



**Windlestone Hall
Supplementary Planning Document**

Appropriate Assessment

Screening Report

January 2008

1. Introduction

This screening report has been prepared to determine whether Sedgefield Borough Council's Windlestone Hall Supplementary Planning Document will have significant adverse effects on Natura 2000 and Ramsar sites.

1.1 Background

Windlestone Hall Supplementary Planning Document (SPD) has been prepared to guide the redevelopment of Windlestone Hall in order to respect the intrinsic value of the Grade II* listed building, its setting and other constituent elements that are currently being offered for sale.

The Conservation (Natural Habitats &c) Regulations 1994 (as amended 2007) (also known as the Habitats Regulations) requires the plan-making authority to make an appropriate assessment of implications for European sites (in view of the sites' conservation objectives) where a land use plan:

- "Is likely to have a significant effect on a European site in Great Britain or a European offshore marine site (either alone or in combination with other plans or projects), and
- Is not directly connected with or necessary to the management of the site" (HM Government, 2007).

This SPD is a land use plan produced within Sedgefield's Local Development Scheme. As such, it is necessary to determine whether significant effects on European sites are likely to occur.

1.2 Methodology

In August 2006 the Department for Communities and Local Government published guidance for Regional Spatial Strategies and Local Development Documents on the application of Appropriate Assessment (DCLG, 2006). This document stated that Appropriate Assessment (also termed Habitats Regulations Assessment) applies to Supplementary Planning Documents as well as Development Plan Documents.

The guidance defines three main tasks for Appropriate Assessment (AA):

AA Task 1: Likely Significant Effects

This task identifies whether a plan option is likely to have a significant effect on a European Site and is also known as **screening**. Carrying out this task will determine whether the subsequent steps of AA are required. Central to this task is the application of the precautionary principle, whereby it is assumed that there may be an impact if information is not available or doubt exists (DCLG, 2006).

AA Task 2: Appropriate Assessment and Ascertaining the Effect on Site Integrity

This task examines in detail the likely significant effects of the plan. In particular, likely significant effects should be examined to ascertain whether the plan option will have a deleterious effect on the integrity of the European Site (DCLG, 2006).

AA Task 3: Mitigation and Alternative Solutions.

Mitigation measures should be developed where an option is found to have adverse effects on the integrity of a European Site. Where an emerging option continues to have an adverse effect after mitigation measures have been exhausted alternative solutions should be pursued or the option should be dropped (DCLG, 2006).

This document will focus on the screening stage (task 1) of Appropriate Assessment.

2. Screening

The principle aim of this document is to screen the Windlestone Hall SPD for likely effects, either alone or in combination with other plans, trends and strategies, on European and Ramsar sites that have previously been deemed to be within the scope of influence of the LDF Core Strategy.

2.1 European and Ramsar Sites

Two types of European site are relevant to AA under the Habitats Regulations:

Special Protection Areas (SPAs) – designated under the EC Birds Directive for rare or vulnerable bird species, for regularly occurring migratory bird species, and for the protection of wetlands, especially wetlands of international importance.

Special Areas for Conservation (SACs) - protected sites designated under the Habitats Directive that make a significant contribution to conserving the habitat types and species (excluding birds) identified in Annexes I and II of the Directive.

In addition to European sites, the Government's Planning Policy Statement 9: 'Biodiversity and Geological Conservation', states that "listed **Ramsar sites**...should receive the same level of protection as SPAs and SACs" (ODPM, 2005). They are therefore considered within this report. Ramsar sites are wetlands of international importance designated under the Ramsar Convention.

Table 1 lists European and Ramsar Sites and key environmental conditions to support each site's integrity. These conditions have been derived from the qualifying features and reasons for designation of individual sites, which are listed in full on the Joint Nature Conservation Committee website (<http://www.jncc.gov.uk/page-4>). The full list of qualifying features and reasons for designation is also summarised on pages 42 to 53 of the Appropriate Assessment Screening Report for Sedgefield's LDF Core Strategy (Sedgefield Borough Council, 2007 http://www.sedgefield.gov.uk/ccm/cms-service/stream/asset/?asset_id=9746012). Maps of the locations of sites are also published on pages 8 and 9 of that same Screening Report.

