Ecology Consultation

Proposal:		**Location:**	
Development of Use Class C2 Residential Accommodation with Care comprising 86 apartments for people aged 65 and over, communal facilities, associated landscaping, car parking, services and access from Meadow Lane		Land At Junction Of Harrison Way And Meadow Lane St Ives	
Dc Case Officer:	**Ecology Officer:**	**Application Ref. No:**	**Date:**
LPA	ET	24/02275/FUL	31/03/2025

Submitted Plans and Documents Reviewed

- Site Plan, received 03/12/2024
- Arboricultural Assessment, received 03/12/2024
- Statutory Biodiversity Net Gain Report, received 03/12/2024
- Ecological Appraisal, received 03/12/2024
- BNG - Statutory Biodiversity Metric, received 03/12/2024

Conclusion

Based on the submitted information, the approach to protected species, biodiversity net gain, and the mitigation and enhancement measures, are unacceptable and strong objections to the proposal are raised as the application fails to:

- Ensure the development delivers a 10% Biodiversity Net Gain in accordance with Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021).

- Comply with Paragraph 6 of Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021).

- Comply with Regulation 43 of The Conservation of Habitats and Species Regulations 2017 (as amended) as it will cause deliberate disturbance that is likely to impair the ability of multiple protected species to survive or to breed or reproduce.

- Demonstrate that all potential adverse impacts on biodiversity and geodiversity have been investigated in line with Local Plan Policy LP30

- Follow an established methodology to produce an assessment of habitats and species in line with Local Plan Policy LP30.

- Represent the avoidance of adverse impacts to biodiversity by all possible efforts in line with Local Plan Policy LP30

- Comply with DEFRA's Statutory Biodiversity Metric User Guide

Additionally, the follow paragraphs of the NPPF (2024) state (underline added for emphasis):

- Paragraph 187: Planning policies and decisions should contribute to and enhance the natural and local environment by:
    - a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan);
    - b) recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland
- Paragraph 188: Plans should: distinguish between the hierarchy of international, national and locally designated sites; allocate land with the least environmental or amenity value, where consistent with other policies in this Framework[65]; take a strategic approach to maintaining and enhancing networks of habitats and green infrastructure; and plan for the enhancement of natural capital at a catchment or landscape scale across local authority boundaries.
- Paragraph 193 : When determining planning applications, local planning authorities should apply the following principles:
    - a) if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused
    - c) development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons[70] and a suitable compensation strategy exists;

Assessment

Impacts on the County Wildlife Site

The site had previously been considered inappropriate in the 29 March to 7 June 2023 Call for Sites "*In combination the outcomes of the LAA and SA indicate that the site: Is inappropriate for development as successfully integrating the site with the existing place and community would be challenging and development would likely adversely impact the character of the County Wildlife Site*." Serious degradation of the onsite habitat then took place in March of 2024, prior to submission of a pre-application (Ref: 24/70066/PREAPP) which did not support the principle of development.

As discussed by the Landscapes and Biodiversity Officer, the site is identified as a core site within the Great Ouse Valley Habitat Network, a Priority Natural Landscape for Huntingdonshire. **Paragraph 188 of the NPPF (2024)** states that LPAs should "*take a strategic approach to maintaining and enhancing networks of habitats and green infrastructure*;" Allowing development within a core site of this network would represent a backstep in maintaining and enhancing networks of habitats, in direct opposition to the NPPF.

The proposal **fails to demonstrate that all potential adverse impacts on biodiversity and geodiversity have been investigated in line with LP30** as the Sites County Wildlife site designation has not been fully considered. Meadow Lane Gravel Pits is designated for containing the following features.

- Qualifies for pollard willows (1hi),
- at least 0.5ha of NVC S4 swamp (3biii),
- at least 0.1ha with two or more fen types (3h),
- a type 10A standing water body (4bi),
- NS plant species (6a),
- dragonflies (11.2a, 11.2c),
- invertebrate index over 500 (11.6a)

The PEA states "*The information provided for Meadow Lane Gravel Pits site does not provide detail of where the above features are located within the CWS, although it is possible to confirm that none of these habitat types are located within the site boundary.*" The site does however contain a pollard willow as confirmed by the Arb report:

T3	Crack Willow Salix fragilis	16	est 1700	6	M	F	Branch stubs evident Characteristic for species Crossing and rubbing branches Included bark union Lapsed Pollard Minor dead wood evident in the crown (<75mm) Multi leadered form	707	Capped at 15m	B (i),B (ii)

As the PEA failed to survey for invertebrates, it cannot be confirmed that the site did not contain or contribute towards the CWS features of dragonflies (11.2a, 11.2c), and invertebrate index over 500 (11.6a). Without a quantifiable measure of the damages to be caused by development, and those already caused by the degradation carried out to facilitate development, all potential adverse impacts on biodiversity and geodiversity have not been considered.

Accordingly, the PEA has **failed to follow an established methodology to produce an assessment of habitats and species** by not providing a suitable scope of field surveys for priority species (invertebrates) and an assessment of the likely importance of habitat features present for such species. This is required for the proposal to comply with **Local Plan Policy LP30**.

