

Date: 19 July 2021  
Our ref: 356907  
Your ref: R/2021/0465/FFM



Mr D Pedlow  
[planning\\_admin@redcar-cleveland.gov.uk](mailto:planning_admin@redcar-cleveland.gov.uk)

Customer Services  
Hornbeam House  
Crewe Business Park  
Electra Way  
Crewe  
Cheshire  
CW1 6GJ

T 0300 060 3900

**BY EMAIL ONLY**

Dear Mr Pedlow

**Planning consultation: Erection of 3,396sqm of B2/B8 floorspace including waste storage area, installation of sprinkler tank and associated plant, creation of hard standing and landscaping works**

**Location: Land at South Bank Tees Dock Road Grangetown**

Thank you for your consultation on the above dated 15 June 2021 which was received by Natural England on the same day.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

#### **SUMMARY OF NATURAL ENGLAND'S ADVICE**

#### **FURTHER INFORMATION REQUIRED TO DETERMINE IMPACTS ON DESIGNATED SITES**

As submitted, the application could have potential significant effects on the Teesmouth and Cleveland Coast Special Protection Area (SPA) and Ramsar site. Natural England requires further information in order to determine the significance of these impacts and the scope for mitigation.

The following information is required:

- An Habitats Regulations Assessment

Without this information, Natural England may need to object to the proposal.

Please re-consult Natural England once this information has been obtained.

Natural England's further advice on designated sites and advice on other issues is set out below.

#### **Additional Information required**

Natural England notes that the Habitats Regulations Assessment (HRA) has not been produced by your authority, but by the applicant's representative. As competent authority, it is your responsibility to produce the HRA and be accountable for its conclusions.

The assessment concludes that your authority can rule out the likelihood of significant effects arising from the proposal, both alone or in-combination.

On the basis of information provided, Natural England advises that there is currently not enough information to rule out the likelihood of significant effects. Natural England therefore advises that your authority should not grant planning permission at this stage.

Natural England advises that additional information should be submitted in order for your authority to fully assess the proposal. This would then provide an opportunity for your authority to repeat your screening to assess the likelihood of significant effects of the project as submitted (i.e. with all new information provided as part of the proposal) but excluding, at this stage, any measures specifically intended to avoid harmful effects on a European site(s).

If following the submission of additional information you conclude, as the competent authority, that there is a likelihood of significant effects, or uncertainties, you should undertake an appropriate assessment in order to fully assess the implications of the proposal in view of the conservation objectives for the European site(s) in question. Natural England must be consulted on any appropriate assessment your Authority may decide to make.

We recommend you obtain the following:

- An Habitats Regulations Assessment for the proposed individual development

### **Other advice**

In addition, Natural England would advise on the following issues.

#### **Biodiversity Net Gain and Green Infrastructure**

Natural England advises that the proposed landscaping could be improved to provide net gains for biodiversity and contribute to green infrastructure. This would ensure the proposed development contributes to the Teesworks Environment and Biodiversity Strategy (currently in development), and aligns with both Policy N 2 (Green Infrastructure) of the Redcar and Cleveland Local Plan (2018) and the Tees Valley Green Infrastructure Strategy (2008).

There is also the opportunity to contribute to carbon sequestration. Natural England recently published a report detailing the different rates of carbon sequestration according to habitat type, which indicates that managing grassland for biodiversity also improves its ability to sequester carbon. For full details see: [Carbon Storage and Sequestration by Habitat 2021 - NERR094](#).

The current landscaping proposal is limited to “maintained grass and native tree planting”. However, Natural England would encourage the applicant to consider other approaches to the landscaping such as incorporating species rich grassland and other design elements that provide net gains for biodiversity, and provide wider environmental benefits.

#### **England Coast Path**

The England Coast Path runs to the south of the site. If permission is granted the contractor should liaise with your authority to ensure that the route remains open while the work is carried out.

Further general advice on the protected species and other natural environment issues is provided at Annex A.

If you have any queries relating to the advice in this letter please contact me on 0207 714 1982 or [lewis.pemberton@naturalengland.org.uk](mailto:lewis.pemberton@naturalengland.org.uk). For any new consultations, or to provide further information on this consultation please send your correspondences to [consultations@naturalengland.org.uk](mailto:consultations@naturalengland.org.uk).

Should the applicant wish to discuss the further information required and scope for mitigation with Natural England, we would be happy to provide advice through our [Discretionary Advice Service](#).

Please consult us again once the information requested above, has been provided.

