



DCS ECOLOGY

*Biodiversity Enhancement Strategy
and Reasonable Avoidance
Measures*

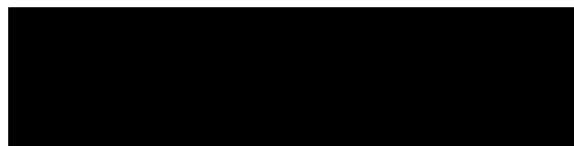
For

Land adjacent to
The Stables,
Station Road,
Elmswell,
IP30 9HA

Carried out for:

Kristy & Bill Sylvester

March 2024



Revision	Remarks	Author	Date	Checked	Authorised
1	Draft	ET	14/ 03/ 24		
2	Final	ET	03/ 04/ 24	JW	DCS

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The authors and surveyors used to undertake the work are appropriately qualified for the tasks undertaken. The work undertaken while preparing this report has been carried out with due care, skill, and diligence.

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1. Executive summary

DCS Ecology Ltd was commissioned by Kristy & Bill Sylvester to produce a Biodiversity Enhancement Strategy and Reasonable Avoidance Measures (RAMs) Method Statement for a development on land adjacent to The Stables, Station Road, Elmswell, IP30 9HA (central grid reference TL 99034 63878; hereafter referred to as 'the site'). The planning application (ref DC/ 23/ 02699) involves the erection of a dwelling, garage, and associated landscaping on land adjacent to The Stables, Elmswell.

A conditional grant for the erection of the dwelling, garage and associated works onsite was granted on 24/ 08/ 23 under Planning Application DC/ 23/ 02699; Condition 14 of this application requests that a Reasonable Avoidance Measures Method Statement; and under Condition 15 that a Biodiversity Enhancement Scheme (BES) are submitted to Mid-Suffolk and Babergh Planning Authority.

The site area is approximately 0.1 ha and consists predominantly of sparsely vegetated soil; with recent signs of disturbance and other neutral grassland. The Northern section of site contained a chicken coop and pen; chickens were noted to be free roaming. Bordering the eastern side of site was, mature and young trees, shrubs, and a large rubble and dirt pile.

These habitats and features provided potential habitat for nesting and foraging birds, and foraging bats, although the proposed works are predicted to have minimal impact on the habitats onsite suitable for supporting these species.

This Biodiversity Enhancement Strategy summarises the results gathered by a site visit and data search. There was no previous SBIS search or ecological surveys of site therefore, information from an SBIS search of a site 1km north in 2022 was used to inform conclusions were necessary.

This report details recommendations, appropriate timings, and biodiversity enhancements necessary to avoid negatively impacting species and habitats of interest found within the site.

There were four ponds found in within 250m of the site boundary. Habitat Suitability Indexes (HSIs) were not performed on these however, the site was surrounded by urban areas and unlikely to be accessed by amphibians including great crested newts.

2. Introduction

2.1. Background

DCS Ecology Ltd was commissioned by Kristy & Bill Sylvester to produce a Biodiversity Enhancement Strategy and Reasonable Avoidance Measures Method Statement for a development on land adjacent to The Stables, Station Road, Elmswell, IP30 9HA (central grid reference TL 99034 63878). The planning application (ref DC/ 23/ 02699) involves the erection of a dwelling, garage, and associated landscaping. This report has been created to discharge Condition 14 of the planning grant “ *A Reasonable Avoidance Measures Method Statement shall be submitted to and approved in writing by the local planning authority prior to the commencement of development.*” ; and Condition 15 of the planning grant “ *Prior to occupation of the hereby permitted development, a Biodiversity Enhancement Strategy shall be submitted to and approved in writing by the local planning authority.*”

A site visit was conducted on the 12th March 2024 by Duncan Sweeting and Lizzie Thurston of DCS Ecology. Weather conditions during the survey were light rain (100% cloud cover), light breeze (Beaufort scale 2) and a temperature of 11 °C, with good visibility. The Site was traversed slowly by the surveyors, including an assessment of the potential for the habitats in and around the site to support protected species.

Using the information from the above survey work and a desk study, this report details information of an Enhancement Strategy and Reasonable Avoidance Measures.

2.2. Aims and objectives

The aims of this report are to assist with discharging relevant Conditions (14, 15) of Planning Application DC/ 23/ 02699. These provide information for the provision of ecological enhancement and reasonable avoidance measures for protected and priority species.

The primary conditions considered relevant to this report are the following:

CONDITION 14: REASONABLE AVOIDANCE MEASURES METHOD STATEMENT

A Reasonable Avoidance Measures Method Statement shall be submitted to and approved in writing by the local planning authority prior to the commencement of development. This will contain precautionary mitigation measures and/or works to reduce potential impacts to Protected and Priority Species during the construction phase. The measures and/works shall be carried out strictly in accordance with the approved details and shall be retained in that manner thereafter.

To conserve Protected and Priority species and allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 (as amended) and s40 of the NERC Act 2006

(Priority habitats & species)

CONDITION 15: BIODIVERSITY ENHANCEMENT STRATEGY

A Biodiversity Enhancement Strategy for Protected and Priority species shall be submitted to and approved in writing by the local planning authority prior to occupation of the dwelling hereby approved.

