

## **AVDC ECOLOGY UPDATE 2017**

### **1 Purpose**

- 1.1 This report provides a 12 month update of our Ecology Service. It identifies protected species and habitats in need of management, at risk of decline, shows how the council is managing protected species, and how AVDC policy and volunteer groups are contributing to habitat and species conservation.

### **2 Recommendations/for decision**

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| <p>2.1 That the Committee note the contents of the report, achievements over the past 12 months, and recognise the contribution volunteer groups are making towards maintaining and improving habitats and species across the Vale.</p> |
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### **3 Executive summary**

- 3.1 The Ecology Service is now part of the Environment Team, Regulatory Services in the Customer Fulfilment Sector.
- 3.2 The service contributes to Development Management by providing customers with a charged for pre planning application service to carry out checks for protected species and provides consultee comments on planning applications, including East-West Rail and HS2.
- 3.3 Involvement in key projects includes the Kingsbrook Development in Aylesbury delivered by Barratt David Wilson Homes (with input from the Royal Society for the Protection of Birds), a great crested newt pilot project, the Berryfields mitigation scheme, and contributions to the Vale of Aylesbury Local Plan policies.
- 3.4 Our Ecologist continues to support several volunteer groups across the Vale including the River Thames Conservation Trust, Vale Countryside Volunteers, Bucks Owl and Raptor Group, Aylesbury Peregrine Falcon Project, North Bucks Bat Group, UK Black Poplar Group, and other species conservation projects.
- 3.5 Volunteers have been invited to the committee meeting to give a brief insight into their contribution:
- Doug Kennedy from Save the River Thames (now amalgamated with The River Thames Conservation Trust).
  - Natalie Brehan from The River Thames Conservation Trust.
  - Alex Matthews from Bucks Owl and Raptor Group and it's hoped that Alex will be accompanied by George, a captive bred Owl.

### **4 Council Reorganisation**

- 4.1 Following the council wide reorganisation the ecology service sits within the Environment Team in Regulatory Services, part of the Customer Fulfilment sector. The team is managed by Gareth Bird who reports to Lindsey Vallis, Group Manager – Regulatory Services.

- 4.2 In addition to Ecology the Environment Team includes Heritage and Conservation, Parks and Green Infrastructure, Pollution Control, and Trees.
- 4.3 Having direct links between ecology and heritage has proved beneficial given that many old properties are home to bats. Links between ecology and parks continues with volunteers assisting with habitat management on AVDC land and ecology inputting to park management. The relationship with trees continues in both planning work and with ecology input on tree management and planting schemes on AVDC land.
- 4.4 There is one Ecology Officer whose key responsibilities are to contribute to the delivery of national conservation projects, provide specialist advice, guidance and information on ecology, biodiversity and conservation including protected species and habitats across Aylesbury Vale. Additional responsibilities during the last 12 months relate to major infrastructure proposals including HS2 and East West Rail along with Local and National Policy developments relating to the Vale of Aylesbury Local Plan and Natural England's review on District Licensing for Great Crested Newts.

## **5 Development Management**

- 5.1 The prepaid service for planning pre application advice is still provided and offers customers the opportunity for our Ecology Officer to undertake a site visit to check for protected species. This can prevent delays to applications as it identifies the need for further detailed protected species assessments early in the application time frame. Species specific surveys are often constrained to certain times of the year reflecting when particular species are active. By identifying the need for such assessments early on in the planning process the developer has the ability to factor in this need around their aspirations. This information is essential for any development requiring European Protected Species Licence applications from Natural England. Information on our website is to be reviewed so it's easier for customers to purchase this service.
- 5.2 Screening criteria to guide planners on when to consult our Ecology Officer on planning applications has been updated and shared with the delivery teams. As a precaution planning decision notices include the below note on protected species, which highlights the importance for applicants to take action if protected species are discovered during development. Training for the Planning Technicians on the use and the importance of the screening criteria is being arranged:
- Certain wild plants and animals are protected under UK and European legislation. Approval under that legislation is required if protected habitats or species are affected by development. If you discover protected species proceeding with the development without seeking advice from Natural England could result in prosecution. For further information or to obtain approval contact Natural England. Further details are contained in our leaflet 'Biodiversity and the Planning process'.*
- 5.3 Consultancy services have been employed to support and sustain the delivery of expert ecological advice during periods of leave or when service demands are significant. During the financial year 2017/18 a total of 46 hours/6.3 days have been provided by Swift Ecology to date. This approach has been successful in bolstering internal resources to support planning application demand. Checks are made to ensure there is no conflict of interest, which could arise should Swift Ecology be employed by the developer.

