

Land off Howlett Way,  
Trimley St. Martin

## Ecological Appraisal

April 2020

Quality Management	
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## Executive Summary

- i) **Introduction.** Aspect Ecology was commissioned by Trinity College Cambridge in November 2017 to undertake an Ecological Appraisal in respect of proposed development of land off Howlett Way, Trimley St. Martin.
- ii) **Proposals.** The proposals are for the creation of up to 340 dwellings with open space, a new Early Years Facility, new roundabout access from Howlett Way, a foul water pumping station and associated landscaping.
- iii) **Survey.** The site was surveyed in January based on standard extended Phase 1 methodology, with an update site walkover undertaken in June 2018 and March 2020. In addition, a general appraisal of faunal species was undertaken to record the potential presence of any protected, rare or notable species, with specific surveys undertaken in respect of bats, Badger and reptiles.
- iv) **Ecological Designations.** The site itself is not subject to any statutory or non-statutory ecological designations. The nearest statutory designation is Stour and Orwell Estuary SPA and Ramsar, located approximately 1.6km south-west of the site and further consideration of this and other European-level designations are set out within a separate HRA report. The nearest non-statutory designation is Egypt Wood CWS, located approximately 0.7km east of the site and no adverse effects on non-statutory designations are anticipated.
- v) **Habitats.** The site is dominated by habitats of low ecological value, comprising largely arable land, along with semi-improved grassland, tall ruderal vegetation, scrub, buildings, ditches and amenity planting. The loss of these features to the proposals is therefore of negligible ecological significance. Habitats of elevated ecological value are present within and adjacent to the site, in the form of hedgerows, trees, tree lines and an offsite wooded belt. These features are largely retained and protected throughout the development process. Overall, the proposed habitat losses are considered to be of minor ecological significance and will be offset by new planting, incorporating native species.
- vi) **Protected Species.** The site generally offers limited opportunities for protected species. A low population of Common Lizard, whilst it is considered that the site may be of local importance to bats and birds. A number of safeguarding measures are also set out below to protect these species during construction works. Further, the habitats of value to these species groups are largely retained under the proposals such long-term opportunities will be maintained.
- vii) **Enhancements.** The proposals present the opportunity to secure a number of biodiversity benefits, including additional native tree planting, provision of wildflower grassland, new nesting / roosting opportunities for bats and birds and the provision of fence 'cut-outs' for Hedgehog.
- viii) **Cumulative Effects.** Based on the recommendations set out in this report, in-combination effects on habitats/protected species as a result of the proposals are not anticipated. In-combination effects on designations are considered within a separate HRA report.
- ix) **Summary.** In summary, the proposals have sought to minimise impacts on biodiversity and subject to the implementation of appropriate avoidance, mitigation and compensation measures, it is considered unlikely that the proposals will result in significant harm.

# 1 Introduction

## 1.1 Background & Proposals

1.1.1 Aspect Ecology has been commissioned by Trinity College Cambridge in November 2017 to undertake an ecological appraisal in respect of proposed development of land off Howlett Way, Trimley St. Martin, centred at grid reference SP 2770 3737 (see Plan 5309/ECO1).

1.1.2 The site has been allocated for residential development within the Felixstowe Peninsula Area Action Plan (adopted January 2017). The proposals are for the creation of up to 340 dwellings with open space, a new Early Years Facility, new roundabout access from Howlett Way, a foul water pumping station and associated landscaping (see Appendix 5309/1).

## 1.2 Site Overview

1.2.1 The site is located south of Howlett Way in Trimley St. Martin in south-east Suffolk. The site is bound to the north by Howlett Way and to the south by Church Lane, whilst to the west the site is bounded by the curtilages of existing residential dwellings along High Road. The eastern site boundary is demarcated by an offsite wooded belt. Within a wider context, the site is surrounded by existing residential development, arable fields and a network of roads.

1.2.2 The site itself is dominated by two arable fields and two smaller semi-improved grassland fields, along with associated hedgerows, tree lines, semi-improved grassland field margins and dry ditches at the field boundaries. Other habitats present include trees, scrub, tall ruderal vegetation, bare ground, amenity planting and two buildings. An offsite wooded belt is also present adjacent to the eastern site boundary.

## 1.3 Purpose of the Report

1.3.1 This report documents the methods and findings of the baseline ecology surveys and desktop study carried out in order to establish the existing ecological interest of the site, and subsequently provides an appraisal of the likely ecological effects of the proposals. The importance of the habitats and species present is evaluated. Where necessary, avoidance, mitigation and compensation measures are proposed so as to safeguard any significant existing ecological interest within the site and where appropriate, opportunities for ecological enhancement are identified with reference to national conservation priorities and local Biodiversity Action Plans (BAPs).

## 2 Methodology

### 2.1 Desktop Study

- 2.1.1 In order to compile background information on the site and its immediate surroundings Suffolk Biodiversity Information Service (SBIS) was contacted, with data requested on the basis of a search radius of 2km.
- 2.1.2 Where information has been received from the above organisation, this is reproduced at Plan 5309/ECO2, where appropriate.
- 2.1.3 Information on statutory designations was obtained from the online Multi-Agency Geographic Information for the Countryside (MAGIC) database, which utilises data provided by Natural England, with an extended search radius (15km). In addition, the MAGIC database was searched to identify the known presence of any Priority Habitats within or adjacent the site. Relevant information is reproduced at Appendix 5309/2 and on Plan 5309/ECO2, where appropriate.
- 2.1.4 In addition, the Woodland Trust database was searched for any records of ancient, veteran or notable trees within or adjacent to the site.

### 2.2 Habitat Survey

- 2.2.1 The site was surveyed in January 2018 and June 2018 in order to ascertain the general ecological value of the land contained within the boundaries of the site and to identify the main habitats and ecological features present.
- 2.2.2 The site was surveyed based on standard Phase 1 Habitat Survey methodology<sup>1</sup>, whereby the habitat types present are identified and mapped, together with an assessment of the species composition of each habitat. This technique provides an inventory of the basic habitat types present and allows identification of areas of greater potential which require further survey. Any such areas identified can then be examined in more detail through Phase 2 surveys. This method was extended, in line with the Guidelines for Preliminary Ecological Appraisal<sup>2</sup> to record details on the actual or potential presence of any notable or protected species or habitats.
- 2.2.3 Using the above method, the site was classified into areas of similar botanical community types, with a representative species list compiled for each habitat identified. The nomenclature used for plant species is based on the Botanical Society for the British Isles (BSBI) Checklist.

### 2.3 Faunal Surveys

- 2.3.1 General faunal activity, such as mammals or birds observed visually or by call during the course of the surveys was recorded. Specific attention was also paid to the potential presence of any protected, rare or notable species, and specific consideration was given to Badger, bats and reptiles, as described below.

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<sup>1</sup> Joint Nature Conservation Committee (2010) *'Handbook for Phase 1 habitat survey: A technique for environmental audit.'*

<sup>2</sup> Chartered Institute for Ecology and Environmental Management (CIEEM) (2013) *'Guidelines for Preliminary Ecological Appraisal.'*

## Bats<sup>3</sup>

### *Visual Inspection Surveys*

- 2.3.2 **Buildings.** Where access was available, the buildings within the site were subject to specific internal and external inspection surveys using ladders, torches and binoculars where necessary in January 2018 and March 2020.
- 2.3.3 During the external inspections, particular attention was given to any potential roost features or access points, such as broken or lifted roof tiles, lifted lead flashing, soffit boxes, weatherboarding, hanging tiles, etc. and for any external signs of use by bats such as accumulations of bat droppings or staining. Binoculars were used to inspect any inaccessible areas more closely where appropriate.
- 2.3.4 During the internal inspections, evidence for the presence of bats was searched for with particular attention paid to any relevant potential roost features and locations. Specific searches were made for bat droppings that can indicate present or past use and extent of use, whilst other signs that can indicate the possible presence of bats were also searched for, e.g. presence of stained areas, feeding remains, corpses, etc.
- 2.3.5 Following the building inspections, the buildings were assessed in terms of their value to roosting bats and were classified as supporting a confirmed roost or being of high, moderate, low or negligible potential value (see Table 2.1 below). This assessment informed the level of further survey work required.

**Table 2.1.** Building classification based on potential value for roosting bats.

Potential Value for Roosting Bats	Criteria
Negligible	Building with no or very limited roosting opportunities for roosting bats; isolated from any suitable foraging habitat.
Low	Building providing poor quality roosting habitat, either with very limited roosting opportunities or unlikely to support roosting bats due to nature of construction or exposed conditions (e.g. open, draughty buildings); connectivity to poor quality foraging habitat or limited connectivity to higher quality foraging habitat.
Moderate	Building with some roosting opportunities for one or more bat species; some connectivity to high or moderate quality foraging habitat.
High	Building with multiple roosting opportunities for one or more bat species (including breeding and/or hibernation roosts); good connectivity to high quality foraging habitat.

- 2.3.6 **Trees.** Trees were assessed for their suitability to support roosting bats in January 2018 and March 2020 based on the presence of features such as holes, cracks, splits or loose bark. Suitability for roosting bats was rated based on relevant guidance<sup>4</sup> as:

<sup>3</sup> Surveys based on: English Nature (2004) '*Bat Mitigation Guidelines*' and Collins, J. (ed.) (2016) '*Bat Surveys for Professional Ecologists: Good Practice Guidelines* (3<sup>rd</sup> edn).' Bat Conservation Trust

<sup>4</sup> Collins, J. (ed.) (2016) '*Bat Surveys for Professional Ecologists: Good Practice Guidelines* (3<sup>rd</sup> edn).' Bat Conservation Trust

**Table 2.2.** Tree classification based on potential suitability for roosting bats.

Potential Suitability for Roosting Bats	Criteria
Negligible	No features present likely to be used by roosting bats.
Low	A tree of sufficient size and age to contain potential roosting features but with none seen from the ground or features seen with only very limited roosting potential.
Moderate	A tree with one or more potential roost sites that could be used by bats due to their size, shelter, protection, conditions and surrounding habitat but unlikely to support a roost of high conservation status.
High	A tree with one or more potential roost sites that are obviously suitable for use by larger numbers of bats on a more regular basis and potentially for longer periods of time due to their size, shelter, protection, conditions and surrounding habitat.

2.3.7 Any potential roost features identified were also inspected for any signs indicating possible use by bats, e.g. staining, scratch marks, bat droppings, etc.

#### Badger (*Meles meles*)<sup>5</sup>

2.3.8 The site was searched thoroughly for evidence of Badger activity in January 2018, June 2018 and March 2020, in order to build a picture of the use of the site by Badger, by recording the following:

- Badger setts (either active or disused);
- Well-worn paths and push-throughs;
- Snagged hair;
- Footprints;
- Latrines; and
- Foraging signs.

#### Reptiles<sup>6</sup>

2.3.9 The site comprises areas of long sward grassland, tall ruderal vegetation and scrub which may provide opportunities for reptile species. As such, specific survey work was undertaken to establish the presence/absence of common reptile species during August and September 2018.

2.3.10 A total of 110 50x50cm sheets of roofing felt were placed within suitable areas across the site to act as artificial refugia (see Plan 5309/ECO4). The refugia, or 'tins', provide shelter and heat up more quickly than their surroundings in the morning and can remain warmer than their surroundings in the late afternoon. Being ectothermic (cold blooded), reptiles use them to bask under and raise their body temperature, which allows them to forage earlier and later in the day. Therefore, checking the refugia at appropriate times of the day (morning and evening) enables the presence/absence of common reptiles to be determined.

2.3.11 The refugia remained undisturbed for approximately 1-2 weeks to allow reptiles to find and start using them. Following this initial bedding-in period, refugia were checked at appropriate times of the day on seven occasions during suitable weather conditions, as set out below in Table 2.3.

<sup>5</sup> Based on: Mammal Society (1989) 'Occasional Publication No. 9 – Surveying Badgers'

<sup>6</sup> Surveys based on: Froglife Advice Sheet 10 (1999) 'Reptile Survey - an introduction to planning, conducting and interpreting surveys for snake and lizard conservation.'



**Table 2.3.** Reptile survey dates and weather conditions.

Survey Date	Weather Conditions			
	Wind (BF)	Temp(°)	Cloud Cover (%)	Precipitation
10/08/2018	3	17	0	Dry
11/08/2018	0	15-17	0	Dry
16/08/2018	1	15	100	Dry
17/08/2018	1	16-19	0	Dry
24/08/2018	0-1	16-18	50	Dry
06/09/2018	0-1	14-20	50-90	Dry
10/09/2018	1-2	17	40	Dry

BF0 = calm, BF12 = hurricane force

2.3.12 In addition, reptiles basking in the open or partial cover were actively searched for in suitable locations across the site through direct observation. Existing natural objects (e.g. logs and rocks) and artificial refugia (e.g. debris, tyres, etc.) were also searched, where present, for reptiles or evidence of reptiles (e.g. sloughed skin).

## 2.4 Survey Constraints and Limitations

2.4.1 All of the species that occur in each habitat would not necessarily be detectable during survey work carried out at any given time of the year, since different species are apparent during different seasons. The initial Phase 1 habitat survey was undertaken outside the optimal season, however an update survey was also undertaken in June 2018 within the optimal season, therefore allowing a robust assessment of the intrinsic ecological interest of the site to be made. Similarly, the Phase 2 survey work was undertaken during an appropriate time of year and within suitable weather conditions.

2.4.2 Attention was paid to the presence of any invasive species listed under Schedule 9 of the Wildlife and Countryside Act 1981 (as amended). However, the detectability of such species varies due to a number of factors, e.g. time of year, site management, etc., and hence the absence of invasive species should not be assumed even if no such species were detected during the Phase 1 survey.

## 2.5 Principles of Ecological Evaluation

2.5.1 The evaluation of ecological features and resources is based on professional judgement whilst also drawing on the latest available industry guidance and research. The approach taken in this report is based on that described by the Chartered Institute of Ecology and Environmental Management (CIEEM, 2016)<sup>7</sup>, which involves identifying 'important ecological features' within a defined geographical context (i.e. international, national, regional, county, district, local or site importance). For full details refer to Appendix 5309/3.

## 2.6 National Policy Approach to Biodiversity in the Planning System

2.6.1 The National Planning Policy Framework (NPPF)<sup>8</sup> describes the Government's national policies on 'conserving and enhancing the natural environment' (Chapter 15). NPPF is accompanied by Planning Practice Guidance on 'Biodiversity, ecosystems and green infrastructure' and ODPM Circular 06/2005<sup>9</sup>.

<sup>7</sup> Chartered Institute of Ecology and Environmental Management (CIEEM) (2016) 'Guidelines for Ecological Impact Assessment in the UK and Ireland'

<sup>8</sup> Ministry of Housing, Communities & Local Government (2018) 'National Planning Policy Framework'

<sup>9</sup> ODPM (2006) 'Circular 06/2005: Planning for Biodiversity and Geological Conservation – A Guide to Good Practice'

2.6.2 NPPF takes forward the Government’s strategic objective to halt overall biodiversity loss<sup>10</sup>, as set out at Paragraph 170, which states that planning policies and decisions should contribute to and enhance the natural and local environment by:

*‘minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures’*

2.6.3 The approach to dealing with biodiversity in the context of planning applications is set out at Paragraph 175:

*‘When determining planning applications, local planning authorities should apply the following principles:*

- a) *if significant harm to biodiversity 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;*
- b) *development on land within or outside a Site of Special Scientific Interest, and which is likely to have an adverse effect on it (either individually or in combination with other developments), should not normally be permitted. The only exception is where the benefits of the development in the location proposed clearly outweigh both its likely impact on the features of the site that make it of special scientific interest, and any broader impacts on the national network of Sites of Special Scientific Interest;*
- c) *development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists; and*
- d) *development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to incorporate biodiversity improvements in and around developments should be encouraged, especially where this can secure measurable net gains for biodiversity.*

2.6.4 The above approach encapsulates the ‘mitigation hierarchy’ described in British Standard BS 42020:2013<sup>11</sup>, which involves the following step-wise process:

- **Avoidance** – avoiding adverse effects through good design;
- **Mitigation** – where it is unavoidable, mitigation measures should be employed to minimise adverse effects;
- **Compensation** – where residual effects remain after mitigation it may be necessary to provide compensation to offset any harm; and
- **Enhancement** – planning decisions often present the opportunity to deliver benefits for biodiversity, which can also be explored alongside the above measures to resolve potential adverse effects.

