

Edginswell Business Park, Torquay, Devon

Ecology Addendum and Biodiversity Net Gain Assessment

May 2021

A report on behalf of TDA

Ref: 1229-BNG-FM

www.ge-consulting.co.uk - 01647 253652 - info@ge-consulting.co.uk



Site Details

Site Name	Edginswell Business Park
Site Location	Torquay, Devon
Central OS Grid Reference	SX 887 662
Client	TDA

Quality Assurance

Report Title	Ecology Addendum and Biodiversity Net Gain Assessment
Report Reference	1229-BNG-FM
Author	Faye Midmore BSc MSc MCIEEM
Checked By	Richard Pash BSc MCIEEM
Approved By	Richard Pash BSc MCIEEM
Revision No.	FINAL
Issue Date	11 May 2021
Summary of Changes	N/A
Revised By	N/A
Approved By	N/A

The content of this report that has been provided by GE Consulting is true, and has been prepared and submitted in accordance with the Chartered Institute of Ecology and Environmental Management's Code of Professional Conduct. Its contents are compliant with British Standard BS42020: 2013 Biodiversity Code of Practice for Planning and Development.

This report has been prepared for the exclusive use of the stated client and unless otherwise agreed in writing by GE Consulting, no other party may use, make use of or rely on the contents of the report. No liability is accepted by GE Consulting for any use of this report, other than for the purposes for which it was originally prepared and provided.

GE Consulting has exercised due care in preparing this report. It has not, unless specifically stated, independently verified information provided by others. No other warranty, express or implied, is made in relation to the content of this report and GE Consulting assumes no liability for any loss resulting from errors, omissions or misrepresentation made by others.

Any recommendation, opinion or finding stated in this report is based on circumstances and facts as they existed at the time that GE Consulting undertook the work. Nothing in this report constitutes legal opinion. If legal opinion is required the advice of a qualified legal professional should be secured.

© Copyright GE Consulting Services (UK) Limited 2021



Contents

1	Introduction1
2	Consultation1
3	Biodiversity Net Gain Assessment1
3.1	Rationale1
3.2	Calculating Gains2
3.3	BNG Principles2
4	BNG Methods2
4.1	Aims2
4.2	Site Survey and Condition Assessment2
4.3	Biodiversity Metric Methodology
4.4	Assumptions and Limitations4
5	BNG Results4
5.1	Headline Results4
5.2	Application of the Mitigation Hierarchy4
5.3	BNG Offsetting5
6	Bat Flight Lines
7	Reptile Mitigation Strategy6
7.1	Translocation
7.2	Fencing6
7.3	Vegetation Removal7
8	References

Figures

- 1: Baseline Habitats
- 2: Post-development Habitats



1 INTRODUCTION

This addendum document has been produced by GE Consulting on behalf of TDA to provide additional information relating to proposed development at Edginswell Business Park, Torquay, Devon (central OS grid reference: SX 887 662), hereafter referred to as the 'Site'.

The applicant is seeking detailed planning permission from Torbay Council for enabling works to reprofile the Site (application reference P/2021/0123). This application includes the removal of most vegetation, construction of a retaining wall along the south-western boundary, landscaping along the top of the wall and enhancement of a neglected orchard. An Ecological Impact Assessment (GE Consulting, 2021) was submitted with this application.

A separate application is to be submitted for the construction of a retail unit located to the west of the existing Eden Vauxhall Car Showroom. The proposal includes a commercial unit, a compound, car parking and landscaping.

2 CONSULTATION

Detailed comments were provided by the LPA Ecologist (Tom Whitlock) on 12th April 2021, which this addendum seeks to address.

