OLD WOOD ENERGY PARK
APP REF: 24/00161/FUL
ECOLOGY RESPONSE NOTE

Background

This Ecology Response Note has been written in response to comments received by the Council's Ecologist and the Nottinghamshire Wildlife Trust dated the 30th May 2024 and 12th April 2024 respectively, as part of consultation on the planning application for Old Wood Energy Park (application reference: 24/00161/FUL), which is for the construction, operation and subsequent decommissioning of a renewable energy park comprising ground mounted Solar PV with co-located battery energy storage system (BESS) at the point of connection, together with associated infrastructure, access, landscaping and cabling (the proposed development). The Development is located on land north of Wysall Road (the southern parcel, which includes part of the solar farm, the substation and the BESS) and land west of Bradmore Road (northern parcel, which includes the rest of the solar farm).

There have been some minor changes to the layout and the Landscape Strategy which has resulted in the need for the Biodiversity Net Gain Assessment to be updated. The amended Landscape Strategy and the updated BNG assessment are summarised with in the note and submitted separately. In addition a new plan has been produced titled Green Infrastructure Plan, to illustrate the green habitat corridors that will result with the Development and its Landscape Strategy implemented, this is referenced in this note and also appended in Appendix A. The revised Site Layout Plan submitted to the Council also includes with orange labels distances between fencelines and boundary features across the site to aid with understanding offset distances given the scale of the map.

Council Ecologist Comments

In summary the Council Ecologist concluded that: *"It is unlikely that this development will have a detrimental impact on populations of protected species provided the proposed reasonable avoidance measures, mitigation and enhancements are implemented."*

Recommendations for reasonable avoidance measures and enhancement are set out in the EcIA (see Table 14). These, along with any relevant recommendations within the Council's standing advice1, should be implemented as a condition of any planning permission. The onsite biodiversity enhancements should be detailed in a Biodiversity Net Gain Plan, which should be subject to a planning condition requiring the plan to be submitted and approved by the planning authority before commencement of the development. Additionally a Habitat Management and Monitoring Plan (HMMP) is also required to be submitted to and approved by the planning authority before commencement of the Development. This approach is acceptable to the Applicant.

There is one point raised by the Council Ecologist which requires clarification. This is copied below in italics and a response to this has been provided by Clarkson & Woods, Independent Ecological Consultants engaged on this project:

"The survey recorded Great Crested Newts on within four ponds on and around the site reasonable avoidance measures and enhancement measures should be implemented. I note the site lies partially with the area identified by natural England has having medium risk of impacting Great Crested Newts, Rushcliffe is now part of the Natural England District Level Licencing Scheme (DLL) for Great Crested Newts, the applicant can consider joining the DLL scheme and paying compensation or alternatively an assessment of the risk to GCN must be included in ecological surveys and they must set out any measures which they propose to take to safeguard against significant risks. This may result in the need for a GCN site mitigation licence if the developer chooses not to use DLL."

As noted within the EcIA in Section 2.5, four of the sampled ponds within 250m of the site boundary returned positive results for GCN eDNA, with only Pond 10 (in the southern parcel) being within the site

[1] https://www.rushcliffe.gov.uk/environment/ecology-in-planning-and-biodiversity-net-gain/

boundary. As an inherent avoidance measure worked into the development proposals, all untested ponds and all GCN positive ponds are to have a 50m no-works buffer implemented from their banks, as well as a 10m no-works buffer for all GCN negative ponds. We acknowledge that both District Level Licencing and site GCN licences may be necessary in cases where there is a significant risk of harm to GCN during works. Consequently, as set out within the EcIA in section 3.5.34 onwards, the case was put forward for employing a precautionary working methodology rather than a mitigation licence in this instance, owing to the low assessed risk to GCN during construction. Due to undertaking the inherent avoidance measures described above, as well as noting that the current habitat on site is sub-optimal at best for GCN due to regular agricultural disturbance, it is highly unlikely that any GCN will be encountered during the construction phase of works.

The 50m buffers will protect any suitable GCN habitat adjacent to hedgerows and that outside of these buffers, there is no habitat which has been assessed as optimal for GCN, hence the recommendation that a licence is not required in the first instance. The EcIA states that a non-licenced Risk Avoidance Method Statement (RAMS) will be provided within the Construction Environmental Management Plan (Ecology) which should be a condition of planning. The RAMS would detail a precautionary approach to removal of all habitat suitable for GCN, including hedgerows and hedgerow buffers, in which a suitably experienced ecologist will perform a pre-works inspection for GCN, and oversee the habitat removal at appropriate times of year. If any GCN are encountered during construction, then all work would need to cease and an appropriate licence will be sought.

