

Conservation (Natural Habitats &c.) Regulations 1994

Regulation 48 Appropriate Assessment

Re: Marston's Quarry, Cavenham, Extensions (SCC Site Number 23)

1. Description of Development:

It is proposed to extend the existing minerals/aggregates works at the existing Marston's Quarry, Cavenham, Suffolk by adding two further areas, one to the west (SCC Site 23) and one to the east (SCC Site 24) of the existing works. Site 23 is 10.4 Hectares located at Grid Ref: 5760 2720; Site 24 is 8.9 Hectares located at Grid Ref: 5766 2720 and has been subject to an earlier Appropriate Assessment, submitted and approved by Natural England and has been granted Planning Permission by Suffolk County Council.

The Marston's Quarry site is within the Breckland Special Protection Area (SPA) hence Suffolk County Council are required to carry out an Appropriate Assessment pursuant to **Regulation 48** of the **Conservation (Natural Habitats &c.) Regulations 1994**. This area of Suffolk and Norfolk has been designated because, *inter alia*, it provides a habitat for about 75% of the United Kingdom's population of **Stone Curlew** (*Burhinus oedicnemus*).

Near to site 23, there are confirmed reports of **Stone Curlew** and **Woodlark** (*Lullula arborea*) breeding.

The site also has potential for **Nightjar** (*Caprimulgus europaeus*) depending upon future management.

Further details of the SPA designation are available on the **Joint Nature Conservation Committee's** website at: <http://www.jncc.gov.uk/default.aspx?page=2016>.

More information about the **Stone Curlew** can be found here: http://www.arkive.org/species/ARK/birds/Burhinus_oedicnemus/more_info.htm
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More information about the **Woodlark** can be found here: http://www.arkive.org/species/ARK/birds/Lullula_arborea/

More information about the **Nightjar** can be found here:

http://www.arkive.org/species/ARK/birds/Caprimulgus_europaeus/more_info.html

Site 23 Details:

Grid Ref: 5760 2720

Hectares: 10.9

Currently, Site 23 comprises a largely open habitat, though there is some scrub encroachment (birch, gorse and bracken). This site is monitored by the RSPB and there have been sightings in this area of the Stone Curlew. It is understood that this area does contain potential nesting habitat but no records exist for Stone Curlew attempting to nest here for the last few breeding seasons.

The Operation

The proposed operation on the ground will involve the removal of topsoil and substrate followed by the removal of aggregates from both areas combined over a period of 8 to 10 years

The quarrying operation will involve the use of heavy machinery, the installation of conveyor belts and periods of considerable human and mechanical activity, appropriate to large-scale aggregate removal.

The operation will be carried out by: Messrs. Allen & Newport Ltd. (Sand, Gravel & Ready Mixed Concrete Producers) whose Registered Office is at: Walton House, 31, New Path, Fordham, Ely, Cambridgeshire CB7 5JX.

Post Extraction Restoration:

Following completion of extraction, it is proposed that the site be restored to typical Breckland grass heathland complementing the existing 47.4 Hectares of restored acid grassland heath adjacent to these sites. In addition, Site 24 will also be restored to a similar habitat type.

Those areas that have already been restored are subject to a detailed Management Plan (dated November, 2003) drawn up and implemented by the RSPB based at the East Anglia Regional Office, Stalham House, 65, Thorpe Road, Norwich, Norfolk NR1 1UD.

2. Conservation Objectives:

The Conservation Objectives for the European interests on the Component SSSI (Cavenham-Icklingham Heaths) are:

To maintain, in favourable condition, the:

- European dry heaths.

- Alluvial forests with *Alnus glutinosa* (Alder) and *Fraxinus excelsior* (Ash) (*Alno-Padion*, *Alnion incanae*, *Salicion albae*).

To maintain, in favourable condition, the habitats for the populations of the Annex 1 species, of European importance, with particular reference to:

- Heathland.
- Acid Grassland.
- Chalk Grassland and/or Inland Dune Communities.

