APPENDIX 9.3
SCOPING RESPONSE

BROADLAND DISTRICT COUNCIL
20 Jan 2017
20170104
PLANNING CONTROL
Planning Administration

From: White, David - ETD <david.white.etd@norfolk.gov.uk>
Sent: 05 September 2016 14:33
To: Ben Burgess
Cc: Planning Administration
Subject: 20161492; Land south of Salhouse Rd - EIA scoping opinion; Ecology comments [ME-160905-935627]
Attachments: 20161492; ecological comments.pdf; ecology comments from adjacent application 20160498.pdf; Appendix 2 of GI Delivery Plan.pdf

Hello Ben,

Please find our comments attached.

I have also attached our formal consultation response to the other application associated with AAP allocation GT7 and an extract from the Green Infrastructure Delivery Plan for the AAP.

Kind regards

David

Dr David White MCIEEM
Senior Green Infrastructure Officer
Natural Environment Team
Norfolk County Council

Providing ecological advice to Broadland District Council under a SLA.

david.white.etd@norfolk.gov.uk
Direct dial: 01603 222058

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Dear Ben,

Re: Land South of Salhouse Road, Proposed Development of up to 425 Dwellings & Open Space – EIA Scoping Opinion; ecology comments

The Natural Environment Team at Norfolk County Council provide ecological advice for Broadland District Council under a Service Level Agreement. We were formally consulted on this application on 30th August 2016.

We have previously provided formal consultation response to planning application 20160498 to which the current application is connected, since both applications relate to AAP allocation site GT7. At the time we commented on 20160498, we made it clear that our comments related to the entirety of AAP allocation site GT7. We attach our earlier comments and request that these are seen as part of our formal response to the current EIA scoping opinion.

In our opinion, the ecological element of the EIA scoping report is broadly fit for purpose. We would tend to agree with the conclusion that a walk-over ecological survey will be sufficient to verify the situation has not changed since the previous surveys, and that – subject to the results of that walk-over assessments – no further ecological surveys are likely to be necessary.

However, we wish to make the following points.

The County Wildlife Site
We accept the ecology section is broadly appropriate, however, in paragraph 7.2 where the applicant refers to designated sites, a passing reference is made to the local wildlife site (County Wildlife Site 2041 Racecourse Plantation), specifically “the eastern edge of the Racecourse Plantation County Wildlife Site extends into the west of the Site.” This really does not fully describe the existing situation. For clarity, part of the CWS, essentially the section within the Parish of Great Plumstead, is within the ‘redline’ of the proposed development. Note that contrary to the implication of paragraph 7.2., CWS are ‘designated’ sites for biodiversity (just not ‘statutory’ designated sites), and the lack of clarity that development is proposed within part of a CWS appears somewhat disingenuous.
Having said that, the original CWS citation is outdated. The section of the CWS in question, at least in part, may not meet the CWS criteria in its current state. This needs clarifying and the applicant will need to make the case for this, assessing the current situation against the relevant CWS criteria. I attach Appendix 2 of the GI Delivery Plan for the North-east Norwich Growth Triangle (Natural Environment Team, NCC 2016) which explains the situation more fully.

Bats
The EIA correctly identifies that main issue for development of the whole GT7 site is its use by commuting and foraging bats. The importance of the bat population is acknowledged and individuals of the nationally-important barbastelle bat population are known to feed along the edges and over Racecourse Plantation and Harrisons' Plantation. The report states that the commuting and foraging corridors around the proposed development site will be protected and enhanced in the Development.

Mitigation
EIA scoping report refers to mitigation that might be needed should the development proceed as proposed (paragraph 7.7. and included here at the end of this response), including the suggestion that a Landscape and Ecological Management Plan may be conditioned. This is probably a sensible approach, although making sure there is clear connectivity between the two associated developments within allocation GT& will be essential.

Dr David White, MCIEEM
Senior Green Infrastructure Officer, NCC
Appendix A: The proposed mitigation from the EIA Scoping report

7.7 Based on the surveys undertaken on the Site to date, the following mitigation measures will be designed into the development to protect the bat population and conserve their commuting and foraging corridors and to ensure no adverse effects on other protected species:

- Retained trees and hedgerows will be protected during construction by erection and retention of tree fencing in accordance with BS5837:2012;
- Temporary lighting will be designed in accordance with the guidance 'Bats and Lighting in the UK 2009'. Construction lighting will be directed away from hedgerows, trees and other areas used as commuting or foraging corridors;
- Corridors adjacent to the Site used by bats will be strengthened by widening, additional planting and buffering from built development with an area of grassland;
- Operational lighting will be sensitively designed to ensure central dark corridors are created along key routes, particularly if streets cross corridors. Lux levels of 1 lux or less would be achieved within the green infrastructure;
- Where new streets cross corridors, planting will be included to maintain connectivity across the crossing;
- Post-construction monitoring of bats will be undertaken to monitor the success of the mitigation and enhancement measures and remedial works such as additional planting will be undertaken as required;
- A Method Statement would be submitted for approval prior to commencement of the Development to ensure that working practices would not impact on newts, if present. This will include the need for an ecologist to carry out hand searches of hedgerows prior to clearance and supervision of all clearance works. Any large areas of semi-improved grassland will also need to be cleared under supervision;
- Reptile surveys would be undertaken prior to commencement of the development and a Mitigation Plan for the construction phase put in place for the construction phase if found to be present; and
- A Landscape and Ecological Management Plan (LEMP) would be prepared and submitted to BDC for approval prior to commencement of the Development.
Appendix B: Extract from BS 42020:2013, showing a model condition for a LEMP.

