



21<sup>st</sup> June 2022

Penny Mills  
West Suffolk Council

By email only

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*Thank you for requesting advice on this application from Place Services' ecology advice services. This provides advice to planning officers to inform West Suffolk Council planning decisions with regard to potential ecology impacts from development. Any additional information, queries or comments on this advice that the applicant or other interested parties may have, must be directed to the Planning Officer who will seek further advice from us where appropriate and necessary.*

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**Application:** DC/20/0614/RM  
**Location:** Land Nw Of Haverhill Anne Sucklings Lane Little Wratting, Suffolk  
**Proposal:** Application for Reserved Matters pursuant to hybrid planning permission SE/09/1283 for Infrastructure comprising of: the internal estate roads, drainage, POS, landscaping, and allotments for Land at North West Haverhill

Dear Penny,

**No objection subject to securing biodiversity mitigation and enhancement measures**

**Ecology**

Thank you for re-consulting Place Services on the above application.

**Summary**

We are satisfied that there is sufficient ecological information available for determination.

We have reviewed the following additional/revised reports relating to the likely impacts of development on protected species and Priority species and habitats, and identification of appropriate mitigation measures:

- Great crested Newt eDNA Survey of Phases 2 -6 (JBA, June 2019);
- Bat Activity Survey Report of Phases 2 - 6 and Relief Road (JBA, October 2019),
- Badger Survey of Phases 2-6 and Relief Road (JBA (2019b).
- Updated Ecological Walkover Survey of Phases 2 to 6 and the Relief Road at Haverhill (James Blake Associates, 25<sup>th</sup> March 22, revised 9th June 2022)
- Haverhill Ecology Mitigation Requirements JBA 18-351\_ECO 23, RevB 21\_06\_22 (James Blake Associates
- Skylark Management Agreement

We are satisfied that there is sufficient ecological information available for determination of this application.



This provides certainty for the LPA of the likely impacts on designated sites, protected and Priority species & habitats and, with appropriate mitigation measures secured, the development can be made acceptable.

No Badger setts were found on site, but the Badger Survey of Phases 2-6 and Relief Road (JBA (2019b)) demonstrates that Badgers are/were utilising the site. Precautionary measures have been proposed.

We welcome the proposed off-site compensation for Skylarks, through a legal agreement with a local landowner.

We recommend that a precautionary approach is taken for Water Voles, Great Crested Newts, Badgers and also Hazel Dormice, given the presence of local records and the suitable habitat for Dormice on site with connectivity to nearby ancient Woodlands. These details should be set out in a Construction Environment Management Plan for biodiversity, through suitably worded condition.

The Ecology Mitigation Requirements document has now been revised (Haverhill Ecology Mitigation Requirements JBA 18-351\_ECO 23, RevB 21\_06\_22 (James Blake Associates)). A plan has now been included showing biodiversity mitigation and enhancement measures across the whole site. This provides a useful overview and we recommend this should be updated with successive phases.

We recommend that the plan should show additional measures, including:

- Bat hop-overs crossing the relief road.
- Functional replacement habitat for the compensation for the loss of the scrub, particularly in relation to Phase 6.
- Provision of Barn Owl boxes (ideally in the area north of the relief Road).

In addition, the Biodiversity Net Gain report should be updated to ensure that it is consistent with the current plans for the site.

Furthermore, the Applicant should provide a clear list to draw together updates and amendments that have recently been discussed.

Subject to the above points, we are broadly content that this provides the information required for this application.

We support the proposed reasonable biodiversity enhancements, which have been recommended to secure measurable net gains for biodiversity, as outlined under Paragraph 174d of the National Planning Policy Framework (2021).

A detailed plan showing the exact location of the retained existing habitats, mitigation measures and reasonable biodiversity enhancement measures, for this specific infrastructure application, should be secured by a condition of any consent, for example through an Ecological Design Strategy. The EDS should be used to inform the Detailed Landscape and Ecology Management Plan and should be submitted before, or at the same time as, the LEMP. This should draw together all the relevant recommendations from all ecological reports submitted. In summary, this may include:



- Retention, where possible, and creation and enhancement of hedgerows and scrub;
- Bat and bird boxes including for Barn Owl, Starlings, Kestrels and House Sparrow (and including some integrated on housing);
- Bat hop overs where hedgerows-and therefore flight lines- have been adversely affected;
- Landscaping to incorporate native wildlife attracting trees, shrubs and wildflower areas;
- Planting of SUDS/ infiltration basins with appropriate species to support birds
- Hedgehog links/gaps in fences;
- Wood piles, reptile hibernacula, compost heaps and log/rock piles within the public open space areas;
- Pond creation;
- Rough grassland and wildflower meadow creation, wildflower habitat corridors.

