Date: 18 December 2023
Our ref: 454652
Your ref: 23/P/0664/OUT

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BY EMAIL ONLY

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Dear Lee Bowering

Planning consultation: 23/P/0664/OUT - Outline planning application for up to 190no. dwellings, 0.13ha of land reserved for Class E uses, allotments, car parking, and other works.
Location: Land To North Of Rectory Farm, Chescombe Road,Yatton

Thank you for consulting Natural England on the above application.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

North Somerset and Mendip Bats SAC – Further Information Required

Offsite Mitigation
The Shadow HRA has stated that the offsite mitigation areas for 23/P/0664/OUT and 21/P/0236/OUT / 23/P/0238/RM are entirely discrete. Further clarification is requested on this matter as there appears to be an overlap between the offsite mitigation area shown in the Shadow HRA for 23/P/0664/OUT and the offsite mitigation area shown in the information submitted for 21/P/0236/OUT / 23/P/0238/RM.

The Shadow HRA has stated that bat surveys have been undertaken in 2023 of this area, the results of these surveys should be provided. If surveys show a high level of greater horseshoe activity a review may be needed of the mitigation strategy.

Principles of habitat creation for the offsite mitigation area have been included in the Shadow HRA. These are accepted. In summary the offsite mitigation area will be managed as grazed species rich grassland with shelter belts. Due to the importance of grazing in this area, it is essential that grazing can be secured on the offsite mitigation land. It must be demonstrated that it is feasible for this land to be grazed. Currently it does not appear that the applicant has been able to find an organisation to graze the land as Clarkson & Woods letter (9th September 2023) states that they are currently looking into a range of options for future management of the area.

Due to the vulnerability of the SSSI ditches to shading, shelter belts must be set back from the ditches. The Shadow HRA states that the area of the field which will be used to provide mitigation for the loss of foraging habitat will be set 10m back from all SSSI ditches. This buffer must be secured in any permission given.

Onsite habitat creation
We are generally supportive of the on-site habitat creation and enhancement proposals. Concentrating the development to the east of the site to provide a wide ecological buffer to the

Strawberry Line is welcomed. There are a number of areas where changes are requested:

- Whilst the woodland belt to the west of the site would provide foraging habitat for horseshoe bats, this could increase shading of the SSSI ditches on this boundary. Woodland planting should be set back from the SSSI ditch with a gradient created from more open habitat/woodland edge adjacent to the Strawberry Line moving to woodland further to the east.
- We are concerned about the proposed use of Field 1 for allotments. A high level of lesser horseshoe activity was recorded in this area of the site likely due to its location adjacent to the Strawberry Line and the structure of trees and hedgerows on field boundaries. Due to the high level of lesser horseshoe activity recorded in this area, this area would be better retained as foraging habitat for horseshoe bats and the allotments located in a different area of the site. We would welcome the creation of an orchard with long sward grassland throughout the entirety of this field. Whilst new hedgerows will be created in the wider application site, these will not provide the same degree of enclosure of fields as the existing trees and hedgerows do in Field 1.
- The proposed access point to the allotments would create a gap in the exiting hedgerow which would reduce the suitability of the commuting habitat in this area for horseshoe bats. The existing lane is currently overgrown, providing vehicular access may result in trimming back vegetation in the area further reducing the suitability of the area for horseshoe bats. If vehicular access is required to this area, it should be explored whether this can be made from the east, extending from the proposed roads within the developed area.

<u>HEP</u>

The precautionary approach taken to baseline habitats in the HEP through using the highest scoring management code for existing grassland management is welcome. There are a number of areas where revisions or clarifications are required on the HEP calculations:

- In the existing habitat calculation, the management code LM2 (uncut hedge) should be used for H1 as this hedge is between 2 – 3m tool which meets the definition in the SPD of a uncut hedge.
- Similarly, a management code of LM3 (overgrown hedge) should be used for H13 in the existing habitat calculation as the height of the hedgerow (6m) meets the SPD definition of an overgrown hedge.
- In the replacement habitat calculations, a management code of DIS is used for D22. Clarification is requested on what this refers to.