BS 42020:2013

m) Creation of new wildlife features, e.g. bespoke bat roosts/caves/structures, bird nesting features within buildings and structures, artificial otter holes, badger sets, barn owl boxes and wildlife ponds.

n) Provision and control of access and environmental interpretation facilities, e.g. bird hides, paths, fences, bridges, stiles, gates and signs/information boards.

D.4.5 Landscape and ecological management plans (LEMPs) -- Condition
(Also referred to as a Habitat or Biodiversity Management Plan)

<table>
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<th>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 or occupation [... of the development [or specified phase of development]]. The content of the LEMP shall include the following.</th>
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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.

NOTE To ensure that some form of covenant is in place to ensure that the management body that takes on long-term responsibility for implementation of the LEMP (management of the ecological areas) is to do so in strict accordance with the details contained therein.
Dear Ben,

Re: Land South of Salhouse Road, Sprowston - 1. Proposed residential development of a minimum 803 dwellings with access roads and associated infrastructure 2. Site for a new primary school 3. Land for a Bus Rapid Transit (BRT) scheme 4. Section of orbital link road 5. Retained areas of woodland and creation of open space (Outline).

The Natural Environment Team at Norfolk County Council provide ecological advice for Broadland District Council under a Service Level Agreement. We were formally consulted on this application on 8th April 2016. We note that part of the AAP allocation site GT7 is NOT included in this application, being under a separate consortium. However our response reflects the ecological issues for the whole site.

The ecological element of the EIA is fit for purpose. Appropriate ecological surveys were undertaken and appropriate designated sites considered. We broadly agree with the assessments of the sensitivities and scale of impacts. Clearly the major ecological issue to consider with this application is commuting and foraging bats; section 6.5.50 of the EIA states that the site is “of elevated ecological value” in supporting an unusually large assemblage of bats. The EIA reports that the site is of district level value to bats but the bat report indicates the value may be higher (para: 5.3.5).

Our view is that the significance of this area for foraging bats, located as it is between three significant blocks of woodland, is greater than that discussed in the EIA and the bat-specific report. The bat radio-tracking data collected between 2009 and 2015 to support the NDR DCO, indicates the high level of importance of the woodland blocks in this area for bats, in particular for the local barbastelle population (that the NDR reports consider to be of “at least national importance”). The location of over 130 bat roosts of various species have been identified in the...
general area, and there is a concentration of barbastelle roosts in Rackheath Park, including in Bulmer Coppice. Barbastelles from the cluster of roosts within Rackheath Park have been shown to feed along the edges and over Racecourse Plantation/Thorpe Woods and Harrisons’ Plantation. In addition barbastelles from a separate cluster of roosts located to the east have also been shown to feed adjacent to and over the same woodlands at various times and in particular weather conditions.

We note that the EIA submitted to support this application, recognises the importance of retaining connectivity between the woodlands, in particular the bat commuting corridors numbered 1, 5 and 6 (corridor 3 is also considered potentially to be of high value in the bat report). Although, as stated above, we believe the need to retain the ecological integrity of these corridors is higher than claimed.

Our understanding is that the proposed development will impact these corridors. A proposed road and footway crosses Corridor 1, and three minor side streets cross Corridor 5. The EIA states:

"Potential operational effects are limited to operational lighting affecting bat use of the routes, in particular illumination of the created gaps where streets cross the route, and illumination of Corridor 5 which is narrower, would be bordered by residential areas on both sides and is used by light sensitive species such as Brown Long-eared Bat and Barbastelle. In addition, a portion of Corridor 1 lies off-site; as such there is a risk that third parties may undertake tree works and remove or sever the corridor which would be out of the control of the developer."

Outside of this application, although inextricably linked to it, corridor 3 will be crossed by the orbital road. The orbital road is also likely to create a break in any ecological corridor between Racecourse Plantation and the buffer zone to Thorpe End, further reducing connectivity for bats.

The report suggests some significant mitigation will be necessary (the relevant paragraphs are copied at the bottom of this response) and it will be imperative that this mitigation is undertaken as a minimum. We feel that the strengthening of the corridors and their retention as dark corridors is essential; the corridors need to be of a suitable width with unlit grass strips adjacent to the hedges/tree-lines and woodland edges to fulfil this requirement. We would suggest the applicant is asked to consider this.

We would also recommend that a landscape and ecological management plan (LEMP) is conditioned, which meets the requirements of BS 42020:2013 Biodiversity – Code of Practice for Planning and Development (extract of BS attached).

