Appendix 9.3
Breeding Bird Report

Hallam Land Management Ltd

GREAT WILSEY PARK, HAVERHILL

Breeding Bird Survey Report

Appendix 9.3

March 2016

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1.0 INTRODUCTION

1.1 The following report has been prepared by FPCR Environment and Design Ltd on behalf of Hallam Land Management Ltd. It provides results of breeding bird surveys undertaken in 2015 on Great Wilsey Park, Haverhill, Suffolk (known hereafter as 'the application site' or 'the site').

1.2 The proposed development site covers approximately 168.34ha to the north east of Haverhill (Figure 1) and is mainly laid out for arable farming, interrupted by blocks of deciduous and mixed woodland.

1.3 The northern and southern boundaries form the sides of a valley within the site, created by a watercourse that that flows into the proposed development site from the north west. The watercourse is a tributary of the River Stour, located approximately 1km to the north west of the proposed development site.

1.4 The proposed development site is bound by the A143 Haverhill Road to the northwest; open fields delineated by drainage ditches and Little Wratting hamlet to the north; hedgerows and open fields to the northeast; B1061 Sturmer Road and Calford Green hamlet to the east; Coupals Road to the southeast; the edge of Haverhill to the southwest; Chalkstone Way, a secondary school and houses on the A143 Haverhill Road to the west.

1.5 The proposed development will comprise approximately 2,500 residential units, local employment uses, education, community and leisure facilities, public open space and recreation facilities.

Survey Objectives

1.6 The objectives of the survey were to:

- Identify the presence and distribution of birds on the site in the breeding season;
- Assess the conservation importance of the site in relation to local populations;
- Evaluate the importance of local bird populations and their habitat requirements.

2.0 LEGISLATION & GUIDANCE

The Wildlife & Countryside Act 1981 (as amended)

2.1 The Wildlife and Countryside Act 1981 (as amended) is the principal legislation affording protection to UK wild birds. Under this legislation all birds, their nests and eggs are protected by law and it is an offence, with certain exceptions to recklessly or intentionally:

- Kill, injure or take any wild bird;
- Take, damage or destroy the nest of any wild bird while in use or being built;

- Take or destroy the egg of any wild bird.

2.2 Species listed on Schedule 1 of the Wildlife and Countryside Act 1981 (as amended) are specially protected at all times.

Natural Environment and Rural Communities (NERC) Act 2006

2.3 A number of birds feature on the Natural Environment and Rural Communities (NERC) Act 2006, Section 41 (S41) as species which are of principal importance for the conservation of biodiversity in England. The S41 list is used to guide decision-makers such as public bodies, including local and regional authorities, in implementing their duty under section 40 of the NERC Act, to have regard to the conservation of biodiversity in England, when carrying out their normal functions.

Non-Statutory Guidance

2.4 In addition to statutory protection, some bird species are classified according to their conservation status, such as their inclusion on the Red and Amber lists of Birds of Conservation Concern (BoCC) in the UK[1]:

- Red list (high conservation concern) species are those that are Globally Threatened according to IUCN criteria; those whose population has declined rapidly (50% or more) in recent years; and those that have declined historically and not shown a substantial recent recovery.
- Amber list (medium conservation concern) species are those with an unfavourable conservation status in Europe; whose population or range has declined moderately (between 25% and 49%) in recent years; whose population has declined historically but made a substantial recent recovery; rare breeders; and those with internationally important or localised populations.
- Green list (low conservation concern) species fulfil none of the above criteria.

Biodiversity Action Plan

2.5 The UK Biodiversity Action Plan (UKBAP), published in 1994, was the UK Government's response to the Convention on Biological Diversity, which the UK signed up to in 1992 in Rio de Janeiro. The UKBAP described the biological resources of the UK and provided detailed plans for conservation of these resources.

2.6 In 2012, the UKBAP was replaced by the *UK Post-2010 Biodiversity Framework (2012)*[2]. The result of this change is that the BAP process has been devolved to local level with each county deciding its own way forward. Suffolk made the decision in June 2013 to continue to support the Suffolk BAP, still enshrined in law through the NERC Act 2006, and also in planning policy through the National Planning Policy Framework and National Policy Statements.

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[1] Eaton, M.A. *et al*. 2009. Birds of Conservation Concern 3: the population status of birds in the United Kingdom, Channel Islands and Isle of Man. *British Birds* 102:296-341

[2] http://jncc.defra.gov.uk/page-6189. All cited websites in this report accessed August 2015.

2.7 A full list of Suffolk Local Biodiversity Action Plan (LBAP) bird species is provided in Appendix A.

3.0 METHODOLOGY

Field Survey Methodology

3.1 The survey methodology employed was broadly based on that of territory mapping (Bibby *et al*, 1992) as used for the British Trust for Ornithology (BTO) Common Bird Census. Standard BTO species codes and symbols for bird activities were used to identify birds and denote activity, sex and age where appropriate. The criteria used in the assessment of breeding birds has been adapted from the standard criteria proposed by the European Ornithological Atlas Committee[3] and are grouped into four categories, each with their own survey codes:

Confirmed breeder
DD – distraction display or injury feigning
UN – used nest or eggshells found from this season
FL – recently fledged young or downy young
ON – adults entering or leaving nest-site in circumstances indicating occupied nest
FF – adult carrying faecal sac or food for young
NE – nest containing eggs
NY – nest with young seen or heard

Probable breeder
Evidence accumulated during the survey indicates that the bird species is breeding on site.

P – pair in suitable nesting habitat
T – permanent territory (defended over at least 2 survey occasions)
D – courtship and display
N – visiting probable nest site
A – agitated behaviour
I – brood patch of incubating bird (from bird in hand)
B – nest building or excavating nest-hole

Possible breeder
Evidence accumulated during the survey indicates that the bird species could be breeding on site, but the evidence is less conclusive than that obtained for probable breeders.

H – observed in suitable nesting habitat
S – singing male
Non-breeder
F – flying over
M – migrant
U – summering non-breeder
UH – observed in unsuitable nesting habitat

3.2 To provide a reasonable level of accuracy for determining the population status of the breeding birds on the site, three surveys were undertaken in the main bird breeding season (Apr-Jun) in 2015 between 05.00 and 11.00am.

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[3] European Ornithological Atlas Committee, 1979. Categories of Breeding Bird Evidence. EOAC.

3.3 A route was mapped out prior to the surveys being undertaken, paying particular attention to any linear features, such as hedgerows and tree lines, and natural features such as areas of scrub and waterbodies. Bird surveys were not undertaken in unfavourable conditions such as heavy rain or strong wind, which may negatively affect the results.

Assessment Methodology

3.1 The conservation value of bird populations has been measured using two separate approaches: nature conservation value and conservation status. The IEEM guidance on ecological impact assessment assesses nature conservation value within a geographical context. To attain each level of value, an ornithological resource or one of the features (species population or assemblage of species) should meet the criteria set out in Table 1 below. In some cases, professional judgement may be required to increase or decrease the allocation of specific value, based upon local knowledge.

Table 1: Definition of Terms Relating to Nature Conservation Value

Nature Conservation Value	Examples of Selection Criteria
International	A species which is part of the cited interest of an SPA and which regularly occurs in internationally or nationally important numbers. A species present in internationally important numbers (>1% of international population).
National	A species which is part of the cited interest of a SSSI and which regularly occurs in nationally or regionally important numbers. A nationally important assemblage of breeding or over-wintering species. A species present in nationally important numbers (>1% UK population). Rare breeding species (<300 breeding pairs in the UK).
Regional	Species of principal importance under Schedule 41 of the Natural Environment and Rural Communities (NERC) Act (2006), which are not covered above, and which regularly occurs in regionally important numbers. Species present in regionally important numbers (>1% of regional population). Sustainable populations of species which are rare or scarce within a region. Species on the BoCC Red List and which regularly occurs in regionally important numbers.
County	Species of principal importance under Schedule 41 of the Natural Environment and Rural Communities (NERC) Act (2006), which are not covered above and which regularly occurs in county important numbers Species present in county important numbers (>1% of county population). Sustainable populations of species which are rare or scarce within a county, or listed as of principal importance under S41 of the NERC Act. A site designated for its county important assemblage of birds (e.g. a SINC Site). Species on the BoCC Red List and which regularly occur in county important numbers.

Nature Conservation Value	Examples of Selection Criteria
District	Species of principal importance under Schedule 41 of the Natural Environment and Rural Communities (NERC) Act (2006), which are not covered above, and are rare in the locality or in the relevant Natural Area profile. Species present in numbers just short of county importance. Sustainable populations of species which are rare or scarce within the locality. A site whose designation falls just short for inclusion for its county important assemblage of birds (e.g. a SINC Site). Other species on the BoCC Red List and which are considered to regularly occur in district important numbers.
Local	Other species of conservation interest (e.g. all other species on the BoCC Red and Amber List and listed as of principal importance under Schedule 41 of the Natural Environment and Rural Communities (NERC) Act (2006) which are not covered above) regularly occurring in locally sustainable populations.
Site	All other BoCC Green-listed common and widespread species.

4.0 RESULTS

Conservation Status

4.1 A total of 49 species (Appendix A) were recorded within the site boundary during the surveys, including 19 (Table 2) that feature on one or more of the following lists:

- NERC species of principal importance;
- UK BoCC Red and Amber;
- Suffolk LBAP.

Table 2: NERC, UK BoCC Red- and Amber-Listed and Suffolk LBAP Species recorded at the Application Site during Breeding Bird Surveys 2015 and their Recent Breeding Status in Suffolk

Species	Conservation Status	Breeding status on site	Recent Breeding Status in Suffolk[4]
Mallard	Amber	Possible	Very common resident
Kestrel	Amber	Possible	Common resident
Black-headed gull	Amber	Non-breeder	Very common resident
Stock dove	Amber	Probable	Fairly common resident
Swift	Amber, LBAP	Non-breeder	Very common summer visitor
Skylark	Red, NERC, LBAP	Probable	Common resident
House martin	Amber	Non-breeder	Very common summer visitor
Starling	Red, NERC, LBAP	Possible	Very common resident
Song thrush	Red, NERC, LBAP	Probable	Fairly common resident
Mistle thrush	Red	Possible	Fairly common resident
Willow warbler	Amber	Probable	Common summer visitor
Dunnock	Amber, NERC, LBAP	Probable	Very common resident
House sparrow	Red, NERC, LBAP	Non-breeder	Common resident
Yellow wagtail	Red, NERC, LBAP	Possible	Summer visitor
Meadow pipit	Amber	Possible	Common resident
Linnet	Red, NERC, LBAP	Probable	Common summer visitor

[4] Suffolk Ornithologists' Group (2014): Suffolk Birds 2013; Vol.63. The following definitions are given as a guide to relative species status: Very common – occurs in large numbers in suitable habitat and season; Common – occurs regularly or widely distributed in suitable habitat and season; Fairly common – occurs in small numbers in suitable habitat and season; Scarce – one or two records each year or restricted to specific habitats.

Species	Conservation Status	Breeding status on site	Recent Breeding Status in Suffolk[4]
Bullfinch	Amber, NERC, LBAP	Possible	Common resident
Yellowhammer	Red, NERC, LBAP	Probable	Common resident
Reed bunting	Amber, NERC, LBAP	Probable	Common resident

4.2 A further twenty-five green-listed species of low conservation concern and two unlisted (introduced) species of no conservation concern were recorded.

Breeding Status

4.3 Eight low/no conservation concern species were confirmed as breeding onsite: woodpigeon *Columba palumbus*, great-spotted woodpecker *Dendrocopos major*, blue tit *Cyanistes caeruleus*, great tit *Parus major*, long-tailed tit *Aegithalos caudatus*, wren *Troglodytes troglodytes*, robin *Erithacus rubecula* (all Green-listed) and red-legged partridge *Alectoris rufa* (unlisted).

4.4 Twenty-three species were considered probable breeders, including the following notable species:

- NERC/Red/LBAP – skylark *Alauda arvensis*, song thrush *Turdus philomelos* and yellowhammer *Emberiza citronella*;
- NERC/Amber/LBAP – dunnock *Prunella modularis* and reed bunting *Emberiza schoeniclus*;
- Amber – stock dove *Columba oenas* and willow warbler *Phylloscopus trochilus*.

4.5 Eighteen species were considered possible breeders (12) or non-breeders (6).

5.0 DISCUSSION AND EVALUATION OF IMPACTS

Bird Assemblage Value

5.1 The species recorded on site are typical of the main habitats available on site, and are particularly characterised by notable species of open arable farmland and field margins (e.g. kestrel, black-headed gull, stock dove, swift, skylark, yellow wagtail, meadow pipit, linnet, yellowhammer, reed bunting); woodland (stock dove, song thrush, mistle thrush, willow warbler, dunnock) hedgerows and trees (song thrush, dunnock, linnet, yellowhammer, bullfinch, reed bunting); ponds (mallard) and the urban fringe (swift, starling, house martin, song thrush, dunnock, house sparrow).

5.2 All of the 49 recorded species are fairly common to very common resident or summering species in Suffolk and the UK, and no significant populations were registered. None of the 19 notable species were confirmed breeding species on site.

5.3 The application site is considered to be of **Local** nature conservation value in the breeding season for the 19 notable species listed in Table 2. For the remaining 28

green-listed and two unlisted species, the site is assessed as being of **Site** nature conservation value in the breeding season.

Impacts of Habitat Loss/Change

5.4 The impact on breeding bird species arising from the potential effects of development is based upon an understanding of each species' ecological requirements, the type of development, number of birds recorded on site, their nature conservation criteria based on legislation and current guidance (e.g. Red and Amber listed Birds of Conservation Concern 3 (2009); S41 NERC Act priority species and Local BAP species), their local status according to the *Suffolk 2013 Bird Report* and professional judgement.

5.5 The species recorded on site that are arguably the most vulnerable to impacts are the 12 notable species that appear on the BoCC Red list and/or are listed as priority species for nature conservation under S41 of the NERC Act or feature on the Suffolk LBAP (swift, skylark, starling, song thrush, mistle thrush, dunnock, house sparrow, yellow wagtail, linnet, bullfinch, yellowhammer and reed bunting).

5.6 The habitat requirements, species account, and nature conservation value of these 12 species are discussed further (Table 3). In addition, residual impacts arising from the proposed development in terms of habitat loss / change have been assessed against the development proposals set out in the Illustrative Masterplan Rev B (August 2015).

Table 3: Habitat Requirements, Account, Nature Conservation Value and Impact Assessment of BoCC Red-listed, NERC Species of Principal Importance and/or Suffolk LBAP Species recorded during Breeding Bird Surveys 2015 at the Application Site

Species *Consvn. Status*	Breeding Habitat Requirements[5]	Species Account[6] (Counts Apr;May;Jun)	Characterisation of Unmitigated Impact	Suggested Mitigation / Compensation / Enhancements / Comments	Residual Impact[7]
Swift *Amber LBAP*	Summer visitor. Breeds almost exclusively in buildings, especially older ones that provide suitable access to roof space.	(0;0;2) Two birds were observed foraging high over the site's western edge in June only. Non-breeding species.	None anticipated	Swift nest boxes should be incorporated into the project design on suitable buildings. This will provide new nesting habitat for the species.	Minor Positive
Skylark *NERC Red LBAP*	Ground nesting birds favouring open farmland habitats where short, grassy or sparse vegetation provides nesting cover and foraging opportunities	(10;14;15) Up to ten territories (denoted by singing males) in open arable farmland fields across the northern section of the site on all surveys. Probable breeding species.	Loss of probable breeding habitat (arable).	Skylarks are reluctant to use areas that are subject to high levels of regular human disturbance. Areas of grassland are proposed to buffer Calford Green in the east from development; this has the potential to mitigate for some of the lost territories but not all and its suitability as breeding habitat will depend on several factors, including disturbance levels and how open it is. As such, this open-arable field specialist is likely to be mostly lost to development, given the loss of arable habitat and a reduction of an open-field structure.	Minor Negative

5 Snow, D. W. & Perrins, C. M. (1998): The Birds of the Western Palearctic Concise Edition

7 Assumes that any suggested or proposed mitigation, compensation or enhancements are undertaken in full

Species *Consvn. Status*	Breeding Habitat Requirements[5]	Species Account[6] (Counts Apr;May;Jun)	Characterisation of Unmitigated Impact	Suggested Mitigation / Compensation / Enhancements / Comments	Residual Impact[7]
Starling *NERC* *Red* *LBAP*	During breeding season will concentrate where suitable holes are available, either naturally or in apertures of buildings. Invertebrate food fed to young. Forages mainly on the ground in open areas of short grass or sparse vegetation, e.g. cereal stubble, farmyards.	(3;1;5) Adult birds were recorded foraging in arable grassland in the south and west of the site and taking food off-site to existing residential areas along Haverhill Rd and Chalkstone Way, where breeding was likely. Possible breeding species.	Loss of foraging habitat (arable).	Any open space habitats with the GI proposals, particularly in the east towards Calford Green, will continue to provide suitable foraging opportunities for the species. Starlings will also readily breed in residential areas, particularly once gardens mature. Starling nestboxes on suitable trees and buildings should be incorporated into the project design.	Minor Positive
Song thrush *NERC* *Red* *LBAP*	Birds can exist anywhere where trees or bushes accompany open grassland or patches of dead leaves supporting ample invertebrates. Will readily take to hedgerows, railway embankments and small gardens.	(3;3;3) At least two males were singing on all surveys in woodlands and hedgerow trees. Probable breeding species.	None anticipated (woodland and trees to be retained).	Areas in which song thrush was recorded (woodland and trees) are to be retained. Further tree and hedgerow planting within the GI will likely increase the overall useable habitat available to the species and provide a movement corridor through the site. Song thrushes will also readily inhabit residential areas, particularly once established.	Minor Positive

Species *Consvn. Status*	Breeding Habitat Requirements[5]	Species Account[6] (Counts Apr;May;Jun)	Characterisation of Unmitigated Impact	Suggested Mitigation / Compensation / Enhancements / Comments	Residual Impact[7]
Mistle thrush *Red* *NBoCC*	Found almost everywhere except the highest, barest ground. Commonly in woodland, parkland and gardens. Requires open woodland and other places where there are tall trees for nesting and song posts, and also areas of short grass for feeding. Varied diet including fruit, seeds, worms, insects, molluscs and spiders.	(1;0;0) A single bird was recorded close to the woodland edge along the south-western site boundary during the first survey only. Possible breeding species.	Loss of limited foraging habitat (arable and grassland)	Suitable nesting habitat for the species is to be retained in the development proposals including woodland and trees. Strategic planting and grassland provision throughout the site will compensate for the loss of foraging particularly where associated with nesting habitat. However, the number of mistle thrush recorded was unexceptional and this suggests that the site is not overly important to the local population.	Negligible
Dunnock *NERC* *Amber* *LBAP*	Commonly invades a wide variety of scrub grown situations. Has adapted to field hedgerows, farms, railway embankments, parks, gardens and vacant urban land. Feeds mainly on insects.	(6;3;7) Recorded on all surveys in intact hedgerows across the site; with a max of 7 birds present in June. Probable breeding species.	Minor loss of potential nesting habitat (e.g. short hedgerow sections, where access roads are proposed).	Much of the hedgerow habitat will be retained and enhanced with native species planting. Further planting will continue to provide a suitable breeding resource for this species. Dunnocks will also readily inhabit residential areas, particularly once established.	Minor Positive

