with our records spanning over 60 years, and we can often contribute more in the way of detailed ornithological comments than many statutory consultees.

TBC's Appraisal Process

- 1.2 In April 2008, TBC provided a report to Faber Maunsell containing breeding bird and other data following a request for information in connection with an ecological survey the consultants were undertaking for the Newton Hanzard area. Our response included data based on the TBC's Breeding Bird Survey (1999-2006) and highlighted species of concern, as outlined in the section of our report reproduced below:

"ORNITHOLOGICAL STATUS OF THE STUDY AREA

- 6.1 *The Wynyard Estate, of which the study area forms part, is ornithologically important. The shallow wooded valleys contain a wide variety of breeding species and the coniferous forests are home to three rare species in Cleveland, Common Buzzard (*Buteo buteo*), Goshawk (*Accipiter gentilis*) and Honey Buzzard (*Pernis apivorus*), though successful breeding has not yet been proven. Three juvenile Honey Buzzards were seen in the area during the summer of 2006 (**confidential information**) and Common Buzzards have displayed over Wynyard for several years. These species are very susceptible to disturbance.*
- 6.2 *The area has significant numbers of Red and Amber List and UK/Local Biodiversity Action Plan (BAP) species, ie. those of conservation concern or for which action plans have been, or are being, prepared. These include Grey Partridge (*Perdix perdix*), Skylark (*Alauda arvensis*), Song Thrush (*Turdus philomelos*), Bullfinch (*Pyrrhula pyrrhula*), Yellowhammer (*Emberiza citrinella*) and Reed Bunting (*Emberiza schoeniclus*). A full species list is given in Table 1.*

6.3 *The Wynyard Estate is a natural flyway for wildfowl between Crookfoot Reservoir and Wynyard Park Lake, particularly Greylag Goose (Anser anser), Mallard (Anas platyrhynchos) and, more rarely, Goosander (Mergus merganser). WeBS and other data for these two sites are provided in Tables 2 and 4. Table 3 lists the sightings of individual Icelandic Greylag Geese which occasionally winter with the local birds in the Wynyard/Red Gap Moor area.”*

- 1.3 Since submitting our data we have not been consulted on either the Scoping Report or the EIA, which is unfortunate in view of the contribution we could have made to the survey process.
- 1.4 It is against this background that our appraisal of the Planning Application (Ref No H/2009/0335) has been carried out. The TBC’s Conservation Sub-Committee has been consulted and the response set out in this document represents the corporate view of the Club.

2.0 PURPOSE OF THIS REPORT

- 2.1 The purpose of this report is to present TBC’s comments on the Planning Application and to raise any concerns we may have.

3.0 THE WYNYARD AREA

- 3.1 The Wynyard Estate was formerly an area of high scenic and wildlife value and formed part of a historic landscape, with copses, woodlands, agricultural land, hedgerows, hedgerow trees, becks, old timber barns and traditional tenanted farms, centred on the architectural gem of Wynyard Hall and its impressive lake setting. Following the sale of the site by Lord Londonderry, its subsequent desecration for economic gain is nothing short of disgraceful. Considerable swathes of woodland have been clear-felled for exclusive housing and much of the former historic landscape has been (or is to be) developed for industrial, commercial and residential use. This has, and will, permanently impact on the nature conservation interest of the area.
- 3.2 The development site embraces the agricultural land, woodland, copses, hedgerows and watercourses of the old Estate, which are important wintering and breeding areas for birds. It covers an area of 25 ha and has a footprint of nearly 100,000 square metres. It is unfortunate that yet another prime green field site will be lost to buildings, concrete and tarmac.

