

From: Jane Harrison <janeharrison@warwickshire.gov.uk>
Sent: 06 March 2018 14:48
To: Erica Buchanan
Subject: R18/0186 - Coventry Stadium, Rugby Road

Dear Erica,

Re: R18/0186 - Coventry Stadium, Rugby Road, Coventry CV8 3GJ - Demolition of existing buildings and outline planning application for residential development of up to 137 dwellings (Use Class C3) including means of access from the Rugby Road, new open space and associated infrastructure. All other matters reserved.

Please accept my apologies for the delay in this response.

Thank you for consulting us on this application. I have viewed the plans and documents, including ecological surveys carried out by Ecolocation, consulted the Habitat Biodiversity Audit (HBA), searched the Warwickshire Biological Records Centre (WBRC) and viewed aerial and street imagery of the site and surrounding area and have the following comments.

NATURE CONSERVATION VALUE OF THE SITE:

The site itself has no specific nature conservation designation. There are records of bats and grass snake, within the application site.

ECOLOGICAL DESCRIPTION AND EFFECT OF PROPOSED DEVELOPMENT:

The site lies to the east of Coventry to the east of Binley Woods village. *New Close and Birchley Wood*, Ancient Woodland (AWS) and Local Wildlife Site, (LWS) lies adjacent to the north-western boundary of the site. In the wider surrounds are *Coombe Park* and *Brandon Marsh* Sites of Special Scientific Interest SSSI which lie c.2.2km and 2.4km to the north west and south west of the site respectively. Nearer to the site are *Brandon Wood* and *Little Brandon Wood*, also Ancient Woodland (AWS) and Local Wildlife Sites, (LWS) which lie 745m and 460m south west. The River Avon (LWS) runs 1.2km to the south east. There are also areas of semi natural broadleaved woodland to the north east and south east.

The WBRC hold records for badger, grass snake, house martin, swallow and dunnock within the area of wider influence. There are many records for notable invertebrates such as moths to the south east of the site.

A full Phase 1 survey of the site was undertaken by Ecolocation and the results are presented in the document Ecological Appraisal of Coventry Stadium, which comprised a survey of the site in April 2014 together with an update in May 2017. I can have full confidence in this survey.

The survey reports that a large part of the site is of low ecological value, comprising a hard standing car park area, and dog and speedway tracks across the site. The higher value areas lie to the west and north of the site. These areas tie in with the proximity to New Close and Birchley Wood. We would recommend that the area to the west and north is retained and enhanced as a buffer area to the existing woodland as shown on the Illustrative Masterplan 9401 Rev C. The other existing features of high ecological value comprise the species-rich native hedgerow in the north and central part of the site, the buildings which are bat roosts, ponds and scattered trees.

We also recommend that lighting is kept to a minimum on the west and north side of the site. We recommend that a Lux Plan is submitted to clearly show this.

The landscape and ecological management plan will include planting suitable for butterflies and moths to attract these species, biodiversity gain.

Bats

The Bat Assessment Report by Ecolocation and dated 30th September 2017 Rev B have been undertaken fully in accordance with standard guidelines and I can have confidence in the findings.

The surveys included internal and external building surveys, two dusk emergence and one dawn re-entry survey. Static detectors and cameras were also used during suitable periods.

The report confirms that the ladies toilet in building B5 has a confirmed pipistrelle satellite roost or small maternity roost. The ladies toilet in building B4 also had a bat roost confirmed, this time at least one hibernation roost of low numbers of brown long eared bats.

No mature trees on site are proposed to be removed as part of the proposals. The use of the site as a stadium has confined the trees onto the edges of the site and the Arboricultural Assessment confirms that the only trees to be removed will be to facilitate the proposed access point to the south of the site off Rugby Road and a with a grouped line of trees for the residential development. There does not appear to be a formal tree assessment for potential roosting features (PRFs). Is it possible for the surveyors to confirm that no trees on site are suitable for roosting bats or identify any trees on site suitable so that they can be protected via the Construction and Environmental Management Plan (**CEMP**). We recommend that any tree to be removed is assessed for PRFs prior to determination.

The demolition of buildings 4 and 5 would result in the loss of one satellite roost or small maternity pipistrelle roost and two hibernation roosts of low numbers of brown long eared bats. A licence from Natural England will be necessary to destroy these roosts. The author of the report recommends more surveys to inform the licence application in line with Natural England guidelines. The author also comments that previously proposed mitigation and compensation strategies in the Report from 2014 are still appropriate and we agree with this. We recommend the

Further bat survey and mitigation required

condition below to ensure that protected species are not harmed by the development. Bats and their 'roost' sites are fully protected under the Wildlife and Countryside Act 1981 (as amended) and the Conservation of Habitats and Species Regulations 2017 (as amended) making them a European Protected Species.

