

**Reference: 20/01069/OUT**

**Outline application for development comprising of up to 250 residential dwellings including provision of associated infrastructure, ancillary facilities, open space and landscaping, demolition of existing buildings and formation of new vehicular access from Harp Hill. All matters reserved except for means of access to site from Harp Hill.**

**Location: Oakley Farm Priors Road Cheltenham Gloucestershire GL52 5AQ**

22/10/2020

Dear Lucy

Please find my response below.

### **Ecology**

I have reviewed the Ecology aspects of the Environmental Impact Assessment that includes Preliminary Ecological Appraisal (including bat roost inspections, hedgerow regulation surveys), reptile surveys, breeding bird surveys, bat activity and emergence surveys.

No badger setts or reptiles were recorded on the Site. Precautionary measures to avoid trapping badgers or small mammals such as hedgehogs should be considered including putting ramps in any trenches/holes that are excavated.

No mention of hedgehogs (a NERC Priority Species) is made, it is considered likely that they could be present and considering the endangered status of this species, mitigation is required. For example, the aforementioned ramps for trenches/holes, 13x13cm holes created at base of fences to allow permeability for hedgehogs, ecological checking of any piles of logs/brush/rubble before clearance.

The variety of bird species recorded using the site were not considered to be 'remarkable' with low numbers of notable breeding bird species, including house sparrow, willow tit, dunnock and bullfinch. However, a variety of bird species were recorded and therefore mitigation and enhancements for birds is required. It is noted that the bird breeding season is stated as March to July in the report, this needs extending to March to August as the period when works to trees, shrubs and hedgerows should be avoided due to the risk of disturbing nesting birds.

The majority of bat activity across the site was recorded from common pipistrelle bats, with less activity recorded from *Myotis* species, lesser horseshoe bats, soprano pipistrelle, *Nyctalus* species., brown Long-eared, Nathusius' pipistrelle, barbastelle and serotine. One mature oak tree functioned as a summer day roost used by a single noctule bat in the north of the Application Site and this appears to be retained in the development plans. The tree and its root protection zone must be protected during development and landscaping. This bat roosting tree must not be illuminated as this will deter bats from roosting in future.

Should this tree require tree surgery/removal in the future, then it will be necessary to undertake update bat surveys to confirm level of usage and inform a Natural England licence application. However, its retention is both welcomed and recommended.

In general, bats use most of the hedgerows within the Application Site to varying degrees throughout the year with areas of greater registrations at the crossing point of H3 and H1 along hedgerows and trees associated with the demolished farm building B1, along H7-H11, along the northern section of H9 (just before crossing point of H9 and H12), at the crossing point of H2 and H2a. Lower numbers of bat registrations were recorded along H1, H2a, H5, H6 and along the north-western (H2a and H3), north-eastern and eastern boundary of the Application Site. The hedgerow retention plans broadly appear to reflect the hedgerows most frequently used by bats as foraging/commuting corridors. It is essential that these areas are not illuminated, and this should be reflected in the site lighting plan, particularly as the site currently supports particularly light adverse species such as lesser horseshoe, barbastelle, brown long-eared bats and *Myotis* species.

It appears from the plans that the trees identified as containing suitable bat roosting features will be retained. It is important that the trees and their root protection zones are protected during development and landscaping. These trees should not be illuminated. Should it be necessary to undertake tree surgery/remove any of these trees, then update surveys will be necessary to confirm whether bat are roosting or not currently.

Mitigation measures for the aforementioned species should be detailed in a Construction Ecology Management Plan. This should include a lighting plan for the site detailing lux levels and light spill as well as lighting types to use. Lighting recommendations for bats (in terms of lux levels and lighting types) should be followed.

