



Rookery Farm, Melford Road, Acton

Preliminary Ecological Appraisal

Client: Donald Byford Ltd

Author: Liz Lord BSc (Hons) MCIEEM

Date: 10th October 2023

Ref: 1869

Issue: Final

Pond House

Earls Hall Drive

Clacton

CO16 8BP

T: 07434 672196

E: brooks.liz@gmail.com

CONTENTS

1.0	SUMMARY	3
2.0	INTRODUCTION	4
3.0	METHODOLOGY	7
4.0	RESULTS (<i>Baseline Conditions</i>)	13
5.0	CONCLUSIONS AND RECOMMENDATIONS	19
6.0	MITIGATION & ENHANCEMENT MEASURES	23
7.0	REFERENCES	24
8.0	LEGISLATION	25

Appendix 1:	Proposed Building Layout & Bird / Bat Box Locations
Appendix 2:	Habitat Suitability Index Results
Appendix 3:	Great Crested Newt Precautionary Method Statement
Figure 1:	Site Location Plan
Figure 2:	Building Location Plan



1.0 SUMMARY

- 1.1 The site (located at TL 89574 47048) was found to comprise two modern agricultural buildings surrounded by hard standing and small margins of weedy vegetation. Planning permission is being sought for a change of use to light industrial, to include the provision of car parking within the open sided building.
- 1.2 There is high potential for great crested newts to be present in the surrounding landscape, with two water bodies were identified within 100m of the site to the east / south east. Due to the high quality terrestrial habitats surrounding the ponds, the very limited areas of potential newt habitat on site, the semi-permeable barriers created by offsite buildings and walls, and a lack of notable habitat features beyond the site to the north west, the likelihood of great crested newts being present on site or adversely affected by the proposals is very low. Negligible impact upon the Favourable Conservation Status of great crested newts is predicted, and no mitigation licence is recommended in this instance. Instead a combination of avoidance and precautionary measures will be followed (see Appendix 3). In the event that a great crested newt is discovered during building works, all works must cease and an ecologist contacted for further advice.
- 1.3 The buildings provide suitable habitat for nesting birds, with an old wren nest recorded in one of the buildings. Ideally building works should commence during September to February inclusive to avoid the bird nesting season. If this is not possible, immediately prior to commencement of works a check for nesting birds should be undertaken by a suitably experienced ecologist. Any active nests will need to be left in situ until the young have left the nest. New bird boxes will be installed on site – see section 6.0.
- 1.4 The site is not deemed suitable for any other protected species.
- 1.5 The mitigation and enhancement measures detailed in section 6.0 can be secured via a planning condition, and should result in a minor overall enhancement for local biodiversity at the site scale.



2.0 INTRODUCTION

Instruction

- 2.1 This report has been prepared by Liz Lord following instruction by Mr J Melville-Claxton to carry out an ecological appraisal of two agricultural buildings at Rookery Farm, Melford Road, Acton, Sudbury, Suffolk CO10 0BJ.

Site Proposals

- 2.2 Planning permission is being sought to for a change of use to light industrial and a covered parking area, accessed via the existing site entrance.

Site Description

- 2.3 The site lies to the north east of Sudbury, Suffolk, on the north eastern outskirts of the village of Acton. The site is surrounded to the north and west by arable fields, with a small area of dense ruderal vegetation and scattered fruit trees to the north east. Offsite to the east is a large residential dwelling and garden, and to the south runs Melford Road, with further arable fields beyond here. The wider landscape is dominated by arable fields, with scattered small copses and woodlands. Mature hedgerows and lines of trees provide relatively good habitat connectivity from the site through the surrounding landscape. An aerial site location plan and aerial site photograph are provided below and overleaf.

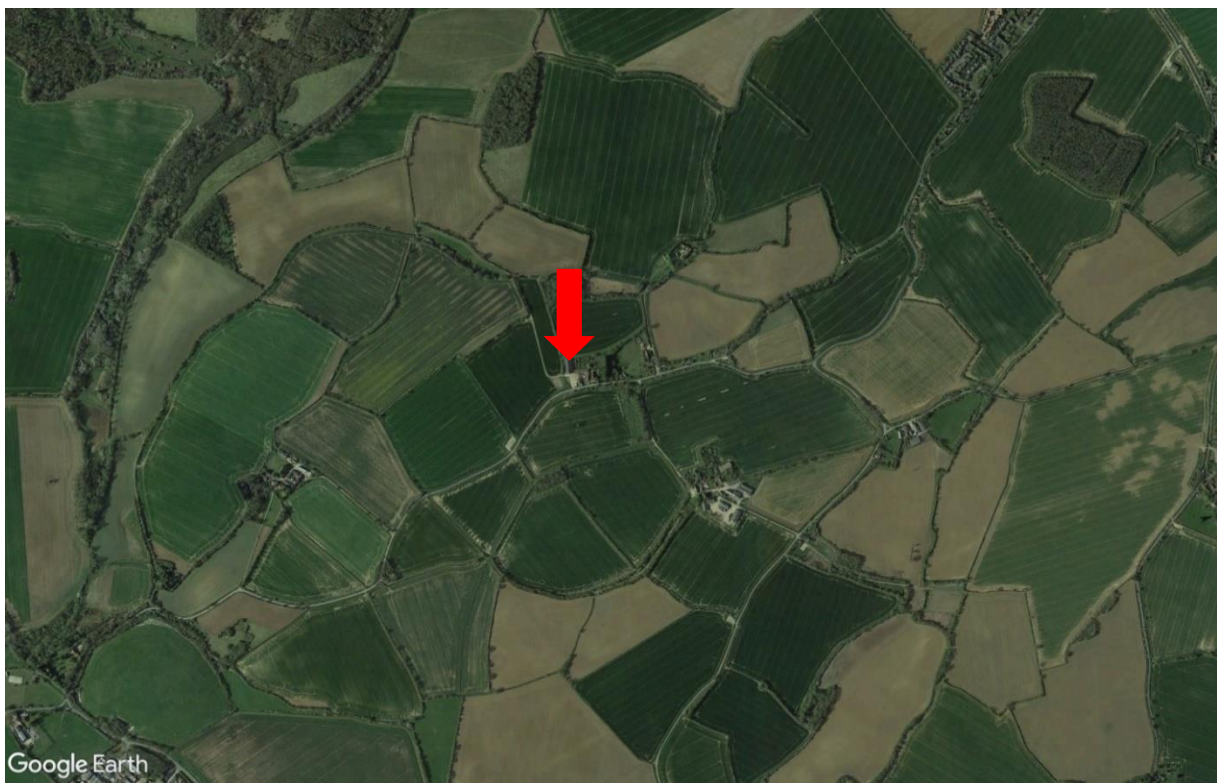


Fig 1: Site location indicated beneath red arrow. Aerial photograph sourced from Google Earth Pro



