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Peter Lee
Tandridge District Council

13 January 2025

Dear Peter

NUTFIELD GREEN PARK – SURREY WILDLIFE TRUST NOVEMBER 2024 FURTHER INFORMATION RESPONSE

This letter has been prepared by FPCR Environment and Design on behalf of Nutfield Park Developments Ltd (NPD) regarding a proposed development at Nutfield Green Park, The Former Laporte Works, Nutfield Road, Nutfield, Surrey (planning ref: 2023/1281). Following submission, the Surrey Wildlife Trust (SWT) have to date provided two Further Information Request. The initial request was provided on 9 January 2024, to which FPCR provided a letter response on 2 February 2024. Following this, SWT have provided a second Further Information Request dated 6 November 2024.

On receipt of this second set of comments, FPCR and SWT met on 18 December 2024 alongside members of the client Team and HGH Consulting to seek further clarity on the further information required by SWT to assess the application. This letter report has been prepared by FPCR to provide additional clarity on the design of the scheme to mitigate for effects on Important Ecological Receptors identified as part of the Ecological Impact Assessment which supported the application.

Holmethorpe Sandpits Complex SNCI

During their November 2024 Further Information Request, SWT have sought further clarification on the impacts on the Holmethorpe Sandpits Complex Site of Nature Conservation Importance (SNCI). SWT has requested further information on impact pathways on the Holmethorpe Sandpits SNCI Site, which is located partially within the Site Boundary. The proposed scheme will directly impact the SNCI through habitat loss in the southern portion of the designated site. This will include the loss of a strip of woodland habitat to facilitate the construction of an access road to connect the development parcels and the loss of areas of coarse grassland which have become dominated by dense bramble scrub in the south-east of the Site.

As detailed in the EcIA report which supported the outline application and FPCR's first letter response to SWT initial comments, the presence of the SNCI was considered at an early stage of

the project and has strongly influenced the design process throughout. Consequently, impacts have been minimised where possible to reduce impacts on good quality woodland habitats and to retain extensive areas of existing grassland habitats. This has provided significant opportunities for habitat creation and enhancements that will more than adequately compensate for the habitat losses that are proposed as part of the development. This will include significant scrub and woodland planting, the enhancement of large areas of retained grassland and woodland habitats and the creation of a series of new wetland habitats. Biodiversity Net Gain was considered at an early stage of the project design and has demonstrated how the scheme will be able to significantly enhance the ecological value of the Site, with a gain in excess of 20% anticipated. Further information on the proposed habitats is provided in the EIA report.

SWT have requested further information on several impact pathways. Firstly, clarification has been requested on how the construction phase will be carried out to minimise impacts on the SNCI. At the outline planning stage, construction impacts cannot be fully assessed until detailed design work has been completed. However, given the sensitive nature of the SNCI designation, a draft Construction and Ecological Management Plan (CEMP) has been prepared to support the application which has been submitted alongside this letter report. This draft CEMP provides further information on how the construction phase can be undertaken to minimise effects on ecological receptors. It includes a draft phasing strategy to clarify how construction operations can be undertaken in a phased manner to reduce the short-term effects on many receptors. The key aims of this CEMP will be to minimise construction effects including dust deposition, damage to retained habitats, pollution, air quality, lighting and recreational effects.

Air Quality

In their November 2024 Further Information Request and during the follow up meeting in December 2024, SWT requested further clarity on the potential for the scheme to result in air quality effects on the SNCI. Assessment has demonstrated the construction and operational air quality effects of the proposed development are judged to be 'not significant'. The SNCI Site does not support any habitats that are particularly sensitive to air quality effects, being dominated by species-poor grasslands, scrub and self-set woodlands. None of these habitats are considered to be at risk of degradation from the not significant air quality effects anticipated by the proposals. The draft CEMP includes a range of best practice mitigation measures for further reducing air quality effects, including best practices construction measures to minimise dust deposition/pollution and utilising only Hydrotreated Vegetable Oil fuels during construction, which will significantly reduce construction phase NOX emissions.