The development will result in the loss of some mature hedgerows and semi-improved grassland (plus areas of grassland with greater species diversity). The veteran trees appear to be retained in the development proposals, which is welcomed. However, care needs to be taken to ensure that both veteran trees and their root protection zones are protected during development and landscaping. The planting of native trees and shrubs, native hedgerows and wildflower grassland plus a naturalised SUDS feature is welcomed. Care needs to be taken when seeding areas with wildflower and native grass seed that the underlying soil is suitable and if not, then appropriate measures need to be taken to ensure that the wildflower habitat can establish. Details of implementation and management of the planting scheme should be included in a 10-year Landscape and Ecology Management plan for the site. This plan will include details of enhancement measure for relevant wildlife (e.g. bird/bat boxes, hibernacula, hedgehog shelters).

National Planning Policy Framework (NPPF) and Local Plan Policy (Gloucester, Cheltenham and Tewkesbury Joint Core Strategy 2011 - 2031) (adopted December 2017)) Context:

- NPPF Para 170 – 177 (Conserving and Enhancing the Natural Environment), National Planning Policy Framework
- SD9 Biodiversity and Geobiodiversity
- INF3 Green Infrastructure

Wildlife legislation context:

- Wildlife and Countryside Act 1981 (as amended)
- Conservation of Habitats and Species Regulations 2017
- Natural Environment and Rural Communities Act 2006

### **Habitat Regulations Assessment (HRA)**

Due to the nearness of the development to Cotswold Beechwood SAC, a shadow HRA is necessary. This particularly needs to address recreational pressures on the SAC. The applicant has provided a shadow HRA to assess the impact of the development on these SAC.

The shadow HRA prepared by Ecology Solutions in December 2019, concluded that based on the 8.7km distance between the site and the Cotswold Beechwoods SAC and the number of alternative recreational resources that are closer to the site, it follows that there would not be any likely significant effects on the Cotswold Beechwoods SAC, either alone or in combination with other plans or projects, resulting from the proposed development at the Land at Oakley Farm. However, as an additional measure to further minimise any impact, the applicant will provide Homeowner Information Packs (HIPs) to new residents. The HIP should include information to make new residents aware of local green space options as well as the sensitivities of nearby sites of nature conservation concern including Cotswold Beechwoods SAC and how to act responsibly to avoid disturbing wildlife (including: residents should be advised to keep dogs on leads at the aforementioned sites and recommendation to keep cats in at night to reduce hunting pressure on wildlife). A map of alternative public open spaces including those in the development and their foot/cycleway links plus public transport links needs to be included along with guidelines on wildlife gardening and leaving the pre-cut 13x13cm hedgehog tunnels in fences to allow hedgehog movement across the estate. As such, based on the information presented above it is considered that the development proposals at the Land at Oakley Farm would not likely affect the integrity of the Cotswold Beechwoods SAC either alone or in combination with other development, thus meeting the test of the Habitats Regulations 2017.

### **Conclusion & Recommendations**

1. The mitigation measures in the Ecology reports and in this document should be expanded on in the form of a Construction Ecological Management Plan (CEMP), which should include a lighting plan. The CEMP needs to be submitted to the local planning authority for approval prior to determination. A copy of the approved CEMP needs to be given to the contractors on site to ensure that everyone involved is aware of the requirements to protect wildlife and habitats.
2. The enhancement measures in the Ecology reports and Landscape Strategy need to be expanded on in the form of a Landscape Ecological Management Plan (LEMP) with should be applicable for a minimum period of 10 years and include monitoring regime to ensure habitats establish well and animal shelters remain in good state. The LEMP needs to be submitted to the local planning authority for approval prior to determination.

3. Homeowner Information Packs must be given to all residents at the proposed development. These packs should contain the information outlined above. A sample Homeowner Information Pack must be submitted to the Local Planning Authority to review and approval be obtained prior to first occupation and delivery to new homeowners of the development.
4. The development needs to show a positive Biodiversity Net Gain (BNG), which should be calculated using the DEFRA Metric and the results submitted to the planning authority for approval prior to determination. (Should the development not show a positive BNG, then the landscaping plans may need revising and if insufficient land can be used as greenspace on site then additional greenspace land may need to be found)

I trust this information is helpful.

Kind regards

A handwritten signature in black ink, appearing to read 'E. R. Pimley', written in a cursive style.

*Dr Elizabeth Pimley CEnv CIEEM  
Planning Ecological Adviser*