



C.B.E. Consulting

Water Vole Mitigation
Land off Sysonby Grange Lane
Sysonby
Melton Mowbray
Leicestershire
NGR SK73819 18754

Report prepared by:
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1. Introduction

The site comprises a parcel of grazing land used for horses divided into small paddocks by temporary electric fencing, situated between Sysonby Grange Lane and the River Eye to the south of Sysonby village, Melton Mowbray, Leicestershire centered at NGR SK 73819 18754. The location of the site is shown on the plan within **Figure 1** and an aerial photograph places the site into its environmental context in **Figure 2**.

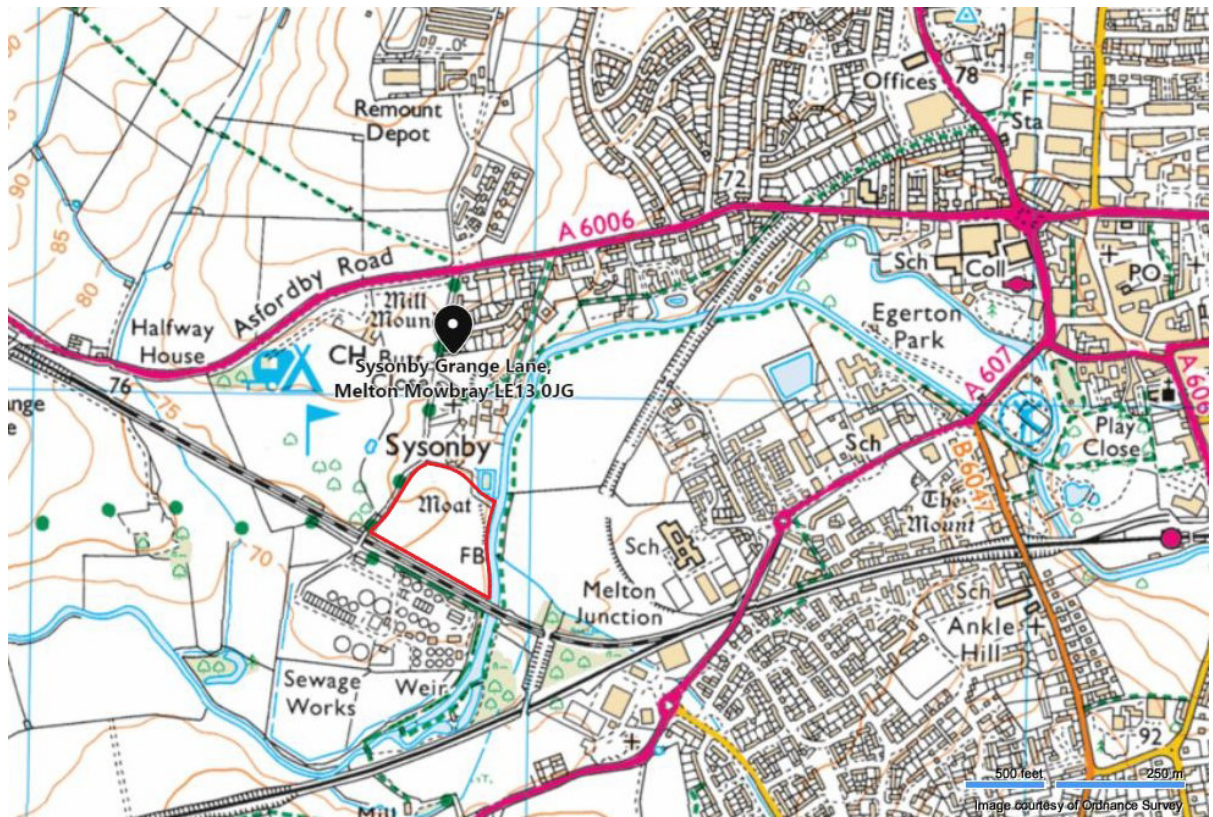


Figure 1: Site Location

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The defined site area has planning approval for development into an area for camping and outdoor leisure. The land currently comprises undulating grazing land which is used for horses. To the east it extends to the bank of the River Eye which is not fenced off and on the opposite bank are sports pitches within the Longfield Academy. To the south is an operation railway line beyond which there is a sewage treatment plant. To the north are residential houses and a small area landscaped to create a wildlife pond. To the west, on the opposite side of Sysonby Grange Lane is Sysonby Acres Golf Course.