Table 1: European / Ramsar Sites within the Zone of Influence of Sedgefield's Core Strategy and Conditions Necessary to Support Site Integrity.

Site	Key Environmental Conditions to Support Site Integrity
Thrislington SAC	<ul style="list-style-type: none"> -No reduction in extent -Continuous management by seasonally-adjusted grazing -No fertiliser input -Control of invasive species -Control over grazing
Castle Eden Dene SAC	<ul style="list-style-type: none"> -No loss of ancient semi-natural stands; -Site management to maintain current level of structural diversity (Age/size class variation within and between stands; presence of open space and old trees; dead wood lying on the ground; standing dead trees) -Limited air pollution; -Limited grazing by ungulates where it leads to undesirable shifts in the composition / structure of the land.
Durham Coast SAC	<p>The communities present on the sea cliffs are largely maintained by natural processes including:</p> <ul style="list-style-type: none"> -Exposure to sea spray; -Erosion and slippage of the soft magnesian limestone bedrock and overlying glacial drifts, and localised flushing by calcareous water. <p>There should be no increase in area constrained by introduced structures or landforms.</p>
Northumbria Coast SPA	<ul style="list-style-type: none"> -Disturbance -Extent and availability of habitat -Food availability -Vegetation cover
Northumbria Coast Ramsar site	<ul style="list-style-type: none"> -Extensive rocky (for turnstone, purple sandpiper) and sandy / muddy (for other wintering species) intertidal habitats with abundant invertebrate fauna. -Secure roosts beyond high tide limit. -Freedom from disturbance – critical in poor weather conditions. -Freedom from disturbance and predation. -Secure food supply (primarily small fish). -Food availability. -Vegetation structure. -Hydrology / flow. -Extent and distribution of habitat. -Open landscape.

<p>Teesmouth and Cleveland Coast SPA</p>	<ul style="list-style-type: none"> -Food availability -Vegetation structure -Hydrology/flow -Water depth -Disturbance -Extent and distribution of habitat -Open landscape
<p>Teesmouth and Cleveland Coast Ramsar site</p>	<ul style="list-style-type: none"> -Extensive sandy / muddy (wintering species) intertidal habitats with abundant invertebrate fauna -Secure roosts beyond high tide limit -Freedom from disturbance (critical in poor weather conditions) -Secure breeding habitat (open sand / shingle) -Freedom from disturbance and predation -Secure food supply (primarily small fish) -Food availability -Vegetation structure -Hydrology / flow -Extent and distribution of habitat -Open landscape
<p>Newham Fen SAC</p>	<ul style="list-style-type: none"> -No loss in extent of alkaline fen -Adequate water level and quality -Appropriate grazing to limit scrub growth
<p>North Pennine Moors SAC</p>	<ul style="list-style-type: none"> -Appropriate controlled grazing (all interest features have been affected by excessive livestock grazing levels across parts of the site). -Sympathetic burning regimes (burning is a traditional management tool on these moorlands, which contributes to maintaining high populations of SPA breeding birds. However, over intensive and inappropriate burning is damaging to heath and blanket bog). -Limited air pollution. (Acid and nitrogen deposition continue to have damaging effects on the site). -No drainage of wet areas. Maintenance of water levels.
<p>North Pennine Moors SPA</p>	<ul style="list-style-type: none"> -Grazing to maintain suitable moorland. -Control of erosion and peat extraction. -Diversity, age and structure of vegetation. -Food availability. -Open landscape. -Lack of disturbance and persecution.
<p>North Pennine Dales Meadows SAC</p>	<ul style="list-style-type: none"> -No reduction in area and any consequent fragmentation. -Appropriate management (grasslands are dependent upon traditional agricultural management, with hay cutting). -No exposure to inorganic fertilisers and pesticides.
<p>Moor House – Upper Teesdale SAC</p>	<ul style="list-style-type: none"> -No loss in extent through afforestation or human activities. -No planting of conifers within the hydrological unit of the bog. -No significant erosion associated with human impacts (e.g. drainage, fires, peat extraction, livestock grazing, recreational activities or military training) -Limited air pollution (acid deposition a problem) -Limited burning. -Adequate supply of water. -Control of grazing pressures (ecologically unsuitable grazing, driven by agricultural support mechanisms, has had a deleterious effect on virtually all the Annex 1 habitats listed, to the extent that for some habitats it is difficult to make the necessary assessments of conservation structure and function required here. This serious problem has so far been very difficult to solve, requiring fundamental policy change as well as targeted local action. Some successes have been achieved however through Wildlife Enhancement Schemes geared at moorland and pasture, and through the ESA and Countryside Stewardship Schemes, while issues impacting on meadows have been largely addressed through meadow schemes.