Species *Consvn. Status*	Breeding Habitat Requirements[5]	Species Account[6] (Counts Apr;May;Jun)	Characterisation of Unmitigated Impact	Suggested Mitigation / Compensation / Enhancements / Comments	Residual Impact[7]
House sparrow *NERC* *Red* *LBAP*	Often associated with man, will avoid closed or dense vegetation, and except for seasonal foraging in corn fields and other crops, will usually avoid open terrain lacking in shrubs, trees, and other cover.	(up to 5 colonies) Five house sparrow colonies were recorded foraging in hedgerows, field margins and woodland edge on the site boundaries adjacent to existing residential areas: 1 colony in the NW site boundary associated with houses and gardens along Haverhill Rd and Bladon Way; 1 colony associated with the houses and gardens of Calford Green and up to 3 colonies on the SSE boundary associated with houses and gardens along Coupals Rd, Marcus Close and Shetland Way. A 6th colony was also present at Great Wilsey Farm, just outside of the site boundary. Non-breeding species.	Minor loss of foraging resource (hedgerow and field margin habitats).	House sparrows were not breeding onsite, but in the nearby houses and farm complex. The species will readily habituate to new residential areas. The retention of boundary trees and hedgerows combined with new residential gardens and buildings will support the colonies currently on the peripheries of the site and increase breeding and foraging opportunities. House sparrow nestboxes should be incorporated into the project design in order to augment this.	Minor Positive

Species *Consvn. Status*	Breeding Habitat Requirements[5]	Species Account[6] (Counts Apr;May;Jun)	Characterisation of Unmitigated Impact	Suggested Mitigation / Compensation / Enhancements / Comments	Residual Impact[7]
Yellow wagtail *NERC* *Red* *LBAP*	Summer visitor. Found in lowland pastures, water meadows, marshes, riversides and arable fields.	(0;1;0) A female was calling in an arable field in the easternmost section of the site in May; not recorded in April or June. Possible breeding species.	Loss of potential breeding habitat (arable grassland).	Any open space habitats with the GI proposals, particularly the greenspace in the east, will continue to provide suitable foraging opportunities for the species. The single bird recorded suggests that the site is not important for yellow wagtails.	Negligible
Linnet *NERC* *Red* *LBAP*	Nests mainly on gorse-covered commons, rough ground where there are low bushes and scrub, bushy places on open farmland, hedges, young plantations and rural gardens.	(1;2;4) Single birds were recorded in April and May, and two pairs in June, associated with hedgerows surrounding arable fields in the northern half of the application site where breeding was likely. Probable breeding species.	Loss of nesting (hedgerow) and foraging habitats (arable fields and their margins).	Much of the hedgerow will be retained and enhanced. However, linnets are reluctant to use areas that are subject to high levels of regular human disturbance. The proposed eastern green buffer will mitigate for some of the lost foraging habitat but its suitability will depend on disturbance levels. An area of arable weeds, an important food source, should be encouraged to grow within the grassland GI. This open-farmland species is likely to be mostly lost to development, given the loss of arable habitat and a reduction of an open-field structure; however, the low numbers recorded suggests that the site is not overly important for the local linnet breeding population.	Negligible

Species *Consvn. Status*	Breeding Habitat Requirements[5]	Species Account[6] (Counts Apr;May;Jun)	Characterisation of Unmitigated Impact	Suggested Mitigation / Compensation / Enhancements / Comments	Residual Impact[7]
Bullfinch *NERC* *Amber* *LBAP*	Nests in thick woodland undergrowth, thickets, shrubby areas and thick hedges. Many of these habitats occur on lowland farmland. Also visits gardens and orchards.	(0;0;1) A male was calling from a tree in hedgerow H5 south of Great Wilsey Farm in June; not recorded in April or May. Possible breeding species.	Minor loss of nesting and foraging resource (hedgerow).	Any newly-planted native tree and hedgerow species should include bud-, berry- and fruit-bearing species. Once mature, residential gardens will be used by bullfinches.	Negligible
Yellowhammer *NERC* *Red* *LBAP*	Associated with areas of grass and arable fields with hedges and banks, railway embankments, commons and heaths.	(10;9;9) Singles and pairs were concentrated in the northern half of the site, particularly on and around hedgerows. Probable breeding species.	Minor loss of nesting (hedgerow) and foraging resource (arable fields and margins).	Like skylark and linnet, yellowhammers occupy open arable and grassland habitats and shy away from areas of regular human disturbance. Much of the hedgerow will be retained, but those surrounded by development will offer little value to the species. The proposed eastern grassland will continue to provide some foraging opportunities.	Minor Negative
Reed bunting *NERC* *Amber* *LBAP*	Traditionally a bird of wet places such as reedbeds, river margins, fens, marshes and coastal grazing marshes. More recently colonised drier habitats such as ditches, young forestry plantations and some farm crops, especially oilseed rape.	(4;1;2) Individuals and pairs of birds were associated with hedgerows and field margins in the north of the site. Probable breeding species.	Minor loss of nesting (hedgerow) and foraging resource (arable fields and margins).	As above, reed buntings are open farmland birds and unlikely to use much of the site post-development. However, the number of reed buntings recorded was unexceptional and this suggests that the site is not overly important to the local population.	Negligible

5.7 The proposed development will result in the loss of open arable habitat from the site. This has the potential to impact upon two notable species in the breeding season – skylark and yellowhammer. Neither species thrives close to residential areas and the associated levels of regular human disturbance. Although some suitable habitat will be retained in the east of the application site, these open-farmland specialists are likely to be mostly displaced from the site post-development and residual **minor negative** impacts to the local breeding skylark and yellowhammer populations are predicted.

5.8 Swift, starling, song thrush, dunnock and house sparrow are expected to benefit from the proposed GI within the Illustrative Masterplan Rev B, including the retention of many of the existing hedgerows and trees (important for all species), new tree planting (starling and song thrush) and the creation of an area of open greenspace in the east of the site (particularly important for foraging starlings). In addition, all five species show varying degrees of habituation to residential areas, particularly as gardens mature, and an ability to thrive in urban environments. Therefore, **minor positive** residual impacts for swift, starling, song thrush, dunnock and house sparrow are predicted.

5.9 Mistle thrush, yellow wagtail, linnet, bullfinch and reed bunting were all recorded in modest populations throughout the breeding surveys. **Negligible** residual impacts are expected for the local populations of all five species.

5.10 To comply with wildlife legislation, any removal of woody vegetation including hedgerow sections and trees will occur outside of the bird breeding season to minimise the risk of disturbance to breeding birds. If this is not possible, such vegetation will be checked prior to removal by a suitably experienced ecologist to confirm the absence of active nests. If active nests are found, vegetation will be left undisturbed and suitably buffered from works until all birds have fledged. Specific advice will be sought prior to undertaking the clearance.

5.11 To mitigate for the loss of any potential bird nesting and foraging habitat on the site it is recommended that the scheme includes habitat enhancements through the planting of native and ornamental trees and shrubs, with preference given to species of value to local bird populations, e.g. berry- and fruit-bearing species such as crab apple *Malus sylvestris*, hawthorn *Crataegus monogyna*, rowan *Sorbus aucuparia*, holly *Ilex aquifolium* and guelder rose *Viburnum opulus*. The scheme will provide habitat buffers adjacent to retained hedgerows to minimise potential impacts to local bird populations in the long-term. New areas of woody species planting throughout the site will in time mature into habitats suitable for use by foraging and nesting birds.

5.12 It is recommended that consideration be given to the provision of bird boxes to be affixed to suitable buildings and retained trees to enhance nesting opportunities for birds in the local area and therefore contribute to requirements of NPPF via biodiversity enhancement. A selection of hole- and open-fronted designs should be used in order to encourage a variety of species. Further advice on appropriate siting and box-types can be provided on request.

6.0 CONCLUSIONS

6.1 A total of 49 species were recorded within the site boundary during the surveys, including 19 notable species that are either listed as NERC species of principal importance, on the UK Birds of Conservation Concern Red and Amber lists and/or the Suffolk LBAP list. None of the notable species was confirmed as breeding on site.

6.2 All of the 49 recorded species are fairly to very common species in Suffolk and the UK, and no significant populations were registered.

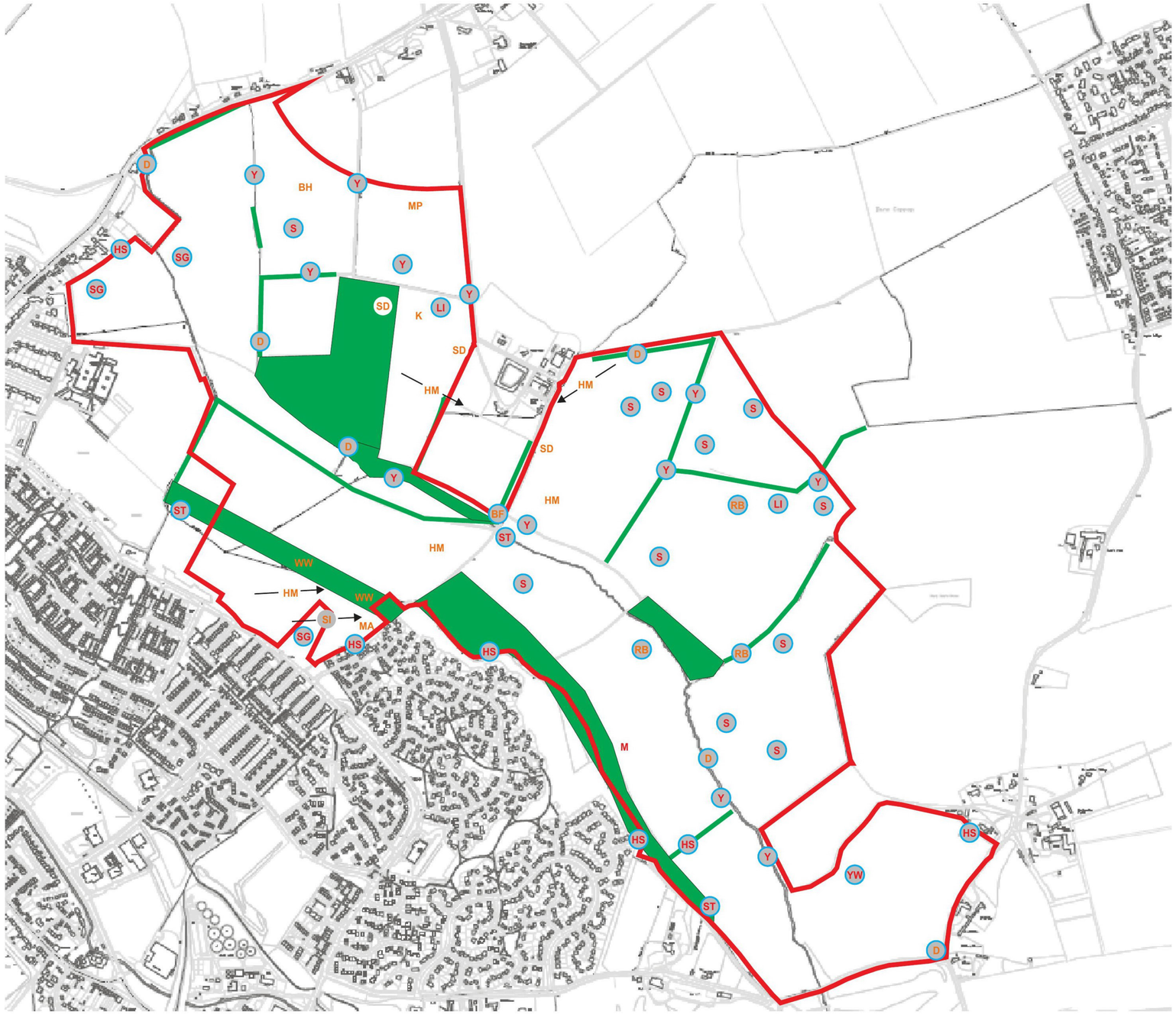
6.3 Impacts of development were considered for the 12 most vulnerable species recorded on site (i.e. species of highest conservation concern).

6.4 The proposed development is expected to result in minor negative residual impacts for skylark and yellowhammer. Negligible residual impacts are predicted for mistle thrush, yellow wagtail, linnet, bullfinch and reed bunting.

6.5 Other than in the short term, i.e. during the construction phase, the proposals and suggested compensation are expected to have a positive residual impact upon swift, starling, song thrush, dunnock and house sparrow.

6.6 The application site is considered to be of **Local** nature conservation value in the breeding season for the 19 notable species listed in Table 2. For the remaining 30 green-listed and unlisted species, the site is assessed as being of **Site** nature conservation value in the breeding season.

6.7 The retention of existing vegetation and provision of new semi-natural areas which will provide corridors of movement across the site, along with a new resource of residential gardens, will provide some compensation for the loss of suitable breeding habitats for many of the recorded species. The proposed GI will increase the degree of usable habitat across the site for a number of urban edge species, provide connectivity with the wider landscape and support conservation and biodiversity enhancement. Overall, the developed site is expected to remain a valuable resource for local bird populations, with a shift in emphasis from birds of open arable farmland to those more traditionally associated with urban edge environments.



Site Boundary

Hedgerow

Woodland

NERC List Species

Suffolk LBAP Species

Bird observed flying over the site only

BoCC Red-listed Birds

S	Skylark
SG	Starling
ST	Song thrush
M	Mistle thrush
HS	House sparrow
LI	Linnet
Y	Yellowhammer
YW	Yellow wagtail

BoCC Amber-listed Birds

K	Kestrel
BH	Black-headed gull
SD	Stock dove
G	Green woodpecker
D	Dunnock
MP	Meadow pipit
BF	Bullfinch
RB	Reed bunting
SI	Swift
HM	House martin
WW	Willow warbler
MA	Mallard

Hallam Land Management Ltd

Great Wilsey Park,
Haverhill

BREEDING BIRD SURVEY 2015: DISTRIBUTION OF NOTABLE SPECIES PLAN

Not to scale NC/DAH 21.03.2016

Figure 1 **5055-E-01**

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masterplanning ■ environmental assessment ■ landscape design ■ urban design ■ ecology ■ architecture ■ arboriculture ■

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Appendix A: Haverhill Breeding Bird Survey Results 2015

Survey	Date	Cloud cover (%)	Rain	Wind	Visibility
1	16.04.15	100	None	Gentle breeze	Good
2	27.05.15	10	None	Light air	Good
3	30.06.15	0	None	Calm	Good

Species	Latin	16.04.15	27.05.15	30.06.15	Conservation Status	Breeding Status onsite
Grey heron	*Ardea cinerea*	1		1	Green list	Non-breeder
Mallard	*Anas platyrhynchos*	2			Amber list	Possible
Moorhen	*Gallinula chloropus*	1	1	1	Green list	Probable
Red-legged partridge	*Alectoris rufa*	5		2	None (Introduced)	Confirmed
Pheasant	*Phasianus colchicus*	2	3	4	None (Introduced)	Probable
Buzzard	*Buteo buteo*	1		1	Green list	Possible
Sparrowhawk	*Accipiter nisus*	1			Green list	Possible
Kestrel	*Falco tinnunculus*	1			Amber list	Possible
Black-headed gull	*Chroicocephalus ridibundus*			3	Amber list	Non-breeder
Woodpigeon	*Columba palumbus*	25	10	41	Green list	Confirmed
Stock dove	*Columba oenas*	1	3	2	Amber list	Probable
Collared dove	*Streptopelia decaocto*	2			Green list	Possible
Swift	*Apus apus*			2	Amber list LBAP	Non-breeder
Magpie	*Pica pica*	5	6	8	Green list	Probable
Jackdaw	*Corvus monedula*	10	4	11	Green list	Probable
Carrion crow	*Corvus corone*	4	4	6	Green list	Probable
Green woodpecker	*Picus viridis*			2	Green list	Possible
Great spotter woodpecker	*Dendrocopos major*	1	1	2	Green list	Confirmed
Goldcrest	*Regulus regulus*	1	2	2	Green list	Probable

Appendix A: Haverhill Breeding Bird Survey Results 2015

Species	Latin	16.04.15	27.05.15	30.06.15	Conservation Status	Breeding Status onsite
Coal tit	*Periparus ater*	2	2	2	Green list	Probable
Blue tit	*Cyanistes caeruleus*	4	5	9	Green list	Confirmed
Great tit	*Parus major*	9	8	12	Green list	Confirmed
Skylark	*Alauda arvensis*	10	14	15	NERC Red list LBAP	Probable
Swallow	*Hirundo rustica*	3	2	8	Green list	Non-breeder
House martin	*Delichon urbica*	2	4	12	Amber list	Non-breeder
Long-tailed tit	*Aegithalos caudatus*	2 flocks	flock	flock	Green list	Confirmed
Wren	*Troglodytes troglodytes*	5	8	7	Green list	Confirmed
Starling	*Sturnus vulgaris*	3	1	5	NERC Red list LBAP	Possible
Blackbird	*Turdus merula*	7	6	10	Green list	Probable
Song thrush	*Turdus philomelos*	3	3	3	NERC Red list LBAP	Probable
Mistle thrush	*Turdus viscivorus*	1			Red list	Possible
Blackcap	*Sylvia atricapilla*	4	8	5	Green list	Probable
Willow warbler	*Phylloscopus trochilus*	1	1	1	Amber list	Probable
Lesser whitethroat	*Sylvia curruca*		2	2	Green list	Probable
Common whitethroat	*Sylvia communis*	2	8	8	Green list	Probable
Chiffchaff	*Phylloscopus collybita*	4	4	5	Green list	Probable
Robin	*Erithacus rubecula*	7	11	9	Green list	Confirmed
Dunnock	*Prunella modularis*	6	3	7	NERC Amber list LBAP	Probable
House sparrow	*Passer domesticus*	Up to 5 colonies			NERC Red list LBAP	Non-breeder
Yellow wagtail	*Motacilla flava*		1		NERC Red list LBAP	Possible
Pied wagtail	*Motacilla alba*	2			Green list	Possible
Meadow pipit	*Anthus pratensis*			2	Amber list	Possible

Appendix A: Haverhill Breeding Bird Survey Results 2015

Species	Latin	16.04.15	27.05.15	30.06.15	Conservation Status	Breeding Status onsite
Chaffinch	*Fringilla coelebs*	11	12	10	Green list	Probable
Greenfinch	*Carduelis chloris*	6		1	Green list	Probable
Goldfinch	*Carduelis carduelis*		2	6	Green list	Probable
Linnet	*Carduelis cannabina*	1	2	4	NERC Red list LBAP	Probable
Bullfinch	*Pyrrhula pyrrhula*			1	NERC Amber list LBAP	Possible
Yellowhammer	*Emberiza citronella*	10	9	9	NERC Red list LBAP	Probable
Reed bunting	*Emberiza schoeniclus*	4	1	2	NERC Amber list LBAP	Probable

Suffolk LBAP Bird Species
Barn Owl Tyto alba*
Bullfinch Pyrrhula pyrrhula
Dunnock Prunella modularis
Common Starling Sturnus vulgaris
House Sparrow Passer domesticus
Song Thrush Turdus philomelos
Spotted Flycatcher Muscicapa striata
Bittern Botaurus stellaris
Black-tailed Godwit Limosa limosa
Herring Gull subsp. argenteus Larus argentatus subsp. argenteus
Cuckoo Cuculus canorus
Grasshopper Warbler Locustella naevia
Curlew Numernius arquata
Hawfinch Coccothraustes coccothraustes
Lesser Redpoll Carduelis cabaret
Lesser Spotted Woodpecker Dendrocopos minor
Little Tern Sterna albifrons
Marsh Tit Poecile palustris
Nightjar Caprimulgus europaeus
Swift Apus apus*
Savi's Warbler Locustella luscinioides
Stone Curlew Burhinus oedicnemus
Tree Pipit Anthus trivialis
Twite Carduelis flavirostris
Willow Tit Poecile montanus
Wood Lark Lullula arborea
Wood Warbler Phylloscopus sibilatrix
Corn Bunting Miliaria calandra
Tree Sparrow Passer montanus
Grey Partridge Perdix perdix
Yellow Wagtail Motacilla flava
Northern Lapwing Vanellus vanellus
Turtle Dove Streptopelia turtur
Linnet Carduelis cannabina
Skylark Alauda arvensis
Yellowhammer Emeriza citronella
Reed Bunting Emberiza schoeniclus

Appendix A: Haverhill Breeding Bird Survey Results 2015

NB * = Suffolk BAP species (locally important – not national Priority Species)

Appendix 9.4
Winter Bird Survey

Hallam Land Management Ltd

GREAT WILSEY PARK, HAVERHILL

Winter Bird Survey

Appendix 9.4

March 2016

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Rev	Issue Status	Prepared / Date	Approved/Date
-	Draft 1	JEC / 24.02.15	DAH / 22.08.15
	Draft	NC / 21.03.16	JEC / 21.03.16

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APPENDICES

1.0 INTRODUCTION

1.1 The following report has been prepared by FPCR Environment and Design Ltd on behalf of Hallam Land Management Ltd. It provides results of winter bird surveys undertaken in 2014/15 at Great Wilsey Park, Haverhill, Suffolk (known hereafter as 'the application site' or 'the site').

