

County Ecologist Correspondence 12/08/2020



Memo

To: Emma Pickernell
Senior Planning Officer, Place and
Growth

From: Gary Kennison
Principal Ecologist

Date: 12/08/2020

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Ref: 20(057)

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20/00683/OUT

**Outline application for 43 dwellings including access, layout and scale, with all other matters reserved for future consideration, Land Adjacent To Oakhurst Rise, Cheltenham, Gloucestershire GL52 6JU
Grid Ref (approx.) 396492 221592**

New Ecological Information

You have asked me to comment on new ecological information recently received by the Local Planning Authority in connection with application 20/00683/OUT. The new information is as follows:

- *Bioscan letter to you dated 29/07/2020*
- *Bioscan prepared 'Gloucestershire Key* Wildlife Site Assessment Sheet'*
- *Aspect Ecology 'Botanical Survey 2020, Technical Briefing Note TN09: Results of Botanical and NVC Survey' dated 05/08/2020*
- *Aspect Ecology letter to you dated 10/08/2020*
- *Gloucestershire Wildlife Trust letter to you, Aspect Ecology and myself dated 07/08/2020*

These documents are of a technical nature and I have considered these in detail. I have also had the opportunity to visit the site on 06/08/2020. I am familiar with Defra's draft Biodiversity Net Gain metric 2.0 and its use in a number of recent planning matters. I also have experience of the selection process for Local Wildlife Sites (I was a member of the Selection Panel when it was last active under the formerly named 'Key' Wildlife Site system).

I have come to the following conclusions.

1. The site was much as I had expected it to be and my advice to you in my memo dated 01/06/2020 does not require revising.
2. After reading all the recent submissions and visiting the site I am inclined to agree more with Aspect Ecology's assessments and assertions than those of Bioscan. Defra's Biodiversity Net Gain Metric 2.0 is not the finished product and has a number of shortcomings. The metric is only a rough guide and is no substitute for full assessment by professional ecologists. Unfortunately Bioscan's use of the metric includes some errors and their conclusions undervalue the merits of allowing the development.
3. In my opinion there is no convincing case for the meadow to be designated a new Local Wildlife Site. The meadow is poor quality MG1 grassland (Mesotrophic Grassland Type 1 of the National Vegetation Classification) and of low conservation value.
4. A Local Wildlife Site designation does not preclude appropriate development and the Wildlife Trust letter reflects this point. The development provides an opportunity to secure the long-term conservation and enhancement of local biodiversity. A large area of the site would become better managed and provide an improved educational resource for the adjoining school.
5. Compared to previous development schemes for this site (17/00710/OUT & 18/02171/OUT) there will be fewer units and greater retention of habitats and features. There is to be extensive tree/shrub planting, additional new habitat features and improved meadow management. Overall a biodiversity

net gain can be secured with appropriate conditions and planning obligations in place as I have previously advised.

6. The development if consented would be compliant with NPPF paragraphs 8, 170, 175 or 180. The proposal avoids significant harm to biodiversity and protects veteran trees. It makes effective use of the land and also provides a mechanism to secure a better more resilient future for biodiversity. Biodiversity improvements have been designed into and around the development. Given policy HD4 of the newly adopted plan [see below], the type and scale of the development appears to me to be appropriate for the location
7. The development if consented would be compliant with JCS policy SD9. The development provides appropriate mitigation for some unavoidable effects but importantly positively conserves and enhances biodiversity overall which are relevant to the location.
8. The development if consented would be compliant with policy HD4 in the recently adopted Cheltenham Local Plan. The development provides for long-term protection of mature trees and hedgerows on site, better commuting corridors and foraging areas for bats, and is an opportunity to enhance biodiversity overall.

*Renamed Local Wildlife Sites in January 2019

County Ecologist Correspondence 02/09/2020



ECOLOGY (BIODIVERSITY) OBSERVATIONS ON A PLANNING APPLICATION

To: Emma Pickernell Senior Planning Officer, Cheltenham BC	Date: 02/09/2020 My Ref: 20(030A)
From: Gary Kennison, Principal Ecologist	
20/00683/OUT Outline application for 43 dwellings including access, layout and scale, with all other matters reserved for future consideration, Land Adjacent To Oakhurst Rise, Cheltenham, Gloucestershire GL52 6JU Grid Ref (approx.) 396492 221592	

Based on inspection of submitted drawings and other documents including ecological reports (and letters)

1. SUMMARY OF RECOMMENDATION

No observations and/or minor observations	
No objections, subject to reserved matters (conditions) and informatives	✓
Further information and/or clarification required	
Refusal (for the reasons set out below if details remain unchanged)	
Consider enforcement or other action	

2. Advice by Topic

Item (Topic)	Coverage	General Observations
Ecological Reports	Ecological Appraisal (April 2020) by Aspect Ecology	Updates previous site surveys/assessments between 2016 and 2018. Aspect Ecology added a botanical survey of the grassland in July 2019 and an overview survey of the site in April 2020.
Designated Sites	Cotswold Beechwoods Special Area of Conservation (SAC)	The SAC is about 8km away to the south west and there is potential for increased recreational disturbance to occur on this European Site. To make sure this development is not harmful the Appropriate Assessment stage of HRA must be triggered by the LPA. If the LPA after consulting Natural England is able to conclude in its Appropriate Assessment (HRA) that there

Item (Topic)	Coverage	General Observations
		<p>would be no adverse effect on the integrity of the SAC then planning permission could be approved if no other matters warranted refusal.</p> <p>The developer's consultant Aspect Ecology has commented on HRA at paragraph 3.1.3 of the Ecological Appraisal. It references the previous HRA process for application 18/02171/OUT and the associated submitted document entitled 'Information to inform a Habitats Regulations Assessment' dated November 2018. This is relevant to the Appropriate Assessment that the LPA needs to carry out for the current application which is for less residential units (reduced from 69 to 43). In summary the developer's ecologist conclusions are that the latest development is also unlikely to have an adverse effect on the integrity of the SAC. A homeowner's information pack has been proposed previously by Natural England (application 18/02171/OUT) and this is included in my recommended LEMP condition (reserved matter) below.</p>
	Site of Special Scientific Interest (SSSI)	If potential significant effects on the SAC (above) from recreational disturbance can be avoided then they would also be on the Cotswold Commons and Beechwoods SSSI too.
	Local (Key) Wildlife Site (LWS)	Nearest is KWS is Glenfall Wood (almost 1km away to the east). Further distant is Ashgrove Meadow and Charlton Kings Railway Line to the south west and south. Development unlikely to significantly affect these KWSSs if the SAC is also deemed to be materially unaffected (see above).
	National or Local Nature Reserve (NNR or LNR)	Part of the Cotswold Commons & Beechwoods SSSI is an NNR (so above comments apply). Nearest LNR is Griffiths

Item (Topic)	Coverage	General Observations
		Avenue (about 4km to the west). Development unlikely to significantly affect these sites if the SAC is also deemed to be materially unaffected. (see above)
	Regionally Important Geological Site (RIGS)	Development unlikely to significantly affect such sites. None are nearby
Conservation Road Verges (CRVs)	As in current version of the Highways Authority's register	Nearest CRV is Colegate Farm, Dowdeswell. Development unlikely to significantly affect it.
Priority Habitats (including hedgerows)	Hedgerows	<p>See also trees below.</p> <p>The condition of the hedgerows H1 and H2 was checked in April 2020 in comparison to a previous survey in 2017. Hedge 1 is re-confirmed as still being important using the Hedgerows Regulations methodology. Hedge 2 is again not considered to meet the importance test under the Hedgerow Regulations.</p> <p>H1 and H2 will suffer some loss (comparing the Landscape Strategy drawing with the Habitats & Ecological features drawing in the ecology report). H3 to H6 are poorer quality and are fragmented already. Proposed landscaping will improve this situation somewhat but importantly the connectivity provided by the site hedgerows will be improved by significant new tree/shrub planting for a range of animal species (birds, mammals and invertebrates). Given this the residual impact of the modest tree and hedgerow loss proposed will have little residual (if any) impact on biodiversity and a net gain overall.</p> <p>The Tree Protection Plan (Dwg No. 38-1036.02 Rev B) provides details for the protection of all retained trees and hedges during the construction phase.</p>

Item (Topic)	Coverage	General Observations
Trees	Many, various species	<p>See also hedgerows above.</p> <p>Trees (including aged or veteran ones) on site. The consultant ecologist states that all of the veteran trees will be retained. The Planning Statement at 3.10 says there will be “the loss of two mature trees (3016 ash; 3017 sycamore), as well as one mature tree deemed unsuitable for retention (3004). There is a good chance that the ash will be lost to ash die-back disease in the coming decade even if the development does not go ahead. These trees are situated up against the northern hedgerow H4. Additionally a few shrubs not obviously of retained hedgerows may also be lost but most will probably be retained.</p> <p>It is crucial that the retained trees (the vast majority on site) are properly protected during the construction and occupation phases along the lines of government advice and British Standard ‘BS 5837, Trees in relation to design, demolition and construction.’ The Tree Protection Plan (Dwg No. 38-1036.02 Rev B) provides details for the protection during development of all retained trees and hedges. The application also comes with proposed significant new tree and shrub planting (landscape strategy drawing) and a proposed Management Plan for these. Most of the new trees will form a relatively wide native woodland belt of great potential future value for biodiversity</p> <p>There will be a small negative impact on trees and an improvement upon the previous schemes. Taking an ecological viewpoint the landscape proposals if</p>

