

Proposed development GOOSEHAM MILL

General details

This site is located at Gooseham Mill, Gooseham, Cornwall at OS Grid reference SS230 171. A location plan is provided in the appendix to this report.

The site was visited for an ecological scoping survey and assessment on the 17th December 2020. A desk study requisition was also made from the Environmental Records Centre for Cornwall and the Isles of Scilly (ERCCIS, 2020). The scoping survey undertaken was sufficient to inform this Advice Note and the need for any Phase 2 detailed ecology surveys.

The site includes two buildings - Gooseham Mill house and Barely Mill - together with a grassland field. The bulk of the property and buildings lie with the administrative area of Cornwall Council, whilst part of the property, the grassland field, lies within the county of Devon, where the planning authority is Torridge District Council.

The proposals for the site include:

1. A single-storey lean-to extension to the main Gooseham Mill house to be located on the western side of the house
2. A two-storey extension to Barley Mill, also known as the Bothy, and includes general renovation of the building.
3. Potential siting of a garden cabin in the grass field located to the north of the Gooseham Mill house, and within TDC's planning area.

Key Constraints

Nature Conservation site designations

1. The main Gooseham Mill house, as well as the smaller Barley Mill building **do not lie within the boundaries of any statutory or non-statutory site of nature conservation importance**. However, both buildings lie adjacent to and/or are within the Impact Risk Zone (IRZ) of the following designated sites:
 - Marsland to Covelley Coast Site of Special Scientific Interest (SSSI)
 - Steep Point to Marshland Mouth SSSI
 - Tintagel-Marsland-Clovelly Coast Special Area of Conservation (SAC).The proposals for both buildings would have no discernible impact upon the SAC or its features and whilst a Habitat Regulations Assessment (HRA) would apply, it

is a formality, would be scoped out at an early stage and is not a constraint on the proposed development.

2. The grassland field, on the other hand, **falls within the boundaries of both the SAC, as well as, the Marshland to Clovelly Coast SSSI. It also** lies within the non-statutory designated County Wildlife Site - Welcombe and Marsland County Wildlife Site (reference: CWT57), which is a material consideration within planning. Please refer to the attached plan.

Any development within the field would fall under the Torridge District Council planning remit. Also, as the site is within a SAC Natural England (NE) would be required to be consulted over this application.

The SAC is covered by the Habitats Regulations and the local planning authority is required by law to give due consideration to the potential for impacts of any development that may impact the SAC or its features. Consequently, given the proposed location of a cabin within the SAC boundaries a SAC scoping for Habitats Regulations Assessments will be required. The SAC legislation is particularly powerful and has the potential to significantly modify or stop any given development.

Note: given the presence of existing buildings/greenhouses within the field this may be viewed by Natural England to be unauthorised development and/or 'a damaging operation' within the SAC and open up a significant range of issues with NE.

Key ecological constraints identified

The findings of the field surveys recorded the following:

No priority habitat was identified within the red line boundary of the site.

Gooseham Mill house proposed extension

- The proposed footprint of the proposed extension comprises a series of ornamental shrubs/plants together with an area of paving stones and is assessed to be of low biodiversity value.
- The proposal for a single-storey extension will not impact the roof of the main property and consequently there is a negligible risk of impact on priority bat species.
- The proposal will not impact any Priority habitat. The nearby hedge, comprising beech, is not categorised as Priority habitat and will not be impacted by the proposal.

Barley Mill

- A single brown long-eared bat was recorded in the roof space during the December site visit and consequently the building is confirmed as a bat roost.

- All bats are afforded full protection under the Wildlife and Countryside Act 1981 (as amended); the Countryside and Rights of Way Act 2000, as well as, under the Habitat Directive. All bats are designated as European Protected Species (EPS). **Bats are Species of Principal Importance (SPI) under the NERC Act. S41.**
- Any proposals that impact the roof line/roof space and or gable end of the building will need to be carried out under a Natural England Bat Licence and is a legal requirement.
- In order to issue a licence Natural England will require up-to-date Phase 2 bat survey information. They will not issue a bat licence if valid survey data is not submitted.
- Consequently, in order to support a bat licence application to Natural England further Phase 2 bat surveys are recommended in order to provide additional information on the range of bats species and numbers of bats using this structure during the spring/summer period, and to also identify bat access points into the building.
- In addition, the planning authority will also require sufficient bat survey data in order to validate the application and make a planning determination.

Grassland Field

- The parcel of land comprises generally species-poor neutral rank grassland which appeared to be managed by mowing on a regular basis. This is not a Priority Habitat.
- No evidence of a badger sett or badger activity was recorded within the field.
- The regularly managed grassland field does not provide suitable habitat for dormice.
- No waterbodies were recorded within the survey area that offer breeding opportunities for notable amphibians.
- There are historic records for slow-worm, common lizard, grass-snake and adder (an old 1960's record) within the local area and may be present on the site. No Phase 2 surveys were carried out on the site.

Recommendations

Phase 2 species surveys

Phase 2 surveys are recommended on the Barley Mill building in order to ensure that the LPA will validate the planning application.

The only recommended survey is for bats (May – August/September) – a minimum of two survey visits are recommended by the guidelines. If additional bats are found three surveys will be required.

The optimal survey period is shown in brackets. Please note that these surveys must apply sufficient survey effort and reach the appropriate national standard. If a planning submission is submitted prior to the completion of ecology surveys the LPA may not be

able to validate or determine the application until sufficient ecology information is submitted.

