

Reviewed Long Wittenham
Neighbourhood Development Plan
2018-2035

EVIDENCE PAPER ROMAN SNAILS

November
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Submission Draft (revised)

Prepared by Dr Andrea Pellegram, MRTPI

Introduction

1. LWNDP Policy LW6 identified an “ecologically sensitive zone” where a population of Roman Snails have been observed along Fieldside Track.
2. While common in some Eastern European countries, these snails are not native and are rare in Britain, restricted to a few localities. The snails were probably introduced to Long Wittenham by the Romans - there is evidence of a Roman villa in the vicinity.
3. It lives a solitary life, hiding away for much of the day, emerging after it rains, and it prefers laying its eggs in rough ground.
4. Mansfield¹ states that the Roman snail is known to inhabit open woodland, rough and tussocky grassland, hedge banks..... requires loose, friable soil for burying into for hibernation and also for depositing eggs. a preference for south- facing slopes. They will also avoid grazed grassland and very open, exposed habitats . According to Pollard (1975) the Roman Snail has an average migration of 3.5-6metres².
5. *Helix pomatia* is on the IUCN Red List of Threatened Species (International Union for Conservation of Nature). In 2008 *Helix pomatia* was added to Schedule 5 of the Wildlife and Countryside Act 1981 and it became an offence under UK law to intentionally kill, injure or take individuals. The legal protection this species is now afforded has implications for development projects.

Figure 1: Aug 2016 *Helix pomatia* along Fieldside (OX14 4QJ), Tony Leathem

¹ Roman snail: an introduction to its ecology and legal protection. In Practice 2011. 72: 26-29.

² <http://www.animalbase.uni-goettingen.de/zooweb/servlet/AnimalBase/home/species?id=812>. Accessed 30 august 2016.



Legislative context

6. Under Schedule 5 of the Wildlife & Countryside Act and Provision 9 (1, 2 & 5), it is illegal to intentionally kill, injure, take or possess this species (live or dead or offer to sell) in the wild in England or Wales.
7. It is not an offence to disturb Roman snails or to damage or destroy breeding places or resting places of this species. However, although disturbance is not an offence, a licence is needed to handle Roman snails, however briefly, because it is protected against taking. It is necessary to obtain a licence from Natural England for the purposes of science and education to allow you to pick up and examine Roman snails.
8. Where Roman snails occur within areas that are to be affected by development proposals, such that there is a need to move them to avoid killing or injuring of individuals, any intentional movement of Roman snails must be licensed or should be covered by a relevant defence in the legislation, because moving Roman snails, even short distances, constitutes taking.
9. Licences can only be issued for specific purposes under the Wildlife and Countryside Act. There is no licensing purpose for development works. However, Natural England will consider issuing a licence for conservation purposes in certain circumstances. Any conservation licence application for Roman snails will need to demonstrate that the work proposed is essential and the impacts to the species cannot be avoided in any way. It would also need to demonstrate that the work will have some conservation benefit for the species. There is no standard methodology currently available for dealing with Roman snails and each licence application will be considered by Natural England on a case-by-case basis.
10. More information is available here: <http://jncc.defra.gov.uk/pdf/Article17/FCS2007-S1026-audit-Final.pdf>

Planning policy context

11. Local Plan policy ENV2: Biodiversity – Designated Sites, Priority Habitats and Species ensures that development likely to result, either directly or indirectly to the loss, deterioration or harm to

protected species will only be permitted if the need for, and benefits of the development outweigh the adverse effect on the interests and it can be demonstrated that it could not be located elsewhere and measures will be provided that would avoid, mitigate or as a last resort, compensate for the adverse effects resulting from development.

12. Made LWNDP policy LW6 identifies an ecologically sensitive strip of land to the south of Fieldside Track. It is believed that this is the preferred habitat of the Roman Snail (*Helix pomatia*).

Local evidence

13. During the process of developing policies for the NDP, a resident, Anthony Leatham, alerted the steering group to the fact that Roman Snails inhabit the vegetation along Fieldside.
14. Dr Leatham concludes that: The population of *H. pomatia* along Fieldside, from local observation, appears greatest around the 'woodland' area and it is hanging on where a narrow band of vegetation exists between the roadway and the cultivated fields. It seems likely that widening this strip, to form a rough uncultivated green buffer zone -- as is much of this strip---- would result in more successful migration and breeding. Further development causing narrowing or intrusion to the strip would inevitably lead to reduction of a species which already lives precariously.
15. The NDP steering group concluded that a policy was essential to protect the Roman snails if any new housing development was being considered along Fieldside Track. The conclusion was that that a green buffer zone of 20 metres, ensuring the continued suitable habitat for these snails was required.
16. Appendix 1 reproduces a letter from the Conchological society to the planning authority which sets out the case to accept that roman snails exist on the site. It concludes:

Roman snails have protection under Schedule 5 of the Wildlife and Countryside Act. Whilst it is not an offence to disturb this species, or damage or destroy breeding or resting place, it is however an offence to intentionally kill the snail. Disturbance to an area reported as supporting Roman snails could result in Roman snail deal and/or injury.