The strategy shall include:

1. The purpose and conservation objectives for the proposed measures.
2. Detailed designs to achieve stated objectives.
3. The locations of proposed measures by means of appropriate maps and/or plans.
4. Details of the person(s) responsible for implementing the measures.
5. Details of initial aftercare and long-term maintenance (where appropriate).
6. A timetable for implementation of the measures. The measures shall be carried out in accordance with the strategy as may be agreed and shall thereafter be retained.

Reason: To conserve and enhance protected and priority species and allow the LPA to discharge its statutory duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Countryside and Wildlife Act 1981 (as amended) and s40 of the NERC Act 2006 (Priority habitats and species).

All new developments have a duty to conserve, restore, or otherwise enhance a population of a particular species or habitat under the Natural Environment and Rural Communities Act 2006 (NERC), Section 40:

Section 40 (A1)

- “For the purposes of this section “the general biodiversity objective” is the conservation and enhancement of biodiversity in England through the exercise of functions in relation to England.”

Section 40 (1)

- “A public authority which has any functions exercisable in relation to England must from time to time consider what action the authority can properly take, consistently with the proper exercise of its functions, to further the general biodiversity objective.”

Section 40 (3)

- “The action which may be taken by the authority to further the general biodiversity objective includes, in particular, action taken for the purpose of
(a) conserving, restoring or otherwise enhancing a population of a particular species, and
(b) conserving, restoring or otherwise enhancing a particular type of habitat.”

Therefore, enhancement opportunities are encouraged in order to change the overall net biodiversity impact of the development from minor-adverse neutral to neutral/minor positive.

2.3. Site Description

The site is a section of land adjacent to The Stables, Elmswell, this was formerly part of the garden. The site is situated within the village of Elmswell and approximately 7.9km north-west of Stowmarket. (Grid reference TL 99034 63878, see Figure 1). The site area is approximately 0.1 ha and consists of sparsely vegetated soil, with recent signs of disturbance, and other neutral grassland.

The northern area of site contained a shed, chicken coop and pen. Within the southeast corner there were two mature trees one of which, an *Acer* species, will be removed due to safety reasons; the tree was leaning and had a crack forming vertically through the centre of the tree. Bordering the edges of site there was, young copper beech trees (*Fagus sylvatica purpurea*), shrubs and hedges which support a variety of garden birds.

Features of note within 250m of the site boundary included four ponds, an active road (Station Road) west of site, a shop car park which was bordered by walls, and a railway line 85m north.

The site was located within the village of Elmswell and was surrounded by urban areas. Beyond this the wider landscape had areas with arable fields.

