

Response to Ecological Consultations

South West Milton Keynes

October 2020

1.0 Introduction

1.1 This note is provided in response to the following consultations received by Buckinghamshire Council with regard to planning application reference 15/00314/AOP:

- 22 July 2020, Ellen Satchwell, Sustainable Development Lead Advisor, Thames Solent Team, Natural England: **No objection.**
- 27 July 2020, Annie Ottaway, Senior Biodiversity and Planning Officer (Buckinghamshire) Berks, Bucks and Oxon Wildlife Trust (BBOWT). Retained 2016 **Objection** in relation to:
 - Loss of veteran trees
 - Insufficient mitigation for loss of woodland
 - Compensation for negative impacts on farmland birds
 - Insufficient bat surveys
- 19 August 2020, Paul Holton, Ecology Officer, Buckinghamshire Council. **Further Information Required** in relation to:
 - Biodiversity Net Gain (BNG)
 - Broadway and Thrift Wood Local Wildlife Site
 - Traditional Orchard Priority Habitat
 - Veteran Trees
 - Watercourses
 - Bats
 - Farmland birds
 - Reptiles
 - Great crested newts (GCN)
 - Biodiversity Enhancements

1.2 Clarification is provided herein in relation to the above matters raised, with further information provided as appropriate. This response should be read in conjunction with an addendum provided to Chapter 7 (Ecology) of the submitted Environmental Statement (ES).

2.0 Updated Ecological Surveys

2.1 As set out within the submitted Addendum to Chapter 7 of the ES, all confirmatory survey work has been completed in relation to bats, birds, botany, badger *Meles meles*, reptiles, great crested newt *Triturus cristatus* (GCN) and breeding birds. None of this survey work has significantly altered the assessment presented within Chapter

7. It follows that all of the mitigation and targeted enhancement works proposed also remain appropriate and proportionate.

- 2.2 Updated survey work includes emergence and return to roost surveys of those trees anticipated to require felling or significant tree surgery works to enable the scheme to be implemented. As was found in previous survey work, no bat roosts were identified associated with any trees anticipated to be affected.

3.0 Biodiversity Net Gain (BNG)

- 3.1 Further information is provided within the Addendum to Chapter 7 in relation to BNG, including a revised calculation, with amendments and clarifications with regard to both habitat types and condition. It should be noted that an error in the spreadsheet relating to 'accelerated succession' was identified, which inflated the overall contribution of this habitat creation to the calculation. This has been corrected accordingly. Furthermore, other contributing habitat proposed, such as street trees, have now be included to demonstrate how biodiversity net gain is readily achievable alongside development of the Site.

- 3.2 In summary, the revised biodiversity calculation concludes the following:

- Net Gain in 'Habitats Units' of 44.55 equivalent to 13.16%
- Net Gain in 'Hedgerow Units' of 24.59 equivalent to 32.85%
- All trading (high, medium and low acceptable).

- 3.3 The calculations undertaken are based upon the following submitted plans:

- Habitats Plan (CSA4857/115) with regard to 'Site Habitat Baseline' & 'Site Hedge Baseline'
- Development Framework Plan (CSA/4857/100) with regard to 'Site Habitat Creation' and 'Site Habitat Succession'; 'Site Hedge Creation' and 'Site Hedge Enhancement', specifically with reference to the schedule of land uses
- Illustrative Masterplan (CSA/4857/112) with respect to the indicative landscaping proposals and habitat creation that will be subject to future detailed scheme design.
- Updated Arboricultural Impact Assessment (BH/C.2750) with regard to hedgerow and woodland impacts.

- 3.4 Given the biodiversity calculation prepared has been prepared based upon these plans as far as is reasonably practicable at an outline stage, with full areas and descriptions provided within Chapter 7 of the ES, and cross-referenced within the calculation spreadsheet. As such that the further plans suggested ('Biodiversity Impact Plan' and 'Proposed Habitats Plan') would not provide any further clarification at this stage to demonstrate how measurable net gain in biodiversity could be reasonably achieved. However, it is recognised that appropriate site-wide BNG plans should be prepared as part of the proposed site-wide Ecological

Mitigation, Enhancement and Management Plan (EMEMP), which would be secured by an appropriately worded condition, with reference to detailed landscape and open space designs.

