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Dr Daniel Weaver
Senior Ecology Consultancy Officer
Greater Cambridge Shared Planning

26/10/2020

Reference: 20/02929/OUT) Outline planning application for the development of land for a retirement care village in Use Class C2 comprising housing with care, communal health, wellbeing and leisure facilities, public open space, landscaping, car parking, access and associated development and public access countryside park

Dear Daniel,

Further to our phone conversation we would like to provide a formal response to your queries regarding great crested newts (GCNs) (*Triturus cristatus*), wintering birds, bat transect surveys of hedgerows and potential impacts on designated sites from increased visitors.

GCNs

Our desk study identified 2 ponds (Figure 1), P1 (shown on Ordnance Survey maps) to the south of the application site by the sports ground and a second pond P2 to the north (visible on aerial photos but not on OS maps indicating it may be a relatively new feature). Access from the landowner was secured in 2019 to visit the pond P1 but it was found to be dry, and it was again dry in 2020, indicating it is of below average suitability for GCNs. Ownership of pond P2 was confirmed in June this year, but a request for landowner permission to take an eDNA sample was refused. We have therefore not been able to undertake eDNA surveys, whilst doing traditional survey techniques such as torching and bottle trapping was not possible early in the season due to working restrictions resulting from the Covid-19 pandemic.

District Level Licensing (DLL): As the DLL is now operational in South Cambridgeshire the application site could potentially be covered by securing a DLL agreement. Having read through the DLL website for developers[1], the first phase of the process involves submitting an enquiry form which requires GIS shapefiles to be submitted showing ponds within 250m of the application site (see Figure 1). Figure 1 shows pond P1 is over 250m from the defined maximum extent of the retirement care village which itself is proposed for an area of arable farmland that is considered suboptimal for GCNs and amphibians in general. The boundary hedgerows do offer potential refuge and dispersal habitat, however as the pond P1 is over 250m from the site, based on the website referenced above (and the guidance provided by NE/CIEEM during their webinar briefings) then it would not need to be covered by the DLL. With regards to pond P2 it is over 400m from the proposed retirement care village and for this element of the application the DLL would also not apply. The only element of the scheme which is within 250m of the pond P2 is the proposed countryside park which once established would deliver significant benefits for GCNs and other wildlife (ponds could be incorporated into the countryside park as an enhancement). In order to establish a chalk grassland community as part of habitat creation within the countryside park, soil nutrient levels will need to be reduced. Continued cropping (without nutrients), ongoing phosphorous leaching of the free draining soils, and laying fallow (to allow leaching of nitrogen) can all be used to reduce nutrients ahead of semi-natural habitat establishment, though weed control would be required for a few years using a combination of selective herbicide use and/or topping of vegetation using natural establishment techniques. Guidance for the creation of chalk downland on arable farmland suggests soil inversion can be used to reduce the nutrient levels, and if this were the preferred approach this could potentially impact GCNs. However, I would suggest that if such works are undertaken in the winter when newts are unlikely to be active in the habitat present, such impacts can be avoided.

I appreciate we do not have any recent survey data to confirm GCN presence – absence but based on the above facts and in particular the physical distance of the sub-optimal P1 in consideration of the DLL, I consider likely significant effects could be screened out for P1. The need for a NE licence for Pond P2 could also be screened out on the basis that works activities and landscaping of the country park could be designed to avoid impacts (and therefore licensable activities), most significantly through timing of works, but also avoiding the construction of large excavations with steep sides which animals cannot safely exit from, retaining any habitat features of higher risk (e.g. small woodland copse) for incorporation into the detailed landscaping design, and providing ecological supervision as required (e.g. for hedgerow removal, to confirm good working practices such as coverings

[1] https://www.gov.uk/government/publications/great-crested-newts-district-level-licensing-schemes/developers-how-to-join-the-district-level-licensing-scheme-for-gcns,

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and ramps are in place etc). I would argue that the creation of the countryside park would be a similar activity to that of the existing farming operations, and the mitigation measures proposed can be used as the to avoid impacts/licensable activities occurring. Such measures could be secured by a non-licensed Method Statement (NLMS) secured through a standard planning condition[2].

Given the relatively recent introduction of DLL in this area, an enquiry form could be completed and relevant information submitted to Natural England to confirm whether the site as a whole or in part could be covered.

