

**A38 Derby Junctions**  
**TR010022**

**8.61 Ecological Impact Assessment of**  
**Alfreton Road LWS**

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<b>Author</b>	A38 Derby Junctions Project Team, Highways England

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# A38 Derby Junctions – Ecological Impact Assessment of Alfreton Road Rough Grassland Local Wildlife Site (LWS)

As requested by Derbyshire Wildlife Trust (DWT) and Erewash Borough Council (EBC) during a site visit to Alfreton Road Rough Grassland Local Wildlife Site (LWS) on the 22<sup>nd</sup> January 2020, below is a summary of the biodiversity assessment based on significance of effects as presented in the **Environmental Statement (ES) Chapter 8: Biodiversity [APP-046]** as related to the A38 Derby junctions scheme (referred to as “the Scheme” herein) and the proposed mitigation and monitoring measures for the LWS set out in the **Outline Environmental Management Plan [REP3-003]**.

## Summary of Biodiversity Assessment

Alfreton Road Rough Grassland LWS is approximately 4.08ha<sup>1</sup> in size and is located partially within the Scheme boundary at Little Eaton junction. The LWS is designated for its floodplain grassland. Refer to **Table 8.10: Summary of designated and non-designated sites scoped into the assessment – Little Eaton Junction, ES Chapter 8: Biodiversity [APP-046]** for details.

Approximately 1.64ha (40%) of Alfreton Road Rough Grassland LWS falls within the Scheme boundary. Of this 1.64ha within the Scheme boundary, approximately 0.13ha would be retained; approximately 0.87ha would be temporarily lost to construction activities and reinstated (landscaping primarily species-rich grassland and broad-leaved plantation woodland); whilst approximately 0.64ha would be permanently lost (to build the Scheme new slip road). In summary, approximately 16% of the LWS would be permanently lost due to the Scheme.

Table 1 provides a summary of the Scheme effects upon the Alfreton Road Rough Grassland LWS in terms of area retained, area reinstated, and area permanently lost.

**Table 1: Summary of Approximate Areas Retained, Created and Lost at Alfreton Road Rough Grassland LWS**

Alfreton Road Rough Grassland LWS	Area	Percentage of Total Area of LWS (approx.)
<b>Total area of the LWS within the Scheme boundary</b>	<b>1.64 ha</b>	<b>40%</b>
Area retained within Scheme boundary	0.13 ha	3%
Area reinstated (temporarily lost and landscaped)	0.87 ha	21%
Area lost (permanently lost <sup>2</sup> )	0.64 ha	16%
<b>Total area of the LWS outside of Scheme boundary (retained)</b>	<b>2.44 ha</b>	<b>60%</b>
<b>Total area of LWS</b>	<b>4.08 ha</b>	<b>100%</b>

<sup>1</sup> The LWS area measurement provided is approximate based on digital mapping information provided by DWT.

<sup>2</sup> This 0.64 ha permanently lost includes the new slip road and landscaped area within the central reservation as this area would not function as part of the LWS.

Section 8.10 Assessment of likely significant effects, paragraph 8.10.15 of the ES Chapter 8: Biodiversity [APP-046] states the following:

*“The Scheme would result in the permanent loss of approximately 30% (approximately 1.23ha) of Alfreton Road Rough Grassland LWS at Little Eaton junction. In addition, approximately 20% (approximately 0.86ha) of Alfreton Road Rough Grassland LWS would be temporarily impacted during the Scheme construction phase but would be reinstated through suitable landscape planting post-construction. The LWS is designated for its floodplain semi-improved grassland habitat; however, it is dominated by New Zealand pigmyweed (invasive plant under Schedule 9 of the Wildlife and Countryside Act 1981) which is currently affecting its intrinsic biodiversity value. The functional integrity of this site is not considered to be affected due to the relatively small area to be permanently lost due to the Scheme. The area of most biodiversity interest (botanically and for ornithology) is the inundation area/drawdown zone which would remain unaffected by the construction works. Therefore, it is considered that there would be a non-significant (neutral) effect on Alfreton Road Rough Grassland LWS from habitat loss. The confidence in this prediction is certain/near-certain. The timing of habitat loss would consider impacts upon other ecological species, particularly nesting-birds and wintering birds (as detailed further in this section).”*

Given the evaluation as detailed above, it is apparent that ES paragraph 8.10.15 needs to be corrected and should read:

*‘The Scheme would result in the permanent loss of approximately 16% (0.64ha) of Alfreton Road Rough Grassland LWS at Little Eaton junction. In addition, approximately 21% (0.87ha) of Alfreton Road Rough Grassland LWS would be temporarily impacted during the Scheme construction phase but reinstated through suitable landscape planting post-construction. The LWS is designated for its floodplain semi-improved grassland habitat; however, it is dominated by New Zealand pigmyweed (invasive plant under Schedule 9 of the Wildlife and Countryside Act 1981) which is currently affecting its intrinsic biodiversity value. The functional integrity of this site is not considered to be affected due to the relatively small area to be permanently lost due to the Scheme. The area of most biodiversity interest (botanically and for ornithology) is the inundation area/drawdown zone which would remain unaffected by the construction works. Therefore, it is considered that there would be a non-significant (neutral) effect on Alfreton Road Rough Grassland LWS from habitat loss. The confidence in this prediction is certain/near-certain. The timing of habitat loss would consider impacts upon other ecological species, particularly nesting-birds and wintering birds (as detailed further in this section).’*

Thus, whilst the figures relating to the permanent and temporary losses at the Alfreton Road Rough Grassland LWS have been amended from those reported in the ES, this does not change the ES assessment results or effect significance assigned.

