

# PRELIMINARY ECOLOGY APPRAISAL

FOR

LAND AT VALLEY LANE,  
GREAT FINBOROUGH  
STOWMARKET  
SUFFOLK  
IP14 3BD

ON BEHALF OF  
MR AND MRS A HART  
C/O SJB DESIGNS

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## 1. INSTRUCTION BY

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## CLIENT

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REASON FOR SURVEY – Re-wilding proposal including lake construction on existing agricultural land.

LOCATION – Land East of Valley Lane, Great Finborough, IP 3BD  
TM 017 569

## 2. METHOD

### SITE VISIT – FIELD STUDY

A walk over of the site was made on the 4<sup>th</sup> July 2023 by Tim Watts – an independent, qualified and experienced ecologist.

Weather was fine 15/20 degrees celsius over the course of the survey time, dry with light NW breeze.

Access gained directly from Valley Lane.

The objective to establish the possible presence and habitat suitability of protected species within the area. Consideration was given to the land area of physical workings and that of the surrounding habitats.

To look at the area of impact within viable / relevant distance of particular protected species that may be affected by the proposals.

Conditions and season were not considered a barrier to appraise habitats of protected wildlife within the area.

All survey methods were carried out in accordance with the most up to date good practise guidance for relevant protected species.

### 3. OBJECTIVE – LEGISLATION

The objective to investigate for species which have specific protection within the Wildlife and Countryside Act 1981, European Habitats Directive on Conservation of Natural Habitats of Wild fauna and Flora 1994 and subsequent amendments to Conservation of Habitats and species regulations 2010  
Consideration of National Planning Policy Framework March 2012 Section 15  
Conserving and enhancing the natural environment. Paragraphs 174 – 188.

The Conservation of Habitats and Species regulation 2017 articles 1(b) and 1 (h) of the habitats directive ‘ Priority Natural Habitat Type’ and ‘ Priority Species’ – ENGLAND’S BIODIVERSITY 2020 : A Strategy for Wildlife and Ecosystem Services.

The threshold above which a person will commit the offence of deliberately disturbing a wild animal of European protected species raised. A person will commit an offence if he deliberately or unintentionally disturbs such animals in a way as to be likely significantly to affect (a) the ability of any significant groups of animals of that species to survive, breed or rear or nurture their young, or (b) the local distribution of that species. It is to be noted that the existing offences under the Wildlife and Countryside Act (1981) as amended which cover obstruction of places used for shelter or protection (for example bat roost-badger set – water vole burrow etc), disturbance and sale – still apply to European protected species.

The Survey was carried out /with consideration to Natural Environment and Rural Communities Act (NERC 2006) and extending the biodiversity duty as set out in the Countryside and Rights of Way Act 2000 ‘ Crow Act ‘ and amendments to the species protection measures provided by the Wildlife and Countryside Act 1981.

- With particular reference to Great crested newts.
- Water Vole
- Farmland birds and mammals

Principal importance (NERC 2006) Birds of Concern (Stanbury A et al 2012)

- The Protection of Badgers Act 1992 consolidates previous badger legislation by providing comprehensive protection for badgers and their setts, with requirement that any authorised sett disturbance or destruction be carried out under NE licence.

The European Community Council Directive on the Conservation of Wild Birds (79/409/EEC) sets out general rules for the conservation of all naturally occurring wild birds, their eggs and habitats. It requires a member state to designate Special Protected areas (SPAs) for protection of certain species.

The Hedgerows Regulation 1997 aim to protect important hedgerows in the countryside. They make it illegal to remove most countryside hedges without first notifying the local planning authority, and provide protection for ‘important hedgerows’. Particular seasonal reference to bird nesting regarding hedgerow management works.

In addition to investigate local species listed in the UK Biodiversity action plan for Suffolk, Essex and Norfolk – ‘Species of Conservation Concern’ to build up a reliable and responsible picture of localised populations where present.

In consideration of the latter any requirement for future survey work.

#### 4. SPECIES OF LEGAL PROTECTION

The species below have particular conservation status as mentioned within both local and European relevance, or 'rare'/'vulnerable' /amber listed and covered by general protection within life cycle, migration, or habitat that may be considered and surveyed within an ecology statement.

Species covered by Statutory Instrument – Schedule 2EHD

Great Crested Newt (*triturus cristatus*)

Otter (*lutra lutra*)

Bats ( all species *rhinolophidea* and *vespertilionidae*)

Dormouse (*muscardinus avellanarius*)

#### SPECIES COVERED BY LOCAL ACTION PLANS AND THE WILDLIFE AND COUNTRYSIDE ACT 1981 - CONSERVATION /PRIORITY SPECIES 'RARE' / 'VUNERABLE'

Barn Owl (*tyto alba*)

Nightingale (*Luscinia megarhynchos*)

Skylark (*Alauda arvensis*)

Stone Curlew (*Burhinus oedicnemus*)

Water vole (*arvicola terrestris*)

Hazel Dormouse (*muscardinus avellanarius*)

Hedgehog (*erinaceus europaeus* )

Badger (*meles meles*) covered by the Badgers Act 1992

Polecat (*mustela putoriua*)

All amphibians - Great crested, Smooth, and Palmate newts. Common and Natterjack Toad , and Common Frog.

