

South Gloucestershire Council

Department for Environment and Community Services
Strategic Planning Policy and Specialist Advice
PO Box 1954
Bristol
BS37 0DD

Memorandum to: Charmian Eyre-Walker

From: Marie Fleming

cc:

Date: 08/02/2023

Your Reference: P22/01300/O

Telephone: 0121 213 3964

Email: marie-d.fleming@arup.com

RE: Land At Sodbury Road Wickwar South Gloucestershire GL12 8PG

Description of Proposal

Erection of up to 180 dwellings, a local shop and associated infrastructure (Outline) with access to be determined; all other matters reserved.

Description of Site

The Application Site comprises agricultural fields including arable crops, improved/poor semi-improved grassland and hedgerows.



Planning layout, Aerial imagery, Planning layout

Initial Ecology Comments

Designated sites for Nature Conservation (European Sites, SSSI's and local sites (Sites of Nature Conservation Interest or Regionally Important Geological Sites):

Bishop's Hill Woods SSSI (670m east from the Application Site) and Lower Woods SSSI (1.2km east of the Application Site) identified within the potential zone of influence of the Application Site. The appraisal considers no direct impacts to the designated sites or qualifying features. Indirect effects identified include recreation pressure and habitat degradation. Open green spaces included as part of development proposals to include semi-natural habitats such as allotments and play areas. I recommend that the design and management proposals are outlined within a Landscape and Ecology Management Plan.

I agree with the Landscape Architect's recommendations dated 21 June 2022 for the requirement of a Landscape and Ecology Management Plan covering the enabling works operations/period and a subsequent 20 Year management period, identifying existing and proposed landscape and ecology related site assets, associated management objectives, schedules of annual maintenance work together with longer term management operations.

I agree with the concerns of Natural England in their Correspondence dated 03 August 2022 for Lower Woods SSSI & Bishop's Hill Wood SSSI with regards to recreational pressure on these sites and the potential for settlement growth in close proximity to Lower Woods SSSI and Bishop's Hill Wood SSSI to result in an adverse effect on the reasons for designation for these sites.

I agree with the concerns of the Gloucestershire Wildlife Trust's Public Comment dated 12 August 2022 regarding recreational pressure on the two sites. The Trust disagrees that the inclusion of limited green space along the western boundary of the Application Site will serve to reduce footfall at nearby designated sites is sufficient. The Trust's view is that *'the proposals have not taken sufficient steps to avoid and mitigate the adverse impacts of substantial additional recreation pressure it is highly likely to impose on Lower Woods SSSI and nature reserve. As a result, it will be detrimental to a nationally designated biodiversity site and cause undue financial burden to a local charity'*.

Ladden Brook SNCI is within the potential zone of influence of the application site and no direct impacts anticipated. Indirect impacts may arise during construction and operation e.g. contamination run off, pollution incidents leading to deterioration of water quality and increase in suspended solids. I would expect pollution prevention measures to be outlined within a Construction Environmental Management Plan.

Habitats (including habitats of principal importance (Priority Habitats) Section 41 Natural Environment and Rural Communities (NERC) Act 2006:

- **Hedgerows**

Hedgerow H6 was considered to qualify as an Important hedgerow. Native hedgerows are considered at local value and loss of circa 28m with associated culverting of ditches and to incorporate access roads and footpath links. Creation of 670m new species-rich hedgerows, tree and shrub planting to enhance retained hedgerows along the Application Site boundaries. Root protection buffers included within the design and protective fencing to be erected as recommended within BS5837:2012 to protect retained habitats on site. I would expect the provision for hedgerow creation and management to be outlined within a Landscape and Ecology Management Plan.

- **Arable field margins**

Arable field margins are Section 41 habitats of principal importance. The Ecological Appraisal does not acknowledge that field margins are Section 41 habitats and locations are not mapped/target noted as part of the Phase 1 survey.

Invasive species (INNS)

INNS is not acknowledged/included within the report therefore recommend a pre-construction walkover survey of the Application Site, and if required, an INNS management plan to be prepared by a suitably qualified/specialist INNS consultant.