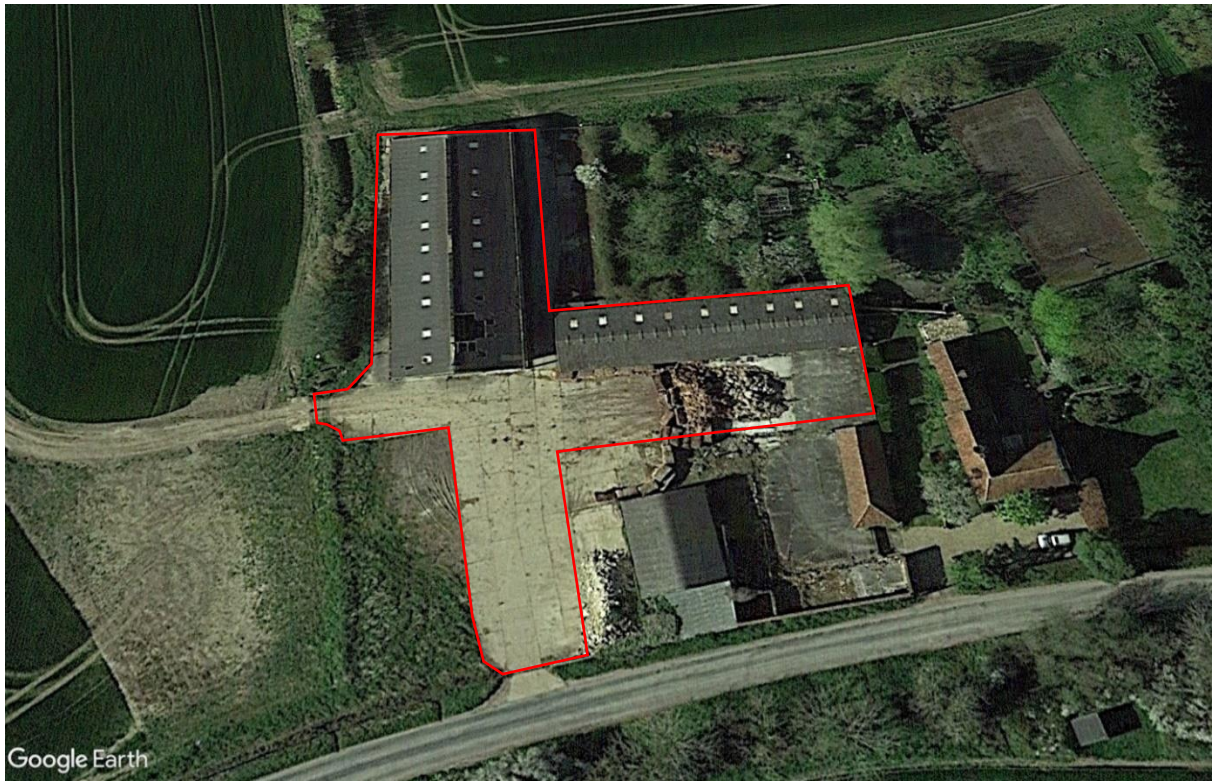


Fig 2: Building location plan, with site outlined in red. Aerial sourced from Google Earth Pro

Objectives

- 2.4 This report has been written broadly in accordance with the report writing guidelines produced by the Chartered Institute of Ecology and Environmental Management (CIEEM) (CIEEM 2018, 2017a, 2017b). In accordance with the client brief, this survey and report aims to:
- 2.4.1 Identify and describe all potentially significant ecological effects on protected and notable species / sites associated with the proposals;
 - 2.4.2 Set out the mitigation measures required to ensure compliance with nature conservation legislation and address any potentially significant ecological effects;
 - 2.4.3 Identify how mitigation measures will / could be secured;
 - 2.4.4 To provide an assessment of the significance of any residual effects;
 - 2.4.5 Identify appropriate enhancement measures; and
 - 2.4.6 Where deemed necessary, set out the requirements for post construction monitoring.
- 2.5 This survey and report is intended to inform, as necessary, the layout and design of the proposals, future landscape design and management on site, and where required the methodology and timing of development works.



Timescales

- 2.6 The works period is expected to last around 18-24 months following the granting of relevant permissions.
- 2.7 This report is valid for a period of 18 months from the date of survey. Beyond this time, changes to the vegetation and building and / or use of the building may have occurred which could require re-assessment and potentially further survey to re-determine the presence / likely absence of protected species.

Relevant Documents

- 2.8 The site assessment was based upon drawing number P01 dated 27/09/23 by Wright Ruffell Cameron, as shown in Appendix 1. Note that any minor amendments to the scheme are unlikely to alter the conclusions and recommendations of this report.
- 2.9 Recommendations included within this report are the professional opinion of an experienced ecologist based on the client's proposals for the site, the site surveys, the results of the desk study, and features present in the surrounding environment.



3.0 METHODOLOGY

Desk Study

- 3.1 The Multi Agency Geographic Information for the Countryside (MAGIC) website was consulted on 24th September 2023 to determine the presence of any nationally or internationally designated sites such as Sites of Special Scientific Interest (SSSI), Special Areas of Conservation (SACs), Special Protection Areas (SPAs) and Ramsar sites within influencing distance of the proposals.
- 3.2 The MAGIC website was also used to search for any records of European Protected Species Mitigation (EPSM) licences that have been approved by Natural England within a 5km radius of the application site since late 2008 (last updated January 2022). The website was checked for any data from Natural England's great crested newt eDNA Habitat Suitability Index pond surveys for District Level Licensing 2017-2019 (last updated August 2022); and data from Natural England great crested newt Class Survey Licence returns within a 5km radius of the site (last updated August 2022).
- 3.3 Due to the very low ecological value of the habitats present on site, and the small scale of the proposals, a records search with the Suffolk Biodiversity Information Service (SBIS) for information on County Wildlife Sites and protected and notable species within a 2km radius of the site was not carried out. This is not a significant constraint to the conclusions and recommendations of this report.

Site Survey

- 3.4 A daytime building inspection and site survey was carried out on 19th September 2023. The survey was based upon the standard methodology for Extended Phase 1 Habitat Surveys (JNCC 2010), with habitats classified according to the abundance of plant species present. Any evidence of invasive species such as Japanese knotweed was noted.
- 3.5 The survey area was limited to the land within the red line boundary as shown in Figure 1, plus land immediately adjacent and within the potential Zone of Influence.
- 3.6 The survey also included an assessment of the site's potential to support any legally protected species; or Species and Habitats of Principal Importance, as identified by Section 41 of the Natural Environment and Rural Communities Act 2006.
- 3.7 Where best practice guidelines exist, these have been used to assess the likelihood that individual species will be present, for example Bat Surveys for Professional Ecologists: Good Practice Guidelines (Collins, J. 2023) and Habitat Suitability Index for Great Crested Newt (Oldham *et al*, 2000).



