Land at Waldon View, Milton Damerel

Ecological Impact Assessment

A report on behalf of

Tallis Kemp

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Site Details

Site name	Land at Waldon View
Site location	Milton Damerel
Central OS grid reference	SS 37775 10061
Client	Tallis Kemp
Report title	Ecological Impact Assessment

Executive Summary

This report presents an Ecological Impact Assessment for Land at Waldon View, Milton Damerel (central OS grid reference: SS 37775 10061). The works were commissioned by Tallis Kemp and this report is intended to be submitted with a planning application for the construction of a garage, stable and arena.

A desk study and Extended Phase 1 Habitat Survey were undertaken in 2022 to provide baseline data for the Site and assess the ecological implications of the development.

The Site is approximately 0.35 (ha) and comprises a horse grazed, semi-improved grassland field with species-poor hedgerow boundary. The Site was found to provide suitable habitat for foraging and commuting bats, dormice and for reptiles.

The development will result in the loss of c.1200m^2 of grassland and temporary impacts to 50m of hedgerow which is to be translocated. The loss of habitats on Site is not considered ecologically significant.

The following mitigation and compensation measures will be undertaken to minimise impacts on important ecological features:

- Protect retained habitats in accordance with BS5837: 2012 and protect areas outside the working area with barrier tape or weld-mesh fencing.
- Pollution prevention measures during construction and operation.
- Carefully considered lighting scheme, avoiding illumination of boundaries.
- Careful working method to avoid impacts to dormice.
- Best practice measures taken to prevent wildlife from falling into excavations.
- Additional hedgerow planting throughout the Site to compensate for habitat degradation caused by translocating the roadside hedge.

Additional recommendations have been provided in order to enhance the Site for biodiversity post-development.

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1 INTRODUCTION

This document has been produced by Chris Turner BSc MCIEEM of Lakeway Ecological Consultancy Ltd. It presents an Ecological Impact Assessment for a plot of Land at Waldon View, Milton Damerel (central OS grid reference: SS 37775 10061). The works were commissioned by Tallis Kemp and this report is intended to be submitted with a planning application.

The area within the application boundary is hereafter referred to as the 'Site'.

1.1 Description of Proposed Development

Full planning permission is being sought for the construction of a garage, stable and arena. Plans are shown on the accompanying drawings issued by NPAS Devon.

This report should be read in conjunction with plan 1128 20 issued by NPAS.

1.2 Aims and Objectives

1.2.1 Field Survey Aims

The survey information contained within this report aims to:

- Establish whether the development will impact protected species or habitats.
- Identify and provide context for protected species or habitats which may be impacted by the proposals.

1.2.2 Report Objectives

The objectives of this report are to:

- Provide the client with sufficient information to fully inform them of their obligations.
- Present an assessment of the likely (significant) effects of the proposed development on ecological features.
- Allow the Local Planning Authority (LPA) to ascertain whether the proposal accords with relevant planning policy and legislation; and,
- Allow the LPA to write planning conditions (where necessary) to secure mitigation, compensation and enhancement measures.

Recommendations have been detailed following the biodiversity mitigation hierarchy in accordance with NPPF paragraph 175 (a) which states:

"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."

This report sets out additional measures which provide enhancements on the Site with the aim of providing a net-gain for biodiversity, which are in line with National and Local planning policy.

Relevant legislation is provided in **Appendix 1**.

1.3 Personnel

The habitat survey, Site appraisal and reporting were carried out by Chris Turner MCIEEM. Chris is an ecologist with 10 years commercial experience in quantitative field surveys and assessments, and with expertise in habitats, although primarily a specialist in the mitigation of impacts to legally protected species. Chris is a Registered consultant on Natural England's earned recognition Pilot class licence scheme for bats and has acted as named ecologist on Mitigation Licences for bats and badgers since 2013. Chris is registered to use Natural England survey licences for bats, dormice, barn owls and great crested newts. Chris is a full member of the Chartered Institute of Ecology and Environmental Management (MCIEEM) and is bound by their professional Code of Conduct.

This report has been peer reviewed by Ruth Testa MSc MCIEEM. Ruth has over fourteen years professional experience of ecology and wildlife conservation in both the voluntary and private sectors. She has extensive experience both writing and peer reviewing ecological reports.

2 METHODS

2.1 Ecological Scoping and Baseline Data Collection

The following surveys/ assessments were undertaken based upon the potential impacts of the development. Full details of methods and results are provided in **Appendices 2-4.**

Activity	Date (s)	Surveyors	Summary of Methods
Desk study	June 2022	N/A	Internet search using MAGIC: nationally designated sites within 2km, Natura 2000 sites within 5km. Granted EPS licences within 2km.
Extended Phase 1 Habitat Survey	6th June 2022	Chris Turner MCIEEM Class licences: Bat L2 2015-12878-CLS-CLS GCN L1 2016-26331-CLS-CLS Barn owl CL29/00578 Dormouse L1 2020-50478-CLS-CLS	Walkover of habitats within the Site boundary in accordance with JNCC (2010) and CIEEM (2017). Preliminary bat roost assessment of buildings on site.

