Mayfield School, Torquay, Devon

Ecological Impact Assessment

January 2021

A report on behalf of TDA

Ref: 1248-EcIA-DM

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Site Details

Site Name	Mayfield School
Site Location	Torquay, Devon
Central OS Grid Reference	SX 91854 67365
Client	TDA

Quality Assurance

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A Glossary of the terms used in this report is provided in **Appendix 1**.

Executive Summary

This report presents the results of an Ecological Impact Assessment at Mayfield School, Torquay, Devon (central OS grid reference: SX 91854 67365) in relation to a detailed planning application for an extension to an existing school building.

An Extended Phase 1 Habitat Survey was undertaken in 2021 to provide baseline data for the Site and assess the ecological implications of the development.

The Site is approximately 0.09 hectares (ha) and comprised amenity grassland, hardstanding, species poor hedge and scattered scrub. The Site was found to be of low ecological interest, but the short section of species-poor hedgerow offered some limited opportunities for nesting birds and dormice.

The development will result in the temporary loss of 0.02ha and permanent loss of 0.07ha of amenity grassland and ~2 m of hedgerow.

The following mitigation and compensation measures will be undertaken to minimise impacts on important ecological features:

- Carry out hedgerow removal outside of the bird nesting season (September to February inclusive), with a pre-start check by a suitably experienced ecologist.
- The protection and enhancement of retained hedgerow on site.
- No overall increase in exterior lighting.

Additional recommendations have been provided in order to enhance the Site for biodiversity post-development.

Overall, the development will result in a net gain on biodiversity, provided the mitigation and enhancements are undertaken in accordance with this report.

The Devon Wildlife Checklist has been provided in **Appendix 2**

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1 INTRODUCTION

This report presents the results of an Ecological Impact Assessment (EcIA) at Mayfield School, Torquay, Devon (central OS grid reference: SX 91854 67365) in relation to a detailed planning application. The surveys were commissioned by TDA. The area within the application boundary is hereafter referred to as the 'Site'.

1.1 Description of Proposed Development

Proposals are understood to include the construction of an extension to an existing school building. The design will result in the temporary loss of 0.02ha and permanent loss of 0.07ha of amenity grassland, some scattered scrub, and ~2m of species poor hedgerow.

1.2 Aims

The aims of this report are to:

- Identify and describe the habitats and species likely to be affected by the proposed development and assess the ecological value of these features;
- Identify key ecological constraints to the proposed development and evaluate the significance of any potential effects; and,
- Provide recommendations for mitigation and enhancement opportunities in accordance with relevant planning policy, legislation and other published guidance (see **Appendix 3**).

2 METHODS

2.1 Ecological Scoping and Baseline Data Collection

As informed by the desk study, Extended Phase 1 Habitat Survey and development proposals available at the time, further surveys for protected species were scoped out.

2.2 Baseline Evaluation and Impact Assessment

The evaluation and assessment were undertaken in accordance with the Chartered Institute of Ecology and Environmental Management's Guidelines for Ecological Impact Assessment in the UK and Ireland (CIEEM, 2018).

In addition to the geographic frames of reference recommended in the CIEEM guidelines, an additional category of 'Site Importance' has been included to account for features that are of some value in the context of the Site but are not considered to be of sufficient value to be categorised as 'Local Importance'.

2.3 Limitations

Care has been taken to ensure that balanced advice is provided on the information available and collected during the study period, and within the resources available for the project. However, the possibility of important ecological features being missed due to survey timings, absence during surveys or the year of survey cannot be ruled out. In addition, the lack of evidence or records of protected species on Site does not preclude their presence from Site.

The Extended Phase 1 habitat survey was undertaken during inclement weather conditions; however, a thorough survey was still able to be carried out.

3 BASELINE CONDITIONS & EVALUATION

3.1 Designated Sites

Lyme Bay and Torbay Special Area of Conservation (SAC) (designated in September 2017) comprises reefs and partially submerged/submerged sea caves of **International** importance. This site follows the coastline and, at its closest point, is approximately 800m from the Site boundary.