1.2 The proposed development site covers approximately 168.34ha to the north east of Haverhill (Figure 1) and is mainly laid out for arable farming, interrupted by blocks of deciduous and mixed woodland.

1.3 The northern and southern boundaries form the sides of a valley within the site, created by a watercourse that flows into the proposed development site from the north-west. The watercourse is a tributary of the River Stour, located approximately 1km to the north west of the proposed development site.

1.4 The proposed development site is bound by the A143 Haverhill Road to the northwest; open fields delineated by drainage ditches and Little Wratting hamlet to the north; hedgerows and open fields to the northeast; B1061 Sturmer Road and Calford Green hamlet to the east; Coupals Road to the southeast; the edge of Haverhill to the southwest; Chalkstone Way, a secondary school and houses on the A143 Haverhill Road to the west.

1.5 The proposed development will comprise approximately 2,500 residential units, local employment uses, education, community and leisure facilities, public open space and recreation facilities.

2.0 LEGISLATION AND GUIDANCE

The Wildlife & Countryside Act 1981 (as amended)

2.1 The Wildlife and Countryside Act 1981 (as amended)[1] is the principal legislation affording protection to UK wild birds. Under this legislation all birds, their nests and eggs are protected by law and it is an offence, with certain exceptions to recklessly or intentionally:

- Kill, injure or take any wild bird;
- Take, damage or destroy the nest of any wild bird while in use or being built;
- Take or destroy the egg of any wild bird.

2.2 Species listed on Schedule 1 of the Wildlife and Countryside Act 1981 (as amended) are specially protected at all times.

Natural Environment and Rural Communities (NERC) Act 2006

2.3 A number of birds feature on the Natural Environment and Rural Communities (NERC) Act 2006[2], Section 41 (S41) as species which are of principal importance for the conservation of biodiversity in England. The S41 list is used to guide decision-makers such as public bodies, including local and regional authorities, in implementing their duty under section 40 of the NERC Act, to have regard to the conservation of biodiversity in England, when carrying out their normal functions.

Biodiversity Action Plan

2.4 The UK Biodiversity Action Plan (UKBAP), published in 1994, was the UK Government's response to the Convention on Biological Diversity, which the UK signed up to in 1992 in Rio de Janeiro. The UKBAP described the biological resources of the UK and provided detailed plans for conservation of these resources.

2.5 In 2012, the UKBAP was replaced by the *UK Post-2010 Biodiversity Framework (2012)*[3]. The result of this change is that the BAP process has been devolved to local level with each county deciding its own way forward. Suffolk made the decision in June 2013 to continue to support the Suffolk BAP, still enshrined in law through the NERC Act 2006, and also in planning policy through the National Planning Policy Framework and National Policy Statements.

2.6 A full list of Suffolk Local Biodiversity Action Plan (LBAP) bird species is provided in Appendix A.

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1 http://www.legislation.gov.uk/ukpga/1981/69
2 http://www.legislation.gov.uk/ukpga/2006/16/contents
3 http://jncc.defra.gov.uk/page-6189

Non-Statutory Guidance

2.7 In addition to statutory protection, some bird species are classified according to their conservation status, such as their inclusion on the Red and Amber lists of Birds of Conservation Concern (BoCC) in the UK[4]:

- Red list (high conservation concern) species are those that are Globally Threatened according to IUCN criteria; those whose population has declined rapidly (50% or more) in recent years; and those that have declined historically and not shown a substantial recent recovery.
- Amber list (medium conservation concern) species are those with an unfavourable conservation status in Europe; those whose population or range has declined moderately (between 25% and 49%) in recent years; those whose population has declined historically but made a substantial recent recovery; rare breeders; and those with internationally important or localised populations.
- Green list (low conservation concern) species fulfil none of the above criteria.

[4] Eaton MA, Brown AF, Noble DG, Musgrove AJ, Hearn R, Aebischer NJ, Gibbons DW, Evans A and Gregory RD, 2009: Birds of Conservation Concern 3: the population status of birds in the United Kingdom, Channel Islands and the Isle of Man. British Birds 102, pp296–341: http://www.rspb.org.uk/Images/BoCC_tcm9-217852.pdf

3.0 METHODOLOGY

Field Survey Methodology

Winter Bird Survey

3.1 The survey methodology employed was based on that recommended in standard literature e.g. Winter Farmland Bird Survey as used for the British Trust for Ornithology (BTO)[5,6]. Standard BTO species codes and symbols for bird activities were used to identify birds and denote activity, sex and age where appropriate.

3.2 To provide a reasonable level of accuracy for determining the population status of the wintering birds on the site, four surveys were undertaken between November 2014 and February 2015 between 08.00 and 16.00hrs.

3.3 A route was mapped out prior to the surveys being undertaken, paying particular attention to any linear features, such as hedgerows and tree lines, and natural features such as areas of scrub, woodland and waterbodies. The surveyor walked this predefined transect during each visit. All birds seen or heard were marked on a plan using standard BTO notation. Bird surveys were not undertaken in unfavourable conditions such as heavy rain or strong wind, which may negatively affect the results.

Assessment Methodology

3.4 The conservation value of bird populations has been measured using two separate approaches: nature conservation value and conservation status. The IEEM guidance on ecological impact assessment assesses nature conservation value within a geographical context. To attain each level of value, an ornithological resource or one of the features (species population or assemblage of species) should meet the criteria set out in Table 1 below. In some cases, professional judgement may be required to increase or decrease the allocation of specific value, based upon local knowledge.

Table 1: Definition of Terms Relating to Nature Conservation Value

Nature Conservation Value	Examples of Selection Criteria
International	A species which is part of the cited interest of an SPA and which regularly occurs in internationally or nationally important numbers. A species present in internationally important numbers (>1% of international population).
National	A species which is part of the cited interest of a SSSI and which regularly occurs in nationally or regionally important numbers. A nationally important assemblage of breeding or over-wintering species. A species present in nationally important numbers (>1% UK population). Rare breeding species (<300 breeding pairs in the UK).

[5] Bibby, C.J., N.D. Burgess & D.A. Hill (1992): Bird Census Techniques. London: Academic Press

[6] Gilbert, G., Gibbons, D.W., and Evans, J. (1998). Bird Monitoring Methods: a manual of techniques for key UK species. RSPB, Sandy

Nature Conservation Value	Examples of Selection Criteria
Regional	Species of principal importance under Schedule 41 of the Natural Environment and Rural Communities (NERC) Act (2006), which are not covered above, and which regularly occurs in regionally important numbers. Species present in regionally important numbers (>1% of regional population). Sustainable populations of species which are rare or scarce within a region. Species on the BoCC Red List and which regularly occurs in regionally important numbers.
County	Species of principal importance under Schedule 41 of the Natural Environment and Rural Communities (NERC) Act (2006), which are not covered above and which regularly occurs in county important numbers Species present in county important numbers (>1% of county population). Sustainable populations of species which are rare or scarce within a county, or listed as of principal importance under S41 of the NERC Act. A site designated for its county important assemblage of birds (e.g. a SINC Site). Species on the BoCC Red List and which regularly occur in county important numbers.
District	Species of principal importance under Schedule 41 of the Natural Environment and Rural Communities (NERC) Act (2006), which are not covered above, and are rare in the locality or in the relevant Natural Area profile. Species present in numbers just short of county importance. Sustainable populations of species which are rare or scarce within the locality. A site whose designation falls just short for inclusion for its county important assemblage of birds (e.g. a SINC Site). Other species on the BoCC Red List and which are considered to regularly occur in district important numbers.
Local	Other species of conservation interest (e.g. all other species on the BoCC Red and Amber List and listed as of principal importance under Schedule 41 of the Natural Environment and Rural Communities (NERC) Act (2006) which are not covered above) regularly occurring in locally sustainable populations.
Site	All other BoCC Green-listed common and widespread species.

4.0 RESULTS

4.1 A total of 42 species were recorded within the site boundary during the surveys, including 15 species that are listed as Schedule 1, NERC or LBAP priority species and/or feature on the BoCC Red and Amber lists (Table 2). Full survey results are provided in Appendix A.

Table 2: Schedule 1, NERC, LBAP, BoCC Red- and Amber-Listed Bird Species Recorded at Great Wilsey Park, Haverhill during Winter Bird Surveys 2014/15 and their Recent Status in Suffolk

Species	Conservation Status	Recent Status in Suffolk[7]
Kestrel	Amber	Common resident. Scarce passage migrant.
Black-headed gull	Amber	Very common resident, winter visitor and passage migrant
Herring gull	Red, NERC, LBAP	Very common resident, winter visitor and passage migrant
Stock dove	Amber	Fairly common resident and passage migrant
Skylark	Red, NERC, LBAP	Common resident, winter visitor and passage migrant
Starling	Red, NERC, LBAP	Very common resident, winter visitor and passage migrant
Fieldfare	Red, Schedule 1	Common winter visitor and passage migrant
Song thrush	Red, NERC, LBAP	Fairly common resident, winter visitor and passage migrant
Redwing	Red, Schedule 1	Common winter visitor and passage migrant
Mistle thrush	Red	Fairly common resident and scarce passage migrant
Dunnock	Amber, NERC, LBAP	Very common resident and fairly common migrant
House sparrow	Red, NERC, LBAP	Common resident
Meadow pipit	Amber	Common resident, winter visitor and passage migrant
Bullfinch	Amber, NERC, LBAP	Common resident
Reed bunting	Amber, NERC, LBAP	Common resident and passage migrant

[7] Suffolk Ornithologists' Group (2014): Suffolk Birds 2013; Vol.63. The following definitions are given as a guide to relative species status: Very common – occurs in large numbers in suitable habitat and season; Common – occurs regularly or widely distributed in suitable habitat and season; Fairly common – occurs in small numbers in suitable habitat and season; Scarce – one or two records each year or restricted to specific habitats.

5.0 DISCUSSION AND EVALUATION OF IMPACTS

Bird Assemblage Value

5.1 The species recorded on site are typical of the main habitats available on site, and are particularly characterised by notable species of open arable farmland and field margins (e.g. kestrel, black-headed gull, herring gull, stock dove, skylark, fieldfare, meadow pipit, reed bunting); woodland (stock dove song thrush, redwing, mistle thrush, dunnock) hedgerows and trees (fieldfare, song thrush, redwing, dunnock, bullfinch, reed bunting) and the urban fringe (starling, song thrush, dunnock, house sparrow).

5.2 All of the 42 recorded species are fairly common to very common resident or overwintering species in Suffolk and the UK, and no significant populations were registered[8]. The application site is considered to be of **local** nature conservation value in winter for the 15 notable species listed in Table 2. For the remaining 27 green-listed and unlisted species, the site is assessed as being of **Site** nature conservation value in winter.

Impacts of Habitat Loss/Change

5.3 The impact on wintering bird species arising from the potential effects of development is based upon an understanding of each species' ecological requirements, the type of development, number of birds recorded on site, their nature conservation criteria based on legislation and current guidance (e.g. Red and Amber listed Birds of Conservation Concern 3 (2009); S41 NERC Act priority species and Local BAP species), their local status according to the *Suffolk 2013 Bird Report* and professional judgement.

5.4 The species recorded on site that are arguably the most vulnerable to impacts are the 11 'notable' species that appear on the BoCC Red list and/or are listed as priority species for nature conservation under S41 of the NERC Act or feature on the Suffolk LBAP. The habitat requirements, species account, and nature conservation value of these species are discussed further (Table 3). In addition, residual impacts arising from the proposed development in terms of habitat loss / change have been assessed against the development proposals set out in the Illustrative Masterplan Rev B (August 2015).

[8] A max count of 90+ black-headed gulls (Amber) was recorded loafing in an arable field compartment in the SW part of the site in February, immediately east of the Samuel Ward Academy School; however, the Suffolk Bird Reports list several registrations of 1,000+ flocks in the county each winter and, in this context, the flock of 90 birds on site is considered to be unexceptional.

Table 3: Habitat Requirements, Species Account, Nature Conservation Value and Impact Assessment of Schedule 1, BoCC Red-listed, NERC Act and Suffolk LBAP Species Recorded during Winter Bird Surveys 2014/15 at Great Wilsey Park, Haverhill

Species	Habitat Requirements[9]	Species Account[10] (Counts Nov;Dec;Jan;Feb)	Nature Conservation Value[11]	Characterisation of Unmitigated Impact	Suggested Mitigation / Compensation / Enhancements / Comments	Residual Impact[12]
Herring gull	Breeds around the coasts of Britain and Ireland on cliffs, beaches, shingle islands, moorland and buildings. Widespread outside breeding season, but still concentrated on the coasts. Feeds on urban rubbish tips, visits town parks during the day and roosts on playing fields and at night on reservoirs and estuaries.	(0;1;0;0) The only record was of a single immature bird loafing with black-headed gulls in an arable field in the SW corner of the site in Dec. County context: Very common resident, winter visitor and passage migrant. Winter herring gull flocks in the hundreds are not uncommon in Suffolk, particularly near to the coast and large waterbodies.	Local	Minor loss of loafing habitat (arable fields).	The development proposals include 71.4ha of Green Infrastructure (GI), 42% of the total site area. Within the GI proposals, areas of the existing landscape of woodland, hedgerows and trees etc, will be supported by a network of new broadleaved woodland, trees, hedgerows, allotments, areas of parkland including a country park, conservation grassland and wetland habitats, including Sustainable Drainage Systems (SuDS). Larger areas of public open space, such as the proposed country park and SuDS through the middle of the site, will continue to provide suitable loafing areas for the modest number of gulls recorded on site in winter.	Negligible

9 Snow, D. W. & Perrins, C. M. (1998): The Birds of the Western Palearctic Concise Edition

10 County contexts are summarised from Suffolk 2010 Bird Report

11 Based upon criteria set out in Table 1 and professional judgement

12 Assumes that any suggested or proposed mitigation, compensation or enhancements are undertaken in full

Species	Habitat Requirements[9]	Species Account[10] (Counts Nov;Dec;Jan;Feb)	Nature Conservation Value[11]	Characterisation of Unmitigated Impact	Suggested Mitigation / Compensation / Enhancements / Comments	Residual Impact[12]
Skylark	Ground nesting birds favouring open farmland habitats. Plant and animal material taken at all times of the year, but weed seeds especially important in winter. UK winter numbers are significantly boosted by birds from northern and eastern Europe arrive in Britain in October and return in January.	(6;4;0;0). A small flock of six birds was recorded in Nov in an arable stubble field in the north of the site adjacent to Little Wratting; four birds were foraging in arable habitat in the SW corner of the site adjacent to Samuel Ward Academy in Dec. Not recorded in Jan or Feb. County context: Common resident, winter visitor and passage migrant. Twelve county sites are cited where winter flocks of more than 100 skylarks occurred.	Local	Loss of winter foraging habitat (arable).	Skylarks are reluctant to use areas that are subject to high levels of regular human disturbance. As such, this open-arable field specialist is likely to be lost to development, given the loss of arable habitat and a reduction of an open-field structure. However, the species was recorded using the site in modest numbers throughout winter and the loss of habitat is not significant to the local skylark population.	Minor Negative

Species	Habitat Requirements[9]	Species Account[10] (Counts Nov;Dec;Jan;Feb)	Nature Conservation Value[11]	Characterisation of Unmitigated Impact	Suggested Mitigation / Compensation / Enhancements / Comments	Residual Impact[12]
Starling	Forages mainly on the ground in open areas of short grass or sparse vegetation, e.g. cereal stubble, farmyards. Like skylarks, the UK winter population is increased massively by mainland European birds.	(25;23;30;38) Small flocks of birds were recorded throughout winter foraging in arable habitat, with a peak count in Feb. County context: Very common resident, winter visitor and passage migrant. Flocks of 1000+ starlings are reported from several Suffolk sites, with winter roosts of 50,000+ birds reported on the east coast.	Local	Loss of foraging habitat. (arable)	The country park and SuDS habitats with the GI proposals will continue to provide suitable foraging opportunities for the species. In particular, consideration within the SuDS design of the creation of a new reedbed would provide a new roosting resource for the local starling population. Starlings will also readily frequent residential areas, particularly once established.	Minor Positive

Species	Habitat Requirements[9]	Species Account[10] (Counts Nov;Dec;Jan;Feb)	Nature Conservation Value[11]	Characterisation of Unmitigated Impact	Suggested Mitigation / Compensation / Enhancements / Comments	Residual Impact[12]
Fieldfare	Widespread winter visitor occurring almost anywhere. Feeds along hedgerows and in orchards, pastures and other areas of short grass, and on arable fields. Feeding sites are often close to woodland and tall hedges. Nomadic in winter as they travel the countryside for food, sometimes joined by other thrushes and starlings.	(0;0;32;0) A small flock of 32 birds were recorded foraging in arable habitat in the south-eastern section of the site, south of Calford Green, in Jan only. County context: Common winter visitor and passage migrant. Three figure flocks were reported from 24 sites in Suffolk, with nine of those citing flocks of more than 200 birds.	Local	Loss of foraging habitat (arable).	Trees and hedgerows, valuable winter fieldfare foraging and roosting features, will be retained and enhanced across the application site. Any newly-planted native tree and hedgerow species should include berry- and fruit-bearing species. Fieldfares will also use open amenity and wetland grasslands in which to forage for invertebrates.	Negligible

