

DERWENTHORPE, Osbaldwick, York

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Proof of Evidence

Biodiversity (Nature Conservation)

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For

Joseph Rowntree Housing Trust

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1 Personal Details and Scope of Evidence

- 1.1 I am Richard Neil Humphries and a Company Director of White Young Green Environmental Ltd. The scope of my evidence is Biodiversity (nature conservation) in the context of Planning Policy Statement 9.

2 Proposed Derwenthorpe Village

- 2.1 The Site is largely agricultural land with a small area of derelict land and disused buildings, and a dwelling. About two thirds of the Site is to be developed with the rest being open space for nature conservation, public access and landscape, and drainage.

3 Information on Biodiversity (Nature Conservation) within the Site

- 3.1 Desk studies and field surveys have been undertaken since 1999. These are set out in the Environmental Statement and supplementary documents.
- 3.2 There are two principal habitats, neutral grassland and hedgerows, the others being a narrow riparian corridor alongside Osbaldwick Beck, an ephemeral pond and derelict land (JRHT/RNH/1).
- 3.3 The grasslands are of an improved or semi-improved species-poor type. Two fields to the north (5 and 6) have localised species-rich patches associated with unimproved grassland.
- 3.4 The internal hedges are well structured, but relative species-poor with few mature trees. Their ecological value appears less important than might be expected. Under the Hedgerow Regulations 1997 hedge 'A' is classified as biologically 'important' (JRHT/RNH/1).
- 3.5 The great crested newt has been recorded in Field 9. Reconnaissance surveys of ponds surrounding the Site did not detect the newt within 500m of the Site. Common frog and smooth newt were also recorded in Fields 7 and 9.
- 3.6 There are possibly old water vole burrows at one point on the Osbaldwick Beck.
- 3.7 Three species of bats have been recorded. There is no evidence of roosts within the Site. The main bat activity is associated with the Beck, and northern and eastern boundaries.
- 3.8 Four bird species of note have been recorded: song thrush, bullfinch, linnet and reed bunting.
- 3.9 Two scarce beetle species and 11 'Nationally scarce' invertebrates have been recorded in Field 9, three scarce species in the grassland and one scarce species associated with hedges.
- 3.10 The primary interest of the Site is the grasslands. The botanical value is confined to small parts of Fields 5 and 6, but neither the Site nor parts of the Site or Field qualify as a grassland SINC.

4 Effects of the Development, Mitigation and Residual Effects

- 4.1 There would be a loss of most of the grassland. Taking into account the mitigation and compensation, the residual impact is assessed overall to be minor negative.
- 4.2 The development would result in the loss of 60% of the internal hedgerows, but only small section(s) of boundary hedges. The species-rich hedge 'A' would be unaffected. The overall residual impact is assessed to be insignificant due to mitigation and compensation.

- 4.3 The riparian habitat would be unaffected by the development.
- 4.4 The impact on the 'rubble' habitat is assessed to be insignificant.
- 4.5 No known bat roosts would be affected and the prime commuting corridors would be retained. Whilst foraging areas within the grasslands and along some of the hedgerows would be lost, these would be off-set by the creation of more wetland. The overall residual impact on bats is assessed to be minor-significant positive due to mitigation and compensation
- 4.6 The creation of the water bodies and wetland would provide extensive additional habitat with better opportunities for water vole. The overall residual impact is assessed to be minor positive.
- 4.7 The loss of grassland and hedges would have a negative local effect on the four bird species of note. The overall residual effect is assessed to be insignificant owing to planting scrub and woodland areas, new wetlands, and the planting of hedges at New Earswick.
- 4.8 The pond supporting the great crested newt would be unaffected by the proposal and there would be sufficient high quality terrestrial habitat retained around the pond to maintain and enhance the population. The overall residual effect on the population is considered to be significant positive. The same will be the case for the smooth newt and frog.
- 4.9 The wetland invertebrate interest would be unaffected by the retention of Field 9, and would be enhanced by the new wetlands. There are opportunities for mitigation for dry-land invertebrates such as butterflies within the Site and at New Earswick. The residual impact on the wetland invertebrates would be significantly positive, and minor negative - insignificant for dry-land species

5 Planning Policy Statement 9 - Biodiversity and Geological Conservation

- 5.1 In PPS9 the Government sets out the key principles to ensure that the potential impacts of planning decisions on biodiversity (nature) conservation are fully considered, and sets out a five-point approach whereby harm to biodiversity interest can be prevented during the planning decision process.
- 5.2 Sufficient information has been collected to be able to assess the impact of the proposed development.
- 5.3 There are no International Sites, SSSIs, Local Nature Reserves, Local Sites (SINCs), ancient woodland or veteran trees affected by the development.
- 5.4 A number of habitats and species within the Site have protection under European and/or UK legislation, and policies to protect and enhance biodiversity. The great crested newt and the bats are European species protected by the Conservation Regulations. Lowland grasslands and species-rich hedgerows, and four species of bird and the water vole fall within Section 74 of the CRoW Act 2000
- 5.5 A range of avoidance, mitigation, compensation and enhancement measures are proposed whereby the legal obligations of the Conservation Regulations and the CRoW Act, and the policy objectives of PPS9 are fulfilled.
- 5.6 The Joseph Rowntree Housing Trust would accept appropriate planning conditions and enter into a Section 106 Agreement to ensure delivery. All the compensation land is owned and would be administered by the Trust. The proposed hedge and meadow creation at New Earswick would provide a nature conservation area of significant value (JRHT/RNH/2).
- 5.7 The Trust would prepare a Management and Monitoring Plan in consultation with the City of York Council and other interested parties.

6 Statutory Consultee

6.1 English Nature does not object to the development and has no further comment (JRHT/RNH/3.1 - 3.4).

7 Derwenthorpe - A UK Demonstration of Sustainable Development in New Housing

7.1 The Joseph Rowntree Housing Trust commissioned Professor Chris Baines to undertake an independent assessment of the Derwenthorpe residential scheme. He concluded the proposals deserve to be wholeheartedly embraced as they would serve as a practical model for others in the housing sectors, for champions of sustainable development in central and local government, and for opinion leaders in the environmental movement itself.

8 Conclusions and Recommendations

8.1 The proposed Derwenthorpe residential development scheme meets all of the policy tests set in PPS9 - Biodiversity and Geological Conservation.

8.2 The grassland does not merit SINC designation. Had it or parts of the Site merited the status of a SINC, the proposal still conforms to PPS9 in that there is appropriate and proportionate mitigation.

8.3 The potential issue concerning network links and stepping stones. PPS9, is also addressed in that the principal corridor links at Osbaldwick would be maintained as would the stepping stone function, with the latter being enhanced. In addition these functions would be reinforced by the off-site mitigation on the western side of the City at New Earswick

8.4 English Nature does not object to the development and is satisfied that the issues involving protected species and habitats have been properly addressed and mitigated for.

8.5 The Derwenthorpe development is assessed and recommended by Professor Baines to be a flagship and exemplar scheme of sustainable development.

8.6 The development addresses the biodiversity objections raised by the various organisations and individuals.

8.7 The delivery of the proposed measures to protect and enhance biodiversity can be ensured through normal planning conditions and legal agreement.

8.8 I conclude that the Derwenthorpe scheme is consistent with PPS9 and planning consent should not be refused on Biodiversity (nature conservation) grounds.