Site specific GCN licensing - Rapid Risk Assessment (RRA): As per our telephone conversation, and based on the precautionary principle (traditional assessment over DLL), I have initially run the GCN RRA assuming all the area of the retirement care village (c. 5ha) is to be disturbed and then selected each of the options for impacts on GCNs.

a) No impacts on GCNs

Component	**Likely effect** (select one for each component; select the most harmful option if more than one is likely; lists are in order of harm, top to bottom)	Notional offence probability score
Great crested newt breeding pond(s)	No effect	0
Land within 100m of any breeding pond(s)	No effect	0
Land 100-250m from any breeding pond(s)	No effect	0
Land >250m from any breeding pond(s)	1 - 5 ha lost or damaged	0.04
Individual great crested newts	No effect	0
	Maximum:	0.04
Rapid risk assessment result:	GREEN: OFFENCE HIGHLY UNLIKELY	

For just the Residential Care Village area alone the RRA result = “Green: Offence Highly Unlikely”. If the countryside park area (19 ha) is included, then the RRA result changes to “Amber: Offence Likely”.

b) Minor disturbance of newts

Component	**Likely effect** (select one for each component; select the most harmful option if more than one is likely; lists are in order of harm, top to bottom)	Notional offence probability score
Great crested newt breeding pond(s)	No effect	0
Land within 100m of any breeding pond(s)	No effect	0
Land 100-250m from any breeding pond(s)	No effect	0
Land >250m from any breeding pond(s)	1 - 5 ha lost or damaged	0.04
Individual great crested newts	Minor disturbance of newts	0.5
	Maximum:	0.5
Rapid risk assessment result:	AMBER: OFFENCE LIKELY	

The MS states: "Amber: offence likely" indicates that the development activities are of such a type, scale and location that an offence is likely. In this case, the best option is to redesign the development (location, layout, methods, duration or timing; see Non-licensed avoidance measures tool) so that the effects are minimised. You can do this and then re-run the risk assessment to test whether the result changes, or preferably run your own detailed site-specific assessment. Even with the 19 ha countryside park also included there is no change to the RRA result.

[2] BSI Standards publication BS 42020:2013 Biodiversity – Code of practice for planning and development

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c) Significant disturbance of newts

Selecting any of the other options would result in a “Red: Offence Highly Likely”. The MS states: "Red: offence highly likely" indicates that the development activities are of such a type, scale, and location that an offence is highly likely. In this case, you should attempt to re-design the development location, layout, timing, methods, or duration in order to avoid impacts (see Non-licensed avoidance measures tool) and re-run the risk assessment.

Only suitable habitats impacted by the proposed development

If the RRA is re-run using only areas of suitable habitat to be impacted, e.g. 244m of roadside hedgerow with road verge and field edge along Haverhill Road, assuming an average width of 5m (1220m^2), for habitat loss alone with no effects on GCNs the RRA result = “Green: Offence Highly Unlikely”. Where GCNs are affected the RRA result for minor disturbance the RRA result = "Amber: offence likely", whilst all other impacts would become "Red: offence highly likely".

Likely impacts

Any impacts on newts would relate to initial vegetation clearance, e.g. hedgerow removal, and the subsequent construction activities with the greatest risks relating to the creation of excavations for footings, services runs including water supply, sewerage, and surface water drainage. Higher risk activities could be timed for when newts are not active, as per the DLL information above (e.g. excavations in the winter; prior removal of cover to displace animals, remove above ground hedgerow growth and spray off ground flora to create bare ground for an extended period prior to removal of root balls). These measures, assuming individual GCNs would then be unaffected, would return the assessment to scenario a), i.e. offence highly unlikely. Again, a NLMS, if employed in full, with appropriate site supervision, would ensure impacts/licensable activities are avoided during the construction phase of the scheme, with only positive impacts upon local populations once the scheme is operational and habitats established.

Bat transect surveys

Our report assessed the existing hedgerows as being of low (western site boundary) to moderate (hedgerow along Haverhill Road) suitability for commuting and foraging bats with the latter likely to be impacted by the existing significant road traffic causing regular illumination of the roadside of the hedgerow. Species such as pipistrelles (*Pipistrellus* spp) are less impacted by light compared to species such as Myotis and long-eared (*Plecotus* spp) bats and we would have expected pipistrelles to forage along the hedgerows with large bats such as noctule (*Nyctalus noctula*) likely to forage/commute high over the arable fields. As the western hedgerows is very gappy and species-poor with a high proportion of elm (*Ulmus* sp) it was considered less likely to be used by long-eared bats. Severance of hedgerows can significantly impact species such horseshoe bats but common species such as pipistrelle are less impacted and will readily fly across open farmland when foraging (C. Whiting *pers. obs*.), as like species such as noctule.

We did not consider there a need for further surveys on the basis that the majority of the hedgerows were to be retained and a lighting contour plan and strategy can be (and have routinely been) conditioned along with landscaping to not only protect but enhance bat foraging and commuting routes, especially once the countryside park has been established. However, having regard to your formal comments as referenced above, we conducted a precautionary bat transect survey of the hedgerows adjacent to the proposed retirement care village with a main focus on the roadside section which will require removal.

As a summary (Appendix A1) we recorded a maximum of 2 common pipistrelle (*P. pipistrellus*) and 1 soprano pipistrelle (*P. pygmaeus*) foraging along the arable field side of the roadside hedgerow, with observations of serotine flying across the site in a south-easterly direction with foraging observed in the gardens of the dwellings at Gog Magog Way. Noctule were observed/heard commuting/foraging across the site and over the adjacent arable fields to the east and west. Towards the end of the survey a couple of Leisler’s registrations were also recorded. The western site boundary recorded only a couple of common pipistrelle registrations of commuting bats with noctule also recorded passing overhead. Therefore, the bat activity recorded was generally low with no significant commuting routes identified and the conclusions of the EcIA are considered appropriate.