2. Survey Context

2.1 Background information

This site area has been the subject of an ecological appraisal and a report on the ecological features at the site has been prepared by CBE Consulting entitled "Phase 1 Habitat and Protected Species Survey, Land at Sysonby Grange Lane, Melton" (P2013 / 0320 /01 dated 03rd March 2020. Within that report the following information is provided:

*"The presence of otter, **water vole** and white clawed crayfish within the River Eye has been established from records and there are sightings and records of these species within 1km. There are records of **water vole** and white clawed crayfish on the opposite bank of the River Eye very close to the survey area. The presence of these species along the riverbank and within the river is highly likely and it is possible otter*

and water vole could access the site for foraging or even construct burrows and holts in suitable locations.”

“No evidence of any water vole burrows; latrines of feeding evidence was found along the west bank of the River Eye along the boundary of the survey area. In addition, no evidence of otter activity was identified and there are no holts or laying up areas within the land surveyed.”

As a result of the location of the river to the east of the area being utilised for camping and outdoor leisure, a mitigation strategy to protect Water Vole and the bank of the River Eye is required by the Local Planning Authority for approval.

2.2 Legal Constraints

The Conservation of Habitats and Species Regulations 2010 consolidates the various amendments that have been made to the Regulations. The original (1994) Regulations transposed the EC Habitats Directive on the Conservation of Natural Habitats and of Wild Fauna and Flora (Council Directive 92/43/EEC) into national law.

“European protected species” are those which are present on Schedule 2 of the Conservation of Habitats and Species Regulations 2010. They are subject to the provisions of Regulation 41 of those Regulations. All European Protected Species are also protected under the Wildlife and Countryside Act 1981 (as amended). Taken together, these pieces of legislation make it an offence to:

- a. Intentionally or deliberately capture, injure or kill any wild animal included amongst these species
- b. Possess or control any live or dead specimens or any part of, or anything derived from these species
- c. deliberately disturb wild animals of any such species
- d. deliberately take or destroy the eggs of such an animal, or
- e. intentionally, deliberately or recklessly damage or destroy a breeding site or resting place of such an animal, or obstruct access to such a place

For the purposes of paragraph (c), disturbance of animals includes in particular any disturbance which is likely—

- a. to impair their ability—
 - i. to survive, to breed or reproduce, or to rear or nurture their young, or
 - ii. in the case of animals of a hibernating or migratory species, to hibernate or migrate; or,
- b. to affect significantly the local distribution or abundance of the species to which they belong.

Although the law provides strict protection to these species, it also allows this protection to be set aside (derogation) through the issuing of licences. The licences in England are currently determined by Natural England (NE) for development works. In accordance with the requirements of the Regulations (2010), a licence can only be issued where the following requirements are satisfied:

- i) The proposal is necessary ‘to preserve public health or public safety or other imperative reasons of overriding public interest including those of a social or economic nature and beneficial consequences of primary importance for the environment’
- ii) ‘There is no satisfactory alternative’

iii) The proposals 'will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range.

The water vole is listed on Schedule 5 of the Wildlife and Countryside Act 1981 (as amended), for which the following are offences:

- Intentional killing, injuring or taking;
- Intentionally or recklessly damaging/destroying a place of shelter/protection;
- Intentionally or recklessly disturbing an animal in its place of shelter/protection;
- Intentionally or recklessly obstructing access to its place of shelter/protection;
- and,
- Possession (live or dead, including derivatives), sale and offering for sale.

3 Mitigation Measures

The mitigation measures for this site will comprise three elements :

- a) A predevelopment survey to identify if there is any evidence of water vole present along the bank of the River Eye and the extent of any such activity, and
- b) Exclusion and protection of a 5m wide strip along the bank of the River Eye to avoid any disturbance of the bank area where water vole may potentially be present, and
- c) Creation of habitat suitable to encourage water vole to colonise and use the river bank area.

Predevelopment survey:

Activities aimed at displacing water voles in the context of any development project require a licence and are not covered by the 'incidental result' defence. However, it is confirmed that no trapping or relocation of water vole will be carried out as part of this development.

There are protocols for field surveys that will support planning applications or other construction activities but it is recognised in this instance that surveys have been carried out and planning permission has been obtained.