It is not considered necessary to apply for a licence in advance and this approach is proportionate to the quality of habitat on site and the limited extent of habitat removal.

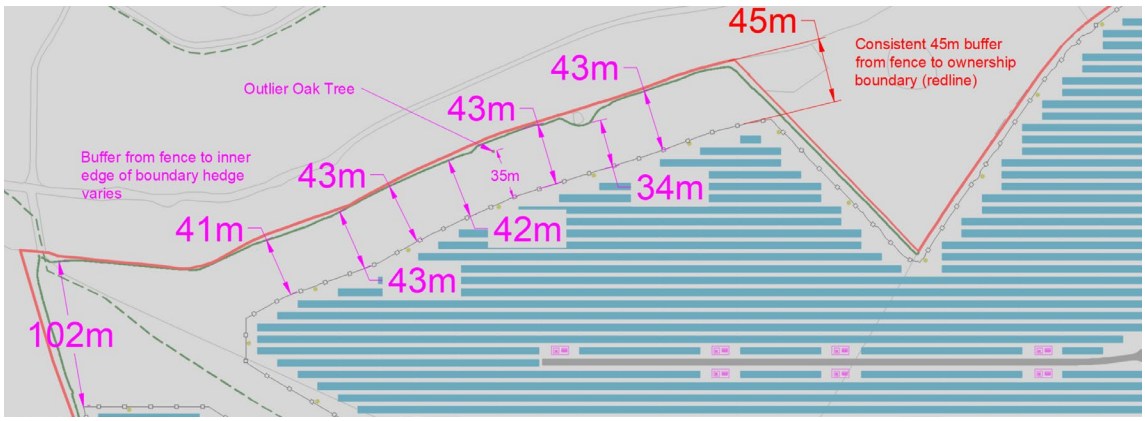
Nottinghamshire Wildlife Trust Comments

The Nottinghamshire Wildlife Trust have commented on a number of points, not all are responded to in this document where the focus has been on clarifications around the offset from Bunny Old Wood to the north and design/ landscape changes to further enhance the provision of green corridors. Where NWT comments are presented they are in italics with a response beneath. It should be noted that in addition to the written comments received the Applicant met with NWT on site.

<u>Impact on ancient woodland</u>

In relation to a 15m development buffer being appropriate, if the application were to be approved, we feel there is a strong argument for a significantly wider woodland buffer in this location, as was included in the layout for adjacent approved Highfields Farm application. We also wish to highlight the 15m is a minimum, with the guidance stating. The reasons why we are taking this standpoint in relation to a requirement for a much wider buffer zone is set out below.

The image below illustrates the maximum and minimum offset distances along northern boundary, adjacent to Bunny Old Wood. As can be seen this ranges from 35 m at the closest to 43 m. This distance is also to the fence with the solar panels at least a further 5 m inside. This is considered to be a significant and substantial buffer of the ancient woodland, and significantly greater than the minimum 15 m.



Flooding

Whilst the topography of the northern parcel falls to the southeast from 90mAOD to 75mAOD, the land immediately adjacent to the ASNW slope towards the woodland's southern boundary. This slope is clearly seen on the topo survey (included at Appendix A of the FRA). No assessment seems to have been made in relation to potential surface water flow (from any precipitation falling on any infrastructure, particularly panels themselves) towards the woodland. There is no assessment of potential impacts on the ASNW in the FRA or EcIA. Such habitat is particularly sensitive to any changes to hydrology, which could lead to significant damaging impacts on the ancient woodland ground flora, or growth and viability of the trees.

The majority of the northern field slopes to the south/ southeast however the land closest to the woodland is relatively flat or does slope very gently north along the northern boundary. There is a very gradual drop of typically between 40-70 cm over a distance of circa 50 m between the solar panels and the woodland edge. Such a change of elevation over that distance, particularly when considering the future ground cover with the Development of a species rich grassland/ wildflower area, would mean any surface water run off would be very unlikely to reach the ancient woodland so no further surface water attenuation above the grassland buffer strip is considered necessary.