Torbay Marine Conservation Zone (MCZ) (designated in 2013) occurs along the coastline and includes some of the areas designated in the SAC above. This site is of **National** importance (details in **Appendix 4**).

3.2 Habitats and Flora

The distribution of habitats is shown on **Figure 1** and full details with photographs are provided in **Appendix 5**.

The Site comprises a single amenity grassland field surround by hardstanding and school buildings, with a small patch of hazel scrub. It is therefore considered to be of **Negligible** importance. The field is bound by a species-poor hedgerow (HPI) to the west. Given its low diversity and lack of connectivity in the context of the surrounding area, the hedgerow is of no more than **Site** importance.

3.3 Fauna

3.3.1 Bats

Foraging and Commuting Bats

The species poor hedgerow onsite offers some opportunity for foraging bats; however, it is isolated in the wider landscape and heavily lit by both street and building lighting. Because of this is it can be classed as of no more than **Site** importance.

Roosting Bats

No trees on Site were found that could contain suitable features for roosting bats. The buildings on Site did not provide suitable features for roosting bats and therefore roosting bats will not be considered further in this report.

3.3.2 Birds

The species poor hedgerow on Site offers some opportunity for breeding birds, however the extent and quality of the habitat is negligible in comparison to wooded areas to the north of the Site and is therefore considered to be of no more than **Site** importance.

3.3.3 Dormouse

The species poor hedgerow on Site offers some opportunity for dormouse nesting and foraging; however, it is a relatively small length of hedgerow which is isolated from the surrounding landscape so is extremely unlikely to support a breeding population. It is therefore considered to have **Negligible** importance.

3.3.4 Other Notable Species

The amenity grassland on Site offers **Negligible** opportunity for reptiles and reptiles are considered to be absent from the Site. No evidence of badgers was found during the walkover however it is possible that

the field and surrounding gardens are used by commuting and foraging badgers. The Site is highly unlikely to be of any importance to other protected or notable species.

4 FURTHER SURVEY WORK

No further ecological survey work is considered necessary for this application; however, any changes to the proposed masterplan or if any significant amount of time has passed since the date of this report, a re-appraisal may be required.

5 IMPACT ASSESSMENT AND MITIGATION

5.1 Designated Sites

Lyme Bay and Torbay SAC and Torbay MCZ are sensitive to pollution in the groundwater and increased recreational pressures. Given the scale and intended use of the Site the potential for impacts is negligible. This can be further avoided by implementing best practice pollution control measure during works.

5.2 Habitats and Flora

The temporary loss of 0.02ha and permanent loss of 0.07ha of amenity grassland and ~2m of species poor hedgerow and small amount of scattered scrub will be an adverse impact but this is not considered significant above the Site level. During construction retained habitats, and in particular, hedgerows, will be protected by fencing in order to avoid unnecessary degradation. The loss of ~2m of hedgerow will be compensated for by the planting up of the ~4m gap in the hedge with native species rich woody species.

5.2.1 Bats

There is possibility for temporary foraging disruption during construction and through the loss of ~2m of species poor hedgerow. This impact is low, however during construction the hedgerow should be kept unlit, and works should not start before sunrise, or continue after sunset. The loss of 2m of foraging habitat will be compensated by the filling up of existing gaps in the hedge.

5.2.2 Birds

The removal of ~2m of hedgerow will have negligible impact on nesting birds if carried out outside of the bird nesting season (September to February inclusive). If this is not possible then potential impacts are increased and works must be carried out under the watching brief of a trained ecologist to ensure that no nests are destroyed during clearance.

5.2.3 Dormouse

Due to the isolation of the Site withing the wider landscape, and the negligible chance of the hedgerow supporting a dormouse population, habitat loss on Site will be of negligible impact for dormouse and will not affect the favourable conservation status of this species.

5.2.4 Other Notable Species

To avoid harm to badgers which may cross the Site, any excavations should be capped overnight and any pits/ trenches covered or means of escape provided. No adverse impacts are predicted.

6 BIODIVERSITY NET GAIN

A summary of the predicted net gains and losses to biodiversity is illustrated in **Table 1.** Note that these figures are estimates only, based on the information available at the time.