We welcome the intention to monitor bat use post construction (paragraph 6.5.58) and would suggest that this is required to be included within the LEMP along with appropriate remedial actions should monitoring show the mitigation is not achieving its stated aims.

Kind regards,
Dr David White, MCIIEEM
Senior Green Infrastructure Officer, NCC
Proposed mitigation for bat commuting routes in the EIA (p.69-70)

6.5.57 Mitigation. The following mitigation measures will be implemented:

- Retained trees and hedgerows will be protected during construction by erection of tree protection fencing around retained them in accordance with BS5837:2012;
- Any temporary lighting required during construction will be sited so as not to illuminate Corridors 1-6 or any other linear features, such as the edge of Racecourse Plantation. Temporary lighting will be designed in line with "Bats and Lighting in the UK 2009";
- No temporary lighting will be used in the vicinity during construction of the proposed streets where they cross Corridors 1 and 5.
- Siting of any compounds or materials storage area requiring illumination will be well away from these corridors.
- To ensure Corridor 1 is not affected by off-site works by third parties and remains secure into the future, a significant amount of greenspace will be delivered in this area of the Site including planting of a linear tree belt, grassland and SuDS ponds.
- The remainder of Corridor 1 will be also strengthened by widening it with additional planting and buffering it from the built development with an area of grassland.
- Corridor 6 (which was noted in the Bat Survey Report would benefit from work to improve it) will be strengthened with additional tree planting.
- Operational lighting will be sensitively designed to ensure central dark corridors are created along key routes, in particular where new streets cross the corridors. At this outline stage, a detailed lighting plan has not been produced; therefore it is recommended that this is secured via a planning condition. This should specify the need for modelling and production of Lux plot drawings along the corridors to demonstrate that within the GI a central dark corridor of 1 lux or less can be achieved.
- Where new streets cross the corridors, landscape planting should be designed to provide “hop-overs” across them.

6.5.58 To monitor the success of the measures and the continued use of the corridors by bats, post-construction monitoring surveys should be undertaken and remedial works undertaken where required (e.g. additional planting)
m) Creation of new wildlife features, e.g. bespoke bat roosts/caves/structures, bird nesting features within buildings and structures, artificial otter holts, badger setts, barn owl boxes and wildlife ponds.

n) Provision and control of access and environmental interpretation facilities, e.g. bird hides, paths, fences, bridges, stiles, gates and signs/information boards.

D.4.5 Landscape and ecological management plans (LEMPs) – Condition
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NOTE To ensure that some form of covenant is in place to ensure that the management body that takes on long-term responsibility for implementation of the LEMP (management of the ecological areas) is to do so in strict accordance with the details contained therein.
Appendix 2 – Additional note regarding the boundary of the County Wildlife Site of Racecourse Plantation.

Relating to Project 10: Thorpe Woodlands (Section 3.3.7) and Project no.16: Public parkland north of Thorpe End and Project no.17: Enhanced tree belts and landscaping (Section 3.3.10).

It has already been noted that CWS 2041 Racecourse Plantation includes a small section in the Parish of Great Plumstead. This section differs significantly in character from the rest of the site, with a proportion of it being used for arable production. In the 1980s, some agricultural buildings used for rearing pigs were constructed within the CWS boundary (visible in Figure 20C) and four associated slurry ponds were dug, of which three are visible on the current OS map (Figure 20A). The foundations/concrete pads of the agricultural buildings can still be seen today, with remnants of other parts of the structures (March 2016). At least three ponds are extant, all highly eutrophic and with very steep sides, including one on the CWS boundary which does not appear on the OS map.

The area under long-term arable production probably should not be included in the County Wildlife Site boundary and it is likely that this area would be excluded if/when the CWS is resurveyed. Arguably the same might be true of the area where the remains of pig buildings are located (subject to survey). It is likely that the other areas within the parish of Great Plumstead which are more wooded would continue to meet the CWS designation criteria and would remain part of the CWS.

Figure 20: The North-east section of Racecourse Plantation CWS (CWS no. 2041) over time. The boundary of the CWS is shown in red and the parish boundaries in blue. The current OS map (A), the ‘current’ aerial photo (B), an aerial photo taken in 2010 (C) and the 1949 aerial photo (D).
John Hiskett

to David, me, Emily, Emily

Dear Geoff

Emily copied your email to me, as I deal with planning issues for NWT. NBIS holds the most up to date information on CWS. I think the problem is probably connected with the search engine you use. We have checked and Internet Explorer works but some other search engines don’t.

For your information, I visited the area concerned site this summer with a representative of the developers and the Norfolk County Council ecologist, who advises Broadland District Council. We walked over the old pig unit area and agreed that this area may not be same habitat quality as the rest of the CWS and that subject to protected species surveys that the deep concrete ponds may need to be removed for safety reasons. However, when looking at the criteria remember that they are applied to the whole habitat parcel of the CWS which is 60ha.

Kind regards

John Hiskett

John Hiskett
Senior Conservation Officer

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