To provide up-to-date information on the presence of water vole immediately prior to works commencing, an additional field survey will be carried out along the bank of the River Eye. In accordance with field survey guidelines, surveys should ideally include searches for field signs undertaken over at least two separate visits, conducted at least two months apart to account for variations in habitat suitability across the season. One survey should be in the first half of the season (mid-April – June) and one in the second (July – September). However, there are some circumstances in which only a single visit is likely to be necessary (see page 15 of the guidelines) and in this specific instance it is concluded that only one field survey needed to be completed provided this is carried out during one of the optimum survey periods (mid-April – mid June or July – mid September).

The survey will comprise a surveyor inspecting the edge of the watercourse channel to check for field signs along the water's edge. The inspection will search for evidence such as:

- Faeces – these are 8 – 12mm long and 4 – 5mm wide, with a smooth 'tic tac' like shape, varying in colour from green to black, and odourless with a putty-like texture;
- Latrines – often comprising a pile of flattened droppings, with fresh droppings on top, used to mark range boundaries or favoured spots close to burrows;
- Feeding stations – comprise a neat pile of chewed feeding remains, often comprising lengths of vegetation up to 10cm long;
- Burrows – these are typically wider than they are high, with a diameter of 4 – 8cm, and are usually located along the water's edge;

- Lawns – around burrows there is often an area of grazed vegetation, surrounded by taller vegetation, these are most often produced when the female is nursing young;
- Nests – these comprise a large ball of shredded material, often woven into the bases of rushes and reeds, and are normally found in areas where the water table is high, such as wetlands;
- Footprints – as with other rodents, the footprints of the fore foot, show four toes in a star arrangement, with the hind foot showing five toes. The size of footprints for the hind foot is 26-34mm; and,
- Runways – these are low tunnels within the vegetation, often adjacent to the water's edge.

The survey will be reported and provided to the Local Planning Authority along with an assessment of the mitigation measures to confirm that these are still entirely applicable after the result of the survey have been obtained and considered.

Exclusion and Protection:

The avoidance of negative impacts on a species due to development should always be attempted. Negative effects to water voles can be avoided by:

- Attempting to avoid undertaking works in areas where water voles are present.
- Attempting to limit damage to their habitats.
- Ensuring connectivity of habitats to avoid habitat fragmentation and isolation.

The proposals (**Appendix 1**) for the site include a 5m buffer zone along the bank of the River Eye. This will be defined by a post and rail or post and wire fence erected before any ground works are carried out in the remainder of the site area. This will provide an effective exclusion zone along the river frontage which will ensure works cannot be carried out where water voles may be present and avoid any damage to the river bank habitat area.

The proposals for the site do not require any structures or barriers to be constructed along the river frontage and there will be no fragmentation or isolation of any part of the river bank area resulting from the development proposed.

Provision of water vole habitat:

Within the landscape proposals the 5m wide exclusion buffer zone along the water frontage will be allowed to naturally regenerate marginal and terrestrial vegetation over a 5-year period.

During the 5-year period the vegetation will be monitored and managed. If any invasive or noxious weed species such as Indian Balsam (*Impatiens glandulifera*) colonise these will be carefully removed by spot treatment of a translocated herbicide chosen for its suitability for use near to water courses during the Spring. The responsibility for treatment will lie with the landscape contractor appointed by the site owner.

Other vegetation management will be avoided during the first year but after this seasonal trimming to 10cm height of the terrestrial vegetation adjacent to the river may take place in September each year to promote the establishment of perennial vegetation and help prevent domination by undesirable ruderal species.


If, in order to promote the use of the river bank by water voles, it is determined that specific additional enhancement measures are required, these will be created in small areas by hand. The following measures may benefit water voles:

- Creating short sections of steep earth bank in which the water voles can burrow
- Reinstating small sections of meander bends, and ponding where watercourses have previously been straightened

- Encouraging the dense growth of grasses and herbs on the banks and bank tops
- Creating shallow marginal areas with reeds, rushes and sedges growing in abundance at the base of both banks
- Creating refuge areas above winter flood levels
- Removing excessive tree and shrub growth along ditch and stream banks

Where erosion protection or bank stabilisation is required, the use of 'soft engineering' techniques including hazel hurdles and staked coir-fibre rolls will be employed which may allow water voles to continue occupying their habitat.

Prior to any additional enhancement works being carried out, the specification and location for the works will be submitted in writing to the Local Planning Authority. Details submitted will include details of the scale of works, timing of works and methodology to be employed, for approval by the Local Planning Authority before any works commence.



