Moor to Sea Ecology

Ecological Appraisal

Site location:

Outbuilding & Store at Trewithen Barn, St Wenn

Report Date:

May 2022

Author: Katie Jones BSc. (Hons), MCIEEM

> Moor to Sea Ecology 4 Prospect Terrace Colyton Devon EX24 6NR

t. 07947345689 e. katie@moortoseaecology.co.uk

Job no.	22.011
Client	Ross Gregory
Site/ Job Name	Outbuilding & Store at Trewithen Barn, St Wenn
Report Type/ Title	Ecological Appraisal
Document Reference	22.011.01

Disclaimer

This report is issued to the client for their sole use and for the intended purpose as stated in the agreement between the client and Katie Jones of Moor to Sea Ecology or else as set out within this report. This report may not be relied upon by any other party without the express written agreement of Moor to Sea Ecology. The use of this report by unauthorised third parties is at their own risk and Moor to Sea Ecology accepts no duty of care to any such third party.

Moor to Sea Ecology has exercised all reasonable skill and due care in preparing this report. Moor to Sea Ecology has not, unless specifically stated, independently verified information provided by others. No other warranty, express or implied, is made in relation to the content of this report and Moor to Sea Ecology assumes no liability for any loss resulting from errors, omissions or misrepresentation made by others.

Any recommendation, opinion or finding stated in this report is based on circumstances and facts as they existed at the time that Moor to Sea Ecology performed the work (including based on the information provided by the client). Professional judgement and opinion has been utilised where required. All opinion is provided in good faith.

Nothing in this report constitutes legal advice or opinion. If legal opinion is required a qualified legal professional should be contacted for advice.

Contents

Executive	Executive Summary1			
1. Intro	oduction	2		
1.1.	Background and Purpose of Document	2		
1.2.	Site Location and Description	2		
1.3.	Proposed Works	3		
2. Survey Methods4				
2.1.	Desk Study	4		
2.2.	Ecological Building Survey	4		
2.3.	Dusk Emergence & Dawn Re-Entry Surveys	5		
2.4.	Survey Details	5		
2.5.	Survey Constraints	6		
3. Surv	vey Results	7		
3.1.	Desk Study	7		
3.2.	Ecological Building Survey	7		
3.3.	Dusk Emergence & Dawn Re-Entry Surveys	8		
4. Eval	4. Evaluation and Recommendations 10			
4.1.	Designated Sites	10		
4.2.	Bat species	10		
4.3	Bird species	11		
4.4	Biodiversity Enhancements	12		
5 References13				
Appendix 1 Summary of Relevant Policies and Legislation14				
Appendix 2 Photo Plates				
Appendix 3 Surveyor Location Plan19				
Appendix 4 Data Search Results 20				
Appendix 5. Plan of the Proposed Works 21				
Appendix	Appendix 6 Biodiversity Enhancements 22			

Executive Summary

This survey report details the findings of an Ecological Appraisal conducted of an outbuilding and adjacent store located to the south-west of Trewithen barn, St Wenn. The owner intends to extend Trewithen barn to include the outbuilding and covered area.

The outbuilding was assessed with moderate roosting potential and therefore two further surveys were undertaken comprising a dusk emergence and a dawn re-entry survey. No bats were observed emerging or re-entering the outbuilding and therefore it can be confirmed that currently bats do not use the outbuilding for roosting. The adjacent store area was classified with negligible potential to support roosting bats.

Five species of bat including long-eared, Myotis bats and lesser horseshoe bats were detected foraging in the vicinity of the outbuilding and these species of bat are known to avoid using areas if the intensity of light on the vegetation is too high. Therefore any proposed external lighting should follow the guidelines set out in the Institute of Lighting Professionals (2018) Bats in the Built Environment Series ILP Guidance Note 08/18, details are provided in the text.

Two bird nest boxes were noted, with one on the outbuilding and one within the store area and old nesting material was seen in a hole in the southern elevation of the outbuilding. It has therefore recommended that, ideally the extension works are commenced between September and February to avoid disturbing nesting birds or damaging their nests. Alternatively, if it is not possible to avoid the nesting bird season, a nesting bird check could be undertaken prior to the commencement of the extension works, however if any nesting birds are discovered, the nests must be left in-situ until the chicks have fledged and left the nest.