4.0 TBC'S RESPONSE TO THE PLANNING APPLICATION

General Comments

- 4.1 Our response is based on the scheme as illustrated in the current Planning Application documents (ref H/2009/0335), which includes the new hospital buildings, external car parking and associated works. At this stage, we will not be lodging an objection, however, the key issues for us centre on Mitigation and Enhancement, bearing in mind the scale and huge capital cost of this development. **Should these latter aspects not subsequently prove to be satisfactory, we may wish to review our stance.**
- 4.2 The Environmental Statement is generally thorough and we are satisfied with the level, timing and quality of on-site ornithological survey work. We have concerns, however, over the level of Mitigation and Enhancement, and these are outlined below.

Detailed Comments

- 4.3 Our comments tabulated below identify the paragraph references of the ES for cross-referencing purposes. Our key comments, concerns and recommendations are highlighted in bold type.

| REFERENCE | ENVIRONMENTAL STATEMENT | TBC COMMENT |
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| SITE OPTIONS APPRAISAL BY DTZ | Wynyard, the preferred site, is green field. | It is interesting to note that of the six criteria used to assess the preferred location for the hospital, environmental impact was not included. Indeed, the criteria were largely associated with economic issues, cost and expansion potential. Regarding Accessibility, Wynyard received the highest score despite the serious, adverse comments made by the Highways Agency, which stated most strongly that the development should be refused solely on this issue. We doubt whether many people living in North Hartlepool or South Stockton will regard this site as accessible. |
| DESIGN AND ACCESS STATEMENT | The Joint Steering Group for the project. | Did this include any expert environmental representation? It would appear not from the list of members. |
| ENVIRONMENTAL STATEMENT (ALL) | Reference to ' <i>Teesside Bird Club</i> '. | Our name is consistently incorrectly spelt throughout the ES: It should be ' <i>Teessmouth Bird Club</i> '. |
| SCOPING REPORT: COMMENTS BY THE JSU | The Joint Strategy Unit requested at the Scoping Stage for the ES to demonstrate how the proposed development " <i>could enhance biodiversity and incorporate features that improve the</i> | We do not consider that the ES has achieved this and the landscape master plan reflects a largely 'ornamental' approach to the site, with pockets of naturalised habitat being confined to the rather narrow periphery (see our more detailed |

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| | <i>Strategic Wildlife Corridor."</i> | comments below). |
| SCOPING REPORT: COMMENTS BY NATURAL ENGLAND AND HARTLEPOOL BOROUGH COUNCIL. | Natural England, similar to the JSU, stated that the ES should consider the potential impact of the proposal on biodiversity and geology and the enhancement opportunities. HBC requested the developer to show "how the development might affect national or local priority species, particularly those associated with farmland and broadleaved woodland." | We consider that the potential impacts have been adequately assessed but the opportunities for Mitigation and Enhancement need to be diversified and expanded in much more detail. In our opinion, environmental enhancement has not, as yet, been fully addressed, particularly regarding the loss of farmland habitat on which farmland birds such as Grey Partridge and Skylark (both declining species) depend. |
| ENVIRONMENTAL STATEMENT: ECOLOGY AND ORNITHOLOGY: CONSULTATIONS, PARA 8.4.4 | Reference to consultees. | Important local nature conservation groups, such as Teesmouth Bird Club, Tees Valley Wildlife Trust and Hartlepool natural History Society are not mentioned. TBC was not consulted either at the Scoping Stage or during the EIA. Para 8.4.6 anonymously mentions other "local nature conservation groups" without identifying these. |
| ENVIRONMENTAL STATEMENT: ECOLOGY AND ORNITHOLOGY: CONSULTATIONS, PARA 8.6.77 | Breeding species – Common Buzzard. | It is almost certain that Common Buzzard is breeding in the Wynyard woodlands and it is possible that this is the only pair in Cleveland (none was discovered breeding during the TBC's ¹ Breeding Bird Survey (1999-2006). Similarly, Goshawk probably breeds (3 pairs in Cleveland) and Honey Buzzard may breed, the latter being a Nationally rare breeding species. These are secretive and shy raptors, which do not like disturbance, and a large, busy hospital, heavily illuminated at night, close to their breeding sites does not bode well for the future. |
| ENVIRONMENTAL STATEMENT: ECOLOGY AND ORNITHOLOGY: HABITATS, PARA 8.7.7 | <i>"An area of approximately 19 hectares will be lost as part of the proposals and this will largely involve the loss of arable and improved grassland fields. Similar habitat to that being lost will still be present in the surrounding area therefore the magnitude of the potential impact is considered to be Intermediate Negative. The overall ecological impact significance is therefore Slight Adverse, meaning that the adverse effects may be raised as local issues. They are unlikely to be critical in the decision making process but are important in enhancing the subsequent design of the project."</i> | The ES concludes that because "similar habitat to that being lost will still be present in the surrounding area" the impact on farmland birds will be slight. This comment is a misconception: in fact, there is a nationwide shortage of farmland providing suitable nesting sites, as well as invertebrates and other food in the breeding season, and seeds and other food needed for winter survival. The shortage of such habitat is precisely why there have been such alarming declines in farmland birds, including the following species recorded in the survey area: Grey Partridge: 78% decline (25-year trend); 88% decline (longer term trend). Skylark: 47% decline (25-year trend); 58% decline (longer term trend). Tree Sparrow: 87% decline (25-year trend); 93% decline (longer term trend). Linnet: 37% decline (25-year trend); 59% decline (longer term trend). Yellowhammer: 53% decline (25-year trend); 54% decline (longer term trend). Curlew: 31% decline (25-year trend); 34% decline (longer term trend). |