2.2 Baseline Evaluation and Impact Assessment

Determining the geographical importance of bat roosts, other protected species and habitats was undertaken in accordance with CIEEM's Guidelines for Ecological Impact Assessment in the UK and Ireland (CIEEM, 2018). Where uncertainty exists, a precautionary approach has been adopted. In addition to the geographic frames of reference recommended in the CIEEM guidelines, an additional category of 'Site Importance' has been included to account for features that are of some value in the context of the Site but are not considered to be of sufficient value to be categorised as 'Local Importance'.

3 LIMITATIONS

Care has been taken to ensure that balanced advice is provided on the information available and collected during the study periods, and within the resources available for the project. However, the possibility of important ecological features being missed due to survey timings, absence during surveys or the year of survey cannot be ruled out. In addition, the lack of evidence or records of protected species on Site does not preclude their presence from Site.

4 BASELINE CONDITION AND ASSESSMENT

4.1 Designated Sites

There are no designated sites within the likely Zone of Influence of the development and designated site are not considered further in this report.

4.2 Habitats and Flora

The Site extends to approximately 0.35ha and is dominated by species-poor semi-improved grassland partially separated with a stock proof fence. Outside the stock fencing to the east is an area of semi-improved grassland. A Phase 1 Habitat Plan is provided as **Figure 1**. Full descriptions and photographs are included in **Appendix 3.** The River Waldon runs along the northern field boundary, approximately 65m away from the development boundary.

4.2.1 Semi-improved Grassland

The main grassland is botanically species-poor, and currently used for grazing horses, with the area outside stock-fencing being topped regularly. As such, no 'thatch' is present. This habitat is of **negligible** importance as it lacks diversity, being dominated by palatable grasses and shows signs of previous agricultural improvement, coupled with nutrient enrichment from livestock dung.

4.2.2 Hedgerows & Trees

The hedgerow bounding the Site to the west and the grown-out hedgerow within the field to the east, forming the southern boundary to the Site are Habitats of Principal Importance (HPI under the NERC Act 2006). The hedgerows sit atop a stone-faced Devon bank and are also Devon BAP habitats. All the hedges are in moderate condition and are of **district** importance for nature conservation.

The beech trees in the boundary hedge and the oak adjacent to the boundary are strong landscape features and of high ecological value. Owing to the amount of woodland in the wider area, however, these trees are of no more than **Site** importance

4.2.3 Buildings

The buildings on-Site presented **negligible** habitat value but are discussed further in **Section 4.3**.

4.3 Fauna

4.3.1 Amphibians & Reptiles

The hedgerow bases provide good terrestrial foraging and sheltering habitat for common amphibians, including the S41 common toad *Bufo bufo.* The wider field/ development footprint provides **negligible** potential to support amphibians owing to the high level of disturbance from horses and general lack of shelter.

Some suitable terrestrial habitat exists in the form of unmanaged grassland and scattered scrub outside the Site boundary and the presence of slow worm *Anguis fragilis* is assumed. It is unlikely that there is a particularly large population as the Site has been more closely managed in the past, thus limiting the available habitat for reptiles. Any population is not likely to be of importance above the **Site** level.

4.3.2 Badger

A number of paths run through the field, but these are not sufficiently well-worn to indicate the proximity of a badger sett and no badger sett entrances were noted on Site. No evidence of badger foraging was found.

Badgers' home ranges vary between 30ha and 300ha[1] and therefore, with an abundance of higher quality foraging habitat in the wider area (woodland and pasture), it is unlikely that the Site provides an important foraging resource for local badger populations. Badger presence has been confirmed on Site but because of the small area that the Site covers (0.35ha), it is considered to be of **negligible** importance to badger.

4.3.3 Bats

Roosting Bats

The buildings on Site presented **negligible** bat roosting potential and none of the woody vegetation in the hedgerow or trees close to the house presented sufficient cavities or defects which could be exploited by roosting bats. The Site is therefore of **negligible** importance to roosting bats.

Foraging/ Commuting Bats

Owing to the abundance of trees, including ancient semi-natural woodland within 1km of the Site, which are likely to support a network of bat roosts coupled with a range of farm buildings likely to support bat roosts, it is considered that the majority of species found in Devon are likely to be present in the area and therefore that a wide range of bat species is likely to use the Site for foraging and commuting.