Biodiversity enhancement measures for roosting bats and nesting birds have been made in line with the National Planning Policy Framework (NPPF).

This summary is an extract of the report. Please ensure the report is read in its entirety for detailed survey findings and recommendations.

1. Introduction

1.1. Background and Purpose of Document

Moor to Sea Ecology has been commissioned by the owner of Trewithen barn: Ross Gregory, to carry out an Ecological Appraisal comprising a Data Search, Ecological Building survey of an outbuilding and store. A single Dusk Emergence and single Dawn Re-Entry Survey of the outbuilding was additionally undertaken, as the building was assessed with moderate roosting potential. The outbuilding and store are located to the south-west of Trewithen barn which will be lost during the conversion works.

The Data Search will identify any statutory sites designated for wildlife which could be affected by the proposed works. The Ecological Building survey aims to describe baseline ecological conditions and determine potential ecological constraints in the form of legally protected and notable bat and bird species and designated sites. The Dusk Emergence and Dawn Re-Entry Surveys confirm presence/absence of roosting bats and identify and characterise roosts, as well as determining likely impacts from proposed construction works. Appropriate advice regarding protected species licensing and mitigation is also provided. Advice with regards nesting bird species is also given. Refer to Appendix 1 for details of policies and legislation relating to roosting bats and nesting birds.

The assessment is undertaken in accordance with guidelines for Preliminary Ecological Appraisal produced by the Chartered Institute of Ecology and Environmental Management (CIEEM, 2017) and guidelines for Bat Surveys by the Bat Conservation Trust (Collins, 2016).

1.2. Site Location and Description

The site is situated approximately 1.2km to the north-east of the village of St Wenn and approximately 10km to the west of Bodmin, (OS Grid Reference at approximate centre SW 9733 6599). The outbuilding and adjacent store is accessed from an unnamed road to the north of Trewithen barn and are immediately bound by Trewithen barn to the north, the owner's garden to the east and south and a pasture field to the west. The wider landscape comprises a large block of woodland and scrub to the south which flanks the River Camel and is situated approximately 150m to the south, another area of woodland to the north-east which lies adjacent to a tributary of the river Camel, which is approximately 200m from the site and agricultural pasture and arable fields. See Figure 1 for the location of the outbuilding (yellow box) and store (red box) in relation to Trewithen barn.



1.3. Proposed Works

It is proposed to extend Trewithen barn to the south-west which will result in the loss of the existing outbuilding and store. The proposed plan is presented in Appendix 5, see Drawing No. 30020 PO4 dated November 2021.

2. Survey Methods

2.1. Desk Study

2.1.1. Statutory Designated Sites

A desk study to identify statutory designated sites of conservation importance within a 2km radius of the site was undertaken using the MAGIC website www.magic.gov.uk. The website was accessed for information in May 2022. See Appendix 4 for a plan detailing the location of the identified statutory designated conservation sites

The data search includes records of statutory sites of nature conservation importance such as Special Areas of Conservation (SAC) and Sites of Special Scientific Interest (SSSI). It was considered that obtaining a data search of bat records from Environmental Records Centre for Cornwall and the Isles of Scilly (ERCCIS) was not proportionate, considering the likely impact of the proposed extension works within a garden.

2.2. Ecological Building Survey

The outbuilding and store were inspected both externally and internally using a surveyor's ladder, high powered torch, frequency division bat detector (Peersonic RPA 3) and video endoscope where necessary to assess the likelihood of the structure to support roosting bats or nesting birds. Evidence of roosting bats could include live animals, carcasses, droppings and feeding remains and evidence of nesting birds could include feathers, nesting material and eggs.