- 3.8 Using criteria provided in best practice guidelines, habitats have been assessed for their potential to support protected species; notably bats, barn owls *Tyto alba*, badgers *Meles meles*, great crested newts *Triturus cristatus*, reptiles, water voles *Arvicola amphibius*, dormice *Muscardinus avellanarius* and otters *Lutra lutra*.
- 3.9 Where methodologies, classification or recommendations deviate from best practice guidelines, this report provides ecological justification for such changes.

Habitat Suitability Index (HSI) assessment

- 3.10 Where relevant, for each water body located within potential influencing distance of the construction zone boundary (100-250m in this case), a Habitat Suitability Index (HSI) assessment was undertaken, following standard methods described in Oldham R.S. *et al*, (2000).
- 3.11 Features such as shading, water quality, terrestrial habitat, fish and fowl presence were noted during the survey. These features were used in the HSI to assess the potential of the ponds to support great crested newts.
- 3.12 Following the survey, the HSI field scores are inserted into a table to calculate a score for each pond, with pond suitability for great crested newts assessed on the following scale:

HSI Score	Pond Suitability
< 0.5	Poor
0.5 – 0.59	Below Average
0.6 – 0.69	Average
0.7 – 0.79	Good
>0.8	Excellent

Building Inspection

- 3.13 The buildings were surveyed and assessed in accordance with criteria outlined in Bat Surveys for Professional Ecologists: Good Practice Guidelines (Collins, J. 2023).
- 3.14 The internal and external inspection of the buildings was carried out using – as necessary – a powerful torch, a ladder, a pair of Nikon 12 x 50 binoculars and an Easyview 8mm digital recording endoscope to inspect gaps and crevices for bats and evidence of bats.
- 3.15 Floors, walls and storage surfaces beneath all possible access points or crevices which may be used for roosting were checked for droppings, scratching and urine or fur staining, and particular attention was paid to the areas beneath tie beams from which bats may hang or rest.



- 3.16 The ridge boards, tie beams, barge boards and door / window frames of the buildings were specifically checked for scratching and staining, as well as roosting bats. Particular attention was paid to any gaps in and around timbers, roofs and walls; and the walls, ledges and ground area below.
- 3.17 Floor surfaces were either bare earth or concrete, and had not been recently swept or cleared prior to the building inspection.

Surveyors

- 3.18 The building inspection was carried out by Liz Lord. Liz has been a professional ecologist since 2005, and holds current Natural England licences to survey bats - Class Licence Reg. No. 2015-13305-CLS-CLS; great crested newts - Class Licence Reg. No. 2020-44816-CLS-CLS; and barn owls – Class Licence Reg. No. CL29/00160. Liz is a full member of CIEEM.
- 3.19 The weather at the time of the survey 19th September 2023 comprised sunny spells with a strong breeze (BF4-5) and a temperature of 17°C.

Limitations

- 3.20 The conclusions in this report are based on the best information available during the reported period of survey.
- 3.21 Ecological surveys provide only a 'snapshot' of the site in time, and many species, such as bats and badgers, are capable of colonising a site in a very short space of time. Lack of evidence of a species at the time of survey can only allow conclusion of the *likely* absence of this species, since no level of survey effort is capable of proving absence beyond doubt.

Zone of Influence

- 3.22 The potential impacts of a development are not always limited to the boundaries of the site concerned, such as where there are ecological or hydrological links beyond the site boundaries. In order for the proposed works to have an impact on habitats and species outside of the site boundaries, there needs to be a source of impact, a pathway and a receptor for that impact.
- 3.23 The Zone of Influence will vary for different habitats and species depending on their sensitivity to predicted impacts, the distribution and status of the relevant species, whether a species is mobile, migratory, and whether its presence and activity varies according to the seasons.
- 3.24 An assessment of the Zone of Influence has been made based on the site layouts shown in Appendix 1, and where necessary recommendations to avoid any significant adverse impacts beyond the site boundaries have been provided in section 5.0.



Geographic Context

3.25 Where applicable, the importance of each ecological feature has been considered in a geographic context as follows:

- International and European
- National
- Regional
- Metropolitan, County, vice-county or other local authority-wide area
- River Basin District
- Estuarine system/Coastal cell
- Local (further categorized into District, Borough or Parish)
- Site

Assessment of Impacts and Effects

3.26 The following definitions are used for the terms 'impact' and 'effect' in accordance with CIEEM (2018) guidelines:

- Impact – actions resulting in changes to an ecological feature
- Effect – outcome to an ecological feature from an impact

3.27 The importance of any ecological feature has been determined via the site surveys detailed in this report. Note that species and habitats afforded legal protection are, by default, always considered within the EclA assessment process to be 'important'.

3.28 Potential impacts of the proposals on any such features have been assessed based on the client proposals for the site, and following a review of all phases of the project.

3.29 Impacts are assessed through consideration of the extent, magnitude, duration, reversibility, timing and frequency of works which may result in likely 'significant' impacts to any ecological features present. The route through which impacts may occur (direct, indirect, secondary or cumulative) has also been considered. Positive impacts are assessed as well as negative ones.

3.30 The results of the surveys have been used to identify any potentially significant impacts in the absence of any avoidance, mitigation or compensation measures. Any such appropriate measures have then been proposed where necessary.



Characterisation of Ecological Impacts

- 3.31 When considering ecological impacts and effects, the following characteristics have been considered:
- positive or negative
 - extent
 - magnitude
 - duration
 - frequency and timing
 - reversibility
- 3.32 Where various characteristics have not been specifically referred to in this report, they have been considered insignificant or irrelevant to that specific feature.
- 3.33 A 'significant effect' is defined within the current CIEEM guidelines (2018) as: *"an effect that either supports or undermines biodiversity conservation objectives for 'important ecological features' or for biodiversity in general. Conservation objectives may be specific (e.g. for a designated site) or broad (e.g. national/local nature conservation policy) or more wide-ranging (enhancement of biodiversity). Effects can be considered significant at a wide range of scales from international to local."*
- 3.34 Where a significant effect is predicted, this requires assessment and reporting in order to provide the decision maker with sufficient information to determine the environmental consequences of a project. A significant effect can be either positive or negative, and its extent will determine the requirement of conditions, restrictions or monitoring works.
- 3.35 The current CIEEM guidelines (2018) also state that: *"After assessing the impacts of the proposal, all attempts should be made to avoid and mitigate ecological impacts. Once measures to avoid and mitigate ecological impacts have been finalised, assessment of the residual impacts should be undertaken to determine the significance of their effects on ecological features. Any residual impacts that will result in effects that are significant, and the proposed compensatory measures, will be the factors considered against ecological objectives (legislation and policy) in determining the outcome of the application."*
- 3.36 This report has taken into account the factors detailed above for each important ecological feature in the absence of mitigation. Recommendations have then been made with respect to avoidance / mitigation / compensation / enhancement as necessary, and an assessment of the residual impacts after such measures has been made.