Wintering birds

We did not consider there a need for undertaking wintering bird surveys. As an ecological consultant I have only ever undertaken them where a potential development site or most commonly proposed flood defence works are close to estuaries, such that the arable farmland can provide an important high tide refuge, and human disturbance (from construction works) during extended periods of cold weather could significant affect the ability of waders and waterfowl to survive.

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For arable farmland away from the estuaries they provide important food resources over winter for a range of bird species such as small passerines where stubble has been left, or wintering bird cover as part of a Stewardship agri-environmental scheme. For species such as lapwing (*Vanellus vanellus*) and golden plover (*Pluvialis apricaria*) when fields are ploughed, they may provide an important food source for a few days to eat the exposed earthworms and other invertebrates, whilst birds can also forage until the crop grows rapidly in the spring. The proposed retirement care village will result in the permanent loss of some arable farmland, with the countryside park resulting in the further loss of arable farmland but with the creation of permanent chalk downland and other habitats which will provide significant habitat for a range of birds including for overwintering. The permanent loss of the land for species such as lapwing and golden plover would not be considered significant given the large areas of arable farmland retained locally and across East Anglia.

We do not feel that wintering bird surveys would change any mitigation measures proposed as the countryside park will deliver an overall net gain in bird habitat for breeding as well as overwintering.

SSSI impacts

With regards to assessing the potential impacts of the retirement care village through increased visitor numbers to nearby SSSIs and noting the updated guidance in the correspondence from NE dated 12th July (logged with the Planning Application Documents for the scheme online) we make the following comments.

Based on Natural England's (NE) recent review of SSSI Impact Risk Zones (IRZs) for Cambridgeshire, the closest SSSI identified as being at risk due to recreational impacts is the Cherry Hinton Pit SSSI, sited approximately 2.1km from the closest part of the development site boundary (and therefore just outside of the Impact Risk Zone, as the site is categorised as a 'Lower' zone site in Annex B of the NE correspondence). The Roman Road SSSI is c. 2.2km from the closest part of the development site boundary and is categorised as a 'Higher' zone site; as the application site is within 5km of this site, Natural England mitigation may therefore be required. No other nationally designated sites sit within or close to the updated IRZs in relation to the proposed development.

On a precautionary basis and following the guidance in Appendix A of the NE correspondence, the 19 ha countryside park will provide more than adequate avoidance measures for any potential recreational impacts upon the SSSI, specifically through the delivery of alternative accessible natural greenspace as part of the development. The provision of 19 ha of countryside park as part of a 110 dwelling development is well above the quantum recommended in NE's Suitable Alternative Natural Greenspace (SANGS) guidance of 8 ha per 1000 population, such that the proposed development would require c. 1 to 2 ha (assuming the retirement care village is occupied by 125 to 250 people). If the recommendations made in section 5.13 of the EcIA report submitted to support the planning application (e.g. provision of an Ecological Design Strategy and/or Landscape and Ecological Management Plan (LEMP) or equivalent document(s)) are secured through planning condition, measures such as the following can be integrated into the countryside park design to help offset future development impacts:

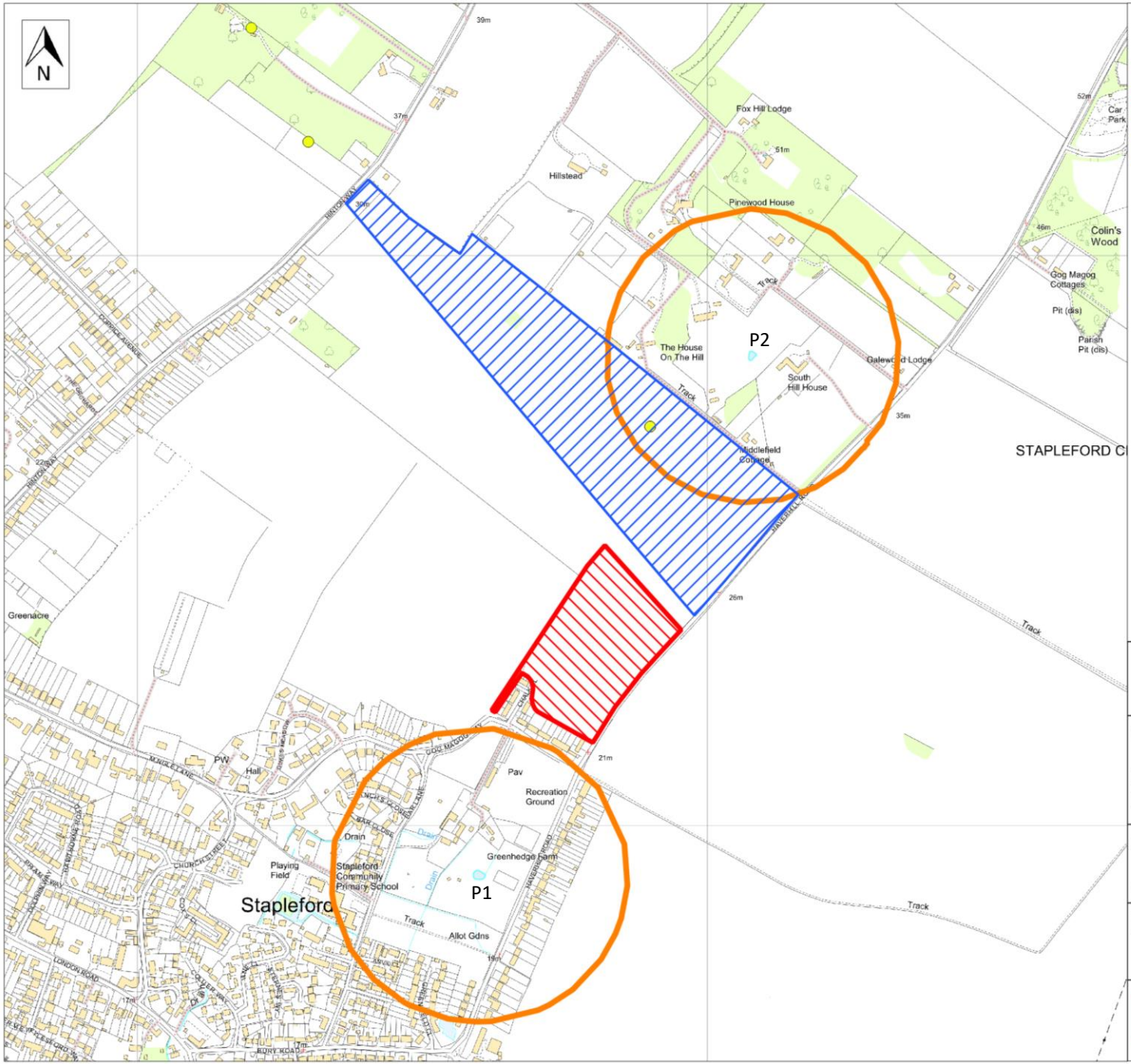
- High-quality, informal, semi-natural areas;
- Circular dog walking routes;
- Dedicated 'dogs-off-lead' areas and dog waste bins;
- On-site signage; and
- A commitment to long term maintenance/management.

We therefore conclude there is no significant risk to nationally notified interest features of designated sites due to the proposed development.