Item (Topic)	Coverage	General Observations
		<p>implemented as soon as possible would be good mitigation for the immediate limited impact on trees (as a habitat) in the medium to long-term.</p> <p>Conditions are needed to confirm and successfully implement the landscape strategy and tree protection plan which incorporates the arboricultural methods and supervision.</p>
Other habitats / features of interest	Several	<p>Scrub, semi-improved grassland, ruderal vegetation & standing water (temporary) occur in places. Grassland reported to be grazed informally and also annually mown in places with arisings not being removed. A bonfire site with creeping thistle and stinging nettle has also been noted. Current management and use of the site is not likely to conserve or enhance biodiversity value long-term. Most of these site features mentioned are relatively common in Gloucestershire and not of particularly high value for biodiversity.</p> <p>The pond (which has no aquatic vegetation and dries out very regularly) will be lost by the proposals but well replaced by a new (surface water attenuation) pond towards the south of the site. Although this may be dry at times it is of a design that at least marginal plant species and associated fauna will be able to establish there. About 57% of the semi-improved grassland will be lost but the remaining will be retained as green space for use by a nearby school. The area of semi-improved grassland and ruderal vegetation to be lost to new housing , roads and gardens is a biodiversity loss that needs factoring in but the overall long-term outcome for biodiversity is likely to be</p>

Item (Topic)	Coverage	General Observations
European Protected Species (EPS)	Bats – Some common pipistrelles but a few soprano pipistrelles, noctules, serotines, <i>Myotis</i> species and lesser horseshoe recorded in the vicinity/nearby	<p>positive (see below).</p> <p>A variety of species have been recorded on site and in the general area - which is to be expected given the location and habitat features on site. The site certainly has some value for commuting and foraging bats due to presence of hedgerows and trees with associated grassland.</p> <p>Aspect Ecology carried out an updated Preliminary Roost Assessment of the trees with Potential Roosting Features (PRFs) in April 2020. Table 5.1 in the ecology report provides a useful summary. It updates the information in All Ecology's June 2018 detailed survey of trees to see which might be being used by bats (application 18/02171/OUT). Plan 2 within the All Ecology report shows the location of trees (labelled T1 to T19). The updated assessment of trees by Aspect Ecology in April 2020 reports only 2 notable changes from 2018 and that was that trees T12 and T14 now had lower potential for roosting bats (5.1.12). T6 which had a single common pipistrelle bat roosting in it in 2017 is not of high conservation significance but it is being retained as part of the proposed development. The two trees proposed for removal (an ash and sycamore –see trees above) have not been identified as likely to harbour bat roosts.</p> <p>The proposals will produce a few gaps in existing hedgerows H1 & H2 (see above) but due to the additional and reinforcement planting elsewhere (not least the new woodland belt) the impact on bat movements and foraging overall will be positive. This is conditional on no unnecessary obtrusive lighting. A suitable lighting scheme that does not adversely impact on existing</p>

Item (Topic)	Coverage	General Observations
		<p>and increased bat activity of the site is entirely possible. The scheme must ensure that the majority of the retained and habitats/features are available for bats to use.</p> <p>It is noted that additionally some bat boxes will also be provided so that roosting opportunities will be as good if not better than the current situation (see EE4 and Appendix 5487/4 in the ecology report). These are proposed for erection on trees <u>and integrated into a proportion of the new buildings</u>. This will boost the value of the site as until new trees mature roosting opportunities will be limited.</p> <p>Mitigation measures MM1 to MM6 plus ecological enhancements EE1 to EE4 are appropriate and relevant to conserve and enhance bats on site. These can be secured within a CEMP and LEMP (see recommended conditions below)</p>
	Dormouse	Unlikely to be present and the development is unlikely to significantly affect them.
	Great Crested Newt (GCN)	GCN District Licencing mapping indicates the area impacted by development works site is within an amber risk zone for GCNs. I am content to accept the justification that the development is unlikely to adversely affect great crested newts (ecology report 5.4.2 to 5.4.4 & 5.8.2).
	Otter	Unlikely to be present and the development is unlikely to significantly affect them.
Apply 3 derogation tests? [Habitats Regs for EPS licencing]	Although quite unlikely given the revised proposals the need for a bat licence cannot be completely ruled. There is only a low risk of an unknown roosts being discovered that may be affected by the development works.	If the assertions of the ecological assessments are correct then the 3 derogation tests in the Habitats Regulation do not need to be considered. See 'Bats' above.

Item (Topic)	Coverage	General Observations
Other Protected Species	Water vole	Unlikely to be present and the development is unlikely to significantly affect them.
	Badger	The effect or not on badgers from the proposed development site has been reviewed by additional updated surveys and reported in a separate confidential appendix (Aspect Ecology October 2018) that has been submitted to the LPA. The revised proposals for mitigating any effect upon and conserving local badgers are acceptable in my view.
	Reptiles	In addition to previous on site surveys Aspect Ecology carried out an artificial refugia survey for reptiles between July and August 2019. Reptiles and evidence of them being present was also directly searched in suitable places/features. I can accept that there is only a low population of reptiles present consisting of only very few individual slow worms and grass snakes. The mitigation and enhancement measures (MM8, EE2, EE3, EE6 & EE7) plus proposed new landscaping should have a neutral to positive impact overall.
	Nesting birds	A good variety of birds are present in the general area and on site mainly utilising the boundary trees and hedgerows. There are much potential nesting sites present but much of this will be retained. Measures MM1, MM2, MM9, EE1, EE2, EE3, and EE5 are protective and beneficial for birds. In the long term the development would likely to have a short term small adverse impact but in the long-term a positive overall outcome is certain.
Priority Species	Hedgehog (for house sparrow and lesser spotted woodpecker see birds above)	Hedgehogs are use hedgerows and nearby gardens. A small population may use the proposed development site. However overall with the mitigation measures MM1, MM2, MM6, MM7 and enhancement measures EE1,

Item (Topic)	Coverage	General Observations
		EE2, EE6 and EE7 the proposed development is unlikely to affect the local population which is likely to be enhanced. This excludes the fact there will be gardens which may have additional accessible habitat.
Invertebrates	Generally	A number of species have been recorded in the vicinity but none are particularly rare or are protected by law. A reasonable invertebrate assemblage is likely to be associated with the trees, scrub and hedgerows. The presence of old trees with some rotting wood is an important feature for some not common invertebrates. Compensation for lost habitat and enhancement for invertebrates is offered. Measures MM1, MM2, MM6, EE1, EE2, EE3, EE6, EE7 and EE8 are appropriate and relevant for invertebrates. Overall the development should be beneficial for invertebrates including pollinating insects.
Mitigation (Compensation) included?	Yes	<p>The mitigation/compensation and enhancement proposals are set out as measures in Section 6 of the Ecological Appraisal. Mitigation measures MM1 to MM9 and enhancement measures EE1 to EE8 are appropriate and relevant to the site and development.</p> <p>Enhancements include extensive native tree/shrub planting, new wildflower grassland, creation of wetland habitat, bat and bird boxes, and also features for reptiles, amphibians and invertebrates.</p>
Landscaping/Aftercare included?	Yes	<ul style="list-style-type: none"> • Landscape Strategy drawing 192.16.101 Rev. D • Further details of aftercare need to follow as part of reserved matters, i.e. production of a LEMP (Landscape & Ecological Management Plan) • Funding and aftercare

Item (Topic)	Coverage	General Observations
		management responsibilities will need to be secured through a S106 agreement if the development is approved
Biodiversity Net Gain (BNG)?	Yes	<ul style="list-style-type: none"> • Losses to biodiversity have been reduced compared with previous proposals for the site. • Tree planting and a good variety of other landscape features are being proposed, these including new hedgerows, wildflower (meadow) planting and a new wetland feature. • In my view BNG would be achieved given proposals and safeguards (including a S106 agreement).
Further information/action including survey work required before determination?	Yes	Cheltenham Borough Council needs to complete an Appropriate Assessment (HRA) of this development proposal.
Planning conditions and/or Informatives (Advice Notes)?	Yes	See below but cannot be confirmed until an HRA (AA) has been completed and agreed with by Natural England.

3. Additional Comments on Advice (above)

If this development is allowed and does not commence before the end of April 2022 then there is a need to repeat the preliminary tree roost assessment. The ecology report includes this as mitigation measure MM3. This is in accordance with British Standard BS 42020:2013 and is captured in one of the recommended conditions below (CEMP).

Compared to previous development schemes for this site (17/00710/OUT & 18/02171/OUT) there will be fewer units and more retention of habitats and features which is welcomed. Together with mitigation measures, extensive planting and additional new feature proposals net gains for biodiversity are likely.