¹ 'The Breeding Birds of Cleveland – A Tetrad Atlas 1999-2006' (Teesmouth Bird Club, November 2008, edited by G Joynt, T Parker and V Fairbrother.

| REFERENCE | ENVIRONMENTAL STATEMENT | TBC COMMENT |
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| | | The last sentence of 8.7.7 suggests that this is something that can be built on in terms of Mitigation and to enhance the design of the project. |
| ENVIRONMENTAL STATEMENT: ECOLOGY AND ORNITHOLOGY – REFERENCES, PARA 8.12 | List of reference sources. | The TBC's report submitted to Faber Maunsell in April 2008 is not listed in the References, despite its detailed content on the ornithology of the area. |
| ENVIRONMENTAL STATEMENT: ECOLOGY AND ORNITHOLOGY – TABLE 8.9 | <i>Summary of Breeding, Legislative and Conservation Status of Birds within the Survey Area.</i> The table list the species confirmed breeding within the development site. These include farmland species: 1 pair of Curlew, 7-10 pairs of Skylark, 2 pairs of Meadow Pipit, 1-2 pairs of Whitethroat and 3-4 pairs of Yellowhammer. | We are concerned at the loss of farmland species, particularly Curlew, Grey Partridge, Skylark and Yellowhammer (all of which are declining Nationally at alarming rates and are Red or Amber Listed) and the fact that the proposed Mitigation and Enhancement do not compensate for these losses. There are only 118 pairs of Curlew breeding in Cleveland, so the loss of even one is significant. It is suggested by the consultants that these birds will be displaced elsewhere, which, bearing in mind the pending development of other areas within the Wynyard Estate and the unsuitable nature of the adjacent habitat, is unlikely. We would like to see extensive areas of ecologically managed grassland, setaside and autumn-sown wheat included within the landscape proposals to attract these important breeding species and provide winter feeding so vital to their survival. Off-site habitat creation should be considered. |
| ENVIRONMENTAL STATEMENT: ECOLOGY AND ORNITHOLOGY – PARA 8.7.34 | <i>"The overall nature conservation value of the bird assemblages and species identified within the survey area including immediate adjacent habitats is considered to be Low (local importance). This was concluded by assessing the population sizes and relative importance of Red and Amber Listed species and UK and Tees Valley LBAP species recorded during the surveys. Many of the species recorded are likely to be representative of similar habitats common throughout the locality."</i> | We disagree with this conclusion. For our comments, particularly on the final sentence, see those for para 8.7.7 above. |
| ENVIRONMENTAL STATEMENT: ECOLOGY AND ORNITHOLOGY – PERMANENT LOSS OF HABITAT, PARA 8.7.35 | The ES states that there will be a permanent loss of several mature trees, lengths of hedgerow and substantial land-take of arable and grassland. The overall impact of this is assessed as being <i>"Slight Adverse"</i> . | We disagree with this assessment. We are extremely concerned at the loss of arable and grassland, on which species such as Curlew, Skylark, Grey Partridge and Meadow Pipit depend. Please refer to our comments for Table 8.9 above. |
| STATEMENT: ECOLOGY AND ORNITHOLOGY, PARA 8.7.36 | <i>"The magnitude of this potential impact is assessed as Intermediate Negative since the development is likely to result in the loss of some areas of breeding bird habitat but will not affect the integrity as similar habitat is available in</i> | For our comments on this, see those for para 8.7.7 above. The fact that the ES keeps stating this does not make it true! |