All reptiles.

All wild birds nests and eggs

Specimen and specialist flora

Note and record non Native / invasive alien species such as Japanese knotweed / Signal Crayfish

## 5. IMPLICATIONS OF LEGISLATION AND POLICIES

With legal responsibilities and planning implications, it is essential that any ecological assessment of potential development site, including the area of this report, must determine the possible presence or absence of any protected species as part of any planning development consideration. Or make recommendations for further survey work to conclude presence of protected species.

Without this assessment the potential developer would be unable to demonstrate due diligence in his/her responsibilities. Furthermore the local planning authority would not have been provided with sufficient information for a planning decision to be made. This could result in the application being designated incomplete and not determined, or simply refused.

Paragraph 99 of the ODPM Circular 2005 highlights that "It is essential that the presence or otherwise of protected species, and the extent that they may be affected by the proposed development, is established before the planning permission is granted, otherwise all relevant material considerations may not have been addressed in making the decision"

Where mitigation or compensation measures are required to ensure that no significant impacts will result on biodiversity from the development, the proposed measures may be secured through planning conditions or by EPS Mitigation Licences from Natural England.



## 6. Desktop Data Search

Consideration was given to the sites habitat suitability to EPS and LPS - local protected species with reference to the National Biodiversity Network / SBIS data.

Species Recorded within 2km.

Great Crested Newts are recorded within 2km , 1.8 East 1.9km to the South and West beyond the B1115

There is anecdotal evidence of the presence of Barn Owls and Dairy Farm.

There are five recordings of Skylarks within 2km, all are over 1.5km from the site proposal.

Water vole are recorded on the sites watercourse some 1km up stream – South. TM 018559.

Both Brown Hares and European Hedgehogs are recorded within 2km.

Common and Soprano Pipistrelle, and Natters Bats are recorded 1km for the site.

### LOCAL AND REGIONAL SPECIAL PROTECTION AREAS

CHURCH MEADOW Local nature reserve some 3km East

BRADFIELD WOODS National Nature reserve some 6 m to the West.

## 7. SITE DESCRIPTION

The proposals concerns an area of rolling arable land of some 4.25 hectares.

The soil structure is heavy clay containing high deposits of flint.

The land rolls gently to the East to join the an ephemeral water course which enters Rattlesden River some three kilometres to the North.

The watercourse is heavily enclosed by mature trees and scrub with an adjoining grass headland.

The tarmac road of Valley Lane immediately abuts the field's Western boundary.

A public footpath crosses the site, but there is little evidence of use.

Active poultry houses and banded screening with new plantings form the areas Southern boundary.

The Northern end of the proposal is bound by mature historic hedging, beyond which a continuation of arable land mass.

The proposed land area sits immediately North of the working area of Valley farm and is surrounded by an arable landscape dominated by Winter wheat.

The area is situated approximately 1.5 km south, from the centre of Great Finborough.

## 8. FIELD SURVEY

- 8.1 The proposed area of land has presently been taken out of arable production / rotation, post harvest of 2022.
- 8.2 Natural regeneration / volunteer wheat is presently ripening amongst Smooth and Prickly Sow thistle – *sonchus asper / oleraceus*, Common wild Oats – *avena fatua*, Creeping Thistle -*cirsium arvense*, and Field Speedwell -*veronica agrestis*.
- 8.3 The Northern neck of the proposals includes an area of topped Artichokes – *cardo*, occasional Phacelia – *phacelia tanacetifolia*, and Field Cornflower – *centaurea cyanus*.
- 8.4 Within this Northern neck of the proposals two lines of Conifers , within tree guards have been recently planted.
- 8.5 The field margins have been mowed and established grassland has developed.
- 8.6 The Southern field margin backs onto an earth bund screen to neighbouring poultry houses. Planting screening has been recently undertaken at the bund base.
- 8.7 Dense Hawthorn – *crataegus monogyna* hedging with occasional mature Sweet Chestnut – *castanea sativa*, Field maple – *acer campestre*, Bird Cherry – *prunus padus*, Alder – *alnus glutinosa*, and young Oak -*quercus robur*, screen the gardens of Tiger Lodge and access way West of the poultry sheds.