Yours sincerely,

Christian Whiting

Figures



Legend

- Country park
- Retirement Care Village
- 250m buffer

0 250 500 m

Client: Axis Land Partnerships

Project: Land between Haverhill Road and Hinton Road, Stapleford, Cambridgeshire

Drawn:	Date:	Drawing Ref:
CW	20/03/20	STAPLEFORD/001

Figure 1 Ponds location plan

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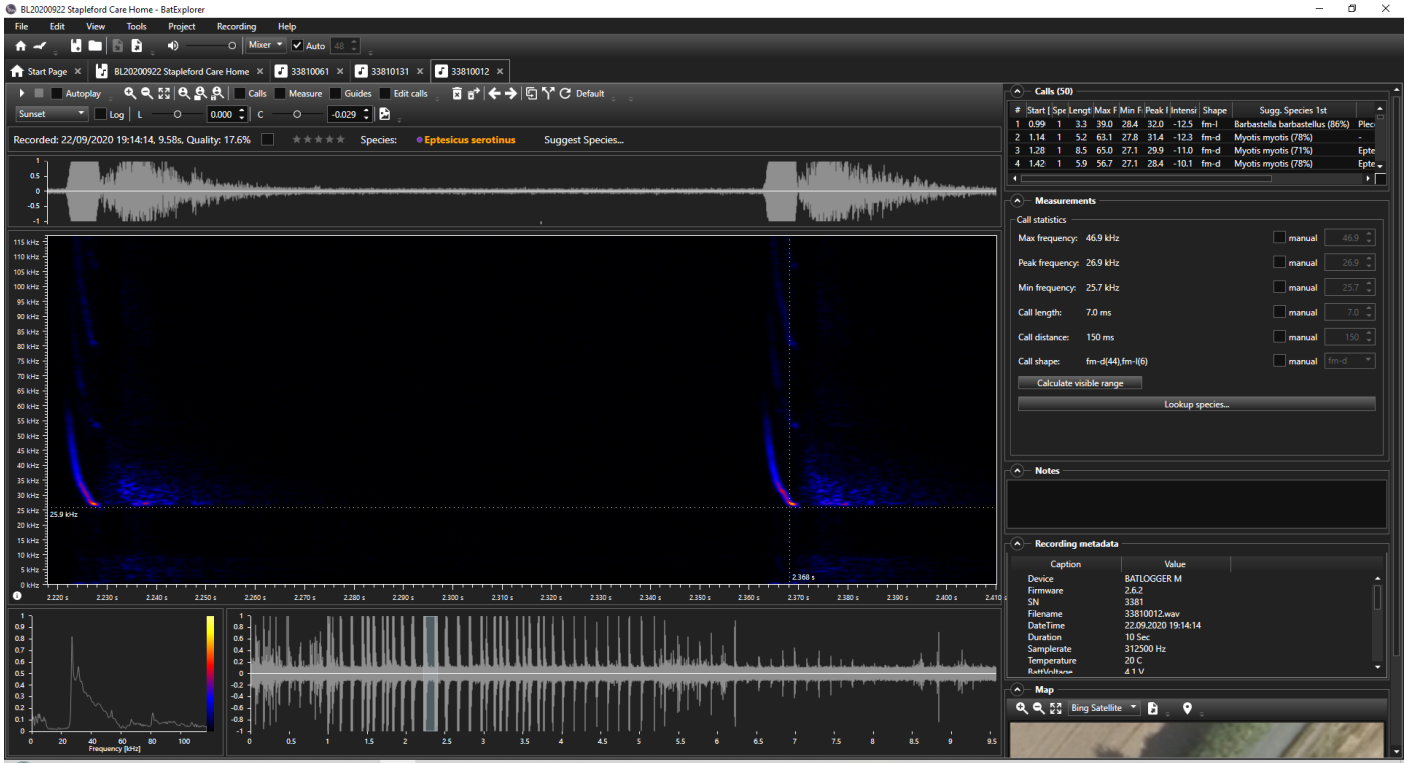
Appendix A1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33810012
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Suggest Species...
Calls (50)
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1 0.99 1 3.3 39.0 28.4 32.0 -12.5 fm-l Barbastella barbastellus (86%)
2 1.14 1 5.2 63.1 27.8 31.4 -12.3 fm-d Myotis myotis (78%)
3 1.28 1 8.5 65.0 27.1 29.9 -11.0 fm-d Myotis myotis (71%)
4 1.42 1 5.9 56.7 27.1 28.4 -10.1 fm-d Myotis myotis (78%)
Measurements
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Peak frequency: 26.9 kHz
Min frequency: 25.7 kHz
Call length: 7.0 ms
Call distance: 150 ms
Call shape: fm-d(44),fm-l(6)
manual
Calculate visible range
Lookup species...
Notes
Recording metadata
Caption Value
Device BATLOGGER M
Firmware 2.6.2
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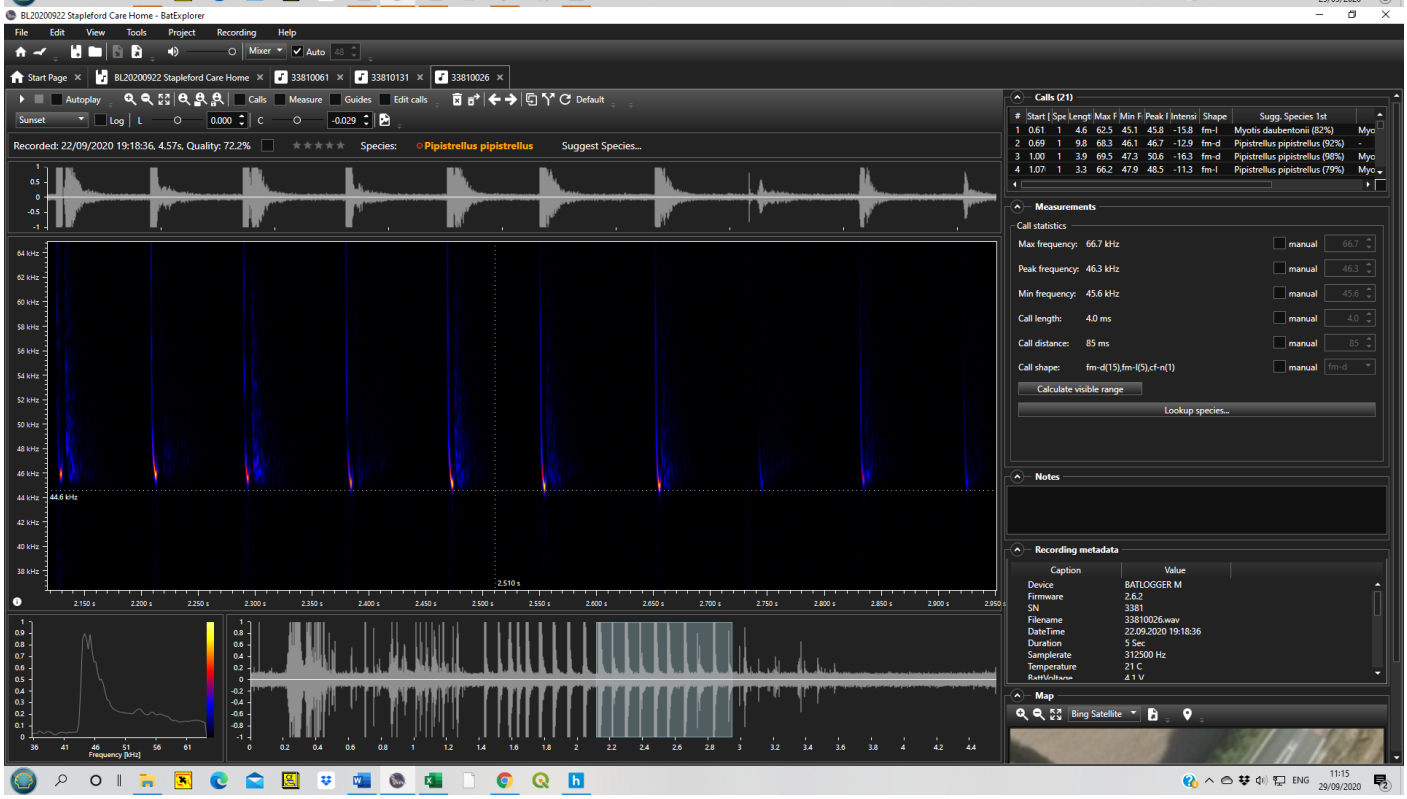
Map
Bing Satellite
25.9 kHz
2.368 s
11:16
29/09/2020


