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## Report for: Boughton Butler Ltd.

## Ecological Appraisal Survey Update.



**Site: Land adjacent to Treacle Hall, Lye Head Road, Wyre Forrest. DX12 2UP**

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## Summary Sheet

<b>Date of Survey:</b>	<b>29/4/21</b>
<b>OS Grid Reference:</b>	<b>SO 755 738</b>
<b>Main Findings:</b>	<ul style="list-style-type: none"> <li>• No change from original survey.</li> <li>• Land is generally of low ecological value &amp; much of the site is ecologically dominated by the building and improved grass.</li> <li>• Potential bird nesting within and around the boundaries.</li> <li>• No reptiles, dormice or amphibians have been recorded on site.</li> </ul>
<b>Conclusions:</b>	<ul style="list-style-type: none"> <li>• No change from original survey.</li> <li>• The site is dominated by the building with improved grassland and its effect upon the local species population is minimal.</li> <li>• Timing of work is to be programmed to reduce disturbance to wildlife ie dust, noise, lighting and silt.</li> </ul>
<b>Recommendations for Mitigation &amp; Enhancement:</b>	<ul style="list-style-type: none"> <li>• No external lighting, during construction and post construction of margins. Post development a sensitive lighting design should be adopted.</li> <li>• Bird and bat boxes are to be incorporated within the development.</li> <li>• Ecological clerk of work required to oversee demolition of building and removal of any vegetation during the bird nesting season.</li> </ul>

## 1. Introduction

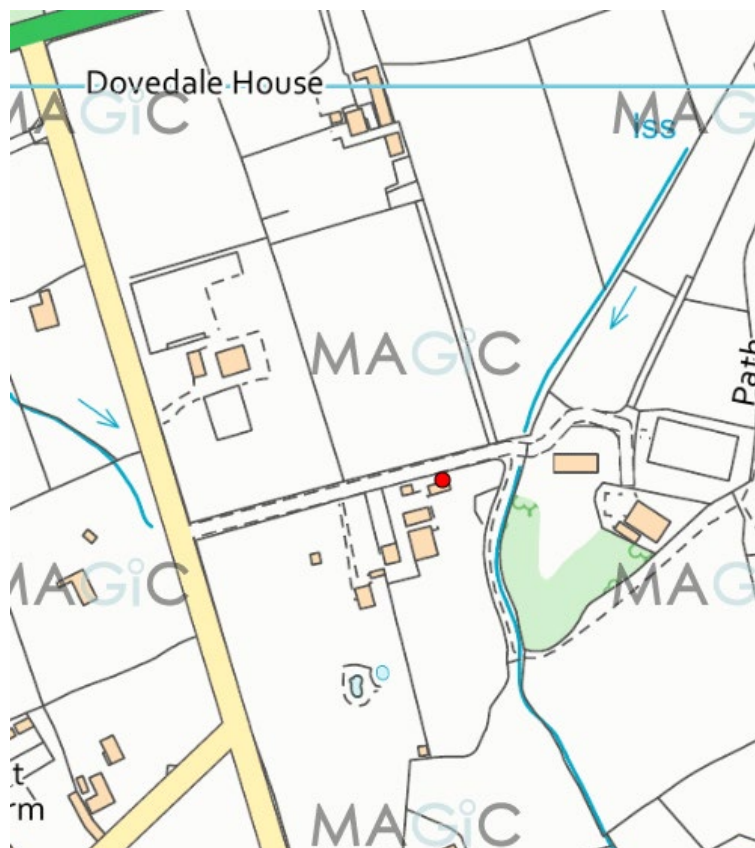
### 1.1 Instructions and Objectives

Heritage Environmental Contractors Ltd (HEC Ltd) was commissioned by Boughton Bulter Ltd to undertake a survey to update an original Ecological appraisal carried out in 2018 (Clarke Webb Ecology Ltd) in support of a planning application for the proposed project at Lye Head Road, Rock ,Wyre Forrest. Findings within the previous 2018 surveys give an excellent base line of the conditions on site. The original survey should be cross referenced, The desk study, field survey and evaluation are intended to provide information on the general habitat characteristics of the site and its surroundings including the likely presence of legally protected species and habitats encountered within the study area.

## 2. Methodology

### 2.1 Study Area

The site is situated along Ley Head Road, Rock and can be located by Ordnance Survey National Grid Reference (OSN GR) SO 775 738 and covers an area of approx. 0.1 ha.