- 5.4 The Ecology Officer is anticipated to comment on over 500 planning applications in 2017 and endeavours to ensure a reliable service is provided. This year the Ecology Officer will be contributing to the tree and landscape surgeries offered to Planning Officers, which provides the opportunity to discuss issues arising from planning applications. In addition to the surgeries, sessions for planning apprentices are planned to ensure that they are fully aware of the councils responsibilities regarding nature conservation and development.

#### Kingsbrook

- 5.5 The Kingsbrook development has received national interest from a number of organisations. The pace of construction has increased three fold as units are selling well. The developer has sited the relationship with the Royal Society for the Protection of Birds (RSPB) and the nature conservation focus of the site as one of the primary contributory factors to the successful sales on this site.
- 5.6 In September 2017 the Housing Minister for England, Alok Sharma visited the site and in October 2017 a national stakeholder event with representatives from across the UK's nature conservation network also visited the site. In both instances the developers unique relationship with the RSPB was upheld as an example of how nature and housing can be better integrated. The AVDC planning committee also visited the site as part of their annual tour of the Vale.
- 5.7 The next phase of this development will be planning for the nature reserve and visitor centre, which the RSPB are likely to manage upon completion.

#### HS2 and East West Rail

- 5.8 East West Rail (EWR) Alliance has informed AVDC there will be a number of planning applications submitted before July 2018 to cover works commencing before the agreed Transport and Works Act Order (TWAO). These early works are on the Claydon section that are intended to be combined with HS2 works.
- 5.9 These early applications will almost certainly have a high level of ecological input as this section of the rail line is the most sensitive ecologically.
- 5.10 It is anticipated that the full environmental statement for the whole EWR line will be provided in January 2018, which will require consideration for ecology matters. Costs are covered by EWR.
- 5.11 HS2 have submitted 20 planning applications, these have been covered by a consultant with the oversight of our Ecology Officer.

### **6 Great Crested Newt Pilot**

- 6.1 Natural England is in the process of improving their protected species licence procedure for Great Crested Newts.
- 6.2 Currently three types of licenses are available; to undertake development or other work that may affect these protected species, survey and research license, and possession and sale license.
- 6.3 From 2018 new 'District Licences' will be available within Aylesbury Vale through a project being delivered by the Nature Space Partnership. Piloted initially at Woking

Borough Council in Surrey this new approach focuses on bringing the greatest benefits to GCN while streamlining the licensing process for developers.

- 6.4 AVDC has entered into the pilot scheme with five other authorities. The scheme is due to receive a licence in November 2017 and commence January 2018. It is expected that Natural England will no longer issue GCN licences by 2020.
- 6.5 The premise to district licencing is that development will be assessed for GCN habitat impact. Maps for Aylesbury Vale are being drawn up by Nature Space identifying high, medium and low potential for GCN. The impact of each development will then be assessed using a metric. The higher the impact the greater mitigation measures will be required.
- 6.6 This method eliminates the need to survey for individual specimens and will ultimately create new habitat off site. This pilot is fully supported by The Reptile and Amphibian Trust and The Fresh Water Habitats Trust. Two of the UK's leading scientists in amphibian conservation are advising.
- 6.7 The scheme's providers recognise additional resources will be required within districts signing up this pilot. As such funds for districts to employ a support Ecology Officer are being made available. It is intended a fixed term post for AVDC will be recruited in January 2018. This post will initially be concentrating solely on the extra work load the GCN pilot will generate.

