

Chris Rand
Planning Department
St Edmundsbury Borough Council
West Suffolk House
Western Way
Bury St Edmunds
IP33 3YU

08/01/2016

Dear Chris

DC/15/2151/OUT: Outline Application (Means of Access to be considered) - Residential development of up to 2,500 units (within use classes C2/C3); two primary schools; two local centres including retail, community and employment uses (with use classes A1/A2/A3/A4/A5, B1 and D1/D2; open space; landscaping and associated infrastructure. Great Wilsey Park, Wilsey Road, Little Wratting.

Thank you for sending us details of this application. For the reasons stated below we wish to **object** to this proposal.

We have read the Ecology chapter of the Environmental Statement (ES) and the associated ecology reports (Ecological Appraisal; Badgers; Breeding Birds; Winter Birds; Dormice; Great Crested Newts; Reptiles and Bats). We have also read the Lighting Assessment; Bat Lighting Mitigation Strategy and the Hedgerow Removal Plan.

Plan Discrepancies

There appears to be several discrepancies between the plans provided in the application documentation. In particular, the Hedgerow Removal Plan (5055-L-112) appears not to show several areas where hedgerow removal is required as there are not existing gaps in the vegetation, as shown on the Phase One Habitat and Protected Species Plan (5055-E-9.2).

The Hedgerow Removal Plan (5055-L-112) also appears to differ from the Concept Masterplan (5055-L-10), particularly in relation to the route of the proposed primary access road. The Hedgerow Removal Plan shows it passing to the south of woodland W4, whereas the Concept Masterplan shows it running through the middle of woodland W4. Such discrepancies make it impossible to accurately quantify all of the likely ecological impacts. These matters should be addressed and clarified urgently.

Hazel Dormice

We note that the consultant ecologists found a dormouse nest in the hedgerow bordering the stream running through the site. This is a significant record as there are no other known records in this locality, although there have been two possible records in recent years as acknowledged in 5.2 of Appendix 9.2 (Dormice).

In 6.4, reference is made to the Dormouse Conservation Handbook (2006)¹ to describe populations in Suffolk as 'widespread'. This term is derived from a map on page 7 of the handbook, which only broadly illustrates the known population distribution at the time of

Suffolk Wildlife Trust,
Brooke House, Ashbocking,
Ipswich, IP6 9JY
Tel: 01473 890089

www.suffolkwildlifetrust.org

info@suffolkwildlifetrust.org

Suffolk Wildlife Trust is a
registered charity
no. 262777

¹ Bright, P., Morris, P. and Mitchell-Jones, T. (2006). *The Dormouse Conservation Handbook, 2nd Edition*. English Nature, Peterborough.

publication. We consider that the assessment of the current distribution of dormice in Suffolk should have been derived from the records held by Suffolk Biological Records Centre, which will be up to date and detailed.

We have been surveying dormice in Suffolk for the last 16 years, undertaking numerous surveys, which has helped build up a detailed picture of their known distribution. All confirmed records are submitted to Suffolk Biological Records Centre. Until this recent find at Little Wrating, populations of dormice were known to be distributed in only five 'clusters' within the County, three within the southern part of Suffolk within the Stour Valley, with the other two in a more central location. In terms of the modern UK range, these populations in Suffolk are now the most north-easterly (excluding re-introductions).

We are part of the Essex and Suffolk Dormouse Group which was set up in 2002, working together to understand the status and ecology of populations in the East of England. Surveys in Essex indicate there are no known dormouse populations to the south of Haverhill and they are also not known from east Cambridgeshire. The nearest records in Suffolk are at least 25 kilometres from this new record at Little Wrating. As they naturally live at low densities, their population ecology dictates that they are likely to be distributed over a wider location than just the proposed development site boundary. In our opinion, the finding of a hitherto unknown population of hazel dormouse (a European Protected Species and UK Priority Species) at this location is of National significance.

Dormice can be difficult species to survey and even with large numbers of tubes deployed it is not unusual to only find a small amount of evidence to indicate their presence. Consequently, the finding of a single nest in a survey that was then curtailed in early October does not enable any predictions to be made with regards to the overall distribution or size of this population. There is therefore a deficiency in the scope of the surveys.

In addition, the Ecology Chapter of the Environmental Statement refers to the Geographical Frame of Reference used for the assessment (9.1). Under 'National Level of Value' an example is given of 'Any regularly occurring, regionally or county significant population/number of any nationally important species'. Further work is therefore required to assess both the extent and size of the population. There is currently insufficient survey data provided in Appendix 9.5 to be able to reliably state that the population is confined to a small area (6.6) or that it is of local importance (6.4). This population is likely to be widely spread and of National importance.

There seems to be some discrepancy between the Hedgerow Removal Plan and the Concept Masterplan which shows at least two new access routes in the vicinity of where the dormouse nest was found, passing through habitats where we believe there are currently no gaps. We therefore query whether the amounts of hedgerow predicted for removal in 6.5 are accurate. Dormice are extremely susceptible to habitat fragmentation and interruption in connectivity can quickly lead to isolation and reduction in population viability.