A rating of between negligible and high suitability was assigned to the building based on the likelihood of supporting roosting bats (Collins, 2016). These levels of suitability are listed below:

- **Negligible**: Negligible habitat features on site likely to be used by roosting bats;
- Low: A structure with one or more potential roost sites which could be used by individual bats opportunistically, but due to the size, shelter, conditions and surrounding landscape are unlikely to be used by bats on a regular basis or by large numbers of bats i.e. for maternity or hibernation;
- **Moderate**: A structure with one or more potential roost sites which could be used by bats, due to the size, shelter, conditions and surrounding landscape but are unlikely to support a roost of high conservation concern such as a maternity or hibernation roost; and,
- **High**: A structure with one or more roost sites which are obviously suitable for use by larger numbers of bats on a regular basis and potentially for a longer period of time due to size, shelter, conditions and surrounding landscape. Suitable for maternity or hibernation roosts.

2.3. Dusk Emergence & Dawn Re-Entry Surveys

A single dusk emergence bat survey and a single dawn re-entry survey were conducted of the outbuilding, based on survey methodology guidance produced by Collins (2016). Surveys comprised two surveyors observing the outbuilding from the outside to identify any emerging/re-entering bats.

Surveyors were equipped with a Peersonic bat detector with inbuilt recorder, EM Touch with Ipad and EMT Pro with Ipad and marked records of bats either emerging from/or re-entering the building onto site plans. General bat activity (including identified flight routes) were also recorded by surveyors.

Analysis of recorded bat echolocation calls was undertaken using Audacity software in Microsoft Windows. Echolocation calls were assigned to bat species by comparison of sonograms with a library of known bat calls and reference of echolocation call parameters. Where calls could not be assigned to a particular species, identification to genus level was made.

When assigning calls to pipistrelle species, calls with a peak frequency of 42-48KHz were assigned to common pipistrelle *Pipistrellus pipistrellus*, calls with a peak frequency of >48-52KHz assigned as Pipistrellus spp. and calls with a peak frequency of >52KHz were assigned to soprano pipistrelle *Pipistrellus pygmaeus*.

2.4. Survey Details

Tables 1 and 2 provides surveyor details and weather conditions for the surveys undertaken.

2.4.1. Ecological Building Survey

Date:	12 th January 2022	
Surveyor & Licence	Katie Jones BSc. (Hons) MCIEEM (Senior Ecologist)	
No.:	Natural England Bat Class Licence CL18 (level 2) 2015-11763-CLS-CLS	
Weather conditions:	eather conditions: Dry, wind force 0, 8°C, cloud cover 0%	

2.4.2. Dusk Emergence & Dawn Re-Entry Surveys

Type of survey	Dusk Emergence Survey	Dawn Re-Entry Survey
Date:	4 th May 2022	17 th May 2022
Surveyors &	Joe Lane Natural England Bat Class	Joe Lane Natural England Bat Class
Licence No's:	Licence CL18 (level 2) 2015-11493 CLS-	Licence CL18 (level 2) 2015-11493
	CLS	CLS-CLS
	John Polley Natural England Bat Class	Jeremy Fielden
	Licence CL18 (level 2) 2015-11916-CLS-	
	CLS	
Weather	Dry, wind force 0-1, 13°C, cloud cover	Dry, wind force 2, 12°C, cloud cover
conditions	40%	0%
(start):		
Sunset/ sunrise:	20:43	05:30
Start time:	20:28	04:00
Finish time:	22:13	05:45
Weather	Dry, wind force 0, cloud cover 0%, , 10°C.	Dry, wind force 2-3, 12°C, cloud
conditions		cover 50%
(finish):		

Table 2. Surveyor details and weather conditions

2.5. Survey Constraints

2.5.1. Ecological Building Survey

A number of bat species roost in very small crevices such as the space between the tiles and the underlining and therefore it is possible that individual bats and bat droppings may have been missed. In addition, bird nests in concealed locations may not have been visible to the surveyor.

2.5.2. Dusk Emergence & Dawn Re-Entry Surveys

The survey was carried out at an optimal time of year (Collins, 2016) and weather conditions were considered suitable for conducting emergence and dawn re-entry, surveys with temperatures suitable for bat activity to be recorded.

Analysis of bat species from echolocation call analysis alone is not a definitive guide to species present. It is known that both common and soprano pipistrelle bats do vary their echolocation calls and therefore species determination should be treated with a degree of caution.

