

Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999 (as amended)

Request for a "Screening Opinion" in respect of the following development:

Proposed Development:

3 x Tennis Courts, Sand Rehabilitation Lane, Sand Goal Keeping Training Pit, Uphill Running Track, 2 x Earth Bunds and Associated Works

National Football Centre, St Georges Park, Burton upon Trent, Staffordshire

Introduction:

The Council has been requested to adopt a Screening Opinion as to whether the above development requires Environmental Impact Assessment (the submission of an Environmental Statement) by letter dated the 23rd December 2010.

The 'original' development (granted permission in May 2010 -- P/2010/00255/PO/CLF and subsequently amended by application P/2010/00966/TF) was the subject of an EIA. This development proposes the following: -

- **3 x Tennis Courts**
- **Sand Rehabilitation Lane**
- **Sand Goal Keeping Training Pit**
- **Uphill Running Track**
- **2 x Earth Bunds and Associated Works**

Schedule 1:

Schedule 2:

The development proposed does not fall within Schedule 1 of the Regulations.

However on the basis of interpreting the Regulations as having "wide scope and broad purpose", a precautionary approach of assuming the development falls within Schedule 12(c), of Schedule 2 as a 'holiday villages and hotel complexes' is recommended.

The area of the proposed development (5.03ha) exceeds the 0.5ha threshold laid down by the above regulations beyond which an Environmental Statement may be required.

In taking a precautionary approach to the development it is also noted that it is a proposal to change an existing development, namely the National Football Centre (NFC), which falls within the description at paragraph 12(c) and has an area exceeding 0.5 hectare. In the light of the decision of the High Court in R (Baker) v Bath and North East Somerset Council [2009] EWHC 595 (Admin), [2009] Env L R 27, the Council takes the view that, as a proposal to change the existing NFC with an area exceeding 0.5 hectare, the proposed development is to be treated as Schedule 2 development under category 13 (a) as the impact of the proposed development must be considered in the context of the existing development/use of the land, and the cumulative impact of any repeated small extensions.

Circular 2/99:

In respect of Schedule 2 development, an assessment will only be required if the development is likely to have significant effects on the environment by virtue of factors such as its nature, size or location. Paragraph 33 of Circular 2/99 indicates that the Secretary of State's view in that, in general, EIA will be needed for Schedule 2 developments in three main types of case:

- a) for major developments which are of more than local importance (e.g. wide ranging environmental effects)
- b) for developments which are proposed for particularly environmentally sensitive or vulnerable locations (paragraphs 36-40); and
- c) for developments with unusually complex and potentially hazardous environmental effects

The applicants have provided analysis in relation to the characteristics of the development, the location of the development, and the characteristics of the potential impacts.

The physical scale of the proposed development is modest in the setting of the existing NFC. The Local Planning Authority considers that there will be no increase in the environmental impact of the proposal, and no further traffic movements will occur from the development, or from the cumulative impact of this, and previously permitted developments. The development will not involve large scale construction works, and as such there is no more than a local visual impact. The site is not located in an environmentally sensitive location (in terms of the Regulations) nor is the development proposed complex or potentially hazardous.

Given the above it is considered by the Council that the environmental effects of the development, including the cumulative impact of the proposal in the context of the existing land use, and previous permissions and works, are not such that the development is likely to have significant effects on the environment by virtue of factors such as its nature, size or location or in any other manner.

Assessment:

Having considered the proposal against the provisions of the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999 and Circular 02/1999, it is not considered that an Environmental Statement will be required in this instance.

Recommendation:

A formal screening opinion be adopted that the development consulted on is not EIA development.

Planning Delivery Team Leader/Chief Planning Officer comments:

The following decision is made by the undersigned in accordance with powers delegated to the undersigned under the provision of S101 of the Local Government Act 1972.

The development as proposed is ~~not~~ EIA development and no Environmental Statement is required.

Team Leader/CPO Signature **Date** 14/1/2011

Tim Furnell, BA (Hons), MRTPI, Chief Planning Officer

Date : 14 January 2011

Mr I York
Nathanial Lichfield and Partners
14 Regents Wharf
All Saints Street
London
N1 9RL

Direct Line: 01283 508641
Direct Fax: 01283 508388
Reply To: Jim Malkin
E-mail: james.malkin@eaststaffsbc.gov.uk
Our Ref: P/2010/01507/JPM
Your Ref: MA/40509/SW/IY
(please quote this reference on all correspondence with us)

Dear Sir

**Re: Formal screening opinion, National Football Centre, St Georges Park –
Development of 3 x Tennis Courts, Sand Rehabilitation Lane, Sand Goalkeeping
Training Pit, Uphill Running Track and 2 Earth Bund and Associated Works**

I refer to your request of the 22nd October 2010 for a formal 'screening opinion' in respect of the above proposal.

I can confirm that the Council has considered the submitted information and have concluded that this development does not constitute EIA development, and therefore a formal Environmental Impact Assessment will not be required.