2.6.5 The measures for avoidance, mitigation, compensation and enhancement should be proportionate to the predicted degree of risk to biodiversity and to the nature and scale of the proposed development (BS 42020:2013, section 5.5).

<sup>10</sup> DEFRA (2011) ‘Biodiversity 2020: A strategy for England’s wildlife and ecosystem services’

<sup>11</sup> British Standards Institution (2013) ‘Biodiversity – Code of practice for planning and development’, BS 42020:2013

## 2.7 Local Policy

2.7.1 The development plan for Suffolk Coastal District Council currently includes a number of Core Strategy and Development Management Policies, along with a number of policies that have been saved from the Suffolk Coastal Local Plan.

### Core Strategy (adopted July 2013)

2.7.2 Two policies in the Suffolk Coastal Core Strategy relate to ecology and are of relevance to the site, as set out below:

2.7.3 Strategic Policy SP14 relates to biodiversity and geodiversity, and sets out that:

*'Biodiversity and geodiversity will be protected and enhanced using a framework based on a network of:*

- *Designated sites;*
- *Wildlife corridors and links;*
- *The rivers, estuaries and coast;*
- *Identified habitats and geodiversity features;*
- *Landscape character areas; and*
- *Protected species.*

*Sites of European importance, which include Special Areas of Conservation and Special Protection Areas are statutorily protected under the Conservation of Habitats and Species Regulations 2012 (based on EU directives), and wetlands of global importance (Ramsar sites) are protected by Government policy to apply the same level of protection as to European sites.*

*More generally, the policy approach to development on sites designated for their biodiversity or geodiversity interest is set out in Policy DM27.*

*The Suffolk Biodiversity Action Plan and Suffolk Local Geodiversity Action Plan will be implemented. The Strategy will also be to contribute to county targets through the restoration, creation and on-going management of new priority habitats as identified in those documents.'*

2.7.4 Development Management Policy DM27 also relates to biodiversity and geodiversity, and sets out that:

*All development proposals should:*

- *Protect the biodiversity and geodiversity value of land and buildings and minimise fragmentation of habitats;*
- *Maximise opportunities for restoration, enhancement and connection of natural habitats; and*
- *Incorporate beneficial biodiversity conservation features where appropriate.*

*Development proposals that would cause a direct or indirect adverse effect (alone or combined with other plans or projects) to the integrity of internationally and nationally designated environmental sites or other designated areas, priority habitats or protected/priority species will not be permitted unless:*

- *Prevention, mitigation and, where appropriate, compensation measures are provided such that net impacts are reduced to a level below which the impacts no longer outweigh the benefits of the development\*; or*
- *With regard to internationally designated sites that the exceptional requirements of Reg. 62 of the Conservation of Habitats and Species Regulations 2010 (as amended) relating to the absence of alternative solutions and Imperative Reasons of Overriding Public Interest have been met.*

2.7.5 The District Council is preparing a new Local Plan for the District covering the period of up to 2036. The emerging Local Plan includes two policies which relate to ecology and are of relevance to the site, as set out below.

2.7.6 Policy SCLP10.1: relates to biodiversity and geodiversity and sets out:

*“Development will be supported where it can be demonstrated that it maintains, restores or enhances the existing green infrastructure network and positively contributes towards biodiversity and/or geodiversity through the creation of new habitats and green infrastructure and improvement to linkages between habitats, such as wildlife corridors and habitat ‘stepping stones’. All development should follow a hierarchy of seeking firstly to avoid impacts, mitigate for impacts so as to make them insignificant for biodiversity, or as a last resort compensate for losses that cannot be avoided or mitigated for. Adherence to the hierarchy should be demonstrated.*

*Proposals that will have a direct or indirect adverse impact (alone or in-combination with other plans or projects) on locally designated sites of biodiversity or geodiversity importance, including County Wildlife Sites, priority habitats and species, will not be supported unless it can be demonstrated with comprehensive evidence that the benefits of the proposal, in its particular location, outweighs the biodiversity loss. New development should provide environmental net gains in terms of both green infrastructure and biodiversity. Proposals should demonstrate how the development would contribute towards new green infrastructure opportunities or enhance the existing green infrastructure network as part of the development.*

*New development must also secure ecological enhancements as part of its design and implementation, and should provide a biodiversity net gain that is proportionate to the scale and nature of the proposal.*

*Where compensatory habitat is created, it should be of equal or greater size and ecological value than the area lost as a result of the development, be well located to positively contribute towards the green infrastructure network, and biodiversity and/or geodiversity and be supported with a management plan.*

*Where there is reason to suspect the presence of protected UK or Suffolk Priority species or habitat, applications should be supported by an ecological survey and assessment of appropriate scope undertaken by a suitably qualified person. If present, the proposal must follow the mitigation hierarchy in order to be considered favourably. Any proposal that adversely affects a European site, or causes significant harm to a Site of Special Scientific Interest, will not normally be granted permission.*

*Any development with the potential to impact on a Special Protection Area or Special Area for Conservation within or outside of the District will need to be supported by information to inform a Habitat Regulations Assessment. A Supplementary Planning Document will be prepared to implement a strategic Recreational Avoidance and Mitigation Strategy in order to mitigate for potential adverse effects arising from new growth on Special Protection Areas, Ramsar Sites and Special Areas of Conservation. The Council will work with neighbouring authorities and Natural England to develop and implement this strategy. The strategy will include a requirement for developers to make financial contributions towards the provision of strategic mitigation within defined zones.”*

2.7.7 Policy SCLP10.2: relates to visitor management at European sites and sets out:

*“The Council has a duty to ensure that development proposals will not result in an increase in activity likely to have a significant effect upon sites designated as being of international importance for their nature conservation interest.”*

## 3 Ecological Designations

### 3.1 Statutory Designations

#### Description

3.1.1 The closest statutory designation to the site is Stour and Orwell Estuaries Special Protection Area (SPA) and Ramsar, located approximately 1.6km south-west of the site at its closest point. The Stour and Orwell Estuaries SPA and Ramsar site is approximately 3,673ha in size and comprises estuaries supporting mudflats, low cliffs, saltmarsh and small areas of vegetated shingle. This site is designated for supporting internationally and nationally important populations of breeding Avocet *Recurvirostra avosetta* and over-wintering geese, ducks and waders.

3.1.2 The next closest statutory designation is the Deben Estuary SPA and Ramsar, located approximately 4.2km east of the site. Deben Estuary covers an area of 3,324ha and comprises intertidal mudflats and saltmarsh, with some swamp communities. This site is also designated for supporting important numbers of over-wintering Avocet.

3.1.3 In addition, the site is located within the identified 13km zone of influence for the following European-level statutory designations:

- Alde-Ore Estuary SPA and Ramsar;
- Orfordness-Shingle Street Special Area of Conservation (SAC);
- Sandlings SPA; and
- Alde-ore and Butley Estuaries SAC.

3.1.4 Consideration of these designations is set out within a separate HRA report.

### 3.2 Non-statutory Designations

#### Description

3.2.1 The non-statutory designations of nature conservation interest that occur within the local area are shown on Plan 5309/ECO2. The nearest non-statutory designation is Egypt Wood County Wildlife Site (CWS), which is located approximately 0.7km to the east of the site. This CWS is designated on the basis of comprising an area of woodland that is thought to be of considerable age and supports a diverse ground flora. The next nearest non-statutory designation is Painter's Wood CWS, which is located approximately 1.4km to the south-west of the site and comprises an area of ancient woodland and a small area of planted conifers bounded by the remnants of a medieval ditch and bank system.

#### Evaluation

3.2.2 The site itself is not subject to any non-statutory nature conservation designations. All non-statutory designations in the surrounding area are well separated from the site by existing development, arable land and roads, and it is therefore considered unlikely that the development will result in an increase in any indirect effects, such as noise pollution and dust deposition, on these designations.

3.2.3 In terms of recreational pressure, the site is not directly linked to such designations by footpaths or public rights of way, whilst the site is separated from these designations by existing development, arable land and roads. As such, it is considered unlikely that the

proposals would result in a significant increase in recreational pressure on these designations.

- 3.2.4 On this basis, the proposals are considered highly unlikely to result in significant adverse effects on these, or any other more distant, non-statutory designations.

### 3.3 Ancient Woodland, Priority Habitats & Notable Trees

#### Description

- 3.3.1 The closest area of ancient woodland to the site is Painter's Wood Ancient and Semi-natural Woodland (ASW), located approximately 1.4km to the south-west of the site. Painter's Wood is also a CWS and is therefore discussed in the relevant section above. The next closest area of ancient woodland is Stratton Hall Wood ASW, located approximately 3.0km north-west of the site.
- 3.3.2 No records of any notable or veteran trees within or adjacent to the site have been identified.
- 3.3.3 An offsite wooded belt located adjacent to the eastern site boundary has been identified as Priority Habitat 'Deciduous Woodland' according to the MAGIC database. This is discussed further within the relevant habitat section in Section 4 below.

#### Evaluation

- 3.3.4 All areas of ancient woodland in the surrounding area are well separated from the site, such that it is considered highly unlikely that they would be subject to any negative effects as a result of the proposed development.
- 3.3.5 Subject to the implementation of appropriate mitigation measures (as discussed below in Section 6), it is unlikely that any Priority Habitats or any notable or veteran trees will be significantly affected as a result of the proposals.

### 3.4 Summary

- 3.4.1 In summary, the site itself is not subject to any statutory or non-statutory ecological designations. Consideration with regard to European-level designations is set out in a separate HRA report. In terms of non-statutory designations, it is considered unlikely that any such designations in the surrounding area will be significantly affected by the proposals.

## 4 Habitats and Ecological Features

### 4.1 Background Records

4.1.1 No specific records of any protected, rare or notable plant species from within or immediately adjacent to the site are included within the information returned from SBIS. Records of the Priority Species Divided Sedge *Carex divisa* and Annual Knawel *Scleranthus annuus* were returned from within the wider search area. Of these, the closest record was for Annual Knawel, located approximately 1.2km south of the site and dated 2004. No evidence for the presence of these or any other notable species was recorded within the site during the survey work undertaken.

### 4.2 Overview

4.2.1 The habitats and ecological features present within the site are described below and evaluated in terms of intrinsic ecological value, such as in relation to the presence of rare plant communities or individual plant species of elevated interest. The likely effects of the proposals on the habitats and ecological features are then assessed. The value of habitats for the fauna they may support is considered separately in Chapter 5 below.

4.2.2 The following habitats/ecological features were identified within/adjacent to the site:

- Arable;
- Semi-improved Grassland;
- Bare Ground;
- Tall Ruderal Vegetation;
- Scrub;
- Hedgerows and Tree Lines;
- Ditches;
- Trees;
- Buildings;
- Amenity Planting; and
- Offsite Wooded Belt.

4.2.3 The locations of these habitat types and features are illustrated on Plan 5309/ECO3 and described in detail below.

### 4.3 Priority Habitats

4.3.1 Section 40 of the Natural Environment and Rural Communities (NERC) Act 2006 places duties on public bodies to have regard to the conservation of biodiversity in the exercise of their normal functions. In particular, Sections 41 and 42 of the NERC Act require the Secretary of State to publish a list of habitats which are of principal importance for conservation in England and Wales, respectively. This list is largely derived from the 'Priority Habitats' listed under the former UK Biodiversity Action Plan (BAP), which continue to be regarded as priority habitats under the subsequent country-level biodiversity strategies.

4.3.2 Of the habitats within the site, the hedgerows and offsite wooded belt are considered to qualify as Priority Habitats. This is discussed further in the relevant habitat sections below.



#### 4.4 Arable

##### Description

- 4.4.1 The site is dominated by arable land in the form of two fields (labelled **F3** and **F4** at Plan 5309/ECO3).
- 4.4.2 At the time of the original survey the fields were recorded to be under intensive arable cultivation of an over-wintering crop, although at the time of the update survey in 2020 the fields were dominated by bare ground. The arable fields also support occasional grass and herb species recorded to have encroached into the field from the margins. Species within the arable land at the time of survey were recorded to be consistent with areas of semi-improved grassland within the site (see relevant section below).

##### Evaluation

- 4.4.3 The arable fields appear to be under intensive cultivation, although appear to be sown with an overwintering crop during winter. The arable fields were recorded to support common grass and herb species of limited botanical interest, which were largely restricted to the field margins.
- 4.4.4 On this basis, the arable land within the site is inherently of negligible ecological value and does not form an important ecological feature. The loss of arable land to the proposals is therefore of negligible ecological significance.

#### 4.5 Semi-improved Grassland

##### Description

- 4.5.1 Two semi-improved grassland fields are present within the site, labelled F1 and F2 at Plan 5309/ECO3, as described below.
- 4.5.2 Field F1 appears to be subject to management and supports a short sward height of approximately 5-10cm during winter/spring, becoming more tussocky and outgrown in the summer months to a height of approximately 50-100cm. The sward was recorded to be dominated by common grass species, including Cock's-foot *Dactylis glomerata* Yorkshire-fog *Holcus lanatus*, Perennial Rye-grass *Lolium perenne*, False Oat-grass *Arrhenatherum elatius*, Soft Brome *Bromus hordeaceus*, Tall Fescue *Festuca arundinacea* and Common Couch *Elytrigia repens*. A number of herb and tall ruderal species were also recorded within the sward, including Bristly Oxtongue *Picris echioides*, Spear Thistle *Cirsium vulgare*, Dove's-foot Crane's-bill *Geranium molle*, Ribwort Plantain *Plantago lanceolata*, Common Ragwort *Senecio jacobaea*, Cow Parsley *Anthriscus sylvestris*, Mugwort *Artemisia vulgaris*, Cleavers *Galium aparine*, Common Field-speedwell *Veronica persica*, Common Mouse-ear *Cerastium fontanum*, Annual Mercury *Mercurialis annua*, Red Dead-nettle *Lamium purpureum*, Sweet Violet *Viola odorata*, Green Alkanet *Pentaglottis sempervirens*, Common Chickweed *Stellaria media*, Shepherd's-purse *Capsella bursa-pastoris*, Stinking Iris *Iris foetidissima*, Common Mallow *Malva sylvestris*, Pineappleweed *Matricaria discoidea*, Scented Mayweed *Matricaria recutita*, Groundsel *Senecio vulgaris*, Creeping Thistle *Cirsium arvense*, Greater Plantain *Plantago major*, Red Clover *Trifolium pratense*, Weld *Reseda luteola*, Black Medick *Medicago lupulina*, Common Bird's-foot-trefoil *Lotus corniculatus*, Common Poppy *Papaver rhoeas*, White Champion *Silene latifolia*, Perforate St John's-wort *Hypericum perforatum*, Large-flowered Evening-primrose *Oenothera glazioviana*, Chicory *Cichorium intybus* and Dock *Rumex* sp.

4.5.3 Field F2 appeared subject to regular management at the time of the surveys, with a sward height of approximately 5cm. Species within the sward were recorded to be consistent with those in field F1, although with a lesser herb component.

4.5.4 In addition, semi-improved grassland field margins are present at the boundaries of arable fields within the site. Semi-improved grassland field margins were recorded to vary in width between approximately 1-5m. Species in these areas were recorded to be consistent with those recorded within fields F1 and F2.

#### Evaluation

4.5.5 Overall, the areas of semi-improved grassland within the site were recorded to be dominated by grasses and support a relatively low diversity of common and widespread species. Based on the type and abundance of species present it can be classified as semi-improved grassland<sup>12</sup>. No indicator species of higher quality grassland are present, such that the grassland is also not considered to qualify as a Priority Habitat. As such, the grassland is not considered to form an important ecological feature and the loss of these areas under the proposals is therefore of minor ecological significance.

### 4.6 Bare Ground

#### Description

4.6.1 An area of bare ground is present adjacent to the north of field F1 and around the northern and eastern edges of field F3 (see Plan 5309/ECO3). The area of bare ground is in active use as a track for farm vehicles and was recorded to support grass, herb and ruderal species encroaching from adjacent areas of semi-improved grassland, along with Knotgrass *Polygonum aviculare*, largely along the centre.