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| | <i>close proximity to the site."</i> | |
| STATEMENT: ECOLOGY AND ORNITHOLOGY, PARA 8.7.45 | <i>"From the results of the surveys, it can be seen that a number of bird species are either confirmed breeders or probable breeders on the proposed site. The removal of this habitat will therefore result in an adverse impact on breeding birds and the magnitude of this potential impact is thought to be Intermediate Negative. Although this loss of breeding habitat must be considered, the fact that suitable alternative habitat is available close by, reduces the significance of this loss as many species are likely to be displaced into the adjacent undisturbed habitats which are widespread and abundant within the surrounding area."</i> | Ditto. It should also be noted that not only is much farmland currently inhospitable to the declining species, the proposed development cannot be seen in isolation but is one of many which are relentlessly reducing the quantity of farmland in the face of private, public and industrial building projects. There are many local examples. |
| ENVIRONMENTAL STATEMENT: ECOLOGY AND ORNITHOLOGY – MITIGATION MEASURES, SECTION 8.8 | There is generalised discussion concerning contractual and practical site measures, eg. site compounds, spillage protection, refuelling of vehicles, etc. | <p>We do not regard this as 'Mitigation' but merely good site practice that one would expect any responsible developer to follow. Similarly, 'Habitats' is mainly concerned with precautionary and protective measures, which, again, we do not consider to be 'Mitigation'.</p> <p>We regard this section to be a weak part of the ES and it needs to be more fully developed. In view of the scale and capital cost of this development, the proposed Mitigation is small and low key. We are concerned by the comment in para 8.8.28 that "it will not be possible to mitigate for the loss of open farmland habitat (arable/grassland)..." We do not understand why this is the case and surely, within a site of 25 hectares, it will be possible to create habitats of the type mentioned in our comments for Table 8.9.</p> |
| ENVIRONMENTAL STATEMENT: ECOLOGY AND ORNITHOLOGY MITIGATION, SECTION 8.8 | <p>The ES broadly proposes the following Mitigation, which we endorse (with the exceptions listed opposite):</p> <ul style="list-style-type: none"> • Protection of existing trees and woodland, eg Swart Hole Plantation. • On-site practice and precautionary measures. • Measures to prevent pollution of watercourses. • Gapping-up existing defunct hedgerows. Hedgerow restoration will aim to gap up existing hedgerows to provide denser cover for wildlife and better foraging habitat. • Planting new hedgerows. Existing hedgerows will be | <p>Mitigation is an issue that is of greatest concern to us. Whilst we understand that a balance has to be struck between 'naturalised' and ornamental landscaping, we feel that the proposals shown on drawing nos 588-SKG-12 (Landscape Proposals) and 588-SKG-13 (On Site Mitigation Measures) reflect too much of an 'ornamental' approach.</p> <p>Our key concerns are as follows:</p> <ul style="list-style-type: none"> • The proposed Mitigation measures do not go nearly far enough to compensate for the loss of habitat or the potential elimination of key bird species of National concern. • A considerable number of the measures merely relate to good contractual site practice and management, prevalent in any responsibly managed building construction project. These do not constitute 'Mitigation'. |