Yours faithfully

Jim Malkin
Planner Enforcement
Planning Delivery



Nathaniel Lichfield
and Partners

Planning Design Economics

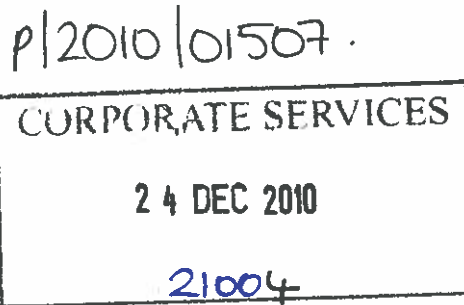
By Email & Recorded Delivery

Mr. Tim Fumell
Head of Development
East Staffordshire Borough Council
Development and Regeneration Directorate
Town Hall
Burton upon Trent
Staffordshire
DE14 2EB

Date 23 December 2010
Our ref MA/40509/SW/IY
Your ref

P/10/01507

14 Regent's Wharf
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Dear Mr. Fumell

East Staffordshire: National Football Centre, St. George's Park – Planning Application for the Development of 3 x Tennis Courts, Sand Rehabilitation Lane, Sand Goal Keeping Training Pit, Uphill Running Track, 2 x Earth Bunds and Associated Works

Town and Country Planning (Environmental Impact Assessment)(England & Wales) Regulations 1999 (as amended) - Request for a Formal Screening Opinion

On behalf of our Client, The National Football Centre Ltd, a subsidiary of the Football Association (The FA), we hereby request that the Council provides a formal screening opinion to confirm that there is no need for a further Environmental Impact Assessment ('EIA') process arising from new proposals at the National Football Centre (NFC), St George's Park. The proposal is for the development of two earth bunds on the southern part of the site and complimentary sporting facilities associated with football training and sports education.

This request is made in pursuance of Regulation 5 of the Town & Country Planning (Environmental Impact Assessment)(England & Wales) Regulations 1999 (as amended)('the 1999 Regulations').

To enable your consideration of this issue, we set out below the following information:-

- 1 Description of the site and its surroundings;
- 2 Description of the proposed development; and,
- 3 Review of the requirement for an EIA.

1. Description of the site, existing uses and its surroundings

In accordance with the 1999 Regulations, a site plan is enclosed at Appendix 1 identifying the site and an aerial photograph of St. George's Park is provided at Appendix 2.



Part of the proposal site falls within the site boundary of the revised NFC application granted planning permission in June 2010 and is wholly within the site boundary for the original NFC granted planning permission in 2001 (Ref: PA/16573/010/P0).

The site currently comprises areas of undeveloped grassland to the south and east of the kidney woodland plantation and south of the existing synthetic sports pitch.

Site Location and Size

The site extends to 5.03 hectares and is located on the southern part of St George's Park, which is approximately seven kilometres to the west of Burton-upon-Trent. It is located outside of the existing urban area and is within the designated National Forest.

Access

Principal access is currently from the B5234 and via the existing internal estate road within the NFC site. The nearest rail station is at Burton-upon-Trent, which is located on the mainline between Birmingham New Street and Derby/Nottingham. There are no bus stops in the immediate vicinity of the site.

Surrounding Uses

The proposal site lies within St. George's Park, which is owned by The FA, and extends to approximately 143 hectares (352 acres). There are currently a number of grass and synthetic pitches on the site (brought forward under the 2001 permission) which are used by local football teams, as well as areas of grazed parkland, arable farmland, woodland and wetland.

St. George's Park slopes down by about 15 metres from north to south broadly following the route of Lin Brook which runs through the centre of the NFC site.

Public footpaths follow the north-west and western boundaries of St. George's Park adjacent to Tatenhill Airfield (a private airfield). To the south, south-west and east of St. George's Park is agricultural land. Also to the east is Byrkely Park Garden Centre and areas of woodland. A small number of residential properties are located immediately to the north-east.

2. Description of the proposed development

East Staffordshire Borough Council has granted planning permission for revised proposals for the NFC at St. George's Park. The approved 2010 scheme (hereon referred to as the NFC site) includes a complex of new buildings providing a full size indoor synthetic football pitch and sports hall, which will be developed on the site of the existing synthetic sports pitch and integrate with a new elite outdoor sports pitch directly to the west.

The proposals subject to this screening request include the development of a new earth bund on land directly to the south of the existing synthetic football pitch. This would be 3m in height (116 AOD and 1.5m above the playing pitch plateau to the west) and created using spoil excavated from elsewhere on the site. The earth bund will be landscaped using a variety of trees.



The new bund is required to provide additional shelter from inclement weather conditions (i.e. strong easterly winds) and help to improve playing conditions on the adjacent playing pitches. Further, it will help to screen views of the indoor football pitch building once built and further into the site from areas south of the St. George's Park. The bund has been positioned to allow emergency and service vehicle access to the southern area of the approved indoor sports pitch to be maintained.

A second bund is proposed for the area of underdeveloped land south west of the kidney woodland plantation. This will be 4 metres in height (122 AOD) and located in an area where previous earth works were undertaken and where an existing mound (also 4 metres high) was created in the landscape. The addition of spoil material to this area will allow for the lengthening of the existing slopes which would be more in keeping with the local topography of the area. The bund would be sown with species rich seed mix which over time will mature and enhance the biodiversity and general landscape on that part of the site. Existing saplings on the north side of the proposed bund are to be retained.

The proposal also includes complimentary sporting facilities associated with football training and sports education at the NFC. These will be located east of the kidney woodland plantation and comprise:

- a 2 x head tennis courts – each court would measure 9m x 18m and would be grassed with no fencing.
- b A single tennis court will be hard surfaced and measure 18.3m x 36.6m. It will have surrounding mesh fencing supported on 2.8m high, 50mm x 50mm black metal posts and incorporate pedestrian access gates. None of the tennis courts will be floodlit.
- c The rehabilitation sand filled running lane (5m x 50m) and goal keeping training sandpit (10m x 15m) will be located adjacent to the goal keeping training pitch further to the east. These will be finished to the existing ground level.