Operational Effects – Recreational Pressure

The second key impact pathway that SWT have requested further information on is during the operational phase of the proposals. Recreational effects on retained habitats within the SNCI. The SNCI is in part designated for its notable bird assemblage which includes breeding Nightingale as confirmed during Breeding Bird Surveys undertaken by FPCR in 2022. The SNCI currently supports a number of Public Rights of Way (PRoW) as shown on *Figure 1*. In addition, a number of informal footpath routes are present around the Site. An approximation of informal footpath routes is also shown on *Figure 1*. The Site currently does not support any visitor parking facilities and therefore it is considered likely that current use of the Site will be largely limited to local use by residents.

The proposals have been designed to minimise recreational effects on the SNCI where possible. This will be achieved through two key and linked strategies, reducing public access into sensitive habitats and new planting. The proposals will close off all existing informal footpath routes to reduce recreational pressure on retained habitats. This will be achieved in two stages, initially fencing will be installed to close off retained habitats from public access (as detailed in the draft CEMP) and then planting will be strategically used to close off informal footpath routes. All existing PRoWs will be improved, encouraging local residents to stick to formal footpath

routes rather than creating new, informal footpaths. Strategic planting and habitat creation will then be employed to restrict access into sensitive habitats, particularly habitats of greater value for sensitive species such as nightingale. Hedgerow planting will be undertaken alongside the PRoWs onsite which will restrict access into, and provide screening to, adjacent habitats include open grasslands and areas of proposed mixed scrub to maintain the biodiversity value of these areas, particularly for bird species that are more sensitive to disturbance. Planting will also include extensive mixed scrub habitat, which will be designed and managed in the long-term to provide sheltered glades that will support optimal breeding habitat for nightingales and a range of other woodland edge and generalist species. Details of the habitat creation and management will be provided at the detailed design stage; however *Plate 1* shows a diagrammatic representation of the targeted structure of new scrub habitats.