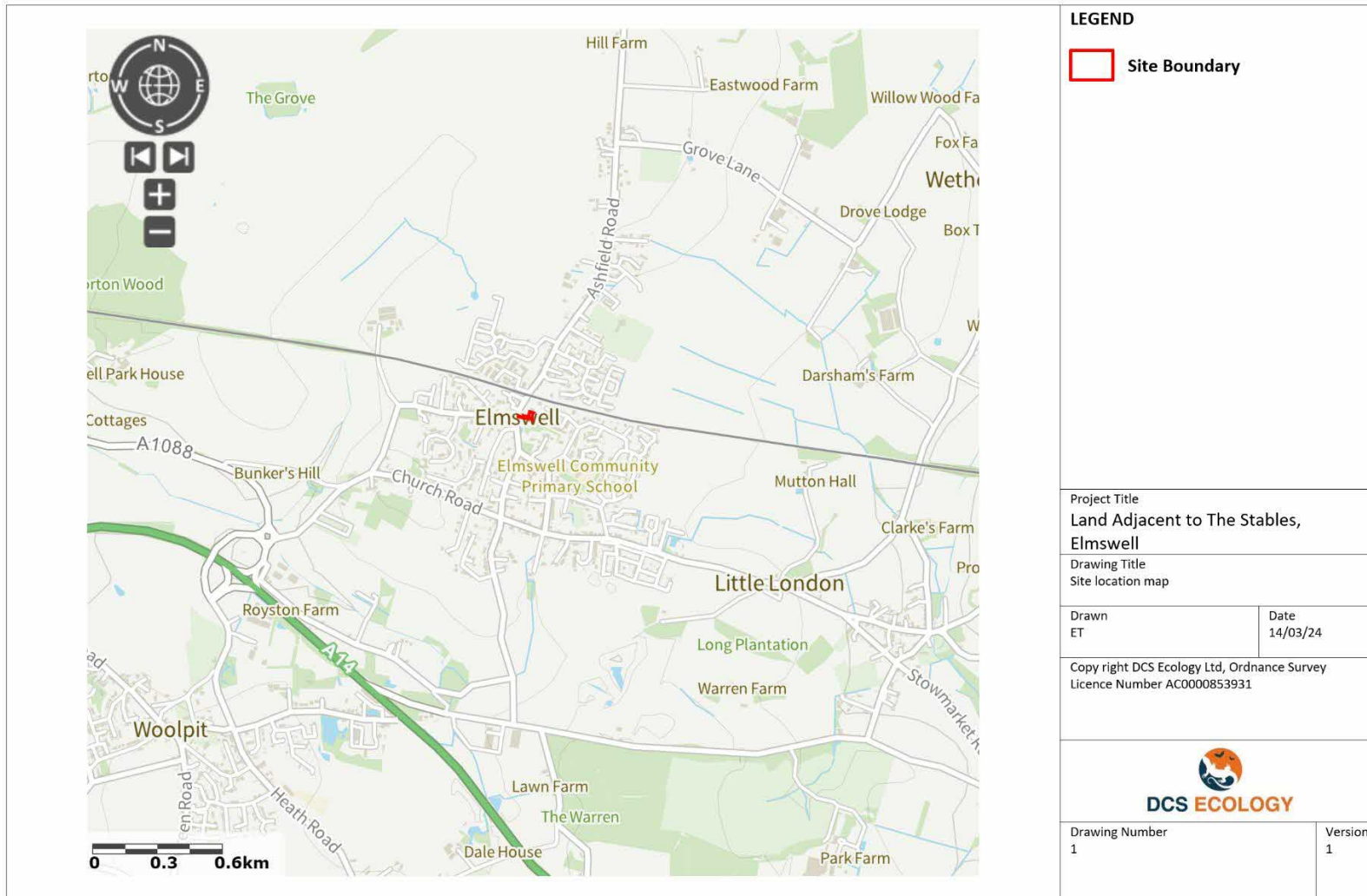


Figure 1: Site location (outlined in red) (1:25000). Ordnance Survey - Crown Copyright under licence A C0000853931

2.4. Relevant legislation

Protected species, as referred to within this report, are those protected under European Legislation (Conservation of Habitats and Species Regulations 2017, as amended) and UK legislation (Wildlife and Countryside Act 1981; Protection of Badgers Act 1992); and those of principle importance in England as listed in Section 41 of the NERC Act (2006).

The National Planning Policy Framework (NPPF) (2023) places responsibility on Local Planning Authorities (LPAs) to aim to conserve and enhance biodiversity in and around developments. Section 40 of the NERC Act requires every public body to “have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity”. Biodiversity, as covered by the Section 40 duty, is not confined to habitats and species of principal importance but refers to all species and habitats. However, the expectation is that public bodies would refer to the Section 41 list (of species and habitats) through compliance with the Section 40 duty.

Appendix IV details legislation which protects species and groups relevant to the Site (bats, birds, great crested newts, and widespread reptiles).

3. Surveys

3.1. Desk Study

The most recent desk study was from a site 1km north of the Site. It was undertaken by MHE Consulting Ltd. in November 2022 using data obtained from the Suffolk Biodiversity Information Service (SBIS), OS Maps, and Multi Agency Geographic Information for the Countryside (MAGIC).

Using data from MHE Consulting Ltd. report (2022), it was found that East Wood (County Wildlife Site) and Norton Wood (Site of Special Scientific Interest) were within 2km of the site. The closest of these was Norton Wood c. 1.7km west.

Norton Wood is an ancient woodland site of coppice-with-standards structure with small, more recent additions of secondary woodland. The wood is situated on a gently sloping plateau, and the soils are weakly acid due to a layer of sand and loess over the boulder clays. Much of the wood is acid Pedunculate Oak – Hazel – Ash woodland with abundant Birch but there are also areas of wet Ash – Maple and Pedunculate Oak – Hornbeam woodland. The ground flora includes several uncommon plants, and a characteristic flora has developed on a series of wide rides.

The proposals are such that works would not impact this site.

Using MAGIC, a desk study for protected or priority species was conducted by DCS Ecology for records within 7km. There were no EPS licence records, however, there were 42 GCN class survey licence returns (confirming GCN presence) and eight pond survey records within a 7km radius of the site. Five of the eight surveys resulted in no GCN being found, one was inconclusive, and two

confirmed GCN presence. The nearest record to the site was a survey licence return confirming the presence of GCN c.1.1km to the south-east, outside Elmswell.

Designated sites searched for using MAGIC included statutory designated sites of European significance, (Special Areas of Conservation (SAC), Special Protection Areas (SPAs), Special Sites of Scientific Interest (SSSIs), and Ramsar sites) and sites of local significance (Local Nature Reserves (LNRs), and National Nature Reserves (NNRs)). There were no designated sites within 2km apart from the forementioned Norton Wood.

The desk study results found that within 500m of site, there was broad-leaved deciduous woodland priority habitat. The closest area of woodland was within 10m of the site boundary, however, the works proposed would not impact this woodland.

3.2. Field Surveys

The habitats found onsite have potential for foraging and nesting birds. Free roaming chickens make it unlikely for populations of rare or priority invertebrates, amphibians, or reptiles to be onsite. Any individuals present in the surrounding habitat would also be unlikely to access the site due to the lack of refugia or large areas of vegetation, meaning exposure to predation would be high. There are no structures, namely trees, onsite which contain potential roost features and therefore there is 'No' potential for roosting bats onsite.