Reptiles

A reptile survey was undertaken by Ecolocation between 20th August and 2nd September 2014. During the fourth visit on 27th August a juvenile grass snake was observed. The author of the report suggests that the findings suggest a small population of breeding grass snake nearby or on site at the time. The stated intention was to extend the survey period to gain an appropriate population size assessment. However this was not possible as the ground was cleared before visit eight.

Due to the confirmed presence of grass snake during the visits in 2014 we recommend the submittance of a **Method statement for reptiles** condition below to ensure that protected species are not harmed by the development.

Birds

A number of opportunities for nesting birds were identified across the site, namely scattered trees and scrub. Evidence of bird use was also observed in building B4.

During the 2014 Ecological Appraisal Blackbird, Blue tit and Yellowhammer were observed. The latter is a bird of Red Status Birds of Conservation Concern, ie a species whose numbers have declined most in recent decades.

It will be ensured that nesting birds are not harmed by the development and a **Nesting bird timings/supervision option Condition** is below to ensure that protected species are not harmed by the development.

Impacts to biodiversity and habitats

We would like some clarification on the red line boundary and differences in the representation of semi natural broadleaved woodland in Phase 1 maps shown in PEA dated 10/07/2014 and Revision A Date: 13/10/2017 and the Phase 1 Habitat Map April 2017.

New Close and Birchley Wood, Ancient Woodland (AWS) and Local Wildlife Sites, (LWS) is adjacent to the site and this may be subject to increased volume of visits with a residential development next to it. A buffer of at least 15m of AWS is recommended to reduce impact on this sensitive habitat. and this is incorporated into the Rugby Saved **Policy**:

NE1: Protecting Designated Biodiversity and Geodiversity Assets states that all development proposals in the proximity of ancient woodland shall have regard to 'Standing Advice for Ancient Woodland and Veteran Trees' published by Natural England. As a starting principle, development must be kept as far away as possible from ancient woodland. The necessary width of any buffer zone will depend upon local circumstances and the type of development. Buffer zones should be retained in perpetuity and allowed to develop into semi-natural habitats. Section 6 of the Standing Advice includes guidance on mitigation measures, including buffers.

Natural England Standing Advice for Ancient Woodland and Veteran Trees states that "Ancient woodland is of prime ecological and landscape importance".

We would recommend that as many trees and hedgerows are retained as possible, particularly the species rich hedgerow re-assessed in the updated PEA, 2017. This hedgerow serves an an important connecting feature between the development and the woodland. From the bat activity surveys undertaken bats are making use of the site around and to the north of the stadium area where building activity was surveyed. The bat activity surveys did not include the areas around the perimeter of the site.

From the Biodiversity Impact Assessment Calculation dated 3rd October 2017 there is a loss to biodiversity when calculated against the Illustrative Masterplan. Suggestions made by Ecolocation which would increase the amount of semi improved grassland habitat in the area of public open space. which would result in a gain to biodiversity.

We welcome the enhancement and creation of ponds on site with suggested wetland planting. Also welcomed is the inclusion of semi improved grassland to increase the range of botanical species within the site and in particular to contribute towards a woodland buffer. However, we would question the practicality of managing this type of grassland in closer proximity to housing. Residents may question a twice yearly mowing regime and the area would be under pressure from residents and pets making use of the grassland for recreation. We would suggest that the semi improved grassland area is located around the margins of the site and some additional tree planting is incorporated into the landscape. The inclusion of enhancements in the shape of integrated bat and bird boxes and the provision of hedgehog highways will further enhance the development. We recommend that a new BIA calculation is carried out and submitted to and agreed by WCC Ecological Services to ensure that there is as little net loss to biodiversity as can be achieved.

If possible any loss to biodiversity should be compensated for on site and will be part of a Combined ecological and landscaping scheme (**LEMP**) and a suitable condition is below. If this is not possible then Biodiversity Offsetting will be required in accordance with NPPF, ODPM Circular 2005/06 to ensure no net loss of biodiversity.

Recommendations.

We recommend further bat surveys.

We recommend that any tree to be removed is assessed for PRFs prior to determination.

Further surveys for bats, reptiles and amphibians may be required should the works not be carried out before March 2021.

CONDITIONS

Construction and Environmental Management Plan:

The development hereby permitted, including site clearance, shall not commence until a Construction and Environmental Management Plan has been submitted to and approved in writing by the Local Planning Authority. In discharging this condition the LPA expect to see details concerning pre-commencement checks for badger, bats, breeding birds, hedgehog, and appropriate working practices and safeguards for wildlife that are to be employed whilst works are taking place on site. The agreed Construction and Environmental Management Plan shall thereafter be implemented in full.

Reason: To ensure that protected species are not harmed by the development.