This will enable LPA to demonstrate its compliance with its statutory duties including its biodiversity duty under s40 NERC Act 2006.

Impacts will be minimised such that the proposal is acceptable, subject to the conditions below based on BS42020:2013.

We recommend that submission for approval and implementation of the details below should be a condition of any planning consent.

#### **1. ACTION REQUIRED IN ACCORDANCE WITH ECOLOGICAL APPRAISAL RECOMMENDATIONS**

*“All mitigation and enhancement measures and/or works shall be carried out in accordance with the details contained in the following reports as already submitted with the planning application and agreed in principle with the local planning authority prior to determination.*

- *Updated Ecological Walkover Survey of Phases 2 to 6 and the Relief Road at Haverhill (James Blake Associates, 25th March 22, revised 9th June 2022)*
- *Preliminary Ecological Appraisal of Phases 2-6 (JBA, January 2019)*
- *Phase 1 Habitat Survey Of Relief Road (JBA, February 2018)*
- *Botanical Survey (Including Sulphur Clover Survey) of Phases 2 – 6 and Relief Road (August 2019)*
- *Sulphur Clover Translocation and Working Method Statement for Phases 2 – 6 (James Blake Associates, February 2022)*
- *Water Vole (Arvicola amphibius) Habitat Assessment – Haverhill Relief Road (30th October 2020)*
- *Hazel Dormouse Survey Report of Phases 2- 6 (JBA, December 2019)*
- *Reptile Survey of Phases 2 – 6 and relief Road (JBA, June 2019)*
- *Breeding Bird Survey of Phases 2 – 6 and Relief Road (JBA, October 2019)*
- *Hedgerow Survey of Phases 2 – 6 and Relief Road (JBA, August 2019)*
- *Wintering Bird Survey of Phases 2- 6 and relief Road (JBA, February 2020)*
- *Great crested Newt eDNA Survey of Phases 2 -6 (JBA, June 2019)*
- *Bat Activity Survey Report of Phases 2 - 6 and Relief Road (JBA, October 2019)*
- *Badger Survey of Phases 2-6 and Relief Road (JBA (2019b)*



- *Haverhill Ecology Mitigation Requirements JBA 18-351\_ECO 23, RevB 21\_06\_22 (James Blake Associates*

*This may include the appointment of an appropriately competent person e.g. an ecological clerk of works (ECoW) to provide on-site ecological expertise during construction. The appointed person shall undertake all activities, and works shall be carried out, in accordance with the approved details.”*

**Reason:** To conserve and enhance protected and Priority species and allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 as amended and s40 of the NERC Act 2006 (Priority habitats & species).

## **2. PRIOR TO COMMENCEMENT: CONSTRUCTION ENVIRONMENTAL MANAGEMENT PLAN FOR BIODIVERSITY**

*“A construction environmental management plan (CEMP: Biodiversity) shall be submitted to and approved in writing by the local planning authority.*

*The CEMP (Biodiversity) shall include the following.*

- a) Risk assessment of potentially damaging construction activities.*
- b) Identification of “biodiversity protection zones”.*
- c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).*
- d) The location and timing of sensitive works to avoid harm to biodiversity features.*
- e) The times during construction when specialist ecologists need to be present on site to oversee works.*
- f) Responsible persons and lines of communication.*
- g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.*
- h) Use of protective fences, exclusion barriers and warning signs.*
- i) Containment, control and removal of any Invasive non-native species present on site*

*The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority”*

**Reason:** To conserve protected and Priority species and allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 (as amended) and s40 of the NERC Act 2006 (Priority habitats & species).



### **3. PRIOR TO COMMENCEMENT: HAZEL DORMOUSE, WATER VOLE, BADGER AND GREAT CRESTED NEWT METHOD STATEMENT**

*“A Hazel Dormouse, Water Vole, Badger and Great Crested Newt Method Statement shall be submitted to and approved in writing by the local planning authority. This will contain precautionary mitigation measures and/or works to reduce potential impacts to these protected species during the construction phase.*

*The measures and/works shall be carried out strictly in accordance with the approved details and shall be retained in that manner thereafter.”*

**Reason:** To conserve protected and Priority species and allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 (as amended) and s40 of the NERC Act 2006 (Priority habitats & species).