Species protected under the Conservation Regulations 2017 ('European Protected Species') as well as the Wildlife & Countryside Act 1981 (as amended):

- **Bats**

Roosting - A suite of surveys was undertaken, and the Ecological Appraisal considered bats to be of local importance. Three trees identified as moderate potential and two as low potential. T3 (moderate) and T1 (low) are potentially lost. The aerial inspection did not identify evidence of bats and concluded that no impacts to tree roosting bats anticipated, however the Ecological Appraisal does not recommend emergence / re-entry surveys for the moderate tree (T3) potentially lost to facilitate construction. Further clarification is required for the absence of emergence/re-entry surveys.

Foraging and commuting bats - The Ecological Appraisal states that '*Anabat SD2 (hereafter referred to as 'Anabats')* were deployed in two locations throughout the Application Site'. The bat report plan (refer to drawing title '*Plan EDP 4a: Automated Bat Detector Locations and Transect Route*') shows the location of two bat detectors outside of the red line boundary. There no automated bat detectors deployed within the Application Site boundary to further consider/understand bats how bats utilise the Application Site. Reference to the Bat Conservation Trust's Bat Surveys: for Professional Ecologists: Good Practice Guidelines was made in the report, however I wish to seek further clarification on why both detectors were deployed outside of the Application Site without any within the Application Site.

I agree with the recommendations outlined in the Ecological Appraisal for the installation of Schwegler bat boxes on retained suitable semi-mature trees for biodiversity enhancements.

As highlighted by the Lightning Engineer on 12 April 2022, no lighting designs have been submitted on the planning portal. Any lighting designs should adhere to the Bat Conservation Trust and the Institution of Lighting Professional Guidance Note.

The Ecology Appraisal acknowledges the requirement of a lighting strategy sensitive to bats, which should be secured through condition.

- **Great crested newt (GCN)**

The Ecology Appraisal notes 'a pond circa. 10m' is present north of the application site. The pond P1 within the drawing '*Plan EDP 8: Great Crested Newt Survey Results*' show this pond to be >10m. Clarification is required to confirm where this 'pond circa. 10m' is located. A low population is concluded therefore I would expect avoidance and mitigation measures for GCN outlined within an amphibian mitigation strategy and appropriate Natural England licence application.

- **Dormouse**

The surveys were undertaken within guidelines, however nest tubes are known to under detect in low density areas. It is disappointing that footprint tunnels were not used as supplementary

technique. Guidance for these methods have been made available by People's Trust for Endangered Species (PTES) and the Chartered Institute of Ecology and Environmental Management (CIEEM) since 2018. Clarification is needed to confirm that the 23.11.21 survey date is 23.11.20 in Table EDO A7.1 of the Ecological Appraisal. Hedgerow creation proposed will provide foraging and dispersal habitats for dormice.

The surveys did not identify any evidence of dormice and are not considered further.

- **Otter**

A single otter spraint was found along Ladden Brook SNCI. The Ecological Appraisal concluded the wet ditch network may facilitate the dispersal of otter across the wider landscape whilst associated hedgerows provide some cover to this species. Avoidance and mitigation measures for otter to be included within a Precautionary Working Method Plan/Construction Environmental Management Plan.

Species protected under the Wildlife and Countryside Act 1981 (as amended):

- **Nesting birds**

The Ecological Appraisal considered breeding birds to be of local importance. I would expect timing of vegetation clearance works to be undertaken outside of nesting bird season. If this is not possible, nesting bird checks and vegetation clearance to be undertaken by and under supervision of a suitably qualified ecologist.

- **Reptiles**

The Ecological Appraisal scoped out reptile surveys due to limited extent of suitable habitat for common reptiles. The Ecological Appraisal acknowledges that it is unlikely that the Application Site supports a significant reptile population, and low numbers could be present in field margins. Avoidance and mitigation measures for reptiles to be included within a Precautionary Working Method Plan/Construction Environmental Management Plan.

- **Water vole**

The surveys did not identify any evidence of water vole and are not considered further in this report.