In the Ecology Chapter of the Environmental Statement, a summary of effects is provided in 9.5. The permanent impacts on dormice of isolation, injury/death and loss of habitat are proposed to be dealt with under Natural England licence. However, we feel there is insufficient data to be able to allow the three tests identified within the Habitats Regulations² to be satisfied. In addition, for the reasons stated above, we disagree that the geographical importance is 'local' and this then has a bearing on the residual effects. This means that it is not possible to reliably assess the residual impacts upon the dormouse population in this locality, but we disagree that this would be 'Negligible'.

² The Conservation of Habitats and Species Regulations (2010) (as amended).

Bats

We note that the bat surveys carried out at the site have been undertaken in accordance with the guidance set out in the published best practice guidelines³, and that eight species of bat have been recorded utilising the site. The most notable of these is the barbastelle, which was recorded using the woodlands and a large number of the hedgerows on the site. As recognised in the bat survey report (Appendix 9.8) barbastelle is listed on Annex II of the Habitats Directive⁴ and although records of the species have increased in the county in recent years⁵, it remains relatively rare. We therefore consider that any hedgerow on which a barbastelle was recorded should be considered a hedgerow of importance and the potential impacts should be assessed on this basis. This approach has previously been used in assessing the impacts of Nationally Significant Infrastructure Proposals, such as the East Anglia ONE Offshore Wind Farm⁶. The assessment of the impact of the loss of hedgerows and woodland on bats should therefore be revisited to ensure that it accurately reflects the value of these features for barbastelle. If necessary, further mitigation measures should be included in the proposals.

We also note that the Suffolk County Council lighting requirements will be implemented for this development (Appendix 4.3), and that the design includes dark corridors to provide connectivity for nocturnal wildlife such as bats. However, it is unclear whether lighting of all cycle and footpaths would be required. Appendix 4.3 Figure 1 indicates that there will be several lit footpaths/cyclepaths running alongside hedges which were identified as being used by barbastelle (e.g. hedges 12; 14 and 20). If these are lit it is unclear how their suitability as corridors for bats will be maintained. We therefore consider that the lighting strategy for the site should be revisited to ensure that adequate dark corridors can be maintained along corridors which are important for bats.

The strategy in Appendix 4.3 also states that bat hop-overs will be created where a dark corridor is crossed by a lit road. It is understood that this will be done by planting trees of the same height as the lighting columns (6 metres) (Appendix 9.8 section 4.43), however there is no information on how these trees will be protected during construction of the roads and other parts of the development or what aftercare will be required. Further information on this should therefore be provided to ensure that the proposed mitigation can be satisfactorily implemented.

Table 4 in Appendix 9.8 sets out the summary of nocturnal tree surveys undertaken at the site. It appears that the results of the third surveys on the majority of the identified trees are not included in the report. This information should be provided, prior to the determination of the application, in order to inform whether any further confirmed roosts have been identified.

It is noted that the proposed bat mitigation involves the installation of bat boxes across the site. We would be happy to provide further comment on the location and design of boxes as part of the detailed design of the site, should permission be granted.



³ Hundt, L. (2012). Bat Surveys: Good Practice Guidelines, 2nd Edition. Bat Conservation Trust.

⁴ Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora

⁵ Suffolk Bat Group. (2012). *Bats in Suffolk – Distribution Atlas 1982-2011*.

⁶ East Anglia ONE Planning Inspectorate webpage (<http://infrastructure.planninginspectorate.gov.uk/projects/eastern/east-anglia-one-offshore-windfarm/>) (accessed 08/01/2016).

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED] impacts on this

Otter and Water Vole

It is noted that no signs of otter or water vole were recorded during the surveys undertaken in 2014 or 2015. However, both of these species have been recorded on the River Stour of which the watercourse running through the site is a tributary. As the proposed development involves bridging and other works to the watercourse, further surveys for these species should be undertaken prior to the detailed design of these elements of the scheme and prior to any works commencing. Should otter or water vole be identified appropriate mitigation measures must be implemented.

Reptiles and Amphibians

We note that three species have been recorded within the site, with good populations of common lizard. Many of the survey visits were undertaken during a sub-optimal time of year for reptile surveys (July-August), which is likely to have suppressed the numbers recorded. Passive displacement is proposed as the means to avoid killing and injury of reptiles, but this tends to be most effective in small areas of habitat and where there are lower numbers. We ask that this methodology is reviewed to also allow, where appropriate, the option of translocation of reptiles into suitable habitats proposed to be retained on-site, which have been suitably enhanced to support a higher number of animals.

We note that no great crested newts were not recorded during the pond surveys. However, toads, a UK Priority species, were recorded in four ponds. Connectivity between these ponds and terrestrial habitat suitable for toads must therefore be maintained as part of the development proposals. Of particular importance is ensuring that suitable road crossings are incorporated into the design of the scheme.