There are four ponds within 250m which provide good drinking and foraging habitat for a number of species but are of particular interest regarding great crested newts (GCN), which require ponds for aquatic life-stages and breeding. Species dependant on these ponds (excluding birds), such as GCN, are unlikely to access site due to the variety of significant barriers and the presence of chickens. Between the ponds and site there are curbed roads, a walled carpark and multiple dwellings, also the area is largely urban with very little open green space. The closest pond to site is 60m away, beyond the adjacent woodland. This pond was physically separated from the site by the walled carpark and fences surrounding site. The pond was inspected and found to have good terrestrial habitat such as woodland and shrubs surrounding it, which would likely be used by any GCN should they be present.

Adjacent habitats, including the area of woodland have the potential for foraging and nesting birds and foraging bats. External motion sensor lighting on an adjacent building facing the woodland would illuminate areas of the site at night.

4. Compensation & Enhancement Strategy

There are number of practices that can maximise biodiversity and are particularly relevant to this proposed development. This can be achieved by practices such as providing artificial nesting sites for birds and roosting sites for bats. The indicative positions of the proposed new features can be seen in Appendix III.

In addition to compensation and enhancement features, mitigation, and avoidance measures under Condition 14 are outlined in Section 6. These measures are to be followed during and/or after construction works, including measures such as, but not limited to, sensitive lighting measures to protect nocturnal species and minimize light pollution, as well as the covering of excavations/provision of exit ramps to prevent the entrapment of small mammals.

Under Condition 15 of Planning Application DC/ 23/ 02699 (see Section 2.2), these precautionary measures must be followed onsite.

DCS Ecology Ltd recommends the following enhancement measures/features:

4.1. Birds

It was noted that multiple common garden bird species were within bordering hedgerows and adjacent habitats. Only one mature tree which was suitable for nesting birds is proposed to be removed for safety reasons. All other suitable nesting habitats will be retained. As enhancement it is recommended that at least 1 general purposed nest box is placed within a tree on the boundary of site near hedges, and a swallow cup is placed on the western elevation of the dwelling near the eaves. This should be placed so that it does not sit above any doors or windows.

Once correctly fitted the swallow cup should last for many years with no maintenance required.

All of these measures should be secured and managed for a minimum of 10 years from the completion of the build.

4.2. Bats

Currently there is no suitable roosting habitat onsite for bats, however, adjacent woodland provides good foraging habitat. Therefore, it is recommended that at least 1 bat box is installed onsite. There are two options advised:

Option 1: Erection of a Vincent Pro bat box on the mature tree that is to be retained within 15m of the woodland. This should be placed at a minimum height of 3m, ideally higher (5-6m), on the tree with a southern or south-western exposure.

Option 2: Installation of an integrated bat box. This should be installed during the construction process on the western elevation of the Dorma window on the front/southern elevation.

Both these bat boxes are self-cleaning due to the design allowing droppings to fall out of the box. Once correctly installed these should last the lifetime of the build and would require no

maintenance. Bats and their roosts are protected therefore, once installed bat boxes should not be moved or interfered with. A bat licenced person would be required for consultation regarding future impacts or works near to or on the structures should they take place.

It is advised that placement of all measures/features are undertaken under the supervision or direct advise of a suitably experienced ecologist to ensure the feature is installed correctly.

5. Time frames for Implementation and monitoring

This Biodiversity Enhancement Strategy will be implemented during and immediately after the construction phase. The persons responsible for ensuring that the Enhancement Strategy is adhered to at each phase have been allocated.

The Site Manager and relevant contractors including DCS Ecology will be responsible for the installation and placement of all enhancement features. The implementation of these features should be complete within one month of development completion. DCS Ecology Ltd will be involved in some capacity with the installation of these features and due to the nature of the enhancements, no future management should be required.

Table 1. Enhancement feature management timings

Enhancement Feature	Start	Management	Management timing
Swallow Cup	Immediately after construction is complete	Replacement of the cup should it deteriorate and not be fit for purpose.	Any removal of the swallow cup for replacement should be conducted outside the nesting bird season March to August inclusive.
General Purpose Bird Nest Box	Immediately after construction is complete	Replacement of the bird box should it deteriorate and not be fit for purpose.	Any removal of the bird box for replacement should be conducted outside the nesting bird season March to August inclusive.
Option 1: Vincent Pro Bat box	Immediately after construction and maintenance of the tree is complete	Replacement of the bat box should it deteriorate and not be fit for purpose.	Timing and replacement to be decided and overseen by a licenced ecologist.

Option 2: Integrated Bat Box	Implemented during the construction process.	N/ A	N/ A
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6. Reasonable Avoidance Measures

6.1. Birds

- Any structure, tree, shrub or other vegetation clearance should be carried out outside the nesting bird season, which runs from 1st March to August inclusive (species dependant) or following a nesting bird survey by a suitably experienced ecologist – to prevent infringing legislation which protects all nesting birds.

6.2. Bats

- Sensitive lighting is recommended throughout the development and should follow guidance provided by the Bat Conservation Trust (Bats and Artificial Lighting at Night, 2023).
- Lighting measures should also be applied to any temporary security lighting used during the construction phase. This could include low pressure sodium lamps, with hoods, cowls or shields, to prevent light spillage.