The proposed location for these facilities in proximity to the kidney woodland plantation will mean that they are relatively sheltered from adverse weather conditions (i.e. strong winds) from the south and the west. The hard court tennis area will also benefit from being adjacent to an existing service road providing direct access for users, maintenance and servicing vehicles.

In addition to these, an uphill sand filled running track measuring 8m x 50m will be set into the proposed bund south west of the kidney woodland plantation. Plans of the proposals are included in Appendix 3.

3. Requirement for EIA

The development is one to which the EIA Regulations may apply because the proposals relate to the NFC site which falls within Section 12(c) of Schedule 2 of the 1999 Regulations. Section 12(c) relates to holiday villages and hotel complexes outside urban areas and associated developments where the site area exceeds 0.5 hectares. The proposal site is outside the urban area and extends to 5.03 hectares.

For Schedule 2 developments, the 1999 Regulations require that an EIA be undertaken where “the development is likely to have significant effects on the environment by virtue of factors such as its nature, size or location”.

In determining whether the development is likely to give rise to significant environmental effects, reference should be made to Schedule 3 of the 1999 Regulations. This identifies three categories of criteria:-

- 1 Characteristics of the development (such as size, cumulative effects, use of natural resources, production of waste, pollution and nuisances, and risk of accidents);
- 2 Location of the development (by reference to the environmental sensitivity of the area); and,
- 3 Characteristics of the potential impact (having regard in particular to the extent of the impact, its transfrontier nature, magnitude and complexity, probability and duration, frequency and reversibility).

Taking account of the above guidance in the round, we would highlight the following:

- i In terms of the **characteristics of the development**, we would note that the scale of the proposals subject to this screening request are minor in nature and are negligible by themselves and in the context of potential significant effects arising from development of the complex of buildings and wider NFC scheme that were assessed as part of the previous EIA process for the 2001 and 2010 schemes.
- ii The NFC site is not considered to be particularly **environmentally sensitive**. The principle of developing the site has been thoroughly assessed and established by the 2001 and 2010 planning permissions. Moreover, works pursuant to the original 2001 permission have been undertaken, including significant earthworks and the construction of playing pitches that currently surround the site.

The NFC and proposal site are not in a “sensitive area” as defined by Regulation 2(1) of the 1999 Regulations. However, St. George’s Park does include some non-statutory designations. These include the National Forest designation covering the entire site; Byrkley Park Site of Biological Importance (SBI) covering approximately half of the north part of the site; and a small part of the site (alongside Lin Brook) is within Lin Brook SBI. The nearest statutory site of nature conservation interest is the Braken Hurst Site of Special Scientific Interest; 1.4km to the west.

In terms of human receptors, St. George’s Park’s location within an area of open countryside means that it is separated from urban areas. The area subject to these proposals is not in an environmentally sensitive area.

- iii Consideration has been given to the **characteristics of potential impacts** of the proposals, having regard to the extent of these impacts in the context of the NFC site, their magnitude and complexity, probability and duration, frequency and reversibility.

Taking into account possible environmental interests set out in the Regulations, the following section refers to matters that were assessed as part of the EIA (2010) for the NFC site as a baseline for assessing whether the new proposals are likely to result in significant environmental effects that have not been previously considered.

A. Biodiversity

The ES (2010) that accompanied the revised NFC proposals assessed the effects of the scheme on biodiversity for the whole St. George's Park site (including the proposal site) to provide sufficient context to fully evaluate ecological features and wildlife populations.

The ES concluded that the revised proposals will have little adverse impact on biodiversity because the more important habitat is outside the boundary of the NFC site. For the small number of site receptors where residual impacts would be adverse, these will be offset through the implementation of ecological enhancement measures set out within the Biodiversity Action Plan (BAP) for St. George's Park.

The site areas proposed for works to create the new earth bunds and complimentary sporting facilities have been considered in respect of the BAP and any potential environmental impacts on ecology and biodiversity. A more detailed assessment has been carried out by an ecologist consultant and the conclusions are set out in a letter included in appendix 4. We summarise these below:

- a *Proposed bund south of the indoor football pitch* – comprises an area of short mown amenity grassland and unimproved neutral grassland with scattered scrub and tree planting. The unimproved grassland is of ecological interest and the scrub and tree infrastructure may be used by nesting birds during the breeding season. It is recommended that to avoid any impact on nesting birds, the removal of this vegetation should be undertaken during October to February. As part of the BAP it is proposed that forty bird boxes will be erected throughout the site and it is therefore considered that this will mitigate for the loss of potential nesting bird habitat at the application site.

Part of this area includes a section of the Great Crested Newt (GCN) fencing. It will therefore, be necessary to amend the existing GCN license to take into account the disturbance and temporary loss of this grassland and to enable the existing fence line to be moved due to the potential for GCNs. A period of trapping and destructive searches will be required in this area followed by reinstatement using a species-rich grass seed mix once works for the earth bunding have been completed.

- b *Proposed bund south west of the kidney woodland plantation* – the area comprises short mown amenity grassland and an area of semi-improved neutral grassland. The works are not considered to have a significant effect on any features of particular ecological interest.
- c *Complimentary sporting facilities east of kidney woodland plantation* – includes an area of short mown amenity grassland and semi-improved neutral grassland. The proposals are not considered to have an impact on any feature of particular ecological interest.

Overall, it is considered that the proposals will not have an impact on the existing BAP strategy for St. George's Park principally because the proposed development is not in an ecologically sensitive area and assuming that the measures identified above are undertaken.

