

Natural Environment

Ecology Consultation Response

Reference Number:	22/02771/OUT
Proposal:	<p>A hybrid planning application for:</p> <p>a) An outline application (all matters reserved apart from access and landscaping) for the construction of: three new residential blocks providing for up to 425 residential units and providing flexible Class E and Class F uses on the ground floor (excluding Class E (g) (iii)); and two commercial buildings for Use Classes E(g) i(offices), ii (research and development) providing flexible Class E and Class F uses on the ground floor (excluding Class E (g) (iii)), together with the construction of basements for parking and building services, car and cycle parking and infrastructure works.</p> <p>b) A full application for the construction of three commercial buildings for Use Classes E(g) i (offices) ii (research and development), providing flexible Class E and Class F uses on the ground floor (excluding Class E (g) (iii)) with associated car and cycle parking, the construction of a multi storey car and cycle park building, together with the construction of basements for parking and building services, car and cycle parking and associated landscaping, infrastructure works and demolition of existing structures.</p>
Site Address:	Land North Of Cambridge North Station, Milton Avenue, Cambridge, Cambridgeshire
Case Officer:	Fiona Bradley
Responding Officer:	Daniel Weaver
Date:	07/12/2022

Documents Reviewed:

Ecology Survey Report Update 2022 (RPS, October 2022)

Biodiversity Net Gain Assessment (RPS, October 2022)

Ecology Strategy Ground Floor (dwg no. 630_019MP)002 Rev P2)

Environmental Statement Volume 1: Main Report, Chapter 9.0 Ecology (RPS, June 2022)

Cambridge North: Ecological Design Strategy (RPS, June 2022)

Tree Strategy (dwg no. 630_01(MP)008)

Red Line Plan (dwg no. 239-ACME-PLA-S00-0000)

Comments:

Ecology Survey Report Update

The updated survey report has provided evidence that emergence surveys for bats are required on the structure identified as B1 within the report as it has medium suitability for bat roosting, with hibernation surveys set to take place over the winter period, and emergence surveys in early summer. In general, the site was shown to have low numbers of commuting and foraging bats and concludes that with the additional semi-natural habitat to be created there should be no overall impact to foraging and commuting bats. This will depend on what the lighting strategy is in these areas. If there is to be additional artificial light at night included within the site it could have a measurable impact to bats, including western barbastelle which was recorded by a static detector on a single occasion.

According to the Red Line Plan B1 appears to be within the Full application zone of the Hybrid application; however, no plan of the surveyed buildings has been included within the Ecology Survey Report Update. Therefore, the report should be amended to include the locations of the surveyed buildings and confirm if B1 is in the "Full" application zone. The report states that two emergence surveys must be undertaken between May and August, and that hibernation surveys should be undertaken between December and February. No such surveys have been submitted in support of the application

All bat species are protected under schedule 2 of the Conservation of Habitats and Species Regulations 2017 (as amended) and therefore the LPA must engage fully with them. Judicial review dictates that where further population surveys are required for such species, they must be completed and submitted prior to determination of a full planning application (please see R (on the application of Simon Woolley) vs Cheshire East Borough Council and Millennium Estates Limited [2009] EWHC 1227).

Action Required:

- Confirm B1 is located within the Full application zone.
- Amend report to show locations of surveyed buildings.
- Complete recommended surveys prior to determination of application.

The breeding bird surveys found similar results to previous surveys on adjacent land although with some additional species, and the reptile survey found no reptiles within the northern section.

Biodiversity Net Gain Assessment

The document has been updated and shows that a 66.79% habitat unit gain and 100% hedgerow unit gain is possible on site. This is welcome. The plan does hinge very heavily on the planting of 356 urban trees within the development, including 85

large trees, 112 medium trees, and 159 small trees. This does appear to be a feasible strategy; however, section 3.12 and 3.13 of the report discusses several species of trees that do not match those that have been shown within the Tree Strategy.