3. Survey Results

3.1. Desk Study

3.1.1. Statutory designated sites for nature conservation

There are no statutory designated sites for nature conservation within or immediately adjacent to the site boundary. Within a 2km radius of the site, the River Camel Special Area of Conservation (SAC) and River Camel Valley and Tributaries Site of Special Scientific Interest (SSSI), are located approximately 135m south of the site. These sites are designated for mixed and wet woodlands with occasional areas of mire grassland, in addition to demelza moor where the habitat turns into heathland that incorporates mire and willow carr. Species that are also a primary reason for the selection of the SAC site are otter *Lutra lutra* and bullhead *Cottus gobio* and as a qualifying feature of the SAC designation, Atlantic salmon *Salmo salar*. Rosenannon Bog and Downs SSSI is located approximately 1.3km west of the site. This SSSI is designated for lowland fen, marsh and swamp.

3.2. Ecological Building Survey

3.2.1. Building descriptions

Outbuilding

The outbuilding, which lies further to the south of Trewithen barn is constructed primarily of stone, with the exception of the western wall which is constructed of breeze block. The outbuilding has glazed windows, edged in brick with wooden lintels on the eastern and southern elevation and a wooden door, also edged in brick on the northern elevation which opens into the store. An area of ivy is present on the south-eastern elevation. The roof is pitched and laid with slate and the underside underlined with breathable membrane. Internally, the building opens up to the underside of the roof and at the time of the survey, the interior has been cleared out.

Potential bat access points include a gap along the eastern and western elevations of the outbuilding between the roof and wall tops which leads directly into the outbuilding, small crevices where the roof beams go into the wall, raised slates on the eastern elevation and gaps above the windows on the eastern and northern elevations.

<u>Store</u>

The store lies between the outbuilding and Trewithen barn. It is open on the eastern elevation and has a breezeblock wall along the western elevation. The southern elevation comprises the northern wall of the outbuilding and the northern elevation comprises the southern wall of Trewithen barn. Sloping corrugated bitumen felt has been used to form the roof, this is unlined within the interior. Creepers are grown over the roof of the store.

Potential bat access points include the open eastern aspect and at the eaves on the western elevation.

3.2.2 Evidence of roosting bats

No evidence of roosting bats was identified in either the outbuilding or the store, however as the outbuilding had recently been cleared out (which could have removed bat droppings), and included numerous concealed, potential roosting features, it was classified with moderate roosting potential. Thus triggering the requirement for two further surveys comprising a single dusk emergence and a single dawn re-entry survey undertaken between May and September, with a minimum of 14 days between the two surveys.

The store has no roof underlining and is open on the eastern elevation resulting in a likely variation in internal temperatures, high levels of light and an absence of concealed, sheltered roosting features. Therefore the store was classified with negligible roosting potential. No further surveys were considered necessary.

3.2.3 Evidence of nesting birds

A bird box was noted on the eastern elevation of the outbuilding, and a second bird box was noted within the store In addition, disused nesting material was noted in a hole in the stone work on the southern aspect.

No evidence of barn owl was noted, and there are no suitably sized entrances for this species into the outbuilding. Barn owl could access the store, however as this is a single storey building in close proximity to Trewithen barn, it is unlikely that barn owls would use it.

3.3. Dusk Emergence & Dawn Re-Entry Surveys

See the plan in Appendix 3 for the location of the surveyors during the two surveys.

3.3.1 4th May 2022 – Dusk Emergence Survey

No bats were seen emerging from the outbuilding during the survey.

Foraging bats

Non-emerging bat activity detected during the survey was dominated by noctule bats *Nyctalus noctula,* presumably commuting from the woodland to the south of the site and common pipistrelle feeding in the garden. Unidentified *Myotis* sp. and unidentified long-eared bats *Plecotus* sp. were also occasionally detected and a single lesser horseshoe *Rhinolophus hipposideros* was heard at 21:40.

3.3.2 17th May – Dawn Re-Entry Survey

No bats were seen re-entering the outbuilding during the survey.