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| | <p>linked to newly created ones, so that links still exist between areas of woodland and semi-improved grassland around the site.</p> <ul style="list-style-type: none"> • Use of native plant species. • Timing of tree removal outside breeding season. • Inadequate mitigation for loss of arable/grassland. • Use of an ecologist prior to the works. • The site design will seek to encourage bird life through the creation and management of areas of open habitat such as grassland and open water, tree and scrub planting. • Screening of access roads, parking areas and buildings that abut directly onto existing habitats by planting hedgerows, scrub and/or trees, with associated mounding. • A 5m buffer zone to be implemented as mitigation along Watercourse 1 to prevent pollution and this will be planted with trees or scrub to provide additional cover and protection for wildlife. • A natural balancing pond is proposed, which will provide benefits for birds, bats and mammals. • A number of areas of grassland is proposed for the site, in particular, an area of 2.5 hectares of parkland is proposed in front of the inpatient accommodation. These areas will ideally be planted with a species-rich grassland mix to improve its value to wildlife. • Management proposals for Swart Hole Plantation, including removal of <i>Betula</i> and <i>Acer</i> to encourage Oak. • Minimize public encroachment into the woodland. | <ul style="list-style-type: none"> • The loss of Red List/UK/Local BAP species, such as Skylark and Grey Partridge, is not being adequately compensated for in the Mitigation. The positioning of the building and car parks is such that the opportunities for more naturalised planting are confined to isolated, peripheral wedges, often in close proximity to busy access roads. • The 'natural balancing ponds' are welcomed but we consider that their proximity to buildings, access roads and car parks will greatly reduce their ornithological value due to disturbance. • The gapping-up of existing hedgerows and planting of new ones is welcomed but there is no indication of where this will be done and what lengths are involved. There is also no reference to one of the most important aspects, ie future maintenance. We would strongly recommend that any hedgerows be allowed to mature and, if they are to be maintained, they should be cut to the traditional 'A' shape, retaining cover down to ground level. Most hedgerows on farmed landscapes are grossly over-maintained and of limited use for birds. We endorse the choice of species, which should include Holly (<i>Ilex aquifolium</i>), Dog Rose (<i>Rosa canina</i>), Hawthorn (<i>Crataegus monogyna</i>), Elder (<i>Sambucus nigra</i>) and Blackthorn (<i>Prunus spinosa</i>). We strongly recommend the incorporation of trees within the hedgerows for breeding birds, such as Little Owl and Tree Sparrow, and these should be largely confined to Oak (<i>Quercus robur</i>) and Ash (<i>Fraxinus excelsior</i>), which are the usual hedgerow trees in our region. Linking hedgerows to existing habitats is welcomed. • No trees, shrubs or grassland should be removed during the breeding season of birds (April to July inclusive) and this should be made a Condition of Planning. • We are concerned at the loss of farmland, particularly arable and grassland, on which certain species depend. It is clear that the 7-10 pairs of Skylarks and 1 pair of Grey Partridges, for example, will be all but eliminated as a result of this development. This is extremely worrying, as both species are in a state of serious National decline because of farming practices and green field developments such as this. Skylarks have declined by nearly 50% and Grey Partridges by over 30%. The Mitigation proposals must be more sympathetic, explicit and compensate for the loss of these species, possibly through a less ornamental approach in the peripheral areas. Opportunities for off-site grassland, autumn-sown cereals and setaside for displaced birds should also be explored with adjacent farmers and financed through this development, the cost of which will be very small compared to the capital cost of the development. |