Further information was requested relating to:

- Biodiversity Net Gain "The submitted ecology report indicates that almost all areas of habitat within the redline will be lost to the development, with habitat enhancement of the orchard and hedgerows as mitigation. The ecologically poor nature of the site is noted, but in order to avoid ambiguity please can the definitive areas (in ha) of the habitat losses and proposed mitigation be provided a well as a biodiversity metric calculation using national guidance which clearly evidences that the proposals will lead to no net loss / a net gain in biodiversity".
- Bat flight lines "It is noted that the site generally lacks linear features which are used by bats and that all vegetation associated with the rear gardens to the south of the site will be retained to act as a commuting feature for bats. Please can it be clarified who will have responsibility of these retained habitats which ensures they remain suitable for commuting bats? Will these habitats be future proofed from removal so that this area continues to act as a commuting feature? Furthermore, I note from page 7 of the EIA that 'once groundworks are complete, a new tree belt and native shrubs will be planted to support foraging' please can the consultant ecologist clarify that there will be no adverse impacts on the ability for bats to commute across the site between habitat removal and the planting of the new tree belt as mitigation".

A reptile mitigation strategy was also requested (Tom Whitlock, pers. comm).

3 BIODIVERSITY NET GAIN ASSESSMENT

3.1 Rationale

BNG is an approach to development that aims to leave the natural environment in a measurably better state than it was initially and meets the requirements of the Government's 25 Year Environment Plan.

The National Planning Policy Framework (NPPF) 2019 states in paragraph 175 (d) when determining planning applications, local planning authorities should apply the following principles (underline added for emphasis):

"... opportunities to incorporate biodiversity improvements in and around developments should be encouraged, especially where this can secure <u>measurable net gains</u> for biodiversity."



In addition, the Government announced in 2019 that it would mandate a 10% net gain in biodiversity for developments through the forthcoming Environment Bill.

3.2 Calculating Gains

A 'metric' is used to calculate biodiversity units and is applied to both linear habitats (e.g. hedgerows, lines of trees, rivers, streams) and non-linear habitats (e.g. grassland/woodland).

Metrics use habitat as a proxy measure for capturing the value and importance of nature, with different habitat types scored according to their relative biodiversity value. This value is then adjusted depending on the size, condition and location of the habitat, to calculate 'biodiversity units' for that specific project or development.

The metric used for this assessment was the Natural England/ Defra Metric 2.0 (beta test) released in December 2019.

3.3 BNG Principles

This report takes into account a set of key principles which explain the inherent limitations and intended use of the metric.

These principles are detailed in the Biodiversity Metric 2.0 – User Guide – Beta Test (Crosher *et al.*, 2019) and can be summarised as follows:

- **Principle 1** The metric does not change the protection afforded to biodiversity;
- Principle 2 Biodiversity metric calculations can inform decision-making where application of the mitigation hierarchy and Good Practice Principles (CIEEM, CIRIA, IEMA 2016 Biodiversity Net Gain Good Practice Principles for Development) conclude that compensation for habitat losses is justified;
- **Principle 3** The metric's biodiversity units are only a proxy for biodiversity;
- **Principle 4** The metric focuses on widespread species and typical habitats;
- Principle 5 The metric design aims to encourage enhancement, not transformation, of the natural environment;
- **Principle 6** The metric is designed to inform decisions;
- **Principle 7** Compensation habitats should seek, where practical, to be local to the impact;
- Principle 8 The metric does not enforce a mandatory minimum 1:1 habitat size ratio for losses and compensation.

4 BNG METHODS

4.1 Aims

The aim of the assessment is to identify and assess the 'biodiversity value' of the habitats pre- and postdevelopment and determine whether a biodiversity net gain can be achieved.

The report and calculations are based on the following plans:

- KTA Architects Proposed Enabling Works Site Layout (dwg. 2047_SK1003)
- **Redbay Design SW Boundary Landscape Masterplan and Planting Plan (dwg. 736_03 and 736_01)**
- Redbay Design Proposed Retail Unit Planting Plan 01 (dwg. 736_01) relating to Plot 01.

4.2 Site Survey and Condition Assessment

The Site was surveyed by Faye Midmore BSc MSc MCIEEM on 18th November 2020 comprising an Extended Phase 1 Habitat Survey in accordance with the Joint Nature Conservation Committee's survey methodology (JNCC 2010) and condition assessment following the criteria in the Natural England 'Biodiversity Metric 2.0 - Technical Supplement' (Crosher et al., 2019).



4.3 Biodiversity Metric Methodology

The Site was divided up into distinct habitat 'parcels' and linear features based on the UK Habitat Classification System (UKHab) and measured accordingly using the QGIS mapping tool.