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References:

Water Vole Conservation Handbook (Strachan and Moorhouse, 2011).

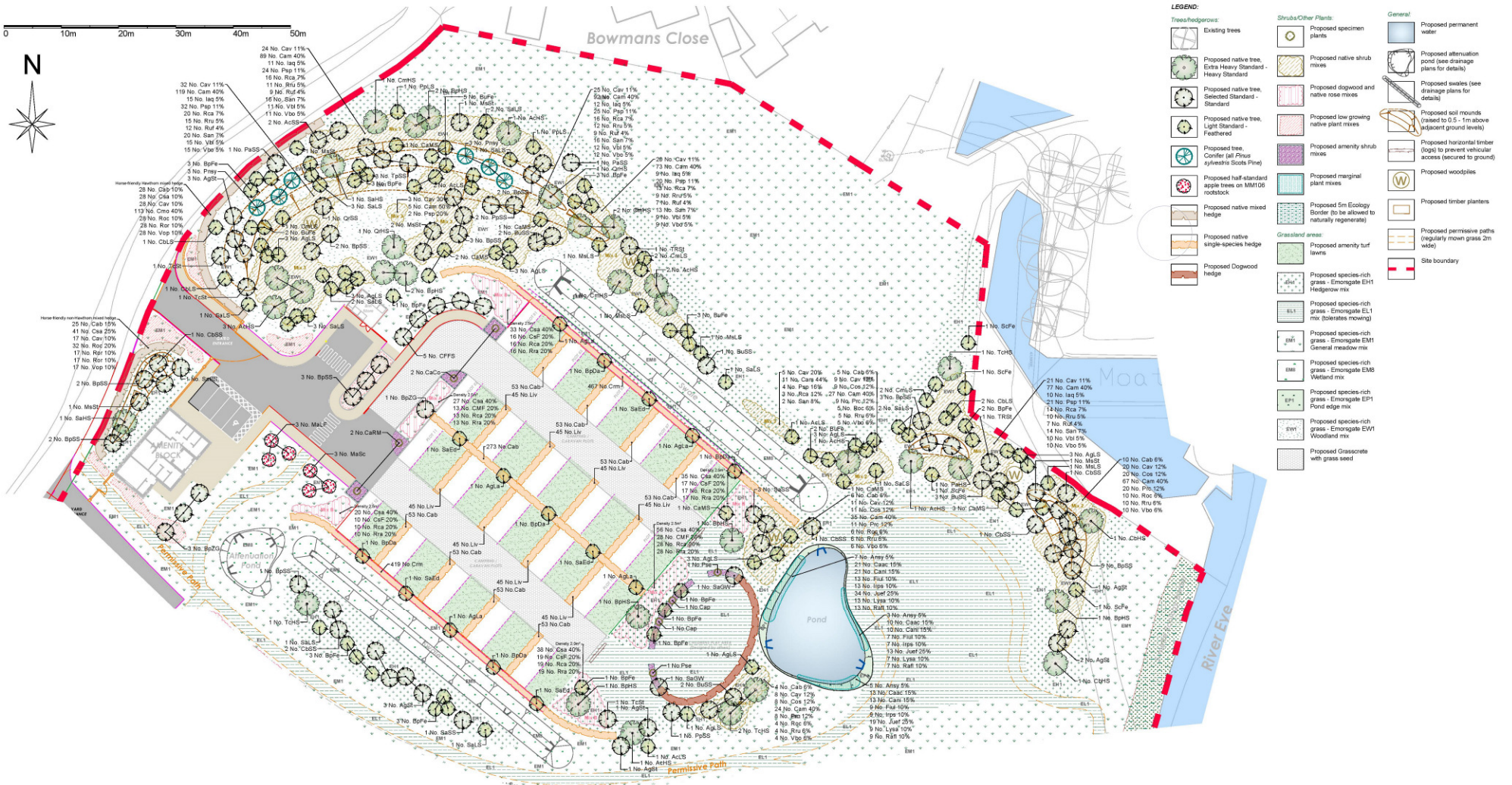
Water Voles – surveys and mitigation for development projects. Natural England. HMSO 2014.

The Water Vole Mitigation Handbook, Mammal Society, April 2016.

Appendix 1: Site Plans



Figure 2 – Habitat Survey Plan



Landscape Plan – Northern part of site area



Landscape Plan – Southern part of the site.