Foraging bats

Common pipistrelle bats were recorded foraging within the garden to the south and east of the outbuilding from the start of the survey at 04:03 until 04.45 when they commuted north out of the

site. A single unidentified Myotis was briefly detected at 04:51 to the south of the outbuilding. Common pipistrelle bats were heard by both surveyors until 05:05.

4. Evaluation and Recommendations

Site evaluation has been undertaken based on the current level of survey findings including a Desk Study and Ecological Building survey. Legislation is summarised within the current section; Appendix 1 provides full details of the legislation relating to species.

Recommendations with regard to likely impacts and requirements for mitigation, compensation or protected species licensing (where necessary) have been given based on the proposals given in Section 1.3 and current best practice guidance documents where appropriate.

If the site or habitats within it changes (or if development proposals alter) the potential impacts on bat and bird species may change accordingly. Moor to Sea Ecology should be contacted for advice in such situations.

4.1. Designated Sites

Evaluation

There are three statutory designated site for nature conservation within a 2km radius of the site, however due to the proposed scale of the project (extension to an existing house within a garden), the distance of the proposed works from the designated sites (the closest designated site is 135m from Trewithian barn) and the reasons for the citations e.g. rare and notable habitats and species found within the River Camel SAC, River Camel Valley and Tributaries SSSI and Rosenannon Bog and Downs SSSI. It is considered very unlikely that the proposals will affect the habitats and species for which the sites are designated. Therefore there are no further recommendations pertaining to designated sites

4.2. Bat species

<u>Evaluation</u>

British bat species are protected under the Wildlife and Countryside Act 1981 (as amended) and Conservation of Habitats and Species Regulations 2017 (as amended). This makes it an offence to kill or injure bats or damage or destroy a place of shelter or protection. Deliberate or reckless disturbance of bats which could affect the ability of any significant group of animals to survive, breed, rear or nurture their young may also result in an offence.

The outbuilding and adjacent store were found to not support roosting bats at this time.

The habitats surrounding the outbuilding and store are well used by bat species, with five bat species being recorded during the dusk emergence and dawn re-entry surveys including bat species which are typically light adverse such as Myotis, long-eared bat species and lesser horseshoe. These bats will avoid flying along tree and hedge lines, if they are illuminated at night, such as by external security lighting.

Recommendations – Roosting bats

If the proposed works are delayed by more than 12 months from the date on the report, it is recommended that an updated survey is undertaken to ensure that the site conditions remain the same.

Although no evidence of roosting bats was noted, there is still a very low likelihood that individual bats may roost in the outbuilding on occasion. Therefore, a precautionary methodology will be employed, where the contractors are made aware of the very low likelihood for a roosting bats to be present. If a bat was to be found during these works, sheltering materials will be replaced around the bat and Natural England contacted for further advice.

Recommendations – Foraging bats

Any proposed external lighting should follow the guidelines set out in the Institute of Lighting Professionals (2018) Bats in the Built Environment Series ILP Guidance Note 08/18. In summary:

- LED luminaires should be used due to their sharp cut-off, lower intensity, good colour rendition and dimming capability.
- A warm white spectrum (ideally<2700Kelvin) should be adopted to reduce blue light component.
- Luminaires should feature peak wavelengths higher than 550nm to avoid the component of light most disturbing to bats.
- Only luminaires with an upward light ratio of 0% and with good optical control should be used.
- Luminaires should always be mounted on the horizontal, i.e. no upward tilt.
- Any external security lighting should be set on motion-sensors and short (1min) timers.
- As a last resort, accessories such as baffles, hoods or louvres should be used to reduce light spill and direct it only to where it is needed.

4.3 Bird species

Evaluation

Under the Wildlife and Countryside Act 1981 (as amended) it is illegal to take, damage or destroy the nests of wild birds whilst being built or in use. Bird species also listed on Schedule 1 of the Wildlife and Countryside Act 1981 (as amended), which include barn owl, receive additional protection including protection from intentional or reckless disturbance when they are nesting or rearing dependant young (see Appendix 1 for more details).