It is envisaged that the proposals will not, therefore, result in significant environmental effects on biodiversity in addition to those previously considered as part of the ES (2010) for the NFC site.



B. Visual and Landscape Effects

The Environmental Statement (ES, 2010) assessed the effects of the NFC development on the parkland landscape, views and visual amenity of the surrounding area against the background of the scheme approved in 2001.

The location of the proposal site on the southern and western areas of St. George's Park will not result in any significant effects to landscape character, views or visual amenity to areas to the north.

The ES (2010) identified that the NFC site would initially result in some local adverse effects to the landscape and key views from the south but as the landscape planting matures in the medium to longer term these effects will be reduced.

The two proposed earth bunds are likely to be visible from the south but will be viewed in the context of the NFC site. The proposed earth bund south of the existing synthetic sports pitch will help to partially screen views of the indoor football pitch building once built and further into the NFC site. The planting of trees will complement St. George's Park's landscaped setting and help integrate the bunds.

Therefore, and overall, it is considered that the proposals will not result in significant visual and landscape environmental effects in addition to those previously considered as part of the ES (2010) for the NFC site.

C. Water Resources and Flood Risk

An assessment of the effects of the NFC site on surface and foul water drainage and on ground water has been carried out, as well as a review of flood risk to the site and the effect of climate change and pollution.

The ES (2010) concluded that overall the NFC site would have a negligible effect on existing conditions at St. George's Park.

Given the small scale nature of the proposals, it is considered that these would not result in significant flood risk, climate change and/or pollution effects in addition to those that were previously considered as part of the ES (2010) for the NFC site.

D. Transport

The proposals will not result in a higher number of trips to the site than those previously assessed as part of the ES (2010). It is, therefore, considered that there will be no additional significant transport effects on the highway network.

E. Noise and Vibration

During the construction period, the ES (2010) has shown that outside noise and vibration effects on those nearest to the site (approximately 450 metres away) will be less than the equivalent noise of a boiling kettle at 0.5 metres and much less inside buildings.



It is considered that development works required to construct the bunds and complimentary sporting facilities will not have a significant environmental impact in respect of construction noise and vibration over and above that considered as part of the ES (2010) for the NFC site.

F. Air Quality

The previous ES concluded that during the construction period a slight adverse effect on air quality could arise as a result of dust but careful management of the construction process through a Construction Management Plan will keep these effects to a minimum.

In this context, any effects on air quality associated with the proposed works can be mitigated through measures set out in the Construction Management Plan. It is considered, therefore, that there will not be a significant additional effect on air quality.

G. Socio-Economic & Community Effects

The new bund south of the existing synthetic sports pitch will provide some shelter from inclement weather (i.e. strong winds) to users of the playing pitches directly to the west, thereby improving playing conditions.

It is considered that the proposed complimentary sporting facilities will improve the overall NFC sporting offer once operational and so will have a positive socio-economic impact.

H. Ground Conditions & Contamination

A review of the geological setting of the NFC site and identification of potential ground related issues and constraints, including those related to land contamination, has been carried out as part of the ES (2010) to identify any likely significant effects of ground related issues on the NFC site.

The assessment concluded that the likely environmental effects on ground conditions could be successfully addressed to ensure that these are neutral.

Based on the findings of the assessment, it is considered that the proposals would not result in significant effects on the ground related constraints in addition to those previously considered as part of the ES (2010).

I. Relationship to Residential Scheme at St. George's Park

The ES (2010) assessed the combined effects of the outline (enabling) housing scheme and the NFC site to understand whether there would be any cumulative significant environmental effects associated with the development of both schemes.

It is envisaged that the proposals will not result in any other significant combined environmental effects in addition to those previously considered as part of the ES (2010) for the NFC site.



Conclusion

From the analysis above, it is considered that an EIA is not required.

Based on the above assessment of the potential impacts, we would ask you to provide your screening opinion as to the requirement for an EIA to be undertaken in connection with the proposed development works.

We trust that you have sufficient information to determine whether or not this is an EIA development under the 1999 Regulations. From these Regulations, we note that the local authority has three weeks (beginning from the date of receipt) to form a screening opinion.

Please contact myself or Sophie Waring if you have any questions.

