
From: Ben Rainbow
Sent: 30 November 2021 12:28
To: Claire Turner
Cc: planning; David Massheder
Subject: WD/2021/2198/MAO LAND AT BIRD IN EYE FARM, SOUTH OF BIRD IN EYE HILL, FRAMFIELD, TN22 5HA

Categories: Consultee

Dear Claire,

Please find below my ecology consultation for this application:

Ecological Survey Reports

The following documents are deemed to have been generally undertaken to best practice standards (including CIEEM guidelines for Preliminary Ecological Appraisal 2017, Guidelines for Ecological Impact Assessment 2018 and Government guidance on DEFRA Biodiversity Metric):

- Ecological Impact Assessment dated June 2021
- Biodiversity Net Gain Assessment dated June 2021

Comments are provided below regarding ancient woodland.

Protected Species and European Protected Species

Protected species surveys are deemed adequate to inform the application with appropriate methodology and survey effort. Recommendations for adequate avoidance, mitigation and compensation have been provided. The EclA states the development is largely set back from boundaries to maintain ecological functionality and dark corridors and a sensitive lighting strategy is proposed. It is noted further survey for bats may be required should further tree removal be required.

Ancient Woodland, Irreplaceable Habitat

The ancient woodland (AW) has been identified as diverse and generally in good, undisturbed condition. A minimum 15 metre buffer zone has been proposed from development to ancient woodland, this is greater in places and appears to have been taken account of in proposed development design.

The ancient woodland is omitted from the red line boundary of the site and enhancement measures are not proposed, despite the woodland being subject to higher levels of indirect impacts post-development – light, noise, potential for trampling. As per Natural England's comments: *"In our previous discussions, we also recommended that some management of the ancient woodland is provided within the management scheme. From reviewing the SANG Management Plan, it is not clear if this consideration has been included, we therefore advice that some management to ancient woodland is factored in to the final SANG management scheme"*.

The development proposes construction of a pathway through the ancient woodland between development area and proposed SANG. The level of pedestrian impact on the site will significantly increase leading to greater impacts: direct impacts of trampling, compaction & disturbance of ancient woodland habitat and indirect impacts including noise and disturbance. The application (EclA) proposes construction of a path on the ancient woodland habitat using bark chip. This is not deemed a long-term sustainable option as this substrate degrades leading to a wet muddy surface, encouraging users to walk on alternative woodland

habitat to avoid. Bark chip may also negatively impact ancient woodland soil ecology. In Natural England's consultation response they state: *"further details are required to show that impacts to ancient woodland habitat can be prevented; - We still recommend that boarded paths are installed through areas of woodland as this will ensure functionality of the paths during the wetter months."* Further information should be provided on how the development can avoid direct and indirect impacts on ancient woodland and demonstrate AW ecological enhancement.

The EclA states the development proposes loss of ancient woodland to accommodate/facilitate a new drainage outfall which will extend from the attenuation basin in the south-western corner of the site, towards Framfield Stream. This is contrary to section 180 c) of the National Planning Policy Framework 2021: *"Development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused"*.

Comments submitted with the application (332510180/2001/TAU/LD/ET/ASm) state intention for site drainage infiltration testing to be undertaken at the reserved matters stage. Whilst this may be deemed acceptable from ESCC's LLFA officer's consultation with regard to drainage/flooding, it is not deemed acceptable on ecology grounds as impact/loss of irreplaceable habitat AW is a material consideration. Should drainage not be able to be accommodated through onsite infiltration, drainage features onsite would result in direct loss of AW. The loss of AW irreplaceable habitat is deemed unacceptable and whether infiltration can be accommodated onsite, negating proposals for drainage through AW, should be confirmed prior to determination.

Recommendation

Ecological objection: Current proposals would result in indirect and direct (degradation and loss) of ancient woodland, irreplaceable habitat, contrary to:

- National Planning Policy Framework 2021, section 180c
- Natural England Standing Advice, ancient woodland & veteran trees
- Wealden Local Plan 1998, saved policy EN13

Regards,

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