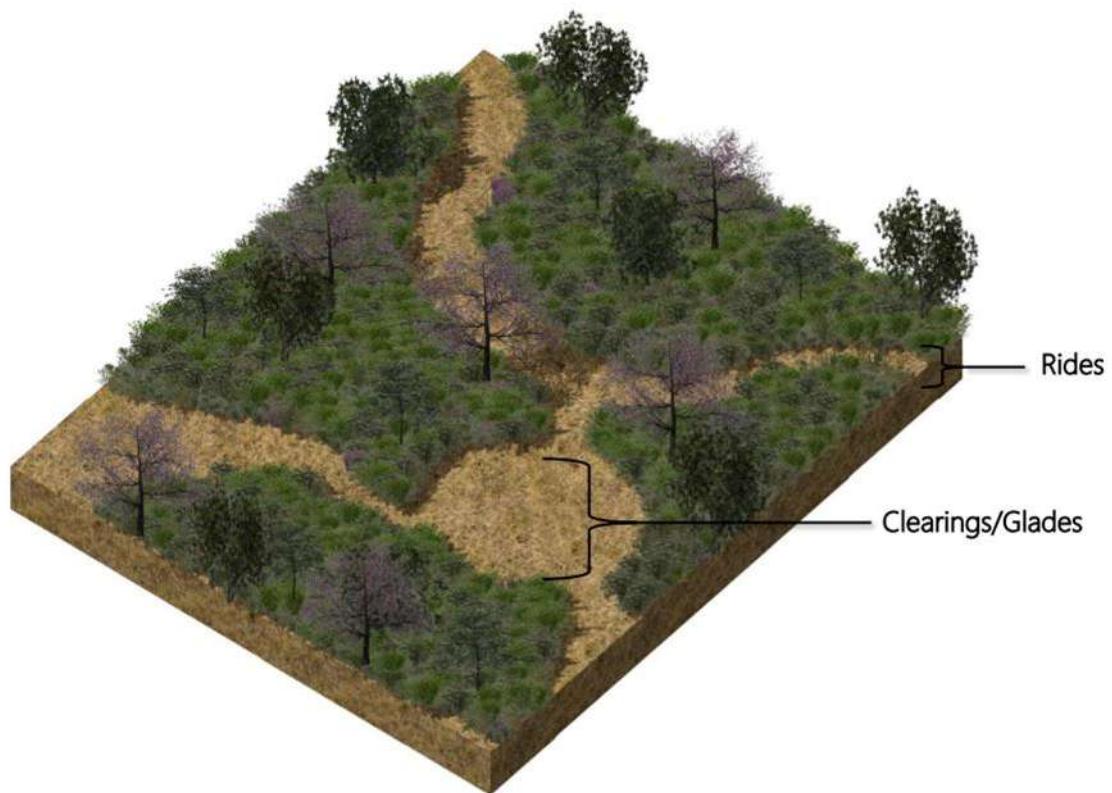


Plate 1: Representation of targeted outcome for scrub planting

It is also important to note that the proposals will not include any parking facilities for visitors, therefore use of the Site will remain largely restricted to Local Access. While the proposals will increase the overall number of residents within the area, this is unlikely to be entirely from outside of the Local Area as the new dwellings will likely provide new homes for a number of existing local residents moving within the area. It is therefore considered unlikely that the proposals would lead to a significant increase in recreational pressure on the SNCI and the proposed planting and footpath upgrades across the Site will sufficiently mitigate the effects of minor Recreational Pressure anticipated, in addition to reducing the existing pressure. Therefore, the proposal will result in a negligible to minor beneficial effect on the SNCI through additional control of recreational use of the Site through sensitive Site design.

Operational Effects - Cat Predation

SWT have also requested further information on the potential effects of domestic cats on the SNCI. The effects of domesticated cat predation on wild birds are not yet well understood. Cats are estimated to kill approximately 27 million birds annually in the UK¹, however the effects this has on bird populations, their breeding behaviours and long-term survival is poorly understood and widely debated. The Royal Society for the Protection of Birds (RSPB) indicates that “*despite the large numbers of birds killed by cats in gardens, there is no clear scientific evidence that such mortality is causing bird populations to decline. This may be surprising, but many millions of birds die natural every year, mainly through starvation, disease, or other forms of predation*²”. Cats can have a negative impact on bird populations; however research suggests that this is typically in more endemic animals that do not have traits that allow them to escape or defend themselves against predation such as in smaller island habitats. Where similar natural predation is known to occur, many birds are able to more effectively evade cat predation. Further to this, research has indicated that there is a lack of negative correlation between cats and bird densities as would be expected were cats to be significant factors in bird population declines³⁴.

Arguably, more significant driving factors of bird population declines are as a direct result of human impacts associated with habitat loss and land management practices. This is invariably true for the vast majority of bird species in the UK, but particularly rarer bird species with more specific habitat requirements, including the nightingale that the Site supports. Nightingale rely on scrub habitats that are declining nationally as they are lost to arable environs or through succession to woodland habitats. The proposals include significant scrub habitat creation which will be managed for at least 30 years that will provide optimal habitat for this species. The existing bird populations present onsite, including nightingale, have likely habituated to a level of cat predation already given the Site's proximity to existing residential environments. Scrub will be designed and managed to create protected glades and clearing in dense scrub thickets, which will offer ideal habitat for a range of species to nest and utilise natural defences to predation.

In summary, it is accepted that there may be an increase in cat predation as a result of the proposals, however it is important to acknowledge the lack of conclusive scientific evidence to suggest that cat predation leads to bird population declines. As the proposals will provide significant habitat enhancement and creation that will directly benefit a range of bird species across the Site, the conclusions of the EIA remain consistent that the scheme will result on balance in a positive effect on local bird populations and on the assemblage present in the Holmethorpe Sandpits Complex SNCI.

Biodiversity Opportunity Area WG11: Holmesdale

Biodiversity Opportunity Areas (BOA) in Surrey are a policy approach that aim to focus the restoration and maintenance of Priority Habitats in key areas. Approximately 39% of Surrey sites within a BOA. The Site sits within the Holmesdale BOA (WG11) and includes targets to restore and maintain the following priority habitats: Standing open water, Floodplain grazing marsh, Reedbeds, Wet woodland, Mixed deciduous woodland, Heathland, Acid grassland and hedgerows. Target species include grey partridge, lapwing, great crested newt, brown hare and water vole.