Combined ecological and landscaping scheme condition:

No works to commence on site, including site clearance, until a combined ecological and landscaping scheme has been submitted and agreed between the applicant and the local planning authority (with advice from WCC Ecological Services). The scheme must include all aspects of; landscaping including planting scheme details and of any enhancements for example pond creation. The agreed scheme to be fully implemented before/during development of the site as appropriate.

Reason: In accordance with NPPF, ODPM Circular 2005/06.

Further bat survey and mitigation required condition:

The development hereby permitted (including demolition) shall not commence until further bat survey of the site, to include appropriate activity surveys in accordance with BCT Bat Surveys for Professional Ecologists– Good Practice Guidelines, has been carried out and a detailed mitigation plan including a schedule of works and timings has been submitted to and approved in writing by the Local Planning Authority. Such approved mitigation plan shall thereafter be implemented in full.

Reason: To ensure that protected species are not harmed by the development.

Note: The bat mitigation measures are likely to have implications for the design and/or layout of the development.

Bats and lighting condition:

The development hereby permitted shall not commence until details of all external light fittings and external light columns have been submitted to and approved by the District Planning Authority. The development shall not be carried out otherwise than in full accordance with such approved details. In discharging this condition the Local Planning Authority expects lighting to be restricted on the west and north side of the site and to be kept to a minimum at night across the whole site in order to minimise impact on emerging and foraging bats. This could be achieved in the following ways:

- Lighting should be directed away from vegetated areas
- Lighting should be shielded to avoid spillage onto vegetated areas
- The brightness of lights should be as low as legally possible;
- Lighting should be timed to provide some dark periods;
- Connections to areas important for foraging should contain unlit stretches.

Reason: In accordance with NPPF, ODPM Circular 2005/06

Method statement for reptiles condition:

The development hereby permitted (including ground clearance works) shall not commence until a protected species method statement for reptiles (to include timing of works, supervision of vegetation clearance and reasonable avoidance measures) has been submitted to and approved in writing by the Local Planning Authority. Such approved measures shall thereafter be implemented in full.

Reason: To ensure that protected species are not harmed by the development.

Nesting bird timings/supervision option condition:

The development hereby permitted shall either:

- a.) Be timetabled and carried out to avoid the bird breeding season (March to September inclusive) to prevent possible disturbance to nesting birds.
- b.) Not commence until a qualified ecologist has been appointed by the applicant to inspect the buildings and vegetation to be cleared on site for evidence of nesting birds immediately prior to works. If evidence of nesting birds is found works may not proceed in that area until outside of the nesting bird season (March to September inclusive) or until after the young have fledged, as advised by the ecologist.

Birds can nest in many places including buildings, trees, shrubs, dense ivy, and bramble/rose scrub. Nesting birds are protected under the 1981 Wildlife and Countryside Act.

Reason: To ensure that protected species are not harmed by the development.

We would also recommend that the following notes are attached to any permission granted.

- Particular care should be taken when clearing ground prior to development, and if evidence of badgers, amphibians or reptiles is found (such as the presence of newts, lizards, snakes, reptile sloughs or badger snuffle holes, latrines or established setts) work must stop immediately while WCC Ecological Services or Natural England are contacted. Applicants are advised to pay particular attention to foundation ditches, which can be hazardous to badgers. Sloping boards or steps should be provided to allow animals to escape from such ditches should they become trapped. Failure to consider this matter, leading to the death of individuals, may leave the developer liable for prosecution. Further information about species licensing and legislation can be obtained from the Species Licensing Service on 02080 261089. Badgers and their setts (communal place of rest) are protected under the Protection of Badgers Act 1992, making it illegal to carry out work that may disturb badgers without a Natural England licence. Reptiles and amphibians are protected to varying degrees under the Wildlife and Countryside Act 1981 (as amended) and the Countryside and Rights of Way Act 2000 and great crested newts are additionally deemed European Protected Species.
- In view of the nearby hedgehog suitable habitat, care should be taken when clearing the ground prior to development, particularly piles of deadwood /leaves /bonfire mounds. If a hedgehog is found, work should stop until WCC Ecological Services is contacted. Hedgehogs are of high conservation concern and are a Species of Principal Importance under section 41 of the NERC Act. Habitat enhancement for hedgehogs can easily be incorporated into development schemes, for example through provision of CD sized gaps in fencing and purpose-built hedgehog shelters. More details can be provided by the WCC Ecological Services if required.
- The applicant is respectfully advised that if additional planting is proposed for the site, indigenous tree and shrub species or fruit/berry bearing species should be used, preferably of local provenance. Such plants have a far higher value for local wildlife than cultivated, non-native plants. WCC Ecological Services would be happy to provide further advice if required (01926 418060).

I hope that these comments are helpful. If you have any questions, or would like further information, please contact me.

Regards,

Jane

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