The Site is likely to support a range of invertebrates, including those associated with water such as midges etc. upon which bats will prey. Owing to the limited extent of the Site and the abundance of semi-natural habitats in the local area, plus watercourses and further grazing pasture which will support a range of invertebrate prey, the Site itself is unlikely to provide a foraging resource for bats above the **Site** level.

The hedge-lined road to the west of the Site (off-Site) and grown out hedge along the southern Site boundary provide a strong navigation feature for local bat populations. Owing to the small size of the Site and good connectivity in the wider area, these features are considered to be of **Site** importance for commuting bats.

4.3.4 Hazel Dormice

Hazel dormice are known to be present in the county[2] and use a range of habitats including scrub, hedgerows, woodland and residential gardens, all of which provide a variety of food sources throughout the year (Bright *et al*., 2006). There is suitable dormouse habitat in the wider area, comprising hedgerows and pockets of deciduous woodland with some connectivity provided by hedgerows and scrub close to the Site. It is highly likely that dormice use the hedgerow along the western boundary of the Site, which is to be affected by proposals but the hedge in isolation does not provide sufficient habitat to support a breeding population of dormice. However, the connectivity provided by this hedgerow means that the Site is potentially of **local** importance to dormice, allowing them to disperse through the wider landscape.

[1] www.badgerland.co.uk
[2] https://ptes.org/campaigns/dormice/about-hazel-dormice/hazel-dormice-range-and-distribution-in-the-uk/

4.3.5 Nesting Birds

The hedgerows are of moderate structural diversity owing to regular flailing/ management. Nevertheless, the denser vegetation provides good bird nesting potential.

Owing to high quality woodland being present a short distance to the east and west, and an extensive mosaic of fields delineated by hedgerows in the local area, the Site is considered to be of limited importance in the wider context and is therefore considered to be of no more than **Site** importance for nesting birds.

4.3.6 Other Protected/ Notable Species

With much of the Site being regularly managed, habitats are fairly uniform in nature. Therefore, the Site is unlikely to support a significant assemblage of invertebrates, especially when the wider hedgerow, woodland and wetland habitats are taken into account. Habitats are unlikely to support an invertebrate assemblage of more than **Site** importance.

It is highly likely that European hedgehog *Erinaceus europaeus* are present in the area owing to the amount of suitable habitat, comprising hedgerows and woodland. The hedgerow provides good foraging and sheltering opportunities for hedgehog and is well connected to other suitable habitat. The Site itself provides negligible shelter for hedgehog but it is possible that they cross the Site from time to time. The Site is considered to be of **negligible** importance for hedgehog.

The remainder of the habitats on Site do not lend themselves to supporting other protected species such as otter or water vole. There are no significant areas of running water within the Site boundary and therefore, other protected species are considered absent from the Site.

5 FURTHER SURVEY WORK

It is considered that the survey effort reported above is sufficient to provide an assessment of the likely significant effects of the development proposals on ecological features and to inform the mitigation strategy detailed below. No further ecological survey work is considered necessary in order to determine the current planning application and the results are considered valid for one year.

If there are any changes to the proposals or if any significant amount of time has passed since the date of this report, a re-appraisal may be required.

6 IMPACT ASSESSMENT AND MITIGATION

6.1 Habitats and Flora

As the development boundary lies wholly within a semi-improved grassland field and is generally of low impact (minor ground works and construction), adverse effects on wider habitats are considered unlikely; however, there is a risk of machinery encroachment during enabling and construction which would damage off-Site habitats in the absence of mitigation. This would be an adverse effect at the **Site to local** level.

In order to mitigate adverse effects, retained habitats will be protected throughout the enabling and construction phases by the installation and maintenance of protective fencing. Trees will be protected in accordance with BS5837: 2012 '*Trees in relation to design and construction'.*

There is a risk of pollution and runoff entering the River Waldon a short distance to the north of the Site. Pollution events would be an adverse effect at the local to district level in the absence of mitigation. Therefore, best construction practices must be adhered to during enabling and construction to avoid contaminating the watercourse.

6.1.1 Semi-improved Grassland

The grassland is botanically species-poor and heavily grazed or mown. There will be a permanent loss of approximately 1200m^2 of grassland and temporary impacts to a further 400m^2. The impacts are unavoidable and would be minor adverse at the **site** level.

To minimise impacts to the remaining grassland during enabling and construction, the working area will be marked out and delineated with weld-mesh fencing to avoid encroachment of machinery outside the working area.

The remaining field margins will be brought back into more regular management with arisings being removed (composted on Site) to reduce nutrient load and promote species diversity. The edges of the Site will be oversown as necessary with a species-rich meadow mix and a patch of native wildflowers will be set aside, to the south-west of the sand school. The grass verge between the road and the (translocated) hedgerow will be sown in line with the accompanying landscape drawing. These activities will compensate for the loss of currently species-poor grassland such that residual effects will be neutral to positive.