¹ Woods, M., McDonald, R. A., & Harris, S. (2003). Predation of wildlife by domestic cats *Felis catus* in Great Britain. *Mammal Review*, 33(2), 174-188. doi:10.1046/j.1365-2907.2003.00017.x

² Royal Society for the Protection of Birds. (2022). How many birds do cats kill. Retrieved from <https://www.rspb.org.uk/birds-and-wildlife/advice/gardening-for-wildlife/animal-deterrants/cats-and-garden-birds/are-cats-causing-bird-declines/>

³ Perkins, G. C., Martin, A. E., Smith, A. C., & Fahrig, L. (2021). Weak effects of owned outdoor cat density on urban bird richness and abundance. *Land*, 10, 507.

⁴ Sims, V., Evans, K. L., Newson, S. E., Tratalos, J. A., & Gaston, K. J. (2008). Avian assemblage structure and domestic cat densities in urban environments. *Diversity and Distributions*, 14, 387-399.

The Site includes the enhancement and creation of a number of the priority habitats listed in the BOA targets, including the creation of a series of new ponds that will add 0.85ha of standing open water habitat onsite. Surrey Nature Partnership's Surrey BOA – Objectives and Targets Summary document provides a list of target habitats and areas to guide the objectives of the BOA. The 0.85ha of standing open water to be create onsite represents nearly half of the total 1.75ha target amount of standing open water habitat in the BOA. In addition, the existing ponds onsite will be entered into a 30-year management plan with the aim to enhance these habitats. Currently, all of the ponds onsite have heavily shaded margins which is limiting the amount of marginal, emergent and aquatic vegetation. The enhancement proposals will include rotational selective thinning of woodland on pond banksides to remediate this. Furthermore, pond P5 in the centre of the site experience significant fluctuations in its depth and size throughout the year, increasing in size over the winter and then completely drying annually in summer. The proposed drainage strategy will seek to remediate this, providing more stable standing water habitat within this priority habitat pond throughout the year.

The proposals also include the establishment of 1.979ha of lowland mixed deciduous woodland. This habitat will be allowed to natural establish alongside the margins of existing woodland, with fencing employed to restrict public access while it is established and to control deer browsing. This will lead to the establishment of further areas of semi-natural woodland on the site that will be in excess of the 1.5ha of mixed deciduous woodland targeted by the BOA, representing a significant enhancement in line with the BOA objectives. The remaining woodland across the Site will also be entered into a minimum 30-year management plan which will target the enhancement of most of the woodland across the Site, including 11.21ha of priority habitat lowland mixed deciduous woodland.

The proposals also include the creation of 890m of new species-rich native hedgerows, representing nearly half of the 2km target in the BOA. There will also be opportunities for small areas of reedbeds to establish within the proposed ponds and within the margins of the existing ponds following enhancements, however these will be monitored to prevent the establishment of significant areas of reedbed that could pose an increased risk of aircraft birdstrike as discussed in the Birdstrike Hazard Risk Assessment report submitted alongside the EclA report.

The proposed habitats have the potential to also benefit a number of faunal species listed in the BOA. Large areas of species-rich grassland alongside proposed ponds will provide opportunities for brown hare and grey partridge, while new ponds will provide additional breeding habitat for great crested newts and water voles. The ponds have been designed to avoid attracting lapwing due to the sites location along a main flyway of Gatwick Airport.

The other habitats listed in the BOA include wetland habitats include floodplain grazing marsh that the Site has limited opportunities to provide due to its topography, or habitats that require acidic soils that the site does not support including heathland and acid grassland. Targeting these habitats is therefore not considered to be appropriate.

In summary, the proposals offer significant opportunities to contribute to the targets of the BOA for priority habitats that are relevant to the Site and that it is capable of supporting.