Breeding and wintering birds

In December 2015, Birds of Conservation Concern (BoCC) Version 4 was published (commonly known as the UK Red List for birds). Additional species have been added to the Red List and Mistle Thrush (>50% decline in the last 25 years) is relevant to this application and should now be included within the impact assessment. As this is an early breeding species, the timing of the surveys means that the presence of this species may not have been fully evaluated.

We note that a range of BoCC Red List and UK Priority farmland birds are recorded as probable breeding birds on site (most notably skylark, linnet and yellowhammer). It is acknowledged in 9.3 Breeding Birds that most of these open farmland species would be 'lost to development, however in the Ecology Chapter 'Summary of Effects' table this impact is described as negligible. It is presumed that these losses may not be significant in the context of the locality, but their loss will contribute to the reduction and fragmentation of the local population. If this loss cannot be avoided or mitigated, then compensation off-site must be delivered. Monitoring of the effectiveness of this compensation should be undertaken for at least 5 years post development.

Hedgehogs

In 2014 and 2015 an on-line survey coordinated by Suffolk Wildlife Trust resulted in significant numbers of hedgehog records being submitted to Suffolk Biological Records Centre (SBRC) and there are seven records within 500m of the site during this period. These records relate to residential areas to the south and west of the site. There is therefore a high level of certainty that hedgehogs forage and nest within parts of the proposed development site, particularly in the areas of scrub and woodland. Such habitats can provide a key hibernation resource for the local hedgehog population and unmitigated development can have a significant impact on this species, either through loss of habitat or death or injury to animals during clearance. We therefore consider that there is insufficient detail relating to this species in the reports. Hedgehog is a UK and Suffolk Priority species.

Due to high risk of impact upon hedgehogs, winter site clearance should be avoided, unless it can be undertaken in a staged way with an ecologist on site searching for hibernation nests. Clearance at other times of year still requires a check to be undertaken for nest sites. Suitable habitats for nesting should be retained within the site's green infrastructure and any future management of these areas should include enhancement for hedgehog. In addition, we recommend that the design of the individual gardens incorporates holes in fences to enable these areas to become accessible to hedgehogs.

Flora

Suffolk Biological Records Centre (SBRC) hold a record of the UK Priority plant species Shepherd's-needle (*Scandix pecten-veneris*) for the site. It does not appear that any specialist floristic surveys have been undertaken to inform this application. Although the Phase 1 survey did include such recording as part of the assessment of habitat types, it is unclear from the Ecological Appraisal (Appendix 9.1) a what time of year this survey was undertaken. It is therefore possible that this species was missed if it remains present on the site.

It is also noted that betony (*Stachys officinalis*) was recorded during the Phase 1 survey. Whilst not a Priority species, it is a good indicator of habitat quality⁷ and areas where it was recorded should be sought to be retained as part of the site's green infrastructure.

⁷ Sanford, M. and Fisk, R. (2010). *A Flora of Suffolk* (page 296). D.K. and M.N. Sanford, Ipswich.

Cumulative Impacts

The table of residual impacts (ES Volume 2) includes reference to cumulative effects of this proposal in relation to the proposed development North West of Haverhill. However, the effects listed are limited to construction dust; loss of hedgerows and recreational pressures. They do not appear to include consideration of impacts on fauna such as farmland birds. As discussed above, the ES concludes that the Great Wilsey park development will have an adverse impact on birds such as skylark. No compensation measures are proposed for such losses and it is concluded that birds will be displaced to neighbouring farmland. Given the associated loss of such habitat to the North West Haverhill development, assessment of cumulative impacts on farmland birds should be undertaken.

There may also be other cumulative faunal impacts and we therefore recommend that a full review of the assessment such impacts is undertaken prior to the determination of this application.

Long Term Management and Monitoring

The application documentation includes reference to the production of a Landscape and Ecology Management Plan to be produced as part of the detailed Reserve Matters application for the development, should Outline consent be granted. We consider that the production and implementation of such a plan is essential. Such a plan should include mitigation/compensation measures to be implemented; the long term management measures for the site's green infrastructure and the methodologies for long term monitoring of the ecological receptors identified as being impact upon by the proposed development in the ES. This plan is particularly important given the likely length of the construction period for such a development.

Further surveys

It is noted that this application is for Outline planning consent. It may therefore be necessary to update the existing survey and assessment work as part of any Reserved Matters applications (should Outline consent be granted), dependent on the amount of time which elapses between applications.

Conclusion

We appreciate that the site of the proposed development has been allocated through the St Edmundsbury Core Strategy Development Plan Document (policy CS12) and the Haverhill Vision 2031 document (policy HV4). However, we consider that the application fails to demonstrate that the proposed development would not result in a significant adverse impact on Protected and/or UK and Suffolk Priority species (in particular dormice; bats; badgers; reptiles and breeding and wintering birds). The proposal is therefore not in accordance with the requirements of the National Planning Policy Framework (NPPF) and St Edmundsbury Borough Council's adopted planning policy (Core Strategy Policy CS2 and Joint Development Management Policies Policy DM10). For the reasons set out above we **object** to this application.

If you require any further information or wish to discuss any of the matters raised above, please do not hesitate to contact us.

Yours sincerely

James Meyer
Conservation Planner