Table 1: Indicative Habitat Balance Sheet

Ecological Feature	Baseline on Site	Habitat Retained	Habitat Lost	Habitat Created/ Restored	Overall Loss or Gain
Habitats					
Hedgerow	32m	30m	2m	4m new native hedge.	Gain
Amenity grassland	0.09ha	None	0.07 ha	0.02ha	- 0.07 ha
Scattered scrub	3 hazel whips	None	3 hazel whips	New native woody species planted within the hedgerow	Gain

In addition, the following enhancements for protected species are recommended:

- One bat box, and one bird box will be installed on the new building after construction.

7 SUMMARY & CONCLUSIONS

In summary the proposed works will result in the permanent loss of 0.07 amenity grassland and 2m of species poor hedgerow, however this is not deemed significant above Site level.

Mitigation and compensation has been incorporated into the design to ensure that the proposal and work programme is designed to minimise adverse impacts on ecological features. Enhancement recommendations have also been outlined with the aim of providing a net biodiversity gain, contributing to the aims of National Planning Policy Framework and local policy.

8 REFERENCES

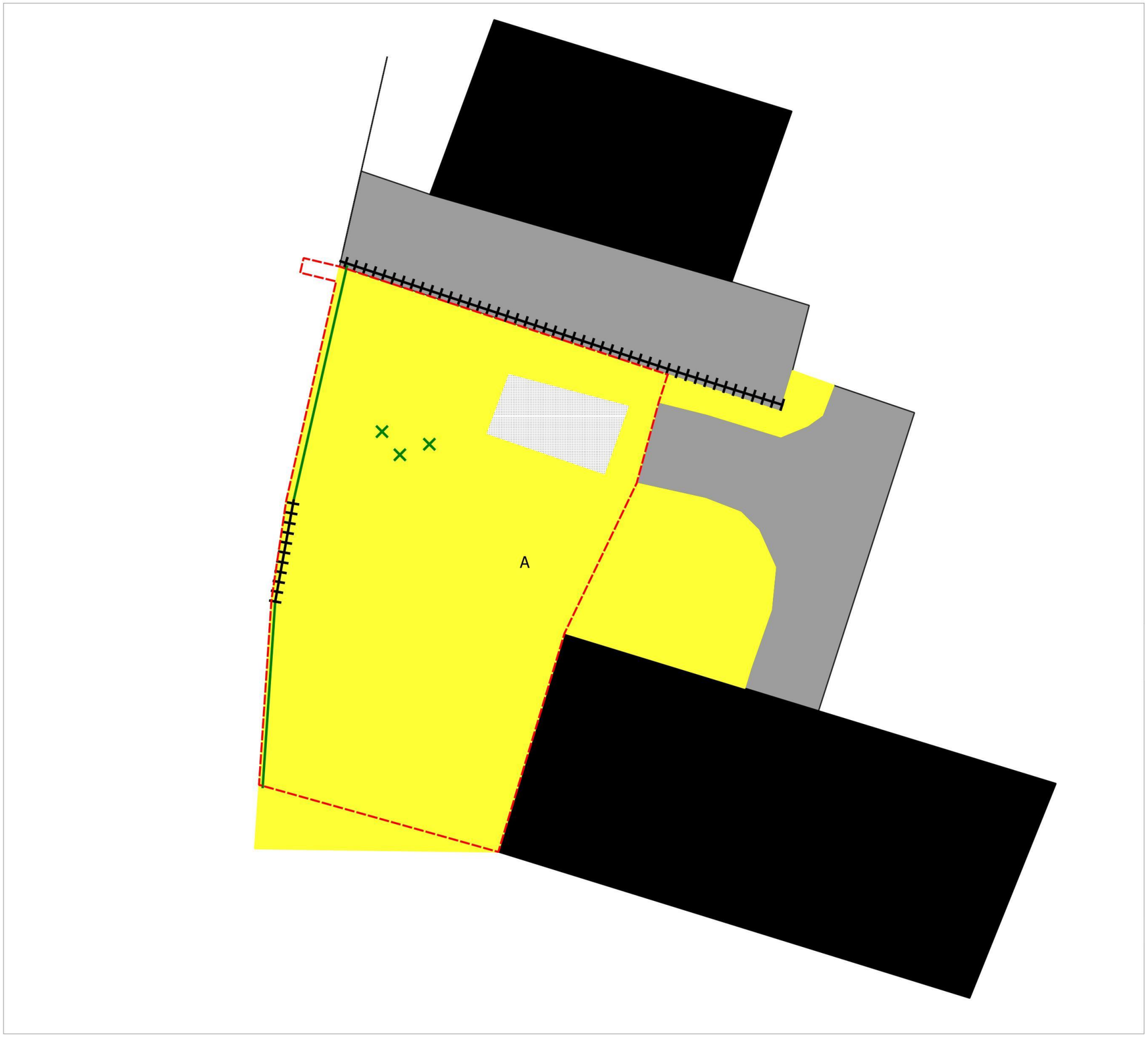
Bright P.W., Morris P.A. and Mitchell-Jones A. (2006) *Dormouse Conservation Handbook, 2nd Edition*. English Nature, Peterborough.