#### Evaluation

4.6.2 Areas of bare ground within the site were recorded to support negligible vegetation. On this basis, areas of bare ground are inherently of negligible ecological value and do not form an important ecological feature. The loss of bare ground to the proposals is therefore of negligible significance.

### 4.7 Tall Ruderal Vegetation

#### Description

4.7.1 Areas of tall ruderal vegetation are present adjacent to the offsite wooded belt, as well as adjacent to offsite residential dwellings to the west of the site and adjacent to ditch D3 (see Plan 5309/ECO3).

4.7.2 Areas of tall ruderal vegetation were recorded to be species-poor and dominated by common species of limited botanical interest, including Bracken *Pteridium aquilinum*, Cow Parsley *Anthriscus sylvestris*, Common Nettle *Urtica dioica* and Hogweed *Heracleum sphondylium*, along with encroaching Bramble *Rubus fruticosus* agg.

4.7.3 On this basis, areas of tall ruderal vegetation are not considered to be of value outside of a site context and do not form an important ecological feature. The loss of areas of tall ruderal vegetation is therefore of minor ecological significance.

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<sup>12</sup> Natural England (2010) 'Higher Level Stewardship – Farm Environment Plan (FEP) Manual', 3<sup>rd</sup> Edition

## 4.8 Scrub

### Description

- 4.8.1 A number of areas of dense scrub are present within the site, adjacent to building B1 and along the southern and western site boundaries (see Plan 5309/ECO3). Occasional areas of scattered scrub are also present along the northern site boundary.
- 4.8.2 Species recorded within areas of scrub include Bramble, Gorse *Ulex europaeus*, Wych Elm *Ulmus glabra*, Blackthorn *Prunus spinosa*, Hawthorn *Crataegus monogyna*, Dog-rose *Rosa canina*, and Elder *Sambucus nigra*, along with a number of tall ruderal species consistent with those recorded within areas of tall ruderal vegetation.

### Evaluation

- 4.8.3 The areas of scrub within the site support a relatively low botanical diversity, comprising a limited number of common species of limited botanical interest. Nevertheless, areas of scrub may offer shelter and foraging opportunities for a range of fauna, including small mammals and birds.
- 4.8.4 On this basis, areas of scrub are not considered to be of value outside of a site context and do not form an important ecological feature. The loss of areas of scrub is therefore of minor ecological significance. Nevertheless, in order to avoid an offence under the Wildlife and Countryside Act 1981 (as amended), a number of recommendations in respect of vegetation clearance and nesting birds are set out at Section 6.

## 4.9 Hedgerows and Tree Lines

### Description

- 4.9.1 Six hedgerows and two tree lines are present located at the field boundaries within the site (see Plan 5309/ECO3). These features are described in Tables 4.1 and 4.2 below.

**Table 4.1.** Hedgerow descriptions.

No.	H	Woody species <sup>+</sup>	Ground flora & climbers	Associated features	Comments (including structure / management)	Likely to qualify <sup>#</sup>
H1	3-5m	Blackthorn, Beech, Oak, Elm, Ash <i>Fraxinus excelsior</i>	Species consistent with areas of semi-improved grassland and tall ruderal vegetation, along with Stinking Iris <i>Iris foetidissima</i> .	Standard mature Ash tree, ditch	Appears to have been subject to regular flailing, although outgrown at top.	N
H2	2-3m	Elder, Elm, Oak, Hawthorn	Dominated by leaf litter and bare ground	Ditch, forms curtilage to residential garden	Gappy, and does not appear to have been subject to regular management.	Cannot
H3	2-3m	Hawthorn, Blackthorn, Elder, Privet, Wych Elm, Oak <i>Quercus</i> sp. and Cypress <i>Cupressus</i> sp.	Species consistent with areas of semi-improved grassland and tall ruderal vegetation, along with Ivy <i>Hedera helix</i> and Bramble.	Mature standard trees including Oak and Cypress, forms curtilage to residential garden	A number of small gaps, does not appear to have been subject to regular management.	Cannot

No.	H	Woody species <sup>+</sup>	Ground flora & climbers	Associated features	Comments (including structure / management)	Likely to qualify <sup>#</sup>
H4	2-3m	<u>Hawthorn</u> , <u>Elm</u> , <u>Field Maple</u> <u>Acer campestre</u> , Holly <i>Ilex aquifolium</i> , Ash	Ivy and Bramble	A number of young standard Ash trees	Subject to regular management in the form of box cutting.	N
H5	1m	<u>Hawthorn</u> , Hazel <i>Corylus avellana</i> and Spindle <i>Euonymus europaeus</i>	Bare ground and occasional species consistent with areas of semi-improved grassland	Semi-mature standard trees including Hazel and Spindle	Subject to regular management in the form of box cutting.	N
H6	4m	<u>Hazel</u> , <u>Hawthorn</u> , Japanese Rose <i>Rosa rugosa</i> .	Species consistent with areas of semi-improved grassland and tall ruderal vegetation	-	Does not appear to have been subject to regular management, although appears likely to have been subject to management in the past.	N

<sup>+</sup> Dominant species underlined

<sup>\*</sup> estimated average woody species in any one 30m stretch

<sup>#</sup> likely to qualify – as ecologically ‘important’ under the Hedgerows Regulations 1997

**Table 4.2.** Tree line descriptions.

	Woody Species	Ground Flora	Comments
TL1	Ash, Oak, Norway Maple <i>Acer platanoides</i> , Beech <i>Fagus sylvatica</i> , Horse Chestnut <i>Aesculus hippocastanum</i> , Sycamore <i>Acer pseudoplatanus</i> , <i>Prunus</i> sp. and Holm Oak <i>Quercus ilex</i>	Ivy, Bramble and Broom <i>Cytisus scoparius</i> . Species otherwise consistent with areas of semi-improved grassland	A number of large gaps recorded within the tree line.
TL2	Wych Elm, Oak, Beech, Blackthorn	Species otherwise consistent with areas of semi-improved grassland, along with Ivy (heavy covering in places) and bare ground.	-

## Evaluation

4.9.2 From a preliminary appraisal, none of the hedgerows within the site are considered likely to qualify as ecologically ‘important’ under the Hedgerows Regulations 1997, based on the number of woody species and associated features.

4.9.3 All of the hedgerows within the site are likely to qualify as a Priority Habitat based on the standard definition<sup>13</sup>, which includes all hedgerows (>20m long and <5m wide) consisting predominantly (≥80%) of at least one native woody species. It has been estimated that approximately 84% of countryside hedgerows in GB qualify as a Priority Habitat under this definition.<sup>13</sup>

<sup>13</sup> Based on: Biodiversity Reporting and Information Group (2011) ‘UK Biodiversity Action Plan (BAP) Priority Habitat Descriptions’, ed. Ant Maddock

- 4.9.4 The hedgerows and tree lines within the recorded within the site appear subject to a varied management regime, although the majority were noted to be relatively substantial and outgrown in nature. As such, both hedgerows and tree lines may provide shelter and foraging opportunities for a range of faunal species.
- 4.9.5 On this basis, the hedgerows and tree lines within the site are considered to form an important ecological feature and is of value at the local level.
- 4.9.6 The proposals incorporate the retention of the vast majority of the hedgerows and tree lines within the site, with minor losses across the site, including to tree line TL1 to facilitate creation of an access road. As such, measures are set out at Section 6 to ensure retained hedgerows and tree lines are fully safeguarded.
- 4.9.7 In any event, the proposals incorporate new planting which will compensate for any losses and connect and strengthen the existing hedgerows and tree lines at the site.

#### 4.10 Ditches

##### Description

- 4.10.1 Four ditches are present within the site (labelled D1 to D4 at Plan 5309/ECO3).
- 4.10.2 Ditch D1 was recorded to vary in depth along its length, ranging from 0.5m to approximately 2m deep, with a width of approximately 3m. The ditch was recorded to be dry at the time of survey and was completely overgrown with tall ruderal species.
- 4.10.3 Ditch D2 was recorded to be approximately 1.5m in depth, with a width of 1m. The ditch was recorded to be dry at the time of survey and supported species consistent with those recorded in adjacent semi-improved grassland field margins.
- 4.10.4 Ditch D3 was recorded to be approximately 1-1.5m in depth, with a width of 1-2m. The ditch was recorded to be dry at the time of survey and dominated by tall ruderal and scrub species.
- 4.10.5 Ditch D4 was recorded to be approximately 1.5m in depth, with a width of approximately 2m and appears to hold water on an ephemeral basis only. Ditch D4 is dominated by scrub species, with no evidence of any aquatic or emergent vegetation recorded.

##### Evaluation

- 4.10.6 All four ditches within the site were recorded to be dry at the time of the update survey work. The majority of the ditches were recorded to have become dominated by areas of semi-improved grassland, tall ruderal vegetation and scrub, with no emergent or aquatic vegetation recorded.
- 4.10.7 On this basis, the ditches are not considered to be of value outside of a site context and do not form an important ecological feature. The loss of ditches is therefore of minor ecological significance.

#### 4.11 Trees

##### Description

- 4.11.1 A number of trees were recorded within the site, largely associated with the hedgerows and tree lines (as described at Tables 4.1 and 4.2 above; see Plan 5309/ECO3).

- 4.11.2 A number of stand-alone trees are also present within the site (see Plan 5309/ECO3). Stand-alone trees were largely recorded to be semi-mature to mature in age and comprising largely Oak, Ash, Wych Elm and Pine *Pinus* sp.

#### Evaluation

- 4.11.3 The trees within the site were largely recorded to be semi-mature to mature in nature and comprise largely native species, whilst semi-mature and mature trees are considered to be of intrinsic ecological value. On this basis, the trees are considered to form an important ecological feature and are of value at the local level.
- 4.11.4 It is understood that the majority of semi-mature/mature trees within the site are retained under the proposals. As such, a number of recommendations are set out at Section 6 below to ensure that retained trees are fully safeguarded.
- 4.11.5 In any event, new tree planting is proposed at the site which will compensate for any losses.

### **4.12 Buildings**

#### Description

- 4.12.1 Two buildings are present within the site (labelled B1 and B2 on Plan 5309/ECO3).
- 4.12.2 Building B1 is a disused chicken farm building. The building is of wooden construction with a pitched roof supporting corrugated asbestos sheeting, along with a metal container on top of the building. Internally, the building is open to the roof. The building was recorded to have fallen into disrepair and was partially collapsed at the time of survey. The majority of the building was not recorded to support any vegetation, although scrub species were recorded to be encroaching into collapsed sections of the building.
- 4.12.3 Building B2 is a pillbox. The building is of concrete construction, with a flat concrete roof and a number of small paneless windows. Internally, the building is open to the roof. The internal areas were also recorded to support species consistent with those recorded in areas of semi-improved grassland.

#### Evaluation

- 4.12.4 The buildings within the site support a limited range of common and widespread species of limited intrinsic ecological value. On this basis, buildings are inherently of negligible ecological value and do not form an important ecological feature. The loss of buildings to the proposals is therefore of negligible ecological significance.
- 4.12.5 In any event, it is understood that the pillbox is to be retained within an area of open greenspace as part of the proposals.

### **4.13 Amenity Planting**

#### Description and Evaluation

- 4.13.1 A single area of amenity planting was recorded within the site, adjacent to residential gardens at the south-western site boundary (see Plan 5309/ECO3).
- 4.13.2 This area of amenity planting was largely recorded to comprise a variety of ornamental and non-native species.

4.13.3 On this basis, areas of amenity planting are inherently of negligible ecological value and do not form an important ecological feature. The loss of amenity planting to the proposals is therefore of negligible ecological significance.

#### 4.14 Offsite Wooded Belt

##### Description

4.14.1 A single wooded belt is present offsite adjacent to the eastern site boundary (see Plan 5309/ECO3).

4.14.2 The wooded belt was recorded to be relatively open in nature. The canopy layer was recorded to be dominated by young to semi-mature Wych Elm trees, along with Field Maple *Acer campestre*, Ash, Elder and Oak. The wooded belt was noted to be largely lacking in understorey and ground flora likely due to overshadowing from the canopy trees. Occasional species were recorded in the ground layer comprising largely tall ruderal species consistent with those recorded within the site.

##### Evaluation

4.14.3 The offsite wooded belt adjacent to the site has been identified as Priority Habitat type 'Lowland Mixed Deciduous Woodland' according to the MAGIC database. The description of this habitat is very broad, such that it is considered likely that the offsite wooded belt does qualify as Priority Habitat Deciduous Woodland. However, the woodland was recorded to be lacking in understorey and ground flora, such that it is not considered likely to be particularly good example of the habitat.

4.14.4 The wooded belt may also provide foraging and shelter opportunities for a range of faunal species and provides connectivity between the site and offsite habitats in the local area.

4.14.5 On this basis, the offsite wooded belt is considered to form an important ecological feature and is of value at the local level.

4.14.6 Nevertheless, the wooded belt is located offsite and will therefore be retained, whilst a buffer of greenspace will be provided between the wooded belt and built development. As such, the wooded belt is unlikely to be affected as a result of the proposals, although a number of general construction safeguards are set out at Section 6 which will further reduce the risk of adverse effects on retained vegetation as a result of the proposals.

#### 4.15 Habitat Evaluation Summary

4.15.1 A summary of the evaluation of the habitats present at the site is set out at Table 4.3 below.

**Table 4.3.** Evaluation summary of habitats forming important ecological features.

Habitat	Level of Importance
Hedgerows and Tree Lines	Local
Trees	Local
Offsite Wooded Belt	Local

4.15.2 Other habitats present within the site include arable land, semi-improved grassland, bare ground, tall ruderal vegetation, scrub, ditches, buildings and amenity planting. However, these do not form important ecological features and are not considered to be of importance beyond the context of the site.

## 5 Faunal Use Of The Site

### 5.1 Overview

5.1.1 During the survey work, general observations were made of any faunal use of the site with specific attention paid to the potential presence of protected or notable species. Specific survey work was undertaken in respect of Badgers and bats, with the results described below.

### 5.2 Priority Species

5.2.1 Section 40 of the Natural Environment and Rural Communities (NERC) Act 2006 places duties on public bodies to have regard to the conservation of biodiversity in the exercise of their normal functions. In particular, Sections 41 and 42 of the NERC Act require the Secretary of State to publish a list of species which are of principal importance for conservation in England and Wales, respectively. This list is largely derived from the 'Priority Species' listed under the former UK Biodiversity Action Plan (BAP), which continue to be regarded as priority species under the subsequent country-level biodiversity strategies.

5.2.2 Consideration is given to the potential presence of Priority Species below, where appropriate.

### 5.3 Bats

5.3.1 **Legislation.** All British bats are classed as European Protected Species under the Conservation of Habitats and Species Regulations 2010 (as amended) and are also listed under Schedule 5 of the Wildlife and Countryside Act 1981 (as amended). As such, both bats and their roosts (breeding sites and resting places) receive full protection under the legislation (see Appendix 5309/4 for detailed provisions). If proposed development work is likely to result in an offence a licence may need to be obtained from Natural England which would be subject to appropriate measures to safeguard bats. A number of bat species are also considered S41 Priority Species.

5.3.2 **Background Records.** No specific records of bats from within or adjacent to the site were returned from the desktop study. A number of records of bats were returned by the LRC within the wider area, including Long-eared Bat *Plecotus* sp., Pipistrelle bat *Pipistrellus* sp. and unidentified (Chiroptera) bat species. The closest record returned is for Long-eared Bat, located approximately 0.1km south of the site and dated 2009.

#### 5.3.3 Survey Results and Evaluation

##### Buildings

5.3.4 A detailed visual inspection was undertaken of both buildings within the site, the results of which are detailed below.

5.3.5 No evidence of roosting bats was recorded within buildings B1 and B2 during the survey work undertaken. Buildings B1 and B2 are open to the roof and are of a construction type not normally favoured by roosting bats. Further, the internal areas of the buildings light in nature and are open to the elements, such that the buildings are likely subject to significant temperature fluctuations. On this basis, buildings B1 and B2 are considered to be of negligible potential to support roosting bats.