Mitigation Hierarchy

3.37 In order to minimise the likelihood of any significant negative residual effects on environmental features, this assessment has followed the mitigation hierarchy (listed below in order of preference):

- Avoidance – measures that avoid harm to ecological features, both spatially and temporally;
- Mitigation – avoidance or minimisation of negative effects through appropriate timing of works, or the provision of mitigation measures within the scheme design which can be guaranteed by condition or similar;
- Compensation – measures taken to offset residual effects which result in the loss of, or permanent damage to, ecological features despite mitigation;
- Enhancement – measures to provide net benefits for biodiversity, either by improved management of existing features, or the provision of new features, and over and above that which is required to mitigate / compensate for an impact. Delivery should be secured via planning condition or similar.

Legislation and Policy

3.38 Specific reference has been made to the individual legal protection of the species detailed within this report, however additional information with respect to other relevant legislation and planning policy is provided in section 8.0.

3.39 The legislation of particular relevance within the body of this report is the Conservation of Habitats and Species Regulations 2017 (as amended) and the Wildlife and Countryside Act 1981 (as amended). The former confers legal protection to 'European' Protected Species against both disturbance and harm, and extends to the full protection of their habitats. This legislation also provides legal protection for a number of internationally designated sites within the UK, and remains in place following Brexit.

3.40 The Wildlife and Countryside Act 1981 (as amended) is UK specific, and generally only provides protection against direct harm to individuals of a species.



4.0 RESULTS (Baseline Conditions)

Site Summary

- 4.1 The site comprises two relatively modern agricultural buildings in varying states of use, surrounded by hard standing and scattered weeds.

Desk Study: Statutory Designated Sites

- 4.2 Natural England's MAGIC website indicates that there are no UK statutory designated sites located within potential influencing distance of the proposals. The closest designated site is Lineage Wood and Railway Track, Long Melford SSSI located 650m to the north of the site and designated for its rich flora typical of ancient woodland.

Desk Study: Non-Statutory Designated Sites

- 4.3 Due to the surrounding habitats i.e. arable fields and residential gardens, it is very unlikely that any County Wildlife Sites are present within potential influencing distance of the site.

Habitats

Invasive species

- 4.4 No aerial evidence of Japanese knotweed *Fallopia japonica* was recorded within the site or immediately adjacent areas at the time of survey.

Water bodies

- 4.5 No water bodies are present on site. Ordnance Survey maps at 1:10,000 scale highlighted the presence of four ponds to the east of the site – WB1 located 10m to the east; WB2 35m to the south east; WB3 at 80m east; and WB4, 110m to the south east.
- 4.6 Only two of the closest water bodies were accessible for inspection at the time of survey, however due to the very low suitability of the site for amphibians and the small extent of the proposals, this is not considered to be a limitation to the conclusions and recommendations of this report.
- 4.7 WB1, located 10m to the east of the site, was found to be of 'poor' suitability for great crested newts following a Habitat Suitability Index assessment, with no aquatic vegetation, geese accessing the pond and very low water levels at the time of survey. WB2 is a small, heavily shaded road side ditch, which was found to be of 'below average' suitability for great crested newts. The full results of the HSI assessment are provided in Appendix 2.



Hard standing

- 4.8 The vast majority of the site is dominated by concrete hard standing, which extends across the floors of both buildings and is in generally good condition, with only joins and margins colonised by typical early colonising weed species.

Ephemeral / short perennial vegetation

- 4.9 Growing along the joins of the concrete yard are scattered grasses and forbs including false oat grass *Arrhenatherum elatius*, soft brome *Bromus hordeaceus*, field bindweed *Convolvulus arvensis*, creeping thistle *Cirsium arvense*, bristly oxtongue *Helminthotheca echioides*, redshank *Persicaria maculosa* and rosebay willowherb *Chamaenerion angustifolium*.
- 4.10 A margin of tall ruderal vegetation with a similar species mix and some low scattered blackthorn *Prunus spinosa* and bramble *Rubus fruticosus* agg. scrub grows immediately offsite to the north west.

Buildings

- 4.11 Two buildings are present on site. Building 1 is a large, two storey modern agricultural building consisting of a concrete frame and clad externally with metal sheets. Large cement blockwork forms the bottom c.2m of the walls. The roof is also covered with unlined metal sheeting, with a large number of Perspex skylights creating very light internal conditions. A metal roller door is present on the southern façade.
- 4.12 The floor is concrete, and a continuation of the surrounding farmyard. A small part of the building is currently being used to store grain. No evidence of bats or nesting birds was recorded internally or externally, and no potential bat roosting features recorded.
- 4.13 Building 2 is a single storey modern agricultural building comprising a concrete frame with a corrugated fibreboard roof and partial rear and gable end walls. The bottom c.2m of the rear and gable walls consists of breeze blocks, which are in good condition. No ridge beam is present, and the roof sheets are unlined, and interspersed with missing sheets and Perspex sheets. The building is open sided to the south, with the exception of the two eastern most bays which are covered with metal doors and separated internally from the remainder of the building by a plyboard sheet wall.
- 4.14 The floor of Building 2 is concrete, and no evidence of the presence of bats was recorded in the building. Small gaps are present between adjoining concrete rafters at the apex, but were found to be filled with dense dust and debris. An old wrens nest was found in the eastern most bay, between a concrete purlin and the fibreboard roof sheet. The eastern gable end of the building is partially covered in dense ivy *Hedera helix*, some of which has entered the building around the eaves and is growing inside.



Site photographs



Photo 1: South western facades of Building 1



Photo 2: Southern façade of Building 1, and existing hard standing entrance to site



Photo 3: Internal view of Building 1



Photo 4: Wall structure of Building 1 – concrete and metal supports and walls



Photo 5: South western facades of Building 2. A manure pile is present just within the south eastern corner of the site



Photo 6: Rear (northern) wall of Building 2, with adjacent offsite ruderal vegetation





Photo 7: Structure of Building 2 – concrete supports and corrugated fibreboard sheets



Photo 8: Ridge of Building 2, with no ridge beam present and small gaps at the apex joins filled with dirt and debris

Animals

Bats

- 4.15 The desk study identified one bat EPSM licence within 5km of the site, at 4.2km to the south, for non-breeding roosts of common pipistrelle *Pipistrellus pipistrellus*, brown long-eared bat *Plecotus auritus* and barbastelle *Barbastella barbastellus* dating from 2018.

Bats - roosting

- 4.16 No trees are present on site.
- 4.17 The buildings were assessed as being of 'negligible' suitability for roosting bats in accordance with best practice guidelines, with no potential roosting features present (Building 1) or with a very small number of inaccessible roosting features (Building 2) due to a build-up of debris. No evidence of the presence of bats was recorded in either building.

Bats - commuting / foraging

- 4.18 The site is dominated by buildings and hard standing. As a result it provides very little potential bat foraging or commuting habitat, and is very unlikely to be of any significance to local bat populations. A small area of offsite ruderal vegetation and scattered fruit trees lies immediately adjacent the site to the north east, but otherwise there are no features of note within potential influencing distance of the proposals with respect to foraging and commuting bats.

