

**DCON(H)/09/1283**

**Land NW Of Haverhill, Anne Sucklings Lane, Little Wratting**

**Application to Discharge Conditions A2 (Alignment), A4 (Arboricultural Method Statement), A5 (Soft Landscaping) , A6 (Landscape and Ecological Management Plan), A8 (Archaeology) and A9 (Excavation and Ground Levels) of SE/09/1283**

Planning permission for the Haverhill NW relief Road was given in March 2015 (SE/09/1283); the road was only part of a wider planning application which includes other residential development and associated facilities and infrastructure. The planning application was informed by an Environmental Statement (date) and Supplementary Environmental Statement (date). The permission required the development to be in complete accordance with the plans and information in the application subject to a number of conditions including, relevant to landscape and ecology, the submission of:

- An Arboricultural Method Statement
- A scheme of soft landscaping for the site
- A landscape and ecological management plan (LEMP)

The most relevant plans and information are listed in the sections below.

In addition to the technical information to submitted to discharge the conditions, the applicant has also submitted biodiversity information to enable the LPA to discharge its duty under the NERC Act.

#### Ecological Survey data

The Ecological constraints plan refers to ecological surveys that have been undertaken and lists them as:

- Badger survey
- Breeding Bird survey
- Wintering Bird survey
- Reptile survey
- Great Crested Newt eDNA
- Hedgerow survey
- Botanical survey
- Hedgerow survey
- Bat activity survey
- Dormouse survey
- Precautionary measures for scrub and hedgerow removal

The Ecological Constraints plan does not take into consideration constraints in relation to hazel dormouse, bat activity and wintering birds, because the survey work was not completed at the time the plan was written. However, these constraints have been outlined in the completed surveys see below.

	Additional mitigation required	Comments
Badgers, Hedgerows, wintering and breeding birds hazel dormouse, bats	Gapping up of hedges to retain green corridors	Proposed along the new alternative footpath route Limited other opportunities here
Badgers	Precautionary measures during construction to be implemented	To be secured in the CMP
Badgers	Up dated badger survey will be required prior to commencement of development	Applicant to be aware
Hedgerows	H2, H4, H5 and H7 to be retained in their entirety, and protected with a 4m buffer on either side	Not achieved – protective fencing to be amended and connectivity to be re-established
Hedgerows	Hedgerow management to be included in the LEMP based on about 1/3 of the hedgerow and ground flora cut each year	Not currently included in the LEMP
Hedgerows	Enhancement through wildflower seed/plug planting and management detailed in the LEMP	Not included in the LEMP or in the landscape proposals
Hedgerows	Sensitive lighting with no light spill to hedgerows demonstrated	Not demonstrated in this application applicant to be aware
Breeding and wintering birds	Hedgerow grassland margins of at least 5m managed for foraging birds	Not included in the LEMP
Breeding and wintering birds	Open space vegetated with shrubs, wildflowers and grasses to provide foraging for birds and mown paths to reduce trampling and disturbance	Mown paths through the POS between the existing and re-aligned BOAT would be of benefit
Breeding and wintering birds	Areas set aside primarily for birds to be fenced or designed to reduce ingress by people/dogs	The road verges are less likely to be used by people and dogs
Breeding and wintering birds	SUDs waterbodies to be planted with emergent and aquatic spp. Management to be detailed in the LEMP	Not included in the landscaping proposals. Management of these is not covered in the LEMP
Skylarks	Offsite compensatory nest plots to be secured	No proposals included
Barn owl	Tussocky grassland habitat to be created in perpetuity And owl nest box in suitable location – checked with a licensed ornithologist	Significant area of tussocky grass provided potentially at the expense of calcareous grassland to support the CWS Owl nest box not included
Breeding and wintering birds	Variety of bird boxes provided - information provided in the LEMP	Number, type and location of bird boxes to be fixed in the LEMP
Reptiles	Survey to be repeated in suitable habitat areas where works have not commenced prior to May 2021	Applicant to be aware
Amphibians	Enhancement through pond creation, ditch improvements, habitat corridors and hibernacula	No proposals included
Sulphur clover	Hedge H2 should be retained with a buffer of 4m on either side to retain and protect this plant	Not included for in the proposals – footpath embankment impinges this buffer on the north side of H”
Bat activity	Lighting minimisation precautions to be implemented	Not demonstrated – applicant to be aware
Bats	Bat hops to be created by allowing vegetation growth either side of any gap required for access	Not included in design or in the LEMP
Bat activity	Survey to be repeated to identify any changes if works have not commenced prior to September 2021	Applicant to be aware

### Consultation

SCC Highways have objected to the discharge of conditions A4, A5 & A6 because the landscaping will be on highway authority adopted land and be the eventual maintenance burden of the highway authority. Discharge of these conditions will need to be in conjunction with the highway authority adoption agreement.