- 5.3.6 As such, the buildings are not considered to be of ecological importance to roosting bats and no specific mitigation or licensing for bats is required.

### Trees

- 5.3.7 A number of semi-mature and mature trees are present on site. The results of the tree assessment work undertaken at the site are illustrated on Plan 5309/ECO3 and summarised in Table 5.1 below:

**Table 5.1.** Tree inspection results.

Tree No.	Species	Age	Potential Roost Features	Suitability
T1	Oak	Mature	Split limbs, covering of Ivy	Low
T3	Oak	Mature	Split limb, covering of Ivy	Low
T7	Oak	Mature	Split limbs, rot holes and dense covering of Ivy	Moderate
T9	Oak	Mature	Split limbs, possible rot holes, dense covering of Ivy	Moderate
T21	Oak	Mature	Split limbs, rot holes and dense covering of Ivy	Moderate

- 5.3.1 In summary, two trees within the site have been assessed to be of low suitability to roosting bats, whilst three trees have been assessed to be of moderate suitability. On this basis, the site is considered to be of local value to roosting bats.

- 5.3.2 In any event, it is understood that all trees of identified bat suitability within the site are to be retained under the proposals, such that in the event that bats are present within the trees they will remain unaffected. Nevertheless, a number of recommendations are set out at Section 6 below to ensure any bats utilising these trees are fully safeguarded.

### *Foraging and Commuting Bats*

- 5.3.3 The majority of the site, being dominated by arable land, is considered to be of negligible ecological value for roosting bats. Potential opportunities for this group are afforded by the hedgerows, tree lines, trees and scrub, as well as the offsite wooded belt, which may support an increased biomass of invertebrate prey. In addition, the hedgerows, tree lines and offsite wooded belt likely form linear corridors for commuting bats. Nevertheless, these features are largely restricted to the field boundaries, whilst the site is not connected to any offsite habitats of particular value in the local area.

- 5.3.4 On this basis, the site is considered to be of local value to foraging and commuting bats.

- 5.3.5 Nevertheless, the majority of habitats of elevated value to foraging and commuting bats are to be retained under the proposals. As such, a number of recommendations are set out at Section 6 below to ensure these features are fully safeguarded and opportunities for this species group remain in the long-term.

## 5.4 **Badger**

- 5.4.1 **Legislation.** Badger receive legislative protection under the Protection of Badgers Act 1992 (see Appendix 5309/4 for detailed provisions). The legislation aims to protect the

species from persecution, rather than being a response to an unfavourable conservation status, as the species is in fact common over most of Britain. It is the duty of planning authorities to consider the conservation and welfare impacts of development upon Badger and issue permissions accordingly.

5.4.2 Licences can be obtained from Natural England for development activities that would otherwise be unlawful under the legislation. Guidance on the types of activity that should be licensed is laid out in the relevant best practice guidance.<sup>14, 15</sup>

5.4.3 **Background Records.** No specific records of Badger from within the site were returned from the desktop study. A number of records were returned from within the wider area, the closest being for an individual roadkill located adjacent to the eastern site boundary and dated 2009.

5.4.4 **Survey Results and Evaluation.** No evidence of any Badger setts was recorded within or adjacent to the site during the survey work undertaken.

5.4.5 In terms of foraging resources, the majority of the site comprises an arable field, which provides a seasonally dependant foraging resource and will vary with the crop type in production. The boundary habitats at the site boundaries also offer foraging opportunities for this species throughout the year. Nevertheless, no evidence for the presence of this species was recorded within the site during the survey work undertaken, such that Badger do not appear to be making use of the site.

5.4.6 On this basis, the site is not considered to be of importance to Badger. Nevertheless, given that records have been returned within the local area, a number of general construction safeguards are set out at Section 6 below to ensure that this species is fully safeguarded throughout construction in the unlikely event that individuals are present.

## 5.5 Other Mammals

5.5.1 **Legislation.** A number of other UK mammal species do not receive direct legislative protection relevant to development activities but may receive protection against acts of cruelty (e.g. under the Wild Mammals (Protection) Act 1996). In addition, a number of these mammal species are S41 Priority Species.

5.5.2 **Background Records.** A number of records of the Priority Species Hedgehog *Erinaceus europaeus* were returned from within and adjacent to the site.

5.5.3 A number of records of the Wildlife and Countryside Act 1981 (as amended) species Otter *Lutra lutra* and Water Vole *Arvicola amphibius* were returned by the desktop study. Of these, the closest record returned was for Otter, located approximately 350m north of the site and dated 2010.

5.5.4 Records of the Priority Species Brown Hare *Lepus europaeus* and Harvest Mouse *Micromys minutus* were also returned by the desktop study from the wider search area. Of these, the closest record returned was for Brown Hare, located approximately 30m east of the site and dated 2010.

<sup>14</sup> English Nature (2002) 'Badgers and Development'

<sup>15</sup> Natural England (2011) 'Badgers and Development: A Guide to Best Practice and Licensing', Interim Guidance Document

- 5.5.5 **Survey Results and Evaluation.** No evidence of any other protected, rare or notable mammal species was recorded within the site.
- 5.5.6 Evidence of Rabbit *Oryctolagus cuniculus* was recorded throughout the site in the form of droppings. This species, along with other mammal species likely to utilise the site, such as Fox *Vulpes vulpes*, remains common in both a local and national context. As set out above, these species do not receive specific legislative protection in a development context and are therefore not a material planning consideration such that the loss of potential opportunities for these species to the proposals is of negligible significance.
- 5.5.7 The desktop study returned background records of the Priority species Hedgehog, Brown Hare and Harvest Mouse within the local area. Hedgehog, Harvest Mouse and Brown Hare remain common and widespread in England. The site offers potential opportunities for these species, although abundant similar opportunities are present within the local area, such that the proposals are unlikely to affect local populations of these species.
- 5.5.8 The desktop study also returned records of the Wildlife and Countryside Act 1981 (as amended) species Water Vole and Otter from within the local area. However, no riparian habitats are present within or adjacent to the site and therefore these species are highly unlikely to make use of habitats within the site.
- 5.5.9 On this basis, the site is considered to be of no more than site value to other mammals.
- 5.5.10 Nevertheless, it is recommended that precautionary safeguards are put in place to minimise the risk of harm to Hedgehog in the event this species is present, as detailed in Chapter 6 below.

## 5.6 Amphibians

- 5.6.1 **Legislation.** All British amphibian species receive a degree of protection under the Wildlife and Countryside Act 1981 (as amended). Great Crested Newt is protected under the Act and is also classed as a European Protected Species under the Conservation of Habitats and Species Regulations 2010 (as amended). As such, both Great Crested Newt and habitats utilised by this species are afforded protection (see Appendix 5309/4 for detailed provisions). Great Crested Newt is also a S41 Priority Species, as are Common Toad *Bufo bufo*, Natterjack Toad *Epidalea calamita*, and Pool Frog *Pelophylax lessonae*.
- 5.6.2 **Background Records.** No records of Great Crested Newt were returned by the LRC.
- 5.6.3 A number of records of Common Frog *Rana temporaria*, Common Toad and Smooth Newt *Lissotriton vulgaris* were returned from the wider search area surrounding the site, of which the closest record is for Smooth Newt, located approximately 0.4km north of the site and dated 2013.
- 5.6.4 **Survey Results and Evaluation.** No ponds are present within the site, whilst a single pond has been identified within 250m of the site (the typical commuting distance of Great Crested Newt. Access was not available to this pond at the time of survey. The pond is located approximately 135m to the north-west and is separated from the site by Howlett Way, a main, kerbed road. As such, this road is considered to form a barrier

for dispersal and in the event Great Crested Newts are present within the pond, it considered highly unlikely that individuals would make use of the site.

- 5.6.5 In terms of terrestrial habitat, the majority of the site is dominated by arable land, which offers negligible opportunities for this species group. The hedgerows, tree lines, scrub, tall ruderal vegetation and to a lesser extent areas of semi-improved grassland may provide opportunities for amphibian species, albeit the value of these features is limited by the lack of ponds in/connected to the site.
- 5.6.6 On this basis, the site is not considered to be of importance to Great Crested Newts or other amphibian species.
- 5.6.7 In any event, it is considered that the implementation of recommendations in respect of Hedgehog set out at Section 6 below will also safeguard amphibian species in the event that individuals are present within the site.

## 5.7 Reptiles

- 5.7.1 **Legislation.** All six species of British reptile are listed under Schedule 5 of the Wildlife and Countryside Act 1981 (as amended), which protects individuals against intentional killing or injury. Sand Lizard *Lacerta agilis* and Smooth Snake *Coronella austriaca* receive additional protection under the Conservation of Habitats and Species Regulations 2010 (as amended); refer to Appendix 5309/4 for detailed provisions. All six reptile species are also S41 Priority Species.
- 5.7.2 **Background Records.** No records of any reptile species were returned from within or adjacent to the site. A number of records were returned for the wider search area for Grass Snake *Natrix natrix*, Adder *Vipera berus*, Slow-worm *Anguis fragilis* and Common Lizard *Zootoca vivipara*. Of these, the closest record is for Grass Snake, located approximately 0.9km to the south of the site and dated 2009.
- 5.7.3 **Survey Results and Evaluation.** The majority of the site is dominated by arable land, which offers negligible opportunities for reptile species. Areas of semi-improved grassland, hedgerows, tree lines, scrub, ditched and tall ruderal vegetation within the site offer some potential for this species group, albeit such opportunities are limited to the field boundaries.
- 5.7.4 As such, specific survey work in respect of reptiles was undertaken at the site, the results of which are set out below in Table 5.2 and on Plan 5309/ECO4).

**Table 5.2.** Reptile survey results summary.

Visit	Date	Common Lizard		Slow Worm		Grass Snake		Other Species
		Adult	Juv.	Adult	Juv.	Adult	Juv.	
1	10/08/2018	0	0	0	0	0	0	0
2	11/08/2018	0	0	0	0	0	0	0
3	16/08/2018	0	0	0	0	0	0	0
4	17/08/2018	0	0	0	0	0	0	0
5	24/08/2018	0	0	0	0	0	0	0
6	06/09/2018	3	0	0	0	0	0	0
7	10/09/2018	4	0	0	0	0	0	0
<b>Peak Count</b>		<b>4</b>		<b>0</b>		<b>0</b>		

- 5.7.5 As set out above at Table 5.2, a peak count of four Common Lizard was recorded during the survey work at the site, with animals recorded in transect B and I only within the west of the site (see Plan 5309/ECO4). The area of suitable reptile habitat at the site measures c. 2.6ha and therefore the peak count equates to a population of 1.5 Common Lizard per hectare, which would be classified as a low population under the standard guidance<sup>16</sup>. As such, it is considered that the population of reptiles supported by the study area is of importance at the local level only.
- 5.7.6 All areas of suitable reptile habitat are to be retained under the proposals and subject to protection of this habitat during construction (see Chapter 6 below) it is considered likely that the local conservation status of reptiles will be maintained post-development.

## 5.8 Birds

- 5.8.1 **Legislation.** All wild birds and their nests receive protection under Section 1 of the Wildlife and Countryside Act 1981 (as amended) in respect of killing and injury, and their nests, whilst being built or in use, cannot be taken, damaged or destroyed. Species included on Schedule 1 of the Act receive greater protection and are subject to special penalties (see Appendix 5309/4 for detailed provisions).
- 5.8.2 **Conservation Status.** The conservation importance of British bird species is categorised based on a number of criteria including the level of threat to a species' population status<sup>17</sup>. Species are listed as Green, Amber or Red. Red Listed species are considered to be of the highest conservation concern being either globally threatened and or experiencing a high/rapid level of population decline (>50% over the past 25 years). A number of birds are also S41 Priority Species.
- 5.8.3 **Background Records.** A number of records of bird species were returned from within or directly adjacent to the site, including the Priority species Song Thrush *Turdus philomelos*, Starling *Sturnus vulgaris* and House Sparrow *Passer domesticus* and Dunnock *Prunella modularis*. Further, a large number of records were returned from within the 1km x 1km grid square covering the site, including a number of Wildlife and Countryside Act 1981 (as amended) species and Priority Species.
- 5.8.4 **Survey Results and Evaluation.** The site comprises habitats of value to a range of common bird species, including farmland species. However, arable land is a common habitat type in the local area such that similar opportunities are available within the vicinity of the site. Indeed, only a small number of common species were recorded within the site during the Phase 1 survey including Wood Pigeon *Columba palumbus*, Chaffinch *Fringilla coelebs*, Pheasant *Phasianus colchicus* and Great Tit *Parus major*.
- 5.8.5 Background information also returned records of the Song Thrush, Starling and House Sparrow within or adjacent to the site. These species are listed as Priority Species, having undergone a major or moderate decline in UK population over 25 years. Nevertheless, House Sparrow, Song Thrush and Starling are considered to be common

<sup>16</sup> Herpetofauna Groups of Britain and Ireland (1998) 'Evaluating local mitigation/translocation programmes: Maintaining Best Practice and lawful standards'

<sup>17</sup> Eaton MA, Aebischer NJ, Brown AF, Hearn RD, Lock L, Musgrove AJ, Noble DG, Stroud DA and Gregory RD (2015) 'Birds of Conservation Concern 4: the population status of birds in the United Kingdom, Channel Islands and the Isle of Man' British Birds 108, pp.708-746

in the UK, having UK populations of over 1,000,000 pairs (as characterised by Musgrove et al., 2013<sup>18</sup>).

- 5.8.6 On this basis, the site is considered to be of no more than local value to birds.
- 5.8.7 In any event, the majority of habitats of elevated value to bird species are to be retained, whilst new tree and shrub planting will also be provided under the proposals such that continued opportunities will be available at the site in the long-term. Nevertheless, the proposals will result in the loss of a section of tree line to facilitate site access as well as some areas of scrub, which could potentially affect any nesting birds that may be present at the time of works. Accordingly, a number of measures are set out at Chapter 6 below to ensure nesting birds are fully safeguarded.

## 5.9 Invertebrates

- 5.9.1 **Legislation.** A number of invertebrate species are listed under Schedule 5 of the Wildlife and Countryside Act 1981 (as amended). In addition, Large Blue Butterfly *Maculinea arion*, Fisher's Estuarine Moth *Gortyna borelii lunata* and Lesser Whirlpool Ram's-horn Snail *Anisus vorticulus* receive protection under the Conservation of Habitats and Species Regulations 2010 (as amended); refer to Appendix 5309/4 for detailed provisions. A number of invertebrates are also S41 Priority Species.
- 5.9.2 **Background Records.** A single record of the Wildlife and Countryside Act 1981 (as amended) species Stag beetle *Lucanus cervus* was returned from within the site. Further, records of the Priority Species Wall *Lasiommata megera*, Small Heath *Coenonympha pamphilus*, Shaded Broad-bar *Scotopteryx chenopodiata*, Garden Tiger *Arctia caja* and Cinnabar *Tyria jacobaeae* were returned from within a 1km x 1km grid square covering part of the site.
- 5.9.3 **Survey Results and Evaluation.** The site is dominated by arable land and semi-improved grassland, which are likely to support only a limited diversity of invertebrates.
- 5.9.4 The site has occasional areas of bare ground and areas of scrub but otherwise contains relatively few micro-habitats that would typically indicate elevated potential for invertebrates<sup>19</sup>, such as a variable topography with areas of vertical exposed soil, areas of species-rich semi-natural vegetation; variable vegetation structure with frequent patches of tussocks combined with short turf; free-draining light soils; walls with friable mortar or fibrous dung.
- 5.9.5 Further, no evidence for the presence of any protected, rare or notable invertebrate species was recorded within the site.
- 5.9.6 Accordingly, given the habitat composition of the site and lack of adjacent sites designated for significant invertebrate interest, the site is not considered to be of importance to invertebrates.

<sup>18</sup> Musgrove et al., British Birds (2013) 'Population estimates of birds in Great Britain and the United Kingdom'.