The Ecological Impact Assessment (EclA) reported in the ES is an assessment based on the significance of effects. The conclusion that there will be a non-significant (neutral) effect on the Alfreton Road Rough Grassland LWS is based on the reduced value of much of the area to be lost to the Scheme through the presence of New Zealand pigmyweed *Crassula helmsii* and that the core biodiversity value of the LWS area is in the area to be retained, namely the floodplain semi-improved grassland of botanical and ornithological interest. The area to be lost temporarily and then reinstated will in time be of higher biodiversity value than the current areas; with new planting comprising semi-improved species-rich grassland and broad-leaved woodland with non-native invasive plant species controlled (see below).

Also refer to the following ES figures for details of the LWS ecological features:

- **Figure 8.5 [APP-099]** Non-Statutory Designated and Notable Nature Conservation Sites Little Eaton Junction – shows the boundary of Alfreton Road Rough Grassland LWS and the Scheme
- **Figure 8.6 [APP-100]** Phase 1 Habitat Survey Legend
- **Figure 8.8 [APP-102]** Little Eaton Junction Phase 1 Habitat Survey

- **Figure 2.12F [APP-068]** Environmental Masterplan (Little Eaton Junction) – shows the areas of habitat to be retained and landscaped

#### Proposed Mitigation and Monitoring Measures

As outlined in the **OEMP Ref. D-B4 [REP3-003]**, an area of Alfreton Road Rough Grassland LWS temporarily lost during construction will be reinstated with species-rich grassland planting and the non-native invasive species New Zealand pigmyweed will be controlled in the works area, whilst the retained and reinstated habitat will be monitored for up to 5 years post construction to inform management which will be an improvement on the current situation. The LWS is privately owned and the site visit on 22<sup>nd</sup> January 2020 identified recently established patches of tall ruderal and scrub habitat, along with fly tipping and evidence of poaching by horses damaging the grassland and so impacting upon the condition of the habitats within the LWS (see Photos 3, 4 and 5 attached).

**PW-BIO4 of the OEMP [REP3-003]** outlines the potential for nesting little ringed plover (Schedule 1) at Little Eaton junction, in the northern part of Alfreton Road Rough Grassland LWS. Preconstruction surveys are scheduled between March to June 2020 to inform the mitigation requirements. The OEMP states: *'Should construction works in the northern part of Alfreton Road Rough Grassland LWS need to be undertaken during the nesting season, bird deterrents (such as shiny tape attached to canes fixed into the ground) should be implemented prior to the onset of (and during) the nesting season, in order to deter little ringed plover from nesting on the site. Temporary screen fencing shall also be provided prior to construction works to minimise visual disturbance.'* Regarding monitoring, the OEMP states: *'An appropriate specialist shall undertake monitoring of the potential little ringed plover nesting sites within the retained habitat, as associated with the mitigation defined in the ES Chapter 8: Biodiversity. Monitoring also to be conducted on the effectiveness of temporary barriers during Scheme construction and assess the success of habitat establishment. Alternative measures may need to be implemented if barriers are found to be ineffective.'*

#### Conclusion

The information as presented above indicates that the ES reported that the area of the Alfreton Road Rough Grassland LWS to be permanently lost due to the Scheme would be approximately 30% (approximately 1.23ha), with approximately 20% (approximately 0.86ha) being temporarily impacted and subject to reinstatement. However, herein it is corrected that the Scheme will result in the permanent loss of approximately 16% (0.64ha) of the LWS, with approximately 21% (0.87ha) being temporarily impacted during the Scheme construction phase and subject to reinstatement with habitat of higher biodiversity value than that currently present. It is assessed that such impacts, with the defined mitigation measures and landscape proposals, that the Scheme will have a non-significant (neutral) effect upon the LWS and that the functional integrity of this site will not be affected.

Regardless of the above, Highways England are exploring opportunities for enhancing local ecology in the vicinity of the Alfreton Road Rough Grassland LWS via a Designated Fund project being investigated outside of the Development Order Consent (DCO) (as referenced in ES Chapter 8: Biodiversity **[APP-046]**). Highways England will liaise with DWT and EBC regarding such ecological enhancement opportunities separately.

**Photos – Alfreton Road Rough Grassland LWS 22.01.19**



**Photo 1: Facing North (area to be lost) – patches of tall ruderal habitat and scrub**



**Photo 2: Facing south (area to be retained)**



**Photo 3: Evidence of fly tipping around the eastern perimeter of the LWS**



**Photo 4: Evidence of fly tipping around the eastern perimeter of the LWS**



**Photo 5: Evidence of fly tipping and poaching around the eastern perimeter of the LWS**