- 8.8 Only occasional stands of mature trees edge Valley Lane from the proposed field of re wilding. These of Field maple, Hawthorn, Ash – *fraxinus excelsior*, Blackthorn – *prunus spinosa*, and Oak.
- 8.9 The Northern end of the western field boundary is more solidly divided from the road (Valley Lane) with mature Apple - *malus domestica* standing to a height of some fifteen metres clad in Bramble- *rubus fruticosus* and running for some fifty metres.
- 8.10 The Northern field boundary is of a dense historic hedge containing, Hawthorn, Blackthorn, English elm – *ulmus procera*, Dog rose – *rosa cannina*, Hazel – *corylus avellana*, Bramble and Elder – *sambucus nigra* to a height of some ten metres.
- 8.11 The hedge contains an enclosed ephemeral drainage ditch.
- 8.12 The hedge doglegs to the North to create a narrow neck to the field some fifty metres in width, before meeting the eastern watercourse.
- 8.13 The eastern boundary watercourse consists of hard substrate presently densely overgrown by Greater willow herb – *epilobium hirsutum*, Common nettle – *urtica dioica*, Cleavers – *galium aparine*, and Bramble. There is some evidence of aquatic plants Pendulous sedge – *carex pendula*, Water mint – *mentha aquatica*, and Canary reed grass -*phalaris arundinacea*.
- 8.14 Much of the watercourse bed is now dry (see photo section) but shows remnants of aquatic weed growth Willow moss – *fontinalis*.
- 8.15 Isolated pools are showing signs of water quality failure with development of Duck weed - *lema*.

- 8.16 The watercourse corridor shows signs of more recent planting as opposed to historic local species and contains mature Bird Cherry - *prunus padus*, Silver birch – *betula pendula*, amongst ancient Ash and Oak. Many of the trees cladded in Travellers Joy – *clematis vitalba*.
- 8.17 Beside the dense understory growth of the watercourse margin the field headland (of the proposal) is of mown grass. The water courses eastern margin is of some ten metres of unmanaged grass before reaching the arable cropping.

## 9. DISCUSSION

- 9.1 The present open, fallow regenerated arable land has become an attraction to local wildlife. This within an area presently dominated by dense with Winter wheat.

Species present Brown Hares, Roe Deer, Starlings and Mistle Thrush.

- 9.2 There are no signs of open farmland nesting birds such as Red listed Skylark and Lapwing (which appear within local data)
- 9.3 The site has immediately adjoining road disturbance of Valley lane with little in the way of present hedge line screening.
- 9.4 The site is over looked on all sides by mature trees and phone / electric wires allowing aerial predators observation of any nest site, and as such usually avoided by these conservation species.
- 9.5 The dense hedge and tree line corridor of the watercourse provide valuable habitat to many common bird species.

Mistle Thrush, Blackcap, Blue Tit, Great tit, Great Spotted Woodpecker, Blackbird, Wren, Wood pigeon and Jackdaw were seen.

- 9.6 The watercourse is heavily shaded and lacks sustainable water flow to provide both water quality and aquatic habitats of merit to riverine creatures.

No burrows, runs or latrines were found of Water voles however the density of understory growth would make these features difficult to find at this time of year.

Prints were found in one silt area that could be attribute to Water vole, and the species is recorded South of the site.

- 9.7 The watercourse's remaining pools lack invertebrate colonies and this may be created by seasonal desiccation and failure of water quality. No signs of amphibian tadpoles were present.

- 9.8 The valley's tree lined watercourse would be an important wildlife corridor for much of the area's local wildlife.

## 10. ASSESSMENT OF PRESENCE / HABITAT SUITABILITY OF LOCALLY PROTECTED SPECIES AS IDENTIFIED IN FIELD SURVEY / AREA DATA.

### 10.1 REPTILES.

The hedge line understory and watercourse margins provide suitable habitats.

Open, bare ground of the present fallow land provide warm sunning areas - no evidence was seen of reptiles.

I suggest the history of intensive arable management of this and the surrounding land area has reduced any reptile population present to small numbers.

### 10.2 AMPHIBIANS.

The watercourse, adjoining understory and refuge, and that of the boundary hedge lines provide merit as terrestrial habitat to all species of amphibians.

There are no signs of amphibian tadpoles in the watercourse pools and this may be down to failing water quality and the history of desiccation.

The ephemeral nature of the eastern water course does not provide sustainable conditions for GCN breeding and poor conditions for other amphibian breeding (tadpole maturation)

### 10.3 BATS

Some of the mature trees of the watercourse margin show signs of Bat roost features in the way of cracks and crevasses.

The valley and sheltered mature hedges would form part of any local population commuting corridor and feeding habitat.

Common and Soprano pipistrel, and Natter's bats having been recorded within flying distance of the site, it is highly likely they would use the valley corridor.