Bats

In their November 2024 further information request, SWT have recommended seeking clarification on the static bat detector survey methodology employed and '*whether the impact of the proposed severance for a road on bats is fully understood through this deployment methodology*'. To inform Site design, a suite of ecological surveys was completed following best practice guidance available at the time of the survey which included the 3rd edition of the Bat Conservation Trust's Bat Surveys for Professional Ecologists: Good Practice Guidelines (BCT

2016). In accordance with this methodology. The following was presented in the Bat Report which supported the EclA Report that was provided alongside the application:

"The BCT guidance states that surveys undertaken should be proportional to the predicted impacts of the proposed activities on bats. Factors that influence the type of survey and effort required include the likelihood of bats being present, type of proposed activity, scale of activity, size, nature and complexity of the site, species concerned and number of individuals.

Under this guidance, the proposed developable areas of the Site were considered to be of moderate habitat suitability (Table 4.1, BCT Guidance 2016) and fell under the monthly survey requirements (Table 8.3 BCT Guidance, 2016), whereby six activity transects and static surveys were undertaken, once each month – May to October 2022."

The bat survey effort employed was determined prior to the initial scheme design, including the location of the link road between the western and eastern development parcels and therefore static detector placement was intended to cover the range of habitat across the Site, rather than siting static in specific locations where impact were anticipated, including along this link road. However, the survey effort is still considered to be appropriate to the scale of the impacts. While the link road will lead to the loss of a narrow corridor of woodland habitat, the road has been designed to minimise the scale of this impact as far as possible. This include siting the road within areas of poorer quality woodland and following an existing clearing for overhead powerlines which are to be buried under the proposed road (to further minimise woodland losses required). Existing woodland either side of the road will be retained and protected throughout the proposals to maintain arboreal connectivity across the road. As with the rest of the development, the link road will be subject to a sensitive lighting strategy. This will include minimising light usage as much as possible and using low-level, directional lighting only. The road has been designed to be a narrow road, which is anticipated to receive minimal traffic usage for local residents of the eastern development parcels only. Direct habitat linkages will still be maintained around the development parcels which, alongside the targeted maintenance of arboreal connectivity across the link road, will reduce the likelihood of any significant severance effects. Further to this, as discussed in the EclA, the proposals will lead to significant habitat creation and enhancement, including all retained woodland and new woodland creation. This will improve foraging and commuting routes across the Site for bats. Furthermore, the woodland has been designed to be located to the south to the Site to reduce the amount of woodland that will be present to the south of the new road.

Through the implementation of a sensitive lighting strategy at the detailed design stage, the link road is therefore considered extremely unlikely to lead to significant severance of any habitats and habitat continuity has been factored into Site design at all stages of the design of the link road.

Badgers

SWT have identified a discrepancy in the EclA report relating to references to one sett onsite, namely S6. As detailed in the Badger Report which accompanied the EclA, this sett has been classified as an annexe sett. Surveys followed good practice guidelines as recommended by CIEEM⁵, using field observations to identify the type of sett present including (but not limited to) the size of the sett, signs of activities (such as footprints, runs, latrines, playing areas, snuffle holes etc.) to broadly categorise each sett's status as a main sett, annexe sett, subsidiary sett or outlier sett. None of the setts identified onsite supported a level of activity consistent with a main sett, however there is an error in Table 4 of the EclA report whereby sett S6 is incorrectly referred to as a main sett. This is an

⁵ Cresswell, P., Harris, S. & Jefferies, D.J. 1989. Surveying Badgers. The Mammal Society Publication No.9 Mammal Society

unfortunate error in the report, and the remainder of the EclA along with the accompanying Badger Report correctly refers to the sett as an Annex sett throughout. Sett S6 comprised just two entrances that were only partially used at the time of survey. Based on surveys conducted to date, evidence remains consistent with its classification as an annex sett.