4. Assessment against Legislation, Policy and Guidance

Relevant legislation, policy and guidance considerations have been taken into account as part of this response, including as relevant the following:

- *Wildlife and Countryside Act 1981 (as amended)*
- *The Conservation of Habitats and Species Regulations 2017 (as amended)*
- *Natural Environment and Rural Communities Act 2006*
- *Protection of Badgers Act 1992*
- *Biodiversity – Code of practice for planning and development BS 42020:2013*
- *Natural England's Standing Advice*
- *National Planning Policy Framework and Planning Practice Guidance*

- ODPM Circular 06/2005 Biodiversity and Geological Conservation – Statutory Obligations and their impact within the Planning System
- Local Development Plan(s) <https://www.gloucestershire.gov.uk/planning-and-environment/planning-policy/>

5. Conclusion

The appeal decision of earlier application 18/02171/OUT cites some uncertainty that biodiversity value overall could be conserved into the occupation phase. This current application 20/00683/OUT is for a smaller number of residential units (now 43 down from 69) and so conservation and enhancement of biodiversity is very likely. It is my conclusion that the latest development proposal would not have a significant adverse effect upon biodiversity overall and with the proper addressing of reserved matters including a S106 agreement a biodiversity net gain would accrue.

6. Recommended Action

The following items should be addressed to be able to consent this development.

Pre-determination:

1. Item - The LPA must complete an Appropriate Assessment which is Stage 2 of Habitats Regulations Assessment (HRA). A draft must be sent to Natural England to see if they agree with its conclusions before the HRA is confirmed. In my view a conclusion of no adverse effect on a European Site's integrity could be affirmed to make the development acceptable in law.

Determination:

If given consideration of all matters the LPA is minded to grant consent for this outline development then the reserved items such as the following below are recommended:

1. Condition – *The development shall be implemented in accordance with the Tree Protection Plan drawing 38-1036.03-A dated 17.04.20 which incorporates arboricultural methods and supervision details. All protective structures installed shall be maintained until construction work has been completed. No materials, soils, or equipment shall be stored under the canopy of any retained tree or hedgerow within the application site.*

Reason: *To prevent unnecessary loss of amenity and biodiversity value of trees and shrubs to be retained in accordance with Local Plan Policy X, ODPM Circular 06/2005 plus National Planning Policy Framework paragraphs 8, 170 and 175.*

2. Condition – *No development shall take place until a Lighting Scheme is submitted to the Planning Authority for approval. The Scheme is to be based on mitigation measure MM6 (Sensitive Lighting) within the Ecological Appraisal by Aspect Ecology dated April 2020. The scheme shall include the following details:*

- (a) *the position, height and type of all lighting;*
- (b) *the intensity of lighting and spread of light as a lux contour plan;*

(c) the measures proposed must demonstrate no significant effect of the lighting on the environment including preventing disturbance to bats so that light falling on vegetated areas and features used by bats will be below or not exceed 2.0 lux;
(d) the periods of day and night (throughout the year) when such lighting will be used and controlled for construction and operational needs.

The approved scheme shall be implemented for the duration of the development and maintained in accordance with the manufacturer's recommendations and scheme details.

Reason: To ensure that foraging and commuting of bats is not discouraged at this location and in accordance with Local Plan Policy X, ODPM Circular 06/2005 plus National Planning Policy Framework paragraphs 170, 175 and 180 and Section 40 of the Natural Environment and Rural Communities Act 2006 which confers a general biodiversity duty upon Local Authorities whilst exercising their functions.

3. Condition – Prior to the commencement of the development hereby permitted including ground works and vegetation clearance a Construction Environmental Management Plan (CEMP) should be submitted to and approved in writing by the Planning Authority. The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details. Any modifications to the approved details for example as a result of requirements of a protected species license must be submitted to and agreed in writing by the Planning Authority. The CEMP shall include final details of the following items:

Ecology

(i) Outline Mitigation Strategy based on Section 4.6 of the Confidential Badger Appendix by Aspect Ecology dated April 2020.

(ii) Other Mitigation Measures MM1 (Hedgerow & Tree Protection), MM2 (Veteran Trees), MM3 (update Preliminary [tree] Roost Assessment), MM4 (Bat Survey and Soft-felling of Trees), MM5 (Re-installation of any affected Retained Bat Boxes), MM7 (Wild Mammal Construction Safeguards), MM8 (Habitat Manipulation/Destructive Search for Reptiles & Amphibians) and MM9 (Timing of Works to avoid Nesting Birds) based on the Ecological Appraisal by Aspect Ecology dated April 2020.

(iii) Adherence to the Tree Protection Plan incorporating arboricultural methods

(iv) The role and responsibilities on site of an Ecological Clerk of Works (ECoW) and other responsible persons plus lines of communication

Other Items

xvi) [insert relevant text here for other items as deemed necessary, e.g. hours of working, visual impact, dust, noise, water management, travel plan, management of hazardous substances]

Reason – To protect the local environment including its landscape and biodiversity value in accordance with Local Plan Policy X and paragraphs 8, 170, 175 and 180 of the National Planning Policy Framework. This is also in accordance with Section 40 of the Natural Environment and Rural Communities Act 2006, which confers a general biodiversity duty upon Local Authorities.

4. Condition – Prior to the commencement of the development a Landscape and Ecological Management Scheme based on the Landscape Strategy drawing 19216.101 revision D dated 14-04-20, Proposed New Tree Planting Management Plan – Head of Terms and the Ecological Appraisal dated April 2020 (Ecological Enhancements EE1 to EE8 inclusive) shall be submitted to and approved by the Planning Authority. The scheme shall comprise of a drawing and document that

covers:

(a) *Aims and objectives of the scheme including*

conservation of protected and priority species and a net gain for biodiversity appropriate green infrastructure;

(b) *A plan with annotations showing the soft landscape, hard landscape, habitat, vegetation and artificial features to be retained, created and/or managed;*

(c) *Measures (including establishment, enhancement and after-care) for achieving the aims and objectives of management;*

(d) *Provision for educational but not public access;*

(e) *A work and maintenance schedule for 5 years and arrangements for beyond this time;*

(f) *Monitoring and remedial or contingency measures;*

(g) *Organisation or personnel responsible for implementation of the scheme;*

(h) *Issue of a homeowner's information pack on local recreational opportunities and the sensitivity of the Cotswolds Beechwoods SAC.*

The Scheme shall also include details of the legal and funding mechanisms by which the long-term implementation of the scheme will be secured by the developer with the management body responsible for its delivery. The scheme shall be implemented as approved by the Planning Authority.

Reason: *To conserve and enhance the landscape and biodiversity value of the land and in accordance with Local Plan Policy X, ODPM Circular 06/2005 plus National Planning Policy Framework paragraphs 8, 170 and 175. This is also in accordance with Section 40 of the Natural Environment and Rural Communities Act 2006, which confers a general biodiversity duty upon Local Authorities.*

5. Planning Obligation (S106) [Linked to recommended condition above] – Funding and aftercare responsibilities need to be put in place to ensure the long-term management of landscaping and other installed [ecological] features so that important biodiversity is conserved and a net gain achieved. The arrangements must adequately ensure for the maintenance of habitats, trees, hedgerows and artificial biodiversity features. There should be a guarantee that the site will be used for educational and biodiversity conservation purposes and not be developed in the future.

6. Advice Note - *In relation to the County Council's Service Level Agreement with the Local Biological Records Centre and to assist in the strategic conservation of countywide biodiversity, all species and habitat records from the ecological work commissioned by the applicant should be copied [if not already] to the Gloucestershire Centre for Environmental Records (GCER).*

It is my view that the above advice is in accordance with the National Planning Policy Framework (NPPF), Planning Policy Guidance (PPG), National Design Guide (N1 to N3), ODPM Circular 06/2005, Natural England's Standing Advice, and with Section 40 of the Natural Environment and Rural Communities Act 2006 which confers a general biodiversity duty upon Local Authorities whilst exercising their functions. Opportunities to produce measureable gains for biodiversity have been explored (NPPF paragraph 175(d)).

County Ecologist Correspondence 11/09/2020

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11th September 2020
Our ref: SW20/E1986/EPL2
Planning application ref: 20/00683/OUT

Dear Ms Pickernell,

Land off Oakhurst Rise, Cheltenham – Addendum Ecological Response

Following the submission of my previous report in respect of the above site and planning application (ref: SW20/E1986/EOL1, dated 29th July 2020), I am aware that two further submissions have been made by the applicants ecologist's dated 10th and 17th August 2020, and an online comment has also been submitted by the county ecologist, Gary Kennison, dated 14th August 2020. I have also been made aware of a more recent submission by the Gloucestershire Wildlife Trust (GWT), dated 1st September.

I have been instructed by Charlton King Friends (CKF) to comment on these new submissions, which I do below.

Metric-based assessment of biodiversity loss

Assessment of biodiversity loss using Defra Metric 2.0

I thank the applicant's ecologists Aspect for providing accurate measurements for each habitat type on the site, which CKF were, of course, unable to obtain from the submitted drawings due to their PDF format, although it is noted that the estimates were nevertheless within an acceptable error margin of the actual totals. I see no reason to disagree with the figures that have now been provided, although I note there is a discrepancy between the site area on the application form of 4.29ha and the total reached by Aspect of 4.12ha.

In the light of these area measurements, I have updated the Metric 2.0 assessment and discuss the results below. Several important points of clarification need to be made about the input parameters first, however.