- 3.5 With reference to the predicted net gain in 'Hedgerow Units', these now take account of the assumed native hedgerow planting shown on the illustrative masterplan around and through a number of development parcels, previously omitted from the calculation. It is assumed that at least 6km of new hedgerows are proposed in these locations around and within development parcels. Further hedgerow and other linear habitat creation is likely to be undertaken within the scheme, which would further contribute to net gains in this respect.
- 3.6 To confirm, there is no current requirement 10% biodiversity net gain to be achieved either within current policy (NPPF), existing local policy or within future VALP policies. However, as demonstrated above and within the addendum submitted, development of the Site could be undertaken and achieve, or exceed, this target, subject to control of detailed landscape design and through the preparation and implementation of a site-wide EMEMP.
- 3.7 The table below identifies the ten principles of 'Biodiversity Net Gain Good Practice Principles for Development' (CIEEM, CIRIA, IEMA, 2016) and the Scheme response to those principles.

Principle	Justification
Principle 1. Apply the Mitigation Hierarchy	The scheme has been designed to avoid, as far as reasonably practicable, all habitats of moderate or high ecological interest, including woodland and hedgerows. Removal of these habitats has only been proposed for unavoidable scheme elements, such as vehicular access.
Principle 2. Avoid losing biodiversity that cannot be offset by gains elsewhere	As above, as far as reasonably practicable, losses of biodiversity have been avoided where they cannot be offset elsewhere. Loss of mature woodland and hedgerows has been minimised, with compensatory habitat creation/enhancement proposed to mitigate as far as possible.
Principle 3. Be inclusive and equitable	All habitat creation proposals sought to ensure future stakeholders of the Site (new residents, local authority etc) have access/availability to a range of resources and experiences. These features, such as community orchards, formal open spaces, street trees, allotments and other community facilities have been retained alongside habitats of greater ecological interest.
Principle 4. Address risks	A precautionary approach to condition assessment of habitat creation has been adopted, to provide a conservative estimate of gains. Furthermore, where full impacts of e.g. construction areas, are not known, a precautionary approach to losses has been taken (e.g. woodland W3 losses to provide vehicular access)

Principle 5. Make a measurable Net Gain contribution	The scheme has sought to maximise gains for biodiversity, with an outcome of over 10% for habitat units and over 5% for hedgerow units, demonstrating a measurable contribution to net gain.
Principle 6. Achieve the best outcomes for biodiversity	Choice of habitats to creation and enhance have been carefully selected, in line with local targets/BOAs to ensure any gains at the Site provide the greatest benefits locally.
Principle 7. Be additional	The Site currently has few permanent ponds, no species rich grasslands, limited woodland cover and no orchard habitat. The scheme proposes to provide all of these habitats within informal and other open spaces across the site.
Principle 8. Create a Net Gain legacy	A site-wide EMEMP is proposed, which would set out the overarching aims and vision for habitats created. This plan would enable local groups/stakeholders to engage with the proposed range of habitat creation and ensure their legacy beyond the timeframes of any establishment and management.
Principle 9. Optimise sustainability	Any habitat creation would make use of available soils/subsoils onsite to ensure minimum off-site inputs and materials. Via the EMEMP plant species will be selected to maximise benefit through requiring the minimum management (e.g. watering). The quantum of tree and woodland planting itself would contribute to wider air quality and hydrological targets.
Principle 10. Be transparent	The full spreadsheet (in PDF format) was provided with Chapter 7 of the ES, with the excel spreadsheet to be made available to all consultees. This has/will ensure an open and transparent approach to BNG has been sought.

- 3.8 The full BM2.0 (beta) spreadsheet will be made available to BBOWT and Buckinghamshire Council with the issue of this response for full transparency of the calculation undertaken.