Species	Habitat Requirements[9]	Species Account[10] (Counts Nov;Dec;Jan;Feb)	Nature Conservation Value[11]	Characterisation of Unmitigated Impact	Suggested Mitigation / Compensation / Enhancements / Comments	Residual Impact[12]
Song thrush	Birds can exist anywhere where trees or bushes accompany open grassland or patches of dead leaves supporting ample invertebrates. Will readily take to hedgerows, railway embankments and small gardens. Many that breed in Scandinavia pass through Britain as they head south in autumn; others from Belgium and Holland winter in southern Britain.	(1;3;2;2) Single birds were recorded in various locations across the site on all surveys, always associated with established woodland blocks and treelines. County context: Fairly common resident, winter visitor and passage migrant. No specific winter population data is provided in county bird reports, but the species *fairly common* classification means song thrushes occur in small numbers in suitable habitat and season in Suffolk, although what constitutes 'small numbers' is not clarified.	Local	Minor loss of foraging habitat (e.g. short hedgerow sections, where access roads are proposed).	Areas in which song thrush was recorded are to be retained (woodland blocks and mature trees). Further woodland, tree and hedgerow planting within the GI will likely increase the overall useable habitat available to song thrush and provide a movement corridor through the site. Song thrushes will also readily inhabit residential areas, particularly once established.	Negligible

Species	Habitat Requirements[9]	Species Account[10] (Counts Nov;Dec;Jan;Feb)	Nature Conservation Value[11]	Characterisation of Unmitigated Impact	Suggested Mitigation / Compensation / Enhancements / Comments	Residual Impact[12]
Redwing	Widespread winter visitor in Britain between October and March. Generally rather shy feeding in hedges and orchards and open areas of short grass. Visits farmland, parks and large gardens. The winter population of Britain and Ireland has been estimated at over a million birds. Will feed and roost with other thrushes, especially fieldfares.	(27;1;14;0) A small November flock of 27 birds was recorded foraging along the eastern woodland edge of Great Field Plantation and 14 birds were doing the same in Jan. A single bird flew over the immature woodland plantation south of Great Field Plantation in Dec. None recorded in Feb. County context: Common winter visitor and passage migrant. Three-figure flocks were reported from 12 Suffolk sites in winter, with three reporting flocks of 200 birds.	Local	Minor loss of foraging habitat (e.g. short hedgerow sections, where access roads are proposed).	Areas in which redwings was recorded (woodland edge) are to be retained. Further woodland, tree and hedgerow planting within the GI will likely increase the overall useable habitat available to the species and provide a movement corridor through the site.	Negligible

Species	Habitat Requirements[9]	Species Account[10] (Counts Nov;Dec;Jan;Feb)	Nature Conservation Value[11]	Characterisation of Unmitigated Impact	Suggested Mitigation / Compensation / Enhancements / Comments	Residual Impact[12]
Mistle thrush *Red*	Found almost everywhere except the highest, barest ground. Commonly in woodland, parkland and gardens. Requires areas of short grass for feeding. Varied diet including fruit, seeds, worms, insects, molluscs and spiders.	(3;0;2;0) Individuals were recorded in mature hedgerow and woodland edge habitats in November 2014 and January of 2015.	Local	Loss of foraging habitat (arable and grassland)	Strategic planting and grassland provision throughout the site will compensate for the loss of winter foraging habitat particularly where associated with retained features such as the woodland and hedgerows in which the species was recorded.	Negligible
Dunnock	Commonly invades a wide variety of scrub grown situations. Has adapted to field hedgerows, farms, railway embankments, parks, gardens and vacant urban land. Feeds mainly on insects but small seeds are an important winter food.	(3;3;6;7) Recorded on all surveys in hedgerows throughout the site; with a max of 7 birds present in Feb. County context: Very common resident and fairly common migrant. Little winter data is provided in county reports; classification as a *very common resident* reflects dunnock as a well-represented species in the county *in large numbers in suitable habitat and season*.	Local	Minor loss of foraging, roosting and territorial habitat (e.g. short hedgerow sections, where access roads are proposed).	Much of the hedgerow habitat will be retained and enhanced with native species planting. Further woodland planting will continue to provide a suitable winter resource for this species. Dunnocks will also readily inhabit residential areas, particularly once established.	Minor Positive

House sparrow	Often associated with man, will avoid closed or dense vegetation, and except for seasonal foraging in corn fields and other crops, will usually avoid open terrain lacking in shrubs, trees, and other cover.	(5 colonies) Five house sparrow colonies averaging approximately 20 birds were recorded foraging in hedgerows, field margins and woodland edge on the site boundaries adjacent to existing residential areas: 1 colony in the NW site boundary associated with houses and gardens along Haverhill Rd and Bladon Way; 1 colony associated with the houses and gardens of Calford Green and up to 3 colonies on the SSE boundary associated with houses and gardens along Coupals Rd, Marcus Close and Shetland Way. A 6th colony was also present at Great Wilsey Farm, just outside of the site boundary. County context: Common resident. Several sizeable flocks of 40-150 birds were reported in winter in Suffolk.	Local	Minor loss of foraging resource (hedgerow and field margin habitats).	House sparrows will readily habituate to new residential areas. The retention of boundary trees and hedgerows combined with new residential gardens and buildings will support the current colonies on the peripheries of the site and further increase winter foraging opportunities.	Minor Positive

Species	Habitat Requirements[9]	Species Account[10] (Counts Nov;Dec;Jan;Feb)	Nature Conservation Value[11]	Characterisation of Unmitigated Impact	Suggested Mitigation / Compensation / Enhancements / Comments	Residual Impact[12]
Bullfinch	Found throughout Britain and is most abundant in S England. Associated with thick woodland undergrowth, thickets, shrubby areas and thick hedges. Many of these habitats occur on lowland farmland. Also visits gardens and orchards.	(0;1;2;1) A male was foraging in Great Field Plantation in Dec; a presumed pair were contact calling along woodland edge adjacent to Forties Close on the southern site boundary in Jan, and a male was singing there in Feb. Not recorded in December. County context: Common resident. The species is widely reported from many localities, with the highest counts coming from west Suffolk. Winter counts ranging from six to eleven birds were returned from 14 different sites.	Local	Minor loss of foraging habitat (hedgerows).	Woodland, trees and hedgerows, valuable bullfinch foraging and roosting features, will be retained and enhanced across the application site. Any newly-planted native tree and hedgerow species should include bud-, berry- and fruit-bearing species.	Negligible

Species	Habitat Requirements[9]	Species Account[10] (Counts Nov;Dec;Jan;Feb)	Nature Conservation Value[11]	Characterisation of Unmitigated Impact	Suggested Mitigation / Compensation / Enhancements / Comments	Residual Impact[12]
Reed bunting	Traditionally a bird of wet places such as reedbeds, river margins, fens, marshes and coastal grazing marshes. More recently colonised drier habitats such as ditches, young forestry plantations and some farm crops, especially oilseed rape. In winter it feeds on agricultural land and other open areas, often away from water.	(1;1;2;0) Single birds in early winter were present with skylarks in an arable stubble field adjacent to Little Wratting; a presumed pair were in a hedgerow west of Great Field Plantation in Jan. Not recorded in February. County context: Common resident and passage migrant. Counts of double-figure flocks were returned from 24 different county sites, including a county-record flock of 676 at Lackford Lakes in November.	Local	Loss of foraging (arable) and minor loss of roosting/foraging (hedgerow) habitats	Hedgerow sections will be retained where feasible and enhanced with native species planting. The stubble arable habitat in the north of the site will be lost to development. However, the low number of birds recorded strongly suggests that the site is not important for the local reed bunting population in winter.	Negligible

5.5 The proposed development will result in the total loss of arable habitat from the site. This has the potential to impact upon skylark in winter. This open-farmland specialist is likely to be displaced from the site post-development and residual **minor negative** impacts to the local skylark population are predicted.

5.6 Starling, dunnock and house sparrow are expected to benefit from the proposed GI within the Development Framework Plan, including the retention of many of the existing hedgerows and trees (important for all species), new woodland planting (dunnock and starling) and the creation of a‘Green Spine’ through the centre of the site. This green space will link Haverhill Road in the north with Coupals Road in the south and will benefit all three species. In addition, all three species show varying degrees of habituation to residential areas, particularly as gardens mature, and an ability to thrive in urban environments. Therefore, **minor positive** residual impacts for starling, dunnock and house sparrow are predicted.

5.7 Herring gull, fieldfare, song thrush, mistle thrush, redwing, bullfinch and reed bunting were all recorded in modest populations throughout the winter surveys. **Negligible** residual impacts are expected for the populations of all seven species.

5.8 Proposed native species planting, along with the retention and enhancement where possible of existing vegetation, will provide further compensation for any winter habitat loss, provide connectivity with the wider landscape and support conservation and biodiversity enhancement.

6.0 CONCLUSIONS

6.1 A total of 42 species were recorded within the site boundary during the surveys, including 16 'notable' species that are listed as Schedule 1, NERC or Suffolk LBAP priority species and/or feature on the BoCC Red and Amber lists.

6.2 Impacts of development were considered for the 11 most vulnerable species recorded on site (i.e. notable species recorded in significant populations or the highest conservation concern species).

6.3 The proposed development is expected to result in minor negative residual impacts for skylark in winter. Negligible residual impacts are predicted in winter for herring gull, fieldfare, song thrush, mistle thrush, redwing, bullfinch and reed bunting.

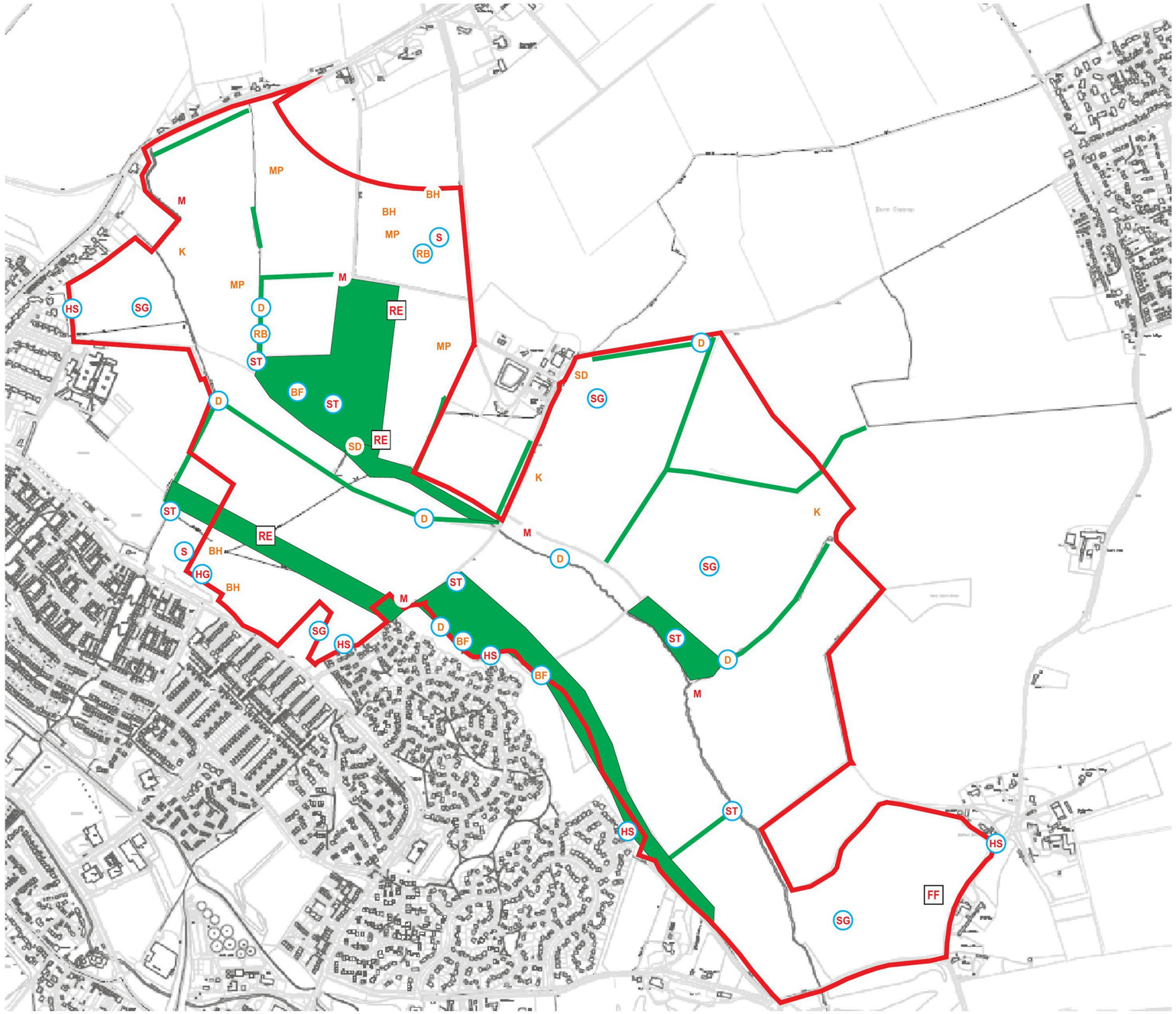
6.4 Other than in the short term, i.e. during the construction phase, the proposals and suggested compensation are expected to have a positive residual impact for three notable species currently using the site in winter; starling, dunnock and house sparrow.

6.5 The site is considered to be of **Local** nature conservation value for the 15 notable species, and of **Site** conservation value for the remaining BoCC Green-listed and unlisted species.

6.6 The proposed GI detailed in Illustrative Masterplan Rev B (August 2015) aims to retain all of the woodland and the majority of hedgerows and trees on site; to enhance hedgerows with native species planting and to create new habitats including further woodland planting, SuDS facilities and grassland areas.

6.7 The site's existing woodland blocks, watercourse and hedgerow network will form the basis of a linear country park, linking green space and providing a green corridor through the site from northwest to southeast. Development will be set back from this green space, with trees, hedgerows and woodland used to define the park in place of built frontage wherever possible.

6.8 The retention of existing vegetation and provision of these new areas which will provide corridors of movement across the site, along with a new resource of residential gardens, will provide some compensation for the loss of suitable winter habitats for many of the recorded species. The GI will increase the degree of usable habitat across the site for a number of woodland edge and parkland species, provide connectivity with the wider landscape and support conservation and biodiversity enhancement. Overall, the developed site is expected to remain a valuable resource for local bird populations, with a shift in emphasis from birds of open-arable farmland to those more traditionally associated with urban edge environments. Furthermore, the GI proposals have the potential to attract new species associated and not currently recorded on site.



Site Boundary

Hedgerow

Woodland

Schedule 1 Species

NERC / Suffolk LBAP Species

BoCC Red-listed Birds

HG	Herring gull
S	Skylark
SG	Starling
FF	Fieldfare
ST	Song thrush
M	Mistle thrush
RE	Redwing
HS	House sparrow

BoCC Amber-listed Birds

K	Kestrel
BH	Black-headed gull
SD	Stock dove
D	Dunnock
MP	Meadow pipit
BF	Bullfinch
RB	Reed bunting

Hallam Land Management Ltd

Great Wilsey Park, Haverhill

WINTER BIRD SURVEY 2014/15:
DISTRIBUTION OF NOTABLE SPECIES PLAN

Not to scale JEC/DAH 21.03.2016

Figure 1 **5055-E-01**

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masterplanning ■ environmental assessment ■ landscape design ■ urban design ■ ecology ■ architecture ■ arboriculture ■

J:\5000\5055\ECO\ES\Apendix 9.4 WBS\Figure 1 WBS Plan.Cdr

Appendix A: Great Wilsey Park, Haverhill Winter Bird Survey Results 2014-15

Survey	Date	Cloud cover (%)	Rain	Wind	Visibility
1	06.11.14	60	None	Calm	Good
2	08.12.14	80	None	Calm	Good
3	13.01.15	100	None	Gentle breeze	Good
4	19.02.15	100	Light drizzle	Light air	Good/fair

Species	Latin	Survey 1 06.11.14	Survey 2 08.12.14	Survey 3 13.01.15	Survey 4 19.02.15	Conservation Status
Pheasant	*Phasianus colchicus*		1	4	8	Not listed (Introduced)
Sparrowhawk	*Accipiter nisus*		1	1		Green list
Buzzard	*Buteo buteo*	1	1	1	1	Green list
Kestrel	*Falco tinnunculus*		2	1		Amber list
Moorhen	*Gallinula chloropus*		1	1	1	Green list
Black-headed gull	*Chroicocephalus ridibundus*	2	12	65	94	Amber list
Herring gull	*Larus argentatus*		1			NERC Red list LBAP
Woodpigeon	*Columba palumbus*	86	115	60	74	Green list
Stock dove	*Columba oenas*			2	5	Amber list
Collared dove	*Streptopelia decaocto*			2		Green list
Green woodpecker	*Picus viridis*	1	2	1		Green list
Great spotted woodpecker	*Dendrocopos major*	1	1	1		Green list
Magpie	*Pica pica*	4	14	6	7	Green list
Jay	*Garrulus glandarius*		2	1	2	Green list
Jackdaw	*Corvus monedula*	14		5	2	Green list
Rook	*Corvus frugilegus*	12				Green list
Carrion crow	*Corvus corone*	4	6	14	7	Green list
Goldcrest	*Regulus regulus*	2	2	1		Green list

Appendix A: Great Wilsey Park, Haverhill Winter Bird Survey Results 2014-15

Species	Latin	Survey 1 06.11.14	Survey 2 08.12.14	Survey 3 13.01.15	Survey 4 19.02.15	Conservation Status
Blue tit	*Cyanistes caeruleus*	12	22	17	14	Green list
Great tit	*Parus major*	9	10	8	13	Green list
Skylark	*Alauda arvensis*	6	4			NERC Red list LBAP
Long-tailed tit	*Aegithalos caudatus*	19	24	14	2	Green list
Nuthatch	*Sitta europaea*	2		1		Green list
Treecreeper	*Certhia familiaris*			1	2	Green list
Wren	*Troglodytes troglodytes*	4	5	3	3	Green list
Starling	*Sturnus vulgaris*	25	23	30	38	NERC Red list LBAP
Blackbird	*Turdus merula*	8	19	16	7	Green list
Fieldfare	*Turdus pilaris*			32		Schedule 1 Red list
Song thrush	*Turdus philomelos*	1	3	2	2	NERC Red list LBAP
Redwing	*Turdus iliacus*	27	1	14		Schedule 1 Red list
Mistle thrush	*Turdus viscivorus*	3		2		Red list
Robin	*Erithacus rubecula*	8	9	11	13	Green list
Dunnock	*Prunella modularis*	3	3	6	7	NERC Amber list LBAP
House sparrow	*Passer domesticus*	5 colonies				NERC Red list LBAP
Pied wagtail	*Motacilla alba*	2	3	2		Green list
Meadow pipit	*Anthus pratensis*	6		12	16	Amber list
Chaffinch	*Fringilla coelebs*	31	5	15	5	Green list
Greenfinch	*Carduelis chloris*	2		2		Green list
Goldfinch	*Carduelis carduelis*	29	5	14	7	Green list
Siskin	*Carduelis spinus*		20			Green list
Bullfinch	*Pyrrhula pyrrhula*		1	2	1	NERC Amber list LBAP