## **7 Vale of Aylesbury Local Plan**

- 7.1 Guidance has been provided to the Forward Plans Team on policy formulation to ensure the ecology sections of the Vale of Aylesbury Local Plan provide robust protection for habitats and species across the Vale. The Buckinghamshire and Milton Keynes Natural Environment Partnership (NEP), which AVDC is a financial contributor to and partner of have worked closely with us on this project.
- 7.2 Ecology related polices contributed to include:
  - NE1 Protected Sites.
  - NE2 Biodiversity and Geodiversity.
  - NE3 Rivers and streams.
  - NE9 Trees, Hedgerows, and Woodlands.
- 7.3 A Rivers and Streams Supplementary Planning Document (SPD) has been drafted and is currently being circulated to relevant nature conservation organisations to ensure developments do not have a detrimental impact on water courses.
- 7.4 A Biodiversity Offsetting SPD is being produced based on a countywide strategy drafted by the NEP. This document will provide developers with clarity on what measures will be expected on all developments after VALP has been adopted.

## **8 Berryfields Mitigation: Hedgerow Havens Project**

- 8.1 An innovative partnership with the local Wildlife Trust is being fostered to support and deliver projects through the Berryfields Mitigation Fund.
- 8.2 This scheme will focus on hedgerow restoration, management and establishment in the area around the Berryfields development in Aylesbury. Opportunities to establish meadows and ponds and will be identified and followed up. All projects directly link to the strategic aims of the funding and where possible will involve the community. A

project officer will be employed by the Bucks, Berks, and Oxon Wildlife Trust commencing Spring 2018.

## **9 Volunteers**

- 9.1 Critical to the success of the ecology service is input from numerous voluntary conservation groups across the Vale. Our Ecology Officer provides some support to these groups and in return a significant and positive impact is provided to protecting species and habitats across the Vale.

### River Thame Conservation Trust

- 9.2 This group is hosted by the Freshwater Habitat Trust and now has a paid member of staff. It was volunteers carrying out invertebrate sampling that first noticed the pollution incident at the Haydon Hill Sewage treatment works two years ago. Thames Water were fined over £40m for this incident. A partnership meeting between interested parties was created prior to the court case.
- 9.3 These partnership meetings have fostered closer relationships between all the parties concerned with water courses. A far more robust monitoring schedule has been implemented by Thames Water and funds are being invested to establish projects across the Vale within the River Thame catchment.
- 9.4 Doug Kennedy from Save the River Thame (now amalgamated with The River Thame Conservation Trust) has been invited to present a short piece relating to his experience of volunteering with this group and how AVDC form a critical element going forward.
- 9.5 Natalie Brehan from The River Thame Conservation Trust will present some of the projects that have been implemented in the Thame Catchment in the Vale.

### Vale Countryside Volunteers

- 9.6 Vale Countryside Volunteers (VCV) continue to provide first class practical conservation tasks across the district, working closely with AVDC, the Local Wildlife Trust, and the National Trust. In the last 12 months VCV have carried out the equivalent of almost 500 volunteer work days.
- 9.7 AVDC Parks and Tree Officers have utilised VCV expertise and practical support on a number of AVDC open spaces across the Vale including sites at Aylesbury, Buckingham, Wendover, and Winslow. These sessions enable work to be carried out on site often with the help of local residents. These tasks provide real conservation gains, engage the community, and provide health benefits to those participating.
- 9.8 Information about the group and a working party diary is available on the VCV website: <http://www.vcv.org.uk>

### Bucks Owl and Raptor Group

- 9.9 Established as an independent voluntary group from the legacy of the Heritage Lottery Funded project 2010-2013 the Bucks Owl and Raptor Group (BORG) monitors over 300 boxes across the Vale.
- 9.10 Active boxes have birds rung as part of the British Trust for Ornithology national monitoring scheme. The group provides a key link with landowners across the Vale,

and by fostering close relationships with landowners many other habitat and species enhancements can be influenced.

- 9.11 The species records generated provide vital information towards the planning consultations our Ecology Officer covers.
- 9.12 Alex Matthews from BORG has been invited to give a brief presentation on BORGs role and it's hoped that Alex will be accompanied by George, a captive bred Owl the group use for their Education Programme.