A bird box was seen on the eastern elevation of the outbuilding and a second box within the store. In addition, disused nesting material was noted in a hole in the stonework in the southern elevation of the outbuilding.

Recommendations

Commencement of works has potential to harm nesting bird's damage active nests or exclude birds from active nests. Therefore it is recommended that construction works avoid the main nesting

period (beginning of March to mid-September). It should be noted that nesting may extend outside of this period and is dependent on weather conditions and species.

If it is not possible to avoid the bird nesting season, a nesting bird check could be undertaken taking care to check all the holes in the stonework, any dense areas of ivy or other climbers and the bird boxes. If any evidence of nesting or nest building birds are discovered, the nests must be left in-situ until the chicks have fledged and left the nest.

4.4 Biodiversity Enhancements

Biodiversity enhancement recommendations are required in line with the National Planning Policy Framework (NPPF) which sets out the government's policies on achieving net biodiversity gain through the planning system. See the plan in Appendix 6 detailing the location of the biodiversity enhancements.

4.4.1 Roosting bats

Two Schwegler 1FE bat access panel roosts should be added to the areas of hanging slates on the south-east elevation of the proposed extension. The bat access panels can be rendered or slated over so that only the access hole remains visible.

4.4.2 Nesting birds

Four nest boxes should be installed on the proposed extension, comprising two robin/small songbird nest boxes (similar to those already present) and two sparrow terraces, all of which will be installed on the north-western elevation at eaves level.

5 References

CIEEM (2017). *Guidelines for Preliminary Ecological Appraisal*. 2nd edition. Chartered Institute of Ecology and Environmental Management, Winchester.

Collins, J (2016). *Bat Surveys – Good Practice Guidelines, 3rd edition*. Bat Conservation Trust.

English Nature (now Natural England) (2004). *Bat Mitigation Guidelines*. English Nature, Peterborough.

Institute of Lighting Professionals (2018). *Bats and artificial lighting in the UK*. Bats in the Built Environment Series ILP Guidance Note 08/18.

Magic (20252). Available from: https://magic.defra.gov.uk/MagicMap.aspx

Stone, E., Jones, G., and Harris, S. (2009). *Street lighting disturbs commuting bats*. Current Biology 9:1-5.

Williams, C. (2010). *Biodiversity for Low and Zero Carbon Buildings*: A Technical Guide for New Build.

Appendix 1 Summary of Relevant Policies and Legislation

This includes a brief summary of legislation relevant to wildlife referred to in this document. The original texts of the relevant legislation or specific legal advice should be consulted in individual cases where appropriate. This section does not constitute legal advice.

National Planning Policy Framework

The National Planning Policy Framework (NPPF) was published on the 24th July 2018. It replaces the first NPPF published in March 2012.

Sections of the NPPF with particular relevance to biological conservation include:

Paragraph 8 and 8 c):

8. Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives):

c) an environmental objective – to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.

Paragraph 170 d):

170. Planning policies and decisions should contribute to and enhance the natural and local environment by:

d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures;

Paragraph 171:

171. Plans should: distinguish between the hierarchy of international, national and locally designated sites; allocate land with the least environmental or amenity value, where consistent with other policies in this Framework; take a strategic approach to maintaining and enhancing networks of habitats and green infrastructure; and plan for the enhancement of natural capital at a catchment or landscape scale across local authority boundaries.

Paragraph 174:

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 biodiversity⁵⁶; wildlife corridors and stepping stones that connect them; and areas identified by national and local partnerships for habitat management, enhancement, restoration or creation⁵⁷; 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.

Paragraph 175:

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 reasons⁵⁸ 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.

Paragraph 176:

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 sites⁵⁹; 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.

Paragraph 177:

177. The presumption in favour of sustainable development does not apply where development requiring appropriate assessment because of its potential impact on a habitats site is being planned or determined.