Appendix A: Great Wilsey Park, Haverhill Winter Bird Survey Results 2014-15

Species	Latin	Survey 1 06.11.14	Survey 2 08.12.14	Survey 3 13.01.15	Survey 4 19.02.15	Conservation Status
Reed bunting	*Emberiza schoeniclus*	1	1	2		NERC Amber list LBAP
Total Species = 42						

Suffolk LBAP Bird Species

Barn Owl Tyto alba*
Bullfinch Pyrrhula pyrrhula
Dunnock Prunella modularis
Common Starling Sturnus vulgaris
House Sparrow Passer domesticus
Song Thrush Turdus philomelos
Spotted Flycatcher Muscicapa striata
Bittern Botaurus stellaris
Black-tailed Godwit Limosa limosa
Herring Gull subsp. argenteus Larus argentatus subsp. argenteus
Cuckoo Cuculus canorus
Grasshopper Warbler Locustella naevia
Curlew Numernius arquata
Hawfinch Coccothraustes coccothraustes
Lesser Redpoll Carduelis cabaret
Lesser Spotted Woodpecker Dendrocopos minor
Little Tern Sterna albifrons
Marsh Tit Poecile palustris
Nightjar Caprimulgus europaeus
Swift Apus apus*
Savi's Warbler Locustella luscinioides
Stone Curlew Burhinus oedicnemus
Tree Pipit Anthus trivialis
Twite Carduelis flavirostris
Willow Tit Poecile montanus
Wood Lark Lullula arborea
Wood Warbler Phylloscopus sibilatrix
Corn Bunting Miliaria calandra
Tree Sparrow Passer montanus
Grey Partridge Perdix perdix
Yellow Wagtail Motacilla flava
Northern Lapwing Vanellus vanellus
Turtle Dove Streptopelia turtur
Linnet Carduelis cannabina
Skylark Alauda arvensis
Yellowhammer Emeriza citronella
Reed Bunting Emberiza schoeniclus

NB * = Suffolk BAP species (locally important – not national Priority Species)

Appendix 9.5
SWT & FPCR Comments

Hallam Land Management Ltd

Great Wilsey Park, Haverhill, Suffolk

Wildlife Trust Objections and FPCR Responses

Appendix 9.5

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

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[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 Wratting, 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 Wratting. 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 Regulations[2] 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 guidelines[3], 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 Directive[4] and although records of the species have increased in the county in recent years[5], 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 Farm[6]. 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 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.

[redacted]

[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]

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 supressed 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 quality[7] 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

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landscape design
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Our ref: 5055 / Objections / DAH

James Meyer
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21st March 2016

Dear James,

WILDLIFE TRUST OBJECTIONS: GREAT WILSEY PARK (DC/15/2151/OUT)

This letter has been written in response to the objections raised by James Meyer Conservation Planner at the Suffolk Wildlife Trust; it addresses the comments made and provides additional information and/or clarification where it is required.

Plan Discrepancies

Wildlife Trust identified possible discrepancies between *The Hedgerow Removal Plan (5055-L-112)* and the *Concept Masterplan (5055-L-10), and raised concerns that the potential primary route of the access road will passing through woodland W4.*

The Hedgerow Removal Plan was drawn using base maps purchased from emapsite (http://www.emapsite.com/mapshop/). The bases provided have a number of potential topographical features marked which are not associated with hedgerows, or topographical features but these marked features are similar to the lines drawn on the Concept Masterplan to identify access roads.

We can confirm that there are no access roads going through woodland W4. The lines shown through this woodland are discrepancies on the OS base. The eDWG files have been modified to remove lines that are not associated with hedgerows/tree and topographical features which are physically present.

There is an existing footpath running through woodland W4. Therefore, the inclusion of the path through this area of woodland will not require vegetation removal or result in habitat loss around the area where the dormouse nest were identified.

The Habitat / Public Open Space Plan (5055-L-119 Rev D) has been updated and is attached. This shows the above alterations and reductions to hedgerows removal, which has breaks minimised to approximately 12m where feasible, which is the distance that is unlikely to act as a barrier for dispersal for dormice, should they be present in the wider area in the future. This plan also shows the degree of habitat creation likely to occur as a result of the development.

It is important to remember that all access road placements are currently only indicative and the precise locations will not be fully identified until the later planning stage, whereby onsite coordinates will give a precise measure of habitat loss and enhance more detailed mitigation.

Hazel Dormice

The substantive points raised by the Wildlife Trust relating to Hazel Dormice are summarised below.

1. The assessment of Hazel Dormice distribution in Suffolk;
2. The significance of the Hazel Dormouse population within the site;
3. The survey effort employed to confirm the presence / absence of the species and the population assessment;
4. The potential impacts to the population from fragmentation and isolation; and
5. Whether there is adequate survey information to support a Natural England development license.

<u>1 - Dormouse Distribution.</u>

The Suffolk Biological Records Centre (SBRC) were consulted for dormice records within a 1km radius of the site; during which no dormice were records were confirmed. However, unofficial records of dormice have been identified at the Haverhill Disused Railway County Wildlife Site (CWS), which is approximately 490m south from the site. This information was gathered from conversations Dr Simone Bullion, The Senior Conservation Adviser at Suffolk Wildlife Trust. It is accepted that the dormice population status was assessed from the Dormouse Handbook, as this is the guidance document.

The surveys undertaken during 2015, followed the current recommended guidance the Dormouse Handbook (2006), and the areas surveyed were restricted to those areas under ownership by the client; therefore it is not known what the population levels are within the immediate area, and when assessing the potential effect of a development the current survey guidelines do not require the survey area to be extended to confirm the presence or absence of dormouse outside the development area. However, if the recorded referred to above is accurate, it is likely that dormouse are present locally around Haverhill and therefore the distribution of dormice local is more widespread.

<u>2 – Significance of the Population.</u>

The statement that the population of dormice found within the development were of National significance is incorrect, as the WT has already mentioned the existence of other ‘clusters’ within the County, it is accepted that these records are on the north eastern range for this species. The absence of data for the immediate area does not necessary mean that dormice area absence, but surveys have not been undertaken or are less frequently undertaken with positive results. However, the data provide by Dr Bullion would suggest that dormouse is present in a wider area surrounding Haverhill.

The County has records to the east/south, therefore the species is not as rare as more northern regions of the UK, where populations are completely absent. Regionally dormice are known to exist within the five clusters mentioned by the WT and potential within areas near the CWS, with the possible population within the development making part of a north eastern cluster. From this evidence it is appropriate to concluded that the dormice populations are scarce at a Regional level, but populations where identified which does not warrant consideration at a National level of significance.

Table 9.1 Geographical Frame of Reference within Chapter 9 of the FPCR Environmental Statement, is based on the CIEEM Guidance. This states that for a National geographical level of value for a species that they should be:

"Any regularly occurring, nationally significant population/number of any internationally important species"

Based on this definition and the identification of a single nest over an extensive survey period the population cannot therefore be defined as *"regularly occurring"* or *"significant population/number"* which is necessary to classify where populations are identified as being of National significance. Therefore, given the findings it is our professional opinion that the appropriate classification for the small population is at a Local geographical significance.

3 - Survey Effort

The work was completed by an experienced / licensed ecologist and the work has been conducted following the guidelines outlined within the Dormouse Conservation Handbook (Bright et al 2006). Following this methodology a single vacant dormice nest was recorded at one location in September and October, within a woodland margin that extends from woodland W4 to the south east of the site. No individuals were seen during the surveys.

The level of survey work completed provides a score of 160 which exceeds minimum effort score of 20. This score was achieved by setting and checking 381 dormice tubes over the period of May to September, Furthermore, an additional check was completed in October when tubes were removed.

The complete surveys follow the current guidance and tube numbers / distribution allowed for a sufficient coverage for the presence of dormice to be confirmed in one nest that is located in the retained habitats in GI. No dormice were actually seen throughout the surveys. These results confirm the population is small population because if a larger populations was present additional evidence of occupation would be been identified over the extensive survey work.

Thus it is our professional opinion that the completed survey work exceeds that required by the standard survey guidelines, is adequate to confirm the distribution of dormice within the site and there is no deficiency in the scope of work undertaken by FPCR.

4- Impact to Dormouse including fragmentation / isolation

The discrepancies within the Hedgerow Removal Plan have been addressed above with the attached Habitat / Public Open Space Plan.

Since the application there has been a number of changes to the degree of habitat loss, which will favour dormice and other wildlife species. Of particular significance to dormice is the reduction of hedgerow losses around the dormice nest recorded near woodland W4, this is to ensure the gaps in the hedgerow corridors are less than 12m.

Current, research completed between 2007 and 2010 (Paul Chanin et al., 2012[1]), has demonstrated that dormice do not travel across roads which were greater that 12m in width including the verges. The development has been designed to maximise retention of hedgerows and other habitats within the sites GI. Where this is not possible, removal of linear features has been minimised to 12m to ensure species such as dormice can cross, therefore avoiding fragmentation and isolation. The location of access roads currently proposed will utilise existing gaps as much as possible. It is also important to mention that the final layout of the scheme is yet to be confirmed, once this has, a more precise evaluation habitat loss will be available, the current evaluation is therefore only indicative but mitigation measure adopted that will ensure linkages are retained as much as possible.

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[1] Chanin P & Gubert L (2012). *Common dormouse (Muscardinus avellanarius) movement in a landscape fragmented by roads.* Lutra 55 (1): pages 3-15.

In additional to the retaining hedgerows and minimising hedgerow loss, the development will create additional habitats for dormice which include:

- approximately 13.9ha of woodland;
- strengthened boundary features to the east of the site through the implementation of woodland;
- extensive habitat creation in the southern area of the site; and
- reinforcement of retained hedgerows.

In conclusion, the habitats effected by the development will not affect where the dormouse nest was found, and although there will be some habitat losses along hedgerows to the north of the nest, these will utilise existing gaps and where new gaps are to be created they will not exceed 12m, which research shows dormice will cross. The degree of habitat creation will increase foraging and commuting opportunities within the development and the wider areas. Therefore with the application of such measure is unlikely that the development will result in long term negative effects to the local dormouse population but minor positive effects are predicted which will ensure the Favourable Conservation Status of the species is maintained.

5 – Consideration of the Conservation of Habitats & Species Regulations 2010 (*as amended*).

Since the submission the development designs and mitigation package have been amended. These measures include habitat enhancements which reduce habitat loss around woodland and improve connectivity. Through the application of mitigation / enhancement measures and the lack of evidence of occupation by dormice in the wider areas of the development it has been concluded that a Natural England development license is not required to facilitate the development. The justification to the revised approach is outline below.

Where a European Protected Species (EPS) may be affected by a development it is necessary to consider if an offence is likely to be committed under Article 12(1) of the Habitats Directive. If it is likely that an offence is to occur then a mitigation licence would be required from Natural England. Article 12 (1) states:

> ***"1, Member States shall take the requisite measures to establish a system of strict protection for the animal species in Annex IV(a)….prohibiting:***
> ***a) All forms of deliberate capture or killing of specimens of these species in the wild;***
> ***b) Deliberate disturbance of these species, particularly during the periods of breeding, rearing, hibernation and migration;***
> ***c) deliberate destruction or taking of eggs from the wild;***
> ***d) deterioration or destruction of breeding sites or resting places."***

When assessing whether proposals are likely to offend the Regulations it is important to consider the definition of 'breeding site or resting places'. Such guidance is provided within '*Guidance document on the strict protection of animal species of Community interest under the Habitats Directive 92/43/EEC. Final Version February 2007*'. Further interpretation of 'breeding site and resting places' is provided in the supreme court decision of Morge v Hampshire County Council 2011.

Paragraphs 54 and 59 within EEC guidance document provide the principle guidance as to the definition of 'breeding site and resting places'.

When considering breeding sites and resting places the guidance is clear that although these areas should be protected even when the species is not present such protection only applies to such areas when there is a likelihood that the species will return. This is clarified at paragraph 54 of the guidance which states:

> **'It thus follows from Article 12(1)(d) that such breeding sites and resting places also need to be protected when they are not being used, but where there is a reasonably high probability that the species concerned will return to these sites and places. If for example a certain cave is used every year by a number of bats for hibernation (because the species has the habit of returning to the same winter roost every year), the functionality of this cave as a hibernating site should be protected in summer as well so that the bats can re-use it in winter. On the other hand, if a certain cave is used only occasionally for breeding or resting purposes, it is very likely that the site does not qualify as a breeding site or resting place.'**

Further clarity as to the definition of a resting place is provided at paragraph 59 of the guidance, which states:

> ***'Resting places are defined here as the areas essential to sustain an animal or group of animals when they are not active. For species that have a sessile stage, a resting place is defined as the site of attachment. Resting places will include structures created by animals to function as resting places. Resting places that are used regularly, either within or between years, must be protected even when not occupied.'***

Thus, the ECC guidance is clear that regularly used 'breeding site or resting places' must be protected at all time. However, those sites which are only used on an occasional basis are not covered by the Regulations and as such removal of such site would not offend the Regulations.

The Supreme Court judgement of Morge V HCC 2011 confirm this conclusion. The judgement correctly identified that whilst 'resting places' are afforded strict protection, such strict protection should is not required for when 'resting places' are only occasionally used by a particularly species.

The judgement also provides further useful clarity when considering 'potential resting places'. Here the judgement is clear that Article 12(1)(d) only covers defined elements of habitats which are used as breeding site or resting places. It is also clear that a development which may result in the loss of potential resting places this would not contravene Article 12(1)(d) (Paragraph 58: Court of Appeal Decision).

During the dormice surveys the guidance was followed, whereby the only evidence of dormice through the entire site and checks of 381 tubes, was one nest within habitat near woodland W4 during September and October. These surveys demonstrate that dormice are not using the site in a significant manner and are restricted to limited areas of the site.

The nest recorded within the development area was recorded in September and October. Breeding within dormice normally occur between May-September, and *"most litters may not be produced until August or September. In very bad years dormice may not produce young until October"* Suffolk Wildlife Trust[2]. No evidence of dormice either adults or young was identified over the survey period. The survey results therefore indicate that dormouse are also not breeding within the site.

The surveys indicate that no breeding was occurring, but also that the current development proposals will retain the habitat within which the nest was found. Therefore an offence under the Conservation of Habitats & Species Regulations 2010 (*as amended*) concerning disturbance/damage or destroying of a breeding site, will not occur and a licence will also not be required.

Furthermore, given that the only resting place confirmed over the survey was an individual nest the remaining habitats cannot be defined as anything more than 'potential resting site' which are not covered by the Regulations and a license to remove or effect such habitats is not required. Therefore, to ensure the development is completed in accordance to the requirements of the

[2] http://www.suffolkwildlifetrust.org/dormouse. Assessed 11.03.16

Regulations it is recommended that appropriate working methods are employed during the development.

A Precautionary Method Statement will minimise any disturbance. Measures employed will include the appropriate timing of hedgerow/woodland removal; whereby the over ground vegetation is cut but left insitu (dead hedgerows etc) while the dormice are in hibernation below ground. Once dormice emerge from hibernation the vegetation can be used as linkage habitats to surrounding enacted habitats, after which the hedgerows/woodland can be removed.

Bats

The Wildlife Trust has determined that the level of survey work completed across the site is in accordance with the standard guidance provided within Bat Survey: Good practise Guidelines 2nd Edition (BCT, 2012). Whilst these guidelines have recently been updated through the release of the 3rd Edition in January 2016, the 2nd Edition of the guidelines is the relevant document against which the survey methods employed and assessment of potential effect for the proposals should be assessed.

The only substantive point made by the Wildlife Trust relating to the completed surveys and assessment was that any hedgerow on which a Barbastelle was recorded should be considered as 'important' under the Hedgerow Regulations 1997. This judgement is based on an assessment previously submitted to the Local Planning Authority and the project cited is the East Anglia ONE Offshore Wind Farm.

Where comparison across projects and the methods used to assess to the potential effects or significant are made it is essential that there is some similarity in the overall surveys methods employed across the project. From review of the project details it is clear that the survey methods employed at Haverhill were far more extensive than the methods employed by East Anglia ONE Offshore Wind Farm when assessing the potential effects of the installation of a cabling route.

At Haverhill the surveys method employed were specifically to assess the level of bat activity across the site, assess the potential effects of the development and inform a mitigation package to ensure the 'Favourable Conservation Status' of not only Barbastelle but the other species / groups identified over the surveys. This involved completing extensive monthly bat survey work. Thus the data obtained allow reliable conclusions to be reached to the primary foraging area and commuting route used by the species identified at the site.

The data gathered for the assessment of potential effects for the East Anglia ONE Offshore Wind Farm, was gathered over a limited period comprising static detector / bat activity surveys completed on two survey occasions June / July 2012. Furthermore, the surveys for the cabling route focused on hedgerows where there were known maternity roost or a likely roost maternity roost with 200m. The completed survey work at Haverhill has not confirmed the presence of a maternity roost within any of the mature tree for any species identified.

From this assessment it is clear that the level of survey work completed to support the planning application for residential development at Haverhill is far more extensive than that completed for the cabling route. Thus given the limited survey work completed for the cabling route it is entirely understandable that a precautionary approach was adopted for the assessment of the significance of the hedgerow.

For the cabling route, one of the primary criteria used when using the level of Barbastelle activity as a measure for assessing whether a hedgerow was classified as 'important' in the Hedgerow Regulation 1997 included the identification of five registrations of Barbastelle along any one hedgerow on one survey date. This number of registrations on any one survey date is an extremely low bar as the number of registrations on a static detector does not provide a measure of the number of bats passing the detector, as the registrations may have be the result on one

individual animal passing the detector on five separate occasions whilst foraging for a short period or five separate animals passing the detector.

Regardless of whether it was one animal or five animals passing the detector five registrations of Barbastelle one survey evening, does not confirm a particular hedgerow is significant to the species or the local population or is essential for maintaining the FCS of the species as defined in the Conservation of Habitats & Species Regulations 2010 (as amended). Thus it does not follow that such low levels of results in the classification of a hedgerow as 'important' under the Hedgerow Regulations 1997 and the is no published guidance which indicating that low level of use by an Annex II species requires such classification. However, the precautionary approach adopted on the cabling route application is reflective of the limited survey information available when considering the potential effects of the project which is not the case at Haverhill.

Considering the above, it is our professional judgement that the application of the assessment criteria used for the cabling route application is not justified for the Haverhill application given the level of evidence we have obtained and given that area of increase Barbastelle activity have been retained.