4.0 Woodland

- 4.1 Woodland habitats have been retained as far as possible alongside development in line with the mitigation hierarchy. The only unavoidable loss of woodland relates to necessary vehicular access from Standing way (A421) which primarily requires removal of up to c. 0.38ha of woodland W3 (planted trees/ornamental landscaping), with a smaller area (c.0.035ha) of woodland W4b lost. In addition, a single primary street within the scheme requires the removal of c. 0.035ha of woodland W5.
- 4.2 The areas identified above are anticipated to be over-estimates of losses as, in relation to woodland W3, the entire area within the Site boundary has been identified as lost.
- 4.3 Within the biodiversity calculation submitted with Chapter 7, woodland W3 was characterised as 'Other woodland; broadleaved' in moderate condition, with

woodlands W4b and W5 correctly characterised as 'Lowland mixed deciduous woodland' in 'fairly good' condition. Therefore, no amendment to the calculation is necessary in this regard.

- 4.4 In respect of new woodland creation, and as identified within the biodiversity calculation, approximately 15.45ha of woodland planting will be undertaken at the Site, principally to the southeast, but also in other areas of the Site. This will substantially increase the cover of wooded habitat at the Site, and fully mitigate for the unavoidable loss of 0.38ha of woodland W3 and 0.07ha of woodlands W4b and W5.
- 4.5 Furthermore, to ensure any features within woodlands W4b and W5 are safeguarded as far as possible, the following mitigation is proposed within Chapter 7 of the ES: *"any important ground flora (e.g. bluebell, goldilocks buttercup or betony plants) or established woody features (e.g. hazel stool, shrub or honeysuckle plant) will be translocated from these areas into appropriate locations in woodland elsewhere within the Site to retain these features. Translocations will take place in late-Autumn during dormant period for these species, following a detailed methods statement undertaken under close supervision of a suitably qualified ecologist."*

5.0 Veteran Trees

- 5.1 The submitted 'Updated Arboricultural Impact Assessment' (Barton Hyett) states that *"No veteran or ancient trees were identified during the survey"*. As such, the older woodlands (W4b and W5), whilst of greater importance than other wooded habitats on site, are confirmed not to support any veteran or ancient specimens. Further information is provided within the Addendum to Chapter 7 of the ES with regard to the trees likely to be removed as part of the vehicular access via Standing Way (A421) and in the indicative location of a primary road within the Site which will bisect Woodland W5 (Group 11 within the AIA).

6.0 Farmland Birds

- 6.1 It is acknowledged within Chapter 7 that skylark and other commonly encountered farmland bird species would be displaced from the Site as a result of the proposed development. Many of these species, such as skylark, have declined principally due to adverse changes in agricultural practices, rather than loss of farmland to urbanising development, and are listed as S41 habitats/red-listed for this reason. It was therefore proposed that mitigation with respect to the wider breeding bird assemblage be undertaken to maintain the overall diversity and abundance of breeding birds at the Site, through habitat creation and management, as well as provision of nesting features within the built environment.
- 6.2 Notwithstanding the above, it is accepted that off-site farmland bird mitigation could be implemented to reduce minor (insignificant) residual effects upon the entire breeding bird assemblage. A reasonable and proportionate financial

contribution to deliver off-site habitat creation for farmland birds, such as hedgerow creation/restoration and/or 'skylark plots', could therefore be included within an appropriate legal mechanism, such as a S106 agreement.

7.0 Great Crested Newt (GCN)

- 7.1 As set out above with further survey information provided within the Addendum to Chapter 7, full survey work has been completed within regard to GCN. Clarification is provided within the Addendum with regard to the mitigation approach to be adopted (non-licensed methods statement).