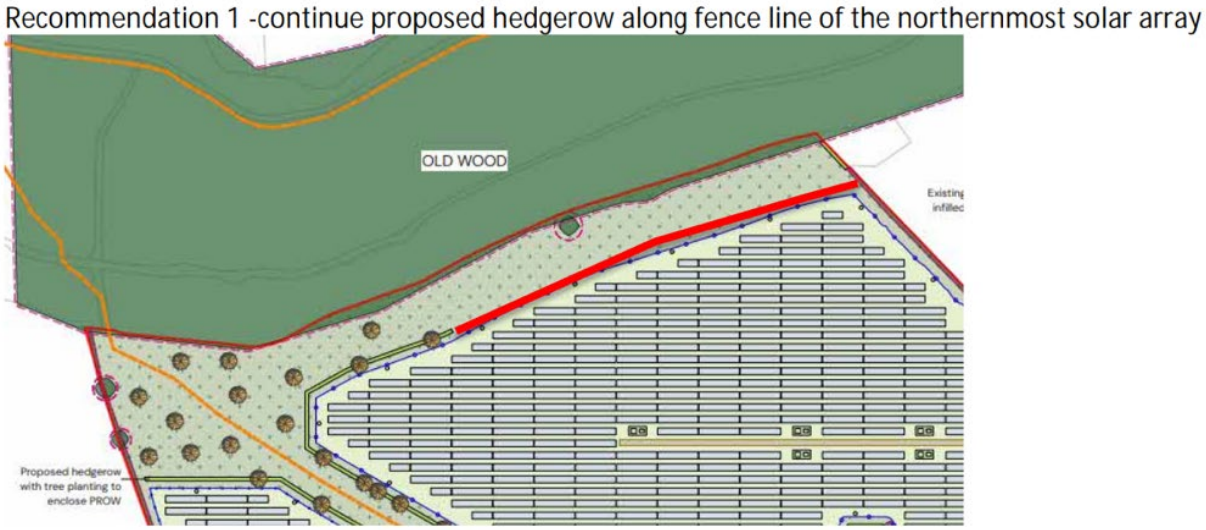
Ash Die Back

As 40m is a cited height of a mature ash tree, we would recommend that a margin of more than 30m is established between the woodland and proposed boundary fencing, to protect the fence and any other valuable equipment and infrastructure, such as panels, in the event of any large trees coming down in the future, should the application be approved.

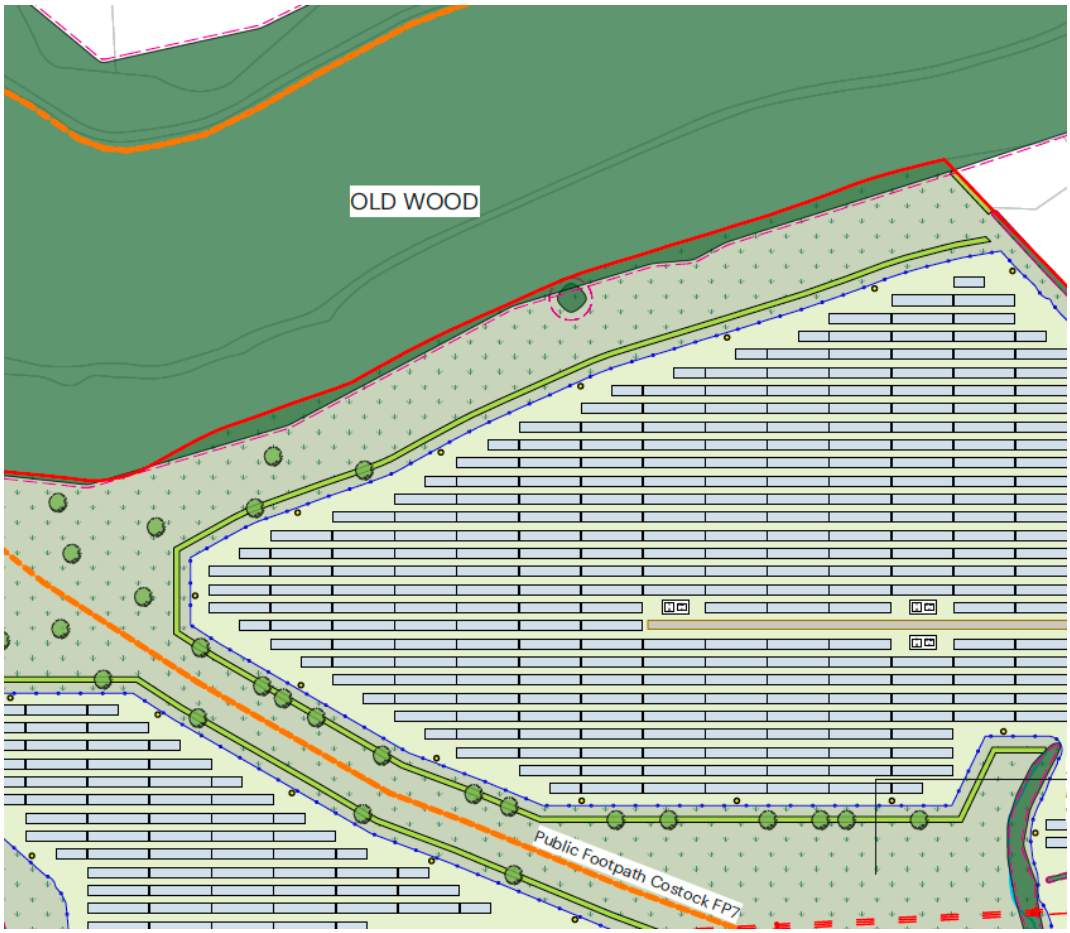
As detailed above, the provided image illustrates the maximum and minimum offset distances along the northern boundary, adjacent to Bunny Old Wood. This ranges from 35 m at the closest to 43 m. this distance is also to the fence with the solar panels at least a further 5 m inside. As a result the above request is met and there is not likely to be any impact on the Development as a result of tree fall from ash die back, should that occur along the northern boundary.