This is to ensure foraging and commuting bats using adjacent habitats are not negatively impacted. More detailed advice can be provided from a suitably experienced bat ecologist.

6.3. Amphibians and Reptiles

- Any debris and materials arising from the proposed construction should be stored in skips and/or on pallets to prevent creating refuge sites for reptiles or amphibians.
- The site is currently short grass or bare ground. Land should be maintained as bare ground or short mown grassland, and this should continue throughout the development process.
- If a great crested newt is discovered at any stage of the development, work should cease immediately, and an ecologist should be contacted for further advice.

6.4. Priority species

- If external lighting is to be used, lights should be set on short timers and follow sensitive lighting guidance; to avoid disturbing nocturnal animals using the Site and immediate surrounding area.
- Any holes or excavations which could act as pitfall traps should be covered or have ramps or slopes allowing small mammals to exit.
- Any potential nesting habitat (discarded building materials, wood piles, leaf litter piles) should be removed by hand, outside the typical hibernation period for hedgehogs (November to March) or under the supervision of an ecologist.

6.5. Other wildlife

Species such as Eurasian badger, European otter, European water vole, and hazel dormouse are scoped out of the RAMs due to the lack of suitable habitat onsite or connectivity to suitable habitats. These species were highly unlikely to be present onsite and therefore no specific RAMs are required.

6.6. Schedule 9 species

No schedule 9 plant¹ species were noted during the survey, however, recommendations for dealing with schedule 9 plants is as follows:

- Treat or dispose of them where possible following guidance set out on the government website².
- Do not intentionally allow them to grow or spread outside your land.
- Do not move contaminated soil or plant cuttings from site without the correct permits and methods of disposal.

¹ <https://www.gov.uk/guidance/invasive-non-native-alien-plant-species-rules-in-england-and-wales>

² <https://www.gov.uk/guidance/prevent-the-spread-of-harmful-invasive-and-non-native-plants>

7. References

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

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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 (4), 143-155.

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GOV (2022) How to stop invasive non-native plants from spreading. Available at: <https://www.gov.uk/guidance/prevent-the-spread-of-harmful-invasive-and-non-native-plants> (Accessed on 14/03/2024)

Natural England, (2024). MAGIC Map. Available at: <http://www.natureonthemap.naturalengland.org.uk/MagicMap.aspx> (Accessed on 14/ 03/ 2024)

8. Appendices

Appendix I: Table 2: Site photos prior to works.

Site Photographs (Taken 12/03/24)



Photograph 1. Shed, chicken coop and pen which were within the northern section of site.



Photograph 2. General view of site including the rubble and spoil pile



Photograph 3. Mature tree (lime spp) onsite which is proposed for management but will not be removed

Appendix II : Table 3: Compensation features examples:

	
<p><i>Swallow cup for placement on the southern or western elevation; this should be up near gables or eaves.</i></p>	<p><i>A Vivara Pro Seville Woodstone 32mm hole nest box is a general-purpose bird box suitable for a variety of garden bird species.</i></p>
	
<p>Option 1 bat box: <i>vincent pro bat box. This should be placed on the mature tree in the southeast corner with a south or western exposure. Alternatively, it can be placed on a building with south or western exposure away from any external nighttime lighting.</i></p>	<p>Option 2 bat box: <i>An integrated bat box should be integrated into the building on a south or western elevation away from nighttime lighting. It is recommended to be placed on the western side of the Dormer window of the Southern/ Front elevation.</i></p>

See map in Appendix III for all the recommended enhancement locations. These are subject to change, but locations must be pre-approved by a suitably qualified and experienced ecologist prior to erection.