## 2.2 Desk Top Study

A desk study was carried out to identify the presence of any statutory or non-statutory sites within or adjacent to site

The site and land within the area was surveyed to the guidelines as in the Handbook for Phase 1 Habitat Survey (JNCC 2010).

MAGIC (England, 2013) [www.natureonthemap.naturalengland.org.uk/](http://www.natureonthemap.naturalengland.org.uk/) was also referred to for the status of habitats. Google maps was used for aerial views to identify important landscape features around the site.

## 2.3 Field Survey

A walk-over ecological survey of the study area was undertaken following guidelines for baseline ecological assessment '95 and as per the Handbook for Phase 1 Habitat Survey (JNCC 2010). The site survey was carried out on 29 April 2021 and the weather conditions were warm, bright with a light north wind and a temperature of 16°C. It is considered that the survey provides a suitable sample of the site for time of year and purpose requested.

The Phase 1 habitat survey provides information on the habitats in the study area and assesses the potential for notable fauna to occur in the study area. Local Biodiversity BAP species and habitats potentially capable of supporting these species will be identified.

Preliminary investigations were undertaken to determine whether the site is supporting legally protected species by:

- Searching for signs of bird nests and identifying suitable nesting sites with the recording of mature trees and hedgerows.
- Recording of all birds observed during study area visits.
- Searching for signs of badger activity including setts, tracks, and latrines.
- Searching for signs of potential roosting sites for bats.
- Searching for suitable habitats for breeding populations of great crested newts.
- Searching for suitable habitats for reptiles and general amphibians.
- Searching for other species and habitats.

## 2.4 Evaluation and Significance of Impacts

The assessment of the potential impacts of the proposed development needs to consider both on-site impacts as well as those which may occur to adjacent areas of ecological value. Impacts can be permanent or temporary, direct or indirect and can include:

- Direct loss of wildlife habitats;
- Fragmentation and isolation of habitats;
- Disturbance to species

### 2.4.1 Limitations

Ecological surveys are limited by factors which affect the presence of plants and animals such as the time of year and behaviour, the ecological survey of this site has not produced a complete list of plants and animals. Specific fauna and flora have a narrow period for leaf, flower or fruiting evidence outside this period of their existence can be limited or non-existent. Late spring/early summer is the period when most species show identifiable characteristics. Surveys can also be affected by time of day and weather conditions.

Please note the absence of a past record does not necessarily mean the absence of a rare species and may be an example of under recording.

HEC Ltd findings are limited to the specific time of the survey, any changes to the site post survey will have a bearing on composition and may affect the site recommendations.

## Legal Guidance

The information set out within this report in no way constitutes a legal opinion on the relevant legislation. The opinion of a legal professional should be sought if further advice is required.

### 3. Survey

#### 3.1 Site description

The site comprises of approx. 0.1 ha of generally flat ground, it is part of a larger complex of equestrian out buildings . The site is accessed off a single road lane which turns into a track at end of lane. Other residential properties are found in the general area with similar surrounding land use. The general site is typical of this part of the county.

**This has not changed from original surveys.**

#### Habitat

##### B4 Improved Grassland/Amenity Grassland(J1.2)

The majority of the site is covered with common improved grassland species, *Lolium perenne* (Perennial ryegrass) and *Agrostis tenuis* (Common bent) are present. Other species recorded within the sward and around the margins were common and include *Rumex obtusifolius* (Broad-leaved dock), *Urtica dioica* (Nettle), *Plantago lanceolata* (Ribwort plantain), *Taraxacum officinale* (Common dandelion) ,*Ranunculus repens* (Creeping buttercup) and *Anthriscus sylvestris* (Cow parsley).The grass sward appears to be regularly mowed.

**This has not changed from original surveys**

##### J3.6 Building/ J5 Hard Standing

The building present is a “Nissan Hut”, it is made up of corrugated metal sheets and is used for the storage of garden equipment and other items associated with the property. The building appears to be in a condition that is expected for its age. Its construction type offers limited opportunities except for general shelter. The building is in constant use with high light levels.

The area has a small amount of hard standing at the entrance associated with the gate, this has not changed.

**This has not changed from original surveys**

##### J2.3 Hedgerow and Hedgerow Trees

The margins of the site are short well maintained mixed native hedgerow, it is *Crataegus monogyna* (Hawthorn), *Ilex aquifolia* (Holly) and some limited *Corylus avellana* (Hazel), internally *Sambucus nigra* (Elder), *Malus domestica* (Apple) and *Rosa canna* (dogrose) is found. External of the application area mature *Fraxinus exc.* (Ash), *Betula pendula* (Silver birch) and *Quercus robur* (Oak) are present, these are to all remain and will be unaffected by the proposal.