<sup>19</sup> Natural England (2010) 'Higher Level Stewardship – Farm Environment Plan (FEP) Manual', 3<sup>rd</sup> Edition

## 5.10 Summary

**Table 5.2.** Evaluation summary of fauna forming important ecological features.

Species / Group	Supported by or associated with the site	Level of Importance
Bats – Roosting	Potential habitat in the form of trees	Local
Bats – Foraging / Commuting	Potential habitat in the form of trees, hedgerows, tree lines and offsite wooded belt	Local
Badger	Likely absent (although potential habitat present)	Negligible
Other Mammals (Priority Species)	Potential habitat present	Site
Great Crested Newt	Likely absent (no connected ponds identified within 250m of the site)	Negligible
Reptiles	Low population of Common Lizard	Local
Birds	Potential habitat in the form of trees, hedgerows, tree lines and offsite wooded belt	Local

5.10.1 Other fauna potentially supported by the site include non-priority species of mammals, amphibians and invertebrates. However, these species do not form important ecological features and are not considered to be of importance beyond the context of the site.

## 6 Mitigation Measures and Ecological Enhancements

### 6.1 Mitigation

6.1.1 Based on the habitats, ecological features and associated fauna identified within / adjacent to the site, it is proposed that the following mitigation measures (**MM1 – 6**) are implemented under the proposals. Further, detailed mitigation strategies or method statements can be secured via suitably-worded planning conditions, as recommended by relevant best practice guidance (BS 42020:2013).

#### General Construction Safeguards

6.1.2 **MM1 – General Construction Safeguards.** In order to reduce adverse effects associated with construction activities on adjacent habitats or fauna that may occur within the site, safeguarding measures will be implemented, to include the following:

- Damping down of dust sources and covering of loose materials to reduce dust deposition within adjacent habitats;
- Storage of chemicals and hazardous materials in line with best practice guidelines;
- Fires will only be lit in secure compounds and not allowed to remain during the night and;
- Food and litter will not be left within the working areas overnight.

#### Habitats

6.1.3 **MM2 – Hedgerow, Tree and Offsite Wooded Belt Protection.** All hedgerows and trees to be retained within and adjacent to the proposed development shall be protected during construction in line with standard arboriculturalist best practice (BS5837:2012) or as otherwise directed by a suitably competent arboriculturalist. This will involve the use of protective fencing or other methods appropriate to safeguard the root protection areas of retained trees / hedgerows / offsite wooded belt.

#### Bats

6.1.4 **MM3 – Sensitive Lighting.** Light-spill onto retained and newly created habitat, in particular the retained hedgerows, tree lines and scrub (especially along the south western boundary), will be minimised in accordance with good practice guidance<sup>20</sup> to reduce potential impacts on light-sensitive bats (and other nocturnal fauna). This may be achieved through the implementation of a sensitively designed lighting strategy, with consideration given to the following key factors:

- **Light exclusion zones** – ideally no lighting should be used in areas likely to be used by bats. Light exclusion zones or ‘dark corridors’ may be used to provide interconnected areas free of artificial illumination to allow bats to move around the site;
- **Variable Lighting Regimes** – VLRs can be employed, which involve switching off/dimming lights for periods during the night, for example when human activity is generally low (e.g. 12.30 – 5.30am). The use of VLRs may be particularly beneficial during the active bat season (April to October). Motion sensors can also be used to limit the time lighting is operational;

<sup>20</sup> Stone, E.L. (2013) ‘Bats and lighting: Overview of current evidence and mitigation guidance.’ ILP (2011) ‘Guidance notes for the reduction of obtrusive light’ Institution of Lighting Professionals, GN01:2011; and Bat Conservation Trust (2014) ‘Artificial Lighting and Wildlife – Interim Guidance: Recommendations to help minimise the impact of artificial lighting’.



- **Light barriers** – new planting (e.g. hedgerows and trees) or fences, walls and buildings can be strategically positioned to reduce light spill;
- **Spacing and height of lighting units** – increasing spacing between lighting units will minimise the area illuminated and allow bats to fly in the dark refuges between lights. Reducing the height of lighting will also help decrease the volume of illuminated space and give bats a chance to fly over lighting units (providing the light does not spill above the vertical plane). Low level lighting options should be considered for any parking areas and pedestrian / cycle routes, e.g. bollard lighting, handrail lighting or LED footpath lighting;
- **Light intensity** – light intensity (i.e. lux levels) should be kept as low as possible to reduce the overall amount and spread of illumination. The type of light should also be considered, for example lights with high ultraviolet content (e.g. metal halide or mercury lights) should be avoided or fitted with UV filters; and
- **Directionality** – to avoid light spill lighting should be directed only to where it is needed. Particular attention should be paid to avoid the upward spread of light so as to minimise trespass and sky glow.

### Reptiles

- 6.1.5 **MM4 – Destructive Search.** As a precautionary measure to minimise the risk of harm to reptiles, a destructive search is proposed. The destructive search will involve cutting the grassland within the development footprint to a short height (~15cm) so as to encourage reptiles to disperse to suitable areas of retained/nearby habitat, whilst also allowing for a fingertip search of the area. This exercise should be carried out under the supervision of a competent ecologist during the active reptile season where practicable (generally March/April to September/October, depending on prevailing weather). Any potential refuge features, e.g. piles of rubble, heavy logs, brash piles, will be fingertip-searched by an ecologist prior to being carefully disassembled. Any reptiles encountered during the destructive search will be carefully rescued by the supervising ecologist and relocated to suitable nearby habitat.

### Hedgehog

- 6.1.6 **MM5 – Hedgehog safeguards during habitat clearance.** The above destructive search undertaken to safeguard reptiles will also safeguard other species, including Hedgehog. In the unlikely event that a Hedgehog is encountered during works, it will be carefully moved to an area of retained, suitable habitat (preferably within an area of cover). In the event that an injured animal is encountered, it will be taken to a vet or animal hospital for treatment.
- 6.1.7 **MM5 – Site Permeability.** The permeability of the site will be maintained under the proposals. As such, cut-outs at ground level (measuring at least 13cm x 13cm) should be introduced to garden fences so as to ensure Hedgehog (and other small mammals) are able to move freely between new gardens.

### Nesting Birds

- 6.1.8 **MM6 – Timing of Works.** To avoid a potential offence under the relevant legislation, no clearance of suitable vegetation will be undertaken during the bird-nesting season (1<sup>st</sup> March to 31<sup>st</sup> August inclusive). If this is not practicable, any potential nesting habitat to be removed will first be checked by a competent ecologist in order to determine the location of any active nests. Any active nests identified would then need to be cordoned off (minimum 5m buffer) and protected until the end of the nesting season or until the birds

have fledged. These checking surveys would need to be carried out no more than three days in advance of vegetation clearance.

## 6.2 Ecological Enhancements

6.2.1 The National Planning Policy Framework (NPPF) encourages new developments to maximise the opportunities for biodiversity through incorporation of enhancement measures. The proposals present the opportunity to deliver ecological enhancements at the site for the benefit of local biodiversity, thereby making a positive contribution towards the broad objectives of national conservation priorities and the local Biodiversity Action Plan (BAP). The recommendations and enhancements summarised below are considered appropriate given the context of the site and the scale and nature of the proposals. Through implementation of the following ecological enhancements (**EE1 – EE7**), the opportunity exists for the proposals to deliver a number of net gains for biodiversity at the site.

### Habitat Creation

6.2.2 **EE1 – New Planting.** It is recommended that where practicable, new planting within the site comprises native species of local provenance, including trees and shrubs appropriate to the local area. Suitable species for inclusion within the planting could include native trees such as Oak, Ash, Elm and Field Maple, whilst native shrub species of particular benefit would likely include fruit and nut bearing species which would provide additional food for wildlife, such as Blackthorn, Hawthorn, Spindle, Hazel and Holly.

6.2.3 **EE2 – Wildflower Grassland.** It is recommended that areas of native wildflower grassland are created within the site such which, in combination with new native landscape planting, will maximise opportunities for biodiversity under the proposals.

### Bats

6.2.4 **EE4 - Bat Boxes.** A number of bat boxes will be incorporated within the proposed development. The provision of bat boxes will provide new roosting opportunities for bats in the area, such as Soprano Pipistrelle, a national Priority Species. So as to maximise their potential use, the bat boxes will ideally be situated on suitable retained trees, erected as high up as possible and sited in sheltered wind-free areas that are exposed to the sun for part of the day, facing a south-east, south or south-westerly direction.

6.2.5 In addition, where architectural design allows, a number of integrated bat boxes / roost features will be incorporated into a proportion of buildings. The precise number and locations of boxes / roost features will be determined by a competent ecologist, post-planning once the relevant final development design details have been approved.

### Birds

6.2.6 **EE5 - Bird Boxes.** A number of bird nesting boxes are to be incorporated within the proposed development, thereby increasing nesting opportunities for birds at the site. Ideally, the bird boxes will have greater potential for use if sited on suitable, retained trees, situated as high up as possible. The precise number and locations of boxes will be determined by a competent ecologist, post-planning once the relevant final development design details have been approved.

### Invertebrates

- 6.2.7 **EE6 – Invertebrate boxes.** A number of insect boxes will be incorporated within areas of proposed green space. These provide habitats for a variety of beneficial invertebrate species.
- 6.2.8 **EE7 – Log Piles.** A proportion of any deadwood arising from vegetation clearance works should be retained within the site in a number of wood piles located within areas of new planting, new wetland habitats or areas of wildflower grassland in order to provide potential habitat opportunities for invertebrate species, which in turn could provide a prey source for a range of other wildlife.

## 7 Cumulative Effects

7.1.1 The potential for cumulative adverse effects as a result of the Development in combination with other nearby committed developments also need to be considered. Schemes to be assessed are set out within Appendix 5309/5.

7.1.2 The potential cumulative effects of these schemes on ecological receptors are considered below in combination with the proposed development, with an assessment made of any significant cumulative effects and whether any mitigation is required.

### 7.2 Construction Phase

7.2.1 Physical land-take and disturbance during construction works will be contained within the Site boundary, such that there is no potential for the Proposed Development to combine with the adjacent offsite schemes in any cumulative effects.

### 7.3 Operational Phase

7.3.1 The potential for cumulative effects from the operational development are considered below in respect of ecological designations, habitats and fauna separately:

#### Ecological Designations

7.3.2 The site is located within the identified zone of influence of a number of European-level designations, including Stour and Orwell Estuaries SPA and Ramsar, Deben Estuary SPA and Ramsar Alde-Ore Estuary SPA and Ramsar, Orfordness-Shingle SAC, Sandlings SPA and Alde-ore and Butley Estuaries SAC, with the closest being Stour and Orwell SPA and Ramsar located 1.6km south-west of the site. Consideration of in-combination effects on these designations is set out within a separate HRA report.

7.3.3 In terms of non-statutory designations, given the location of such designations not directly connected to the site and the availability of alternative recreational opportunities in the local area, significant effect on non-statutory designations as a result of in-combination development are not anticipated.

#### Habitats and Ecological Features

7.3.4 The majority of habitats within the site are considered to be of negligible ecological value. Habitats of elevated value are to be largely retained, safeguarded and enhanced under the proposals. As such, no land-take, physical or hydrological disturbance on offsite habitats which might contribute to in-combination effects with other developments are anticipated. The provision of areas of enhanced habitats under the masterplan will likely result in positive effects and therefore would offset rather than combine with any adverse effects on habitats and ecological features as a result of nearby developments.

#### Fauna

7.3.5 Species that are known to use or likely to use the site that may experience cumulative losses of habitat are largely bats, bird and Common Lizard. Given the nature of the site, it is considered highly unlikely that significant populations of bats or birds would be present, whilst only a low population of Common Lizard was recorded to be present. On this basis,

in-combination effects with other developments are not anticipated, whilst in any event opportunities for these species/species group will continue to be provided at the site.

- 7.3.6 A number of faunal species, particularly urban bird species, such as House Sparrow and Swift, are also likely to benefit from the change in habitats from intensive agricultural land to residential development with associated gardens and open space, offsetting any potential effects as a result of cumulative habitat losses.

#### Summary

- 7.3.7 As set out above, given the nature of the other sites to be developed, and the legislative and policy requirements relating to notable designations, habitats and species, it is considered unlikely that significant effects will arise as a result of the proposals in-combination with other development in the vicinity.

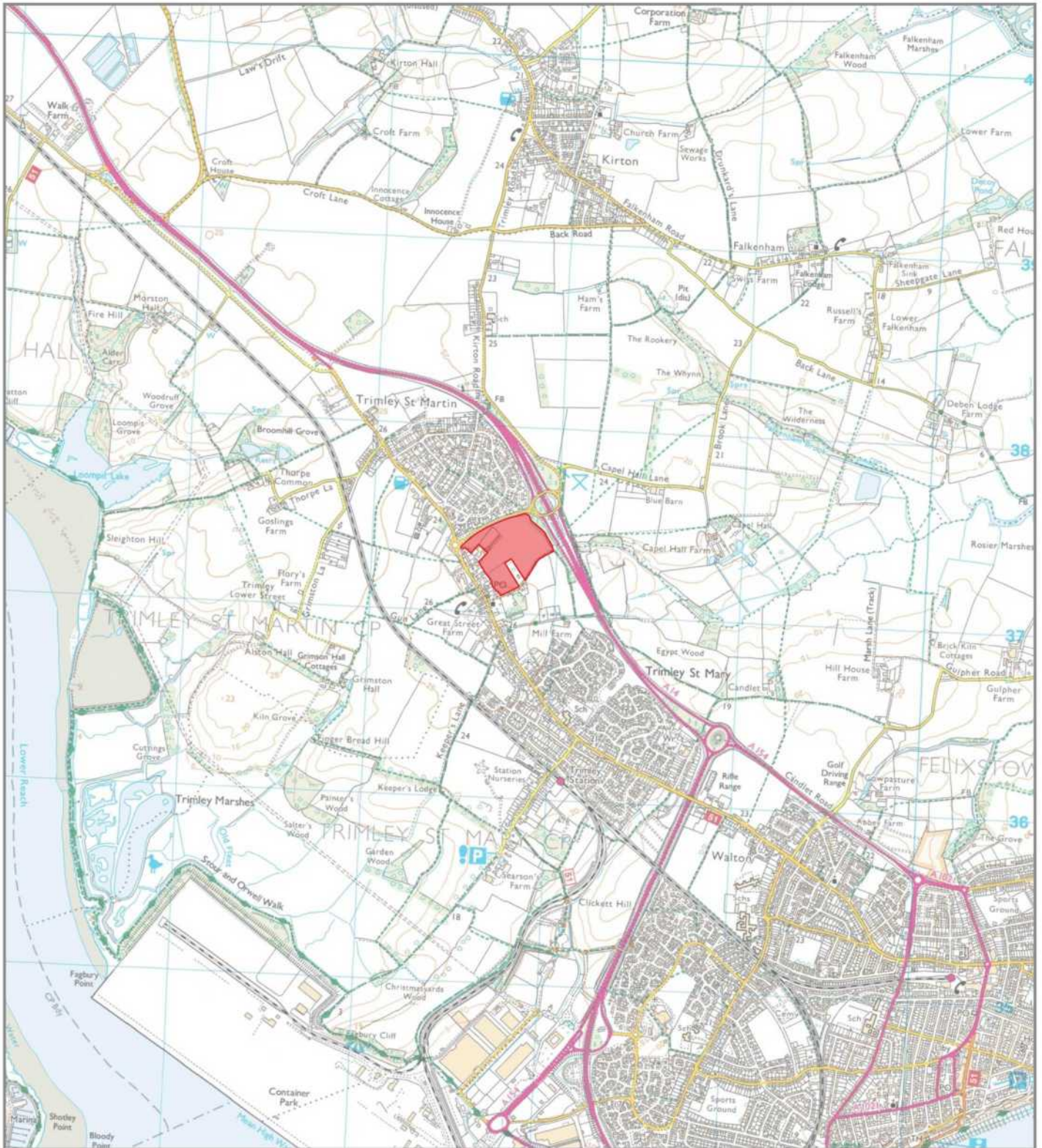
## 8 Conclusions

- 8.1.1 Aspect Ecology has carried out an Ecological Appraisal of the proposed development, based on the results of a desktop study, Phase 1 habitat survey and protected species surveys in respect of reptiles.
- 8.1.2 The available information confirms that no statutory or non-statutory nature conservation designations are present within or adjacent to the site. Stour and Orwell SPA and Ramsar and Deben Estuary SPA and Ramsar, along with a number of other European-level designations, are located within the local area. As such specific consideration is given to these designations within a separate HRA report.
- 8.1.3 The Phase 1 habitat survey has established that the site is dominated by habitats of site-level ecological value, whilst the proposals have sought to retain those features of greatest relative value. Where it has not been practicable to avoid loss of habitats, new habitat creation has been proposed to offset losses, in conjunction with the landscape proposals.
- 8.1.4 The habitats within the site have the potential to support a number of protected species, including species protected under both national and European legislation. Accordingly, a number of mitigation measures have been proposed to minimise the risk of harm to protected species, with compensatory measures proposed, where appropriate, in order to maintain the conservation status of local populations.
- 8.1.5 In conclusion, the proposals have sought to minimise impacts and subject to the implementation of appropriate avoidance, mitigation and compensation measures, it is considered unlikely that the proposals will result in significant harm to biodiversity. On the contrary, the opportunity exists to provide a number of biodiversity benefits as part of the proposals.