Landscape Plan

A number of recommendations were put forward by the Nottinghamshire Wildlife Trust on the Landscape Strategy:



At the request of NWT this amendment has been made to the Landscape Strategy and the hedgerow is now included all the way along the northern fence line as can be seen by the following extract.



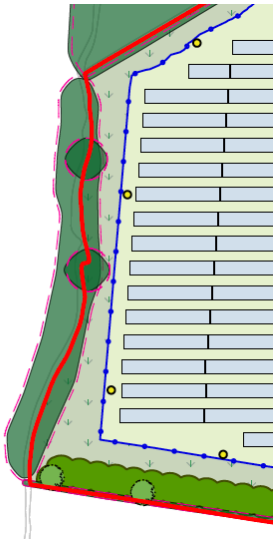
Recommendation 2 -Grassland (meadow linkages improved) across farmland between northern and southern parcels

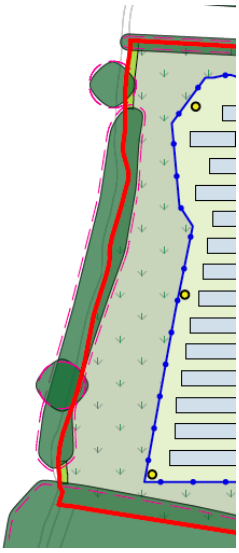
These areas are all outside of the red line boundary and on land for which the Applicant does not have any rights and as such it is not possible to make these changes.

Recommendation 3 – strengthening north south orientated woodland linkages (between Kingston Brook t bunny Wood, via Copses and proposed hedgerow planting along PROW) along western boundary

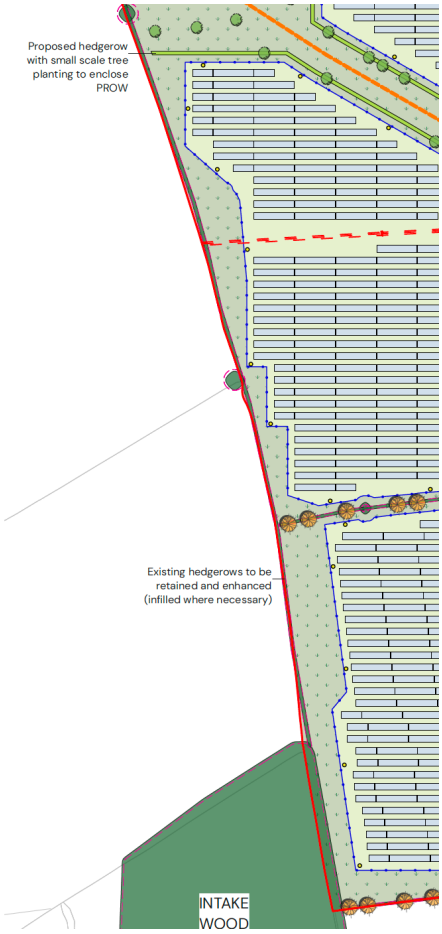
The written comments from NWT were provided before a site visit between Exagen and NWT where it was confirmed, that as shown on the Phase 1 Habitat Plan in the EcIA, that there was an existing hedge with trees in the location indicated between Rough Plantation and the new proposed copse and woodland planting near the centre of the northern parcel. It is therefore not considered necessary to provide any additional hedgerows in this location as originally requested by NWT (first sketch above). This existing hedgerow and the grassland buffer between it and the fenceline will provide a substantial green corridor, approximately 20 m wide.