As part of updated surveys to be completed to support a reserved matters application, badger surveys will be completed. This will include updated checks and re-classification of all badger setts identified onsite. Badgers can be highly transient in nature depending on a range of factors and therefore regular updated surveys in order to inform planning applications and/or Natural England Derogation Licences is vital. Further surveys will be undertaken of all setts present onsite. The level of survey effort will be proportional to the scale of the impacts. Currently, the proposals will retain all setts onsite with the exception of S11, an annex sett that appeared to be disused at the time of surveys conducted in 2023. An additional four setts (S8, S9, S10 and S13) will be located within 30m of the proposed development area and therefore updated surveys of these setts will be necessary to determine whether or not temporary closure may be required to prevent harming or disturbing active badger setts. Where possible, works will be designed to avoid impacts setts. These setts will all be retained and, if they require closure, this will only be temporary. Further survey of setts that will be impacted by the proposals will include camera trap monitoring to aid in the accurate classification of badger setts and their level of activity. This will be essential to inform a derogation licence from Natural England to facilitate the permanent or temporary closure of setts.

Beyond the potential impacts to setts S8, S9, S10, S11 and S13, all setts will be retained and will not be directly impacted by the proposals. When considering the level of information provided to date, it is important to consider the requirements in context with the scheme proposals. The influence that protected species and other Statutory Obligations have on the planning system is outlined in ODPM Circular 06/2005 which states:

"It is essential that the presence or otherwise of protected species, and the extent that they may be affected by the proposed development, is established before the planning permission is granted, otherwise all relevant material considerations may not have been addressed in making the decision."

The presence of badgers onsite is confirmed and well understood, as demonstrated by the Badger Report which was submitted along with the EclA report. In total, 17 setts have been identified onsite. None of the setts observed a sufficient level of activity to indicate that a main sett is present onsite, and it is considered likely that main setts are present close to the Site, with one present to the Southwest and one present to the north of the Site. This observation is based on the size of the site, the abundance of foraging habitat and the presence of a relatively high number of latrines around the central woodland onsite which was considered likely to represent a territory boundary marker. This has not been confirmed through badger bait marking, however considering the nature of the proposals which will impact only a relatively small area of foraging habitat available to badger, further classification of the number of territories present was not considered to be proportional to the nature of the impacts.

The proposals include >87% green space which will include significant habitat enhancements that will provide optimal habitat for badgers, including species-rich grassland creation, mixed scrub creation, new woodland habitat, enhancement of existing woodlands and the creation of new wetland habitats. These will all provide excellent foraging opportunities for badgers across the Site and will continue to be sufficient for the two badger clans that are suspected to be utilising the Site. During construction, relatively small areas of dense scrub, coarse grassland and woodland habitats will be lost. While these do provide good foraging opportunities for badgers, there are abundant foraging resources onsite and adjacent to the site that will be retained and protected. This will include the restored landfill to the west of the Site which provides extensive open grassland

foraging opportunities for badgers and will continue to do so throughout construction, in addition to retained habitats onsite.

The impacts on badgers are therefore also well understood. Badgers are common and widespread in lowland England, and it is extremely unlikely that the permanent closure of one outlier sett and the temporary closure of one outlier sett, two subsidiary setts and one annexe sett will significantly negatively impact the badger populations present onsite in the short-term given the number of setts identified in the south-west of the Site. As habitat creation and enhancement is delivered, positive effects are anticipated in the mid- to long-term as a result of the extensive green space that will be delivered by the scheme and managed in the long-term for a minimum of 30 years. The survey and assessment work completed to date is therefore considered to be proportionate and sufficient to inform the outline planning application in accordance with ODPM Circular 06/2005.