Yours sincerely


Ian York
Senior Planner



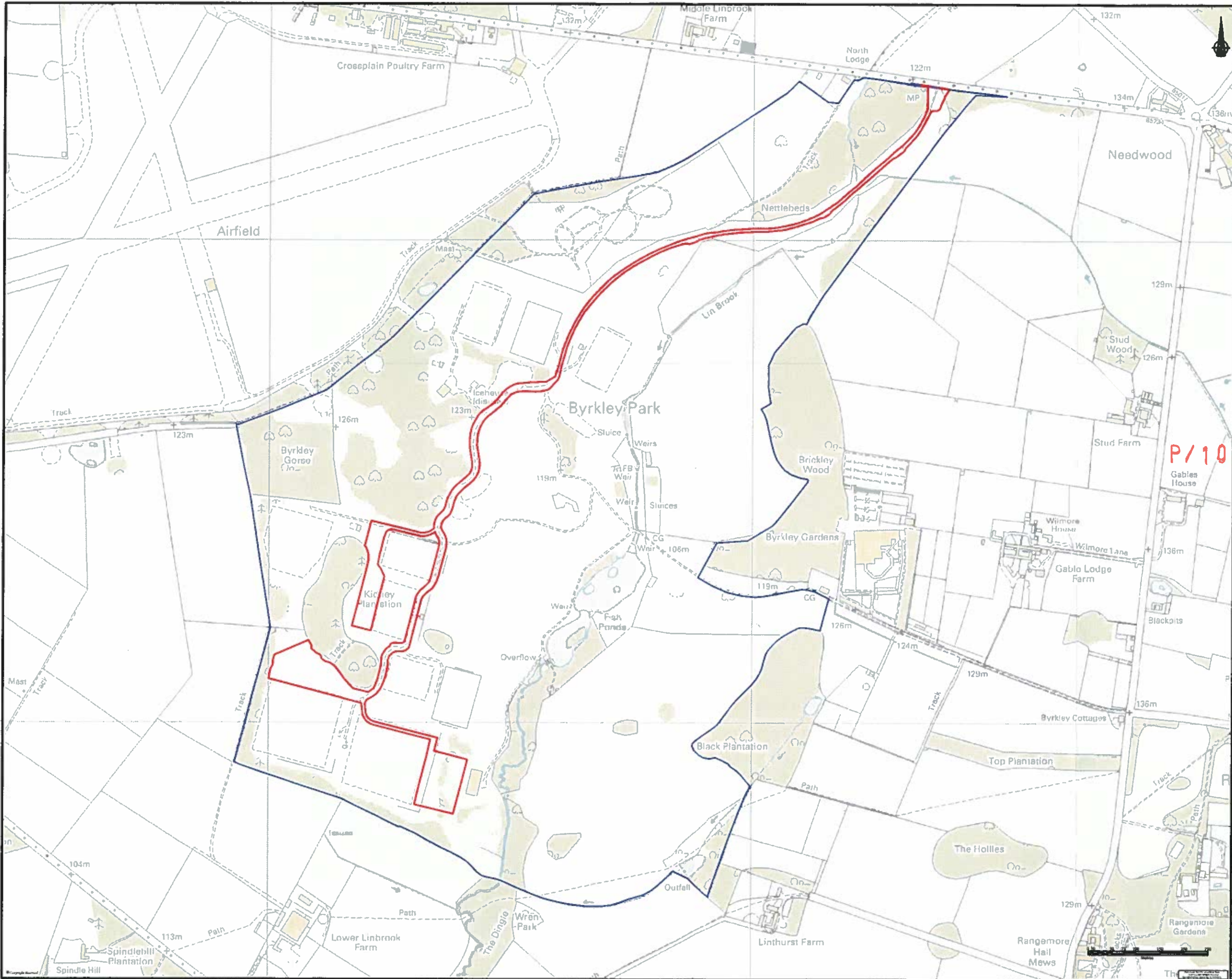
Nathaniel Lichfield
and Partners

Planning Design Economics

APPENDIX ONE

Site Plan

P/10/01507



KEY
 Pending application boundary
 Land in the ownership of the Football Association

P/10/01507

redboxarchitecture

National Football Centre
 St George's Park

Site Ownership Plan

1:1000	1:1000 @ A3	1:1000 @ A3
DATE	DATE	DATE
12/11/2010	12/11/2010	12/11/2010
12/11/2010	12/11/2010	12/11/2010
12/11/2010	12/11/2010	12/11/2010
12/11/2010	12/11/2010	12/11/2010