Therefore, clarification should be sought that the Biodiversity Net Gain Calculator (Urban Tree Helper) has been accurately populated based on the Tree Strategy, and that (for example) 85 large trees are intended to be planted as part of that strategy. Given that the urban tree planting represents approximately half of the 66% net gain in biodiversity, and that the intention is to “bank” biodiversity units for future possible development this is a significant part of the plan.

A majority of the landscaping falls within the Full application zone; therefore, the LPA must be assured that the Biodiversity Net Gain Plan can be delivered.

Action Required:

- Provide clarification that the information within the “Urban Tree Helper” within the DEFRA Metric 3.1 is based on the submitted Tree Strategy (dwg no. 630_01(MP)008), and if not then amend accordingly.

Environmental Statement Volume 1: Main Report, Chapter 9.0 Ecology

Executive Summary – incorrect site size, states 6.89 ha, when the site is 9.7 ha. Additionally, the summary does not include updated 2022 survey information.

Breeding bird Surveys – updated species lists from 2022 surveys should be included as new species have been encountered.

Bat Surveys – still show smaller site plan with previous transects and does not show new transects or data. No information regarding the roost assessments within buildings or the requirement for further surveys to be undertaken.

Evaluation – As new bird species have been encountered analysis should be updated.

Section 4.4.13 to 4.4.20 needs to include new bat information from 2022 and provide analysis of any new lighting that might be installed as this may have a measurable impact on bats regardless of the habitats created. Please be aware that County Highways have very specific requirements for adopted lighting, and often will not adopt bollard or other lighting considered less intrusive for commuting or foraging bats. This section should also include any roosting and licencing information once surveys have been completed.

Conclusions – should be updated once other section of the chapter are amended.

Action Required:

- Make amendments where required.

Ecological Design Strategy

2.4.4 – minimising the effect on existing population of protected and noteworthy species should include bats.

3.2 Habitat Based Mitigation – the tree species within this section do not match those that appear in the Tree Strategy. For example, there is no hawthorn, field maple, blackthorn, willow (other than the pollard transplants), wych elm, rowan, or poplar listed within the tree strategy. There is only a single red oak species listed within the Tree Strategy, which is likely to be deemed unsuitable after discussions with the LPA Landscape Officer. This section needs to be amended.

3.3 Protected Species Strategy – does not include any mention of bats. In particular how the lighting strategy will be designed to remove any measurable impact to the conservation status of commuting and foraging bats.

3.3.8 and 4.9 The number of bat and bird boxes required are stated within the Greater Cambridge Biodiversity Supplementary Planning Document (2022).

4.12.4 does mention that lighting will comply with BTC guidance and refers to details in chapter 10. Chapter 10 of the EIA relates to flood risk assessment and drainage, not lighting. There does not appear to be any reference to lighting in the EIA that can be referenced. If the aim is for County Highways to adopt the lighting, it is unlikely that their specifications will match those of the BTC guidelines; therefore, clarification of what lighting will be required and how it will be delivered and maintained are vital.

4.16 Monitor and Remediation – monitoring must include that which is required by biodiversity net gain which will be for a period of 30 years. This section must be amended.

Action Required:

- Amend documents as required.
- Complete all required bat surveys within the “Full” application zone.

Conclusion:

Currently there is insufficient ecological information to determine the application. Completion of the actions described above will help determination to proceed. All bat surveys must be completed if the building listed as B1 is within the “Full” application zone. The LPA is unable to determine Full applications that have outstanding survey requirements for schedule 2 listed species within the Conservation of Habitats and Species Regulation 2017 (as amended).