- i) I note the comment by Aspect Ecology that in Bioscan's Metric 2.0 assessment "*It is assumed that all habitats will be lost and re-created*". I have not been party to discussions regarding the development of the landscape strategy or the proposals for enhancement. In keeping with parties that are outside of the application team, I have had to rely upon the information submitted as part of the application, in this instance the ecological mitigation and enhancements drawing (ref: 5487/EC04) included in the submitted ecological appraisal report (ref: 5487 EcoAp2020 vf /DW). In respect of the two largest blocks of grassland on the site, this drawing

states "Creation of new grassland habitats" [underline added]. I concluded (not entirely surprisingly) from this that the existing grassland would be removed and replaced.¹ Thank Aspect Ecology for clarifying the position and note that any suggestion therein that the development would deliver 'new' grassland, cannot, therefore, be correct and any apparent 'benefit' of grassland creation from the scheme should be discounted in the planning balance as a result.

However, in light of the need to create an artificial badger sett in the grassland in the southwest corner of the site, I do question whether in this area any retention of extant resource would be practically achievable, given the ground disturbance required.² This means that the only block of grassland that could in reality be retained (rather than recreated) is that on the east side of the development. The result of this is that approximately a quarter (1.06ha) of the existing grassland would actually be retained under the proposals, with some 0.85ha of grassland removed and recreated. I have factored this correction into the revised metric assessment detailed below.

- ii) With regard to the suggested re-categorisation of the habitats in the baseline metric assessment, there is little need to debate this point in terms of metric outputs as there is no change in the distinctiveness score between 'other mixed woodland' (Bioscan categorisation) and 'scrub' (Aspect categorisation). In other words, the proposed re-categorisation results in no (zero) change to the assessed unit score. I am content to use either category, noting at the same time that the description in the Ecological Appraisal report¹ refers to scattered scrub (together with 'scrub') as being 'bramble'. The proposed re-categorisation therefore fails to reflect the fact that this area of 'scattered scrub' is in fact a small copse of trees (see Photo 1) and I maintain that 'other mixed woodland' would therefore be more appropriate.

³ In the absence of an accurate description of this habitat in the ecological appraisal, I have based my assessment of the parameter 'condition' on my own visits to the site. It is clear that the condition of this habitat is being hampered by the extensive badger activity in this area which is restricting the development of the ground flora. As such, based on the combination of these two factors, i.e. the poor ground flora but presence of mature trees, I consider a condition assessment of 'moderate' to be justified.

⁴ Even if the 'condition' of this habitat in the Metric is reduced to 'poor' (as Aspect suggest), the result is to only reduce the biodiversity unit value of this area from 0.64 to 0.32 a change of 0.32 units. The need to argue for such a small change is a symptom of the desire by Aspect to achieve every possible fraction of a unit out of disputed tweaks to the input parameters to engineer an output figure that approaches the threshold of acceptability in policy terms. This itself reflects that this is a development proposal that is innately damaging to the on-site biodiversity resource and that inadequate compensation is proposed for such damage. Even if the suggested tweaks are accepted, they have the result of no more than scraping the site's performance over the 'zero' line: the metric calculation Aspect have submitted shows an overall 0.48 unit increase on the site. However the clear direction of travel of national and local planning policy is towards biodiversity net gain being measured⁵ as a policy compliant material consideration only where a 10% net increase is demonstrated – indeed this is set to become a national mandatory requirement in the Environment Bill and, pre-empting this, has already been adopted by many

¹ Aspect Ecology ref: 5487 EcoAp2020 vf /DW, dated April 2020

Summary of Comments on Cheltenham Borough Council L2 11-09-20 - final GK comments.pdf

Page: 2

- T** Number: 1 Author: gkenniso Subject: Highlight Date: 11/09/2020 11:12:30
This is disingenuous as Aspect Ecology have corrected use of creation in recent correspondence. In any case we are talking about through better management etc. establishing wildflower rich grassland from existing and this is a significant gain and in no way can be discounted. The metric should not be slavishly followed in the way set out here as it will give perverse results as I have previously intimated.
- T** Number: 2 Author: gkenniso Subject: Highlight Date: 11/09/2020 11:15:11
Extremely negative conclusion and ignores the fact that disturbance by badgers can enhance vegetation particularly the dense species-poor grassland currently present. Revised metric results presented here should be disregarded.
- T** Number: 3 Author: gkenniso Subject: Highlight Date: 11/09/2020 11:19:53
if you are going to use the metric you must record habitats as they are in the existing valuation calculation. What they could be e.g. due to a different pattern and impact by badgers is something to consider as part of the post development assessment. Again this just shows the weakness of the use of the metric which does not consider species issues.. The consensus of ecological professionals is the best approach as the metric can always only be a rough guide in my view.
- T** Number: 4 Author: gkenniso Subject: Highlight Date: 11/09/2020 11:22:20
The technical debate and disagreements between Aspect Ecology and Bioscan just prove one cannot solely rely on the metric which is not a finished product and does not consider all ecological issues in any case.
- T** Number: 5 Author: gkenniso Subject: Highlight Date: 11/09/2020 11:25:18
This is incorrect no such policy exists yet. The metric is an unfinished product it has various flaws and is not being used consistently by ecologists yet. I am sure (and so is the Wildlife Trust) that with the conditions and S106 I have recommended there will be no net loss and very likely a net gain if one considers all the species particularly enhancing the site for bats etc.. The development can pass the policy test there is no figure to pass.

local authorities². At its highest, Aspect Ecology's own assessment shows that the proposed development falls far-short of this target and in fact delivers no meaningful net gain³.

- iii) There has been no error in the assessment by Bioscan of the condition of the hedgerows H1 and H2 – both are assigned a value of 'moderate' in the pre-development (0.58ha) assessment and 'good' in the post-development (0.35ha) assessment.
- iv) The inclusion by Aspect of hedgerows H3 to H6 as 'Native hedgerow' in the metric is patently incorrect and should be amended. These are ornamental hedgerows which have 0 (zero) biodiversity units. Inclusion of these as native hedgerows introduces a 0.338 unit bias that should be discounted. Correcting the overall output for this further exposes the claim of net gain as a fallacy.
- v) There is no native hedgerow planting proposed by the landscape strategy or shown on the ecological enhancement drawing, and thus the inclusion of 0.461km of native hedgerow creation in the Metric should be removed.

A further element of the Metric assessment undertaken by Aspect that requires more detailed scrutiny is the justification for their application of strategic multipliers.

Strategic multipliers

In their assessment, Aspect Ecology have assigned some habitats a 'strategic location' multiplier, the suggestion being, it is assumed, that these habitats are located in an area that has been formally identified as being strategically important for that habitat. The two 'woodland' habitats (i.e. hedgerows H1 and H2), are noted to be assigned the 'within area formally identified in local strategy' assessment. The suggested rationale for this is outlined at 2.8 of Aspects submission⁴, which states –

"Hedgerows H1 and H2 are considered to qualify as Priority Habitat and the local BAP, as such these habitats are considered to be within an area formally identified in local strategy such that they are of high strategic significance."

This appears to be a wilful misconception of the function and purpose of strategic multipliers within the Defra metric. The suggestion being made is that simply because the hedgerows meet the criterion for status as a national priority habitat that they are automatically strategically located. A priority hedgerow is a hedgerow that contains 80% or greater native species, a criterion met by most hedgerows in Britain. Conversely 'strategically located' is a function of the location of the hedgerow, for example as part of a wider network or connecting two designated sites. It is entirely possible, as is the case here, for a hedgerow to be a priority habitat but outside of a strategic location, or indeed in an ecologically isolated setting.

² See for example <https://www.cherwell.gov.uk/news/article/624/council-ramps-up-biodiversity-target>

³ This is also demonstrably below the 10% currently required by several planning authorities and which is the amount likely to be required under the upcoming Environment Bill.

⁴ Aspect Ecology ref: 1005487/012.let.CBC.ep, dated 10th August 2020. Technical Briefing Note TN10, dated 7th August 2020.

T Number: 1 Author: gkenniso Subject: Highlight Date: 11/09/2020 11:27:05
Disagree strongly the development can secure long term biodiversity value at the location.

T Number: 2 Author: gkenniso Subject: Highlight Date: 11/09/2020 11:27:28
More technical agruements - see above comments.

T Number: 3 Author: gkenniso Subject: Highlight Date: 11/09/2020 11:36:33
Incorrect there will be much gap/reinforcement planting in several places to give an increase in native hedgerow and is depicted on the landscape strategy drawing.

T Number: 4 Author: gkenniso Subject: Highlight Date: 11/09/2020 11:49:07
Disagree but again shows the arguments that can be generated by the imperfect draft Defra metric. In Gloucestershire priority habitats can certainly be seen to be strategically important particularly as the site is situated in a area identified as part of strategic green infrastructure by the Local Nature Partnership <https://www.gloucestershirenature.org.uk/green-infrastructure-framework> . Also CBC have signed up to the LNP's GI Pledge and so this gives added weight to the strategic importance of the hedgerow features being added to/strengthened.

If additional evidence of this was required, the Metric 2.0 user guide⁵, published by Natural England (extract included at Appendix 1) states -

“5.30. The idea of strategic significance works at a landscape scale. It gives additional unit value to habitats that are located in preferred locations for biodiversity and other environmental objectives...Strategic significance utilises published local plans and objectives to identify local priorities for targeting biodiversity and nature improvement, such as Nature Recovery Areas, local biodiversity plans, National Character Area¹⁴ objectives and green infrastructure strategies”.