## Plan 5309/ECO1:

Site Location

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Key:

 Site Location

**aspect** ecology

Aspect Ecology Limited - West Court - Hardwick Business Park  
 Noral Way - Banbury - Oxfordshire - OX16 2AF  
 01295 276066 - info@aspect-ecology.com - www.aspect-ecology.com

Land off Howlett Way,  
 Trimley St. Martin

Site Location TITLE

5309/ECO1 DRAWING NO.

A REV.

March 2020 DATE





## **Plan 5309/ECO2:**

Ecological Designations

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**Key:**

- Site Location
- RAMSAR
- Special Protection Area (SPA)
- Site of Special Scientific Interest (SSSI)
- County Wildlife Site (CWS)
- Ancient & Semi-Natural Woodland (ASW)

**aspect** ecology

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Land off Howlett Way,  
 Trimley St. Martin

Ecological Designations

PROJECT

TITLE

5309/ECO2

DRAWING NO.

A

REV.

March 2020

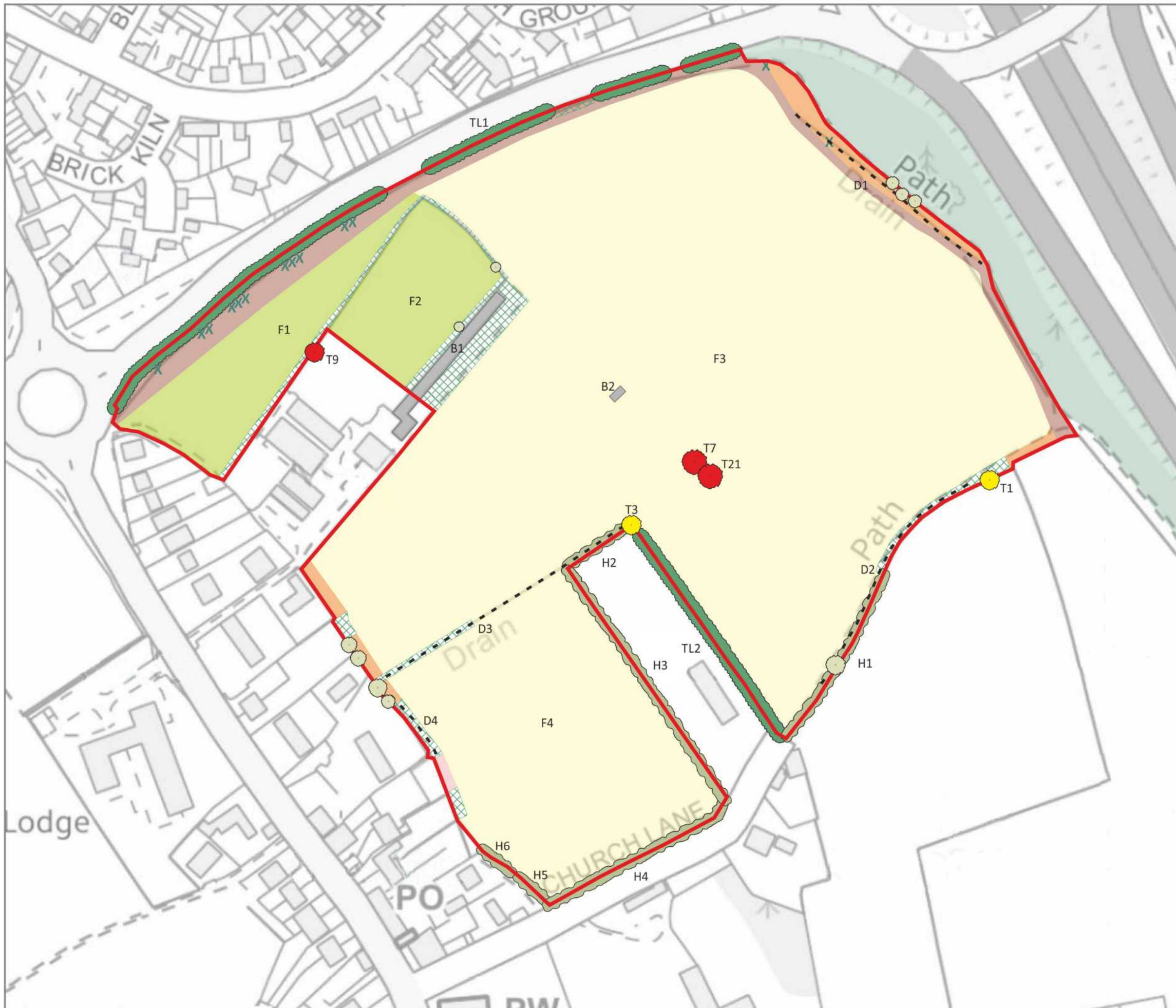
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





## **Plan 5309/ECO3:**

Habitats and Ecological Features

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- Key:**
-  Site Boundary
  -  Arable
  -  Semi-improved Grassland
  -  Bare Ground
  -  Tall Ruderal Vegetation
  -  Dense Scrub
  -  Scattered Scrub
  -  Tree Line
  -  Hedgerow
  -  Ditch
  -  Tree
  -  Tree with Moderate Suitability to Support Roosting Bats
  -  Tree with Low Suitability to Support Roosting Bats
  -  Building
  -  Amenity Planting
  -  Offsite Deciduous Woodland (identified as Priority Habitat according to the Magic Database)



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Land off Howlett Way,  
 Trimley St Martin  
 Habitats and Ecological Features

PROJECT  
 TITLE  
 DRAWING NO.  
 REV.  
 DATE

5309/ECO3

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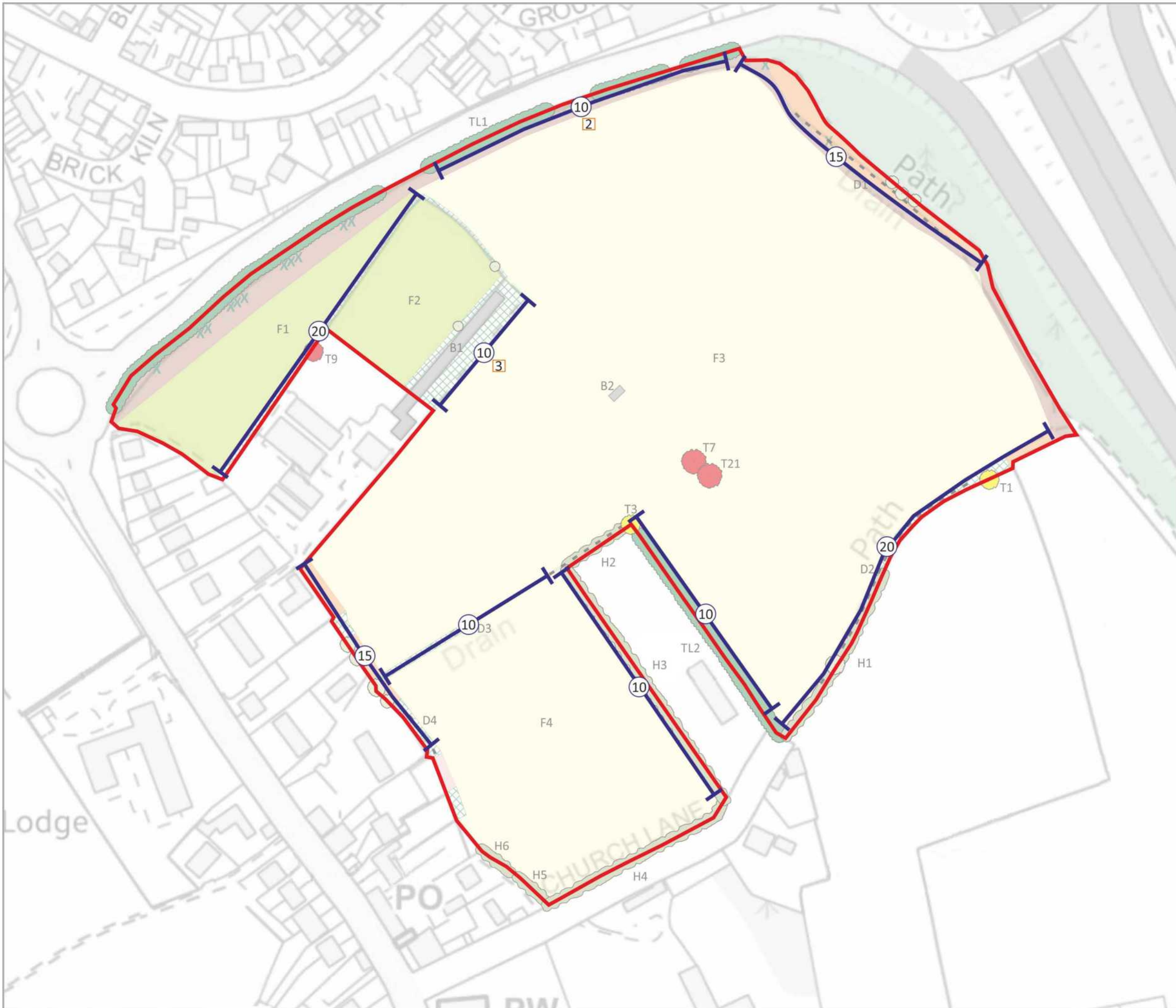
March 2020






## **Plan 5309/ECO4:**

Reptile Survey Results

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- Key:
-  Site Boundary
  -  Reptile Refugia Locations (Total 120 Refugia)
  -  Peak Adult Count - Common Lizard

**aspect ecology**

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Land off Howlett Way,  
 Trimley St Martin  
 Reptile Survey Results

PROJECT  
 TITLE  
 DRAWING NO. 5309/ECO4  
 REV. A  
 DATE March 2020



## **Appendix 5309/1:**

Proposed Layout

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NOTES

This drawing to be read in accordance with the specification/Bills of Quantities and related drawings.

No Dimensions to be scaled from this drawing. All stated dimensions to be verified on site and the Architect notified of any discrepancies.

0 100  
Scale bar 100mm at 1:1

NOTE: TREES LOCATED IN PRIVATE PLOTS ARE SHOWN INDICATIVELY; TREES IN PUBLIC AREAS ARE PROPOSED.

KEY:

-  FLATS
-  HOUSES
-  PROPOSED DRAINAGE BASINS
-  PROPOSED ZEBRA CROSSING
-  EXISTING MATURE TREES (UN-SURVEYED)
-  EXISTING PUBLIC RIGHT OF WAY (SHOWN BLUE DOTTED)



## FOR PLANNING

REV	DATE	NOTE	IN
A	01/20	UPDATES TO VILLAGE GREEN	JH

Project  
**TRIMLEY ST MARTIN  
 LAND OFF HOWLETT WAY  
 RESIDENTIAL DEVELOPMENT**

Title  
**ILLUSTRATIVE SITE LAYOUT**

Scale 1:1000 @A1	Date Dec 2019
Drawn SD	Checked AL
Drawing Number 7845/P101	Revision A

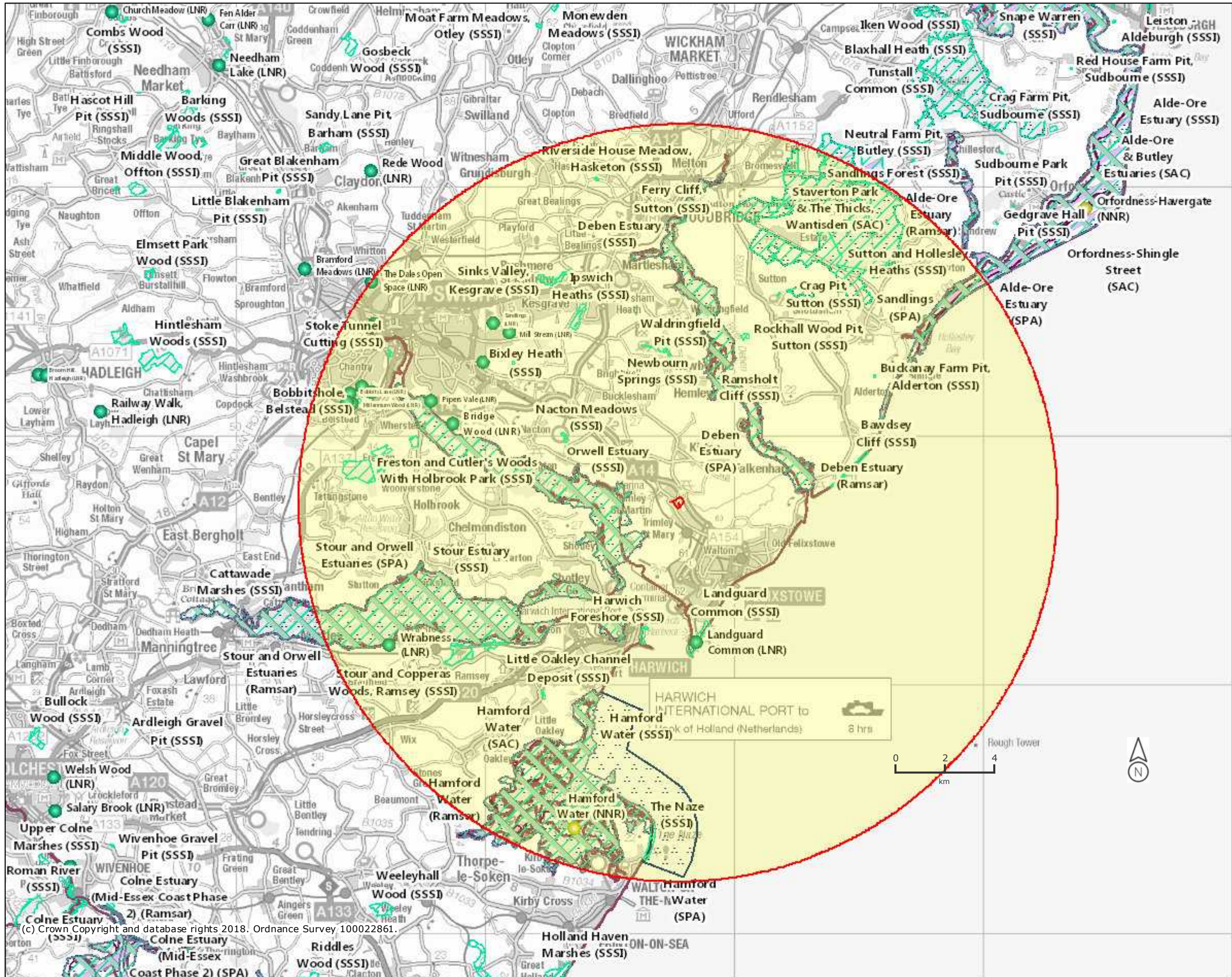
**Saunders**  
 Architecture + Urban Design