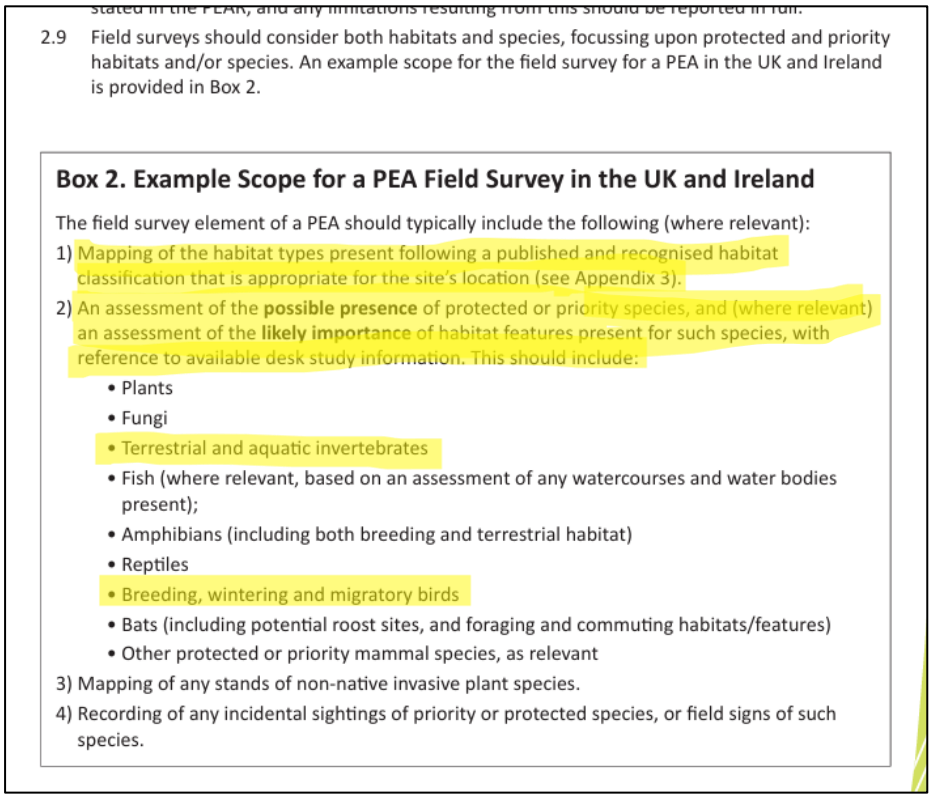
Policy LP30 states:

"A proposal that is likely to have an impact, either direct or indirect, on biodiversity or geodiversity will need to be accompanied by an appropriate appraisal, such as a Preliminary Ecological Appraisal, identifying all individual and cumulative potential impacts on biodiversity and geodiversity."

Paragraph 8.12 in LP30 Reasoning states:

"When producing an assessment of habitats and species an established methodology should be used such as that for Preliminary Ecological Appraisal (PEAs) available from the Chartered Institute of Ecology and Environmental Management."

As outlined by CIEEM's Guidelines for Preliminary Ecological Appraisal (2017) and therefore required by LP30, the PEA must provide the following:



stated in the PEAR, and any limitations resulting from this should be reported in full.

2.9 Field surveys should consider both habitats and species, focussing upon protected and priority habitats and/or species. An example scope for the field survey for a PEA in the UK and Ireland is provided in Box 2.

Box 2. Example Scope for a PEA Field Survey in the UK and Ireland

The field survey element of a PEA should typically include the following (where relevant):

1) Mapping of the habitat types present following a published and recognised habitat classification that is appropriate for the site's location (see Appendix 3).
2) An assessment of the **possible presence** of protected or priority species, and (where relevant) an assessment of the **likely importance** of habitat features present for such species, with reference to available desk study information. This should include:
   - Plants
   - Fungi
   - Terrestrial and aquatic invertebrates
   - Fish (where relevant, based on an assessment of any watercourses and water bodies present);
   - Amphibians (including both breeding and terrestrial habitat)
   - Reptiles
   - Breeding, wintering and migratory birds
   - Bats (including potential roost sites, and foraging and commuting habitats/features)
   - Other protected or priority mammal species, as relevant
3) Mapping of any stands of non-native invasive plant species.
4) Recording of any incidental sightings of priority or protected species, or field signs of such species.

Baseline mapping is inaccurate but discussed later in this consultation. The application failed to conduct appropriate surveys give the designation and context of the site (dragonflies (11.2a, 11.2c), invertebrate index over 500 (11.6a) and its value to the Great Ouse Valley Priority Areas overwintering waterfowl, wetland bird species, and scrub and wetland margins).

4.3 Great Ouse Valley Priority Area

4.3.1 Key Facts

Total area: 7,323 Ha in Cambridgeshire (5,114 Ha in Huntingdonshire)
Area of core & stepping stone habitats: 3,023 Ha (41.3% of total area)

Core sites Portholme SSSI / SAC; St Neots Common SSSI, Godmanchester Eastside Common SSSI, Houghton Meadows SSSI, Berry Fen SSSI, Paxton Pits SSSI / CWS, Buckden Gravel Pits CWS, Brampton Flood Meadows CWS, Hinchingbrooke Country Park CWS, West Meadow CWS, Westside Common Pollard Willows CWS, Godmanchester Nature Reserve CWS, Hemingford Abbots Meadow CWS, Hemingford Grey Meadow CWS, Meadow Lane Gravel Pits CWS, Holywell Front Pollard Willows CWS, Earith Gravel Pits CWS, Fen Drayton Gravel Pits CWS (South Cambs), Ouse Fen (South Cambs) and Wyboston Lakes (Bedford Borough).

Important habitats: Lowland floodplain meadows, floodplain wetland mosaics, reed swamp, wet woodland, open water lakes and river backwaters.

Important species:
Fauna: Nationally important numbers of overwintering waterfowl with key species including gadwall and tufted duck, along with a wide range of other species. Other wetland bird species include grey heron, cormorant, common tern, black-headed gull, lesser black-backed gull and bittern. Species of scrub and wetland margins include nightingale, cetti's warbler and grasshopper warbler. A wide range of wetland invertebrates with dragonflies including scarce chaser and Norfolk hawker.
Flora: Flora of lowland meadows including fritillary, great burnet, narrow-leaved water-dropwort & pepper saxifrage. A range of aquatic flora can be found particularly in the more natural back channels of the river.