The road is not acceptable without the landscape planting to assimilate it into the landscape.

SCC Flood and Water Engineer has concerns with the design of the road drainage including the proposed drainage ponds.

These concerns should be resolved so that easements for drainage structures can be accommodated without compromising the objectives of the landscaping scheme.

**Condition A4 Arboricultural Method Statement** requires that an Arboricultural Method Statement is submitted which should include the following:

1. Measures for the protection of those trees and hedges on the application site that are to be retained,
2. Details of all construction measures within the 'Root Protection Area' specifying the position, depth, and method of construction/installation/excavation of service trenches, building foundations, hard standings, roads and footpaths,
3. A schedule of proposed surgery works to be undertaken
4. A supervision schedule.

The applicant has submitted an AMS and tree protection plans. Comments are as follows:

- A set of tree protection plans are included. The requirements of the report in relation to the design of the fencing is clear in that the BS5837 default fence design should be implemented except where this is not possible to meet this specification. For clarity the TPP drawings should only display this design of fencing. Any areas where it is anticipated where this design cannot be achieved should be identified on the plans and the alternative fence design specified.
- It is recommended that the RPA's of trees to be retained are shown in an alternative colour (than red) to ensure that these trees are retained and not mistaken for trees which are to be removed.
- It would be help if the full extent of the development site (both to the north and south of the road alignment) could be marked on these plans so it is clear which areas will be disturbed by the works. This will enable better assessment of whether the extent of the tree protection fencing is sufficient. Is the green line the extent of the works?
- It is not clear what the green lines represent, and how much clearance back from this line is required. This should then be consistently applied (it is not currently) so that the minimum vegetation/hedge clearance in undertaken.

- The supervision program should specifically include for the arboricultural consultant to supervise the tree and hedge clearance on the site, and to mark out accurately (or check the engineers marking) the areas of vegetation to be cleared.
- Section 7 of the AMS covers manual excavation with the RPA's. It does not include the details required by the condition. The locations where construction within the RPA of retained trees will need to take place have not been identified on any plans.
- The schedule of trees and hedges to be removed should include the length of the hedge section to be removed so that the extent of removal is clear.

More detail/clarity is required on the individual plans as set out below

TPP plan number	Tree group	Issue to be clarified
TPP01	G3	It is not clear whether the whole of G3 is to be removed or whether some trees and shrubs are to be retained? See also comment about the clearance back from the green line.
TPP02	H4	The level of removal on the corner of H4 is not clear and is inconsistent with that shown on the landscaping plans which show a much greater level of removal.
TPP03	Norney Plantation CWS	The tree protection fencing cuts across the County Wildlife Site. This is not acceptable. The CWS in its entirety should be protected along with a significant buffer to avoid effects - the ES identifies the potential for effects from pollution during construction on Norney Plantation CWS.
TPP04	H7	Why is the tree protection fencing drawn so close to this hedge (and others remote from the alignment of the road)? If the adjacent field is to be used as part of the construction area, a more substantial buffer to the hedge and other important features should be maintained.
TPP04	Hedges to the east of G6	Why are the hedges to the east of G6 not better protected? And the woodland adjacent to H10?  The Ecological Constraints Plan recommends a buffer of 4m either side of hedges including H10
TPP05	Ann Suckling's Way CWS	Why is the CWS not protected from construction impacts
TPP5	Field to the north of roundabout	Why is this not protected from construction effects given that this field is beyond the alignment of the road and is required as part of mitigation required for the CWS?

TPP05	H14	How far to the north does the construction site extend – is enough of the hedge protected?
TPP05	Vegetation to the south east of roundabout	Why is this vegetation not protected?
TPP06	G18	The tree protection fencing associated with the Phase 1 development has now been removed and this roundabout has been constructed?

**Condition A5 Soft landscaping** requires the submission of a scheme of soft landscaping for the site drawn to a scale of not less than 1:200. The soft landscaping details shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants noting species, plant sizes and proposed numbers/ densities.