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APPENDIX TWO

Aerial Photograph of Existing Site of
The National Football Centre

P/10/01507



P/10/01507



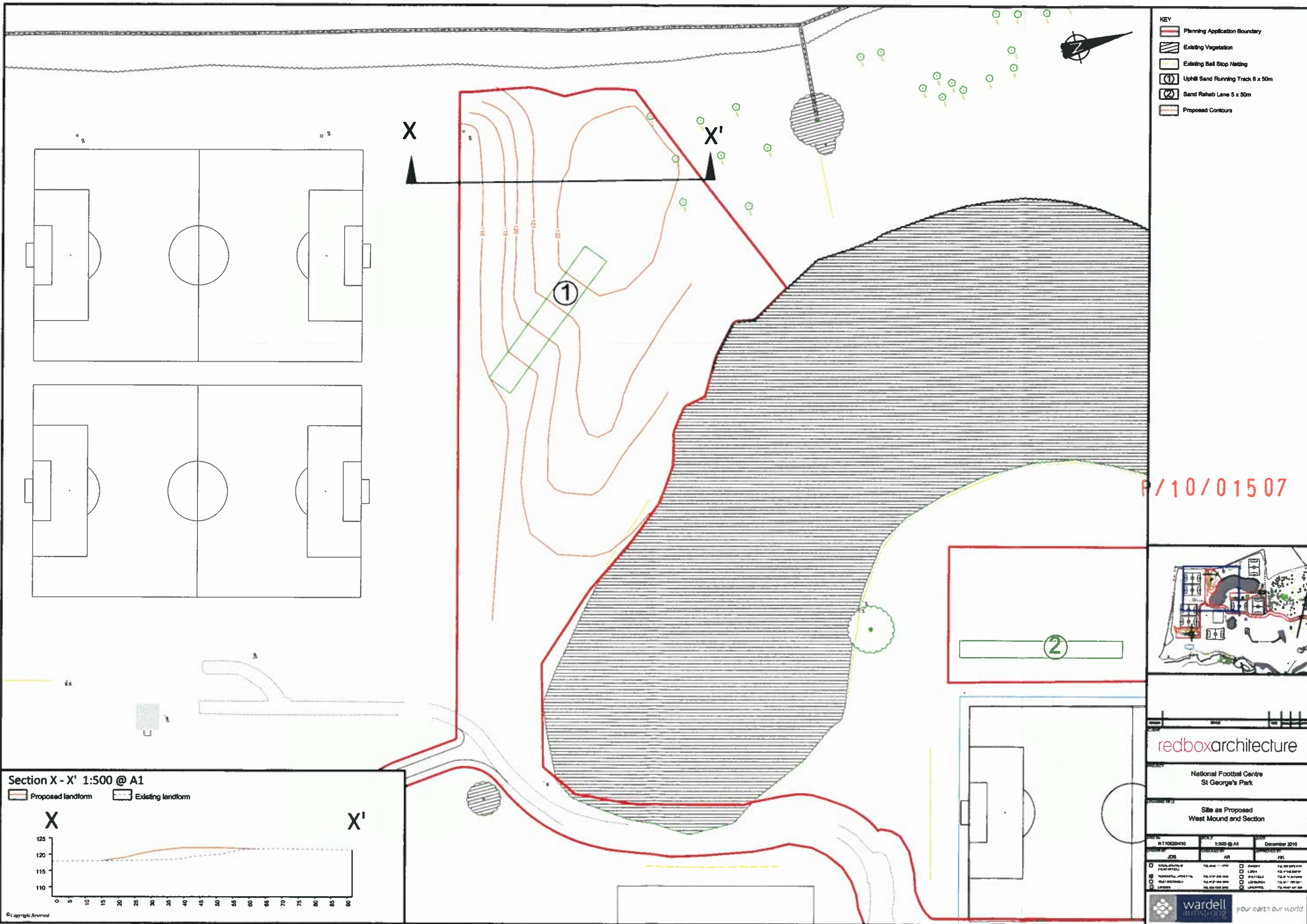
Nathaniel Lichfield
and Partners

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APPENDIX THREE

Proposed Site Plans and Sections

P/10/01507

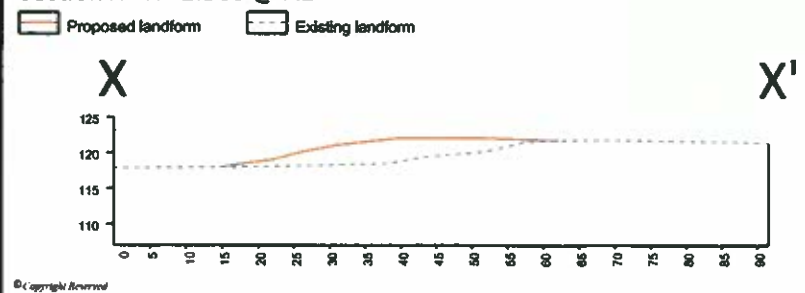


- KEY**
- Planning Application Boundary
 - Existing Vegetation
 - Existing Ball Stop Netting
 - 1 Uphill Sand Running Track 8 x 50m
 - 2 Sand Rehab Lane 5 x 50m
 - Proposed Contours

P/10/01507



Section X - X' 1:500 @ A1



redboxarchitecture

National Football Centre
St George's Park

Site as Proposed
West Mound and Section

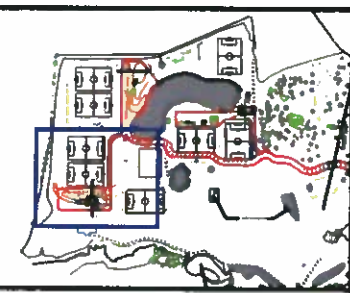
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9	15/12/2010	AR	PK
10	15/12/2010	AR	PK





- KEY**
- Planning Application Boundary
 - Existing Vegetation
 - Existing Ball Stop Netting
 - Proposed Contours

PA 10/01507



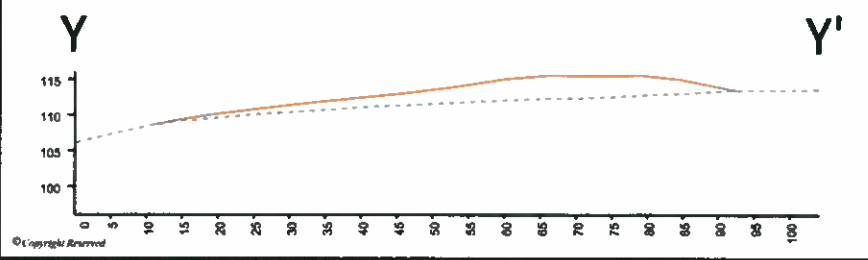
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National Football Centre
St George's Park