⁵⁶ Circular 06/2005 provides further guidance in respect of statutory obligations for biodiversity and geological conservation and their impact within the planning system. ⁵⁷ Where areas that are part of

the Nature Recovery Network are identified in plans, it may be appropriate to specify the types of development that may be suitable within them. ⁵⁸ For example, infrastructure projects (including nationally significant infrastructure projects, orders under the Transport and Works Act and hybrid bills), where the public benefit would clearly outweigh the loss or deterioration of habitat. ⁵⁹ Potential Special Protection Areas, possible Special Areas of Conservation and proposed Ramsar sites are sites on which Government has initiated public consultation on the scientific case for designation as a Special Protection Area, candidate Special Area of Conservation or Ramsar site.

Protected Species

Protected Species (PS) include those species present on Schedule 2 of the Conservation of Habitats and Species Regulations 2017 (as amended). The Conservation of Habitats and Species Regulations 2017 transpose Council Directive 92/43/EEC on the Conservation of Natural Habitats and Wild Flora (Habitats Directive) into English Law. EPS referred to within this report include:

• Bat species

All PS also receive legal protection under the national legislation within the Wildlife and Countryside Act 1981 (as amended). When these two pieces of legislation are considered together, it makes it an offence to:

- Deliberately capture (or take), injure or kill any wild animal of these species.
- Possess or control any live or dead specimens or any part, or anything derived from animals of these species.
- Deliberately disturb wild animals of such species, where the disturbance is likely to:
 - a) impair their ability to
 - i) survive, breed or reproduce, or to rear or nurture their young, or
 - ii) in the case of animals of a hibernating or migratory species, to hibernate or migrate
 - b) affect significantly the local distribution or abundance of the species.
- Intentionally, deliberately or recklessly damage or destroy the breeding or resting place of such an animal, or obstruct access to such a place.
- Sell (or offer for sale) or exchange parts of these species (alive or dead).

Nesting Birds

All wild birds are protected under Section 1 of the Wildlife and Countryside Act 1981 (as amended). It is therefore an offence in the UK to:

- Take damage or destroy the nest of any wild bird whilst it is being built or in use.
- Kill, injure or take any wild bird.
- Take or destroy the eggs of any wild bird.

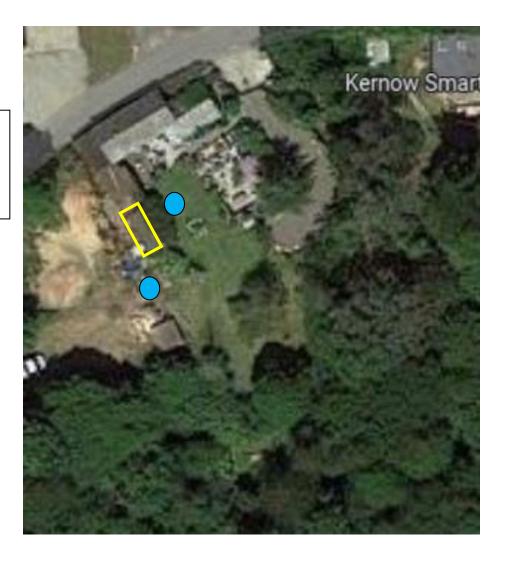
In order to avoid committing an offence with regards nesting birds no works which may impact bird nests whilst in use (e.g. whilst nests are being constructed, eggs incubated or dependant juveniles reared) should take place. Such works should only take place once all young have fully fledged.

Certain bird species which are listed on Schedule 1 of the Wildlife and Countryside Act 1981 (as amended) receive special protection. These species are also protected from any form of intentional or reckless disturbance when they are nesting or rearing dependant young. A list of other Schedule 1 bird species can be provided on request.