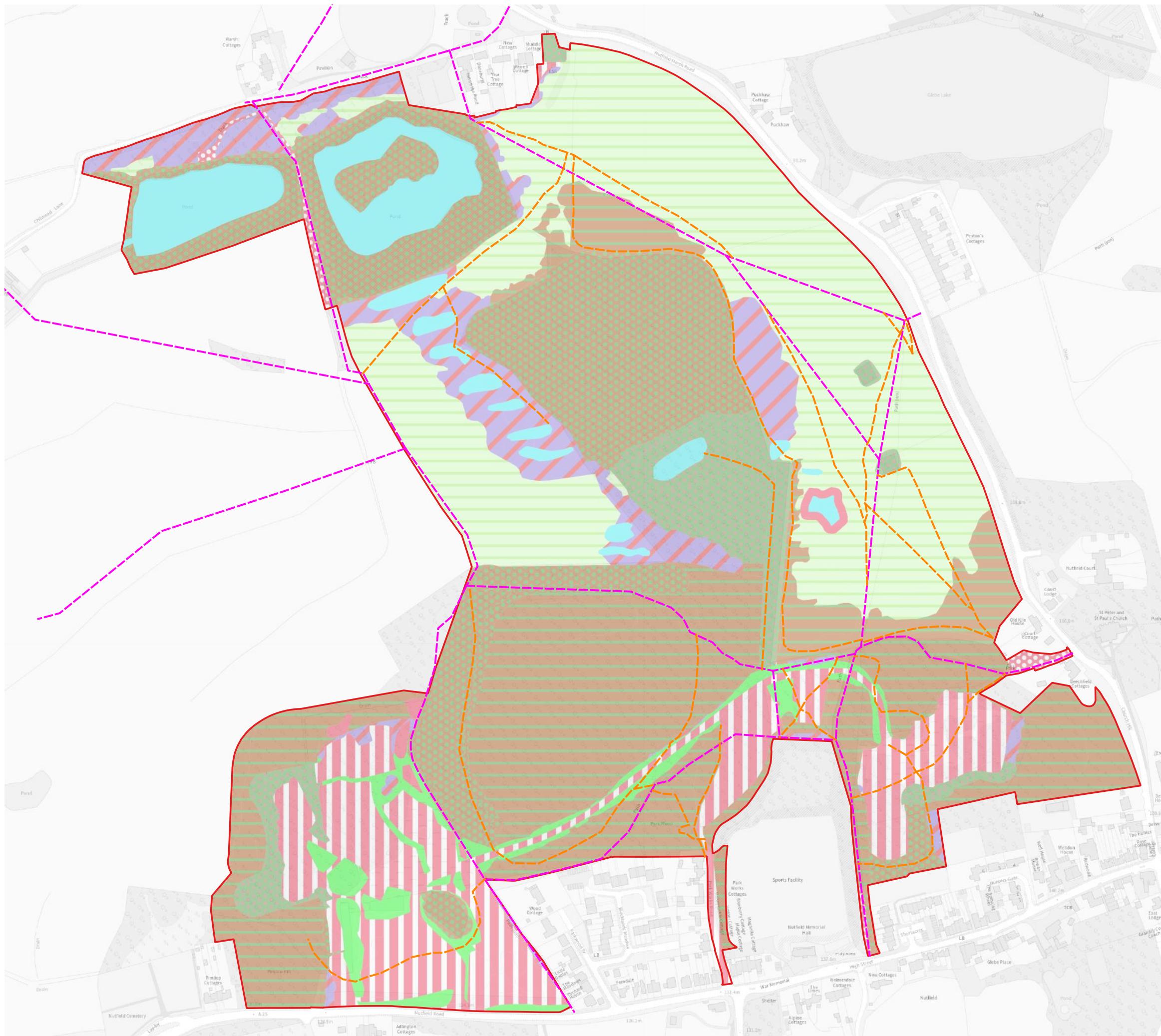
Conclusion

This letter report has been prepared to address further information requests from SWT raised during written responses to the outline planning permission for Nutfield Green Park and during a subsequent meeting between SWT, FPCR, HGH Consulting and the Client team. In particular, SWT requested further information on impacts to the Holmethorpe Sandpits Complex SNCI and a number of protected/notable species including bats, badgers and birds. This letter report has been provided alongside a Framework Construction and Ecological Management Plan (FPCR, 2025) to address each of the keys further clarifications requested by SWT to provide sufficient information at this outline planning application stage. This includes by providing further detail on how the proposals have been sensitively designed to minimise negative impacts on Ecological Receptors and providing indicative information on how the scheme will seek to further reduce the scale of negative impacts throughout the detailed design stage.

Yours sincerely,



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0 100 200 m

Red Line Boundary
Public Rights of Way
Informal Footpaths

date 09/01/25 drwn/chkd DS / OGJ

client Nutfield Park Developments
project Nutfield Park, Tandridge, Surrey

title Public Rights of Way Plan scale 1:4,000 @ A3

number rev

FIGURE 1

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