Amphibians

- 4.19 The MAGIC data search returned 20 records of great crested newt (GCN) within 5km of the site – all class licence returns – in three distinct clusters. Six records were from 2-4km to the east of the site, two from 3km south east, and the remainder 3.5-5km to the south west of the site.



- 4.20 The vast majority of the site comprises buildings and hardstanding, with very narrow margins of sparse vegetation cover. An area of moderate to high quality terrestrial habitat is present offsite to the north east, and in the mature residential garden to the east, which contrasts with the hard standing dominating the site.
- 4.21 It is acknowledged that an HSI assessment cannot determine presence / likely absence of GCN, however with the 'poor' and 'below average' suitability of the two closest ponds, combined with the very poor quality of the habitats present on site (hard standing and buildings with very little vegetation growth), there is very low potential for GCN to be present on site.
- 4.22 Should GCN be present in WB3 and WB4, situated 80m and 110m to the east and south east of the site, due to the poor quality of the habitats on site and the lack of any ponds or notable areas of high quality terrestrial habitat immediately beyond the site to the north or west, any GCN which may be present in these ponds are very unlikely to be present onsite. An offsite brick and flint wall, which runs along the southern boundary of the wider farmyard also creates a barrier to the dispersal of GCN towards the site from these ponds.
- 4.23 It is therefore concluded that GCN are very unlikely to be present on site, or adversely affected by the proposals. There are no predicted adverse impacts upon the Favourable Conservation Status of the local GCN population.

Invertebrates

- 4.24 The site is considered likely to support common and widespread invertebrate species typical of the habitats present.

Reptiles

- 4.25 The site does not support any potential reptile habitat.

Birds

- 4.26 The buildings provides some opportunities for nesting birds, with an old wren nest recorded in Building 2.
- 4.27 No evidence of the presence of barn owl was recorded in the buildings. A barn owl box with a small number of associated old barn owl pellets was seen to be present in a building offsite to the south, in the wider farmyard, however this building and the box within it will be unaffected by the proposals.

Badger

- 4.28 Badgers are a common and widespread species, not of conservation concern. No badger records were returned within 2km of the site.



4.29 No evidence of badger was recorded on or within 30m of the site. No setts, footprints, hairs, latrines, snuffle holes or scratching indicative of the presence of badgers was recorded.

Otter

4.30 There are no waterbodies on, adjacent or connected to the site which have potential to support otters.

Water vole

4.31 There are no waterbodies on, adjacent or connected to the site which have potential to support water voles.

Dormice

4.32 The site does not contain any habitat with potential to support dormice.

Other Legally Protected Species

4.33 Due to a lack of suitable habitats the site is not considered likely to support any other legally protected species.

Species of Principal Importance

4.34 The site provides very little habitat for Species of Principal Importance in England (SPIE).



5.0 CONCLUSIONS AND RECOMMENDATIONS

Designated Sites

- 5.1 The application site does not lie within potential influencing of any nationally or internationally designated sites, and the proposals are very unlikely to have any adverse impacts upon such sites. No further survey or mitigation is recommended.
- 5.2 The proposals are not likely to be detrimental any CWS. No further survey or mitigation is recommended.

Amphibians

- 5.3 Great crested newts (GCNs) and their habitats are fully protected under the Conservation of Habitats and Species Regulations 2017 and by the Wildlife and Countryside Act 1981 (as amended).
- 5.4 Potential effects: due to a general lack of potential GCN habitat on site, in the absence of mitigation there is very low potential for great crested newts to be adversely affected by the proposals, and avoidance measures can also be taken to further reduce the likelihood of GCN presence and / or harm, resulting in negligible risk of GCN being adversely affected by the proposals. Even in the absence of the PMS provided in Appendix 3, no adverse impact upon the Favourable Conservation Status of any local GCN population is predicted.
- 5.5 Mitigation measures: it is recommended that the Precautionary Method Statement (PMS) in Appendix 3 is followed during all stages of works to the buildings. This will adequately reduce the risk of GCN presence or harm such that an EPSM licence is not required. An EPSM licence is considered to be disproportionate when the potential for an offence under the relevant legislation is likely to be negligible and there is no predicted adverse impact on the Favourable Conservation Status of GCNs.
- 5.6 As detailed in the PMS, in the event that any GCN are discovered on site at any point, all works must cease and in the first instance an ecologist should be contacted for further advice. Further detailed survey, licencing works and communication with Natural England may then be necessary.
- 5.7 Residual effects: negligible.

Bats

- 5.8 All species of bat are protected under the Conservation of Habitats and Species Regulations 2017 (as amended) and by the Wildlife and Countryside Act 1981 (as amended). In summary, this makes it an offence to harm or disturb a bat; damage or destroy a roost; and obstruct access to a roost (whether or not bats are present at the time).



- 5.9 Potential effects on roosting bats: negligible.
- 5.10 Mitigation measures for roosting bats: none required.
- 5.11 Potential effects on commuting / foraging bats: negligible.
- 5.12 Mitigation measures for commuting / foraging bats: none required, however as general best practice all external lighting features should be minimal – ideally limited to small lights above doorways only, and located as close to the ground as possible. Any additional external lighting should be on short duration motion sensitive timers, use hoods, cowls, louvres and shields to direct light to the ground, and use warm white (<3000K) LED bulbs.
- 5.13 Residual effects: negligible. A minor overall enhancement could result with the provision of artificial roosting features as detailed in Section 6.0.

Birds

- 5.14 Breeding birds and their nests are protected under the Wildlife and Countryside Act 1981 (as amended).
- 5.15 Potential effects: the buildings and small area of ivy covering the eastern end of Building 2 provide nesting opportunities for birds, and the disturbance and destruction of an active nest could have a negative effect on some bird species at the site level. There will be negligible loss of foraging habitat.
- 5.16 Mitigation measures: ideally building works and ivy removal would commence during September to February inclusive to avoid the bird nesting season. Where this is not possible, immediately prior to commencement of works a check for nesting birds should be undertaken by a suitably experienced ecologist. Any active nests will need to be left in situ until the young have left the nest.
- 5.17 Residual effects: no significant adverse effect is predicted on bird species at any level in the medium to long term, and with the provision of one double / triple bird box targeting house sparrow, a minor enhancement may result for house sparrow.

Reptiles

- 5.18 All Suffolk reptile species are protected against harm under the Wildlife and Countryside Act 1981 (as amended).
- 5.19 Potential effects: negligible.
- 5.20 Mitigation measures: none required.
- 5.21 Residual effects: negligible.



Badger

5.22 Badgers and their setts are afforded protection under the Protection of Badgers Act 1992 (as amended). This legislation includes protection against damage to badger setts and against interference and disturbance of badgers whilst they are occupying a sett.

5.23 Potential effects: negligible. No evidence of badgers was found on site or immediately adjacent, and there is no indication that badgers are likely to colonise the site in the near future.