Appendix 2 Photo Plates



Appendix 3 Surveyor Location Plan



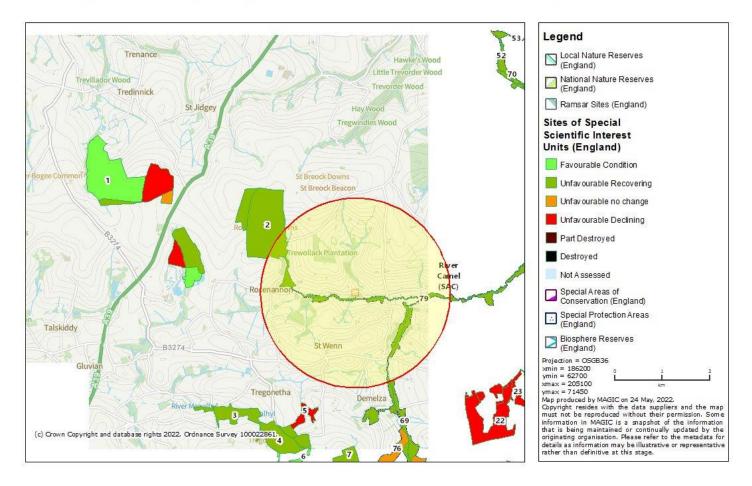
Outbuilding surveyed

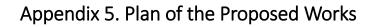
Location of surveyors

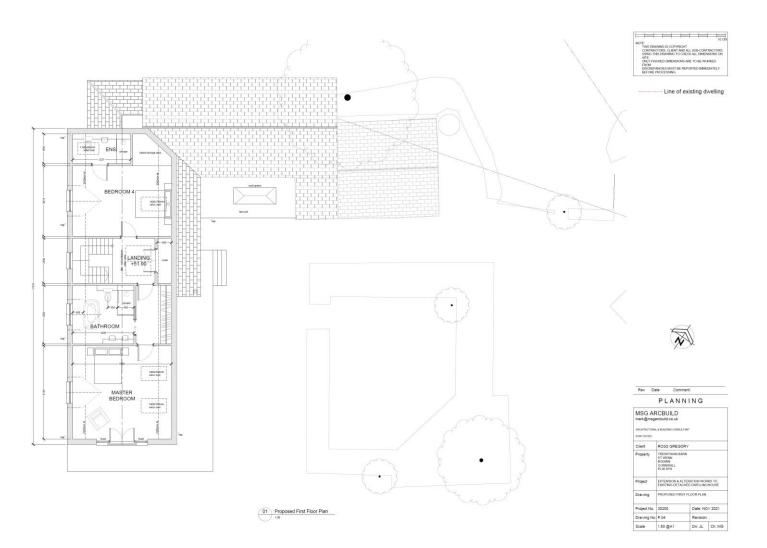
Key

Appendix 4 Data Search Results

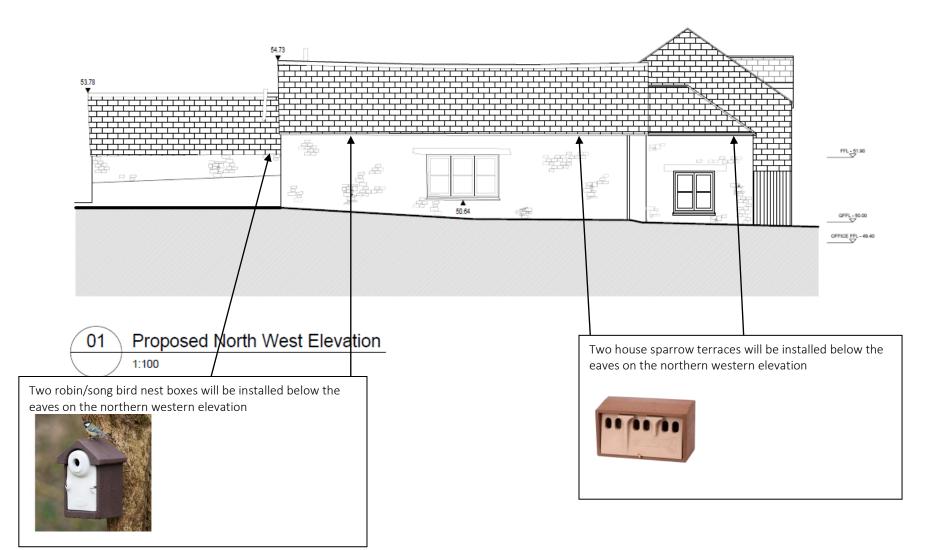
MAG[°]C atutory designated sites for nature conservation







Appendix 6 Biodiversity Enhancements



Moor to Sea Ecology