BL20200922 Stapleford Care Home - BatExplorer
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BL20200922 Stapleford Care Home
33810061
33810131
33810026
Recorded: 22/09/2020 19:18:36, 4.57s, Quality: 72.2%
Species: Pipistrellus pipistrellus
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1 0.61 1 4.6 62.5 45.1 45.8 -15.8 fm-l Myotis daubentonii (82%)
2 0.69 1 9.8 68.3 46.1 46.7 -12.9 fm-d Pipistrellus pipistrellus (92%)
3 1.00 1 3.9 69.5 47.3 50.6 -16.3 fm-d Pipistrellus pipistrellus (98%)
4 1.07 1 3.3 66.2 47.9 48.5 -11.3 fm-l Pipistrellus pipistrellus (79%)
Measurements
Call statistics
Max frequency: 66.7 kHz
Peak frequency: 46.3 kHz
Min frequency: 45.6 kHz
Call length: 4.0 ms
Call distance: 85 ms
Call shape: fm-d(15),fm-l(5),cf-n(1)
manual
Calculate visible range
Lookup species...
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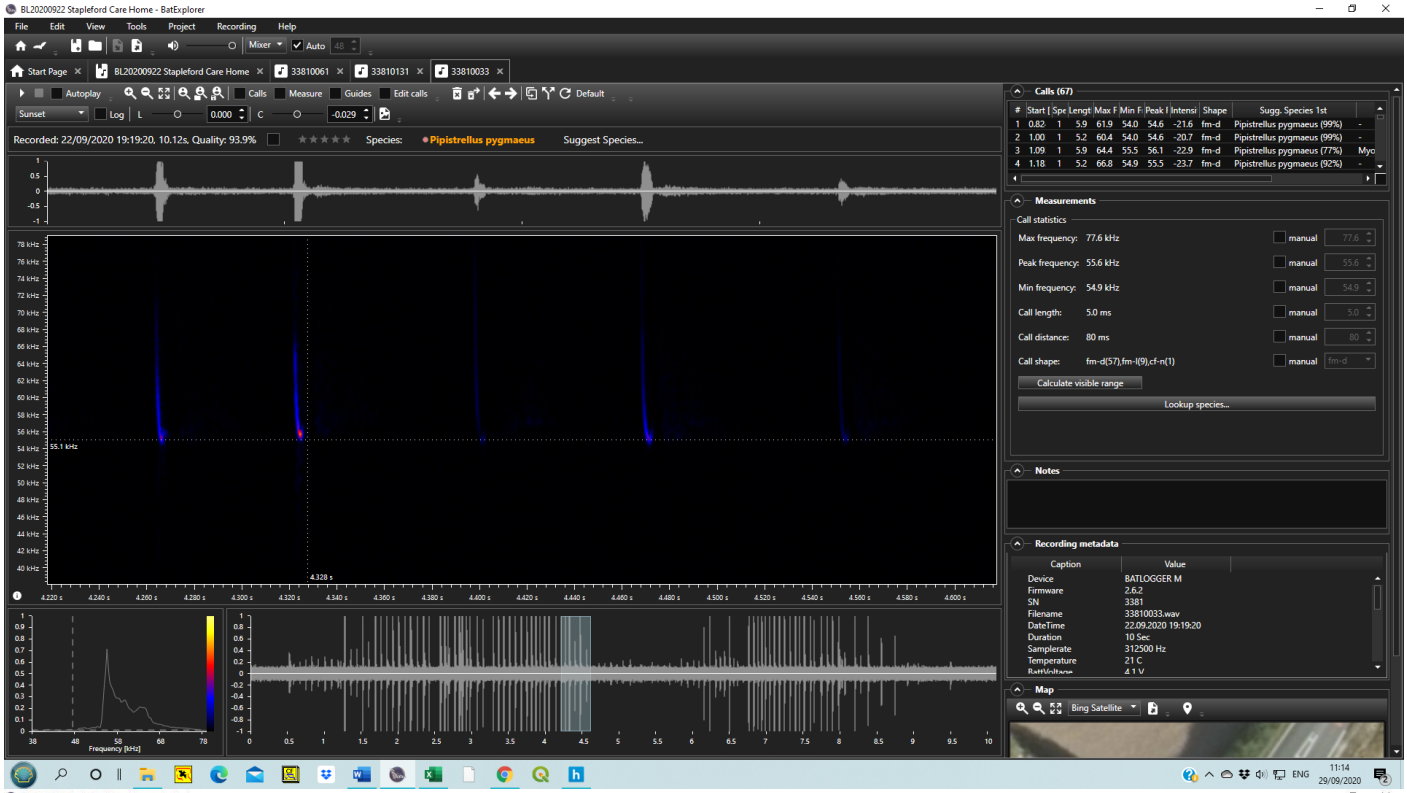
29/09/2020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33810131