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| | | <ul style="list-style-type: none"> • For the native woodland planting, we endorse the species proposed but strongly recommend that this is extended significantly from the mainly isolated pockets shown on drawing nos 588-SKG-12 (Landscape Proposals) and 588-SKG-13 (On Site Mitigation Measures). New woodland should be extended around the whole perimeter of the site to maximise nature conservation value. • We do not recommend the use of mounding. This looks 'artificial' and will be out of place on this site. It may also be used as a means of disposing of unwanted material to avoid taking this off site. Screening should ultimately rely on good quality planting. • We would suggest the use of Swift nest boxes in some of the hospital walls or fascias. The Swift is another seriously declining species and any artificial nesting sites that can be provided will be of major benefit. This simple, low cost but effective solution will gain the hospital much positive publicity. The TBC has contacts and is aware that Swift boxes are being incorporated in some new and refurbishment local authority housing schemes in the UK. • Other low cost, but extremely beneficial Mitigation should be included, such as strategically placed owl boxes, bird nest box scheme and screened feeding stations (which will of significant interest to staff, patients and visitors). The use of TV links to feeding stations or nest boxes could be relayed into the hospital – this would be unique, as far as we are aware and really put the hospital 'on the map'. • Whilst Mitigation measures are often well intentioned, their success depends upon future levels of maintenance and management. We would expect a detailed Management Plan for the site to be drawn up for at least the next 25 years, identifying key tasks, their timing and, above all, the responsibilities for ensuring that the works are carried out. Such tasks will include thinning, restocking, weeding, strimming, mowing regimes for meadow landscapes, replacement of owl and other nest boxes as these deteriorate, and water body management. The hospital needs to ensure that there is an ongoing annual budget for maintenance of the landscape infrastructure, assisted by annual or two-yearly inspections by a suitably trained landscape professional to provide advice. A the preparation and execution of a comprehensive, long-term Management Plan should be made a Condition of Planning. • For such a large project located in a sensitive green field setting, we strongly recommend the employment of an appropriately trained, skilled and experienced professional (eg an ecologist or landscape architect) as part of the project team before and during construction. This will reduce the risks of |

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| | | unnecessary environmental damage and provide a constant source of advice during the project, including on Mitigation and Enhancement. |
| ENVIRONMENTAL STATEMENT: ECOLOGY AND ORNITHOLOGY MITIGATION, SECTION 8.8.27 | <i>"Hedgerows removed to accommodate the working area will be replaced with new hedgerows created as part of the landscaping works. Where possible, species-poor or defunct retained hedgerows will be improved for birds (and other wildlife species) by filling in gaps with native species found locally in the area. New planting will ensure high density and planting of native species, including those which provide fruit and nuts/seeds as a food resource. Hawthorn, for example, would provide both protection and a food resource for birds. This mitigation will benefit many bird species that utilise the existing scrub/hedgerow habitat (for example dunnock, finches, tits and thrushes)."</i> | This is all very laudable and will enhance the hospital environment but will largely benefit garden and woodland edge type species which are not under threat from this development. More attention needs to be paid to mitigating the impact on farmland birds. |
| ENVIRONMENTAL STATEMENT: ECOLOGY AND ORNITHOLOGY MITIGATION, SECTION 8.8.28 | <i>"It will not be possible to mitigate for the loss of open farmland habitat (arable/grassland) however significant areas of these habitats are present adjacent the site and within the wider countryside. Bird species which depend on depend on these habitats for breeding within the survey area are grey partridge, yellowhammer and skylark."</i> | See comments under paras 8.7.7, 8.7.34, Table 8.9, 8.7.36 and 8.7.45. We do not consider it acceptable to merely abandon any responsibility for destroying declining habitat supporting Red and Amber Listed species. We again suggest that opportunities be explored for Mitigation on off-site, surrounding farmland. |

5.0 FUTURE CONSULTATION

- 5.1 We would be grateful to be kept informed of any further developments on this Application, particularly the developer's response to our concerns over the loss of farmland habitat and the under-developed nature of the Mitigation proposals.