Thrislington SAC	<ul style="list-style-type: none"> -No reduction in extent -Continuous management by seasonally-adjusted grazing -No fertiliser input -Control of invasive species -Control over grazing
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(Sources: Sedgefield Borough Council, 2007, Treweek Environmental Consultants, 2006)

2.2 Scope of the Windlestone Hall SPD

The SPD has been specifically written to ensure sensitive redevelopment of Windlestone Hall Grade II* Listed Building. It is explicitly linked to the Local Development Framework’s Aims and Objectives.

The SPD currently links to Saved Policies E2 and E18 of the adopted Borough Local Plan. These policies seek to protect and enhance Historic Parklands and the Built Environment in the Borough. In particular, Policy E18 seeks to preserve and enhance the character of Conservation Areas and their setting.

Map 1: Location of Windlestone Park Conservation Area as Defined by Local Plan Policy E18.

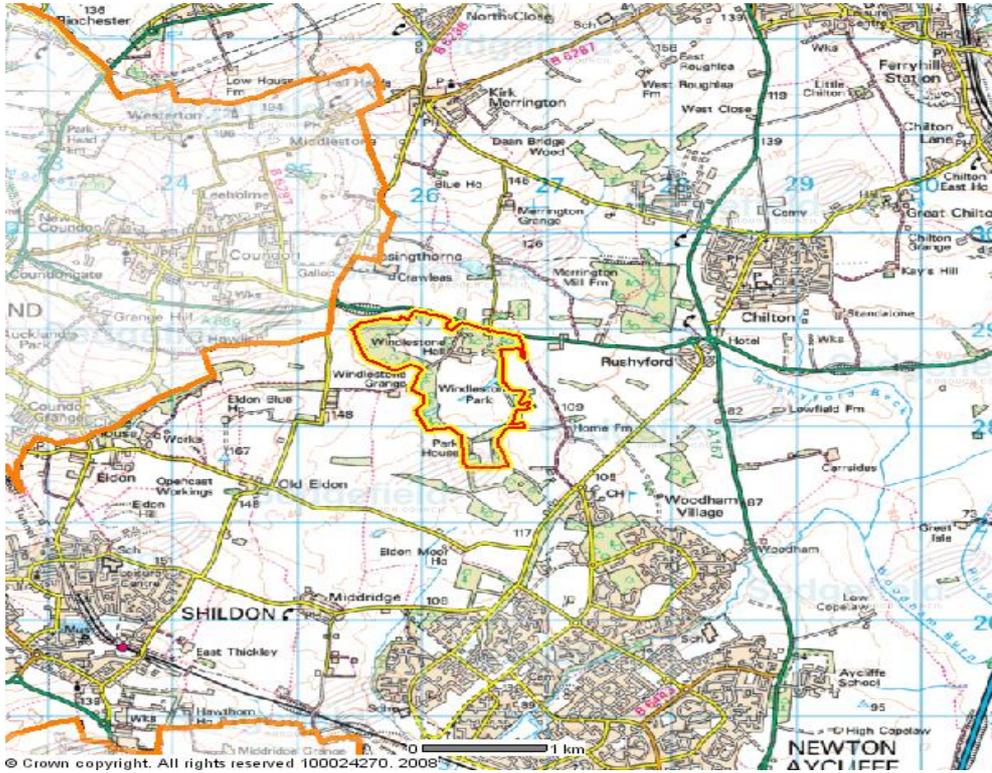


Table 3 summarises the key recommendations of the SPD at the time of writing. The recommendations shown include revisions made following SA.