The remaining elements of the Wildlife Trust response related to the submission of additional design and technical information relating to:

1 – Lighting adjacent to footpaths / cyclepath adjacent to hedgerows where Barbastelle were indentified;
2 – Additional technical details relating to the protection of hop-overs;
3 – Additional information on the proposed bat box scheme; and
4 – The submission of the additional nocturnal survey information on the mature trees.

<u>1 - Lighting</u>
The requirement for footpaths and cycle routes to be lit should be a matter for detailed design set against the parameters of the details provided at the outline application stage. The current lighting report clearly states worst case scenario has been assumed, that all cycle and footpaths as highlighted within Appendix 4.3 Figure 1 will be lit. Lighting alongside cycle/ footpaths adjacent to hedgerows (H12, H14, H20) utilised by Barbastelle will remain as a suitable corridor for bats. How this is achieve for hedgerows H12, H14 and H20 is described within Paragraph 6.1 and Figure 2a of Appendix 4.3 Lighting Assessment August 2015.

<u>2 - Hop Over / Proposed Bat Box Scheme</u>
The measures required for protection of the hop overs and additional information relating to bat boxes are also a matters which can be address at the detailed design stage.

<u>3 - Additional Survey Information</u>
Attached with this submission is the Additional Bat Survey Report, which provides data obtained following submission of the planning application. This information makes no significant changes to the assessment of potential effects or the proposed mitigation package.

[redacted]

1 – Occurrence of two main setts represents two clans

An updated badger survey was undertaken on the 17th March 2016. This confirmed that sett S5 to the south east was still active. A number of entrances were identified that were clear of any vegetation, debris and consisted of well-trodden compacted soil; there was also evidence of dried grass which was thought to be from bedding removed from the sett. The setts in the south eastern corner (S7) did not look currently active.

A survey of Great Field Plantation (W5 & W7) found one large recently used latrine on the western edge of W5, this was surrounded by a number of snuffle holes. The main sett identified previously as sett S1, was not as clear as previous described and the entire area lacked any topographical features and was very flat with a large amount of debris on the woodland floor. A number of holes were identified to the east but these were covered with debris and had no evidence to suggest any recent activity. Based on this up to date survey, there was no evidence to suggest a main active sett in this location, there was also an absence of other setts within the wider area; therefore the existence of two clans can be discounted, and there would be no requirement for such survey techniques as bait marking.

Continued monitoring of the badger population will be required, especially during the approach of commencement of construction works, so a more accurate assessment of the final design and disturbance to the badgers can be concluded. As the results over the recent years have shown, activity in the north as varied, but that the main sett to the south east has remained constantly used.

2- Habitat Loss

The changes in the evidence found during the 2016 survey would suggest that individuals within the main sett S5 in the south east are visiting areas to the north, such as Great Field Plantation, however there was a lack of consistent field evidence such as latrines and foraging that could suggest that these areas are an important foraging resources for the clan. Regardless of this there will be linkages of GI through the development which utilises the habitats that occur along the ditch that runs through the site; although there are proposed access roads bisecting through some linear features, the majority will be utilising existing and gaps, and those that are created would be negotiable by badgers once the development has been completed. Therefore if further setts are established in the future to the north, linkages will still continue through the development.

It is also important to mentioned that there will be substantial GI created within the vicinity of the main sett S5, with species rich grassland and season meadow habitats created, there will also be new woodland habitat created near the sett and in the wider area, whereby 13.9ha of woodland will be created. Thus it is anticipated that such habitats in the long term, will provide more foraging opportunities for the clan, and therefore mitigate for the loss of more sub-standard arable land that is proposed to be lost.

3 – Road Traffic Collisions

The main sett is located within an area largely consisting of GI, whereby there will be new woodland and grassland habitats created; this also means that there is an absence of traffic as roads are absent,

There are a number of roads north of this sett, and in accordance with the current parameters plans the majority of these will be for access to residential units or allotments, therefore traffic speeds will be limited. There will be a few roads bisecting through some of the linear natural features, however these will be situated on existing gaps, where possible and will be limited in width to enable movement of wildlife. As mentioned above, the final layout is yet to be confirmed and therefore exact road classification is not known, but mitigation measures will be adopted to ensure safe passage for wildlife. Such mitigation measures will be detailed with mitigation strategies submitted with the full planning application.

4 – SBRC records of a sett within Woodland W4

The surveys of the site found no setts within woodland W4 during 2014 and 2015; and the updated survey in March 2016 can also confirm that there was no active sett recorded within this woodland, there were a number of disused holes but there were not identified as badgers but rabbits due to the thin nature of the entrances and associated droppings. There were two well-trodden paths through this woodland, which were wide and concaved, resembling possible badger runs.

The understorey within this wood is not dense and topographical features such as an embankment were isolated to the northern edges, there is a clearance between the woodland and the ditch to the south, this is actively used by members of the public and therefore the open nature of this woodland would make the presence of a badger sett easier to identify. This woodland will not be suffer any habitat losses during the construction of the development, although the existing path through the woodland will be retained and is shown on all parameters plans, which may have been confused for new access routes.

Water Vole / Otters

The ES Chapter has identified a number of water vole records within the wider area and one otter record; however there was no evidence within the site during 2015 & 2014 of either of these species.

To inform a full planning application updated surveys will be carried out to ensure that there are no changes to the habitats and protective species content within the development. If species are recorded that were not previously documented, then appropriate mitigation measures will be provided to ensure that a FCS is maintained.

Reptiles & Amphibians

The reptile surveys have confirmed that a good population of common lizards have been confirmed within the development area, and that the suggested method of mitigation is to passive displace from the working area. The WT has mentioned the possibility of use of trapping and translocation as an alternative mitigation measure; however the current scheme shows that where reptile populations do occur that they will be within areas of GI, so the population will be able to be incorporated within such areas. The method of passive displacement within the current parameters of the design would equate to only small areas of habitat loss, which would suggest that this method would ensure that the protection these species, whereby there would be no offence committed under the Wildlife & Countryside Act 1981 (as amended).

The GI created will also ensure that there improvements to existing habitats where reptiles are found, whereby areas will be increased in size and habitat suitability; there are also opportunities for linkages to be created around the site ensure isolated is limited.

The mitigation measures are based upon the current parameters plan, therefore if during the final design there are areas of complete loss where reptiles were found, and passive displacement is not a suitable mitigation measure, then trapping and translocation may be adopted.

Common toads were found in one onsite pond P3 located to the south of Great Field Plantation, these species of Principal Importance under section 41 of NERC. The location of this pond is currently to be used for onsite attenuation, therefore creating additional water features that could be utilised by this species. The surrounding habitat is currently improved grassland, which will be retained and enhanced during the development; after which more suitable terrestrial habitats will be provided and linkages to the adjacent woodland will be retained ensuring refuge opportunities are retained. As previously mentioned the design is only outline and could be subjected to some changes, however mitigation measures such as method statements will be adopted where works are scheduled to take place in areas where such species occur, which will include appropriate timing of excavation works and incorporation of refuge/hibernation opportunities.

The remaining ponds within which toads occur are in areas outside of the development and therefore direct disturbance will not occur; however new habitats such as woodland will be created in close proximity ensuring additional foraging and refuge opportunities are available into the future.

Breeding and Wintering Birds

The substantive points raised by the Wildlife Trust relating to bird are summarised below.:

1) Results need to be revised to reflect the BoCC version 4 (December 2015);
2) Timing of surveys might have miss evaluated early breeding species such as mistle thrush;
3) Probably breeding of BoCC Red list and UK Priority farmland birds such as skylarks, linnet and yellowhammer.

<u>1 – Updates regarding BoCC (December 2015)</u>

The FPCR Breeding and Wintering Bird reports have been updated and attached to this document, the changes are summarised below:

Recorded during Breeding Bird Survey:

- Green woodpecker - from Amber to Green;
- Swallow - from Amber to Green;
- Common whitethroat - from Amber to Green;
- Mistle thrush – from Amber to Red.

Recorded during Winter Bird Survey:

- Green woodpecker
- Mistle thrush

<u>2 - Surveys missing early breeders such as mistle thrush</u>

]The British Trust for Ornithology (BTO) cites the mean laying date for the species' first clutch as 7th April (with a range between 17 Mar – 22 May)[3]. Breeding bird surveys were undertaken in Apr-Jun 2015; therefore, we consider that any breeding evidence would have been registered and mistle thrush has been fully evaluated.

<u>3 - Probably breeding of BoCC Red list and UK Priority farmland birds</u>

It has been acknowledge within the ES Chapter that there will be a minor adverse effect upon the on-site populations of skylark, linnet and yellowhammer. However, we maintain that the effect will be negligible upon the local populations of each species.

All three species are Red-listed birds of high conversation concern in the 2015 BoCC4 review[4], due to a reduction of their UK population and range in both winter and summer. For context, the UK breeding population of each species are :

- Skylark: 1.5 million territories[5] (in winter, the resident population is joined in winter by a significant proportion of the northern European population - possibly up to 25 million individuals)[6];
- Linnet: 410,000 territories[5];

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[3] Joys & Crick 2004 Breeding periods for bird species in England BTO, Thetford, published on BTO website http://blx1.bto.org/birdfacts/results/bob12020.htm (all cited websites were accessed 21.03.16)

[4] 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 Isle of Man. British Birds 108, 708–746

[5] Musgrove, A. et al. (2013) British Birds 106:64-100

[6] http://www.suffolkbiodiversity.org/content/suffolkbiodiversity.org/PDFs/action-plans/skylark.pdf

- Yellowhammer: 710,000 territories[7].

The most-recently available Suffolk Bird Report[8] lists the following population information:

- Skylark – common resident, passage migrant and winter visitor;
- Linnet – common summer visitor and passage migrant; overwinters in small numbers;
- Yellowhammer - common resident and passage migrant.
-

The report defines common as ***"occurs regularly or widely distributed in suitable habitat and season"***.

During the surveys at Great Wisely Farm the following counts were provided, more details can be seen in the updated FPCR Breeding Bird Report:

- Skylark – maximum count of 15 in June, with up to 10 territories;
- Linnet – maximum count of 4 in June, with up to 5 territories;
- Yellowhammer – maximum count of 10 in April, with up to 5 territories.

Skylark and linnet are Suffolk Biodiversity Action Plan (BAP) species. The list of current factors affecting skylarks in the county, as listed on the Suffolk BAP, pertain to farmland management rather than land loss, e.g. through development:

1) Winter cereals grow too dense to allow skylarks to raise more than a single brood. This is insufficient to sustain the population;
2) Intensive management of arable fields has reduced broad-leaved weed seeds and insect prey through the use of agro-chemicals;
3) Intensive management of grasslands and high stocking rates;
4) Silage fields are often cut too frequently which destroys nests and exposes skylarks to predators; and
5) Decline in area of weedy stubbles may reduce over-winter survival.

The same is true for linnets; all factors affecting the species locally are linked to farmland management practices rather than land take9. Yellowhammer is not a Suffolk BAP species; however, given this species occupies similar habitats and has similar breeding/feeding requirements to skylark and linnet, the current factors affecting its' decline are likely to be the same.

Some 70% (17.2 million ha) of UK land is in agricultural use10 (i.e. it potentially provides suitable farmland birds habitat). It is considered that the loss of <167ha (the extent of the Application Site, the majority of which is agricultural land) of suitable farmland habitat is not significant at any more than the immediate zone of influence, i.e. the site itself.

All of the above considerations strongly suggest that the loss of suitable farmland bird habitat under the development proposals, and the subsequent displacement of low populations of skylark, linnet and yellowhammer (max 15, 4 & 10 respectively) will be negligible to the local populations of each species.

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[7] https://www.britishbirds.co.uk/wp-content/uploads/2010/12/APEP3.pdf
[8] Suffolk Ornithologists' Group (2014): Suffolk Birds 2013; Vol.63. The following definitions are given as a guide to relative species status: Very common – occurs in large numbers in suitable habitat and season;; Fairly common – occurs in small numbers in suitable habitat and season.
[9] http://www.suffolkbiodiversity.org/content/suffolkbiodiversity.org/PDFs/action-plans/Linnet.pdf
[10] http://www.tradingeconomics.com/united-kingdom/agricultural-land-percent-of-land-area-wb-data.html

Hedgehogs
Concerns that the effects on hedgehogs was not adequately addressed within the ES Chapter and that records in the surroundings were not considered.

The ES Chapter has addressed the occurrence of hedgehogs within para 9.6.27, where during the construction phase any excavations are covered overnight to ensure that individuals do not get trapped. The design layout is only indicative at this stage, however for the final submission a mitigation strategy could be written, which would incorporated mitigation measure to ensure that the design is favourable to hedgehogs. This could include suitable timing for vegetation removal outside the hibernation period (November to January) or under the supervision of an ecologist, management and enhancement of habitats ensuring there are areas of deadwood/habitat piles, increase linkage habitats along hedgerows, good horticultural practices which will reduce harmful chemical build up in the food chain and the incorporation of gaps under fencing used with residential dwelling, thus ensure movement.

Flora
The substantive points raised by the Wildlife Trust relating to flora are:

1) SBRC records of shepherd's needle within the site, but not recorded during surveys;
2) Betony recorded within site, which is a good indicator of habitat quality.

<u>1 – Records of Shepherd's Needle</u>

The SBRC records of Shepherd's – needle *Scandix pectin-veneris* within the site date back to 2004, whereby it is possible that this no longer occurs within the site as this species was not picked up during the FPCR assessment. The grid reference given is not precise and currently occurs within the middle of an arable field, the lack of a detailed grid reference could possibly indicate it being of common occurrence within the County. The Ecological Appraisal also mentions that the arable fields had been ploughed during the survey, therefore reducing the likelihood of this species being recorded, which would have also resulted in the species being destroyed. It is concluded that the FPCR surveys provide a more recent data set than that provided by the SBRC, and as this species was not recorded during the surveys, it is likely to be absent.

It is also important to put this species into perspective, although this species is quite rare outside of East Anglia, it is common within it. It is listed on the Suffolk Rare Plant Register (RPR) but probably because of its National Status (Endangered) rather than its rarity in the County, where there are at least 100 sites (Suffolk Natural History Society, http://www.suffolkbrc.org.uk/downloads). Since the Suffolk RPR was produced a new Vascular Plant Red List for England has been produced (http://www.bsbi.org.uk/England_Red_List_1.pdf) and *S. pecten-veneris* was one of 11 species that resulted in being afforded a lower threat status in England than was afforded under the GB list, so it come down from Critically Endangered (as listed on the Suffolk RPR) to Endangered.

Despite its National status and the inclusion on in the Suffolk RPR it is relatively common in the County. Even if the development proposals have the potential to have a negative effect on the recorded population, and feasible mitigation/compensation is likely to be problematic, this is unlikely to have a significant effect on the conservation status of the Suffolk population.

<u>2 – Betony Recorded within the Site</u>

Betony was noted only infrequently across the site and furthermore restricted to the semi improved neutral grassland field margins surrounding the large arable field compartments. Whilst it is acknowledged that the species is normally indicative of habitats of greater quality (and value) such as NVC mesotrophic grassland communities MG2, MG4 and MG5 its presence in this instance is considered relic of formerly more widespread herb-rich lowland hay meadows before conversion to productive, nitrogen rich arable land and subject to agricultural improvement.

The only place from which the species was recorded was the restricted arable field margins, the majority of which are to be retained within the Green Infrastructure of the Proposed Development

and enhanced to increase the biodiversity across the site. The species is also considered to be widespread nationally.

Conclusion
The additional information provided as addressed the comments made by the Wildlife Trust, and provided evidence that the surveys undertaken have to best practice and available guidance methods. The development and mitigation measures adopted within the site will avoid significant adverse impacts on protected species recorded within the site; and the GI proposed will increase foraging, refuge and commuting opportunities for those species recorded and will endeavour to attract species which were not recorded, through the creation of habitat features that are current absent and/or poorly represented.

The creation and enhancement of existing habitats and the incorporation of species of Principal Importance, would meet the requirements of NPPF and St Edmundsbury Borough Council's adopted policies (Core Strategy Policy CS2 and Joint Development Management Policies, policy DM10).

I trust that the information provides the clarification required, but if you have any further queries or problems please do not hesitate to contact me.

Yours sincerely

[redacted]

Dave Harper
Associate Ecologist
FPCR Environment and Design Ltd

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Attached Documents:
Habitat / Public Open Space Plan (5055-L-119 Rev D)
Additional Bat Survey Report
Breeding and Wintering Bird Report

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

13/04/2016

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 - Further Comments. Great Wilsey Park, Wilsey Road, Little Wratting

Further to our consultation response (our letter of 08/01/2016) objecting to this application and the meeting which was held on 21/01/2016 at which further discussion took place, we have received correspondence (FPCR's letter of 29/03/2016) and further information (Additional Bat Survey report (FPCR, Mar 2016); Breeding Bird Survey report (FPCR, Mar 2016); Winter Bird Survey report (FPCR, Mar 2016) and updated Habitat/Public Open Space plan (ref. 5055-L-119 Rev D)) from FPCR, the applicant's ecological consultant. We have had no further correspondence with the applicant or their ecological consultant following the meeting of the 21/01/2016 and therefore the following comments are based solely on the additional material provided on 30/03/2016:

Plan Discrepancies

As stated in our letter of 08/01/2016 the submitted Concept Masterplan (drawing ref. 50055-L-10) shows a primary access road passing through the centre of woodland W4. We note the updated Habitat/Public Opens Space Plan (5055-L-119 Rev D) and the confirmation from FPCR that no road will be routed through woodland W4. Whilst we welcome this confirmation, we request that either the Concept Masterplan is also updated to reflect this, or it is removed from the application. Whilst it is understood that the layout in these plans is largely indicative, as this is an Outline application, there still needs to be sufficient certainty that an appropriate scheme can be delivered. A new access route through woodland W4 would not be appropriate, and nor would the loss of lengths of hedgerow over 12m (as identified in FPCR's letter of 29/03/2016).

Hazel Dormice

1) Dormouse Distribution

The letter from FPCR states that "*it is accepted that the dormice population status was assessed from the Dormouse Handbook, the relevant guidance document*". We do not dispute that the EIA for this application did use Figure 1 in the Dormouse Conservation Handbook[1], However, as set out in our letter of 08/01/2016, we maintain that it was incorrect to establish the distribution and status of this species in the county; region and country purely from this map which is 10 years old and represents only a simplistic illustration of dormouse distribution in the UK.

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

2) Significance of the Population

We query the relevance of the consultant's statement that dormice in Suffolk are "*not as rare as in more northern regions of the UK where populations are completely absent*", if the species is absent from a county it cannot therefore be rare there. We considered that the restricted distribution of dormice in England and Wales highlights the importance of Suffolk populations in the national context. The response from FPCR goes on to conclude that "*dormice populations are scarce at a Regional level*", we therefore maintain our opinion that the conclusion presented in the ES (Appendix 9.5) that dormice are of Local importance is incorrect. The population is of at least Regional importance, and given the restricted national distribution of the species possibly National importance.

3) Survey Effort

FPCR's letter makes reference to a check of the deployed dormice nest tubes in October. However, it is understood that this was the visit in which the tubes were collected and it occurred approximately a week after the check in September. Given the short period of time between the survey visits in September and October we do not consider that October can be counted as survey visit.

