



Suffolk Wildlife Trust

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Penny Mills
Planning Department
West Suffolk Council
West Suffolk House
Western Way
Bury St. Edmunds, IP33 3YU

22nd May 2020

Dear Penny,

RE: DC/20/0615/RM - Submission of details under SE/09/1283 - the means of access, appearance, landscaping, layout and scale for the construction of 168no. dwellings with associated private amenity space, means of enclosure, car parking, vehicle and access arrangements together with proposed areas of landscaping and areas of open space for a phase of residential development known as Phase 2. Land North Of Anne Sucklings Lane, Little Wratting

Thank you for sending us details of this application, we wish to make a **holding objection** for the following reasons:

We have read the Preliminary Ecological Appraisal (James Blake Associates, January 2019), Ecological Constraints Plan (James Blake Associates, November 2019), Breeding Bird Survey (James Blake Associates, November 2019) and Wintering Bird Survey (James Blake Associates, January 2020) accompanying this application.

We note that the Ecological Constraints Plan states that dormouse and bat activity surveys are ongoing. Dormice are fully protected by legislation Conservation of Habitats and Species Regulations 2017 (as amended) and Wildlife and Countryside Act (1981) (as amended). They are also listed as a UK Priority species on Schedule 41 of the NERC Act 2016. All UK bats are fully protected by legislation Conservation of Habitats and Species Regulations 2017 (as amended) and Wildlife and Countryside Act (1981) (as amended). Some species of bats are also listed as UK Priority species, but in Suffolk there is a Local Biodiversity Action Plan covering all species in a single 'grouped plan'.

Under the legislation protecting both hazel dormice and bats, the Local Planning Authority, as a competent authority, must consider if the proposal would result in a breach of these regulations. If a Natural England licence is required prior to commencement of works, then the LPA needs to consider the likelihood of a NE licence being granted. In determining the application the LPA should consider the three licensing tests under the Habitats Regulations.

Whilst the LPA doesn't need to be certain of NE granting a licence, if they have reason to believe that these criteria are not met and so a licence would not be granted, then the application should not be approved. In addition, Section 17 of the Crime and Disorder Act 1998 states that all relevant authorities – which includes town and parish councils – have a duty to consider the impact of all their functions and decisions on crime and disorder in their local area. In a planning context it is incumbent upon the LPA that they must do everything in their power to avoid crime being committed and this

also applies to wildlife crime and their decision-making through the planning process. It is therefore relevant in the context that a LPA needs to ensure that they have all the relevant information to consider the 'three tests'.

We also note that the Landscape and Ecological Management and Maintenance Plan (James Blake Associates, March 2018) accompanying application DCON(F)/09/1283 notes a record of a single slow worm during survey work conducted in 2009. Whilst this record is dated, we believe that it should not be fully discounted as it indicates the possibility that reptiles may use the surrounding area to some degree. It is also noted that no reptiles were discovered within the Reptile Survey conducted in June 2019. Therefore, we believe there should be a mitigation strategy in place to avoid killing and injury of any reptiles during construction.

The Ecological Constraints Plan states that a Landscape and Ecological Management Plan should be produced. We recommend this is based on completion of the outstanding ecological surveys so it is based upon all the available information.

In conclusion, we feel there is insufficient ecological information to inform this application and so until the relevant dormice and bat activity surveys are completed we submit a **holding objection**.

Please do not hesitate to contact us should you require anything further.

Yours sincerely

Jacob Devenney
Planning and Biodiversity Adviser