Recommended Conditions:

N/A

Previous comments

Documents Reviewed:

Redline Plan (drawing no. 239-ACME-PLA-S00-0000)

Environmental Statement Volume 1: Main Report, Chapter 9.0 Ecology (RPS, June 2022)

Appendix 9.1; Ecology Survey Report (RPS, February 2022)

Cambridge North: Ecological Design Strategy (RPS, June 2022)

Appendix 9.3: Biodiversity Net Gain Report (RPS, May 2022)

Planting Strategy (west) (Robert Myers Associates, drawing no. 630_01(MP)009 Rev P1)

Planting Strategy (East) (Robert Myers Associates, drawing no. 630_01(MP)010 Rev P1)

Comments:

The site consists of grasslands, ephemeral vegetation, tall ruderal, scrub, woodland areas, hardstanding, and bare ground. The site sits within the Impact Risk Zone of nearby statutory protected sites and may require consultation specifically with Natural England on the grounds of water discharged. The site is adjacent to Bramblefields Local Nature Reserve declared for its mosaic of habitats. There are no non-statutory protected sites in the vicinity that are likely to be impacted directly by the application. Species data shows great crested newts and other amphibians, barn owl and other breeding birds, flowering plants, invertebrates, reptiles, bats, brown hare, badger, otter, water vole, and hedgehog have all been recorded locally.

Appendix 9.1; Ecology Survey Report

There appears to be a fundamental issue with bat, reptile, and breeding bird surveys which have all been scoped out for further survey. All the maps and information provided within the methodology section concerning these species (section 2 of the report) and used as a basis for the scoping out of further surveys appears to be based on a smaller site (6.89 ha quoted in section 1.2.3 of the report) than the total redline boundary (9.88 ha as shown in table 3.1 of the Biodiversity Net Gain Report). There is an area within the redline boundary to the northeast that appears to have not been surveyed either previously or recently for bat, reptile, or breeding bird species.

These surveys and their results form the basis for any environmental impact assessment within the Environmental Statement. Therefore, the applicant must clarify if these species surveys have been undertaken representing the whole 9.88 ha site or if they have only been undertaken in the smaller 6.89 ha site as indicated in section 2. If only the smaller site as shown in section 2 of appendix 9.1 then the applicant must provide the reason they believe this provides a representative survey. Further analysis of either Appendix 9.1 or Chapter 9.0 of the Environmental Statement is redundant until these clarifications can be provided.

For clarity, both vegetation and invertebrate surveys cover the entire 9.88 ha site, not the 6.89 ha site. The Phase 1 map (Figure 9) shows poor, moderate, and good condition open mosaic habitat, dense/continuous scrub, semi-natural broadleaved woodland, amenity grassland, and semi-improved neutral grassland within the area to the northeast not shown in the methods section of the report.

Biodiversity Net Gain Report

The report shows that there will be more than the mandatory 10% biodiversity net gain delivered post construction. This is welcomed. However, there are issues that will need to be addressed prior to acceptance. For example, the baseline area is shown as 9.88 ha, the post construction area of habitat creation 19.11 ha with an additional 0.92 ha of habitat enhancement. Where is the additional 10.15 ha of biodiversity net gain to be delivered? Is this inside the redline boundary or offsite? The BNG Assessment on page 12 shows that only 1.34 units is to be delivered offsite, with no offsite baseline figure shown. 1.34 units over 10.15 ha would appear to be quite low.

On inspection of table 3.2 there appears to be 11.1344 ha of urban trees to be delivered, this would appear to be an anomaly and likely route cause of the discrepancies. This also represents approximately 59% of all delivered onsite biodiversity net gain; therefore, the overall net gain is likely to be significantly reduced once this anomaly is addressed.

Conclusion:

There is insufficient ecological information to determine this application.

Further analysis of the submitted reports cannot be undertaken as the underlying basis of protected species analysis has not been fully explained. The Survey Report has not acknowledged that the area to the northeast has not been surveyed for bats, reptiles, or breeding birds, and no explanation for the reasons why has been provided within the report. There is a discrepancy between the information regarding the application site area provided in section 1.2.3 of the Survey Report and that of both vegetation surveys and invertebrate surveys in later sections.

The BNG calculations are also very confusing with major discrepancies between areas that are assessed as baseline and areas that are delivered. This needs to be amended to show clearly where each of these created and enhanced habitats are to

be delivered, weather onsite or offsite, and with clear plans of all on and offsite delivery.

Recommended Conditions

N/A