

Planning Application V/2022/0629

Land at Junction of Newark Road, Coxmoor Road Sutton in Ashfield Nottinghamshire

Outline planning application (with all matters reserved except access) for a residential development for up to 300 dwellings with associated infrastructure and landscaping.

I have reviewed the following information submitted in support of the above planning application seeking outline planning permission for residential development of up to 300 dwellings.

- Ecological Impact Assessment (EciA) prepared by RammSanderson report ref: RSE_6136_R3_V1_ECIA dated August 2023
- Amended Master Plan EMS 2254_102K 01.
- Preliminary BNG Assessment prepared by Wardell Armstrong dated 12th August 2022

The Ecological Impact Assessment (EciA) is based on the results of a range of site surveys carried out during June 2022 (reptile survey) June/July/September 2022 (bat transect surveys), August 2022 (bat emergence surveys), April/May 2023 (GCN survey). The scope of surveys was informed by an appropriate data search for existing biological information.

The site is identified to comprise predominantly arable fields bounded by hedgerows and lines of trees. Scrub, marshy grassland and ditches are also present, some of which will be lost to the proposed development.

Two stands of Japanese knotweed are recorded on site.

Although an eDNA analysis of ditch 1 in June 2022 returned a positive result the use of traditional great crested newt survey methodology during 2023 recorded no evidence of Great Crested Newt. I therefore concur with the assessment that no further surveys or mitigation for Great Crested Newt are considered necessary.

Two trees on site were identified as having “high” bat roost potential. However, emergence surveys of trees recorded no evidence of roosting bats. I therefore concur that the proposed development should not impact on roosting bats and no further surveys for bats are considered necessary.

The site was identified to contain a range of suitable habitats for nesting birds. However, no protected or notable bird species are likely to be present and affected.

Although there is some limited suitable habitat for reptiles, no reptiles were recorded during targeted reptile surveys of the site. No impact on reptiles is therefore anticipated.

I concur that the presence of otter, water vole and white clawed crayfish is unlikely.

Using the Defra metric calculation tool, the site was identified to comprise 45.84 habitat units and 8.64 linear (hedgerow units). The RammSanderson EcIA does not provide any further information as to the extent of biodiversity units post-development based on the Indicative Master Plan to give an indication of whether the proposed development will achieve a net gain for biodiversity or will result in a net loss. However, a BNG Assessment Technical Note prepared by Wardell Armstrong, informed by an update walkover survey carried out in March 2022, provides details of habitats pre and post-development. It is noted that there is some discrepancy between the two reports about the existing habitat value. The Wardell Armstrong note provides an existing habitat value of 41.83 units compared with 45.84 units and hedgerow units of 7.62 compared with 8.64. Wardell Armstrong identifies that the proposal will provide 46.06 habitat units post-development equating to 10% net gain. The Wardell Armstrong note states that there will be no change in hedgerow units. However, it is understood that there will be some hedgerow removal to facilitate the development. Further information is therefore required in respect of hedgerows to ensure there is a net gain in hedgerow units and not a net loss.

Overall, from the information provided by Wardell Armstrong it is likely that 10% biodiversity net gain of habitat units and hedgerow units can be achieved on site. The finalised layout for the reserved matters should be informed by the need to provide the required net gain and, as such, should be secured by a planning condition.

The following planning conditions are recommended; -

- *As part of reserved matters, an updated Biodiversity Net Gain Assessment shall be provided for approval by the Local Planning Authority that demonstrates a minimum 10% net gain in habitat and hedgerow units.*
- *The reserved matters shall be broadly in accordance with the parameters of scale, layout and landscaping shown on the Amended Master Plan EMS 2254_102K 01 submitted with the outline application.*
- *“As part of the reserved matters, a scheme of biodiversity enhancement as recommended in section 7 Compensation and Enhancement Opportunities of the Ecological Impact Assessment prepared by RammSanderson to include, as a minimum, features incorporated within the new buildings for roosting bats and nesting swifts along with hedgehog gaps and native planting within the details of landscaping shall be submitted to and approved in writing by the Local Planning Authority. The enhancement scheme shall be implemented in accordance with the agreed details as construction proceeds and completed prior to the first occupation of the development.”*
- Construction Environmental Management Plan (CEMP)

No development shall take place (including ground works and vegetation clearance) until a construction environmental management plan (CEMP: Biodiversity) has been 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 (to include consideration of lighting) (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*

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.

- *Landscape and Ecological Management Plan (LEMP)*

(Also referred to as a Habitat or Biodiversity Management Plan)

A landscape and ecological management plan (LEMP) shall be submitted to, and be approved in writing by, the local planning authority prior to the commencement of the development. The content of the LEMP 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 thirty-year period).*

g) Details of the body or organization responsible for implementation of the plan.

h) Ongoing monitoring and remedial measures.

The LEMP shall also include details of the 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.

The plan shall also 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.

The approved plan will be implemented in accordance with the approved details.

- No development, including site clearance, shall take place until a method statement for the control of Japanese Knotweed has been submitted to and approved in writing by the Local Planning Authority. The mitigation measures shall be implemented in accordance with the approved details.*