Table 3: Key Recommendations of Windlestone Hall SPD

Draft SPD Recommendations
a) Prepare (at the outset) a thorough appraisal of the archaeological, historic character and biodiversity potential of the property;
b) Prepare a site-wide Conservation Plan as a primary objective which must demonstrate a sound understanding of the heritage and biodiversity asset, the relative significance of its component parts and identified threats and opportunities including Climate Change;
c) Retain all listed buildings within the site by introducing uses that provide benefits to the local community and will be compatible to the preservation and enhancement of the historic buildings, structures and biodiversity. Appropriate uses are considered to be hotel, office, institutional and residential, in a strict preferential order;
d) Remove all unsympathetic, uncharacteristic and relatively recent additions and alterations to Windlestone Hall and its curtilage in order to preserve and enhance the historic buildings and their setting within the Windlestone Conservation Area;
e) Carefully restore the historic buildings to give them their original splendour. The Conservation Plan should include an evaluation of the quality of individual architectural spaces and biodiversity inside the building. There will be a general presumption against the subdivision of those spaces that are judged to be of high quality. Proposals that envisage the removal of modern partitions, which disrupt the spatial unity of the interior, will be considered favourably;
f) Maximise the adaptation of the listed buildings but within the constraints set by the special architectural, historic character and biodiversity value associated with this site, this to be based on appropriate research and condition survey of the buildings and park by the potential developer;
g) Restore and enhance the open spaces around the buildings, particularly the terrace to the west of the Hall and south of the listed curved wall;
h) Restore and enhance those elements of the site that form part of the Windlestone Hall historic park and garden by treating the buildings, park and garden as an entity in itself rather than individually;
i) There is a general presumption against any enabling development on this site unless the tests laid out in English Heritage's policy statement "Enabling Development and the Conservation of Heritage Assets" can be met.
j) Create, protect and enhance wildlife habitats;
k) Seek to improve accessibility of the site to the surrounding countryside;
l) Create, conserve and enhance green spaces;
m) Provide appropriate on-site renewable energy generation; and,
n) Reduce the amount of waste from the re-development by re-using and recycling demolished materials and using locally produced materials.

(Source: Sedgefield Borough Council, 2008b)

2.3 Possible Effects of the Windlestone Hall SPD and Assessment of Significance

The possible effects of the SPD and assessments of their significance are listed in full in appendix 1 of this report.

The Sustainability Appraisal (SA) of the SPD identified no significant environmental effects associated with its implementation and noted mostly positive or neutral effects. Some minor environmental effects were predicted. These include:

- Loss of biodiversity such as protected species of bats;
- Demolition waste arising from the demolition of unsympathetic buildings.

It is considered that neither of these effects would be significant or relevant to European or Ramsar sites within the zone of influence of this SPD. Within the historic parkland the presence of three lakes might be indicative of the wet pasture favoured by bird species such as the Annex 1¹ listed golden plover. However, the habitat is not favourable to such wading species, which would find more open (and therefore more favourable) landscapes elsewhere in the borough. Whilst other species such as peregrine may conceivably be found occasionally hunting during the winter, the SPD's emphasis on retaining and restoring the historic parkland will ensure that the habitat mosaic required by peregrine and other raptors remains intact. Therefore, there will be no impact from this plan on these species. In addition, a study of significant sites across the Borough for Annex 1 species has been commissioned following a recommendation in the AA Screening Report of Sedgfield's Core Strategy².