5.24 Mitigation measures: none required.

5.25 Residual effects: negligible.

Otters

5.26 Otters and their habitats are fully protected under the Conservation of Habitats and Species Regulations 2017 (as amended), and by the Wildlife and Countryside Act 1981 (as amended).

5.27 Potential effects: none.

5.28 Mitigation measures: none required.

5.29 Residual effects: none.

Water voles

5.30 Water voles and their habitats are fully protected by the Wildlife and Countryside Act 1981 (as amended).

5.31 Potential effects: negligible.

5.32 Mitigation measures: none required.

5.33 Residual effects: negligible.

Dormice

5.34 Dormice and their habitats are fully protected under the Conservation of Habitats and Species Regulations 2017 (as amended) and by the Wildlife and Countryside Act 1981 (as amended).

5.35 Potential effects: negligible.

5.36 Mitigation measures: none required.

5.37 Residual effects: negligible.



Invertebrates

5.38 Potential effects: negligible.

5.39 Mitigation measures: none required.

5.40 Residual effects: negligible.

Other Legally Protected or Notable Species

5.41 The proposed development is not anticipated to impact on any other legally protected species, therefore no mitigation measures are recommended.

5.42 Mitigation and enhancement measures will provide artificial nesting and roosting features. They will ensure the site increases in value for Species of Principal Importance including house sparrow and a range of crevice dwelling bat species.

5.43 The measures detailed in section 6.0 can be secured via planning condition.



6.0 MITIGATION & ENHANCEMENT MEASURES

- 6.1 **1 no. Beaumaris cavity bat box & 1 no. Beaumaris crevice bat box** will be fixed to the western wall of Building 1, ideally at eave height but at a minimum height of 4m, and with a clear 1-2m drop beneath the bottom of the box. No artificial lighting will be installed on this façade of the building. The recommended box types are shown below.



Isabella bat box – for installation on building walls or tree trunks. Provides a single internal cavity, suitable for use by a variety of species, including brown long-eared bats



Vivara Pro Beaumaris woodstone bat box midi – for external installation on walls or trees, provides a single internal crevice

- 6.2 **1 no. double or triple house sparrow box** will be fixed to the northern façade of Building 1. The box will be positioned at a height of at least 3m, ideally higher. A selection of recommended box types are shown below; others must be agreed with an ecologist.



House Sparrow Tower

A recycled plastic outer shell with internal wooden chambers.

Available from nestbox.co.uk

Dimensions 65 x 17 x 17cm, weight 2.8kg



Woodstone Estella House Sparrow Box

Made of long lasting woodstone; can be built-in or fixed externally

Available from CJ Wildlife

Dimensions 29 x 16 x 21cm, weight 6kg



7.0 REFERENCES

CIEEM (2018) *Guidelines for Ecological Impact Assessment in the UK and Ireland: Terrestrial, Freshwater, Coastal and Marine Version 1.1*. Chartered Institute for Ecology and Environmental Management, Winchester.

CIEEM (2017a) *Guidelines for Preliminary Ecological Appraisal, 2nd edition*. Chartered Institute for Ecology and Environmental Management, Winchester.

CIEEM (2017b) *Guidelines for Ecological Report Writing*. Chartered Institute for Ecology and Environmental Management, Winchester.

Collins, J. (ed.) (2023) *Bat Surveys for Professional Ecologists: Good Practice Guidelines (4th edn)* The Bat Conservation Trust, London.

Joint Nature Conservation Committee (2010) *Handbook for Phase 1 Habitat Survey - a Technique for Environmental Audit*. Revised print, JNCC, Peterborough.

Mitchell-Jones, A.J (2004) *Bat Mitigation Guidelines*, English Nature, Peterborough.

Multi-agency Geographic Information for the Countryside (MAGIC) Interactive Map. Department for Environment, Food and Rural Affairs.

Oldham, R.S., Keeble, J., Swan, M.J.S. & Jeffcote, M., (2000). Evaluating the suitability of habitat for the great crested newt (*Triturus cristatus*). *Herpetological Journal*, 10, pp. 143-155.



8.0 LEGISLATION

The Conservation of Habitats and Species Regulations 2017 (as amended)

- 8.1 The Conservation of Habitats and Species Regulations 2017 (as amended) continue to provide safeguards for European Protected Sites and Species as listed in the Habitats Directive. As a result, the same provisions remain in place for European protected species, licensing requirements and protected areas after Brexit.
- 8.2 Species protected by the former European legislation includes great crested newt, all UK bat species, dormice and otter. A number of other plant and animal species are also included such as sand lizard, smooth snake and natterjack toad, however these additional species are rare, with restricted geographical ranges and specific habitat types.
- 8.3 Under The Conservation of Habitats and Species Regulations 2017 (as amended) it is an offence to:
- Damage, destroy or obstruct access to an EPS breeding or resting place;
 - Deliberately capture, injure or kill an EPS (including their eggs);
 - Deliberately disturb an EPS, in particular any actions which may impair an animals ability to survive, breed or nurture their young; or their ability to hibernate or migrate; or which may significantly affect the local distribution or abundance of the species to which they belong.
- 8.4 The legislation applies to all stages of amphibian life cycles (eggs, larvae and adult), and to active bat roosts even when they are not occupied at that particular time of year.
- 8.5 Natural England can, under certain circumstances, grant a licence to permit actions which would otherwise be unlawful, subject to the species concerned being maintained at a Favourable Conservation Status and there being a true need for the proposed works to take place.
- 8.6 Special Protection Areas (SPAs) and Special Areas of Conservation (SACs) are also afforded protection under the Conservation of Habitats and Species Regulations 2017 (as amended). Ramsar sites, which are designated under the Convention on Wetlands of International Importance (1971), are afforded the same level of protection as SPAs and SACs via national planning policy.



The Wildlife and Countryside Act 1981 (as amended)

- 8.7 The Wildlife and Countryside Act 1981 (as amended) provides varied levels of protection for a range of species including those already listed above. Water vole are one of the species not listed under the Conservation of Habitats and Species Regulations 2017 (as amended), but are afforded the highest level of protection under the Wildlife and Countryside Act 1981 (as amended).
- 8.8 It is an offence to intentionally kill, injure or take a water vole, to intentionally or recklessly damage or destroy a structure or place used for shelter and/or protection, to disturb a water vole whilst occupying a structure and/or place used for shelter and protection, or to obstruct access to any structure and/or place used for shelter or protection.
- 8.9 Other species, such as common lizard, slow worm, adder and grass snake, are afforded less protection. For these species it is an offence to intentionally or recklessly kill or injure animals.
- 8.10 All active bird nests, eggs and young are protected against intentional destruction. Schedule 1 listed birds e.g. barn owls, kingfishers, are further protected from intentional and reckless disturbance whilst breeding.
- 8.11 Schedule 9 of The Wildlife and Countryside Act lists plant species for which it is an offence for a person to plant, or otherwise cause to grow in the wild. This includes Japanese Knotweed which, under the Environment Protection Act 1990 (as amended) is classed as 'controlled waste'. If any parts of the plant including stems, leaves and rhizomes are taken off-site they must be disposed of safely at a landfill site licensed to deal with such contaminated waste.
- 8.12 Sites of Species Scientific Interest (SSSI) are afforded protection by the Wildlife and Countryside Act 1981 (as amended).