17. For this reason, the RLWNDP carries this made policy forward in the reviewed plan policy LW7.

Appendix 1: letter



Registered charity number 208205

14 Goodwood Close
Midhurst
West Sussex
GU29 9JG

01730 814790
martinjwilling@gmail.com

18th February 2017

Amanda Rendell MRTPI
Senior Planning Officer (Majors)
South Oxfordshire and Vale of White Horse District Councils
135 Eastern Avenue, Milton Park,
Milton,
Abingdon,
Oxfordshire, OX14 4SB

Dear Ms Rendell,

Planning Application: P16/S1124/O (proposed housing development at Long Wittenham)

The Conchological Society is a national society founded in 1876, now with charitable status, whose primary objectives are increasing our understanding of molluscs and improving their conservation. We are most concerned to learn of proposals that, if given consent, might lead to the destruction or damage to a species protected under English law.

We write in response to plans submitted by the Kler Group to build 35 houses on land at Long Wittenham, Oxfordshire. We understand that, if passed, this development might impact upon populations of Roman Snails *Helix pomatia*. We have seen photographic evidence of the snails and confirm the identification is correct. We are also told by a Mr Tony Leathem (Fairview, High Street, Long Wittenham Oxon, OX14 4QJ) that live specimens have been seen immediately adjacent to the site since about 2007 (this will mean that this population will almost certainly extend onto the proposed development area). This observation also confirms the long-established presence of this Roman snail population very close to and probably on the development site.

We understand that the submitted planning application for this work makes no mention of the presence of Roman snails and we can see no reference to them in the 'Aspect Ecology' environment impact report relating to this development. The 'Aspect Ecology' environmental impact study visit is stated to have taken place in February 2015. It should be noted that any such ecological survey, undertaken at this time of year, would not have been able to detect live Roman snails, which would be buried and hibernating. A careful and experienced surveyor might nevertheless have found some evidence in the form of dead shells. Additionally, the timing of this ecological survey would not have allowed a complete assessment of annual vascular plants or invertebrate populations on the site.

Roman snails have protection under Schedule 5 of the Wildlife and Countryside Act. Whilst it is not an offence to disturb this species, or to damage or destroy breeding or resting places, it is however an offence to intentionally kill the snail. Disturbance to an area reported as supporting Roman snails could result in Roman snail death and / or injury.

We therefore object to this planning application in its current form because it has the potential to cause damage, or possibly significant loss to a population of protected Roman snails. We maintain that it is not yet possible to adequately judge the application without firstly undertaking a thorough and satisfactory ecological impact study to objectively assess the distribution and population levels of the snail at and immediately adjacent to the site. Only on the basis of such results can assessments be made of the possible impact of the proposals. Additionally, the results of a 'phase one' study could also be used to develop mitigation or enhancement plans to avoid killing Roman snails on those parts of the site where they are shown to be present.

It should also be pointed out that such an investigative study can only be undertaken by personnel who have appropriate Natural England issued licences allowing snails to be picked up, handled and possibly moved. In the event that movement of the snails might be considered, then any plan would also need licenced approval from Natural England. Before any possible Roman snail translocation might be allowed, it is likely that Natural England might expect that all reasonable options had been considered to allow Roman snails to remain on the site without the risk of death or injury.

Detailed further Roman snail information can be found in the Natural England Technical Information Note TIN 103. This is available at <http://publications.naturalengland.org.uk/publications/91033>. This document should be very useful as it provides guidance on Roman snail issues and has been written for developers, land-use planners as well as local authorities and ecological consultants.

If any details require further clarification or if we can help in other ways then please do call me.

Yours sincerely,



Dr. Martin J. Willing
Hon. Conservation Officer

Cc:

P. Topley (President : Conchological Society)

M. Shardlow, CEO, Buglife

D. Heaver, Natural England

Paula Fox, Development Manager, South Oxfordshire and Vale of White Horse District Councils