The SA also identified increased energy use associated with development of the site as increasing the effects of climate change. The effects of climate change on a number of European / Ramsar sites were considered uncertain and beyond the control of the Core Strategy and thus its Appropriate Assessment. While a discernable influence on the breeding cycles of birds that are key reasons for the designation of SPAs in the region has been noted³, data is limited on the effect of these changes on the favourable

¹ Annex 1 of the EC Birds Directive lists birds which are the subject of special conservation measures concerning their habitat in order to ensure their survival and reproduction in their area of distribution. Special Protection Areas can be established to assist conservation measures for these birds. Merlin, hen harrier, golden plover and peregrine are Annex 1 birds cited as primary reasons for the designation of North Pennine Moors SPA. The Appropriate Assessment of Sedgfield's LDF Core Strategy identified these 4 birds as potentially being vulnerable to development in the Borough as they utilise lowland habitat during the winter months.

² A key avoidance measure of the Core Strategy Appropriate Assessment was the commissioning of a study to map sensitive areas and key flightlines for birds, including the Annex 1 species identified as being potentially at risk from development within the Borough.

³ A study by the RSPB noted that golden plover is breeding significantly earlier than 20 years ago, prompted by warmer springs. However, the failure of crane flies, a key food source of plover chicks, to

conservation status of these birds. It would not be appropriate for a plan with such a small scope to initiate such a study. Indeed, the small scale of this development, and its focus on restoring an existing building (thus saving the energy required to build new buildings) will make this SPD's contribution to climate change minor compared to the cumulative contribution of the region to climate change.

2.4 Possible Impacts from Other Trends and Plans and the Risk of Significant 'In Combination' Effects

Most environmental effects identified in the sustainability appraisal of the SPD will have no effect on European / Ramsar sites and can therefore cannot be considered to have significant 'in combination effects' with other trends or plans. Similarly, the potential of the SPD to affect Annex 1 species has been discounted and cannot be considered to have 'in combination' effects.

Many other plans will inevitably increase energy use and therefore climate change, including the Core Strategy and the Regional Spatial Strategy (RSS), both of which have already had Appropriate Assessments. The contribution of this SPD will be negligible compared to these plans and the contribution of emissions at a supra national scale. No European sites within the scope of this AA are identified as being sensitive to climate change, though clearly key environmental conditions necessary to support the integrity of these sites, such as hydrological conditions, rates of erosion, food availability and invasive species, may all be affected by climate change.

Both the Core Strategy and the Draft RSS seek to mitigate for climate change through policies / options that aim to reduce climate change and this SPD should promote the approach of those plans where they seek to address climate change. It should be noted that the SA of this SPD has advised that Recommendation N should be strengthened so that that the recycling and re-use of materials from demolished materials is incorporated (thus reducing the embodied energy of new buildings as well reducing waste). The SA also noted that Recommendation M should be changed to provide appropriate on-site renewable energy generation. Such changes would help mitigate for the small-scale contributions of this SPD to climate change.

3. Conclusions, Recommendations and Avoidance Measures

It is concluded that there are unlikely to be any significant effects on European and / or Ramsar sites resulting from this SPD alone or in combination with other plans and trends.

Climate change resulting from the energy expenditure of this development combined with other plans and trends is likely to occur, but its effects on European Sites is currently unknown. DCLG Guidance published in August

adjust their reproductive cycles in synchrony with golden plovers may lead to increased mortality of chicks in the future (RSPB, 2007)

2006 has suggested that AA “need not be done in any more detail, or using more resources, than is useful for its purpose” DCLG, 2006, p.6). Given the very small scale of the likely contribution of this development to overall climate change, and the lack of evidence relating to the effects of climate change on European / Ramsar sites, it is not appropriate for this development to propose specific avoidance or mitigation measures as data is currently too limited.

However, a precautionary approach to climate change is appropriate, and a recommendation of this report should be to fully implement the recommendations of the SA relating to Recommendations M and N.

Further mitigation for climate change may be achievable through clarification of energy efficiency requirements for this development. These should be consistent with PO10⁴ of the Core Strategy, but balanced with the special architectural and historic character of the building.