The guide goes on to state –

“In the absence of a locally or nationally relevant strategic documentation indicating areas of significance for biodiversity, the value of 1 should be used in pre and post development calculations”.

Aspect provide no evidence for the site being within an area formally identified as strategically important for hedgerows or woodland and a score of 1 (i.e. no multiplier) should therefore have been applied.

There is similarly no evidence provided by Aspect for the existing or proposed ponds being located within a strategically significant location.

Conversely, the comments by the Gloucestershire Wildlife Trust (GWT) (see Appendix 2) confirm that the grassland is in fact strategically located. GWT state *“The site lies within a gap in grassland ecological network connectivity”*. Is it therefore appropriate to assign to the neutral grassland on site a strategic significance of at least 1.1 (i.e. location ecologically desirable but not in local strategy).

Metric outcome

Having corrected the above errors, the metric assessment undertaken by Aspect should show a 4.21 loss of biodiversity units, equivalent to a 11.98% reduction (output included at Appendix 3). This is patently in conflict with national and local policy on the avoidance of net loss of biodiversity.


Published metric assessment


It is noted that both Aspect Ecology and the County Ecologist raise a query as to the benefit of the metric assessment because it is in the process of beta testing. This fact is highlighted in my original submission⁶ and is not disputed. It is though noted in Aspects submission of 10th August⁷ at 1.3 it states *“It is considered that the most appropriate metric to use for the site is the Defra Biodiversity Metric 2.0 Calculation Tool”*. Any suggestion then that this metric is not a recognised and acceptable assessment tool is incorrect. The Defra 2.0 metric is widely and increasingly used to guide planning decisions throughout England and to assess the performance of proposals against the framework of national and local policies that seek to avoid net biodiversity loss and deliver net gain, and is on course to be mandated for such use upon the passing of the Environment Bill into law.


⁵ Ian Crosher, Susannah Gold, Max Heaver, Matt Heydon, Lauren Moore, Stephen Panks, Sarah Scott, Dave Stone & Nick White. 2019. *The Biodiversity Metric 2.0: auditing and accounting for biodiversity value. User guide* (Beta Version, July 2019). Natural England


⁶ Bioscan letter ref: SW20/E1986/EPL1, dated 20th July 2020

⁷ Aspect Ecology ref: 1005487/012.let.CBC.ep, dated 10th August 2020. Technical Briefing Note TN10, dated 7th August 2020

 Number: 1 Author: gkenniso Subject: Highlight Date: 11/09/2020 11:50:17
Incorrect and although Aspect Ecology have provided no evidence I have of strategic importance - see above comment

 Number: 2 Author: gkenniso Subject: Highlight Date: 11/09/2020 11:53:46
Content to accept this but it must also be the case for the hedgerows - see above comment. Again shows the issues with using the draft Defra metric.

 Number: 3 Author: gkenniso Subject: Highlight Date: 11/09/2020 11:56:56
Cannot support the figure derived here and ignores various biodiversity issues. draft Defra metric is imperfect, only covers habitats and is not mandatory. There is no policy conflict and in any case I believe there would be a net biodiversity gain from allowing the development with the conditions and S106 in place as I have recommended.

 Number: 4 Author: gkenniso Subject: Highlight Date: 11/09/2020 11:57:58
Key word is 'guide' and a rough on eat that. See above comments.

Neither Aspect nor the County Ecologist have evidenced their assertion that use of the Defra 2.0 metric might give rise to error. One means of testing this might be through the application of an alternative published metric, such as those that preceded the general and widespread adoption of the more recent Defra 2.0 model. For the avoidance of doubt on this point, Bioscan have also, therefore, undertaken this exercise utilising the metric published by Warwickshire County Council⁸ and which was employed as part of the 2019 appeal evidence.

The output from this exercise is attached at Appendix 4 and this shows a 7.33 loss of biodiversity, equivalent to -22.9%. This does not suggest an inconsistent result would be obtained by any other metric and again underlines that the proposals are patently in conflict with national and local policy on the avoidance of net loss of biodiversity.

Conclusion

Having applied two established metrics to the proposed development, one of which is planned by Government to form the official and mandated tool for measuring biodiversity net gain in future planning decisions,¹ it is clear that, by either measure, significant and demonstrable net loss of biodiversity would occur on this site. Aspect seek to rebut such conclusions by little more than bland repetition of a wholly subjective and unevidenced position shown to be untenable on the facts. Their case is not to engage with the facts but to sow uncertainty by advising that allowances be made for differences in subjective expert opinion and 'gut feeling' and seeking to discredit the application of what are now well-established quantitative methods.

There are of course cases where subjective opinion and quantitative metric outputs will be at odds with each other, and Bioscan are in the vanguard of advocating that care should be used when applying metric-based systems. In this case, however, the veracity of Aspect's competing assessment has to be viewed in the context of the many errors and inconsistencies that have been exposed in their assessments since the commencement of the planning debates over this site, including before the current application. I can confirm that the metric outputs discussed above align with the expert professional subjective opinion of not just myself, but of other highly experienced ecologists within Bioscan, and those views have consistently been found to be on the right side of the facts.² Aspect's efforts to disregard any assessment technique that does not give them the answer they seek falls short of the requirements for rigorous and robust assessment of the impact of development proposals on biodiversity - requirements that are not only required by industry best practice in general but that form the thrust of national planning policy demands.³ Any suggestion that application of established metrics is not valid for the purposes of assessment of compliance with biodiversity net gain policies runs flat contrary to the direction of travel of government and local planning policy and in that context alone should be rejected if a legally safe planning decision is to be made.

KWS assessment

I have reviewed the submission by Aspect Ecology (dated 17th August 2020) in which they attempt to critique the basis on which the site has been put forward for designation as a Key Wildlife Site (now called Local

⁸ <https://www.warwickshire.gov.uk/biodiversityoffsetting>

T Number: 1 Author: gkenniso Subject: Highlight Date: 11/09/2020 12:06:53

No as there are issues with the metric and it is implicitly designed as a Habitat only tool for professional ecologists to use. It does not include important species population matters for example and there is a lot of latitude in assessment of hedgerows and woodlands/scrub as the dialogue between Aspect Ecology and Bioscan proves. The metric is only a rough guide and does not cover many biodiversity aspects it should not replace the considered views of a professional ecologist and the consensus is that there would not be a net loss of biodiversity from allowing the development.

T Number: 2 Author: gkenniso Subject: Highlight Date: 11/09/2020 12:08:40

This argument can be applied to Bioscan too in disregarding the consensus of ecological representations including Natural England, Gloucestershire Wildlife Trust and my own views. The proposals are clearly compliant with current national and local policy contrary to the assertion here.

T Number: 3 Author: gkenniso Subject: Highlight Date: 11/09/2020 12:09:06

As above comment

Wildlife Sites LWS). I am also now in receipt of the submission from GWT dated 1st September 2020 which confirms the site was formally designated a LWS at a meeting of the selection panel on 1st September 2020.

There can be no further question that the site does meet the criteria for this status, and the attribution of LWS status also puts beyond any doubt that Aspect's assertion that the grassland is of no more than 'site' value is wrong.

The designation of the site as a LWS is welcome confirmation by an independent panel of third parties of what the facts on the ground have consistently pointed towards throughout my involvement in this site, and brings into play an additional raft of policy considerations that are failed to be met by the current proposals. In the event that Aspect continue to dispute the award of LWS status, I make the following points on their claims that the appropriate criteria were exceeded:

Minimum species threshold

To meet one of the criteria for KWS designation, the grassland needs to contain at least 20 species from those listed in the KWS handbook as being representative of semi-natural grassland. To date 22 species have been recorded. In their submission of 17th August 2020, Aspect attempt to discount the inclusion of four of these species in their letter to Dr Juliet Hynes; bluebell, barren strawberry, primrose and common dog violet. The basis for this is that, in their option, these are "*likely closely associated with the hedgerows and marginal woody vegetation...Accordingly, these should be discounted from the list such that number of relevant KWS grassland species*". Such a statement is erroneous, as Aspect would know if they had spent their time onsite analysing the grasslands in the correct manner, and the very basis for it flawed.

In the first instance, the KWS handbook, published by the GWT, specifically includes these four species in the list of those representative of a semi-natural grassland.


Secondly, and in the event further evidence of the grassland (as well as woodland) affiliation of these species was needed, I need do no more than pick one of a number of sources that confirm this association. The Natural England (formerly English Nature) research report published on the assessment of the condition of lowland grassland Sites of Special Scientific Interest⁹ also lists all but barren strawberry as being indicators of higher quality mesotrophic grassland (extract provided at Appendix 5).

There can be no argument that these species can and should be included in the list of indicator species that confirm that the site meets, indeed, exceeds the threshold for KWS-level interest. Any attempt to discount them artificially and erroneously skews the assessment. The bald fact is that Aspect failed to record these species yet now attempt to present a case for them to somehow be set aside as not valid as grassland species. This cherry picking of the facts and data is indefensible and should be rejected.

Other matters

In addition to several other factual inaccuracies in their correspondence to the GWT regarding the LWS assessment, Aspect also assert that "*there is no realistic mechanism*", to secure the future and management of the site other than through development. I do not agree with this position. Aspect have not identified any

⁹ Robertson, H & Jefferson, R (2000) *Monitoring the condition of lowland grassland SSSIs* England Nature Research Reports No 315 Part 2.