## **Appendix 5309/2:**

Desktop Study Data

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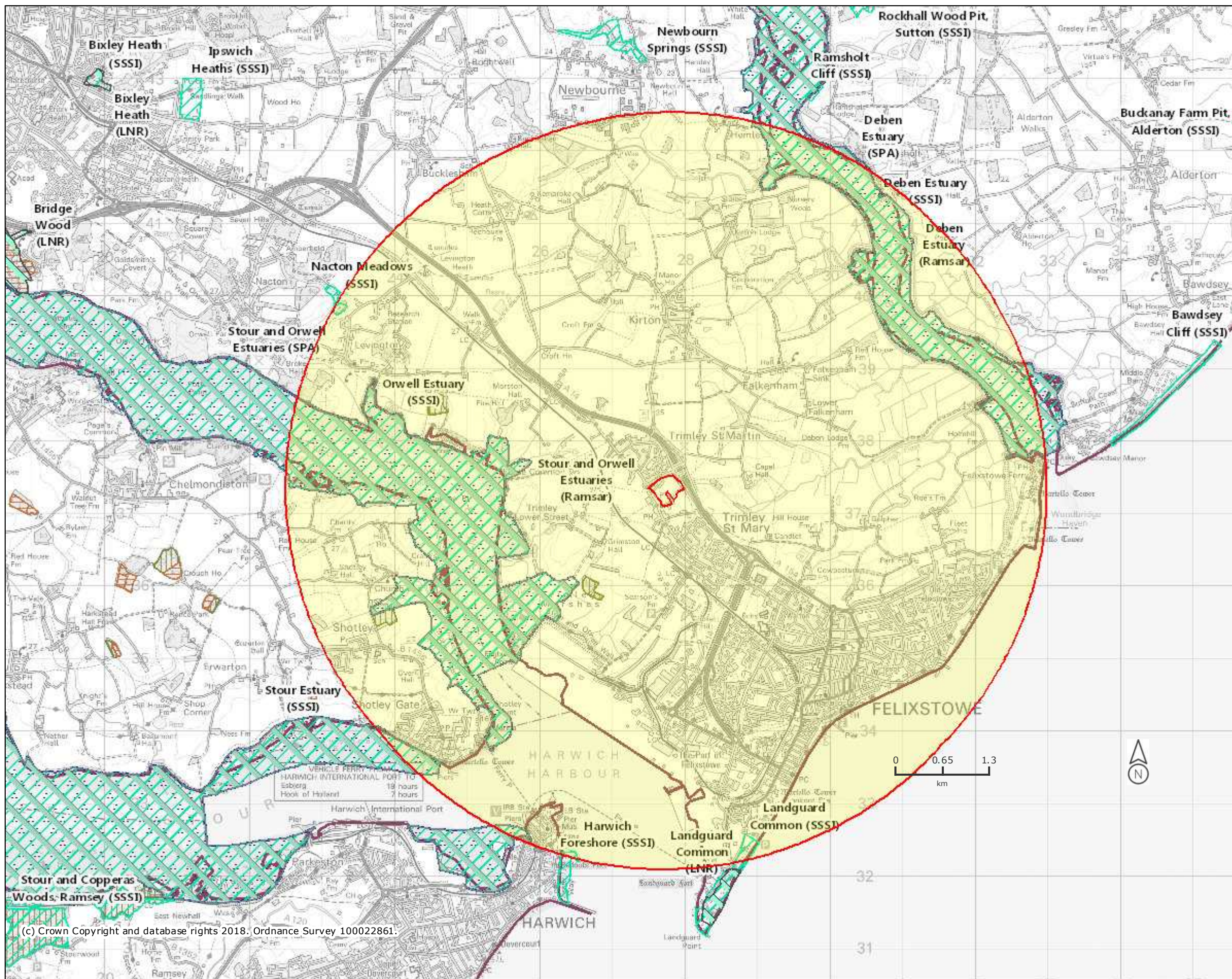
**Legend**

- Local Nature Reserves (England) - points
- National Nature Reserves (England) - points
- Ramsar Sites (England)
- Sites of Special Scientific Interest (England)
- Special Areas of Conservation (England)
- Special Protection Areas (England)








Projection = OSGB36  
 xmin = 599100  
 ymin = 220300  
 xmax = 652100  
 ymax = 255200



Map produced by MAGIC on 4 January, 2018.  
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**Legend**

-  Local Nature Reserves (England)
-  National Nature Reserves (England)
-  Ramsar Sites (England)
-  Sites of Special Scientific Interest (England)
-  Special Protection Areas (England)
- Ancient Woodland (England)**
-  Ancient and Semi-Natural Woodland
-  Ancient Replanted Woodland

Projection = OSGB36  
 xmin = 618100  
 ymin = 231300  
 xmax = 636200  
 ymax = 243300



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Site Check Report generated on Thu Jan 04 2018  
**You selected the location:** Centroid Grid Ref: TM277373  
 The following features have been found in your search area:

#### Ramsar Sites (England)

**Name** DEBEN ESTUARY  
**Reference** UK11017  
**Hectares** 981.08

**Name** STOUR AND ORWELL ESTUARIES  
**Reference** UK11067  
**Hectares** 3672.57

#### Sites of Special Scientific Interest (England) - points

**Name** Nacton Meadows SSSI  
**Reference** 1001889  
**Natural England Contact** CHARLOTTE J TOMKINSON  
**Natural England Phone Number** 0845 600 3078  
**Hectares** 4.47  
**Citation** 1006266  
**Hyperlink** <http://designatedsites.naturalengland.org.uk/SiteDetail.aspx?SiteCode=s1006266>

#### Sites of Special Scientific Interest (England)

**Name** Landguard Common SSSI  
**Reference** 1001852  
**Natural England Contact** Becks MUNDY  
**Natural England Phone Number** 0845 600 3078  
**Hectares** 30.5  
**Citation** 1004484  
**Hyperlink** <http://designatedsites.naturalengland.org.uk/SiteDetail.aspx?SiteCode=s1004484>

**Name** Nacton Meadows SSSI  
**Reference** 1001889  
**Natural England Contact** CHARLOTTE J TOMKINSON  
**Natural England Phone Number** 0845 600 3078  
**Hectares** 4.47  
**Citation** 1006266  
**Hyperlink** <http://designatedsites.naturalengland.org.uk/SiteDetail.aspx?SiteCode=s1006266>

**Name** Deben Estuary SSSI  
**Reference** 1002010  
**Natural England Contact** EMMA HAY  
**Natural England Phone Number** 0845 600 3078  
**Hectares** 981.08  
**Citation** 1006262  
**Hyperlink** <http://designatedsites.naturalengland.org.uk/SiteDetail.aspx?SiteCode=s1006262>

**Name** Harwich Foreshore SSSI  
**Reference** 1001895  
**Natural England Contact** ANDREW HARTLEY  
**Natural England Phone Number** 0845 600 3078  
**Hectares** 10.33  
**Citation** 1003949  
**Hyperlink** <http://designatedsites.naturalengland.org.uk/SiteDetail.aspx?SiteCode=s1003949>

**Name** Orwell Estuary SSSI  
**Reference** 1001948  
**Natural England Contact** CHARLOTTE TOMKINSON  
**Natural England Phone Number** 0845 600 3078  
**Hectares** 1335.53  
**Citation** 1002511  
**Hyperlink** <http://designatedsites.naturalengland.org.uk/SiteDetail.aspx?SiteCode=s1002511>

**Name** Stour Estuary SSSI  
**Reference** 1001709  
**Natural England Contact** CHRIS KEELING  
**Natural England Phone Number** 0845 600 3078  
**Hectares** 2247.94  
**Citation** 1004172  
**Hyperlink** <http://designatedsites.naturalengland.org.uk/SiteDetail.aspx?SiteCode=s1004172>

#### Special Protection Areas (England)

04/01/2018

<b>Name</b>	DEBEN ESTUARY
<b>Reference</b>	UK9009261
<b>Hectares</b>	981.08

<b>Name</b>	STOUR AND ORWELL ESTUARIES
<b>Reference</b>	UK9009121
<b>Hectares</b>	3672.57

**Local Nature Reserves (England) - points**  
No Features found

**Local Nature Reserves (England)**  
No Features found

**National Nature Reserves (England) - points**  
No Features found

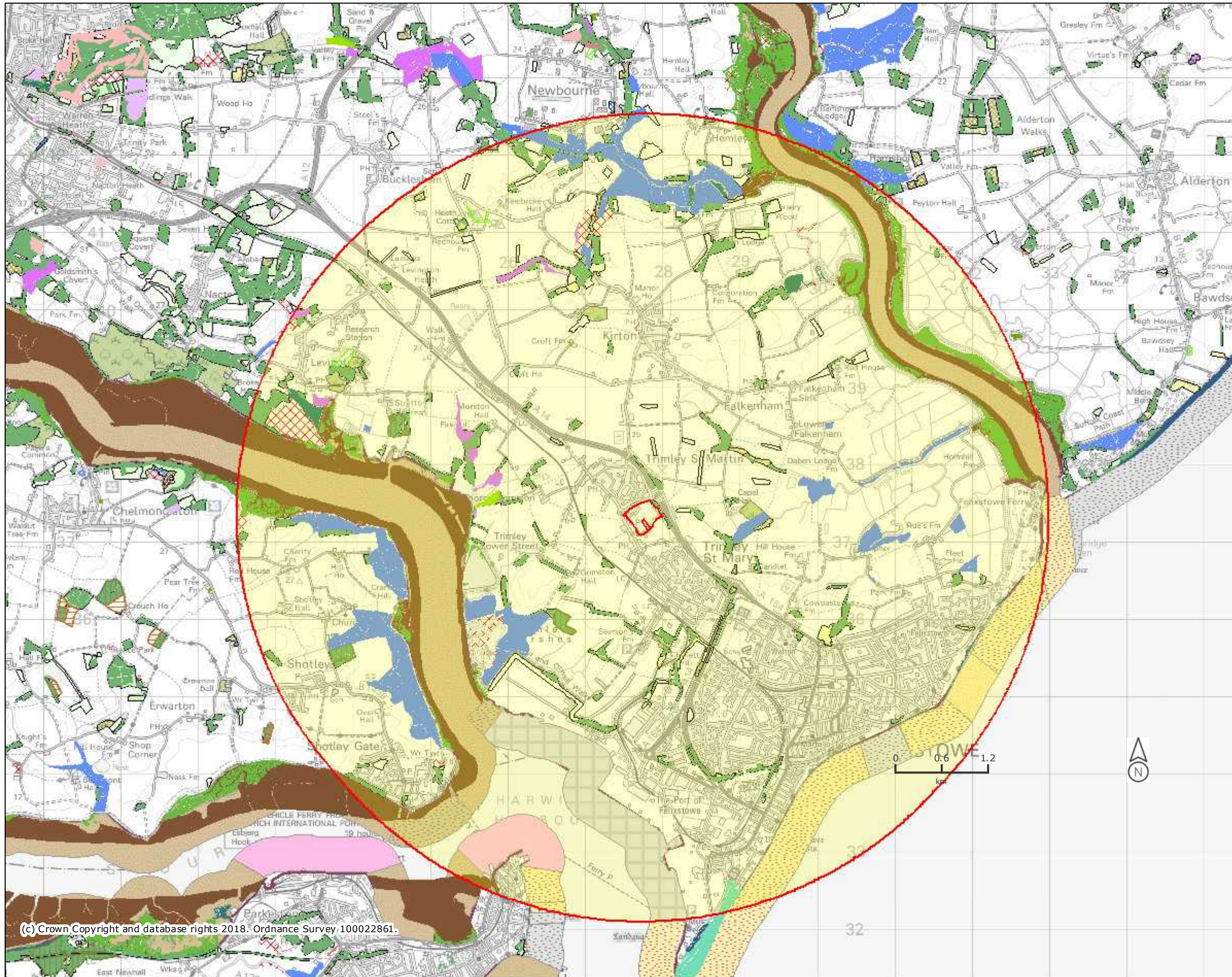
**National Nature Reserves (England)**  
No Features found

**Ramsar Sites (England) - points**  
No Features found

**Special Areas of Conservation (England) - points**  
No Features found

**Special Areas of Conservation (England)**  
No Features found

**Special Protection Areas (England) - points**  
No Features found



**Legend**

- Priority Habitat Inventory - Coastal Saltmarsh (England)
- Priority Habitat Inventory - Coastal Sand Dunes (England)
- Priority Habitat Inventory - Coastal Vegetated Shingle (England)
- Priority Habitat Inventory - Maritime Cliffs and Slopes (England)
- Priority Habitat Inventory - Mudflats (England)
- Priority Habitat Inventory - Saline Lagoons (England)
- Saline Lagoons (Wales)
- Saltmarsh (Wales)
- Sand Dunes (Wales)
- Priority Habitat Inventory - Calaminarian Grassland (England)
- Priority Habitat Inventory - Coastal and Floodplain Grazing Marsh (England)
- Priority Habitat Inventory - Good quality semi-improved grassland (Non Priority) (England)
- Priority Habitat Inventory - Lowland Calcareous Grassland (England)
- Priority Habitat Inventory - Lowland Dry Acid Grassland (England)
- Priority Habitat Inventory - Lowland Meadows (England)
- Priority Habitat Inventory - Purple Moor Grass and Rush Pasture (England)
- Priority Habitat Inventory - Upland Calcareous Grassland (England)
- Priority Habitat Inventory - Upland Hay Meadows (England)
- Priority Habitat Inventory - Lowland Heathland (England)
- Priority Habitat Inventory - Mountain Heaths and Willow Scrub (England)
- Priority Habitat Inventory - Upland Heathland (England)

Projection = OSGB36  
 xmin = 619000  
 ymin = 232000  
 xmax = 636000  
 ymax = 243300

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## **Appendix 5309/3:**

Assessment Methodology

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## Principles of Ecological Evaluation

1. The evaluation of ecological features and resources is based on professional judgement whilst also drawing on the latest available industry guidance and research. The approach taken in this report is based on that described by the Chartered Institute of Ecology and Environmental Management (CIEEM) 'Guidelines for Ecological Impact Assessment in the UK and Ireland'<sup>1</sup>.

### Importance of Ecological Features

2. Various characteristics contribute to the importance of ecological features, including:
  - Naturalness;
  - Animal or plant species, sub-species or varieties that are rare or uncommon, either internationally, nationally or more locally, including those that may be seasonally transient;
  - Ecosystems and their component parts, which provide the habitats required by important species, populations and/or assemblages;
  - Endemic species or locally distinct sub-populations of a species;
  - Habitat diversity;
  - Habitat connectivity and/or synergistic associations;
  - Habitats and species in decline;
  - Rich assemblages of plants and animals;
  - Large populations of species or concentrations of species considered uncommon or threatened in a wider context;
  - Plant communities (and their associated animals) that are considered to be typical of valued natural/semi-natural vegetation types, including examples of naturally species-poor communities; and
  - Species on the edge of their range, particularly where their distribution is changing as a result of global trends and climate change.
3. As an objective starting point for identifying important ecological features, European, national and local governments have identified sites, habitats and species which form a key focus for biodiversity conservation in the UK, supported by policy and legislation. These are summarised by CIEEM guidance as follows:

### *Designated Sites*

- Statutory sites designated or classified under international conventions or European legislation, for example World Heritage Sites, Biosphere Reserves, Wetlands of International Importance (Ramsar sites), Special Areas of Conservation (SAC), Special Protection Areas (SPA);
- Statutory sites designated under national legislation, for example Sites of Special Scientific Interest (SSSI), National Nature Reserves (NNR) and Local Nature Reserves (LNR);
- Locally designated wildlife sites, e.g. Local Wildlife Sites (LWS).

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<sup>1</sup> Chartered Institute of Ecology and Environmental Management (CIEEM) (2016) 'Guidelines for Ecological Impact Assessment in the UK and Ireland: Terrestrial, Freshwater and Coastal'



### *Biodiversity Lists*

- Habitats and species of principal importance for the conservation of biodiversity in England and Wales (largely drawn from UK BAP priority habitats and priority species), often referred to simply as Priority Habitats / Species;
- Local BAP priority species and habitats.

### *Red Listed, Rare, Legally Protected Species*

- Species of conservation concern, Red Data Book (RDB) species;
- Birds of Conservation Concern;
- Nationally rare and nationally scarce species;
- Legally protected species.

4. In addition to this list, other features may be considered to be of importance on the basis of local rarity, where they enable effective conservation of other important features, or play a key functional role in the landscape.