- **Fish**

There is a ditch network present within the Application Site. The Ecological Appraisal noted poor water quality and absence of a notable fish population of value. Fish are not considered further in this report. I would expect pollution prevention measures to the ditch network to be outlined within a Construction Environmental Management Plan.

Badger Act 1992

There is no evidence of setts within Application Site. Three subsidiary and a single outlier sett were recorded outside the Application Site within wider survey area. Due to the presence of suitable habitats for badgers within the Application Site, avoidance and mitigation measures for badger to be included within a Precautionary Working Method Plan/Construction Environmental Management Plan. A pre-construction survey should form a planning condition.

Species of principal importance (Priority Species) Section 41 Natural Environment and Rural Communities (NERC) Act and Local Biodiversity Action Plan Species:

- **Hedgehog**

It is disappointing that hedgehogs are not acknowledged as a Local BAP or Section 41 species or discussed results from desk study records searches and there is suitable habitat within the Application Site for hedgehogs. In addition, hedgehogs are listed as Vulnerable on the Red List for England's Mammals. Avoidance and mitigation measures for hedgehogs to be included within a Precautionary Working Method Plan/Construction Environmental Management Plan.

- **Invertebrates**

Invertebrate surveys were scoped out as the Application Site is dominated by agricultural land likely to support a limited assemblage of common and widespread species. Invertebrates are not considered further in this report.

- **Amphibians**

General measures for the welfare of common amphibians to be included within a Precautionary Working Method Plan/Construction Environmental Management Plan.

Birds listed on the Red, Amber or Green Lists of Species of Conservation Concern (PSP19)

Six red list species and seven amber list species were noted in the Ecology Appraisal, of which five are priority species. BoCC5 was published on 01 December 2021. I recommend that this list is revised to check if bird status have changed since BoCC4.

The breeding bird assemblage within the Application Site has been assessed as local importance. Avoidance and mitigation measures for breeding birds to be included within a Precautionary Working Method Plan/Construction Environmental Management Plan.

Wildlife corridors or new green infrastructure, which enable the dispersal and favourable status of flora and fauna species (PSP19) and the protection and enhancement of biodiversity through safeguarding ecological networks (NPPF para 174)

Considerations for minimising loss of hedgerows and compensation for unavoidable losses to be outlined within a Landscape and Ecology Management Plan.

Brownfield sites supporting notable assemblages of invertebrates (PSP19)

Not applicable as brownfield sites are not present on site.

Biodiversity enhancements and biodiversity gain (NPPF para 174 (b) and 175 (d) and PSP19)

It is positive that calculations indicate that the development proposes to deliver >20% habitat units and >34% hedgerow units through creation and enhancement on-site with Trading Rules satisfied.

- The wet and dry ditch habitat (D1, D2, D3, D7 and D8) not accounted for in the metric. Whilst this is included in association as a hedgerow feature, the ditch habitat should be included within the River calculation tab and any section that will be a culvert.

A-1 Site Habitat Baseline:

- Incomplete cells 'Area Retained', 'Area enhanced' and 'Bespoke compensation agreed for unacceptable losses'. The 'Assessor comments' column is not readable and the 'Reviewer comments' column is not complete;

- It is not clear how the condition score was generated for modified grassland for baseline. Assessor comments should include this justification;
- Strategic significance for crops '*Area/compensation not in local strategy/no local strategy*'. Arable is a habitat included in the Local BAP. Consider Strategic Significance '*Within area formally identified in local strategy*';

A-2 Site Habitat Creation:

- Incomplete cells '*Habitat created in advance/years*' and '*Delay in starting habitat creation/years*'. The '*Assessor comments*' column is not readable and the '*Reviewer comments*' column is not complete;
- It is not clear how the condition score was generated for each of the habitats (where applicable);
- It is not clear how the local area for play and local equipped area for play and open space are accounted for;
- Habitat types such as mixed scrub and other neutral grassland are ecologically valuable. Consider Strategic Significance '*Location ecologically desirable but not in local strategy*'.