CIEEM (2017) *Guidelines for Preliminary Ecological Appraisal, 2nd edition.* Chartered Institute of Ecology and Environmental Management, Winchester.

CIEEM (2018) Guidelines for Ecological Impact Assessment in the UK and Ireland: Terrestrial, Freshwater, Coastal and Marine, version 1.1. Chartered Institute of Ecology and Environmental Management, Winchester.

Harris S., Cresswell P. and Jefferies D. (1991) *Surveying Badgers*. Mammal Society, London.

Stace, C. (2010) *New Flora of the British Isles (3rd Edition)*. Cambridge University.



Key:

- Site Boundary
- Scattered scrub
- Native species-poor hedgerow
- Fence
- A — Amenity grassland
- Buildings
- Bare ground
- Hardstanding

0 4 8 12 16 m

Figure 1:
Extended Phase 1 Habitat Plan

Project:
Mayfield School, Torquay

Client:
TDA

Date:
21/1/2021

Drawn:
DM

Ref:
1248-EclA-F1

Revision:
-

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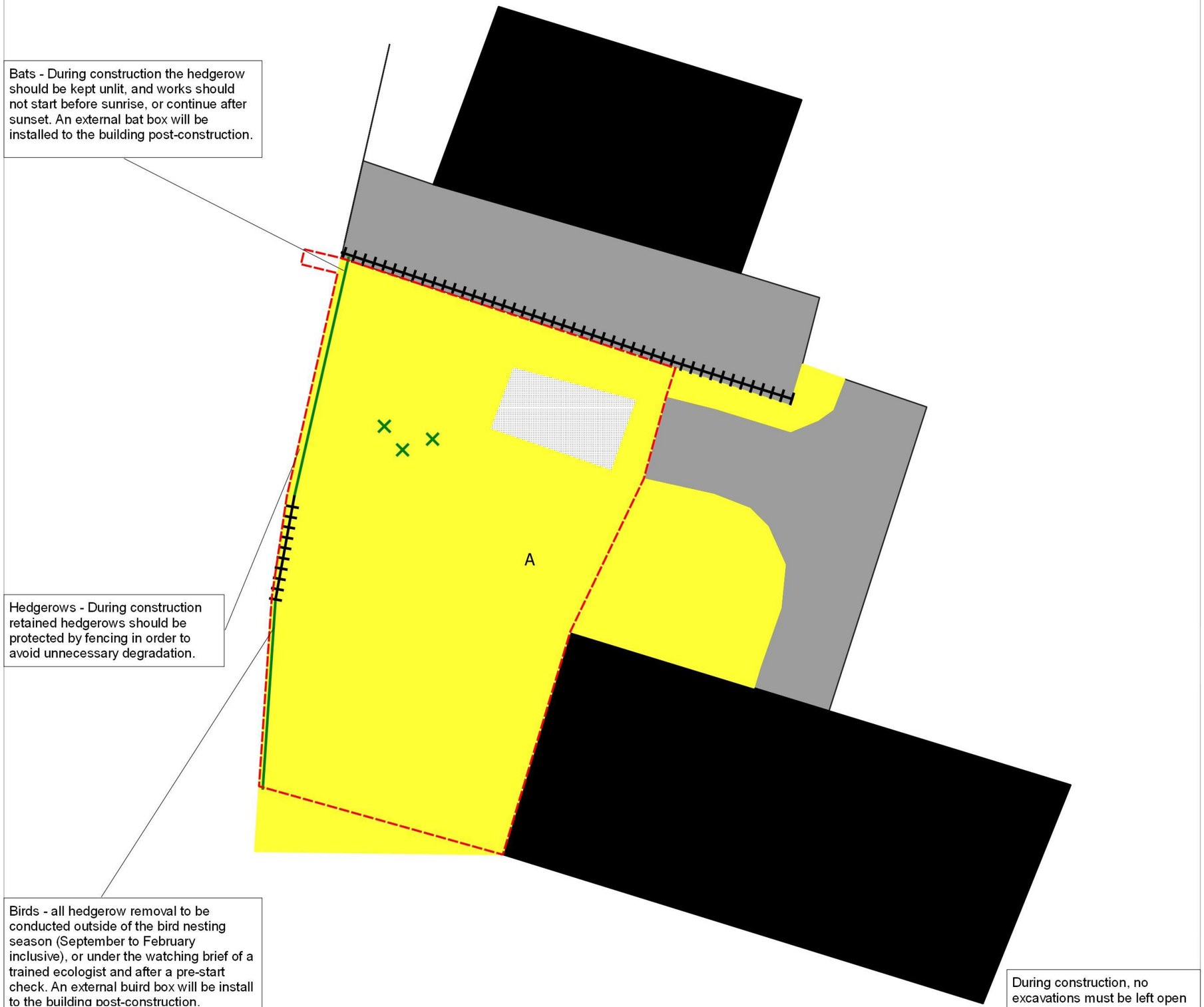

