



**APPLICATION COM/232618 FOR  
DEREGISTRATION OF PART OF COMMON  
LAND AT THE SANDS, DURHAM**

**THE DEREGISTRATION AND EXCHANGE  
OF COMMON LAND AND GREENS  
(PROCEDURE) (ENGLAND) REGULATIONS  
2007**

**PROOF OF EVIDENCE OF  
STUART PRIESTLEY ON BEHALF OF  
DURHAM COUNTY COUNCIL**

(Ecology matters)

27 November 2020

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# **1 INTRODUCTION AND SCOPE OF EVIDENCE**

- 1.1 My name is Stuart Priestley and I am employed by the Council as a Principal Ecologist. I have held this post since 2017. My duties are primarily to input into Development and Strategic Planning, land management, ecological and protected species surveys and development of the authority's strategic approach to the natural environment.
- 1.2 I have a BSc in Environmental Biology and MSc in Conservation Biology and am a Member of the Chartered Institute of Ecology and Environmental Management and have 27 years experience in ecology gained by working in the private, charitable and public sectors.
- 1.3 I understand my duty as an expert witness to the Inquiry and I have complied with and continue to comply with that duty. The evidence which I have prepared and provide for this inquiry is true. I confirm that the opinions expressed are my true professional opinions.
- 1.4 My evidence concerns the ecological impacts of the proposal.
- 1.5 My evidence will address the ecological value of the release land and that of the replacement land and the potential impacts on biodiversity.

# **2 RELEASE LAND**

- 2.1 The release land is not covered by any statutory or non statutory biological designations.
- 2.2 The release land is not classed as a UK Priority Habitat or Habitat of Principal Importance under the NERC Act. The habitats on site are developed land/sealed surface and scattered trees. The value of semi-natural habitats at the site is reduced by lighting impacts and high levels of disturbance.
- 2.3 The wider Sands common is comprised of amenity grassland of low ecological value and a corridor of poor semi-improved grassland and riparian trees along the River Wear.
- 2.4 There are no European Protected Species (EPS) associated with the release land.

- 2.5 The key ecological linkages are outside of the release land, this being the riparian woodland to the immediate north of the release land which connects to the riparian woodland and grassland habitats along the River Wear.

### **3 REPLACEMENT LAND**

- 3.1 The replacement land is not covered by any statutory or non statutory biological designations.
- 3.2 The replacement land is not classed as a UK Priority Habitat or Habitat of Principal Importance under the NERC Act. The habitat on site is regarded as a semi- improved neutral grassland.
- 3.3 A hedgerow borders the western and part of the eastern boundary and this feature is regarded as a UK Priority Habitat or Habitat of Principal Importance under the NERC Act.
- 3.4 European Protected Species (EPS) are not regarded as as constraint on the replacement land. A great crested newt breeding pond is located approx. 220m to the east. There are no suitable locations for bat roosts within and around the replacement land.
- 3.5 The replacement land provides habitat for breeding birds.
- 3.6 No impacts are expected on EPS. There will be no impacts on great crested newt breeding locations. The risks to any great crested newts potentially utilising terrestrial habitats are negligible given the distances from breeding sites and the substantial amount of terrestrial habitat available in the locality.
- 3.7 Impacts on biodiversity arising from registration as common will include, without mitigation or management, increased disturbance on breeding birds from recreational activity and potentially inappropriate grazing impacting on the quality of grassland habitats. No impacts are expected on the hedgerows.
- 3.8 Impacts on breeding birds can be mitigated for by the use of signage to promote the keeping of dogs on leads whilst in the site and the creation of a mown path which will facilliate access and reduce disturbance. These

measures, including an additional access point were proposed by Natural England and accepted by the Authority.

- 3.9 Inappropriate grazing has the potential to significantly reduce the floristic diversity of the grassland, if there is any grazing. Given the low stock numbers that would be permitted on the replacement land it is entirely feasible to develop a suitable low intensity grazing regime which protects and enhances the grassland.
- 3.10 Alternative replacement sites at Flass Vale and to the east of College of St. Hild and St. Bede, Durham University, are wooded and conversion to open space would involve significant tree loss and was unacceptable from an ecological perspective.
- 3.11 Other alternative sites were rejected for reasons other than ecology.

## **4 SUMMARY AND CONCLUSIONS**

- 4.1 Impacts on nature conservation arising from the de-registering of the release land will be negligible, both on the release land and the wider Sands common.
- 4.2 Impacts on the replacement land arising from its registration as common land in terms of breeding birds can be mitigated for through signage encouraging users to keep dogs on leads and on mown paths.
- 4.3 Impacts on the quality of the grassland habitats will be dependant on any grazing regime introduced to the site, if there is any grazing, although it is considered feasible to develop a low level grazing regime which protects and enhances the grassland .