33810033
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Species: Pipistrellus pygmaeus
Suggest Species...
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1 0.82 1 5.9 61.9 54.0 54.6 -21.6 fm-d Pipistrellus pygmaeus (99%)
2 1.00 1 5.2 60.4 54.0 54.6 -20.7 fm-d Pipistrellus pygmaeus (99%)
3 1.09 1 5.9 64.4 55.5 56.1 -22.9 fm-d Pipistrellus pygmaeus (77%)
4 1.18 1 5.2 66.8 54.9 55.5 -23.7 fm-d Pipistrellus pygmaeus (92%)
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Max frequency: 77.6 kHz
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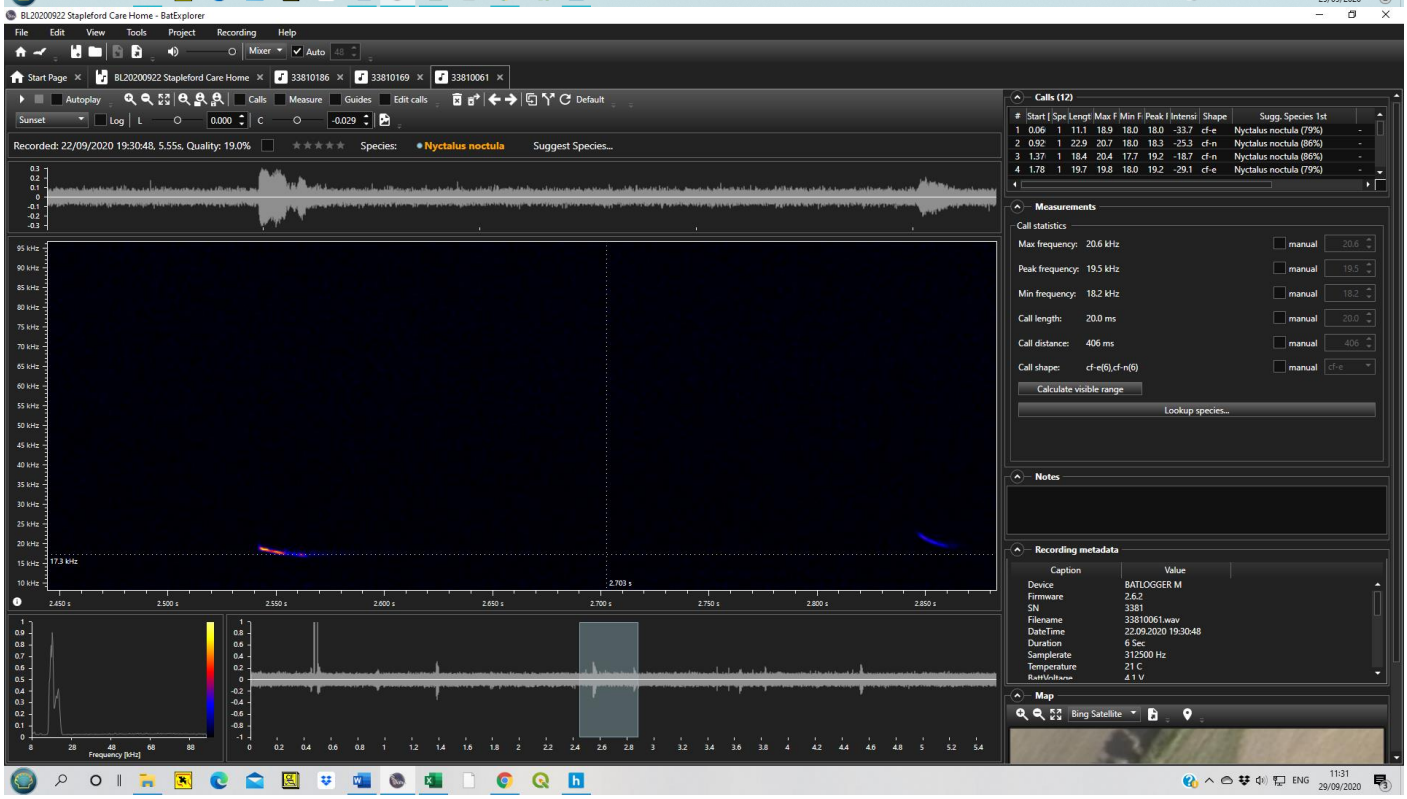
29/09/2020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33810186
33810169
33810061
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Species: Nyctalus noctula
Suggest Species...
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1 0.06 1 11.1 18.9 18.0 18.0 -33.7 cf-e Nyctalus noctula (79%)
2 0.92 1 22.9 20.7 18.0 18.3 -25.3 cf-n Nyctalus noctula (86%)