#### Aylesbury Peregrine Falcon Project

- 9.13 This hugely effective project is co ordinated by a few dedicated volunteers. During the breeding season web cameras operate allowing the world to see Aylesbury's Peregrines in all their glory, see: <http://www.aylesburyperegrine.org.uk>.
- 9.14 In 2017 the site was viewed by people from across the world with comments from Australia, Japan and, USA recorded. The residents and visitors to Aylesbury once again watched events from the Market Square. Volunteers from the main ornithological groups in the district supported these events and the Bucks County Museum once again linked up to the project with interactive displays.
- 9.15 Unfortunately the chick perished just after fledging, demonstrating just how vulnerable these animals can be. A poignant end to the 2017 breeding season, but still show cased Aylesbury Vale as a district that has a thriving interest in wildlife.

#### North Bucks Bat Group

- 9.16 The Group are the lead organisation for Bat Conservation across Buckinghamshire. A number of critical projects surrounding the Bernwood ancient woodland have been instrumental in influencing HS2 proposals. Data from the monitoring scheme is being used to provide information on the potential impact of HS2 on species such as the Bechstein Bat.
- 9.17 The data the Group produces is essential to understanding bat distribution across the Vale. This data is used in a planning context to help understand the potential impacts development may have on bats in the Vale.
- 9.18 The work the Group does in the community through events and talks is essential in educating the general public on bat ecology.
- 9.19 It is anticipated that Natural England will be looking at the success of the GCN district licence scheme and in the near future may look at a similar scheme for bats. This is considered to be far more complicated and will require the considerable knowledge resource the Bat Group has generated over the 15 years of it's existence.

#### UK Black Poplar Group

- 9.20 A new national Black Poplar tree nursery is being established at Lindengate mental health charity in Wendover with the help of volunteers. The nursery will grow trees that can be purchased by developers needing to plant large quantities of this rare priority species across the Vale.
- 9.21 The scheme has a close relationship with Forest Research and The Royal Botanic Gardens, Kew with a new clone established from seed of trees in the Vale.

- 9.22 Work began during Summer 2017 to establish the nursery with help from VCV and Lindengate volunteers. The nursery should be established fully by December 2017 with rooted plants grown from seed and cuttings available Autumn 2018.

#### Other Species Conservation Projects

- 9.23 There are a number of other smaller conservation projects that are being established. These are supported by volunteers and given time will become more prevalent in the future.
- 9.24 These include the River Ouse Otter and Water Vole project the profile of which will be raised with the inclusion of the National Trust site, Stowe Gardens as Otters are now in residence on site. With populations of both otter and water vole expanding in this region all parties are looking to establish a second water vole reintroduction project and are fostering links with academic establishments to ensure long term monitoring is established.
- 9.25 The Aylesbury Vale Swift Project is establishing itself alongside the Oxford group and major house building schemes. Incorporating this species into the fabric of the development provides the potential to generate new colonies.

### **10 Resource implications**

- 10.1 AVDC ecology resource is provided entirely within the existing budget of Regulatory Services. The planning function of this role is covered by the planning application fee set by central Government or by the fee charged for pre application advice.
- 10.2 Funding for ecology schemes in new developments is provided through Section 106 legal agreements funded by developers.
- 10.3 HS2 and EWR are covering costs related to their projects.
- 10.4 The benefit of volunteering in terms of the number of work days and our ability to implement policy in relation to ecology is considerable. This enables many of the planning gains required under the current National Planning Policy and ensures that our local policy can be fully achieved.

### **11 Response to Key Aims and Objectives**

- 11.1 Provide customers with a pre planning application service to carry out site visits to check for protected species.
- 11.2 Establish robust ecology policies for VALP, including working with the NEP to secure a consistent approach across Milton Keynes and Buckinghamshire.
- 11.3 Partnership working with national bodies, to influence national strategy and to ensure our approach meets statutory obligations.
- 11.4 Encourage higher environmental standards and infrastructure in new development, including major infrastructure projects such as HS2 and East West Rail.
- 11.5 Support the voluntary and community sector through involvement, information, training and funding.
- 11.6 Manage and protect designated wildlife sites and AVDC land.

11.7 Review ecology information on our website to improve visibility of services and contribute to AVDC news, and updates to local newsletters and local area forums.

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Background Documents

Environment and Living Scrutiny Ecology Update November 2016

Vale of Aylesbury Local Plan November 2017