Key:

- Site Boundary
- Scattered scrub
- Native species-poor hedgerow
- Fence
- A — Amenity grassland
- Buildings
- Bare ground
- Hardstanding

0 4 8 12 16 m

Figure 2:
Ecological Constraints and Opportunities Plan

Project:
Mayfield School, Torquay

Client:
TDA

Date:
22/1/2021

Drawn:
DM

Ref:
1248-EcIA-F2

Revision:
-

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Appendix 1 – Glossary of Terms

Annex I	Threatened bird listed on Annex I of the EC Birds Directive
Annex II	Habitats and species of community interest whose conservation requires the designation of SACs
BAP	Biodiversity Action Plan
BNG	Biodiversity Net Gain
BoCC	Bird of Conservation Concern (published by Eaton *et al*., 2015).
CEMP	Construction Environmental Management Plan
EPS	European Protected Species
HPI	Habitat of Principal Importance required under Section 41 of the NERC Act 2006
JNCC	Joint Nature Conservation Committee
LBAP	Local Biodiversity Action Plan
LEMP	Landscape and Ecology Management Plan
NERC Act	Natural Environment and Rural Communities Act 2006
NVC	National Vegetation Classification Survey
SAC	Special Area of Conservation
SPA	Special Protection Area
SPI	Species of Principal Importance required under Section 41 of the NERC Act 2006
SSSI	Site of Special Scientific Interest
WCA	Wildlife and Countryside Act 1981(as amended)

Appendix 2 – Devon Wildlife Checklist

Species - terrestrial, intertidal, marine	Walkover shows that suitable habitat present and reasonably likely that the species will be found? Tick or cross	Detailed survey needed to clarify impacts and mitigation requirements?	Detailed survey carried out and included?	Species Present or Assumed to be present on site Indicate with P or A and name the species	Impact on species?	Detailed Conservation Action Statement included? Sets out actions needed in relation to avoidance, mitigation, compensation, enhancement	EPS offence committed? Three tests met?	Grid ref for specific location of species (for large sites)
Bats (roost)	X							
Bats (flight line / foraging habitat)	X							
Dormice	X							
Otters	X							
Great crested newts *(*check consultation zone)*	X							
Cirl buntings (*check consultation zone*)	X							
Barn owls	X							
Other Schedule 1 birds	X							
Breeding birds	✓	X	X	A	Negligible	Y	X	
Reptiles	X							
Native crayfish	X							
Water voles	X							
Badgers	X							
Other protected species	X							
UK BAP priority species	X							
Devon BAP key species	X							
Invasive species	X							