 Number: 1 Author: gkenniso Subject: Highlight Date: 11/09/2020 12:12:15

The GWT letter actually says the site has meet the LWS criteria "on the grounds of Value for Learning, being a good selection of habitats and species exceptionally well-placed to offer educational opportunities by its proximity to a school." There is no mention of qualifying purely on the ecological value of the grassland alone.

 Number: 2 Author: gkenniso Subject: Highlight Date: 11/09/2020 12:13:16

Even with LWS status as I have already advised the proposals are acceptable and compliant with local/national policy.

credible risk to the continued management of the grassland in the absence of development. The land has been in its current form since the early 1800s and there is no record of it having ever been subject to agricultural improvement or chemical treatment. LiDAR imagery also shows relic ridge and furrow through the meadow supporting the case that it has also never been mechanically cultivated. Moreover, and most significantly of all, CKF are fully committed to this site, seeking to secure it as a resource for residents. Crucially, they have ample capability to undertake any necessary targeted management.

Comments by Gary Kennison

Much of the content of the correspondence submitted by the county ecology officer, Gary Kennison, takes a lead from the reports submitted by Aspect Ecology and can therefore be viewed in tandem with the responses above. It is, though, unclear why Mr Kennison, even in his most recent submission disagrees with GWT in respect of the site meeting the criteria for designation as a KWS. He appears to have decided this from a single site visit of unknown duration and thoroughness at a somewhat less than optimal time of year (August). **His stands against the clear case on the facts, as confirmed by GWT and their decision to formally designate the site, that the site has significant ecological value and that the impact of the development should be measured against this.**

Conclusion

Throughout this and previous applications, Bioscan has acted on behalf of CKF to ensure that the ecological interest of the site is properly and accurately recorded. The process has consistently exposed factual errors and inaccuracies in the work undertaken by the applicant's ecologists, Aspect Ecology. The fund of knowledge now collected by Bioscan (and which ought to have been properly documented by Aspect) has been sufficient to lead to the formal designation of the site as a Local Wildlife Site. Yet, Aspect Ecology seek to undermine this fact by discounting relevant facts on the basis of flawed assumptions.

What is placed beyond dispute by the cumulative evidence is that the current proposal would result in the significant and demonstrable net loss of biodiversity on the site. It would accordingly fail the relevant tests of local and national planning policy and should be rejected.

Regards

FOR AND ON BEHALF OF BIOSCAN (UK) LTD




Samuel Watson MCIEEM
Principal Ecologist

 Number: 1 Author: gkenniso Subject: Highlight Date: 11/09/2020 12:21:06

One can have a view of a grassland from a single visit. A botanist can determine whether a high quality grassland is present or not from a single visit. It is not necessary to see every species that might occur to categorise a vegetation community type. Species abundance and distribution is important too not just mere presence and species counts.

See comment above GWT do not mention qualification as a LWS by grassland quality alone. The GWT letter received focuses on educational value of a variety of habitat present and potential for enhancement which is possible through allowing the development.

 Number: 2 Author: gkenniso Subject: Highlight Date: 11/09/2020 12:21:50

Strongly disagree for various reasons above.

Photo 1



Appendix 1

Natural England Joint Publication JP029

The Biodiversity Metric 2.0

auditing and accounting for biodiversity

USER GUIDE

Beta Version

First published 29th July 2019



www.gov.uk/natural-england

The spatial component

5.29. In biodiversity metric 2.0 there are two core spatial components. First, the **strategic significance** of a place for biodiversity, its geography. Second, ecological **connectivity**, the relationship of a habitat in a defined place to its immediate surroundings in respect of biological and ecosystem flows. While these concepts are not completely independent of each other they do represent different qualities of a habitat.

Strategic significance

5.30. The idea of strategic significance works at a landscape scale. It gives additional unit value to habitats that are located in preferred locations for biodiversity and other environmental objectives. Ideally these aspirations will have been summarised in a local strategic planning document which articulates where biodiversity is of high priority and the places where it is less so. Strategic significance utilises published local plans and objectives to identify local priorities for targeting biodiversity and nature improvement, such as Nature Recovery Areas, local biodiversity plans, National Character Area¹⁴ objectives and green infrastructure strategies. Table 5-5 shows the multiplier scores for both impact and compensation sites based on its place in a strategic plan.

5.31. In the absence of a locally or nationally relevant strategic documentation indicating areas of significance for biodiversity, the value of **1** should be used in pre and post development calculations. Use of a score of 1 does not penalise a proposal.

TABLE 5-5: Strategic significance categories and scores

Strategic Significance categories			
Category	Score	Point applied to calculation	
		Pre-impact	Post-impact
High strategic significance High potential & within area formally identified in local policy	1.15	Yes	Yes
Medium strategic significance Good potential but not in area defined in local policy	1.1	Yes	Yes
Low Strategic Significance Low potential and not in area defined in local policy	1	Yes	Yes

Connectivity

5.32. The focus of connectivity in biodiversity metric 2.0 is the relationship of a particular habitat patch to other surrounding **similar** or **related** semi-natural habitats. These help facilitate flows of species and ecosystem services increases habitat resilience.

¹⁴ For more details of National Character Areas see:

<https://www.gov.uk/government/publications/national-character-area-profiles-data-for-local-decision-making/national-character-area-profiles>

Appendix 2



Gloucestershire Wildlife Trust
Robinswood Hill Country Park
Reservoir Road
Gloucester
GL4 6SX

By email to:
Emma Pickernell, Cheltenham BC

Gary Kennison, Gloucestershire CC

Alistair Baxter, Aspect Ecology

info@gloucestershirewildlifetrust.co.uk

www.gloucestershirewildlifetrust.co.uk

Telephone: 01452 383333

Registered charity number: 232580

Registered in England number: 708575

07 Aug 2020

Proposed Local Wildlife Site at St Edwards Prep School, Charlton Kings (Site under planning application 20/00683/OUT)

Dear Sir/Madam

Regarding the proposal for Local Wildlife Site status on land at St Edwards Prep School, Charlton Kings (Site under planning application 20/00683/OUT).

In order to achieve the goal of a balanced and useful Local Sites system, the Gloucestershire Wildlife Sites Partnership uses minimum habitat and species thresholds that fit the unique biodiversity of the county into a wider context, and a set of general criteria based on the DEFRA-recommended version of the Ratcliffe criteria.

The proposed site does meet the criteria set out in the Key Wildlife Sites (now referred to as Local Wildlife Sites [LWS]) handbook (2015), being greater than 0.5 ha (site is approximately 3.5 ha), confirmed as MG1 grassland habitat by NVC survey carried out by Aspect Ecology in July 2019 and Aug 2020 and by Bioscan in July 2019 and recording, through combination of all of the above surveys 22 species from the grassland list. However, MG1 can cover a wide range of grassland condition, from very high grass cover and few herbs through to much lower grass density and significant herb cover. As it stands at the moment, the proposed site is of borderline LWS quality and the LWS process requires it to be examined by the LWS selection panel to determine whether it should be adopted as a LWS or not. The panel may be unable to convene before the planning application goes to committee.





The site lies within a gap in grassland ecological network connectivity. Enhancement to grassland habitat within this area would benefit the ecological network and with appropriate management the quality of the grassland on this site could be enhanced within a relatively short time. Irrespective of the LWS selection panel decision, it is Gloucestershire Wildlife Trusts view that any development on this site should provide a strong commitment to biodiversity net gain and a strong management and maintenance plan for both the grassland and veteran tree features on the site.

Kind regards

Dr Juliet Hynes

Gloucestershire Nature Recovery Network Coordinator



Appendix 3

Headline result

On-site baseline	<i>Habitat units</i>	35.15
	<i>Hedgerow units</i>	0.00
	<i>River units</i>	0.00

On-site post-intervention (Including habitat retention, creation, enhancement & succession)	<i>Habitat units</i>	31.26
	<i>Hedgerow units</i>	0.00
	<i>River units</i>	0.00

Off-site baseline	<i>Habitat units</i>	0.00
	<i>Hedgerow units</i>	0.00
	<i>River units</i>	0.00

Off-site post-intervention (Including habitat retention, creation, enhancement & succession)	<i>Habitat units</i>	0.00
	<i>Hedgerow units</i>	0.00
	<i>River units</i>	0.00

Total net unit change (including all on-site & off-site habitat retention/creation)	<i>Habitat units</i>	-3.89
	<i>Hedgerow units</i>	0.00
	<i>River units</i>	0.00

Total net % change (including all on-site & off-site habitat creation + retained habitats)	<i>Habitat units</i>	-11.07%
	<i>Hedgerow units</i>	0.00%
	<i>River units</i>	0.00%