Appendix III: Figures

Location of Enhancement Features

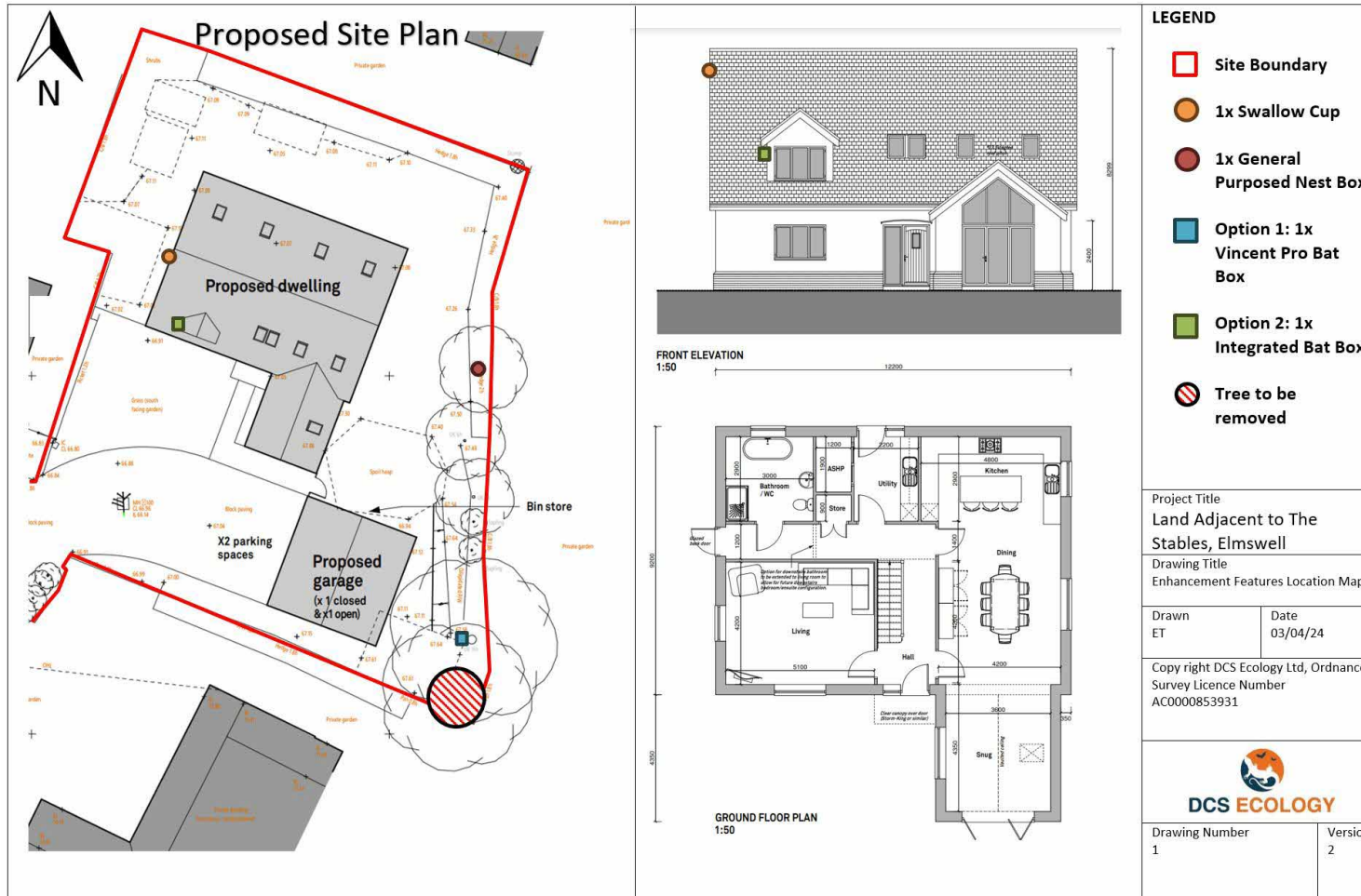


Figure 2: Enhancement features map. Using plans produced by Patrick Allen & Associates Architects.