Excerpt from the Nature Recovery Network for Huntingdonshire as formally recognised by The Huntingdonshire Priority Natural Landscapes report.

The proposed developments include allotments and landscape management. These will introduce pesticides and herbicides to the site and their leaching and run-off into the soil and adjacent waterbody will have considerable impact on the waterbody's vegetation and invertebrate communities, potentially damaging the feature for which the CWS is designated. LP30 states "*A proposal will not be supported if potential impacts would lead to the deterioration of a water body of ecological status/ potential*."

Excerpt from LP30:

All possible efforts must be taken to avoid adverse impacts. If it is demonstrated that adverse impacts are unavoidable they must be minimised as far as possible and then mitigated. Only where this process of avoidance, minimisation and then mitigation is insufficient to fully address adverse impacts will consideration be given to compensation measures. Following this process a proposal will only be supported subject to a hierarchy where:

a. a site of international importance, being a Special Area of Conservation (SAC), Special Protection Area (SPA) or Ramsar site would be affected there has to be exceptional overriding reasons of human health, public safety or environmental benefit;
b. a site of national importance, such as a Site of Special Scientific Interest (SSSI) or National Nature Reserve (NNR) would be affected there has to be exceptional circumstances where the need for, and the benefits of, the proposal significantly outweigh both the potential impacts on the features of the site that make it of national importance and any broader impacts on the national network of such sites;
c. a protected species, a priority habitat or species, a site of local or regional importance, the achievement of water body good ecological potential, or the biodiversity value of the proposed development site as part of the wider network would be affected, the need for and the benefits of the proposal must clearly outweigh the assessed impacts.

The destruction of a site designated for its value to wildlife **does not represent avoidance of adverse impacts to biodiversity by all possible efforts (LP30)**. The proposal should not be supported as it has failed to follow the first stage of this hierarchy. Even had the hierarchy been followed, sub-section c. above requires the benefits of the proposal clearly outweigh the assessed impacts (applications failure to correctly assess impacts is further detailed below) as the development endangers all assets listed in the sub-section:

- protected species,
- priority habitats and species,
- a site of local or regional importance,
- the achievement of water body good ecological potential,
- the biodiversity value of the proposed development site as part of the wider network would be affected

It is considered that development in this location is highly unacceptable given the UK is currently in a biodiversity crisis with England being one of the most nature-depleted countries in the world caused by the incremental loss of habitat. The last 5 years has seen the UK adopt internationally groundbreaking legislation in the form of the Environment Act (2021) to protect biodiversity and reverse its loss. The destruction of part of a designated wildlife site directly opposes the spirit of this legislation and a grant of planning permission in this case would contradict the national value placed in conserving, enhancing and restoring biodiversity and the value given by LP30.

Impacts on Protected Species

Due to the degradation, the site exists in an artificially lowered state of ecological value, and it is unrealistic to assess only the further harm caused to this lowered state by the proposed development. The past and future of the site must be considered. While the damage caused to the habitat by the March 2024 clearance is considerable, if left to self-restore, or suitable woodland restocking occurs, the CWS will be able to recover given time and will once again be able to support a broad range of high value species at a strategically significant site. The proposed development represents a direct threat to the recovery of this habitat and will eliminate the opportunity for protected and other species to recolonisation the site. As such, ecological harm caused by the proposed development needs to be considered in terms of the loss of the sites future capacity to support nature, in addition to accounting for its value prior to habitat degradation.

As the majority of the protected species survey work represents the site in its degraded state, it fails to provide an accurate representation of the sites actual value. Without adequate information on the sites true value to legally protected species prior to degradation, it is impossible for appropriate/equivalent compensation to be secured. Therefore, the development **fails to comply with LP30** as it is impossible to achieve no net loss in protected species biodiversity when the baseline value is unknown.

The site is of great importance for the foraging and commuting of bats with the submitted surveys showing the site supports 11 of the 12 bat species present in Cambridgeshire. The PEA states "*In terms of mitigation for the site, site design should aim to enhance existing commuting corridors via creation of high-quality linear features and sensitive lighting strategies*." Higher quality linear habitats then those proposed already existed on site prior to clearance and their loss cannot be suitably compensated for on-site. The proposed 'enhancements' (creating linear features and planting night-scented species) will constitute a loss of commuting and foraging habitat from the site relative to the pre-clearance levels and are not suitable compensation for its loss.

In addition, sensitive lighting strategies are not an enhancement. They are a compromise that aims only to limit the degradation caused by lighting to nocturnal habitat (i.e. bat commuting, foraging, and roosting habitat). Any implemented lighting scheme, no matter how sensitive, will cause unacceptable harm to the nocturnal species of the County Wildlife Site. Therefore, the development **fails to comply with Regulation 43 of The Conservation of Habitats and Species Regulations 2017 (as amended) as it will cause deliberate disturbance that is likely to impair the ability of multiple protected species to survive or to breed or reproduce.**

Manipulation of Baseline Conditions, Habitat Types and Areas to Avoid Habitat Degradation Penalties:

In-line with comments made by the Senior Landscapes and Biodiversity Officer regarding the substantial habitat destruction that occurred at the County Wildlife Site (March 2024) prior to submission, **the application fails to comply with Paragraph 6 of Schedule 7A of the Town and Country Planning Act 1990.** This is an anti-avoidance provision designed to prevent a site's pre-development biodiversity value being artificially lowered through activities such as vegetation clearance. It states:

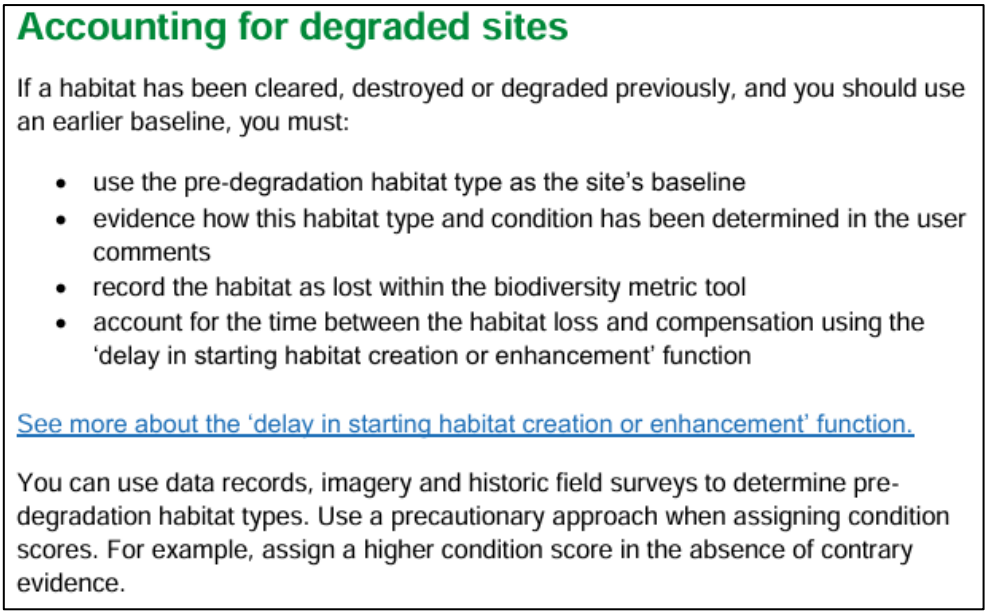
> *"6. If-*
>
> *(a) a person carries on activities on land on or after 30 January 2020 otherwise than in accordance with*
> (i) *planning permission, or*
> (ii) *any other permission of a kind specified by the Secretary of State by regulations, and*
> (b) *as a result of the activities the biodiversity value of the onsite habitat referred to in paragraph 5(1) is lower on the relevant date than it would otherwise have been,*
>
> *the pre-development biodiversity value of the onsite habitat is to be taken to be its biodiversity value immediately before the carrying on of the activities."*

The baseline biodiversity assessment therefore needs to account for all habitat removed since 30th January 2020.

Paragraph 6B describes how to assess the biodiversity value of the removed habitat if there is insufficient evidence of its value immediately before the degradation occurred.

> *"6B. (1) This paragraph applies where there is insufficient evidence of the biodiversity value of an onsite habitat immediately before the carrying on of the activities referred to in paragraph 6 or 6A.*
>
> *(2) The biodiversity value of the onsite habitat immediately before the carrying on of the activities referred to in paragraph 6 or 6A is to be taken to be the highest biodiversity value of the onsite habitat which is reasonably supported by any available evidence relating to the onsite habitat."*

Further to this, guidance provided by DEFRA's Statutory Biodiversity Metric User Guide regarding habitat degradation has been ignored:



Accounting for degraded sites

If a habitat has been cleared, destroyed or degraded previously, and you should use an earlier baseline, you must:

- use the pre-degradation habitat type as the site's baseline
- evidence how this habitat type and condition has been determined in the user comments
- record the habitat as lost within the biodiversity metric tool
- account for the time between the habitat loss and compensation using the 'delay in starting habitat creation or enhancement' function

See more about the 'delay in starting habitat creation or enhancement' function.

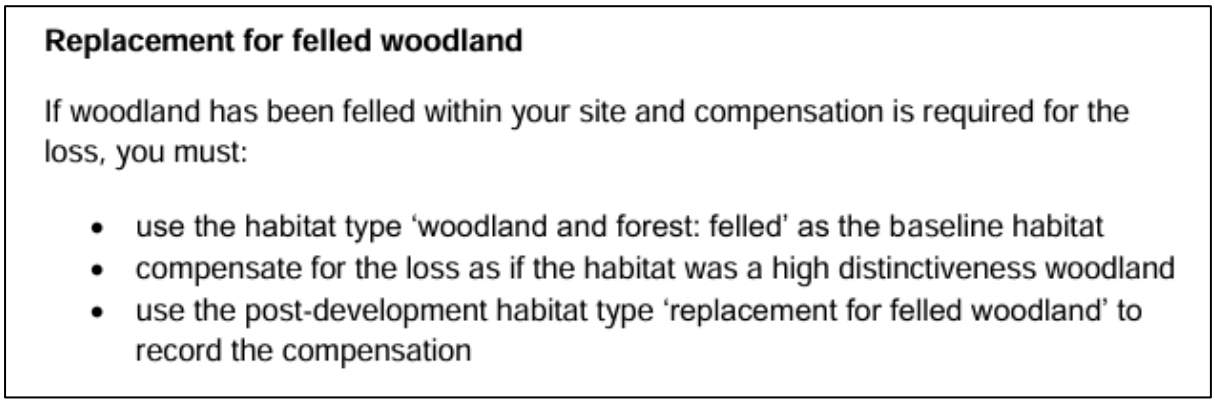
You can use data records, imagery and historic field surveys to determine pre-degradation habitat types. Use a precautionary approach when assigning condition scores. For example, assign a higher condition score in the absence of contrary evidence.

(The Statutory Biodiversity Metric User Guide pg. 50)

The proposal does not correctly account for the degradation with the following baseline conditions and habitat types being incorrect:

Woodland

The felled woodland is recorded as either Lowland mixed deciduous woodland or Other woodland; broadleaved in the submitted metric. The UKHab system covers woodland habitat clearance with the classification 'Felled' in the metric, which gives a higher habitat unit value per hectare than the pre-existing woodland. The application has **failed to comply with DEFRA's Statutory Biodiversity Metric User Guide** which requires felled woodland to be recorded as such.