It is not possible to accommodate the proposed woodland planting to the north and south of Long Plantation (second sketch above) as a result of direct loss of a large number of solar panels but also potential shading effects, however it should be noted that there are existing hedgerows and trees between the new east west copse planting on the southern boundary and Long Plantation and also between Long Plantation and Wysall Rough Plantation so there is already a good north – south green corridor/ network. The Landscape Strategy looks to enhance these on east-west alignments east of Long Plantation and Wysall Rough plantation. Under recent amendments to the design the western fence line has been adjusted with the loss of a very small number of panels and this has resulted in a larger offset between the existing vegetation and the fence to be used as a green corridor. The original layout had a 5 m corridor with the fence offset from the hedge but the revised plan the fence is offset from the solar panels to increase the space outside the fence. Typically this is now around 15 m wide (ranging between 7 m and 25 m south of Long Plantation and ranging between 10 m and 17 m north of Long Plantation. The following two extracts illustrate this but reference should be had to the Landscape Strategy and Green Infrastructure Plan.





In addition to the above changes, during the site visit with the NWT further amendments were discussed to the western boundary of the northern parcel to enhance the green corridor/ network between Rough Plantation/ Intake Wood and Bunny Old Wood. The fence line has also been adjusted in places resulting is the loss of a very small number of solar panels but allowing for a greater amount of land outside of the fence which would be planted as a wildflower meadow mix providing greater value habitat and of a width more useful as a green corridor connecting Rough Plantation/ Intake Wood with Bunny Old Wood. This is typically around 20 m wide but ranging from 6 m at the narrowest pinch point and extending to 33 m at the widest point



Biodiversity Net Gain Update

Following the minor alterations to the design and subsequent amendments to the Landscape Strategy, which also incorporated changes made as a result of the update to the Landscape and Visual Impact Assessment (Pegasus, October 2024), the BNG metric has been recalculated.

In summary the revised BNG delivers 81.94% gain in habitats units (up from 80.65%), 66.24% gain in hedgerow units (up from 62.76%) and 14.4% gain for watercourse units (unchanged from before), all substantially above the legal requirements under the Environment Act. This is included in the updated EcIA and metric spreadsheet submitted to the Council.

Conclusion

The minor design changes made, and alternations made to the proposed Landscaping Strategy, are in response to comments from NWT, which have sought to further ensure effective delivery of biodiversity net gain through the enhancements of green corridors and networks linking existing and proposed areas of copse and woodland planting as shown on the Green Infrastructure Plan.

The BNG metric has been updated and the Development would deliver 81.94% net gain in habitat units and 66.24% net gain in hedgerow units. In addition there would be a 14.4% gain in watercourse units. This demonstrates the substantial biodiversity benefits that would be delivered by the Development.

Significant effects on designated sites or protected species are acknowledged by the Council Ecologist to be unlikely and the ecological effects arising from the Development, including reasonable avoidance measures, mitigation and enhancements, can be appropriately controlled through planning conditions which are suggested by the Council Ecologist and agreeable by the Applicant.