### **4. TIME LIMIT ON DEVELOPMENT BEFORE FURTHER SURVEYS ARE REQUIRED**

*“If the infrastructure development hereby approved does not commence within two years from the date of the planning consent, the approved ecological mitigation measures secured through condition shall be reviewed and, where necessary, amended and updated.*

*The review shall be informed by further ecological surveys commissioned to:*

- i. establish if there have been any changes in the presence and/or abundance of the existing habitats and protected and priority species and*
- ii. identify any likely new ecological impacts that might arise from any changes.*

*Where the survey results indicate that changes have occurred that will result in ecological impacts not previously addressed in the approved scheme, the original approved ecological measures will be revised and new or amended measures, and a timetable for their implementation, will be submitted to and approved in writing by the local planning authority prior to the commencement of the site infrastructure phase.*

*Works will then be carried out in accordance with the proposed new approved ecological measures and timetable.”*

**Reason:** To allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 (as amended) and s40 of the NERC Act 2006 (Priority habitats & species).

### **5. PRIOR TO COMMENCEMENT: SKYLARK MITIGATION STRATEGY**

*“A Skylark Mitigation Strategy shall be submitted to and approved by the local planning authority to compensate the loss of any Skylark territories. This shall include provision of the evidenced number of Skylark nest plots, to be secured by legal agreement or a condition of any consent, in nearby agricultural land, prior to commencement.*



*The content of the Skylark Mitigation Strategy shall include the following:*

- a) Purpose and conservation objectives for the proposed Skylark plots;*
- b) detailed methodology for the Skylark plots following Agri-Environment Scheme option: 'AB4 Skylark Plots';*
- c) locations of the Skylark plots by appropriate maps and/or plans;*
- d) persons responsible for implementing the compensation measure.*

*The Skylark Mitigation Strategy shall be implemented in accordance with the approved details and all features shall be retained for a minimum period of 10 years."*

**Reason:** To allow the LPA to discharge its duties under the NERC Act 2006 (Priority habitats & species).

## **6. PRIOR TO COMMENCEMENT: ECOLOGICAL DESIGN STRATEGY**

*"No development shall take place until an ecological design strategy (EDS) addressing the specific ecological mitigation, compensation and enhancements for the site infrastructure application (DC/20/0614/RM) has been submitted to and approved in writing by the local planning authority, before or concurrent with the Landscape Ecology and Management Plan. This should include bats, birds, Hazel Dormouse, Reptiles, Sulphur Clover, Hedgehogs, retained habitats (trees, scrub, hedgerows and associated ground flora) and habitat creation (woodland, wildflower meadows, scrub, SuDS and associated/adjacent habitats.*

The EDS shall include the following.

- a) Purpose and conservation objectives for the proposed works.*
- b) Review of site potential and constraints.*
- c) Detailed design(s) and/or working method(s) to achieve stated objectives.*
- d) Extent and location/area of proposed works on appropriate scale maps and plans.*

*The EDS shall be implemented in accordance with the approved details and all features shall be retained in that manner thereafter."*

**Reason:** To allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 (as amended) and s40 of the NERC Act 2006 (Priority habitats & species).

## **7. PRIOR TO OCCUPATION AND CONCURRENT WITH A BAT HOP-OVER DETAILS: WILDLIFE SENSITIVE LIGHTING DESIGN SCHEME**

*"A lighting design scheme for biodiversity shall be submitted to and approved in writing by the local planning authority. The scheme shall identify those features on site that are particularly sensitive for bats and that are likely to cause disturbance along important routes used for foraging; and show how and where external lighting will be installed (through the provision of appropriate lighting contour plans, Isolux drawings and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent bats using their territory.*



*All external lighting shall be installed in accordance with the specifications and locations set out in the scheme and maintained thereafter in accordance with the scheme. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority."*

**Reason:** To allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 as amended and s40 of the NERC Act 2006 (Priority habitats & species).

Please contact us with any queries.

Yours sincerely

**Emma Simmonds BSc (Hons) MCIEEM**  
Ecological Consultant  
Place Services at Essex County Council

**Place Services provide ecology advice on behalf of West Suffolk Council**

Please note: This letter is advisory and should only be considered as the opinion formed by specialist staff in relation to this particular matter.