3 1.37 1 18.4 20.4 17.7 19.2 -18.7 cf-n Nyctalus noctula (86%)
4 1.78 1 19.7 19.8 18.0 19.2 -29.1 cf-e Nyctalus noctula (79%)
Measurements
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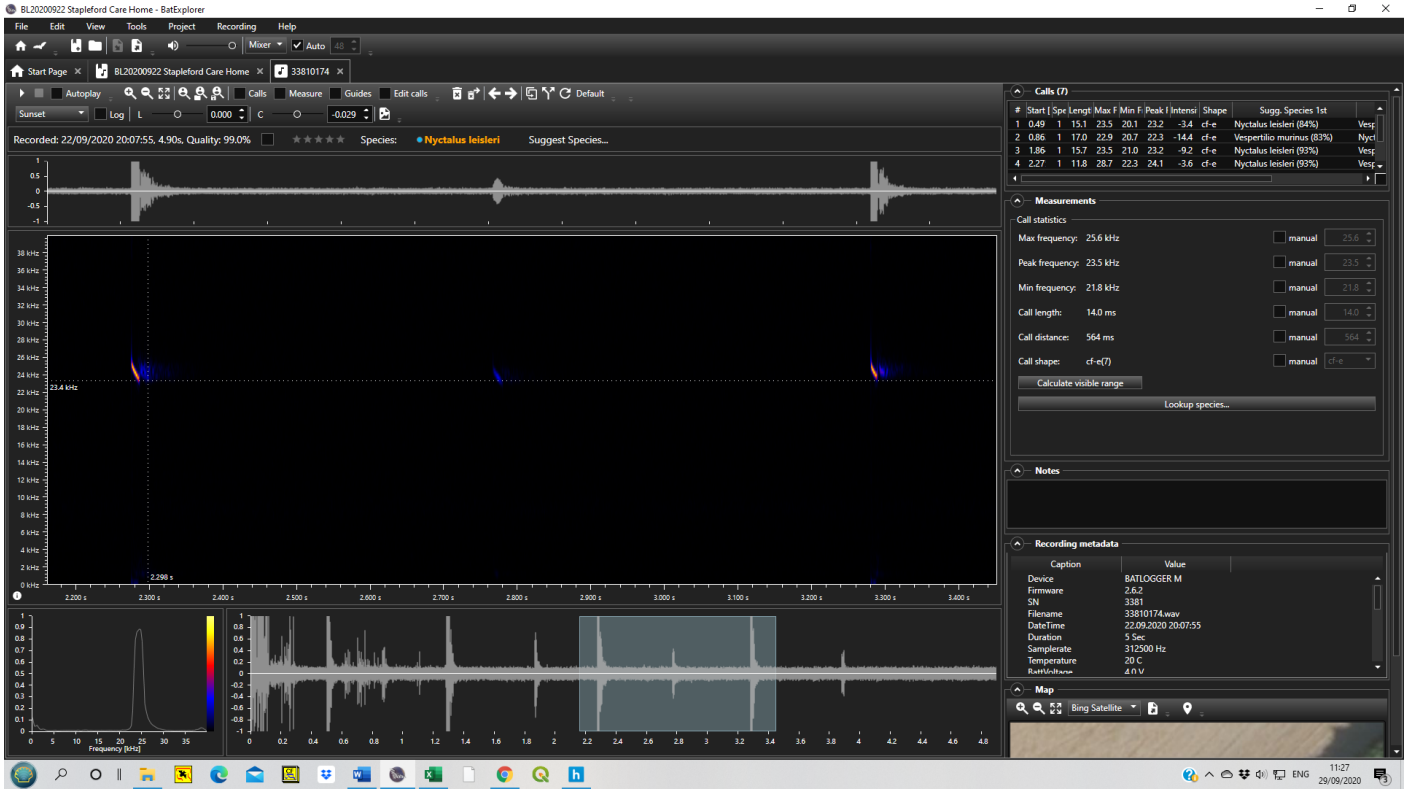
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Species: Nyctalus leisleri
Suggest Species...
Calls (7)
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2 0.86 1 17.0 22.9 20.7 22.3 -14.4 cf-e Vespertilio murinus (83%)
3 1.86 1 15.7 23.5 21.0 23.2 -9.2 cf-e Nyctalus leisleri (93%)
4 2.27 1 11.8 28.7 22.3 24.1 -3.6 cf-e Nyctalus leisleri (93%)
Measurements
Call statistics
Max frequency: 25.6 kHz
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Min frequency: 21.8 kHz
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Call distance: 564 ms
Call shape: cf-e(7)
manual
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Lookup species...
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11:27
29/09/2020