Replacement for felled woodland

If woodland has been felled within your site and compensation is required for the loss, you must:

- use the habitat type 'woodland and forest: felled' as the baseline habitat
- compensate for the loss as if the habitat was a high distinctiveness woodland
- use the post-development habitat type 'replacement for felled woodland' to record the compensation

(The Statutory Biodiversity Metric User Guide pg. 15)

“Bramble” Scrub

The report has failed to submit an accurate baseline habitat map as its key fails to distinguish between bramble and mixed scrub.



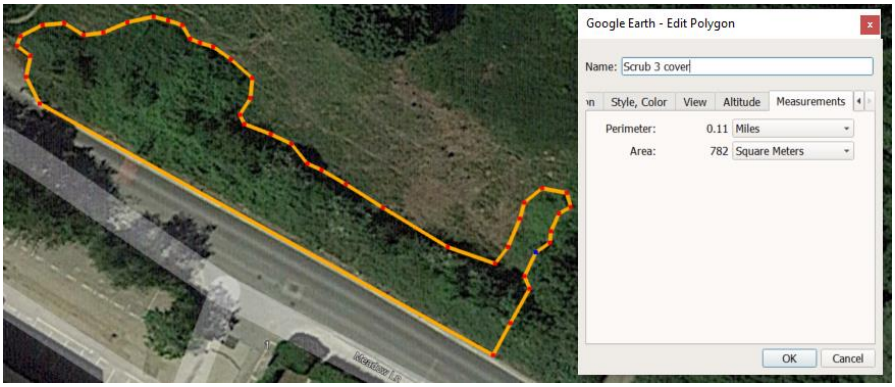
However, the condition map shows the roadside parcel classified as bramble scrub. Bramble scrub is defined under the UKHab classification as “Dense scrub with Bramble *Rubus fruiticus agg.* dominant.” The parcel is not dominated by bramble as it contains only a strip of brambles adjacent to the road (as shown below). Some areas of this strip are very low growing and far from dominant with the remainder of the parcel being a mature mix of native scrub species such as hawthorn and dog rose.

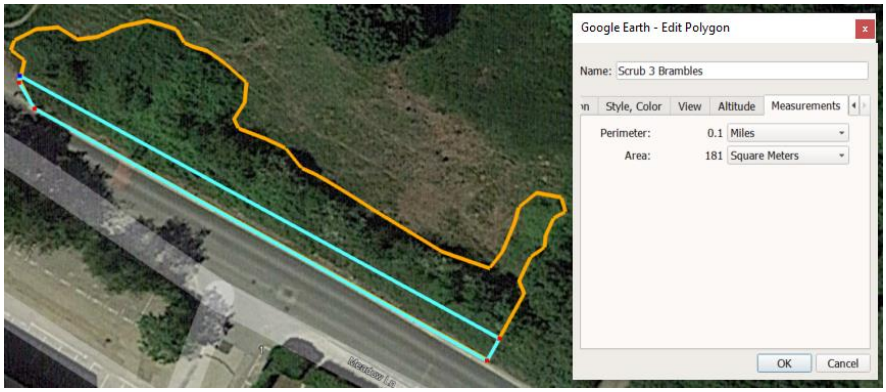






Satellite imagery shows only approximately 25% cover of brambles.





As the scrub parcel is not dominated by bramble, the application has failed to correctly assess the baseline habitat. The parcel should have been recorded as mixed scrub which, unlike bramble, does require a condition assessment.

The northern portion of this scrub was removed during the March 2024 Habitat clearance as shown by the photo below taken shortly after the clearance.



Photographs anonymously provided showing March 2024 clearance

With no condition assessment undertaken, limited information exists regarding the habitats condition prior to clearance of the northern portion. Given the absence of evidence to the contrary, the parcel should have been recorded as a single contiguous habitat of mixed scrub in good condition in accordance with **Paragraph 6B of Schedule 7A of the Town and Country Planning Act 1990 and the Metric User Guide's precautionary approach to degraded habitat condition assessment.**

Other Neutral Grassland and Tall Forbs

A field survey was completed late October 2023 and updated late May 2024 which identified on-site habitats and their condition. While the first survey took place outside the vegetation survey season (which runs to a maximum of mid-October), the in-season update survey would have been sufficient to establish the baseline habitat conditions (following a site visit from the LPA Ecology Officer to confirm). However, the update survey took place after the March 2024 habitat clearance during which the grassland and tall forbs suffered significant soil churning, compaction damage and disturbance to the sward caused by the heavy machinery used (below).









Photographs provided anonymously showing grassland and tall forb habitat degradation during March 2024 clearance.



Damage to grassland (Pre-Application Report, 24/70066/PREAPP)

The preceding degradation of the grassland and tall forbs invalidates the update survey regarding establishing pre-degradation habitat conditions, having only recorded those post-degradation. Without a valid update, a single out-of-season survey is insufficient to accurately assess grassland and tall forb habitat conditions.

Paragraph 6B of Schedule 7A of the Town and Country Planning Act 1990 states habitat whose biodiversity value has been lowered "*is to be taken to be the highest biodiversity value of the onsite habitat which is reasonably supported by any available evidence relating to the onsite habitat*". The PEA states the condition of the grassland is moderate, passing assessment criteria a, d, e and failing b, c, f, and while it is unclear how much this assessment has been influenced by the post-clearance survey, it does at least establish a minimum possible condition based on degraded and out-of-season data. The failed condition criteria are as follows:

- Criterion b states: "*Sward height is varied (at least 20% of the sward is less than 7 cm and at least 20% is more than 7 cm) creating microclimates which provide opportunities for insects, birds and small mammals to live and breed*."
- Criterion c states: "*Cover of bare ground is between 1% and 5%, including localised areas, for example, rabbit warrens*"
- Criterion f states: "*There are 10 or more vascular plant species per m^2 present, including forbs that are characteristic of the habitat type (species referenced in Footnote 3 and 5 cannot contribute towards this count). Note - this criterion is essential for achieving Good condition for non-acid grassland types only*."