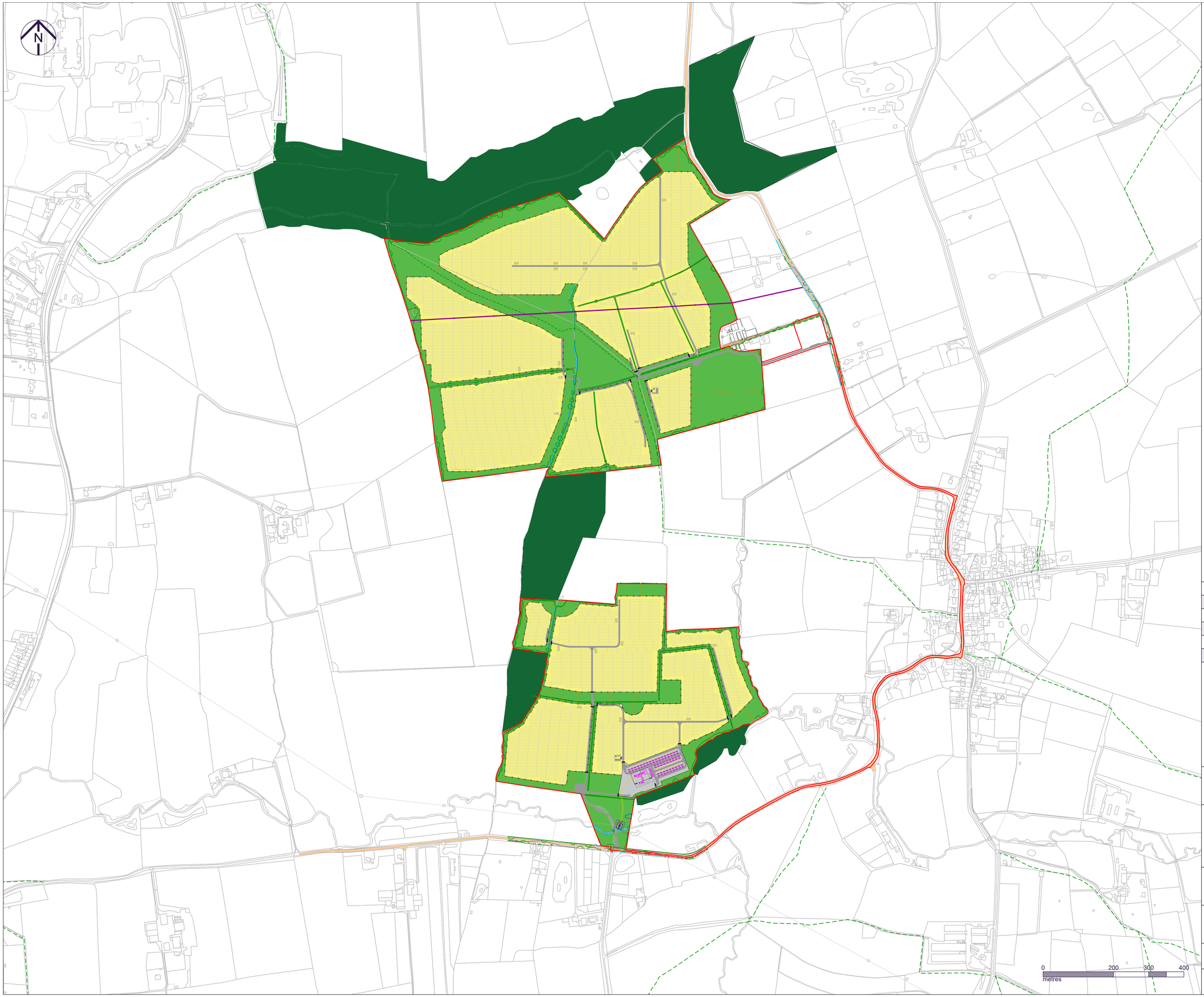
exagen

APPENDICES

October 2024

Appendix A - Green Infrastructure Plan

October 2024



Notes:
View in conjunction with all relevant documents.
All dimensions to be checked on site before proceeding with work.
To be used only for the status specified.

All dimensions, levels, and coordinates are in metres unless defined.
All areas are approximate and indicative only.
All omissions and discrepancies to be reported in writing to Exagen Development Ltd.

Key

- Site Boundary
- Grassland within fenced solar areas
- Existing and Proposed Green Corridors on Site (mixed habitats of woodland, copse, hedgerows with trees and wildflower grassland)
- Offsite woodland and hedgerows

Rev	Date	Description

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Drawing title
Green Infrastructure Plan

Project
Old Wood Energy Park

Status
For Information Only

Date	Scale at A3	Status code
30/09/2024	1:5000	S0

Drawing number	Revision
WLL02A-EXG-00-00-D-K015	P01