A-3 Site Habitat Enhancement:

- It is not clear how the condition score '*Moderate*' was generated for other neutral grassland;
- Neutral grassland is ecologically valuable. Consider Strategic Significance '*Location ecologically desirable but not in local strategy*'.
- Incomplete cells '*Habitat created in advance/years*' and '*Delay in starting habitat creation/years*'. The '*Assessor comments*' column is not readable and the '*Reviewer comments*' column is not complete;

B-1 Site Hedge Baseline

- Incomplete cells for '*Length retained*' and '*Length enhanced*'. The '*Assessor comments*' column is not readable and the '*Reviewer comments*' column is not complete;
- Hedgerows were assessed as '*Area/compensation not in local strategy/no local strategy*' however are included within the Local BAP. Recommend that these are amended to '*Within area formally identified in local strategy*';

B-2 Site Hedge Creation

- 'New hedge number' not complete;
- It is not clear how the condition score '*Good*' was generated
- Hedgerows were assessed as '*Area/compensation not in local strategy/no local strategy*' however are included within the Local BAP. Recommend that these are amended to '*Within area formally identified in local strategy*';
- Incomplete cells '*Habitat created in advance/years*' and '*Delay in starting habitat creation/years*'. The '*Assessor comments*' column and the '*Reviewer comments*' column are not complete;

B-2 Site Hedge Creation

- It is not clear how the condition score '*Good*' was generated

- Hedgerows were assessed as '*Area/compensation not in local strategy/no local strategy*' however are included within the Local BAP. Recommend that these are amended to '*Within area formally identified in local strategy*';
- Incomplete cells '*Habitat created in advance/years*' and '*Delay in starting habitat creation/years*'. The '*Assessor comments*' column and the '*Reviewer comments*' column are not complete;

Paragraph on page 3 incomplete: '*The remainder of green space planting has been split between wildflower grassland and. The target condition for wildflower grasses and scrub is appropriately higher as future management plans will seek to maintain these for their benefit to wildlife;*'

'BIA' is included in 3.4 of the Biodiversity Net Gain Calculations report. The definition of BIA is required.

National Planning Policy Framework (NPPF) and Local Plan Policy (South Gloucestershire Local Plan: Policies, Sites and Places Plan (PSP) (adopted November 2017)) Context

NPPF Para 170 – 177 (Conserving and Enhancing the Natural Environment), National Planning Policy Framework

PSP18 – (Statutory Wildlife Sites: European Sites and Sites of Special Scientific Interest (SSSIs)) - South Gloucestershire Local Plan (PSP Plan)

PSP19 (Wider Biodiversity) - South Gloucestershire Local Plan (PSP Plan)

CS9 (Managing the Environment and Heritage) - Core Strategy

CS2 (Green Infrastructure) - Core Strategy

PSP3 (Trees and Woodland) - South Gloucestershire Local Plan (PSP Plan)

Conclusion and Recommendations

I would recommend that the stakeholder concerns are addressed especially Natural England and Gloucestershire Wildlife Trust comments regarding recreational pressure on Bishop's Hill Woods SSSI and Lower Woods SSSI prior to planning determination.

A lighting design to be submitted to support the planning application and implementation of a sensitive lighting strategy for bats to be part of a planning condition.

A low population of GCN is concluded therefore I would expect avoidance and mitigation measures for GCN outlined within an amphibian mitigation strategy and secured through condition with appropriate Natural England licence application.

I recommend that a detailed Landscape Masterplan and a Landscape and Ecological Management Plan is secured through a condition to demonstrate the delivery of biodiversity net gain for the habitats proposed with the proposed target conditions. In addition, the Landscape and Ecological Management Plan to demonstrate how maintenance and management for a 30-year period can be achieved. I recommend that the biodiversity net gain is recalculated, and the metric completed following detailed Landscape Masterplan, to include UK Habitat Classification and provide detailed condition scoring justification. The delivery of the proposed >20% biodiversity net gain to be a condition of planning.

It is recommended that all proposed construction stage avoidance and ecological mitigation is set out within a Precautionary Working Method Plan/Construction Environmental Management Plan and secured through a condition.

All concerns within my comments to be addressed prior to determination.

Marie Fleming

Senior Ecologist, Arup

On behalf of South Gloucestershire Council