Consideration can be given to additional tree planting of local orchard species

**This feature has remained unchanged from previous surveys.**

### Adjacent habitats

The surrounding land is dominated by equestrian and garden outbuildings associated with the main domestic residence. The lane the site is approached from has other residential properties, the Lye Head road has several examples of large well-kept properties with associated equestrian use. Other land uses include improve grassland and cereal production. The wider region has extensive woodlands, water courses and orchards.

### 3.2 Protected Species

**Badgers** – Badger activity was not recorded on the day of survey, no guard hairs or tracks were present and no evidence in the immediate surroundings where access was gained.

**Further to site visit and assessment there is no change in status from original report.**

**Bats** – The large “Nissan hut” building offers low potential for roosting bats, the light open structure does not present roosting opportunities, its construction and materials are not considered suitable for bats, large temperature fluctuations occur and limited shelter is present. The building is in regular use with large doors being left open. The site has short mixed native hedging which would provide limited flight corridor, the bridal way and lane has mature trees external of the site, these will provide good flight lines/ foraging corridors.

The original survey found the site to be “Negligible” for Bats ref Bat Survey Guidelines Table 4.1

The recorded local populations of this species are well established and the proposal is unlikely to influence these local populations. Additional bat boxes are to be installed.

**Further to site visit and assessment there is no change in status from original report.**

**Hedgehogs** - The site has suitable habitat for this species, the conversion of the “Nissan hut” will be of little significance to this species. No new fence lines are to be erected that will affect movement across the site.

**Amphibians** – Not observed, the site is dominated by buildings and short improved grass, the limited vegetation offers low/poor cover, suitable cover is situated around the margins associated with the external hedge boundary. There are no ponds or waterbodies on site.

**Great Crested Newts** - Not observed on site, the site lacks the terrestrial habitat required by these species as it is covered by short improved grass which appears to be regularly mowed. The hedgerow margins offer some habitat potential. No ponds are present on the site.

From magic maps a pond is present just under 250m away from site with another single pond over 500m away. The Rapid Risk Assessment within the NE GCN licence application method statement document provides guidance that for any land more than 250m from any breeding pond, if under 5ha of land is lost or damaged, the likelihood of an offence being caused is unlikely. It has been calculated that approximately 0.1 ha of land would be affected, this is significantly below the 5ha recommended by NE, and indicates that the development activities are of such a type, scale and location that it is highly unlikely any offence would be committed and therefore no licence would be



required. Reference can also be made to research undertaken in 2006 by NE within An Assessment of the Efficiency of Capture Techniques and the value of different habitats for the great crested newt *Triturus cristatus*, Report Number 576. This report indicates that it is most common to encounter GCN within 50m of a breeding pond, with few moving further than 100m unless significant linear features are involved when great crested newts can be encountered at distances of between 150m – 200m

**The site conditions remain the same as previous surveys for this species.**

**Reptiles** – Not observed, the site has very limited suitable cover over much of the area with limited habitat potential around the margins. A temporary rubble pile was present during the survey but appeared to be in regular use, reducing its potential

**No change from original survey.**

**Birds** – The building present offer limited potential for birds, no evidence was observed of seasonal migratory visitors. The hedgerow will provide nesting opportunities for common local bird species. Birds recorded on day were common and include; *Corvus frugilegus* (Rook), *Corvus monedula* (Jackdaw) *Cyanistes caeruleus* (Blue tit), *Erithacus rubecula* (Robin), *Turdus merula* (Black bird), *Pica pica* (Magpie) and *Columba palumbus* (Pigeon).

No hedgerows are to be removed reducing the potential disturbances, prior to any demolition work (if required) the structure should be carefully checked by an ecological clerk of works for nesting birds.

The addition of bird boxes will be beneficial.

No use by barn owls was observed at time of survey.

**No change from original survey.**

**Invertebrates**-The site still has little potential for invertebrates and remains unchanged. Construction of habitat piles will help the local population increase.

## Legislation

### Badgers

The Protection of Badgers Act 1992 makes it illegal to kill, injure or capture badgers or deliberately or recklessly interfere with a badger sett which includes damaging a sett, obstructing access to a sett, and disturbing a badger while it is occupying a sett.