Site as Proposed
South Mound and Section

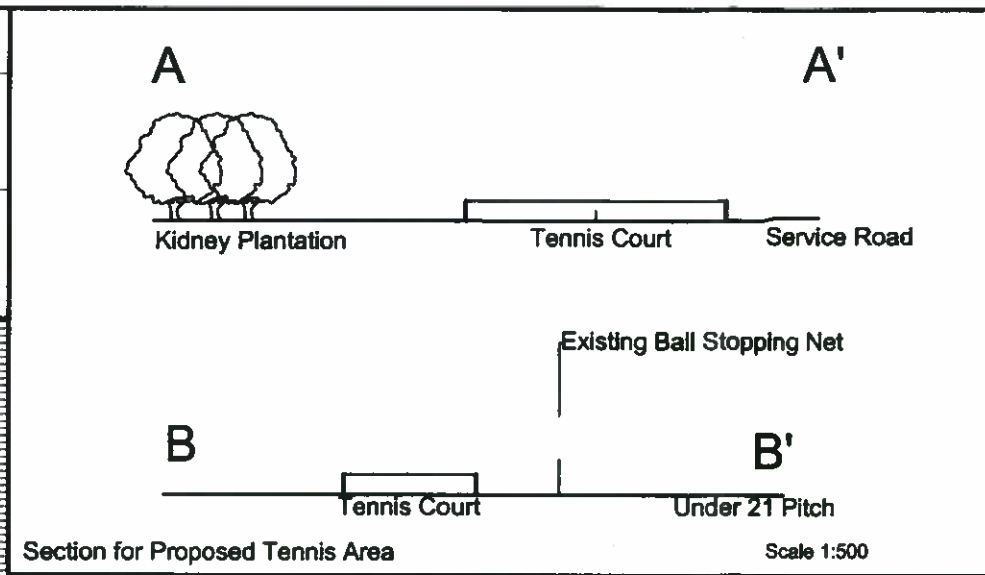
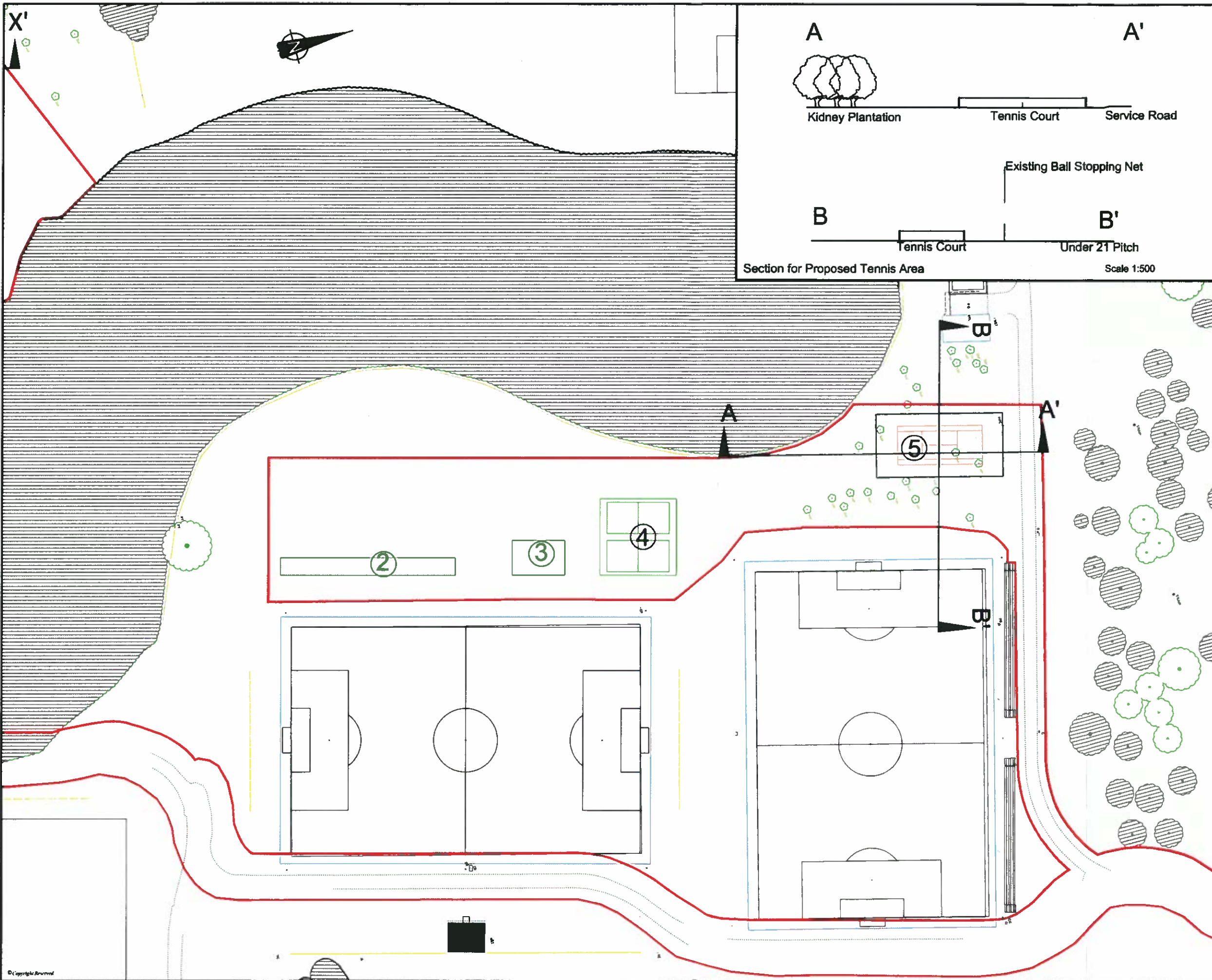
Section X - X' 1:500 @ A1

- Proposed landform
- Existing landform



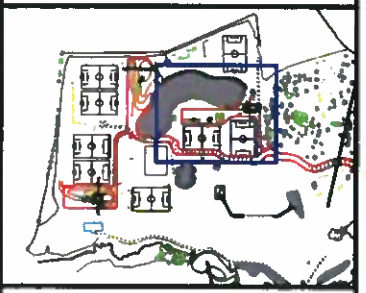
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4	15/12/2010	JES	AK	15/12/2010
5	15/12/2010	JES	AK	15/12/2010