There will be no requirement to progress to Task 2 of AA as defined in the methodology set out in section 1.2 of this report.

4. References

DCLG (2006) Planning for the Protection of European Sites: Appropriate Assessment: Guidance for Regional Spatial Strategies and Local Development Documents. London, DCLG Publications.

Government Office for the North East (2007) Draft Appropriate Assessment of the Regional Spatial Strategy. Newcastle, GONE.

JNCC (2008) Protected Sites (www.jncc.gov.uk/page-4 accessed 29/01/08).

RSPB (2007) Climate Change: Upland Birds in Peril from Climate Change, (<http://www.rspb.org.uk/policy/climatechange/news/uplandbirds.asp> accessed on 09/02/2007).

ODPM (2005) Government Circular: Biodiversity and Geological Conservation – Statutory Obligations and Their Impact within the Planning System. Norwich, The Stationery Office.

Sedgefield Borough Council (2007) Local Development Framework: Appropriate Assessment of Sedgefield Borough Council’s Local Development Framework Core Strategy: Screening Report May 2007. Spennymoor, Sedgefield Borough Council. http://www.sedgefield.gov.uk/ccm/cms-service/stream/asset/?asset_id=9746012

⁴ **PO10: Improving Energy Efficiency in Buildings:** Ensure that new developments promote energy efficiency, by adopting a positive approach to require developments to achieve ‘very good’ or ‘excellent’ BREEAM and Eco-Homes Ratings and seek to provide 10 % embedded energy from renewable resources by 2010, and 20 % by 2020.

Sedgefield Borough Council (2008), Windlestone Hall Supplementary Planning Document: Draft March 2008, unpublished document.

Sedgefield Borough Council (2008b), Draft Windlestone Hall SPD Sustainability Appraisal Report February 2008, unpublished report.

Sustaine (2002) And the Weather Today Is....,Newcastle upon Tyne, Sustaine.

Treweek Environmental Consultants (2006) Appropriate Assessment Screening of the Regional Spatial Strategy for the North East, unpublished report.

UKCIP (2008) The Climate of the United Kingdom and Recent Trends, Oxford, UKCIP.

Appendix 1:

Screening Table for Impacts from Windlestone Hall SPD and Other Plans

European / Ramsar sites affected	Possible impacts arising from the SPD	Is there a risk of a significant effect (taking account of probability of the impact, duration, frequency and reversibility)	Possible impacts from other trends, plans etc.	Is there a risk of significant in-combination effects?
North Pennine Moors SPA	Possible loss of winter habitat for EC Birds Directive Annex 1 species cited as primary reasons for site designation.	No – habitat not open enough for significant use by golden plover. Retention of parkland will have neutral impact on raptors such as peregrine.	No impact from SPD so other impacts are beyond the scope of this HRA.	No impact from SPD so other impacts are beyond the scope of this HRA.
Thrislington SAC, Teesmouth and Cleveland Coast SPA & Ramsar, North Pennine Dales and Meadows SAC, North Pennine Moors SPA and SAC, Newham Fen SAC, Durham Coast SAC, Northumbria Coast SPA & Ramsar, Moor House – Upper Teesdale SAC.	Climate change (with possible effects including more invasive species, erosion, food availability and changes to hydrology). This would result from the energy expenditure of refurbishment and operation of the development.	No – not from this plan alone.	Draft RSS and Core Strategy are both likely to increase overall energy expenditure. Daily mean temperatures in the north east region have risen by 0.87 degrees C between 1914 and 2007 (UKCIP, 2008) and average annual temperature increase is expected to be between 1.5 and 4 degrees C by 2080	Uncertain as vulnerability of European sites to climate change is unknown at present, but contribution of this SPD to overall climate change is likely to be insignificant. Further, actions to mitigate for climate change at the level of this SPD could only have minor effect, as climate change is most likely to occur from plans at higher levels. Recommend strengthening of climate change mitigation while

			(Sustaine, 2002). Heath and coastal habitats are particularly vulnerable to these changes according to Sustaine (2002).	taking account of historic heritage constraints.
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