Appendix 3 – Metrix 2.0 output

A-1 Site habitat baseline

Habitats and areas			Habitat distinctiveness	Habitat condition	Ecological connectivity	Strategic significance	Ecological baseline	Retention category biodiversity value						
Broad Habitat	Habitat type	Area (ha)	Distinctiveness	Condition	Ecological connectivity	Strategic significance	Total habitat units	Area retained	Area enhanced	Baseline units retained	Baseline units enhanced	Baseline units succession	Area lost	Units lost
Grassland	Grassland - Other neutral grassland	3.3967	Medium	Moderate	Low	Location ecologically desirable but not in local strategy	29.89		1.06	0.00	9.33	0.00	2.34	20.56
Heathland and shrub	Heathland and shrub - Mixed scrub	0.15	Medium	Poor	Low	Area/compensation not in local strategy/ no local strategy	0.60	0.09		0.36	0.00	0.00	0.06	0.24
Woodland and forest	Woodland and forest - Other woodland; broadleaved	0.34	Medium	Moderate	Low	Area/compensation not in local strategy/ no local strategy	2.72		0.26	0.00	2.08	0.00	0.08	0.64
Woodland and forest	Woodland and forest - Other woodland; broadleaved	0.16	Medium	Moderate	Low	Area/compensation not in local strategy/ no local strategy	1.28		0.11	0.00	0.88	0.00	0.05	0.40
Lakes	Lakes - Ponds (Non- Priority Habitat)	0.003	High	Poor	Medium	Area/compensation not in local strategy/ no local strategy	0.02			0.00	0.00	0.00	0.00	0.02
Heathland and shrub	Heathland and shrub - Mixed scrub	0.08	Medium	Moderate	Low	Area/compensation not in local strategy/ no local strategy	0.64			0.00	0.00	0.00	0.08	0.64
Total site area ha		4.13					35.15	0.09	1.43	0.36	12.29	0.00	2.61	22.50

A-2 Site habitat creation

Proposed habitat	Area (hectares)	Distinctiveness	Condition	Ecological connectivity	Strategic significance	Temporal multiplier	Difficulty multipliers	Habitat units delivered
				Ecological connectivity	Strategic significance	Time to target condition/years	Difficulty of creation category	
Heathland and shrub - Mixed scrub	0.06	Medium	Good	Low	Area/compensation not in local strategy/ no local strategy	7	Low	0.56
Urban - Woodland	0.41	Medium	Good	Low	Area/compensation not in local strategy/ no local strategy	32+	Low	1.57
Urban - Suburban/ mosaic of developed/ natural surface	1.28	Low	Good	Low	Area/compensation not in local strategy/ no local strategy	5	Low	6.43
Grassland - Other neutral grassland	0.85	Medium	Good	Low	Location ecologically desirable but not in local strategy	15	Low	6.58
Lakes - Ponds (Non- Priority Habitat)	0.0097	High	Good	Medium	Area/compensation not in local strategy/ no local strategy	5	Low	0.16
Totals	2.61							15.30

A-3 - Site habitat enhancement

Baseline habitats	Change in distinctiveness and condition			Area (hectares)	Distinctiveness	Condition	Ecological connectivity	Strategic significance	Temporal multiplier	Difficulty multipliers	Habitat units delivered
	Baseline habitat	Proposed habitat (Pre-populated but can be overridden)	Distinctiveness change				Condition change	Ecological connectivity score	Strategic significance	Time to target condition/years	
Grassland - Other neutral grassland	Grassland - Other neutral grassland	Medium - Medium	Moderate - Good	1.06	Medium	Good	Low	Location ecologically desirable but not in local strategy	15	Low	12.06
Woodland and forest - Other woodland; broadleaved	Woodland and forest - Other woodland; broadleaved	Medium - Medium	Moderate - Good	0.26	Medium	Good	Low	Area/compensation not in local strategy/ no local strategy	15	Medium	2.49
Woodland and forest - Other woodland; broadleaved	Woodland and forest - Other woodland; broadleaved	Medium - Medium	Moderate - Good	0.11	Medium	Good	Low	Area/compensation not in local strategy/ no local strategy	15	Medium	1.05
			Total area	1.43						Enhancement total	15.60

Appendix 4

Appendix 4 – Warwickshire Metric output

Pre-development assessment

Existing habitats on site Please enter <u>all</u> habitats within the site boundary			Habitat distinctiveness		Habitat condition		Habitats to be retained with no change within development		Habitats to be retained and enhanced within development		Habitats to be lost within development	
code	Phase 1 habitat description	Habitat area (ha)	Distinctiveness	Score	Condition	Score	Area (ha)	Existing value	Area (ha)	Existing value	Area (ha)	Existing value
Direct Impacts and retained habitats			A	B	C	D	E	F	G	H		
							A x B x C =	D	A x B x E =	F	A x B x G =	H
B22	Grassland: Semi-improved neutral grassland	3.39	Medium	4	Moderate	2			1.06	8.48	2.33	18.64
A131	Woodland: Mixed semi-natural woodland	0.34	Medium	4	Moderate	2			0.26	2.08	0.08	0.64
A131	Woodland: Mixed semi-natural woodland	0.16	Medium	4	Moderate	2			0.11	0.88	0.05	0.40
A22	Woodland: Scattered scrub	0.23	Medium	4	Poor	1	0.09	0.36			0.14	0.56
	Total	4.12				Total	0.09	0.36	1.43	11.44	2.60	20.24
												$\Sigma D + \Sigma F + \Sigma H$
											Site habitat biodiversity value	32.04

Post-development assessment

Proposed habitats on site (Onsite mitigation)			Target habitats distinctiveness		Target habitat condition		Time till target condition		Difficulty of creation / restoration		Habitat biodiversity value	
code	Phase 1 habitat description	Area (ha)	Distinctiveness	Score	Condition	Score	Time (years)	Score	Difficulty	Score		
Habitat Creation		N		O		P		Q		R	(N x O x P) / Q / R	
A21	Woodland: Dense continuous scrub	0.06	Medium-Low	3	Good	3	3 Years	1.1	Low	1	0.49	
A112	Woodland: Broad-leaved plantation	0.41	Medium	4	Good	3	10 years	1.4	Medium	1.5	2.34	
n/a	Built Environment: Gardens (lawn and planting)	1.28	Low	2	Good	3	3 Years	1.1	Low	1	6.98	
B22	Grassland: Semi-improved neutral grassland	0.85	Medium	4	Good	3	5 years	1.2	Medium	1.5	5.67	
Total		2.60										
Habitat Enhancement							Existing value S (= F)				((N x O x P) - S) / Q / R	
B22	Grassland: Semi-improved neutral grassland	1.06	Medium	4	Good	3	8.48	3 Years	1.1	Low	1	3.85
A131	Woodland: Mixed semi-natural woodland	0.26	Medium	4	Good	3	2.08	10 years	1.4	Low	1	0.74
A131	Woodland: Mixed semi-natural woodland	0.11	Medium	4	Good	3	0.88	10 years	1.4	Low	1	0.31
Total		1.43										
Trading down correction value											-7.47	
Habitat Mitigation Score (HMS)											12.91	

HBIS = HMS - HIS

Habitat Biodiversity Impact Score	-7.33
Percentage of biodiversity impact loss	36.22

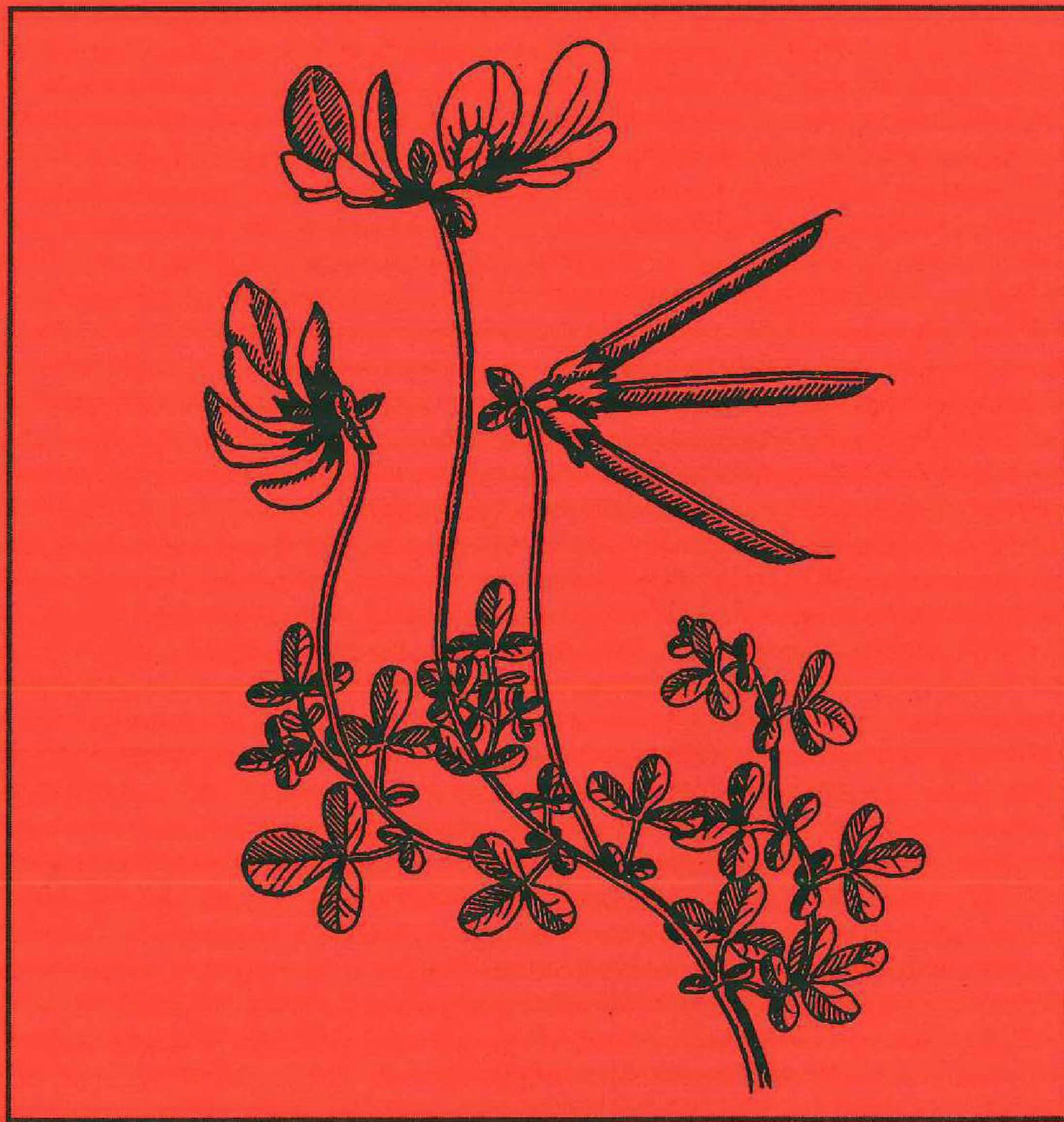
	Loss	Gain	Impact
Woodland Habitat	1.60	3.88	2.28
Grassland Habitat	18.64	9.52	-9.12
Wetland Habitat	0.00	0.00	0.00
Other Habitat (including Built Environment)	0.00	6.98	6.98
Total	20.24	20.38	0.14
		Trading down	-7.47
			-7.33