The design of the soft landscaping scheme is guided by a number of documents:

The landscape and open space strategy (September 2010) submitted as part of application SE/09/1283 explains that a *buffer zone will form a green corridor along the north of the proposed Relief Road with an additional area of space to the north of the central roundabout and to the south of Ann Suckling Way County Wildlife Site*. It goes on to say that this buffer zone *will incorporate different types of native and natural planting to aid the integration of the development, and the new edge of the town, into the wider landscape and to provide wildlife habitat to reinforce that within Ann Suckling Way County Wildlife Site*. Key objectives are set out as:

- *To provide a visual buffer around the Relief Road and the new development edge;*
- *To provide a landscape buffer between the Relief Road and the County Wildlife Sites;*
- *To provide an additional public right of way to remove pressure from Ann Suckling Way and the County Wildlife Site;*
- *To create an additional area of calcareous grassland to increase the amount of that habitat available and to bolster the County Wildlife Site;*
- *To preserve the existing hedgerows;*
- *Increase the wildlife habitat and landscape resource.*

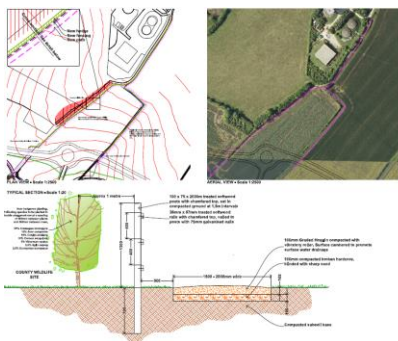
The buffer zone is shown on the accompanying plan



The Northwest Haverhill Landscape Masterplan (July 2010, SW51000002-500) (SE/09/1283) shows more detail of the type and location of the different types of planting that would be acceptable. The plan illustrates hedgerows on the northern and southern side of the buffer, native tree and shrub planting, and areas of meadow grassland. The masterplan is made up of a number of constituent drawings which show the proposed alignment of hedgerows and the distribution of other habitats. There are a series of additional plans which show more detail of each element of the landscaping scheme



Ann Suckling's Lane County Wildlife Site is a footpath and bridleway which runs in a north to south direction from Great Wratting to Haverhill. As part of the planning application (SE/09/1283), detailed information on the arrangement of new footpaths, fencing, and planting in the vicinity of Ann Suckling's Way County Wildlife Site were submitted (SW51000002-500, Footpaths north of relief road, June 2010). The plan sets out the alignment of the proposed footpaths, including the additional route, and shows the layout of the realigned surfaced footpath, hedge and fence outside of the CWS.



The Supplementary Environmental Statement (September 2010) (SE/09/1283) included a summary of impacts that would arise from the development of the site as a whole (Table 16.1). Not all the impacts and consequent mitigation in the table relate to the relief road proposals. The following have been picked out from Table 16. The text in chapter 6 has been used to pick out details that are relevant to the approach to the soft landscaping scheme:

Impact identified in the ES assessment	Proposed mitigation	Measures included/comments
--	---------------------	----------------------------

<b>Landscape</b>		
View from footpath south of Withersfield, footpath between Withersfield and Haverhill, and from point at which Withersfield footpath cross proposed Relief Road	Planting around the proposed Relief Road and to the north of the development	Planting is included but for the most part this does not meet the requirements of the landscape masterplan
View from properties on edge of Hales Barn development	Proposed native planting area along boundary	Includes only a hedge for some lengths. Woodland planting is generally less than the width of the hedge.
Views from Ann Suckling Way	Buffer planting to north of Relief Road and development.	The planting to the north of the relief road is weak particularly north of the roundabout at ASW
View from footpaths; east and north of Great Wilsey Farm, and north of Fox public house.	Buffer planting around eastern roundabout.	There is no buffer planting around the eastern roundabout
View from Residential Properties on Spindle Road	Creation of strong landscape and planting Framework.	This is not currently demonstrated
Impact upon hedgerow network	Repair of hedgerow network and addition of new hedgerows integral to design.	The hedgerow connections across the relief road would not be viable because they are located on the alignment of the piped drainage – the connections need to be made offline but connected back to the hedges.
Impact upon tree cover	Retention of existing trees and addition of new tree planting areas on higher ground integral to masterplan design.	The removal of tree group G3 is not mitigated, neither is the loss of hedgerows at central roundabout.
Impact upon Ann Suckling Way	Existing path of footpath retained.	This should be on a surfaced track outside of the CWS – the plans show the new alignment however the location of the fence is not as indicated on the detailed plan submitted with the planning application. The extent of the CWS should be shown on the plans.
Impact upon County Wildlife Sites	New alternative footpath route proposed to east of ASW CWS	It is not clear where this would be from the plans. It appears that it is not on level ground and there is no indication that it would be surfaced as required in the details plan. In addition, access to the central dog walking field is not easily available from either of these routes.
Impact upon field pattern	Retention of existing field pattern integral to masterplan design.	The relief road cuts through the existing field pattern. New hedges will be required to form new field boundaries
Impact upon Countryside Character locally	Retention of characteristic features	-
Loss of open countryside	Creation of strong landscape framework to reduce mass of built area and to reduce visual impact. Retention of most important areas and features.	The planting proposed, mostly hedges, does not meet the requirements of a strong landscape framework
<b>Ecology</b>		
Pollution from Construction Activities on Ann Suckling Way CWS and Norney Plantation CWS	Construction best practice to avoid spillages and minimise dust generation. Temporary fence to prevent incursion during construction.	There is no fence to protect the CWS. The CWS extent should be clearly shown on plans.