The Protection of Badgers Act 1992 (as amended)

- 8.13 The Protection of Badgers Act (1992) makes it an offence to wilfully kill, injure, take, possess or cruelly ill-treat a badger, or to attempt to do so, and to intentionally or recklessly interfere with a sett.

The Protection of Mammals Act 1996 (as amended)

- 8.14 The Act protects all wild mammals against actions which have the intention of causing unnecessary suffering, including crushing and asphyxiation.



The Natural Environment and Rural Communities Act 2006 (as amended)

- 8.15 Under sections 40 and 41 of the Natural Environment and Rural Communities Act (NERC) 2006 local authorities have an obligation to have regard to the purpose of conserving biodiversity in carrying out their duties. The majority of UK legally protected species are listed under Section 41 the NERC Act.
- 8.16 Section 41 (S41) of the Natural Environment and Rural Communities (NERC) Act (2006) also requires the Secretary of State to publish a list of habitats and species which are of 'principal importance for the conservation of biodiversity' in England (Species of Principal Importance in England – SPIE). The S41 list is used to guide decision-makers, including local and regional authorities, in implementing their duty under Section 40 of the act to have regard to the conservation of biodiversity in England when carrying out their normal functions.

Statutory Designated Sites

- 8.17 Under the National Parks and Access to the Countryside Act 1949 (as amended), statutory conservation agencies were able to establish National Nature Reserves (NNRs), with provisions for these areas strengthened by the Wildlife and Countryside Act 1981 (as amended). They are managed to conserve their habitats or to provide special opportunities for scientific study of the habitats communities and species represented within them.
- 8.18 Local Nature Reserves (LNRs) can be declared by local authorities after consultation with the relevant statutory nature conservation agency under the National Parks and Access to the Countryside Act 1949 (as amended). LNRs are not subject to legal protection, but are afforded protection against damaging operations via byelaws, and against development via local planning policies.

Non-Statutory Designated Sites

- 8.19 Local Wildlife Sites (LWS), Sites of Importance for Nature Conservation (SINCs), Sites of Nature Conservation Importance (SNCIs) and County Wildlife Sites (CWS) are often designated by the local Wildlife Trust. They are not usually afforded any legal protection, but are recognised in the planning system and given some protection through planning policy.

National Planning Policy Framework (NPPF)

- 8.20 The National Planning Policy Framework (2019) sets out the Government's planning policies for England and how these should be applied. The NPPF must be taken into account when preparing a Local Authority's development plan, and is also a material consideration in planning decisions.



8.21 As well as highlighting the importance of protecting ecologically valuable sites and habitats, the NPPF highlights the duty of local planning authorities (LPA's) to deliver net gains for biodiversity within the planning system. Planning policies and decisions should, as per Paragraph 170d, contribute to and enhance the natural and local environment by:

d) 'minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures'

8.22 To protect and enhance biodiversity, policies and plans should, as per Paragraph 174b:

b) 'promote the conservation, restoration and enhancement of priority habitats, ecological networks and the protection and recovery of priority species; and identify and pursue opportunities for securing measurable net gains for biodiversity.'

8.23 When determining planning applications, LPA's should apply principles which avoid an adverse effect on natural environments and notable species:

d) 'if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused;'