Appendix 5

Monitoring the condition of lowland grassland SSSIs

Part 2 - A test of the rapid assessment approach

No. 315 - English Nature Research Reports



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Mesotrophic Grassland Indicator Species

Species name	Mesotrophic Indicator score
<i>Achillea ptarmica</i>	1
<i>Achillea eupatoria</i>	1
<i>Achillea procera</i>	1
<i>Achillea reptans</i>	1
<i>Achillea filicaulis</i>	4
<i>Achillea glabra</i>	4
<i>Achillea monticola</i>	8
<i>Achillea xanthochlora</i>	4
<i>Achillea vineale</i>	1
<i>Achillea bulbosus</i>	4
<i>Achillea nemorosa</i>	2
<i>Achillea pubescens</i>	1
<i>Achillea compressus</i>	2
<i>Achillea lunaria</i>	2
<i>Achillea sylvaticum</i>	1
<i>Achillea media</i>	2
<i>Achillea commutatus</i>	4
<i>Achillea racemosus</i>	4
<i>Achillea palustris</i>	1
<i>Achillea rotundifolia</i>	2
<i>Achillea pratensis</i>	1
<i>Achillea cutiformis</i>	1
<i>Achillea aryophyllea</i>	2
<i>Achillea lemissa</i>	2
<i>Achillea liandra</i>	2
<i>Achillea distans</i>	2
<i>Achillea disticha</i>	2
<i>Achillea livida</i>	4
<i>Achillea chinata</i>	2
<i>Achillea lacca</i>	2
<i>Achillea hostiana</i>	2
<i>Achillea muricata</i>	4
<i>Achillea nigra</i>	2
<i>Achillea ovalis</i>	2
<i>Achillea allescens</i>	2
<i>Achillea anicea</i>	2
<i>Achillea vilulifera</i>	2
<i>Achillea pulicaris</i>	2
<i>Achillea picata</i>	2
<i>Achillea omentosa</i>	8
<i>Achillea esicaria</i>	2
<i>Achillea verticillatum</i>	2
<i>Achillea rea nigra</i>	1
<i>Achillea rium erythraea</i>	1
<i>Achillea dissectum</i>	4

Species name	Mesotrophic Indicator score
<i>Cirsium heterophyllum</i>	4
<i>Coeloglossum viride</i>	1
<i>Colchicum autumnale</i>	4
<i>Conopodium majus</i>	1
<i>Crepis paludosa</i>	2
<i>Dactylorhiza fuchsii</i>	1
<i>Dactylorhiza incarnata</i>	2
<i>Dactylorhiza maculata</i>	2
<i>Dactylorhiza maculata x D. fuchsii</i>	2
<i>Dactylorhiza majalis</i>	4
<i>Dactylorhiza purpurella</i>	4
<i>Dactylorhiza traunsteineri</i>	2
<i>Danthonia decumbens</i>	2
<i>Eleocharis palustris</i>	1
<i>Epilobium palustre</i>	1
<i>Epilobium parviflorum</i>	1
<i>Epipactis palustris</i>	2
<i>Equisetum palustre</i>	1
<i>Equisetum pratense</i>	2
<i>Equisetum sylvaticum</i>	1
<i>Euphrasia anglica</i>	2
<i>Euphrasia arctica ssp borealis</i>	8
<i>Euphrasia nemorosa (incl E. curta)</i>	2
<i>Euphrasia rostkoviana ssp rostkoviana</i>	8
<i>Festulolium loliaceum</i>	1
<i>Filipendula vulgaris</i>	2
<i>Fritillaria meleagris</i>	8
<i>Galium palustre</i>	1
<i>Galium uliginosum</i>	1
<i>Galium verum</i>	1
<i>Genista tinctoria</i>	2
<i>Gentianella campestris</i>	1
<i>Geranium pratense</i>	2
<i>Geranium sylvaticum</i>	4
<i>Geum rivale</i>	4
<i>Gymnadenia conopsea</i>	2
<i>Hordeum secalinum</i>	1
<i>Hyacinthoides nonscripta</i>	1
<i>Hydrocotyle vulgaris</i>	1
<i>Hypericum maculatum</i>	1
<i>Hypericum tetrapterum</i>	1
<i>Isolepis setacea</i>	2
<i>Juncus compressus</i>	4

Species name	Mesotrophic Indicator score
<i>subnodulosus</i>	1
<i>arvensis</i>	1
<i>macrantha</i>	2
<i>montanus</i>	1
<i>nissolia</i>	4
<i>pratensis</i>	1
<i>don hispidus</i>	2
<i>don saxatilis</i>	2
<i>themum vulgare</i>	1
<i>catharticum</i>	1
<i>ovata</i>	2
<i>orniculatus</i>	1
<i>enuis</i>	1
<i>liginosus</i>	1
<i>campestris</i>	1
<i>multiflora</i>	1
<i>flos-cuculi</i>	1
<i>chia nummularia</i>	1
<i>athamanticum</i>	4
<i>caerulea</i>	1
<i>is discolor</i>	1
<i>is secunda</i>	1
<i>sus pseudonarcissus</i>	1
<i>he fistulosa</i>	1
<i>he pimpinelloides</i>	8
<i>he silaifolia</i>	8
<i>repens</i>	1
<i>spinosa</i>	2
<i>lossum vulgatum</i>	2
<i>mascula</i>	2
<i>morio</i>	4
<i>acetosella</i>	1
<i>ucillia viscosa</i>	4
<i>ssia palustris</i>	2
<i>laris palustris</i>	1
<i>la officinarum</i>	1
<i>nella saxifraga</i>	2
<i>go media</i>	1
<i>thera bifolia</i>	2
<i>thera chlorantha</i>	2
<i>la serpyllifolia</i>	2
<i>la vulgaris</i>	2
<i>num bistorta</i>	8
<i>num viviparum</i>	2
<i>illa anglica</i>	1
<i>illa erecta</i>	1
<i>illa palustris</i>	2

Species name	Mesotrophic Indicator score
<i>Primula farinosa</i>	2
<i>Primula veris</i>	2
<i>Primula veris x P. vulgaris</i>	2
<i>Primula vulgaris</i>	2
<i>Pulicaria dysenterica</i>	1
<i>Ranunculus auricomus</i>	2
<i>Ranunculus bulbosus</i>	1
<i>Ranunculus ficaria</i>	1
<i>Ranunculus flammula</i>	1
<i>Rhinanthus minor</i>	1
<i>Sagina nodosa</i>	1
<i>Sanguisorba minor</i>	1
<i>Sanguisorba officinalis</i>	8
<i>Saxifraga granulata</i>	2
<i>Senecio aquaticus</i>	1
<i>Senecio erucifolius</i>	1
<i>Serratula tinctoria</i>	2
<i>Silaum silaus</i>	8
<i>Stachys officinalis</i>	2
<i>Stellaria graminea</i>	1
<i>Stellaria palustris</i>	1
<i>Succisa pratensis</i>	2
<i>Thalictrum flavum</i>	2
<i>Thymus polytrichus</i>	2
<i>Trifolium fragiferum</i>	8
<i>Trifolium medium</i>	1
<i>Trifolium ochroleucon</i>	8
<i>Triglochin palustris</i>	4
<i>Trisetum flavescens</i>	1
<i>Trollius europaeus</i>	4
<i>Valeriana dioica</i>	4
<i>Valeriana officinalis</i>	1
<i>Veronica officinalis</i>	1
<i>Veronica scutellata</i>	2
<i>Vicia orobus</i>	4
<i>Vicia tenuissima</i>	1
<i>Vicia tetrasperma</i>	1
<i>Viola canina</i>	2
<i>Viola hirta</i>	2
<i>Viola riviniana</i>	2

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Number: 2 Author: sam Subject: Rectangle Date: 10/09/2020 16:52:18