<u>Lighting</u>

We welcome that a maintenance factor of 1 has been included in the modelling to present a worst-case scenario.

Larger copies of the horizontal modelling are requested to enable detailed assessment of the areas that will be accessible to horseshoe bats.

Modelling of light spill has been provided for multiple lighting strategies for the site, an assessment of the areas accessible to horseshoe bats, and therefore which areas can be included in the HEP, must be based on the worst performing scenario (ie. Where the light spill extends greatest into horseshoe bat habitat). This is to ensure that no matter which strategy is chosen, there will be certainty in the quantity of habitat that will be provided for horseshoe bats.

Vertical planes have been included for inferred bat flight paths in areas of habitat in close proximity to the proposed housing. In all scenarios modelled for these areas, planes B and E fail (ie. the light spill from the proposed development will prevent horseshoe bats accessing these areas). These areas will not be accessible to horseshoe bats and therefore should not be included in the HEP.

The light spill modelling does not appear to include all external lighting. The Ecological Impact Assessment (Clarkson & Woods, March 2023) refers to PIR security lighting on the dwellings but this does not appear to have been included in the modelling. The Shadow HRA states that *access*

lighting for the plots which are in close proximity to the mitigation areas will be specified as part of a reserved matters application suggesting that further lighting will be needed for the site which is not included in the modelling. The modelling of external light spill must include all external lighting proposed on site. A plan of the luminaires used in the modelling should be provided which details the model and location of each luminaire.

Due to the sensative location of the site, all external lighting should have an Upwards Light Ratio of 0%, a colour temperature of 2700 Kelvin or lower, and a peak wavelength higher than 550nm in line with ILP/BCT guidance.

Modelling of light spill from internal lighting is required due to the proximity to the proposed dwellings to the HEP habitat, without modelling of light spill it cannot be demonstrated that the proposed development would not result in light spill onto the HEP habitat. Modelling of light spill from internal lighting is therefore required where buildings could result in light spill onto HEP habitat. The modelling should include the combined effects of internal and external light spill.

Night Roost
The location of the replacement night roost should be provided, this should be in proximity to the Strawberry Line in an area with limited public access.

Water Quality and Biddle Street Yatton SSSI
The SSSI has recently been downgraded to unfavourable condition due to the high level of phosphorus within the ditches. We welcome the comprehensive SuDS strategy proposed, including the use of permanently wet SuDS which will help to reduce phosphorus content in surface water. Full details of SuDS can be secured by condition, however we would welcome if the applicant commits to a SuDS design which minimises phosphorus input from surface water runoff entering the surrounding environment. Ciria have produced guidance on Using SuDS to reduce phosphorus in surface water runoff.

Air quality - Dust
Appendix E of the Air Quality Assessment (Hydrock, March 2023) includes mitigation measures for construction dust. These measures are welcomed and must be secured in a CEMP.

CEMP and LEMP
A CEMP must be secured by condition which includes measures to prevent construction lighting impacting habitat used by horseshoe bats and includes the use of best practice measures to prevent pollution of SSSI ditches.

A LEMP must be secured by condition. Mitigation habitats for horseshoe bats must be managed and maintained in perpetuity.

Please note that if your authority is minded to grant planning permission contrary to the advice in this letter, you are required under Section 28I (6) of the Wildlife and Countryside Act 1981 (as amended) to notify Natural England of the permission, the terms on which it is proposed to grant it and how, if at all, your authority has taken account of Natural England's advice. You must also allow a further period of 21 days before the operation can commence.

Should the applicant wish to discuss the further information required and scope for mitigation with Natural England, we would be happy to provide advice through our Discretionary Advice Service.

Please consult us again once the information requested above, has been provided.

Yours sincerely

Amelia Earley