### Bats

All species of bats and their breeding sites or resting places are protected under the Conservation of Habitats and Species Regulation 2010 and the Wildlife and Countryside Protection act 1981(amended). The deliberate capture, disturbance, injury or killing of bats is prohibited as is damaging, destroying or obstructing access to any place used by bats for shelter or breeding, whether they are present or not. Reckless disturbance or obstruction of access to a roost are also a criminal offence.

### Birds

The Wildlife and Countryside Protection act 1981(amended) provides the legal protection of wild birds. All nesting birds and their nests eggs and young are protected from killing, injury, taking or selling.

### Great Crested Newts

The Great Crested Newt is protected under Schedule 5 of the Wildlife and Countryside Protection act 1981 (amended) and are protected under the Conservation of Habitats and Species Regulation 2010. They are protected from deliberate killing, injury or capture with their habitat, including breeding site, resting place or any structure or place used for shelter or protection also protected against damage or destruction .it is also illegal to disturb great Crested Newts and their eggs are protected from taking or destroying.

### Reptiles

Common reptile species are protected under the Wildlife and Countryside Protection act 1981(amended). The deliberate capture, killing and injury or being sold. The habitat of these reptiles is not directly protected, however, disturbing or destroying their habitat whilst they are present may lead to an offence.

## 4. Policy

### National Planning Policy Framework (NPPF) ( Feb 2019)

#### Habitats and biodiversity

174. To protect and enhance biodiversity and geodiversity, plans should:

- a) Identify, map and safeguard components of local wildlife-rich habitats and wider ecological networks, including the hierarchy of international, national and locally designated sites of importance for biodiversity; wildlife corridors and steppingstones that connect them; and areas identified by national and local partnerships for habitat management, enhancement, restoration, or creation; and
- b) promote the conservation, restoration and enhancement of priority habitats, ecological networks and the protection and recovery of priority species; and identify and pursue opportunities for securing measurable net gains for biodiversity.

175. 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<sup>58</sup> and a suitable compensation strategy exists; and
- d) development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to incorporate biodiversity improvements in and around developments should be encouraged, especially where this can secure measurable net gains for biodiversity.

176. The following should be given the same protection as habitats sites:

- a) potential Special Protection Areas and possible Special Areas of Conservation;
- b) listed or proposed Ramsar sites<sup>59</sup>; and
- c) sites identified, or required, as compensatory measures for adverse effects on habitats sites, potential Special Protection Areas, possible Special Areas of Conservation, and listed or proposed Ramsar sites.

177. The presumption in favour of sustainable development does not apply where the plan or project is likely to have a significant effect on a habitats site (either alone or in combination with other plans or projects) unless an appropriate assessment has concluded that the plan or project will not adversely affect the integrity of the habitats site.

## The UK Post 2010 Biodiversity Framework

“The purpose of this UK Biodiversity Framework is to set a broad enabling structure for action across the UK between now and 2020:

- To set out a shared vision and priorities for UK-scale activities, in a framework jointly owned by the four countries, and to which their own strategies will contribute.
- To identify priority work at a UK level which will be needed to help deliver the Aichi targets and the EU Biodiversity Strategy.
- To facilitate the aggregation and collation of information on activity and outcomes across all countries of the UK, where the four countries agree this will bring benefits compared to individual country work. iv. To streamline governance arrangements for UK-scale activity.”

The tools and works which were previously carried out under the UK Biodiversity Action Plan (UK BAP) remain in place and in use but they are now focused at country level.

## 5. Conclusions

An ecological assessment comprising of a desk study and site visit has been conducted by Dr Peter Webb MCIEEM of Webb Clark Ecology Ltd in 2018 . This document should be referenced in full as it provides the original baseline ecological appraisal for the site.

The site was again visited 29 April 2021 and a further survey carried out . It can be concluded that the site conditions have not changed from the original survey.

Further to these assessments of the site and results as identified within this survey it is concluded that there is a minimal risk of disturbance to protected species and loss of terrestrial habitat used by these species.

## 6. Recommendations



An Ecological clerk of works to be appointed if demolition is to take place during bird nesting season.

New bird boxes should include provision for house sparrows.

Bat boxes should be incorporated within the new development.

External lighting should be designed and installed that it will not affect the foraging/roosting opportunities or flight lines for the transitory bat species.

Construction of hibernacula and habitat piles should be made and the erection of bug hotels/insect boxes would also help increase the invertebrate population and increase food sources for other species.

The clearance of the limited vegetation should be avoided during the bird breeding season which is March-August inclusive.

## Appendices

### Photographs

External of Nissan hut









External boundaries





Ground cover.





Trees external of site