- KEY**
- Planning Application Boundary
 - Existing Vegetation
 - Existing Ball Stop Netting
 - Sand Rehab Lane 5 x 50m
 - Sand Goal Keeping Training Pitch 10 x 15m
 - Hard Tennis Court 11 x 22m
 - Tennis Court 18.3 x 36.6m

P/10/01507



redboxarchitecture

National Football Centre
St George's Park

Site as Proposed
Tennis Area

DATE	NT 10/20/12	SCALE	1:500 @ A1	DATE	December 2010
DESIGNED BY	AR	CHECKED BY	AR	APPROVED BY	HS
PROJECT	NT 10/20/12	DATE	12/01/10	SCALE	1:500 @ A1
DESIGNED BY	AR	CHECKED BY	AR	APPROVED BY	HS
PROJECT	NT 10/20/12	DATE	12/01/10	SCALE	1:500 @ A1
DESIGNED BY	AR	CHECKED BY	AR	APPROVED BY	HS

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APPENDIX FOUR

Baker Shepherd Gillespie Assessment of Effects of the
Proposed Works on Ecology and Biodiversity at the Site

P/10/01507

Our ref: 3776.21_001_let_ks_nlp.doc

BY EMAIL

17th December 2010

Ian York
NLP

**baker
shepherd
gillespie**

ECOLOGICAL CONSULTANTS
Limited Liability Partnership

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Fax: 01433 659503

P/10/01507

Dear Ian,

Re: New Planning Application Drawings for St George's Park, Burton-upon-Trent, Staffordshire

Further to your recent correspondence I have set out below our comments in relation to any potential impacts on ecology and biodiversity that the new development proposals may have. It is understood that the new proposals are as follows:

1. Proposed area of mounding to the south of the kidney plantation with the inclusion of an uphill sand running track;
2. Proposed mounding to the south of the indoor pitch;
3. Proposed tennis courts x 2, sand rehabilitation lane and sand goal keeping training pit to the east of the kidney plantation.

These proposals are presented on drawings NT10620-405, 406, 407, 408, 409, 410, 411 and 412.

1. Proposed Area of Mounding to the South East of the Kidney Plantation

The proposed area of mounding to the east of the kidney plantation will be situated partially on an area of short mown amenity grassland and partially on an area of semi-improved neutral grassland. This proposal is not considered to have a significant impact on any features of particular ecological interest. Following the mounding works it is recommended that to enhance the biodiversity of the site, a species-rich grassland seed mix is sown on the mound and it is managed by a late summer cut every two years. This will create a "tussocky" dense sward that will be of benefit to small mammals and invertebrates and therefore be of benefit to birds such as barn owl and kestrel, which have been recorded on site.

2. Proposed Mounding to the South of the Indoor Pitch

The proposed area of mounding to the south of the indoor pitch will be situated partially on an area of short mown amenity grassland and partially on unimproved neutral grassland with scattered scrub/tree infrastructure planting. The unimproved neutral grassland is of ecological interest for its floristic diversity, and for the range of animals that it supports, and the scattered scrub and tree infrastructure planting may be used by nesting birds during the breeding season.



Breeding Birds

Nesting birds may use the scattered scrub and tree infrastructure planting during the breeding season. It is recommended that to avoid an impact on nesting birds, the removal of this vegetation should be undertaken during the period October to February inclusive to avoid the bird nesting season. As part of the existing Biodiversity Action Plan it is proposed that forty bird boxes will be erected throughout the site and it is considered that this will mitigate for this loss of nesting bird habitat.

Great crested newts

There is a known medium great crested newt population on site. Prior to works undertaken in line with an EPS great crested newt mitigation licence, three breeding ponds were located approximately 565m to the north of the grassland proposed for mounding. A period of trapping and destructive searches have been completed under this licence and over 300 great crested newts as well as other amphibian species were captured as part of this process. Currently great crested newt fencing is in place to prevent great crested newts that have been trapped out of the development area and moved to the receptor site, being able to re-colonise the site. This fencing will remain in-situ for the construction period. The fence line currently passes through the area of grassland to be used for mounding.

Natural England guidance¹ states the area up to 500 metres surrounding a mitigation pond should be considered to be potential newt habitat. For this particular site, given a number of factors, including newt capture during the trapping period within 160m of this grassland, the suitability of the habitat and its links to known great crested newt habitat, it is considered reasonably likely that great crested newts are present in this grassland. It will therefore be necessary to amend the existing great crested newt licence to take into account the disturbance and temporary loss of this grassland and to enable the existing fence line to be moved due to the potential for finding newts underneath this fence line. A period of trapping and destructive searches will be required in this area followed by reinstatement using a species-rich grass seed mix following the mounding works.

3. Proposed Tennis Courts, Sand Rehabilitation Lane, Goal Keeping Training Pit to the east of the Kidney Plantation

The proposed tennis courts and sand training pits to the east of the kidney plantation will be situated partially on an area of short mown amenity grassland and partially on an area of semi-improved neutral grassland. This proposal is not considered to have a significant impact on any features of particular ecological interest. The tennis courts are not to have any floodlighting associated with them so there will be no impacts on bats in relation to any additional lighting. It is recommended that following the proposed works the remaining grassland around the new tennis courts and the sand training pits is sown with a species-rich grass mix and is again managed to create a "tussocky" dense sward which will be of benefit for wildlife.

Please note that these new development proposals will not have an impact on the existing Biodiversity Action Plan strategy.

¹ English Nature 2001. Great crested newt mitigation guidelines.

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I hope this is helpful. If you have any queries, please do not hesitate to contact me.

Yours sincerely

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