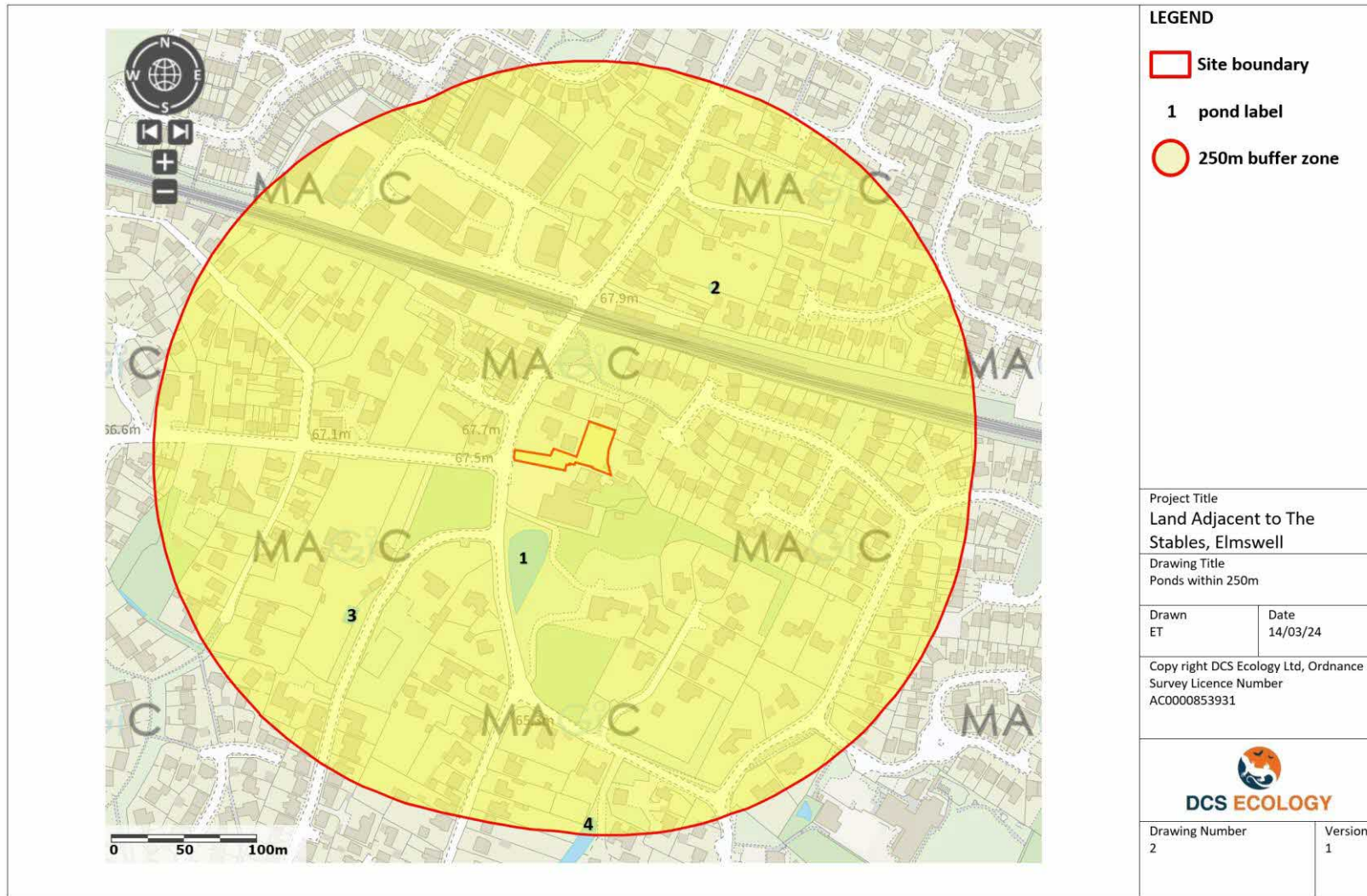


Figure 3: Ponds within 250m

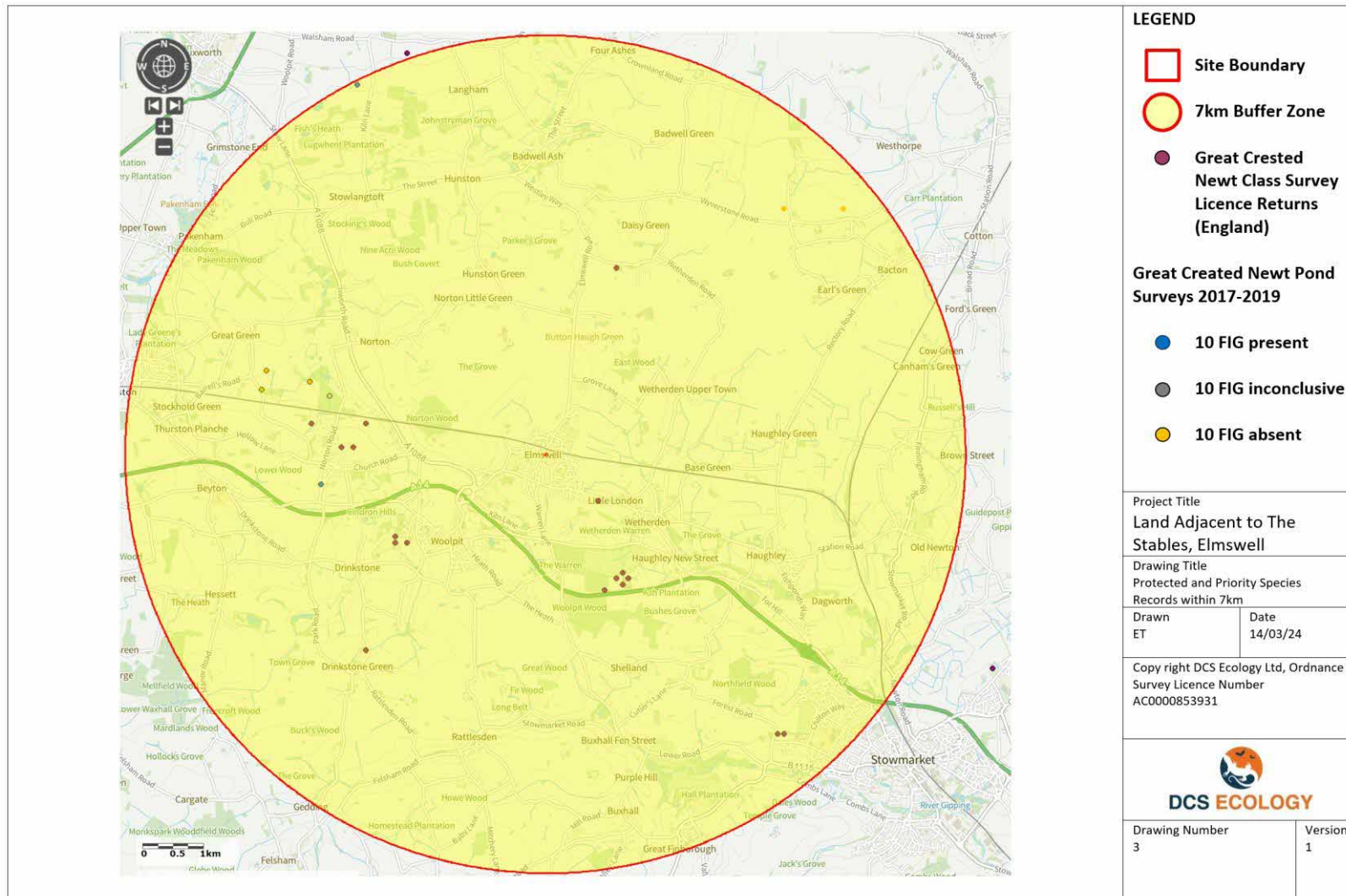


Figure 4: Protected species recorded on MAGIC within 7km of the Site.