It is reasonable to assume that an in-season survey before degradation would have passed criteria b and c prior to the sward reaching its end of season climax height and density, and f passed as multiple spring and early summer flowering species would have been identified in addition to those recorded in October.

The PEA states the condition of the tall forbs is poor, passing assessment criteria c, and failing a and b. The failed condition criteria are as follows:

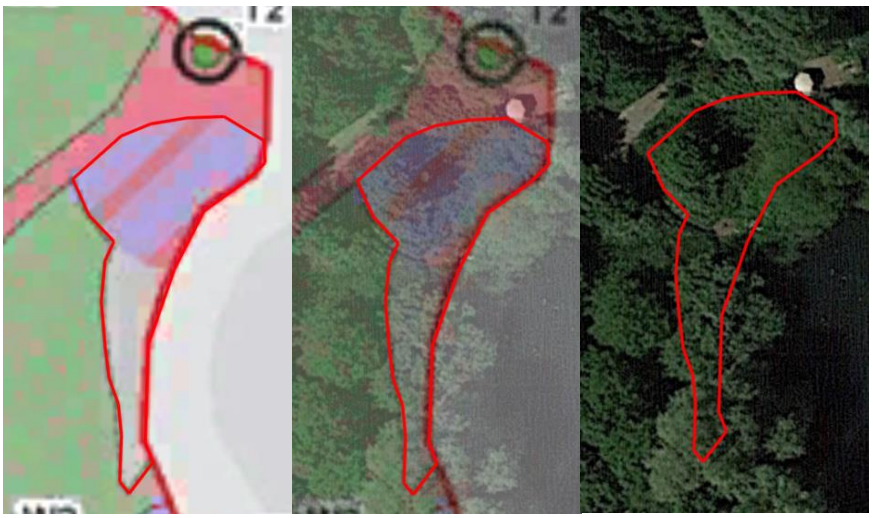
- Criterion a states: "*Vegetation structure is varied, providing opportunities for vertebrates and invertebrates to live, eat and breed. A single structural habitat component or vegetation type does not account for more than 80% of the total habitat area.*"
- Criterion b states: "*The habitat parcel contains different plant species that are beneficial for wildlife, for example flowering species providing nectar sources for a range of invertebrates at different times of year.*"

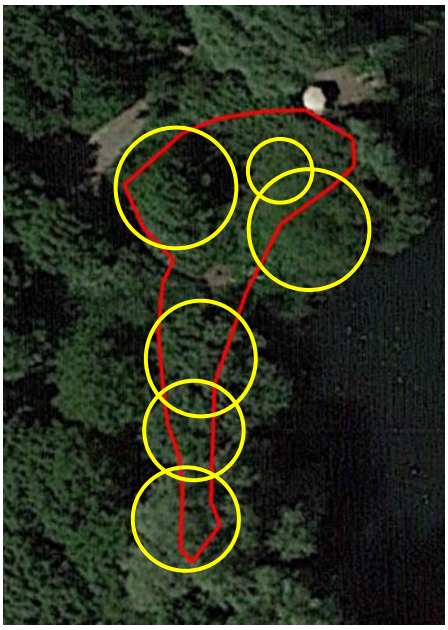
Similarly to the grassland above, it is reasonable to assume that an in-season survey before degradation would have passed criteria a to the vegetation reaching its end of the season climax height and density, and b passed as multiple spring and early summer flowering species could have been identified in addition to those recorded in October.

Given the above information, and absence of evidence to the contrary, both the Other neutral grassland and Tall forbs should have been recorded as being in good condition in accordance with **Paragraph 6B of Schedule 7A of the Town and Country Planning Act 1990 and the Metric User Guide's precautionary approach to degraded habitat condition assessment**.

Eastern Area of Tall Forbs and Scrub

The two habitat parcels below are mislabelled tall forbs and scrub when they fall under the UKHab definition of woodland. The trees marked in yellow show a >25% canopy cover so the area forms a contiguous part of the woodland now felled and should have been included in the metric as such.





w Woodland and forest

Category Type

Primary Level 2

Spatial Feature Type

Area Line

Definition

Land with ≥25% cover of trees that are ≥5 m in height.

Southern Parcel of Bramble Scrub

In addition to the area of the track (bare ground) having been overstated to occupy part of the parcel as shown below, half of this parcel has been incorrectly mapped.



The street view capture below and difference in texture of the satellite image between the northern and southern parcel sections show the northern half of the parcel is part of the adjacent woodland, with the northern section baring a considerably greater resemblance to the adjacent woodland than the .



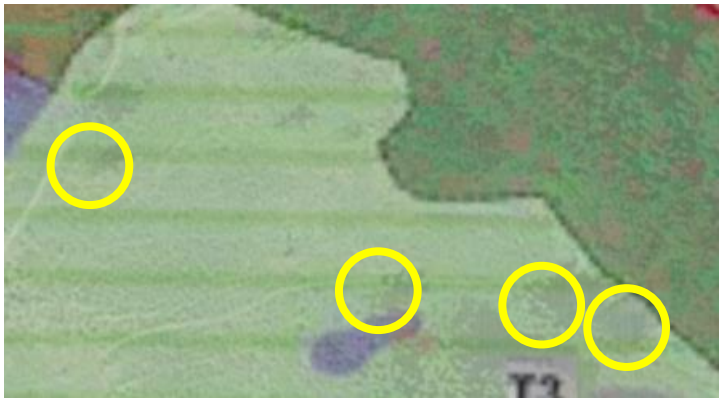


The northern section of the parcel was cleared during the March 2024 habitat clearance and should have been recorded as Felled in the metric.