Designation Terrestrial, intertidal, marine	Within site or potential impact. Tick or cross	Name of site / habitat	Detailed Conservation Action Statement inc. in report?	Habitat balance sheet included (showing area of habitats lost, gained & overall net gain)	Relevant organisation consulted & response included in the application?
Statutory designations					
European designations - Special Area of Conservation (SAC), Special Protection Area (SPA) and RAMSAR site or within Greater Horseshoe consultation zone	x	Lyme Bay and Torbay Marine SAC	n/a	n/a	
Site of Special Scientific Interest (SSSIs)	x	Babbacombe Cliffs SSSI and Lummaton Quarry SSSI	n/a	n/a	
Marine Conservation Zone (MCZ)	x	Torbay MCZ	n/a	n/a	
Local Nature Reserve (LNR)	X				
Non statutory wildlife designations					
County Wildlife Site (CWS)	X				
Ancient woodland	X				
Special Verge	X				
UK BAP Priority habitat	X				
Local Biodiversity Network (mapped by Devon Wildlife Trust / through Green Infrastructure work)	X				
Non statutory geological designation					
County Geological Site (CGS or RIGS)	X				

Appendix 3 – Planning Policy and Legislation

Habitat and Species Legislation

Species and habitats receive legal protection in the UK under various legislation, including:

- The Wildlife and Countryside Act (WCA) 1981 (as amended);
- The Conservation of Habitat and Species Regulations 2017 (as amended);
- The Countryside Rights of Way (CRoW) Act 2000;
- The Hedgerows Regulations 1997;
- The Protection of Badgers Act 1992; and
- The Natural Environment and Rural Communities (NERC) Act 2006.

Where relevant, this report takes into account the legislative protection afforded to specific habitats and species.

National Planning Policy Framework

The National Planning Policy Framework (NPPF) sets out the Governments planning policies for England and how local planning authorities should incorporate them into their own policies and plans. Chapter 15 of the NPPF contains several policies targeted at enhancing the natural environment and requires local authorities to consider how impacts on biodiversity can be minimised and provide net gains in biodiversity. Paragraph 170 states that:

"Planning policies and decisions should contribute to and enhance the natural and local environment by:

a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan);

b) recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland;

c) maintaining the character of the undeveloped coast, while improving public access to it where appropriate;

d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures;

e) preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans; and

f) remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate."

Additional Planning Practice Guidance (PPGs) supports the NPPF and includes guidance on:

- Landscape;
- Biodiversity, ecosystems and green infrastructure; and
- Brownfield land, soils and agricultural land.

Torbay Local Planning Policy

The new Torbay Local Plan 2012-2030 was adopted in December 2015. It provides the basis for planning decisions within Torbay including Torquay, Paignton and Brixham, and contains various strategic policies and plans. Policies and plans relating nature conservation and biodiversity include:

Aspiration 3:

- Policy SS8 - Natural Environment
- Policy SS9 – Green Infrastructure

Countryside Coast and Greenspace:

- Policy C1 – Countryside and the Rural Economy;
- Policy C2 – The Coastal Landscape
- Policy C3 – Coastal Change Management;
- Policy C4 – Trees, Hedgerows and Natural landscape Features;
- Policy C5 – Urban Landscape Protection Areas; and,
- Policy NC1 – Biodiversity and Geodiversity

UK Post-2010 Biodiversity Framework

The UK Biodiversity Action Plan (UK BAP) was succeeded in 2012 by the 'UK Post-2010 Biodiversity Framework' which demonstrates a whole-environment strategy on how the UK contributes to achieving the Convention on Biological Diversity's (CBD) 20 Aichi Biodiversity Targets. In England, 'Biodiversity 2020: A strategy for England's wildlife and ecosystem services' (Defra, 2011) sets out the strategic direction for biodiversity policy in the future. The former UK BAP was used to draw up lists of species and habitats of 'principal importance' which continue to be regarded as priorities under the Post-2010 Biodiversity Framework and are identified under Section 41 of the NERC Act 2006; these species have been considered throughout this report.