Appendix IV: Table 4: Relevant Protected Species Legislation

Species	Legislation	Protection
Bats	<ul style="list-style-type: none"> ▪ Conservation of Habitats and Species Regulations (2017) (as amended) ▪ Wildlife and Countryside Act (WCA) (1981), Schedule 5 (as amended) ▪ Wild Mammals Act (1996) 	<p>It is an offence to:</p> <ul style="list-style-type: none"> ▪ Deliberately capture, kill or injure any bat; ▪ Damage or destroy a breeding site or resting place used by bats (whether bats are in it at the time or not); ▪ Deliberately disturb bats in a way that is likely to impair their ability to migrate, hibernate, survive or reproduce or in a way that is likely to affect significantly their local distribution or abundance; ▪ Intentionally or recklessly disturb bats while they are occupying a place of shelter or protection, or attempt to do so; ▪ To intentionally or recklessly obstruct access to any place of shelter or protection, or attempt to do so.
Birds	<ul style="list-style-type: none"> ▪ Wildlife and Countryside Act (WCA) 1981 (as amended) 	<p>It is an offence to:</p> <ul style="list-style-type: none"> ▪ Intentionally kill or injure any wild bird; ▪ Intentionally take, damage or destroy the nest of any wild bird included in Schedule 1 (whether or not it is active); ▪ Intentionally take, damage or destroy the nest of any wild bird that is in use or being built; ▪ Intentionally take or destroy the egg of any wild bird; ▪ Intentionally or recklessly disturb any bird species included in Schedule 1 while it is building a nest, or is in, on or near any nest containing eggs or young; ▪ Intentionally or recklessly disturb the dependent young of any bird included in Schedule 1.
Great Crested Newts	<ul style="list-style-type: none"> ▪ Conservation of Habitats and Species Regulations (2017) (as amended) ▪ Wildlife and Countryside Act (WCA) (1981), Schedule 5 (as amended) 	<p>It is an offence to:</p> <ul style="list-style-type: none"> ▪ Deliberately capture, kill or injure great crested newts; ▪ Damage or destroy a breeding site or resting place used by GCN; ▪ Deliberately disturb GCN in a way that is likely to impair their ability to migrate, hibernate, survive or reproduce or in a way that is likely to affect significantly

		<p>their local distribution or abundance;</p> <ul style="list-style-type: none">▪ Intentionally or recklessly disturb GCN while they are occupying a place of shelter or protection, or attempt to do so;▪ To intentionally or recklessly obstruct access to any place of shelter or protection, or attempt to do so.
Widespread Reptiles	<ul style="list-style-type: none">▪ Wildlife and Countryside Act (WCA) (1981), Schedule 5 (as amended)	<p>It is an offence to:</p> <ul style="list-style-type: none">▪ Intentionally kill or injure a reptile.▪ Sell, offer, or expose for sale, have in possession or transport for the purpose of sale any live or dead reptile or any part of, or anything derived from, a reptile.

Appendix V: Table 5: List of Abbreviations

Abbreviation	Meaning
BAP	Biodiversity Action Plan
BARB	Barbastelle (bat)
BCT	Bat Conservation Trust
BLE	Brown long-eared (bat)
BoCC	Birds of Conservation Concern
CHSR	Conservation of Habitats and Species Regulations 2017
CIEEM	Chartered Institute of Ecology and Environmental Management
C. PIP	Common pipistrelle (bat)
CROW	The Countryside Rights of Way Act 2000
CWS	County Wildlife Site
ECoW	Ecological clerk of works
eDNA	Environmental DNA
EIA	Ecological Impact Assessment
EPS	European Protected Species
GCN	Great crested newt
HPI	Habitat of Principal Importance
HSI	Habitat Suitability Index
JN CC	Joint Nature Conservation Committee
LNR	Local Nature Reserve
LPAs	Local Planning Authorities
MAGIC	Multi-Agency Geographic Information for the Countryside
NATT	Natterer's (bat)
NE	Natural England
NERC	N atural Environment and Rural Communities Act 2006
NNR	National Nature Reserve
NPPF	The National Planning Policy Framework
PEA	Preliminary Ecological Appraisal
PRA	Preliminary Roost Assessment
PRF	Potential (bat) Roosting Feature
RAMs	Reasonable Avoidance Measures
SAC	Special Area of Conservation
SBAP	Suffolk Biodiversity Action Plan
SBIS	Suffolk Biodiversity Information Service
SPA	Special Protection Area
S. PIP	Soprano pipistrelle (bat)
SSSI	Special Site of Scientific Interest
WCA	Wildlife and Countryside Act 1981 (as amended)
UKBAP	United Kingdom's Biodiversity Action Plan