These surveys will also assist with a submission of a bat licence application to Natural England. Under normal circumstances (i.e. pre-Covid lockdown) an EPS bat licence takes a minimum of 35 working days to process by Natural England. However, this may be able to expedited to a Low Impact Licence depending on the species/number of bats recorded at the site

Habitat Regulations Assessment (HRA)

The SAC designation is the biggest ecological issue that this development will face and the potential impact of SAC legislation should not be underestimated.

The location of the proposed cabin within the SAC site boundary is a significant issue. At the very least a shadow HRA report will need to be undertaken and submitted to Torrington District Council. This is a major undertaking and please note comments above regarding statutory consultation with Natural England. However, we strongly recommend that the client gives further thought to this element of the proposed development prior to making any planning application to TDC and they may like to take further advice, including legal advice, on the implications of the SAC.

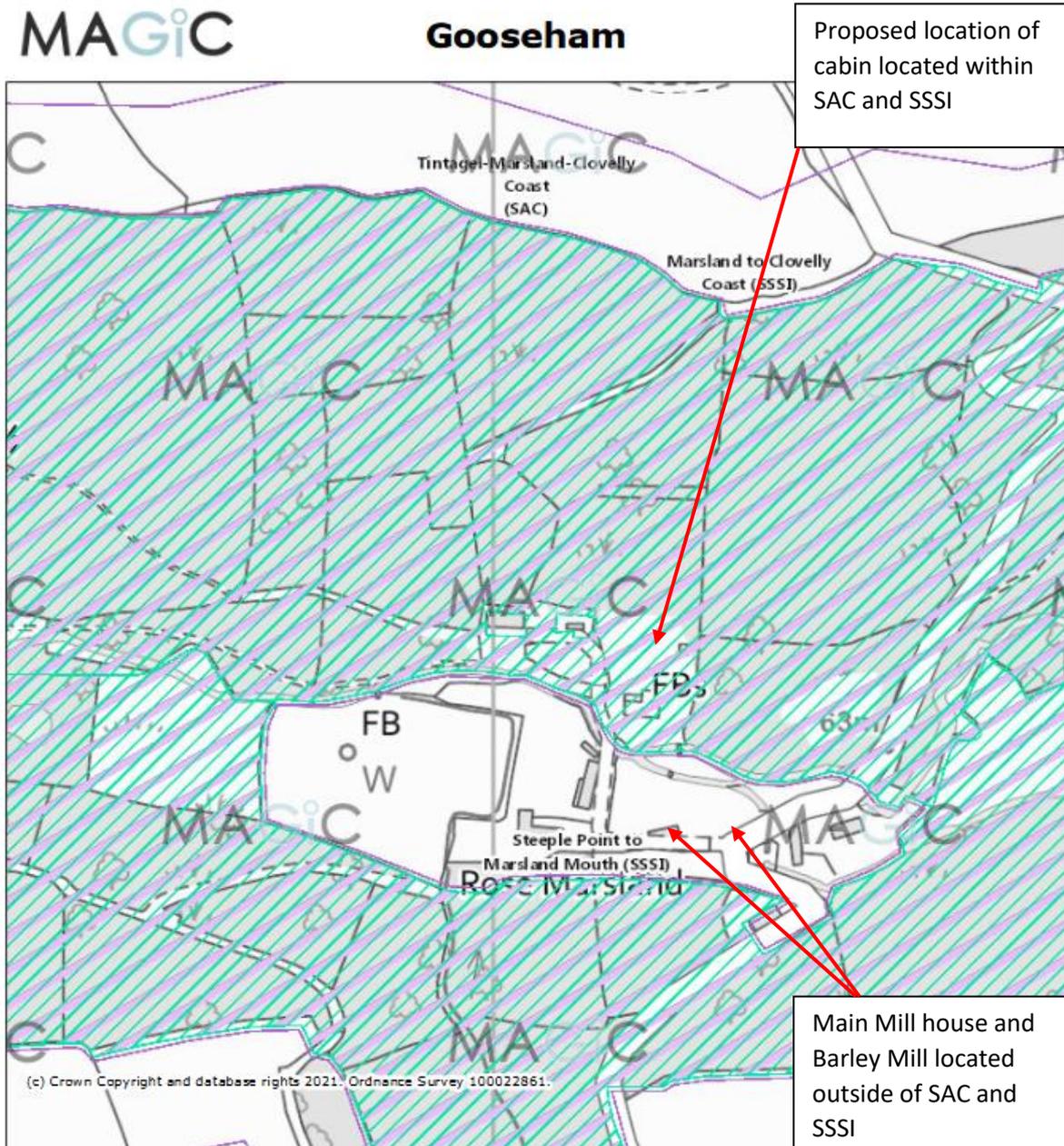
The rest of the proposed development within the Cornwall Council planning area have no significant issues relating to the SAC and SSSI designations. In summary, provided that bat surveys are carried out, there are no significant issues with regard to the proposals for the two buildings.

BS42020 Standard

Cornwall Council now expect developments to mirror BS42020 – the British Standard for environmental survey and outcomes associated with development. Consequently, we strongly recommend that ecology should play an appropriate role within the design process, in line with BS42020, and that consideration is given to achieving meaningful biodiversity outcomes and gain as part of the development.

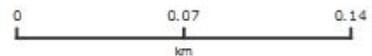
Tania Percy-Bell
Code 7 Consulting
18th December 2020

Annex 1



Legend

-  Sites of Special Scientific Interest (England)
-  SSSI Impact Risk Zones - to assess planning applications for likely impacts on SSSIs/SACs/SPAs & Ramsar sites (England)
-  Special Areas of Conservation (England)



Projection = OSGB36
 xmin = 222400
 ymin = 116900
 xmax = 223600
 ymax = 117600