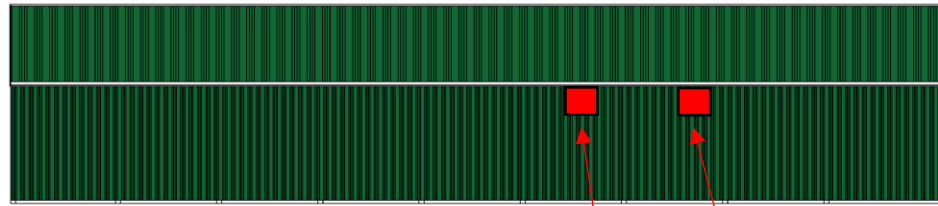


Appendix 1:
Proposed Building Layout & Bat / Bird Box Locations





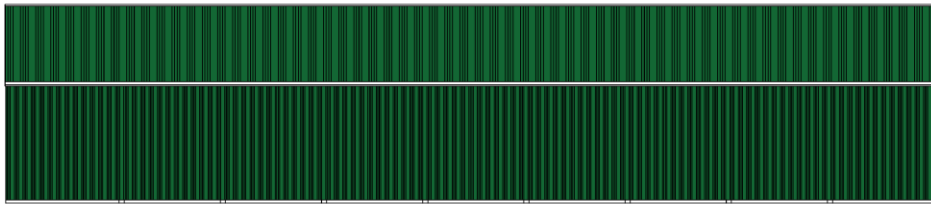
Existing and Proposed South Elevation



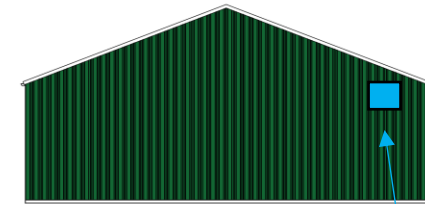
Existing and Proposed West Elevation

1 x bat box

1 x bat box



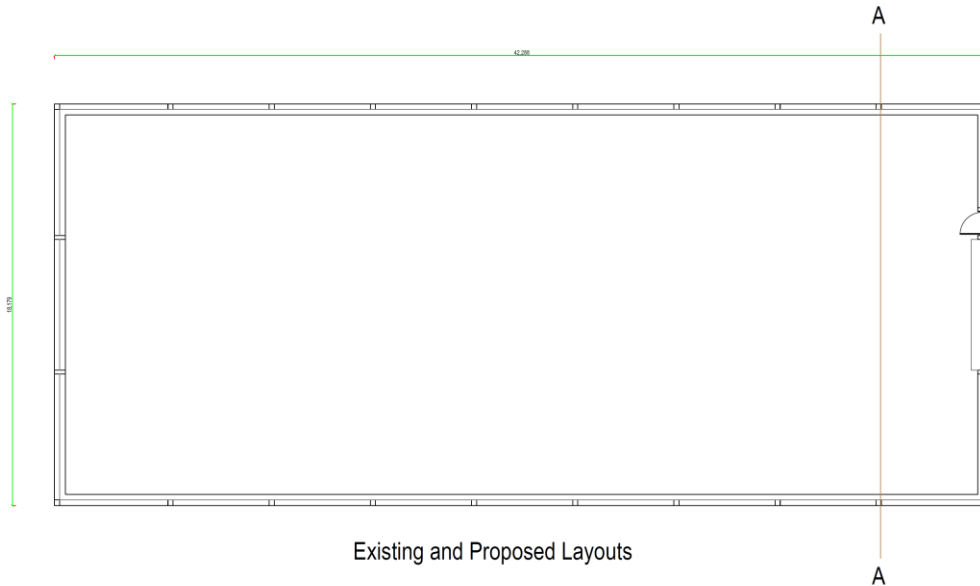
Existing and Proposed East Elevation



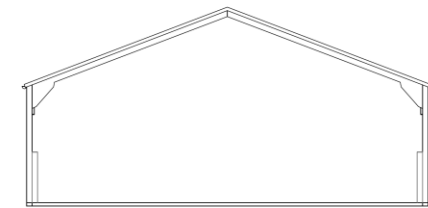
Existing and Proposed North Elevation

1 x house sparrow box

1:100 0 2m 4m



Existing and Proposed Layouts



Through section A-A

<p>Rookery Farm, Melford Road, Acton, Sudbury, Essex, CO10 0BJ.</p>		<p>Proposed Elevations And Layouts.</p>
<p>Wright Ruffell Cameron Architectural Design Services</p> <p>Beaver House Plough Road Centre Great Bentley Essex CO7 8LG</p> <p>Tel: 01206 259811 Fax: 01206 254443 Email: andy@arcads.co.uk Web Site: wrights.co.uk</p>	<p>Paper Size: A1 Scale: 1:100 Date: 27/09/2023 Project No: 2543 Dwg No: PD1</p>	<p>Drawn by: Tara Wright</p> <p>Checked by: Roger Wright (Structural)</p>



Appendix 2:
HSI Assessment Results

HSI Assessment results

Table 1: WB1

Habitat Suitability Index			SI value
SI1. Map location	A/B/C	A	1.00
SI2. Surface area	rectangle/ellipse/irregular	ellipse	
		length (m)	9
		width (m)	12
		OR estimate (m ²) if irregular	
		area (m ²) =	84.78
SI3. Dessication rate	never/rarely/sometimes/frequently	sometimes	0.50
SI4. Water quality	good/moderate/poor/bad	moderate	0.67
SI5. Shade	% of margin shaded 1m from bank	0	1.00
SI6. Waterfowl	absent/major/minor	major	0.01
SI7. Fish population	absent/possible/minor/major	absent	1.00
SI8. Pond density	number of ponds within 1km	3.8	1.00
SI9. Terrestrial habitat	good/moderate/poor/isolated	good	1.00
SI10. Macrophyte cover	%	0	0.31
			HSI = 0.42
<i>Use provisional HSI value if above 0.75</i>			provisional HSI = 0.38
			Date undertaken 19.09.23

Table 2: WB2

Habitat Suitability Index			SI value
SI1. Map location	A/B/C	A	1.00
SI2. Surface area	rectangle/ellipse/irregular	irregular	
		length (m)	
		width (m)	
		OR estimate (m ²) if irregular	96
		area (m ²) =	96
SI3. Dessication rate	never/rarely/sometimes/frequently	sometimes	0.50
SI4. Water quality	good/moderate/poor/bad	moderate	0.67
SI5. Shade	% of margin shaded 1m from bank	100	0.20
SI6. Waterfowl	absent/major/minor	absent	1.00
SI7. Fish population	absent/possible/minor/major	absent	1.00
SI8. Pond density	number of ponds within 1km	3.8	1.00
SI9. Terrestrial habitat	good/moderate/poor/isolated	good	1.00
SI10. Macrophyte cover	%	0	0.31
			HSI = 0.58
<i>Use provisional HSI value if above 0.75</i>			provisional HSI = 0.54
			Date undertaken 19.09.23

Appendix 3:

**Great Crested Newt Non-Licensed
Precautionary Method Statement**

Non-Licensed Precautionary Method Statement

1.0 Timing of Works

Works to any areas of potential GCN habitat (margins of tall vegetation, stored building materials / debris) will be carried out between mid-March and end-October inclusive to avoid the amphibian hibernation period.

No ground works will take place during temperatures of below 5°C, and no works will take place at night.

2.0 Toolbox Talk

Every contractor and site worker will be briefed by an experienced ecologist in possession of a Natural England GCN Survey Licence prior to commencement of works. They will be made aware of the legal protection of GCN, the reasons for this Method Statement, how to identify a GCN, and what to do if a GCN is found during works. All site contractors will be provided with a copy of this Method Statement, which includes an ID sheet for reference purposes.

3.0 Ground Vegetation and Top Soil Removal

All vegetated areas will be subject to a fingertip search by the licensed ecologist, and removed by hand or using hand tools. This may include a 1-2m margin immediately to the rear of Building 2, to allow access for scaffolding where required. Arisings will be removed from the working area or stored in skips.

4.0 Construction Methodology

During works the following measures will be followed at all times:

- Any works to the rear wall of Building 2 will be undertaken on foot (no machinery) and will avoid destruction of vegetation beyond the 1-2m cleared margin. Any scaffolding will be erected here under the supervision of an ecologist to ensure that no amphibians are present and harmed at ground level
- No building materials (rubble, wood, tiles etc) or excavated material (rubble, unconsolidated spoil) will be stored on site to avoid use of the piles by sheltering GCN. All such materials will be removed or stored in skips or on raised pallets;
- Wherever possible trenches or similar will not be left open overnight. Any trenches which are left open overnight will contain an angled plank of wood to ensure any GCN which may use the site do not fall in and become trapped. The trenches will always be checked the following morning for GCN;
- All areas of wet cement will be covered and / or obstructed at night to prevent access by GCN.

5.0 Delays to Works

Wherever possible, works will proceed quickly and without delay, to minimise the duration of ground disturbance. If any delay is predicted following commencement of works, the site will always be left in a condition that is unsuitable for GCN i.e. following the measures detailed in section 4.0.

6.0 Discovery of GCN during works

If a GCN is found on site at any point during construction, all works will cease. An ecologist will be contacted for further advice, if not already present on site. Natural England will be informed, and works will not re-commence until either a development (EPSM) licence has been secured or other provisions have been agreed with Natural England.

7.0 Great Crested Newt ID

Great crested newts: these newts are **noticeably black to very dark brown** in colour, with a warty texture to their skin. Some of the warts are white, accentuating the warty and slightly speckled appearance. In spring male newts have a white stripe along the centre of their tail, and females have an orange stripe at the bottom of their tail. The bright orange-yellow belly colouring extends fully to join with the dark upper skin tone.

By contrast, common and palmate newts are a lighter brown-green colour and are significantly smaller (up to 9cm in length, whilst great crested newts may be up to 15cm in length). **Both common and great crested newts have an orange-yellow belly with black spots**; however the orange colouring fades towards the edges of the belly of common newts. Males of all species have crests in the spring.



Female Great Crested Newt



Female Common Newt



Female Great Crested Newt & Smooth Newt



Male Great Crested Newt



Liz Lord Ecology