8.0 Watercourses

- 8.1 As set out within Buckinghamshire Council's ecologists' response it is suggested that there are four 'ordinary watercourses' which either run within or along the boundary of the proposed development site. However, to clarify, three of these identified features are typical agricultural ditches of limited ecological interest, and were all found to be dry by June 2020. It is understood that a proportion of these ditches will be integrated into the future proposed drainage design of the Site, with others lost to development. As set out within Chapter 7, given their limited ecological interest, no significant adverse effects are predicted as a result of the loss of ditches and therefore the introduction of Ecological Buffer Zones (EBZs) would be inappropriate. Furthermore, the cited policy of draft VALP, NE3, is titled '*River and Stream Corridors*' and therefore does not reasonably apply to agricultural ditches, particularly those of limited ecological interest.
- 8.2 The watercourse to the northwest of the Site is a dammed stream/drainage ditch which will be entirely retained alongside development within existing and proposed public open space. This retained watercourse will be subject to the proposed site wide EMEMP.

9.0 Broadway & Thrift Wood Local Wildlife Site

- 9.1 With regard to the nearby Broadway & Thrift Wood Local Wildlife Site (LWS), formal public access within the wood is limited to a single footpath bisecting the LWS of c.500m in length. A further 150m path running along the southern boundary of the wood. The remainder of the wood has no formal public access. Furthermore, access to those footpaths within or adjacent to the LWS are via c.1.5km of public footpaths (Midshire's Way/ Swan's Way), with no circular route available to return to the Site. No car parking is available close to the LWS
- 9.2 In light of the above, it is highly unlikely that significant numbers of new residents would regularly access the LWS, while only a small proportion of the LWS could be accessed.

- 9.3 In addition, the scheme provides significant areas and variety of open space adjacent to residential areas, as well as direct walking links to Tattenhoe Park to north and Chepstow Drive local park to the east. These open spaces are anticipated to absorb the vast majority of recreational pressure generated by new residential development and avoid any significant increase in footfall to any LWSs. As such, no significant adverse effects are predicted to Broadway and Thrift Wood LWS, or other LWSs, as a result of the proposed scheme in operation.

10.0 Ecological Enhancements

- 10.1 Inclusion of Integrated Bat & Bird Boxes into new dwellings across the Site is proposed within Chapter 7 of the ES, at a rate of 1 box per 10 dwellings (10%). It is acknowledged that the consultation responses from both Buckinghamshire Council and BBOWT seek a higher proportion of dwellings to include a box (e.g. 30% in line with Kingsbrook development). Where necessary, the agreed rate of integrated bird/bat boxes provision could be secured via an appropriately worded planning condition.
- 10.2 Further ecological enhancement and greening measures have been suggested by BBOWT, such as green roofs/walls and street trees, which could again be enshrined within the proposed site-wide EMEMP which will be subject to an appropriately worded condition.

11.0 Traditional Orchard Priority Habitat

- 11.1 An area of land adjacent to Site within the private garden of dwelling 'The Leys' is identified on the Multi-Agency Geographic Information for the Countryside (MAGIC) database as Traditional Orchard. As set out in further detail within the Addendum to Chapter 7, where this habitat is present, no significant adverse effects are predicted given its location off-site with adjacent land proposed as public open space.
- 11.2 It is acknowledged that opportunities are available within the proposed community orchard on-site to plant local varieties of fruit trees. This opportunity is included within the Addendum to Chapter 7 which would be secured through the proposed EMEMP.

12.0 Other Matters

- 12.1 It is noted within the BBOWT consultation response that *"We would like to see an area of the green space provided specifically for wildlife as a nature reserve. This area can allow people to enjoy wildlife whilst also providing protected areas for wildlife to flourish. There is the potential for its future management to further engage the community and offer opportunities for outdoor exercise in the form of conservation volunteering"*. Such an aspiration for the extensive open space at the site to form part of nature could be achieved through the proposed site-wide EMEMP which

would be controlled through an appropriate condition. This would be subject to adoption of open space with specific third parties, such as a local 'friends of' group, the Parks Trust or a Wildlife Trust, taking on management responsibilities for such spaces,

13.0 Summary

- 13.1 All matters raised in the three consultation responses received have been addressed herein, with further information provided where necessary within the Addendum to Chapter 7. Subject to implementation of the proposed EMEMP, and other relevant conditions or agreements, no significant residual effects are predicted as a result of the proposed scheme, with a measurable net gain for biodiversity readily achievable.