Yours sincerely

Lewis Pemberton  
Lead Sustainable Development Adviser

## Annex A – Additional advice

Natural England offers the following additional advice:

### Landscape

Paragraph 170 of the National Planning Policy Framework (NPPF) highlights the need to protect and enhance valued landscapes through the planning system. This application may present opportunities to protect and enhance locally valued landscapes, including any local landscape designations. You may want to consider whether any local landscape features or characteristics (such as ponds, woodland or dry stone walls) could be incorporated into the development in order to respect and enhance local landscape character and distinctiveness, in line with any local landscape character assessments. Where the impacts of development are likely to be significant, a Landscape & Visual Impact Assessment should be provided with the proposal to inform decision making. We refer you to the [Landscape Institute Guidelines for Landscape and Visual Impact Assessment](#) for further guidance.

### Protected Species

Natural England has produced [standing advice](#)<sup>1</sup> to help planning authorities understand the impact of particular developments on protected species. We advise you to refer to this advice. Natural England will only provide bespoke advice on protected species where they form part of a SSSI or in exceptional circumstances.

### Local sites and priority habitats and species

You should consider the impacts of the proposed development on any local wildlife or geodiversity sites, in line with paragraphs 171 and 174 of the NPPF and any relevant development plan policy. There may also be opportunities to enhance local sites and improve their connectivity. Natural England does not hold locally specific information on local sites and recommends further information is obtained from appropriate bodies such as the local records centre, wildlife trust, geoconservation groups or recording societies.

Priority habitats and Species are of particular importance for nature conservation and included in the England Biodiversity List published under section 41 of the Natural Environment and Rural Communities Act 2006. Most priority habitats will be mapped either as Sites of Special Scientific Interest, on the Magic website or as Local Wildlife Sites. List of priority habitats and species can be found [here](#)<sup>2</sup>. Natural England does not routinely hold species data, such data should be collected when impacts on priority habitats or species are considered likely. Consideration should also be given to the potential environmental value of brownfield sites, often found in urban areas and former industrial land, further information including links to the open mosaic habitats inventory can be found [here](#).

### Environmental enhancement

Development provides opportunities to secure net gains for biodiversity and wider environmental gains, as outlined in the NPPF (paragraphs 8, 72, 102, 118, 170, 171, 174 and 175). We advise you to follow the mitigation hierarchy as set out in paragraph 175 of the NPPF and firstly consider what existing environmental features on and around the site can be retained or enhanced or what new features could be incorporated into the development proposal. Where onsite measures are not possible, you should consider off site measures. Opportunities for enhancement might include:

- Providing a new footpath through the new development to link into existing rights of way.
- Restoring a neglected hedgerow.
- Creating a new pond as an attractive feature on the site.
- Planting trees characteristic to the local area to make a positive contribution to the local landscape.
- Using native plants in landscaping schemes for better nectar and seed sources for bees and birds.
- Incorporating swift boxes or bat boxes into the design of new buildings.
- Designing lighting to encourage wildlife.

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<sup>1</sup> <https://www.gov.uk/protected-species-and-sites-how-to-review-planning-proposals>

<sup>2</sup> <http://webarchive.nationalarchives.gov.uk/20140711133551/http://www.naturalengland.org.uk/ourwork/conservation/biodiversity/protectandmanage/habsandspeciesimportance.aspx>

- Adding a green roof to new buildings.

You could also consider how the proposed development can contribute to the wider environment and help implement elements of any Landscape, Green Infrastructure or Biodiversity Strategy in place in your area. For example:

- Links to existing greenspace and/or opportunities to enhance and improve access.
- Identifying opportunities for new greenspace and managing existing (and new) public spaces to be more wildlife friendly (e.g. by sowing wild flower strips)
- Planting additional street trees.
- Identifying any improvements to the existing public right of way network or using the opportunity of new development to extend the network to create missing links.
- Restoring neglected environmental features (e.g. coppicing a prominent hedge that is in poor condition or clearing away an eyesore).

### **Access and Recreation**

Natural England encourages any proposal to incorporate measures to help improve people's access to the natural environment. Measures such as reinstating existing footpaths together with the creation of new footpaths and bridleways should be considered. Links to other green networks and, where appropriate, urban fringe areas should also be explored to help promote the creation of wider green infrastructure. Relevant aspects of local authority green infrastructure strategies should be delivered where appropriate.

### **Rights of Way, Access land, Coastal access and National Trails**

Paragraphs 98 and 170 of the NPPF highlights the important of public rights of way and access. Development should consider potential impacts on access land, common land, rights of way, coastal access routes and coastal margin in the vicinity of the development and the scope to mitigate any adverse impacts. Consideration should also be given to the potential impacts on any nearby National Trails, including the England Coast Path. The National Trails website [www.nationaltrail.co.uk](http://www.nationaltrail.co.uk) provides information including contact details for the National Trail Officer.

### **Biodiversity duty**

Your authority has a [duty](#) to have regard to conserving biodiversity as part of your decision making. Conserving biodiversity can also include restoration or enhancement to a population or habitat. Further information is available [here](#).