Disturbance from increased visitor pressure on Ann Suckling Way CWS including on Crested Cow-wheat and Sulphur Clover	Diversion of public footpath to avoid CWS. Provision of a dedicated parkland area for dog walking. Provision of dog waste bins. Monitoring	These measures have not been provided. It is not clear how monitoring will be implemented/secured, and how dog waste bins will be emptied
Increased airborne nutrient enrichment on Ann Suckling Way CWS and Norney Plantation CWS	Design of site to give maximum possible distance between road and CWS	The current proposals currently impinge on these sites
Noise disturbance on Norney Plantation CWS	Design of site to give maximum possible distance between road and CWS Buffer planting	The current proposals currently impinge on these sites - buffer planting is not sufficient. Amendments to the tree protection fencing is required
Loss of hedgerows. Damage to retained hedgerows during construction including loss of habitat for invertebrates, breeding birds, bats	Design of site to minimise hedgerow losses. Planting of new hedgerows. Management of retained hedgerows. Erection of protected fencing. Construction best practice to avoid spillages and minimise dust generation	Amendments to tree protection fencing required, replacement hedges to avoid drainage infrastructure, hedge on north to be re-aligned, continuity of H7/H10 to be considered further
Disturbance from increased visitor pressure on Ancient and / or species-rich hedgerows including invertebrate habitat	Design of site to minimise disturbance to hedgerows Provision of facilities for disposal of litter and dog faeces. Management of retained hedgerows	Hedgerow management in the LEMP is not consistent with ecological advice, no measures for litter /dog waste
Pollution from construction activities on Crested Cow wheat and Sulphur clover	Construction best practice to avoid spillages and minimise dust generation	To be secured through CMP
Loss of Sulphur clover for construction	Translocation of affected population	It is not clear where the receptor site will be
Breeding bird mortality during construction and disturbance from noise and lighting	Timing of vegetation clearance and construction best practise including restriction of construction working hours	To be secured through CMP
Loss of habitat for Yellowhammer	Planting of new hedgerows (including on the northern boundary of the development adjacent to the new field boundaries). Hedgerows will be provided in addition to the woodland planting proposed. In addition to the hedge, an adjacent grass strip would be provided within the arable field margin of approximately 5m.	Hedges not all suitably located No proposals for adjacent grass strip within arable fields
Bat habitat severance and light disturbance	Creation of areas for new foraging / roosting Habitat. Woodland and hedgerow planting north of Relief Road. Design of site to maximise habitat connectivity Woodland buffer planting	Woodland blocks are narrow Connectivity across relief road not yet secured
Loss of foraging habitat for barbastelle bats	New planted woodland edge north of the proposed Relief Road. Lighting design of the carriageway is intended to minimise light spillage. Additional hedgerows are proposed along the boundary with the BOAT (Byway 32 and the proposed additional Byway)	Woodland planting to north is narrow New hedgerow along the BOAT not proposed No lighting proposals submitted

The landscape plans have been reviewed in light of the requirements of the planning permission and the site constraints as set out above. Comments are as follows:



## **Hedgerows**

- Existing hedgerow H2/H10 should be protected with a buffer of 4m on either side to retain the Sulphur Clover – the footpath embankment should be realigned away from this area
- New hedgerows should be provided on both the north and the southern sides of the relief road (as required by the masterplan SW510000002-505). It is recommended that to the north this is located along the boundary with adjacent fields, to the south the hedge could be provided on the southern side of the access track.
- It is not clear why, given that all hedges are to be double staggered rows, that some are specified to contain 6 plants/metre, and some are to contain 8p/m. The plans and the schedule are not consistent in this matter.
- Neither is it clear why, given that all hedges are to be double staggered rows, they are shown on the plans to be 3m wide, 1.5m wide, 1m wide and less than 1m wide. Suggest that all hedges are double staggered rows (as required in the masterplan) and shown on the plans to be 1m wide.
- The hedgerows do not include enough trees – the masterplan proposed 168 standard oak trees at approximately 20m intervals. It is recommended that standard oaks are included along the hedge line on both sides of the road. Where the hedge is close to where future development will take place other tree species could be used
- For the majority of the northern boundary of the site there are no other landscape features as proposed on the landscape plans
- The proposals for hedges are particularly relevant to yellowhammer mitigation. It's not clear how the field margins are to be provided
- Replacement planting proposed to provide connectivity where existing hedges are dissected by the road should avoid underground drainage structures.