Trees Unrecorded

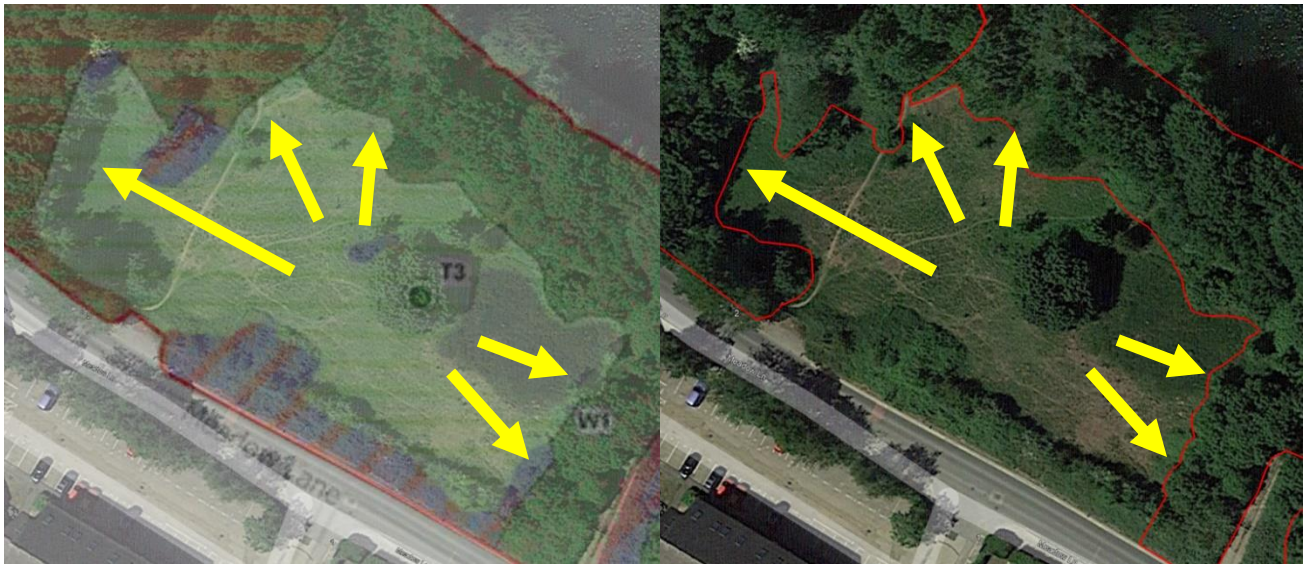
The proposal has failed to record four trees that were present within the grassland prior to degradation.



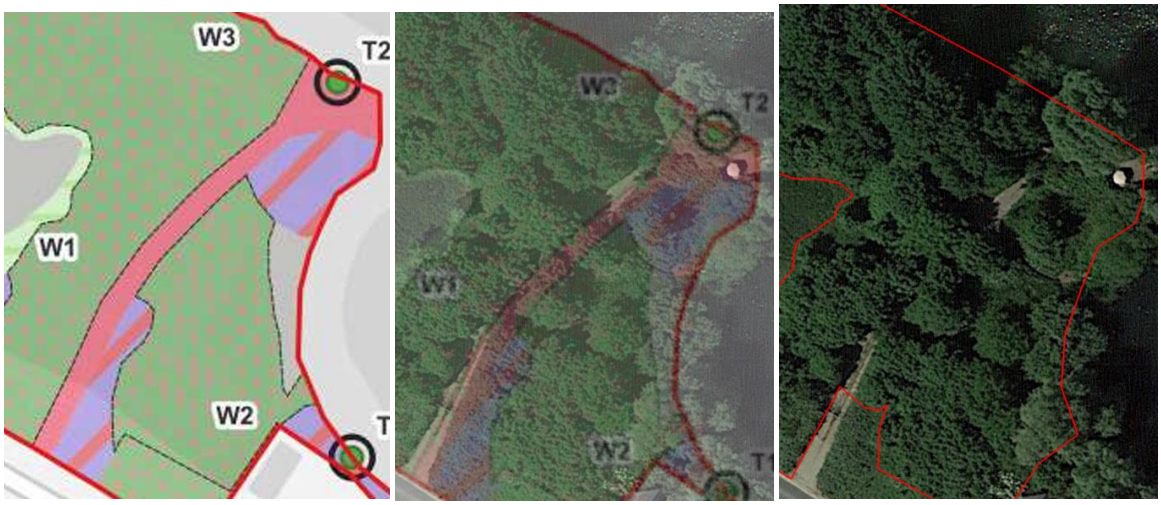


Felled Woodland Area

The submitted baseline map and metric omit multiple areas of woodland. Areas along the border with the grassland are shown when satellite imagery is overlayed with the baseline habitat map. The redline of the right image shows the correct woodland edge.

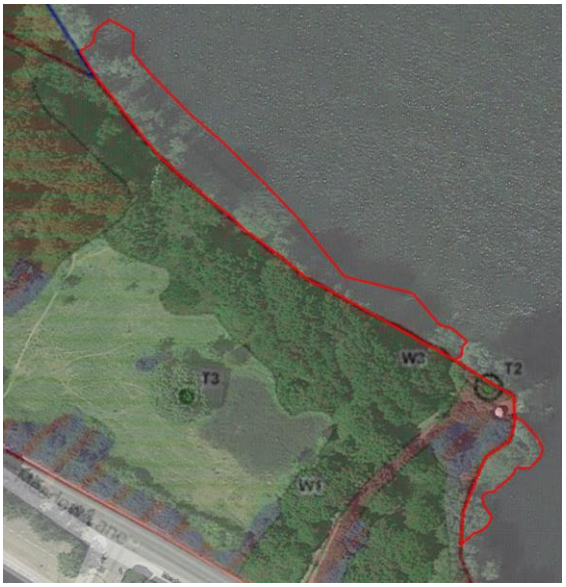


The size and presence of the bare ground track has been overstated with it covered almost entirely with the woodland canopy. What does show through the canopy should be mapped as woodland habitat with the canopy breaks still giving the parcel a >25% tree cover in the context of the whole woodland parcel. The below right image shows the actual extent of the woodland coverage.