### Assigning Level of Importance

5. The importance of an ecological feature should then be considered within a defined geographical context. Based on CIEEM guidance, the following frame of reference is used:
  - International (European);
  - National;
  - Regional;
  - County;
  - District;
  - Local (e.g. Parish or Neighbourhood);
  - Site (not of importance beyond the immediate context of the site).
6. Features of 'local' importance are those considered to be below a district level of importance, but are considered to appreciably enrich the nature conservation resource or are of elevated importance beyond the context of the site.
7. Where features are identified as 'important' based on the list of key sites, habitats and species set out above, but are very limited in extent or quality (in terms of habitat resource or species population) and do not appreciably contribute to the biodiversity interest beyond the context of the site, they are considered to be of site importance.
8. In terms of assigning the level of importance, the following considerations are relevant:

### *Designated Sites*

9. For designated sites, importance should reflect the geographical context of the designation (e.g. SAC/SPA/Ramsar sites are designated at the international level whereas SSSIs are designated at the national level). Consideration should be given to multiple designations as appropriate (where an area is subject to differing levels of nature conservation designations).

### *Habitats*

10. In certain cases, the value of a habitat can be measured against known selection criteria, e.g. SAC selection criteria, 'Guidelines for the selection of biological SSSIs' and the Hedgerows Regulations 1997. However, for the majority of commonly encountered sites, the most relevant habitat evaluation will be at a more localised level and based on relevant factors such as antiquity, size, species-diversity, potential, naturalness, rarity, fragility and typicalness (Ratcliffe, 1977). The ability to restore or re-create the habitat is also an important consideration, for example in the case of ancient woodland.
11. Whether habitats are listed as priorities for conservation at a national level in accordance with Sections 41 and 42 of the Natural Environment and Rural Communities Act (NERC) 2006, so called 'Habitats of Principal Importance' or 'Priority Habitats', or within regional or local Biodiversity Action Plans (BAPs) is also relevant, albeit the listing of a particular habitat under a BAP does not in itself imply any specific level of importance.
12. Habitat inventories (such as habitat mapping on the MAGIC database) or information relating to the status of particular habitats within a district, county or region can also assist in determining the appropriate scale at which a habitat is of importance.

### *Species*

13. Deciding the importance of species populations should make use of existing criteria where available. For example, there are established criteria for defining nationally and internationally important populations of waterfowl. The scale within which importance is determined could also relate to a particular population, e.g. the breeding population of common toads within a suite of ponds or an otter population within a catchment.
14. When determining the importance of a species population, contextual information about distribution and abundance is fundamental, including trends based on historical records. For example, a species could be considered particularly important if it is rare and its population is in decline. With respect to rarity, this can apply across the geographic frame of reference and particular regard is given to populations where the UK holds a large or significant proportion of the international population of a species.
15. Whether species are listed as priorities for conservation at a national level in accordance with Sections 41 and 42 of the Natural Environment and Rural Communities Act (NERC) 2006, so called 'Species of Principal Importance' or 'Priority Species', or within regional or local Biodiversity Action Plans (BAPs) is also relevant, albeit the listing of a particular species under a BAP does not in itself imply any specific level of importance.
16. Species populations should also be considered in terms of the potential zone of influence of the proposals, i.e. if the entire species population within the site and surrounding area were to be affected by the proposed development, would this be of significance at a local, district, county or wider scale? This should also consider the foraging and territory ranges of individual species (e.g. bats roosting some distance from site may forage within site whereas other species such as invertebrates may be more sedentary).

## Appendix 5309/4:

Legislation

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## LEGISLATION SUMMARY

1. In England and Wales primary legislation is made by the UK Parliament, and in Scotland by the Scottish Parliament, in the form of Acts. The main piece of legislation relating to nature conservation in the UK is the Wildlife and Countryside Act 1981 (as amended).
2. Acts of Parliament confer powers on Ministers to make more detailed orders, rules or regulations by means of secondary legislation in the form of statutory instruments. Statutory instruments are used to provide the necessary detail that would be too complex to include in an Act itself<sup>1</sup>. The provisions of an Act of Parliament can also be enforced, amended or updated by secondary legislation.
3. In summary, the key pieces of legislation relating to nature conservation in the UK are:
  - Wildlife and Countryside Act 1981 (as amended)
  - Protection of Badgers Act 1992
  - Hedgerows Regulations 1997
  - Countryside and Rights of Way (CROW) Act for England and Wales 2000
  - Natural Environment and Rural Communities Act 2006
  - Conservation of Habitats and Species Regulations 2017
4. A brief summary of the relevant legislation is provided below. The original Acts and instruments should be referred to for the full and most up to date text of the legislation.
5. **Wildlife and Countryside Act 1981 (as amended)**. The WCA Act provides for the notification and confirmation of Sites of Special Scientific Interest (SSSIs) identified for their flora, fauna, geological or physiographical features. The Act contains strict measures for the protection and management of SSSIs.
6. The Act also refers to the treatment of UK wildlife including protected species listed under Schedules 1 (birds), 5 (mammals, herpetofauna, fish, invertebrates) and 8 (plants).
7. Under Section 1(1) of the Act, all wild birds are protected such that it is an offence to intentionally:
  - Kill, injure or take any wild bird;
  - Take, damage or destroy the nest of any wild bird whilst in use\* or being built;
  - Take or destroy an egg of any wild bird.

\* The nests of birds that re-use their nests as listed under Schedule ZA1, e.g. Golden Eagle, are protected against taking, damage or destruction irrespective of whether they are in use or not.
8. Offences in respect of Schedule 1 birds are subject to special, i.e. higher, penalties. Schedule 1 birds also receive greater protection such that it is an offence to intentionally or recklessly:
  - Disturb any wild bird included in Schedule 1 while it is building a nest or while it is in, on or near a nest containing eggs or young;
  - Disturb dependent young of such a bird.

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<sup>1</sup> <http://www.parliament.uk/business/bills-and-legislation/secondary-legislation/statutory-instruments/>

9. Under Section 9(1) of the Act, it is an offence to:
  - Intentionally kill, injure or take any wild animal included in Schedule 5.
10. In addition, under Section 9(4) it is an offence to intentionally or recklessly:
  - Obstruct access to, any structure or place which any wild animal included in Schedule 5 uses for shelter or protection; or
  - Disturb any wild animal included in Schedule 5 while occupying a structure or place which it uses for that purpose.
11. Under Section 13(1) it is an offence:
  - To intentionally pick, uproot or destroy any wild plant listed in Schedule 8; or
  - Unless the authorised person, to intentionally uproot any wild plant not included in Schedule 8.
12. The Act also contains measures (S.14) for preventing the establishment of non-native species that may be detrimental to native wildlife, prohibiting the introduction into the wild of animals (releases or allows to escape) and plants (plants or causes to grow) listed under Schedule 9.
13. **Protection of Badgers Act 1992.** The Act aims to protect the species from persecution, rather than being a response to an unfavourable conservation status, as the species is in fact common over most of Britain. It should be noted that the legislation is not intended to prevent properly authorised development. Under the Act it is an offence to:
  - Wilfully kill, injure, take, possess or cruelly ill-treat\* a Badger, or attempt to do so;
  - To intentionally or recklessly interfere with a sett# (this includes disturbing Badgers whilst they are occupying a sett, as well as damaging or destroying a sett or obstructing access to it).

\* the intentional elimination of sufficient foraging area to support a known social group of Badgers may, in certain circumstances, be construed as an offence

# A sett is defined as “any structure or place which displays signs indicating current use by a Badger”. Natural England advice (June 2009) is that a sett is protected so long as such signs remain present, which in practice could potentially be for some time after the last actual occupation by Badger. Interference with a sett includes blocking tunnels or damaging the sett in any way
14. Licences can be obtained from the Statutory Nature Conservation Organisation (SNCO) for development activities that would otherwise be unlawful under the legislation, provided there is suitable justification. The SNCO for England is Natural England.
15. **Hedgerows Regulations 1997.** ‘Important’ hedgerows (as defined by the Regulations) are protected from removal (up-rooting or otherwise destroying). Various criteria specified in the Regulations are employed to identify ‘important’ hedgerows for wildlife, landscape or historical reasons.
16. **Countryside and Rights of Way (CRoW) Act for England and Wales 2000.** The CRoW Act provides increased measures for the management and protection of SSSIs and strengthens wildlife enforcement legislation. Schedule 12 of the Act amends the species provisions of the WCA 1981, strengthening the legal protection for threatened species. The Act also introduced a duty on Government to have regard to the conservation of biodiversity and maintain lists of species and habitats for which conservation steps should be taken or promoted, in accordance with the Convention on Biological Diversity.

17. **Natural Environment and Rural Communities Act 2006.** Section 41 of the NERC Act requires the Secretary of State to publish a list of habitats and species that are of principal importance for the conservation of biodiversity in England. The S41 list is used to guide decision-makers such as local planning authorities, in implementing their duty under Section 40 of the Act, to have regard to the conservation of biodiversity in England, when exercising their normal functions. 56 habitats and 943 species of principal importance are included on the S41 list. These are all the habitats and species in England that were identified as requiring action in the UK Biodiversity Action Plan (BAP).
18. **Conservation of Habitats and Species Regulations 2017 (as amended).** The Regulations enact the European Union's Habitats Directive (92/43/EEC) in the UK. The Habitats Directive was designed to contribute to the maintenance of biodiversity within member states through the conservation of sites, known in the UK as Special Areas of Conservation (SACs), containing habitats and species selected as being of EC importance (as listed in Annexes I and II of the Habitats Directive respectively). Member states are required to take measures to maintain or restore these natural and semi-natural habitats and wild species at a favourable conservation status.
19. The Regulations also require the compilation and maintenance of a register of European sites, to include SACs and Special Protection Areas (SPAs)<sup>2</sup> classified under Council Directive 79/409/EEC on the Conservation of Wild Birds (the Birds Directive). These sites constitute the Natura 2000 network. The Regulations impose restrictions on planning decisions likely to significantly affect SPAs or SACs.
20. The Regulations also provide protection to European Protected Species of animals that largely overlaps with the WCA 1981, albeit the provisions are generally stricter. Under Regulation 43 it is an offence, *inter alia*, to:
  - Deliberately capture, injure or kill any wild animal of a European Protected Species;
  - Deliberately disturb any wild animals of any such species, including in particular any disturbance likely to impair their ability to survive, to breed or reproduce, to rear or nurture their young, to hibernate or migrate, or which is likely to affect significantly their local distribution or abundance;
  - Deliberately take or destroy the eggs of such an animal;
  - Damage or destroy a breeding site or resting place of such an animal.
21. Similar protection is afforded to European Protected Species of plants, as detailed under Regulation 47.
22. The Regulations do provide a licensing system that permits otherwise illegal activities in relation to European Protected Species, subject to certain tests being fulfilled.

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<sup>2</sup> Special Protection Areas (SPAs) are protected sites classified in accordance with Article 4 of the EC Directive on the Conservation of Wild Birds (79/409/EEC) (aka the Birds Directive), which came into force in April 1979. SPAs are classified for rare and vulnerable birds (as listed on Annex I of the Directive), and for regularly occurring migratory species.

## **Appendix 5309/5:**

Schemes to be assessed for cumulative effects

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<b>Cumulative Projects Screening</b>			
<b>Proposed Project:</b>	Land off Howlett Way, Trimley St Martin		
<b>Zone of influence used:</b>	5km		
<b>Years of planning search</b>	2015-2019		
<b>Date of Screening:</b>	06/08/2019		
<b>Planning Reference and Short Description</b>	<b>Consented or Not Consented</b>	<b>Relevant Criteria</b>	<b>Reasons for inclusion or exclusion in assessment</b>
Network Rail (Felixstowe Branch Line Improvements)	Consented	Approximately 500m south east of the proposed development.	Scheme is EIA Development
DC/15/1128/OUT  Land At Candlet Road Felixstowe  Application for Outline Planning Permission for up to 560 dwellings, including a Local Community Centre, a 60 Bedroom extra Care Home and 50 Assisted Living Units, 2 small Business Units.	Rejected June 2015. Does not comply with local policy.  Appeal decided and allowed 31 August 2017  (APP/J3530/W/15/3138710)	Approximately 2.5km south east of the proposed development	Negative Screening opinion, scheme is not EIA development.
DC/16/1776/EIA Land south of Candlet road/ land north of Walton High Street  Outline up to 385 dwellings. All matters reserved except access and full planning permission and listed building consent for demolition of existing buildings and conversion of listed stables to B1 business use.	Consented	Approximately 1.5km south east of the proposed development	Scheme is not EIA development  (Land north of Walton High Street was screened for EIA development twice previously, in September 2015 for up to 360 dwellings and in November 2015 for 420 dwellings. Screening opinions were negative.
DC/18/01386  Former HMS Ganges Site Shotley Gate Shotley Suffolk  The full and partial demolition of buildings associated with the redevelopment of the site to provide: 285 dwellings; a 60 bed	Withdrawn Aug 2018.	Approximately 4.5km south west of the proposed development	Application withdrawn



nursing home; 400 sq. m convenience retail; a building containing 400 sq.m flexible dentist/doctor's surgery/veterinary surgery/retail offices (B1/A2 or D1 uses); and 600 sq. m of offices (B1 use).			
DC/13/3069/OUT  Land West Of Ferry Road Residential Centre  Application for outline planning permission for the creation of up to 200 dwellings, one vehicle access point on Ferry Road and associated landscaping buffers and public open space - sustainable means of transport in the wider are.	Consented February 2018	Approximately 4km east of the proposed development	Scheme is not EIA development
DC/16/0986/PN3  Anzani House, Anzani Avenue, Felixstowe  Change of use from offices (use class B1a) to up to 197 residential apartments (use class C3) including associated internal works.	Consented April 2016	Approximately 2.83km south	Scheme is not EIA development
DC/16/2122/OUT  Land Adjacent To Mill Farm Thomas Avenue, Trimley St Mary  Outline planning application for development of up to 50 dwellings, public open space and associated infrastructure with all matters reserved except access	Consented March 2018	Approximately 500m south of the proposed development.	Scheme is not EIA development
DC/16/1919/FUL	Consented January 2018	700m north west from site	Scheme is not EIA development

<p>Land At High Road Trimley St Martin Suffolk</p> <p>Variation of Condition No. 2 of - Erection of 69 new homes with associated access, landscaping and amenity space.</p>			
<p>DC/16/2119/OUT</p> <p>Land South Of High Road Trimley St Martin Suffolk</p> <p>Outline planning application for development of up to 70 dwellings, public open space and associated infrastructure with all matters reserved except access.</p>	Consented March 2018	Approximately 600m north west of the proposed development	Scheme is not EIA development
<p>DC/18/4404/AME</p> <p>Non-material amendment to Planning Permission C/13/0219</p> <p>Land At And Adjacent To Mushroom Farm</p> <p>Demolition of existing buildings and redevelopment of site to provide 66 dwellings, open space and associated roads, access improvement, car parking and landscaping</p>	Consented April 2019	Approximately 100m west of proposed development	Scheme is not EIA development
<p>DC/16/1107/FUL</p> <p>Land On The South Side Of Thurmans Lane Trimley St Mary</p> <p>Erection of 98 dwellings (including 32 affordable units) together with drainage, garaging, parking, landscaping, public open spaces,</p>	Consented	Approximately 300m south of the proposed development.	DC/16/0332/SCO - EIA not required (March 2016). Site is not considered as sensitive under EIA regulations and the impacts are localised and not considered to be significant.

new electricity sub-station, new foul water pump-station, pedestrian links to Thurmans Lane.			
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**Upcoming Projects**

<b>Planning Reference and Short Description</b>	<b>Consented or Not Consented</b>	<b>Relevant Criteria</b>	<b>Reasons for inclusion or exclusion in assessment</b>
<p>Land On The North East Side Of A14 Trimley St Martin East Bound Trimley St Martin</p> <p>Proposed logistics facility at Innocence Farm</p> <p>Local plan submitted for external examination March 2019.</p>	Application has not yet been submitted.	Approximately 1.9km north west of the proposed development	DC/17/0010/SCO - Scheme is EIA Development

ecology • landscape planning • arboriculture

aspect

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