

25TH May 2022

Reference: H06-0426-22

Proposal: Proposed roadway linking B1359 and existing private road giving access to Roman Bank at Hovenden Golf Club.

To whom it may concern,

This note has been prepared on behalf of the applicant with regards to the above planning application. It has been prepared with reference to existing planning documents and publicly available on-line resources (aerial imagery); no field surveys have been undertaken along the proposed private road route. However, Avian Ecology Limited has undertaken recent extensive habitat and species surveys of the nearby 'Jepco' site in order to inform future proposed planning applications for the wider renewable energy project (as detailed in the current application's Planning Statement dated 9th May 2022), and is therefore highly familiar with the general area.

The comments offered in this note are based on the professional opinion of the author.

Brief Appraisal of the Application Site

The application site and wider area comprises low lying arable farmland, with field boundaries comprising a series of semi-natural and man-made drainage ditches. Arable farmland habitats are typically of low ecological value and have limited capacity to support protected or notable species; however, some species breeding, over-wintering birds may utilise such fields at times. Drainage ditches and their banks have the capacity to support protected species, i.e., badgers, water voles and or otters.

In the absence of field surveys, it is not possible to determine the presence or absence of such species. Nevertheless, it is possible to anticipate the potential for adverse impacts on such species in the event such species are present.

Potential Impacts

Where such species are present, the following impacts could occur in the absence of mitigation:

1. Temporary or permanent loss of habitat (arable farmland and drainage ditch bank).
2. Construction-related damage or harm to breeding birds, depending on the timing of works.
3. Construction related disturbance to birds listed on Schedule 1 of the Wildlife and Countryside Act 1981 (as amended), e.g., barn owl or kingfisher.
4. Disturbance of non-breeding birds associated with the Wash Special Protection Area (SPA), either during construction or operation.
5. Harm to protected species (badger, otter and water vole) during construction.
6. Damage to the resting place of a protected species (badger, otter and water vole) during construction.

Each of these is considered further below.

Likely Effects

Construction of the proposed road will lead to the permanent loss of a modest area of arable farmland and, which is likely to be inconsequential. Permanent loss of ditch bank will be negligible in the context of identical habitats in the immediate vicinity.

Should ground clearances be undertaken during the bird breeding season, there is potential for impacts on breeding birds (impacts 2. and 3., as previously listed); however, these could be avoided by timing of works and/or pre-clearance checks, delivered through a suitably worded planning condition.

Work during the non-breeding season (approximately October to March) could lead to disturbance of bird species which form a qualifying interest feature of the Wash Special Protection Area (SPA), such as pink-footed goose or Bewick's swan, should they be regularly present in the vicinity of the application site. Such effects would be temporary (for the duration of the works); however, the council should undertake Habitats Regulations Assessment (HRA) under the advice of Natural England to determine impacts on the integrity of the SPA. Similarly, operation (vehicle use) of the proposed road could lead to increased levels of disturbance should SPA qualifying interest species regularly use the area around the application site. However, it is understood that use will be restricted (i.e., is a private road) and therefore to disturbance by pedestrians or cyclists should not occur. To the best of my knowledge, it is generally accepted that flocks of geese and waterbirds are tolerant of vehicles. However, such potential effects should also be considered by the council as part of their HRA.

Harm to a protected animal species (badger, otter or water vole), or damage of their resting place, is possible through construction. Such impacts are also a criminal offence under UK legislation and therefore must be avoided. As part of our ongoing involvement with Jepco and on this particular programme of projects, we have been engaged and will undertake surveys for badger, otter and water vole prior to construction, and will design an appropriate mitigation where presence is detected. The precise nature of any mitigation will be determined by the survey results, and will ensure compliance with corresponding legislation as follows;

- the Wildlife and Countryside Act 1981, as amended (water vole);
- the Protection of Badgers Act 1992; (badger); and,
- Conservation of Habitats and Species Regulations 2017 (otter).

With the above measures implemented then the proposed road is considered unlikely to lead for significant adverse impacts for any protected or notable species or habitat.

Yours sincerely,



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Director, Avian Ecology Ltd.