Devon BAP

The Nature of Devon – A Biodiversity and Geodiversity Action Plan was revised by the Devon Biodiversity Partnership in 2005. The document takes into account the objectives and targets of the former UK BAP and translates these within a local context. The Plan contains action plans for five common themes, 20 key habitats and 20 key species, which are a consideration in planning decisions

Appendix 4 – Desk Study

Method

A desk-based study was undertaken in January 2021 whereby:

An internet search was undertaken to identify statutory sites designated for nature conservation value within a 2km radius of the Site boundary, using the Government's mapping website MAGIC (www.magic.gov.uk). A search was also made of MAGIC for European Protected Species licences issued by Natural England in the surrounding area.

Aerial photography of the wider area was also reviewed to identify possible important habitat features for bat activity.

Results

Designated Sites

A summary of designated sites within the search area is provided in **Table 2**.

Table 2: Designated sites records within 2km of Site boundary, 10km for European sites.

Site Name	Proximity to Site	Description
Statutory Designated Sites		
Lyme Bay and Torbay SAC	800m east	Lyme Bay and Torbay Special Area of Conservation (SAC) (designated in September 2017) comprises reefs and partially submerged/submerged sea caves of International importance.
Torbay MCZ	800m east	Torbay Marine Conservation Zone (MCZ) (designated in 2013) occurs along the coastline and includes some of the areas designated in the SAC above. This site is of National importance
Babbacombe Cliffs SSSI	0.9km South	In the northern part of the site, the Oddicombe Breccias of Permian age are faulted against the Devonian limestones of Petit Tor. Devonian rocks in the southern part of the site include the type section of the Babbacombe Shales, which have yielded a rich goniatite fauna of early Frasnian age.
Lummaton Quarry SSSI	1.3km South east	Important for its exposure of the lower horizons of the overlying Barton Limestone, the Lummaton Shell Beds Member. This unit comprises discontinuous pockets and lenses containing an extremely rich shelly fauna of Givetian age.

EPS Mitigation Licences

No EPS Mitigation Licences were returned within 1km of the Site.

Priority Habitats

No habitats of principal importance (HPI) were shown using MAGIC within or adjacent to the Site boundary.

Appendix 5 – Extended Phase 1 Habitat Survey

Method

A site walkover was undertaken in accordance with the Joint Nature Conservation Committee's Phase 1 Habitat Survey methodology (JNCC 2010) on 20 January 2021 by Declan Murphy BSc (Hons) MRes ACIEEM when weather conditions were inclement.

All habitats within the Site were identified, described and mapped during the field survey, and a non-exhaustive botanical species list compiled. Plant names follow Stace (2019). The survey was extended to highlight the potential presence of protected and priority species in accordance with CIEEM's Guidelines for Preliminary Ecological Appraisal (2017). This involved a search to identify the presence or potential presence of notable and protected species such as breeding birds, badger *Meles meles*, dormouse *Muscardinus avellanarius,* bats, reptiles and amphibians. Target Notes (TNs) were used to record any features or habitats of ecological interest.

Where access allowed, adjacent habitats were also considered in order to assess possible impacts of the proposal in a wider context.

A digital map was produced using QGIS (QGIS Development Team (2018) Geographic Information System Open Source Geospatial Foundation Project). The Phase 1 Habitat map is shown in **Figure 1**. A plant species list is provided below.

Results

Habitat Descriptions

The Site comprised four habitats. Photographs and brief descriptions are provided below, including a list of dominant vegetative species within each habitat.

Table 3: Habitat Summaries

Habitat Summary	Photograph
Amenity Grassland. Comprised perennial rye-grass, Yorkshire fog, white clover and ribwort plantain.	
Species poor hedge. Comprised hazel, blackthorn, and ivy.	

Habitat Summary	Photograph
Building	
Scattered hazel scrub