The **Council Directive 79/409/EEC on the Conservation of Wild Birds** ("The Birds Directive") Annex 1 species within the Breckland SPA are:

Woodlark (*Lullula arborea*)
Nightjar (*Caprimulgus europaeus*)
Stone Curlew (*Burhinus oedicanus*)

3. Effects of the Development on Conservation Objectives:

Minerals and aggregates extraction activity will lead to considerable disturbance at this site, particularly in combination with similar activity at Site 24. This will mean a short term loss of habitat for all of the species of interest in this area. Sympathetic and properly managed restoration will, however, provide long term positive improvements in habitat.

Negative Impacts:

- 2.1: Loss of breeding and foraging habitat as the area will be stripped of soil and quarried.
- 2.2: Disturbance to any individuals or local breeding populations in the vicinity by human and mechanical activity.
- 2.3: The area being worked will not be able to be managed to the best advantage for species of interest.

Positive Impacts:

Short Term:

- 2.4: Recognition that, post-restoration, this scheme will be of benefit to a European Protected Species.
- 2.5: Continuation of the policy of not promoting the site, leaving species of interest undisturbed by malicious interest.

Long Term:

- 2.5: By entering into a Management Plan similar to that mentioned above, there will be a greater area of effectively managed habitat available for the key species in the future.
- 2.6: The Management Plan should contain the following features in order to be of benefit:

- Weed Control (e.g. Ragwort).
- An appropriate mowing/grazing regime.
- Scrub and tree control and removal.
- A monitoring programme to measure breeding success.
- A monitoring programme to measure predation and, if necessary, the institution of control measures.
- Further research including a suite of further surveys for soil, vegetation, invertebrates and small mammals.
- Establishment of a Liaison Committee which should include Natural England and the RSPB.

Summary of Impacts:

Removal of aggregates over an 8 to 10 year period will have the following impacts on the conservation objectives at this site:

Conservation Objective:	Maintain European Dry Heaths	Maintain Alluvial Alder/Ash Woodland	Maintain Heathland	Maintain Acid Grassland	Maintain Chalk Grassland/ Inland Dunes
Short Term:	✘	○	✘	✘	○
Long Term:	✔	○	✔	✔	○

Symbol:	Key:
✘	Negative Impact
○	No Impact
✔	Positive Impact

4. Mitigation:

This scheme, which proposes to remove a potential breeding habitat, is likely to cause short term disturbance to a fully protected species but, in the long term, is likely to be of real benefit.

To mitigate against disturbance of potentially breeding birds, the work to prepare the site will take place over winter to strip topsoil. The setting up of heavy equipment (such as conveyor belts) will also take place out of the breeding season. This is so birds using adjoining parts of the site that have already been restored will not be further disturbed by those operations.

The RSPB Management Plan of November, 2003 sets out an agreed series of Objectives and Prescriptions for the existing area of restored heathland. The

monitoring and surveying of that area will inform all interested parties of any arising issues that could be avoided during the proposed operations.

5. Effect on Integrity of a European Designated Site:

This proposed operation will remove 10.9 hectares in total of potential breeding and foraging habitat for the European Protected Species, **Stone Curlew** (*Burhinus oedicanus*), **Woodlark** (*Lullula arborea*) and **Nightjar** (*Caprimulgus europaeus*) within the Component **SSSI (Cavenham-Icklingham Heaths)** of the European Designated **Breckland Special Protection Area**.

This proposal, particularly in combination with the activity at Site 24, could have a short term negative effect upon populations that might otherwise have used this site but, by suitable restoration and future management together with the drafting, agreeing and implementing a Management Plan similar in scope and effect to that already in place for the 47.4 Hectares of adjacent restored land, the long term impacts are likely to be positive.

It is expected that sympathetic site restoration to acid heath and grass will improve the integrity of this Special Protection Area.

Dated: 5th day of June, 2008.

Ecologist

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