Canopy Outside Redline

As a result of the degradation within the redline boundary, canopy cover relating to trees within the RLB has been lost because of the proposed development. This has not been recorded in the metric.



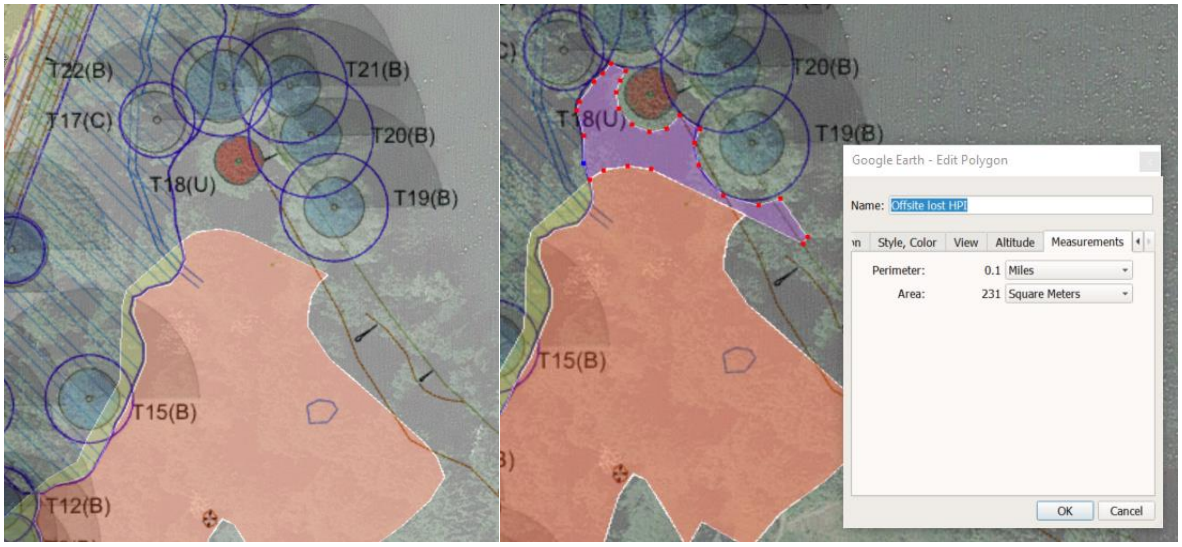
Retained Woodland Area

The Tree Survey Plan in the Arboricultural Assessment shows the sites current state following the habitat clearance. When overlayed with the red line boundary (below left) the area of retained Lowland mixed deciduous woodland is lower than the value given in the metric (below right).



Off-site losses

Additionally, the Tree Survey Plan shows off-site Lowland mixed deciduous woodland in the blue line boundary has been felled (below, purple). This has not been accounted for in the off-site metric tabs.



Irreplaceable Habitat Not Accounted For

The habitat clearance has resulted in the loss of a mature treeline within the woodland which dates to the 1800's (see NLS side-by-side map, 2008 street view prior to woodland growth, and 1999 areal imagery below).





1999 Google Earth.

Following the precautionary approach of Paragraph 6B(2) of Schedule 7A of the Town and Country Planning Act 1990

> *"(2) The biodiversity value of the onsite habitat immediately before the carrying on of the activities referred to in paragraph 6 or 6A is to be taken to be the highest biodiversity value of the onsite habitat which is reasonably supported by any available evidence relating to the onsite habitat."*

it is reasonable to assume that the seven trees of the treeline shown in the 1830-1880 OS map above would have attained veteran status after 150 to >200 years of growth. The recording of veteran trees as irreplaceable habitat is covered in The Statutory Biodiversity Metric User Guide.

Ancient and veteran trees

All ancient and veteran trees must be recorded within the biodiversity metric tool and marked as an irreplaceable habitat. Ancient and veteran trees can be found in a range of situations, including within:

- hedgerows
- lines of trees
- woodland
- open habitats
- urban settings

You should record all ancient and veteran trees as individual trees separately on a single data entry row and mark these as an irreplaceable habitat. This includes ancient and veteran trees in woodlands that are not themselves ancient woodlands and those in hedgerows and lines of trees.

Irreplaceable ancient and veteran trees may be found within the biodiversity metric habitat type 'ecologically valuable line of trees'. The linear length is not irreplaceable, but the component ancient and veteran trees are.

Paragraph 193 of the NPPF (2024) states the following regarding irreplaceable habitat, **recommending refusal** for applications such as that proposed:

193. When determining planning applications, local planning authorities should apply the following principles:

(a) if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused;

(b) development on land within or outside a Site of Special Scientific Interest, and which is likely to have an adverse effect on it (either individually or in combination with other developments), should not normally be permitted. The only exception is where the benefits of the development in the location proposed clearly outweigh both its likely impact on the features of the site that make it of special scientific interest, and any broader impacts on the national network of Sites of Special Scientific Interest;

(c) development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons [70] and a suitable compensation strategy exists; and

(d) development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to improve biodiversity in and around developments should be integrated as part of their design, especially where this can secure measurable net gains for biodiversity or enhance public access to nature where this is appropriate.

(70) For example, infrastructure projects (including nationally significant infrastructure projects, orders under the Transport and Works Act and hybrid bills), where the public benefit would clearly outweigh the loss or deterioration of habitat. ↩