In order to translate between the Phase 1 system and the UKHab, the "UKHab/Phase 1 translation" tab within the Technical Data section of the Metric was utilised.

The area of each habitat to be created, retained, and/or enhanced was entered into the Metric. These were then each given an appropriate target condition, connectivity score and strategic significance score.

Corresponding maps are shown in Figures 1 and 2.

4.3.1 Connectivity

As per the method set out in Section 4.46 and Table 5-5 of the 'Biodiversity Metric 2.0 – User Guide – Beta Test', connectivity has been entered into the Metric as follows:

High and very high distinctiveness habitats are assigned a Medium connectivity multiplier

Medium and low distinctiveness habitats are assigned a Low connectivity multiplier

Where a newly created or enhanced habitat is of higher distinctiveness, the connectivity is updated accordingly in post-intervention sections of the Metric.

4.3.2 Strategic Significance

The strategic significance value is produced from undertaking a search for LPA biodiversity and green infrastructure strategies that could affect the development. Due to the Site being within a cirl bunting consultation zone and South Hams SAC landscape connectivity zone, the Site was considered to be 'Within area formally identified in local strategy' therefore having a **High** strategic significance.

4.3.3 Rules

In order to ensure the proper use of the Metric and to understand the intended outputs, the following Rules have been adhered to as detailed in the Biodiversity Metric 2.0 – User Guide – Beta Test (Crosher *et al.,* 2019):

- Rule 1 Where the metric is used to measure change, biodiversity unit values need to be calculated prior to the intervention and post-intervention for all parcels of land/linear features affected;
- Rule 2 Compensation for habitat losses can be provided by creating new habitat, by restoring or enhancing existing habitats, or by accelerating successional processes. Measures to improve existing habitats must provide a significant and demonstrable uplift in distinctiveness and/or condition to record additional biodiversity units;
- Rule 3 'Trading down' must be avoided. Losses of habitat are to be compensated for on a 'like for like' or 'like for better' basis. Ideally, new or restored habitats should aim to achieve a higher distinctiveness and/or condition than habitats lost;
- Rule 4 Biodiversity unit values generated by biodiversity metric 2.0 are unique to this metric and cannot be compared to unit outputs from the original Defra metric or any other biodiversity metric. Furthermore, the units generated by each module of the biodiversity metric 2.0 (for area, hedgerow, and river habitats) are unique and cannot be summed;
- Rule 5 It is not the area of habitat created that determines whether ecological equivalence or better has been achieved but the net change in biodiversity units. Risks associated with enhancing or creating habitats mean that it may be necessary to enhance or create a larger area of habitat than lost to fully compensate for impacts to biodiversity;



Rule 6 – Deviations from the published methodology of biodiversity metric 2.0 need to be ecologically justified. While the methodology is expected to be suitable for the majority of circumstances it is recognised that there may be exceptions. Any local or project-specific adaptations of the metric must be transparent and fully justified.

4.4 Assumptions and Limitations

The following assumptions were made to complete the calculations:

- The habitats on Site will be lost with the exception of the orchard and the native hedgerow along the south-eastern boundary;
- The south-western boundary, orchard and Plot 01 will be landscaped as per the landscape drawings detailed in Section 4.1;
- Remaining levelled areas for Plots 02 and 03 will be retained as undeveloped land/ bare ground until those phases come forward.

5 BNG RESULTS

5.1 Headline Results

As demonstrated in **Table 1** below, the BNG assessment predicts that with <u>onsite</u> measures implemented, the development will deliver a **net loss** in habitat units and a **net gain** in linear units. Corresponding maps are shown in **Figures 1** and **2**.

Unit Type	Onsite Baseline Units	Onsite Post- development Units	Net Unit Change	% Change
Habitat	9.45	6.80	- 2.65	- 28.05%
Hedgerow/ Linear	0.32	1.06	+ 1.06	+ 327.75%

Table 1: Summary of BNG Metric Assessment

5.2 Application of the Mitigation Hierarchy

Table 2 summarises how the mitigation hierarchy has been applied, in accordance with Principle 2 of the Metric User Guide.