### 10.4 BARN OWLS

No evidence could be seen of Owl activity (white splashings, feathers or pellets) in and around neighbouring trees of the proposed field area.

Anecdotal evidence tells of Barn Owls seen feeding and living in the Barns at Dairy Farm, some 200 metres to the North.

Management safeguards ref Bats and site illumination would help protect nocturnal Owl activity.

### 10.5 BADGERS

All boundary hedge lines were inspected for evidence of earth works or breaches that would indicate the presence and movement of the species, none was found.

The heavy clay soils of the site are not conducive to badger residence.



## 10.6 HEDGEHOGS

The hedge line understory and margins of the site have habitat merit for the species.

However, the immediately joining road make this particular field hazardous.

No evidence of droppings were found on the grassland headlands.

## 10.7 OTTERS

No conclusive evidence was found, padding under the river culvert possible Otter, but had dried out to become undeterminable.

Local populations of Otters would use the sites watercourse as a corridor and hunting area when flowing, when quarry is present.

At this time of year most Otters are on open water systems hunting flightless waterfowl.

## 10.8 WATER VOLE

The density of existing habitat would make any conclusion on presence unreliable with regard to Water Voles.

Desiccated silt beds show evidence of small mammal prints but positive identification was not possible.

If water voles are present it would be a small population, and these would be extremely vulnerable in the present and future dry conditions of late summer.

See discussion 9.6

## 10.9 HAZEL DOORMOUSE

The sites hedges are not connected to suitable areas of dense woodland.

## 10.10 BIRDS AND BIRDS NESTS.

The sites hedge lines, watercourse banks, understory, mature and young trees all have possible nesting habitat. This as both nesting and bird feeding areas. The sites diverse mix of trees and scrub providing seasonal insect and fruit production.

The open field area was watched and walked and no evidence of nesting birds found. See discussion 9.2 / 9.4

## 10.11 NON - NATIVE / INVASIVE PLANTS/ MAMMALS.

None were identified on the site.

## 11. SUMMARY

11.1 The area has been within historical intensive arable production for many years and is presently largely devoid of wild plant colonies or wild habitat.

11.2 Habitats that contain merit and relevance to local wildlife are confined to the boundaries of the proposed field area and particularly that of the eastern water course.

11.3 Local wildlife has been attracted to the area of now fallow ground, but this has remained uncolonised by red listed, open farmland birds for the reasons explained – in Discussion.

- 11.4 The sites riverine / aquatic habitats are failing due to the shading of dense canopy and lack of water. With this the disappearance of protected and vulnerable species habitat.
- 11.5 There would be no loss to open farmland bird nesting / habitat involved with the present re - wilding proposal.
- 11.6 There would be major gains the EPS and LPS habitats with the provision of sustainable wetland habitats of lake building proposals.
- 11.7 No requirement for further survey work is considered necessary under the present proposals.
- 11.8 There would be considerable net gain in biodiversity terms to the local area under the present re- wilding proposals.

## 12. RECOMMENDATIONS

- 12.1 Any excavation / lake construction works should be undertaken outside the bird nesting season 1<sup>st</sup> March to the 1<sup>st</sup> September inclusive, or a maximum of seven days post a bird nest survey.
- 12.2 No artificial lighting should be installed on the site, to in anyway illuminate ground areas or the local landscape.

This to ensure nocturnal activity of Bats, Otters, Owls and other creatures are not disturbed.

12.3 All boundary hedges and watercourse management should be continued under existing management strategy and any future planting should not prevent / obstruct access for these operations.

This to ensure density and understory is maintained for nesting birds and terrestrial habitats for small mammals/ amphibians and reptiles.

12.4 Any lake construction works should not commence within ten metres of the existing hedge lines and watercourse.

This to ensure some root protection and allow an open swathe of grassland corridor.

12.5 Landscaping - Lake design and planting should follow criteria set out within the Biodiversity Supporting Statement.

This to ensure European / local protected species which have relevance and connectivity to the site benefit from the proposed works.

12.6 The public footpath should be managed to minimise wildlife disturbance.

### 13. PHOTOGRAPHS



LAND AT VALLEY FARM, GREAT FINBOROUGH

TM 017569 - 4/7/2023

The Northern end of the field proposals, view East from Valley Lane.



LAND AT VALLEY FARM, GREAT FINBOROUGH

TM 017569 - 4/7/2023

View looking South towards Valley farm.





LAND AT VALLEY FARM, GREAT FINBOROUGH

TM 017569 - 4/7/2023

The presently dry watercourse of the Eastern boundary of the proposed land area.



LAND AT VALLEY FARM, GREAT FINBOROUGH

TM 017569 - 4/7/2023

View looking South West from the bottom watercourse.