## **Woodland**

- In general, the amount of tree, woodland and shrub planting is not in accordance with the masterplan. Woodland strips are in some places narrower than the hedgerow planting. Once the hedge line is realigned and shown at a more appropriate width to reflect the impact it is likely to have in the years following planting, the woodland/structure planting should be reviewed to ensure it is in accordance with the approved plans.
- The masterplan shows a significant woodland block north of the central roundabout – this is missing from the landscape plans- shown only as a hedge.
- Additional woodland planting is required to the west as compensatory planting for the loss of area G3

### **Ann Sucklings Way CWS**

- The specific requirements for the Ann Suckling's Way (ASW) BOAT in the vicinity of the CWS are clear (see SW51000002-500) and these should be implemented in the landscaping proposals
- The field between the paths is understood to be the dog walking area which forms part of the mitigation that will protect the ASW CWS. Mown paths should be included through the tussocky grass to limit disturbance by focusing any access.

### **SUDs**

- Woodland planting is not appropriate in SUDs pond 4
- Replacement planting proposed to provide connectivity where existing hedges are dissected by the road should avoid underground drainage structures
- The specification for the wet grass mix is not appropriate. It should be changed from 'floral lawn' to a wet meadow mix suitable for areas that can be inundated.
- SUDs waterbodies to be planted with emergent and aquatic species where appropriate.

**Condition A6 Landscape and ecological management plan (LEMP)** requires the a LEMP to be submitted which shall include the following:

- a) Description and evaluation of features to be managed.
  - b) Ecological trends and constraints on site that might influence management.
  - c) Aims and objectives of management.
  - d) Appropriate management options for achieving aims and objectives.
  - e) Prescriptions for management actions.
  - f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).
  - g) Details of the body or organization responsible for implementation of the plan.
  - h) Ongoing monitoring and remedial measures.
- legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery.
  - set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme.

Comments are as follows:

- The area that is covered by the LEMP should be illustrated in a plan at the front of the document to be clear. In addition, it should be clear which areas are to be adopted as highway and which will become POS

- There should be a plan showing the different habitat types to be managed so that the document is clear.
- Section 1.3.5 hasn't been updated to take into consideration the results of the biodiversity surveys completed in 2019
- Aims bullet point 2 needs to be updated to include plants
- In the objectives there is a need to add in a bullet point to protect ASW CWS through the maintenance of alternative facilities.
- Section 3 should be updated to take into account the findings of the ecological surveys in 2019
- Sections 4.1.6 – 4.1.16 could best be shown in a simple table.
- Management of hedges does not reflect the detail in the ecological reports
- Sections 4.5, 4.6, and 4.7 largely repeat each other, can the sections be combined
- The requirement for tussocky grass appears to be for reptile translocation however no reptiles have been found in the most recent surveys. Is this habitat type too extensive given the other requirements of the site.
- It is not acceptable to use close mown grass within the CWS and the re-aligned footpath surface should be as required by *SW51000002-500, Footpaths north of relief road, June 2010*. No works are required within the CWS
- It is not clear where the badger crossing points are to be provided and whether these are included in the highway design
- It is not clear from the report whether bird and bat boxes have already been placed on site. Bird boxes should not be fixed outside the site without the adjacent landowners permission. There are very few existing trees to be retained in the relief road corridor and to it is recommended that bird boxes are pole mounted.
- Location of all bird and bat boxes, hibernacula and any other biodiversity enhancement proposals should be shown on plans in the LEMP.
- It is not clear whether the monitoring measures are likely to be implemented and by whom. The methodology, frequency and reporting of measures should be included.
- Sulphur clover – is there a need to translocate some of these plants and where are they to be translocated to
- Many of the landscape management recommendations from the ecological reports are not implemented through the LEMP – see table above. It is recommended that the LEMP is revised in light of the revised ecological survey and requirements and once the soft landscape plans have been finalised.