All habitats of high 'distinctiveness' have been targeted for retention (comprising the orchard on this site). Where losses are unavoidable, compensation and enhancements have been designed (see **Section 5.3**) to ensure habitats of the same or higher distinctiveness will be created and that 'trading down' does not occur as per Rule 3 of the Metric User Guide.

Table 2: Application of the Mitigation Hierarchy

Existing Broad Habitat Type	Impacts Avoided?	Habitat Loss?	Enhancement/ Compensation Measures
Hedgerow	✓	X	All hedgerows avoided through design. Gains achieved by entrance feature hedgerows and hedge banks to Unit 01.
Orchard	✓	Х	Neglected orchard retained and enhanced by removing scrub, bringing trees into favourable condition and planting new fruit trees. Meadow grass seeding.



Existing Broad Habitat Type	Impacts Avoided?	Habitat Loss?	Enhancement/ Compensation Measures
Woodland	X	V	Two areas of poor quality/ self seeded woodland removed for reprofiling - loss of 0.76 units. Woodland creation around north-east boundary (Unit 01) delivers 0.25 units. New tree planting delivers 0.28 units. Greater 'area' planted but small net loss of 'units' due to time lag to achieve target condition.
Scrub	x	✓	All scrub removed for reprofiling – loss of 0.51 units. Mixed native scrub planted along south-western boundary (retaining wall) delivering 0.66 units plus mixed scrub at Unit 01 entrance delivering 0.08 units.
Grassland	Х	V	Small areas of grassland retained along existing footpath, remaining poor quality grassland removed for reprofiling – loss of 6.34 units. New meadow grassland created around Unit 01 delivering 0.19 units, plus amenity grassland delivering 0.04 units. Shortfall of units.
Ruderals (invasive species)	X	×	Japanese knotweed removed. Loss of 0.09 units, although loss of invasive plant is beneficial. To achieve net gains using the metric, mixed ornamental/ wildlife-friendly planting in formal landscaping delivers 0.18 units.

5.3 BNG Offsetting

Although it is likely that when Units 2 and 3 come forward, additional landscaping and therefore biodiversity units will be gained, it is unlikely to fully compensate for the losses on Site.

Therefore, offsite compensation, 'biodiversity offsetting', will be required for <u>up to 2.65 biodiversity units</u>. The client will be able to identify other land within their control for offsetting.

It is anticipated that a planning condition will need to be applied to produce a plan which demonstrates how and where a biodiversity net gain will be achieved within 12 months of completion.

The offsetting should compensate for:

- The loss of low-quality grassland, but can comprise habitat of the same distinctiveness or better (medium or above);
- The residual loss of woodland and should comprises the same 'broad habitat' or a higher distinctiveness habitat (high or very high).

It is not considered that the loss of these habitats, and their compensation remote from the Site, will have a significantly adverse impact on species using the Site.

A 30-year management and monitoring plan will need to be produced and followed, demonstrating how the BNG is progressing towards achieving its objectives for habitat creation and condition.



6 BAT FLIGHT LINES

The LPA ecologist has raised concerns over the potential loss of the south-western corridor and the timelag between removal of the trees/ scrub and planting of new vegetation following the completion of the retaining wall.

Mature shrubs and trees in the adjacent gardens are not under the clients control.

Whilst it is not possible to retain the tree belt within the Site, phasing and timing of works will minimise impacts to species using this corridor as follows:

- Vegetation will be removed as late as possible in the year, when bats are less active;
- The 1.6m close-board fence will be installed along the boundary as soon as felling is complete to retain a linear feature along which bats may be able to navigate;
- New landscaping will be undertaken in the same planting period as removal (i.e. the same winter 2021-2022), so that replacement vegetation is available the following spring 2022. Large standards will be used to ensure fast establishment and continuity of habitat connectivity.

7 REPTILE MITIGATION STRATEGY

A low population of slow worms were previously recorded on Site, and given the frequent scrub clearance, the Site is unlikely to support significant numbers.

To protect any reptiles assumed to still be present on Site, the following Method Statement will be followed. Mitigation will involve a translocation exercise as it will not be possible to retain reptiles on Site during the construction and landscaping works.