We disagree that the results from the dormouse surveys undertaken to date "*confirms the population is a small population*". As stated in section 3.6 of the Dormouse Conservation Handbook, nest tubes are intended to detect the presence of dormice and do not permit the estimation of density unless detailed work to calibrate the method has been carried out. The assessment presented in the ES does not make allowance for the presence of dormice in natural nests (i.e. not using the nest tubes) being present within the site (as per Table 2 of the Dormouse Conservation Handbook).

4) Impact to Dormouse including Fragmentation/Isolation

We note the intention to minimise gaps in hedgerows to less than 12m, in accordance with the quoted published evidence. Given that this is an Outline application; we query how this can be secured? Dormouse is a European Protected Species and therefore the Local Planning Authority must be confident that any necessary avoidance or mitigation measures can be appropriately secured.

5) Consideration the Conservation of Habitats and Species Regulations (2010) (as amended)

We note that the ecological consultant has concluded that a Natural England development licence will not be required to facilitate development. Whilst strictly the decision on a licence application is a matter for the applicant; their consultant and Natural England, when granting consent for a development the Local Planning Authority must also take account of the tests set out in the Conservation of Habitats and Species Regulations (2010) (as amended) which relate to the granting of a licence.

Surveys to date have demonstrated that dormice are present on the site. However, the conclusion that, based on the survey work undertaken, no breeding was occurring on site and that remaining habitats cannot be defined as anything more than "potential resting sites" ignores the potential presence of animals in natural nests. We are concerned that as currently presented, the conclusion on the level of impact is based on a number of assumptions. We therefore believe there is insufficient information to be able to fully assess the impacts on the dormouse population in this area and consequently, further surveys are required.

Bats

In our letter of 08/01/2016 we recommended that all hedgerows on which barbastelle bats were recorded should be classed as important for the purposes of the assessment of impact in the EIA. This approach has previously been used on other projects, including the East Anglia ONE Offshore Wind Farm terrestrial cable route[2]. Whilst it is acknowledged that the Offshore Wind Farm

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

project is different to the residential development proposed in this application (and was therefore subject to differing levels of survey effort), such classification was a recognition of the barbastelle's rarity in Suffolk and the UK (and its inclusion on Annex II of the Habitats Directive[3]). We accept that there is no published guidance relating use by Annex II species to importance under the Hedgerow Regulations (1997), our intention (as described in our consultation response) was that this importance should be included as part of the EIA process.

1) Lighting

We note the statement that lighting of footpaths and cycle routes is a matter for the detailed design of the development. Whilst this is understood, at Outline stage the LPA should be reasonably confident the proposal can be delivered without significant impact on protected species and therefore a level of certainty around lighting requirements is needed.

2) Hop Over/Proposed Bat Box Scheme

As with lighting, the LPA should be reasonably confident the proposal can be delivered without significant impact on protected species and therefore a level of certainty around whether hop over mitigation is deliverable.

In our consultation response we did not recommend that the LPA seek further information on bat box provision at this stage and agree that this is best left to any detailed design stage.

[redacted]

Otter and Water Vole

No further comment.

Reptiles and Amphibians

We note the consultant's further comments on the use of passive displacement and have no further comment.

Breeding and Wintering Birds

3) Probably Breeding BoCC Red List and UK Priority Farmland Birds

The ES acknowledges that that there will be a minor adverse effect upon on-site populations of skylark; linnet and yellowhammer, but concludes that the effect will be negligible upon the local populations of each species. Despite this conclusion, the loss will still contribute to the reduction and fragmentation of the local population. This loss has also not been assessed in-combination with other developments in the vicinity of the development site. We therefore maintain our opinion that offsite compensation should be secured as part of any development at this site.

Hedgehogs

We note the additional information on this species provided by the ecological consultant.

Flora

1) Records of Shepherd's Needle

Whilst the Shepherd's needle record for the site does date from 2004, assuming suitable habitat remains present it could still persist onsite. We disagree with the assertion that this species is relatively common in the county, whilst Suffolk does have a significant proportion of the British

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

population (it being very scarce outside East Anglia) it remains recorded from only 141 tetrads in the county[4]. We therefore maintain the opinion that the presence of this species should be considered when designing the detail of any development at this site.

2) Betony Recorded within the Site

We note that the majority of the areas where this species was recorded are to be retained within the proposed GI.

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

Dr Simone Bullion
Senior Conservation Adviser

James Meyer
Conservation Planner

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

Our ref: 5055 / Objections / DAH

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29th April 2016

Dear Chris,

WILDLIFE TRUST RESPONSE: DATED - 13.04.16: GREAT WILSEY PARK (DC/15/2151/OUT)

The following details comprise a response to the substantive comments provided by the Suffolk Wildlife Trust to the Local Planning Authority on 13th April 2016 in relation to the above mentioned planning application.

Plan Discrepancies

The Wildlife Trust has welcomed the clarification that there has never been a plan for any primary access road through woodland W4, and that there are no additional plans for any additional routes whether this be a footpath or road. As mentioned within our previous response there is an existing footpath, which is identified on the Public Rights of Way - Parameters Plan (5055-ES-05 Rev C) and on the Illustrative Masterplan (5055-L-111 (Rev D)). The importance of the woodland compartments has been identified within all ecological reports, and mitigation measures for buffer zones have been implemented where development backs onto such areas. The client is aware of the significance of retaining such areas and regardless of possible changes in the indicative layout there will be no bisection of any woodland habitats, particularly woodland W4.

The Habitat / Public Open Space Plan (5055-L-119 Rev D) submitted with the previous response has showed the alternations in the hedgerow losses to ensure that they are limited to existing gaps or do not exceed 12m, where possible. This is a significant feature for habitats around the location of the dormice nest, whereby possible dispersal is unlikely to be affected by such vegetation losses. Although this application is at the outline stage any future changes to a detail application will incorporate these avoidance measures to protect linkages. These plans form part of the ES and as such will be subject to conditions attached to the planning permission. Any deviation from these plans would require formal submission to the LPA to vary the condition and as such it is entirely within the capacity of the LPA to protect these habitats from development.

Hazel Dormice

The additional points raised by the Wildlife Trust relating to Hazel Dormice in their second letter, are similar to those previously addressed and include:

1. Hazel Dormice distribution in Suffolk;
2. Significance of the Hazel Dormouse population;
3. The survey effort employed to confirm the presence / absence of the species and the population assessment;

4. The potential impacts to the population from fragmentation and isolation; and
5. Whether there is adequate survey information to support a Natural England development license.
6. Potential Impacts

1 - Dormouse Distribution.

As stated in FPCR's previous response, the population distribution within Suffolk was based on the available data provided by the Suffolk Biological Records Centre (SBRC), which concluded that there were not any records within the vicinity, and published data within the recommended text (The Dormice Conservation Handbook, 2006). FPCR had conversations with the Suffolk Wildlife Trust, who indicated there was anecdotal data of dormice to the south of the site. It is also important to point out that the data sets which were referred to by Dr Simone Bullion in the previous objection, had identified 'five clusters' within the County, excluding those found by third parties (Haverhill Disused Railway County Wildlife Site) and evidence within this application site; and therefore those recorded within the site are not the only records of this species within Suffolk.

The survey work completed and data sets gained, have been achieved using the most current available guidance (The Dormice Conservation Handbook, 2006). Whilst it accepted that these guidelines have not been updated for ten years, the recommendations and guidance provided in this document are current and the basis for which survey strategies / mitigation proposals are designed.

We therefore conclude that, although we have not the experience of all completed survey work previously undertaken throughout the County, we have used all available data and current guidance to make an assessment of the population distribution within the site and the value of the population within the Environmental Statement.

2 – Significance of the Population.

The dormice within the site have been reassessed based on the useful information provided by Dr Bullion, and the interpretation of the CIEEM Guidance in terms of Geographical Frame of Reference; whereby the populations within the site could not be defined as "*regularly occurring*" or a "*significant population/number*", and therefore cannot be of National significance.

The recent comments from the Wildlife Trust now consider the dormouse population *"of at least Regional importance…*" rather than the National level of importance as previously stated. Whilst, in our professional opinion and using guidance provided by the CIEEM we consider a local level value could be attributed to the population, the acceptance of a Regional level value for this receptor will not result in altering the overall impact assessment or mitigation proposed for this species.

3 - Survey Effort

We note the Wildlife Trust's ongoing concerns with the survey effort within the current application site, however similar concerns for developments within the surrounding areas do not appear to have been under the same scrutiny as this application. This is particularly the case for the planning application at Land North West Haverhill (LNWH) (SE/09/1283), which is situated adjacent to our application site and separated by Haverhill Road. The habitats within the LNWH application consist of a number of hedgerows and a woodland compartment, with linkages to surrounding County Wildlife Site (CWS) such as Ann Suckling's Way and Norney Plantation which is also ancient woodland. The LNWH development will consist of approximately 1150 dwellings and a new relief road, which bisects through a number of 'important' and 'ancient and/or species rich' hedgerows. In many ways the LNWH application is similar to our planning application; however survey effort appears substantially less, whereby no dormice surveys were undertaken regardless of the habitat loss and linkages to surrounding habitats, that could contain dormice.

The surveys were undertaken within our application site are in accordance with the guidelines outlined within the Dormouse Conservation Handbook (Bright et al 2006). Consequently, as this is

the current guidance used by ecological consultants the methods applied accord with current survey guidelines.

Furthermore, the survey work completed provides a score of 160 which exceeds minimum effort score of 20. This score was achieved by setting and checking 381 dormice tubes over the period of May to September 2015. Therefore, the completed survey work significantly exceeds the minimum requirements as documented within the guidelines, without the inclusion of the inspection which was completed in October 2015 when the dormouse tube were removed, as documented within the FPCR Dormice Report (paragraph 5.7).

The recent letter by the Wildlife Trust suggests that direct searches for 'natural nests' should have been completed to confirm an absence of such sites. This survey technique was not employed as it was likely to be unsuccessful and inconclusive given the size / nature of the habitats across the site, a conclusion which is confirmed in the Dormouse Conversation Handbook, which states:

"Searching for nests is time consuming and often unsuccessful – even where dormice are known to be present – as they mainly use other places to rest (for example, tree holes) and do not often construct nests of their own. Thus, failure to find woven nests should not be used as evidence of absence (Page 24)".

Whilst, direct nest searches were not completed within habitats including hedgerows and areas of woodland, inspections of mature trees with suitable features to be used as a bat roost were completed. As a proportion of the suitable roost features also provided suitable cavities for the creation of 'natural' dormice nest sites, a nest search was effectively completed in areas of the site which were likely to provide a degree of success in the identification of dormouse nest. This inspection covered trees which were not removed by the development but those where the development potentially could affect bat roost sites, if present. No dormouse nest sites were found in any of the trees surveyed providing further evidence that the population within the site is small and isolated.

When considering potential survey methods the Dormouse Conservation Handbook also states *"Nest tubes should therefore be considered as an excellent tool for surveys, but not for long term population monitoring. Page 27'.* Therefore, it is our opinion that the survey methods employed were in accordance with the requirements of the current guidelines, adequate to confirm the distribution of dormice within the site and as such there is no deficiency in the scope of work undertaken.

<u>4- Impact to Dormouse including Fragmentation / Isolation</u>

The Wildlife Trust have acknowledged that the changes of hedgerow loss to a maximum of 12m, these gaps are likely to be secured through the design stages from outline to the final full planning application, whereby all future proposals are sympathetic to the requirements of this species, providing enhancements for the population and reducing potential isolation of the confirmed population. Should planning permission be granted, these measures could be secured by a condition requiring the submission of the dormouse mitigation strategy which includes the requirement for developers to minimise any bisections of hedgerows to 12m, where appropriate, or the provision of alterative mitigation, if required.

<u>5 – Consideration of the Conservation of Habitats & Species Regulations 2010 (*as amended*).</u>

The current survey results have demonstrated that a single dormouse nest is situated in habitats which are retained by the proposals. No further nest sites or evidence of dormouse nests were identified in the nest tubes within location affected by the development proposals. From this evidence it has been concluded that the proposals will not affect a breeding site or resting place which are afforded strict protection under the Regulations.

On the basis of this evidence, it is reasonable to conclude that the proposals will not result in potential offences under the Regulations and therefore a license is not required to legitimise the

works. This conclusion is supported in Section 5.2 of the Dormice Conservation Handbook which states:

"Ultimately this is a decision to be made by the consultant and client. A licence permits an action that would otherwise be unlawful. To minimise the risk of illegal activities being undertaken, it is recommended that a licence is applied for if – on the basis of survey information and specialist knowledge – it is considered that:

- *The site in question is demonstrably a breeding site or resting place for dormice.*
- *The proposed activity is reasonably likely to result in an offence being committed.* (page 45)*"*

In situations, where no evidence of dormouse activity has been identified in habitat effected by proposals, but dormice are known locally, the Dormice Conservation Handbook confirms a license can be avoided '*if the proposed activity can be timed, organised and carried out to avoid committing offences'.* The guidance also confirms that where impacts can be completely avoided, the Regulations are not offended and a license is not required.

Given this guidance, the result of the surveys and the proposals, any license application for dormice submitted to Natural England (NE) would be on a precautionary basis. The submission of such a precautionary license would be unacceptable to Natural England's licensing department, as licenses are only issued for proposals which would result in offences under the Regulations not proposals which may result in 'potential offences'.

In consideration of the above, it is our opinion, based on guidelines and interpretation of the Regulations that a licence will not be required. However, when exercising duties under the Regulation if the Local Planning Authority considered on balance that a license application should be submitted to Natural England, the Local Planning Authority only have to consider based on the evidence and mitigation proposals whether it is likely that Natural England are likely to grant a license. The ultimate decision on whether a license application meets the requirements of the Regulation is Natural England (as the statutory body on matter concerning the Regulations). To date we have had no objection from Natural England regarding the scheme.

If there remains a concern about the potential existence of 'natural nests' within habitats effected by the proposals, it is wholly acceptable for the works to proceed in accordance with a method statement. This method statement would require the removal of vegetation to be undertaken at appropriate time of the year and following the completion of further investigations prior to commencing any works. In the event evidence of dormouse activity is identified in areas of vegetation scheduled for removal, the method statement would also require all works to stop and a license be obtained. The application of such methods would ensure compliance with the requirements of the Regulations.

An outline risk assessment and method statement will be submitted to the Local Planning Authority in due course. The method recommended in this document could form the basis of a condition if planning permission is granted.

Furthermore, as the proposals include significant enhancements for dormice overall it is also reasonable to conclude that the development will not only maintain the 'favourable conservation status' of the population but will improve the conservation status of the population. Consequently, the proposals also conform to the requirement of Regulation 53(9)(b) *'maintenance of the favourable conservation status'*.

6 – Potential Impacts

The Wildlife Trust have raised further concerns about 'assumptions' made in terms of the assessment of the impacts to dormice and believe that there still is 'insufficient' information to

assess the impacts and require more surveys. The Dormice Handbook states in section 5.4 Predicting likely impacts (Page 46) that:

"The task of determining the impact of a proposed development is made easier by good survey information and detailed plans, showing pre-development and post development site layout in relation to the places where evidence of dormice has been found"

The surveys undertaken, as stated above, follow those suggested within the handbook, whereby nesting tubes where used as they have been deemed *'an excellent tool for surveys'* and the survey effort exhibited within the site is eight times more than that required in the guidance.

The requirement for 'natural nest' searches are more likely to result in a negative result due to the length of habitat which needs to be searched and variety in potential nesting places, such as tree cavities etc, which are largely absent within the vicinity of the nest found; this method of searching for evidence of dormice is '…*often unsuccessful – even where dormice are known to be present..".* It is therefore deemed additional surveys for such structures would unlikely provide further data than that which is provided from more appropriate survey methods already undertaken within the site.

FPCR reiterate that all surveys have followed and exceeded the methods recommended within the standard guidelines, where sufficient information has been completed to determine the impacts of the proposed development; which has informed the design of the development avoiding habitats and limiting vegetation losses.

Therefore, it is our opinion that the data sets are robust, fit for purpose, fulfil the requirements under the guidelines and are adequate to assess the potential effects of the development on dormice. Consequently, we do not consider any further survey work is required to support this outline application.

Bats

The Wildlife Trust has acknowledged that there is *'no published guidance relating use by Annex II species to importance under Hedgerow Regulations (1997)'*, furthermore the rarity of barbastelles has been assessed through accepted survey methods and adequate mitigation measures have been designed into the scheme, to ensure dark corridors are maintained; thus maintaining linear linkages to the wider area.

It is FPCR's opinion that the survey data is adequate to assess the effects and therefore there is no requirement for an assessment in accordance with the Wildlife Trusts suggestions.

1) Lighting

Current lighting strategies have assumed a worst case scenario based on the outlined parameters plan for an outlined application. No further information is required at this stage, but a condition requiring the submission of a sensitive lighting scheme is wholly appropriate.

2) Hop overs / Proposed Bat Box Scheme

As with the lighting strategy, it is proposed that the measures to protect hop-overs be conditioned for the detailed planning stage. Bat box provisions will also be provided on the finalise layout.

[redacted]

[redacted]

Breeding and Wintering Birds

The previous response had highlighted that Suffolk Bird Report had listed skylarks, linnet and yellowhammer as common resident or visitors *"occurs regularly or widely distributed in suitable habitat and season*". The numbers of each species recorded at the application site included a maximum of 15 for skylarks, 4 for linnet and 10 yellowhammers; and the loss of arable habitats during the proposed development would not be significant for the species concerned.

There are wider arable fields within the vicinity of the development that could provide alternatives; there are also opportunities for the County Park in the south east to incorporate features that would benefit these species. This would include grassland habitats with a managed sward height and wildflower content to enable foraging as invertebrate assemblages would be increased, the open field nature will ensure a wide field of vision, ensure predators can be seen; such habitats would favour skylarks and yellowhammer. Periphery and potential bisecting hedgerows would ensure that foraging and refuge habitats are created for linnets and yellowhammers, however hedgerows would still need to ensure larger field compartments for skylarks.

Land at North West Haverhill (LNWH) was surveyed by RSP in 2007, whereby the majority of the habitat consisted of arable land, during breeding bird surveys RPS found the following:

- Linnet – 1 pair
- Skylarks – 6 pairs
- Yellowhammer – 11 pairs

These number recorded are similar to those recorded within Great Wilsey Park, with the expectation of yellowhammer which LNWH recorded 22 individuals. From review of the Environmental Statement 2009 for LNWH this stated that the impact of habitat loss was minor adverse for all breeding birds and did not state any specific mitigation measures, until the Supplementary Environmental Statement 2010. The supplementary information only addressed the issue of yellowhammers, whereby mitigation measures provided within the scheme would include new hedgerow planting with associated grassland buffers, the impacts after such mitigation was considered to be not significant. There appears to be no objections to the mitigation measures proposed within LNWH in regards to the breeding bird assemblages from the Wildlife Trust.