7.1 Translocation

The Site is relatively isolated with roads and commercial development to the north, west and east which are likely to form relatively good barriers to movement of reptiles.

A translocation exercise will be undertaken to remove reptiles (and amphibians/ other species if found) from Site to a place of safety.

- A suitable offsite receptor will be identified prior to translocation commencing;
- Artificial refugia will be deployed across the Site within and adjacent to suitable habitats to attract animals;
- Refugia will be left to bed-in for a minimum of one week prior to series of checks (daily if possible) to locate and capture animals using them;
- Animals will be placed in a suitable container, e.g. cool-box with cut vegetation, and moved to the receptor site without delay;
- The translocation exercise will continue until a period of five consecutive days without records;
- The translocation exercise will only take place between April and October, when reptiles and amphibians are active;
- 5 The findings will be reported to the Local Environmental Records Centre.

7.2 Fencing

If significant numbers of reptiles are found during the first visits, a reptile fence may need to be installed.

- The fence will be maintained for the duration of the translocation exercise as well as during enabling and construction works to prevent reptiles re-entering the Site from adjacent habitats;
- Following completion of construction and landscaping, the fence will be removed.



7.3 Vegetation Removal

Once animal capture rates have significantly reduced, habitat manipulation will be undertaken to maximise the chances of finding any remaining reptiles by encouraging them to disperse to areas with artificial refugia for capture.

- Habitat suitability will be reduced by strimming vegetation using a staged cutting process. An ecologist may need to check for the presence of nesting birds and badger setts prior to cutting;
- Initially, grass and tall ruderal vegetation will be cut to approximately 150mm, starting from one end and left for a minimum of 24 hours. Refugia will be focussed on uncut areas adjacent to the cut area;
- Refugia will be checked the following day;
- A further cut will then be made to 50mm, beginning at one end of the Site and moving in one direction, to encourage any remaining reptiles/ amphibians towards remaining artificial refugia;
- Destructive searches of any rubble or log piles will also take place by the ecologist to search for any additional animals;
- Once complete, the vegetation will be maintained at a low-level (<50mm) until the start of development works.</p>



8 **REFERENCES**

Crosher I., Gold S., Heaver M., Heydon M., Moore L., Panks S., Scott S., Stone D. and White N. (2019a) *The Biodiversity Metric 2.0: auditing and accounting for biodiversity value. User guide* (Beta Version, July 2019). Natural England.

Crosher I., Gold S., Heaver M., Heydon M., Moore L., Panks S., Scott S., Stone D. and White N. (2019b) *The Biodiversity Metric 2.0: auditing and accounting for biodiversity value. Technical Supplement* (Beta Version, July 2019). Natural England

Joint Nature Conservation Committee (2010) Handbook for Phase 1 Habitat Survey - a Technique for Environmental Audit. Reprinted by JNCC, Peterborough.





0	10	20	30	40 m
				_

(c) Crown copyright and database rights 2021. Ordnance Survey 0100031673.

Figure 1: Extended Phase 1 Habitat Survey Results Map

Project: Edginswell, Employment Land

Client: Torbay Development Agency

Date: 10/5/2021

Drawn: SL

Ref: 1229-EcIA-FM

Revision:







- Species-poor Hedge (0.07km,0.64hu)
 - Semi-improved Neutral Grassland

 - Urban Hardstanding (retained path)

Traditional orchard (0.20ha, 2.35hu)

- New Tree Planting (0.16ha, 0.28hu)

 - Urban Building (0.21ha, 0.00hu)
 - Urban Bareground (1.14ha, 2.53hu)
 - Woodland and forest Other woodland; mixed (0.12ha, 0.25hu)
 - Urban Hardstanding (0.45ha, 0.00hu)
 - Neutral grassland (0.03ha, 0.19hu)
 - Urban Amenity grassland (0.02ha, 0.04hu)
 - Urban Introduced shrub (0.04ha, 0.18hu)
 - Mixed Scrub (0.09ha, 0.74hu)

40 m

(c) Crown copyright and database rights 2021. Ordnance Survey 0100031673.

Drawn: SL

Revision: Draft