The Great Wilsey Park application will retain large majorities of the existing hedgerow network and biodiversity enhancements within the main development area will provide buffer areas around hedgerows and increase floral diversity which will benefit invertebrate assemblages and increase foraging opportunities for breeding birds. The County Park in the south east will provide opportunities for further habitat enhancements with specific biodiversity enhancements, as previously mentioned.

FPCR conclude that although arable habitats are to be lost, the bird assemblages recorded are in low numbers, which are considered to be common within Suffolk. The mitigation measures will provide habitats suitable for the linnet, skylarks and yellowhammers; although surrounding farmland habitat will still be of more value. It is therefore thought that there would not be a requirement for further off site compensation.

Flora

1) Records of Shepherd's Needle

The surveys undertaken by FPCR are more recent, relevant and accurate than those records from Suffolk Biological Records Centre which were dated 2004, with such areas now intensively farmed.

It is also concluded that this species is relatively common within Suffolk, and that if such species were to be present it would not represent a significant effect on the species conservation status regionally or nationally.

I trust that the information provides the clarification required, but if you have any further queries or problems please do not hesitate to contact me.

Yours sincerely

[redacted]

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Attached Documents:
Public Right of Way Parameters Plan (5055-ES-05)
Illustrative Masterplan (5055-L-111 Rev D)
The Habitat / Public Open Space Plan (5055-L-119 Rev D)

Appendix 9.6 Dormice Method Statement

Hallam Land Management Ltd

Great Wilsey Park, Haverhill, Suffolk

Addendum Document

Appendix 9.6

DORMICE METHOD STATEMENT AND RISK ASSESSMENT

May 2016

FPCR Environment and Design Ltd
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-	Draft 1	DAH / 27.04.16	DAH / 13.05.16

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FIGURES

1.0 SUMMARY

1.1 A dormice survey was undertaken on land at Great Wilsey Farm, Haverhill, Suffolk in 2015; whereby a single dormice nest was recorded in a nesting tube in September, the same nest was also confirmed during the removal of the nesting tubes in October 2015. This nest was located within habitats that are to be retained within the green infrastructure of the Proposed Development, therefore an offence under the Directive or the Conservation of Habitats and Species Regulations 2010 (as amended) concerning disturbance/damage or destroying a regularly breeding or resting site will not occur and a licence will not be required.

1.2 During the surveys of entire Application Site no further evidence of dormice was recorded. The Proposed Development will limit the extent of habitat losses around the positive record of a dormice, whereby the only proposed loss would be through the bisection of hedgerows to allow for access roads into the field compartments, these gaps will largely be limited to 12m ensuring potential linkages are retained.

1.3 The small amount of hedgerow losses within stretches where no evidence of dormice were recorded would have a very low risk of committing an offense. Rather than applying for a Natural England licence, works within the site will proceed under a precautionary method statement with appropriate working practices that will further reduce any risk of committing an offence; this will include the following:

- Erecting dormouse nesting boxes prior to works;
- Timed vegetation removal;
- Habitat Enhancement/Creation/Compensation;
- Habitat Management Strategy (to follow).

1.4 This Method Statement provides the methods that will be adopted within the site to ensure that no offence is committed under the Regulations regarding dormice; these measures are currently based on the Illustrative Masterplan (5055-L-111). As the application is currently only at the outline stage, specific details regarding complete habitat losses and mitigation planting in terms of numbers and species can only be indicative at this stage. More details will be provided at the detailed planning stage.

2.0 INTRODUCTION

2.1 FPCR Environment and Design Ltd were commissioned to undertake a variety of surveys within land at Great Wilsey Farm, Haverhill, Suffolk (central OS grid reference TL 689461). A dormice survey was undertaken between May and September 2015, due to the habitats available within the Proposed Development and anecdotal evidence of a possible dormice nest within Haverhill Disused Railway County Wildlife Site, approximately 490m south.

2.2 A total of 381 nesting tubes were spread through the Application Site within hedgerows and woodland compartments in March 2015. The subsequent checks only found one dormouse nest in a nesting tube during the September surveys, where a tube had nesting material that was conducive to dormouse, however no specific sighting of an actual dormouse was recorded.

2.3 The woodland (W4) within which the dormouse nest was found will be incorporated within the green infrastructure, whereby it will be adequately buffered from the construction and operational phases of the development. The surveys demonstrate that dormice are not using the site in a significant manner and are restricted to limited areas, which are retained. As such habitats are not going to be affected, an offence under Article 12 (1) of the Habitats Directive or the Conservation of Habitats and Species regulations 2010 (as amended) concerning disturbance/damage or destroying of a regularly used breeding or resting place, will not occur and a Natural England licence will not be required.

2.4 Adjacent habitats to where the dormice nest was recorded, found no evidence of dormice during the survey period; therefore these remaining habitats cannot be defined as anything more than 'potential resting sites' which are not covered by the Regulations.

2.5 The probability of encountering dormice within habitat outside of that where the nest was found is thought to be low. In situations where no evidence of dormouse activity has been identified in habitats effected by proposals, but dormice are known locally the Dormice Conservation Handbook confirms a licence can be avoided *'if the proposed activity can be timed, organised and carried out to avoid committing offences'*. The guidance also confirms that where impacts can be completely avoided, the Regulations are not offended and a licence is not required. To ensure such circumstances a precautionary this Method Statement has been written.

3.0 LEGISLATION

3.1 The hazel dormouse is listed under Annex IVa of the EC Habitats Directive and as a result is covered by Section 41 of the Conservation of Habitats and Species Regulations 2010. It is also protected under the Wildlife and Countryside Act 1981 (as amended). Taken together, these make it an offence to:

- deliberately capture or intentionally take a dormouse;
- deliberately or intentionally kill or injure a dormouse;
- to be in possession or control of any live or dead dormouse or any part of, or anything derived from a dormouse;
- damage or destroy a breeding site or resting place of a dormouse;
- Intentionally or recklessly obstruct access to any place that a dormouse uses for shelter or protection;
- intentionally or recklessly disturb a dormouse while it is occupying a structure or place that it uses for shelter or protection;
- deliberately disturb any dormouse in particular any disturbance which is likely to
    - impair their ability to survive, breed, reproduce or to rear or nurture their young; or in the case of hibernating or migratory species, to hibernate or migrate; or
    - affect significantly the local distribution or abundance of the species to which they belong.

3.2 Although the law provides strict protection to dormice, it also allows derogation from this protection under Section 53 of the Conservation of Habitats and Species Regulations 2010 through the issuing of EPS licences for development works. These licences in England are currently determined by Natural England (NE).

3.3 Where a lawful operation is required to be carried out, which is likely to result in one of the above offences, an EPS licence may be obtained from NE to allow the operation to proceed.

3.4 As part of the licence application process a number of 'Tests' have to be met by the application.

3.5 Natural England Guidance Note: European Protected Species and the Planning Process – Natural England's Application of the 'Three Tests' to Licence Applications (March 2011) states:

"In determining whether or not to grant a licence Natural England must apply the requirements of Regulation 535 of the Regulations and, in particular, the three tests set out in sub-paragraphs (2)(e), (9)(a) and (9)(b)6. (1) Regulation 53(2)(e) states: a licence can be granted for the purposes of "preserving public health or public safety or other imperative reasons of overriding public interest including those of a social or economic nature and beneficial consequences of primary importance for the environment".

(2) Regulation 53(9)(a) states: the appropriate authority shall not grant a licence unless they are satisfied "that there is no satisfactory alternative".

(3) Regulation 53(9)(b) states: the appropriate authority shall not grant a licence unless they are satisfied "that the action authorised will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range."

3.6 Conservation status is defined as "the sum of the influences acting on the species concerned that may affect the long term distribution and abundance of its population within its territory". It is assessed as favourable when:

- population dynamics data on the species concerned indicate that it is maintaining itself on a long term basis as a viable component of its natural habitats, and
- The natural range of the species is neither being reduced nor is likely to be reduced for the foreseeable future, and
- There is, or will probably continue to be, a sufficiently large habitat to maintain its populations on a long term basis.

3.7 These tests must not only reach agreement with Natural England when assessing a Licence application they must also be assessed by the planning authority when determining a planning application.

3.8 The dormouse is listed as a "Species of Principle Importance for the conservation of biological diversity" in the Natural Environmental & Rural Communities Act (2006) and as a result public bodies must have regard to it when carrying out their duties.

3.9 The dormouse is also listed within the Suffolk Biodiversity Action Plan.

Reasoning why a Natural England licence is not required

3.10 Where a European Protected Species (EPS) may be affected by a development it is necessary to consider if an offence is likely to be committed under Article 12(1) of the Habitats Directive. If it is likely that an offence is to occur then a mitigation licence would be required from Natural England. Article 12 (1) states:

"1, Member States shall take the requisite measures to establish a system of strict protection for the animal species in Annex IV(a)….prohibiting:

a) All forms of deliberate capture or killing of specimens of these species in the wild;

b) Deliberate disturbance of these species, particularly during the periods of breeding, rearing, hibernation and migration;

c) deliberate destruction or taking of eggs from the wild;

d) deterioration or destruction of breeding sites or resting places."

3.11 The current survey results have demonstrated that a single dormouse nest is situated in habitats which are retained by the proposals. No further nest sites or evidence of dormouse nests were identified in the nest tubes within locations affected by the Development Proposals. From this evidence it has been concluded that the proposals will not affect a breeding site or resting place which are afforded strict protection under the Regulations.

3.12 On the basis of this evidence, it is reasonable to conclude that the proposals will not result in potential offences under the Regulations and therefore a license is not required to legitimise the works. This conclusion is supported in Section 5.2 of the Dormice Conservation Handbook which states:

"Ultimately this is a decision to be made by the consultant and client. A licence permits an action that would otherwise be unlawful. To minimise the risk of illegal activities being undertaken, it is

recommended that a licence is applied for if – on the basis of survey information and specialist knowledge – it is considered that:

- *The site in question is demonstrably a breeding site or resting place for dormice.*
- *The proposed activity is reasonably likely to result in an offence being committed.* (page 45)*"*

3.13 In situations, where no evidence of dormouse activity has been identified in habitat effected by proposals, but dormice are known locally the Dormice Conservation Handbook confirms a license can be avoided '*if the proposed activity can be timed, organised and carried out to avoid committing offences'.* The guidance also confirms that where impacts can be completely avoided, the Regulations are not offended and a license is not required. Hence the reason for this Method Statement to be written, to ensure works are carried out during periods that could avoid committing an offence, if dormice are present.

4.0 METHOD STATEMENT

Nesting Boxes

4.1 Prior to any habitat loses a number of dormice nesting boxes will be installed around the proximity of the existing nest found within the site and near planned habitat losses for access. Additional boxes will also be installed within woodland habitats, as the development will eventually bridge the existing gaps between the current dormice nest and such habitats where dormice are current absent.

4.2 Wooden nest boxes will be installed within habitat adjacent to any vegetation losses, these will increase the nesting opportunities within the site and thus increase the carrying capacity in the long term. The precise locations will be determined at the detailed stage however figure 1 shows the habitats within which these will be installed. These will be monitored to ensure they remain viable as nesting features, and will also be used for future assessment of the population.

Timed Vegetation Removal - Hedgerows

4.3 The current development proposals are only at the outline stage, therefore confirmed detailed aspects of the habitat losses and locations are not known, regardless the length of loss will be limited to 12m in the majority of locations, and this is assumed for this assessment.

4.4 The scheduling of the construction works is also currently unknown; therefore the methods below cover potential habitat removal during the winter and summer.

Winter

4.5 Vegetation checks and removal will be undertaken during the winter between November and March inclusive under the supervision of a licenced ecologist. This period will avoid the bird breeding season and the active period for dormice, as they are more likely to be in hibernation underground. Searches of the vegetation will be undertaken prior to any vegetation removal whereby nests and any cavities within trees etc will be inspected for dormice. The clearance of vegetation will be undertaken by hand with no heavily machinery to be used in close proximity to the areas of removed, so avoiding any possible disturbance through noise and vibrations. All tree felling should also be undertaken during this period, provided there are no bat roosting constraints.

4.6 The vegetation will be cut down to approximately 10-15cm, whereby disturbance to the ground will be avoided and the roots and stubs are kept, this is to avoid any potential hibernation dormice within the ground. The hedgerow canopy will be remove from the stem, a small proportion of the hedge will be kept as a ‘dead hedge’, which will provide a feature within which dormice could continue to move when they wake from hibernation, this also means that individuals will be able to move along such breaks into surrounding retained habitats.

4.7 The removal of the root systems of the prior removed vegetation will be undertaken when dormice are active between April to October, although care should be taken to avoid periods of cold wet weather, when dormice can go into torpor. All root removals will need to be supervised by a licenced ecologist. During this period the ‘dead hedge’ should also be remove from the site; care should be taken to ensure that there are no nesting birds present; if they are present then

work should stop until young have fledged and a buffer created to ensure that the nest is not disturbed. These areas will also be searched for dormice nests prior to removal.

Summer

4.8 The vegetation will be cleared by hand during the summer when dormice are active; this will be between May to late September, but clearance should ideally be undertaken in May to avoid separating young that would be dependent on their mothers. All vegetation that is scheduled for removal will be checked for bird and dormice nests before any removal is undertaken this is especially important during the breeding period. All removal will take place under a watching brief by a licenced ecologist, whereby removal of small lengths will be undertaken over consecutive days, thus allowing time for any possible dormice to move from the area. The removal of the canopy of vegetation will be undertaken by hand, this will ensure that sightings of dormice are more likely. The root system of the vegetation should also be removed during this period so to avoid potential refuge and hibernation opportunities in the future.

Timed Vegetation Removal – Woodland - Winter

4.9 Small sections of woodland are to be removed to the west of the site, these are isolated from the habitats within which the dormice nest was found; adequately surveyed effort was under within all woodland whereby no evidence of dormice were found.

4.10 The north western corner of woodland W1 will have the largest degree of habitat loss which is approximately 1ha in size. This woodland consisted of a number of early mature Norway maple *Acer platanoides* and sycamore with a mixture of Scots pine and Austrian pine. Under canopy species included English elm, field maple *Acer campestre*, blackthorn *Prunus spinose* and dog wood *Cornus sanguinea*.

4.11 There is an additional two areas of recently planted woodland, in the north west, that will result in approximately 3086m^2 removal of specimens; these are also adequately situated away from the dormice nest recorded. There will also be some habitat losses within the central region of woodland W1, again to facilitate access roads.

4.12 During the winter months (November to March) ground level vegetation will be removed from the woodland areas, this will persuade any dormice that could potentially be present to move when they come out of hibernation. As with the above a ‘dead hedge’ will be provide to allow safe passage to surrounding retained habitats/woodland. The remaining tree stumps and any ground removal will take place in the summer months when dormice have left the area (May to September).

Timed Vegetation Removal – Woodland - Summer

4.13 The summer removal will take place between May and September, whereby small sections of the woodland compartments will be removed over a number of consecutive days. This will allow time and opportunities for any dormice that might be present to move into adjacent retained habitats. Care will be taken to endure that no habitats contain nesting birds.

Construction Period

4.14 During the construction period all contractors will be briefed by FPCR ecologists and/or onsite managers about the importance of the habitats within the site for the range of species that have been identified, and that care should be taken when conducting any works near existing natural features. All vegetation removal will have been predetermined at the full planning stages, and no additional losses would occur until FPCR ecologists have confirmed so.

4.15 Where site offices, material and vehicle storage are proposed, and where the phased development commences all natural habitats will be fenced off with an appropriate buffer using high visibility fencing or similar. This will ensure that habitats are not degraded through soil compaction and interference by contractors and machinery.

Habitat Enhancement/Creation/Compensation

4.16 All existing and retained habitats will be enhanced with additional planting to ensure that poor structure and gaps are filled with native species that will benefit foraging, commuting and nest building, these will have a positive effect on dormice but also other species.

4.17 Woodland compartments will be thinned to allow understorey shrub development, which are of more value to dormice than the current tree canopy. Additional species will include oak, honeysuckle, hawthorn, wayfaring tree, bramble, crab apple, cherry and hazel. Management will be secured through a Section 106 agreement, whereby an Ecological Management Strategy will be written to ensure that the habitats maintain their value into the future. Management practise will include coppicing, rotational cutting of sections of hedgerows at 3 to 5 year intervals and/or hedgerow laying; such measures will ensure increased fruiting bodies and understorey renewal of growth which will benefit invertebrates.

4.18 There will be a number of new habitats created within the site that will increase opportunities for dormice to spread from their current isolation into the wider site and off site. The current parameters plan has indicated that there will be approximately 1.32ha of new woodland planted around the peripheries of the site and within the proposed county park on the south east. There will also be a number of hedgerows created that will strengthen the linkages between existing habitats; the length of hedgerow creation has not been defined within the parameters plan as this will be at the more detailed stage. However, these will include species raised above and be of a suitable width to ensure that they provide refuge from predation.

4.19 The gaps created within existing hedgerows will be limited to 12m where possible, this is to facilitate potential movement of dormice at ground level. However to limit the requirement for individuals to go to ground taller shrubs/trees will be planted either side of any gaps, whereby management will ensure that the canopy is lifted to create a natural bridge over time. Similar measures will be adopted across the stream that runs through the site, whereby tree canopies will be encourage to bridge the gap and potentially provide links to habitats where dormice are currently absent.

Management Strategy

4.20 Once a finalised masterplan and design has been confirmed, a detailed management strategy can be written to ensure that the existing and created habitats function as biodiversity receptors and that management processes will facilitate the expansion of dormice suitable habitats within

the site. It is envisaged that the substantial creation and enhancement of habitats will increase the foraging and nesting opportunities within the site; the management of such features will be important to ensure the Favourable Conservation Status of dormice is maintained and enhanced in perpetuity.

240m
C
12m
35m
5m
D1 1.3ha
40m
A
12m
1736m³
5m
1350m³
12m
1ha
D
40m
12m
12m
5m
12m
5m
12m
185m³
12m
B

	Application boundary	168.34ha
	Existing woodland habitat	16.08ha
	New woodland habitat	13.9ha
	Woodland to be removed (Total area)	1.327ha
	Species rich grassland and seasonal meadow	34.92ha
	Scrub area V Natural regeneratio	2.30ha
	Attenuation Ponds Wetland Habitat	4.45ha
	Tributory of the River Stour Riparian habitat	1.14ha
	Existing Hedge Retained	4988m
Xm	Hedgerow to be removed to facilitate road access and footpath links (Total length) (Assumed 2.5 roadside clearance for visibility)	470m
A	Allotment Site	0.6ha
B	Allotmment Site	0.9ha
C	School Playing Fields	1.4ha
D	School Playing Fields	1.2ha

Habitats with Dormice Nesting Boxes to be Installed

Hallam Land Management Ltd

Great Wilsey Park
Haverhill

HABITAT LOSS AND CREATION WITH DORMICE NESTING BOX LOCATION

Not to Scale @ A3 DAH 13.05.2016

Figure 1 **5055-E-01**

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masterplanning ■ environmental assessment ■ landscape design ■ urban design ■ ecology ■ architecture ■ arboriculture ■

J:\5055\ES\Addedum\Figure 1 Habitat Loss and Creation with Dormice boxes.Cdr