6.1.2 Hedgerows and Trees

The western boundary hedgerow is to be translocated back into the Site. This is needed to provide adequate visibility splay to the highway and is therefore unavoidable. As the hedgerow sits atop a stone-faced bank, the hedgerow can be pushed back with no removal of vegetation. As the root systems of the woody species are largely contained within the bank, it is considered that the vast majority of the hedgerow will survive the activity and that adverse effects are both temporary and reversible such that there will be no lasting adverse effect on the hedgerow fronting the road.

To maximise the chance of success of the translocation, works should be carried out outside the growing season but with regard to protected species, detailed in **Section 7**. The best time to move the hedgerow would be September/ October.

Once the hedgerow has been moved, infill planting with at least seven woody species will take place. This will compensate for any loss of vegetation on the bank.

The existing hedge (grown out) forming the southern boundary to the field will be retained and protected with weld-mesh fencing, in line with BS5837: 2012.

As there will be no loss of trees, no specific compensation is required.

6.2 Fauna

6.2.1 Amphibians & Reptiles

There is a risk of adverse effects on amphibians and reptiles, should they be present in the working area, in the absence of mitigation. The Site has been previously grazed/ mown/ cut and therefore, the quality of terrestrial habitat to be impacted has varied significantly in the past. Despite this, there will be at least temporary impacts to c.50m of hedgerow when creating access.

In order to dissuade reptiles and amphibians from the working area, it is recommended that grass and ruderal vegetation is kept short prior to start of works, by regular strimming to a height of 100mm, taking care not to damage woody vegetation.

Although the loss of grassland on Site has been assessed as a negligible adverse effect, there will be some removal of potential terrestrial habitat for reptiles and amphibians. The landscaping scheme shows improved quality of foraging and sheltering habitat around the Site and the provision of a new Devon banks along the southern boundary and between the new stable and arena will increase sheltering opportunities for reptiles and amphibians such that residual effects will be positive.

6.2.2 Bats

Roosting Bats

There are no bat roosting opportunities on Site, therefore, no adverse effects are predicted.

Foraging/ Commuting Bats

Wider field boundaries (southern and western boundaries in particular) and the River Waldon off-Site provide good landscape navigation features for local bat populations and although the Site is not considered to form a particularly important feature in the landscape, inappropriate lighting risks causing fragmentation effects which may alter bats' behaviour and could impair their breeding success. This would be a significant adverse effect at the **local** level.

In order to avoid impacting foraging and commuting bats, care must be taken to avoid illuminating site boundaries. Any exterior lighting on buildings (if required) must be carefully placed to avoid illuminating boundary vegetation and must avoid spilling onto the field to the south or north and the river corridor to the north of the Site. Best practice guidance detailed in Guidance Note 08/18 - Bats and Artificial Lighting in the UK (BCT, ILP, 2018) must be followed when siting lights both on and within buildings. Furthermore, security lighting will point downwards and be set on motion sensor with short duration (30s or less). This will ensure that no light barriers are introduced to foraging and commuting bats and no adverse effects are predicted.

No lighting is proposed on the arena and so no adverse effects are predicted.

Habitat compensation and enhancements as shown on the accompanying drawings will increase the availability of invertebrate prey for bats, such that residual effects will be neutral to positive for foraging bats.

6.2.3 Badgers

No badger setts were found and therefore no impacts are predicted to badger setts. However, it is likely that badgers forage on Site from time to time. In the absence of mitigation, individuals may become trapped in excavations over-night during enabling and construction. Best practice measures must be employed to avoid harm to wildlife during enabling/ construction. Any pipe work should be capped overnight and any pits/ trenches covered or a means of escape provided.

As long as these measures are employed, no adverse effects are predicted during enabling/ construction. The proposed layout will not cause any barriers to foraging badgers and no adverse effects are predicted during operation.

6.2.4 Hazel Dormice

The presence of hazel dormice on Site is considered likely and although the Site does not contain sufficient habitat to support a breeding population, it is highly likely that dormice traverse the Site and use the western boundary hedgerow for nesting, commuting and foraging. The translocation of c.50m of hedgerow approximately 2m into the Site will not cause habitat fragmentation but risks killing/ injuring dormice if carried out at an inappropriate time of year. These impacts could contravene current legislation, would be significant adverse effects at the **local** level and could impair the breeding success of local dormouse populations.

It is also possible that dormice hibernate at the hedgerow bases between November and March, and dormice may use the hedgerows to construct breeding nests (above ground) during the summer. Therefore, the best time to carry out hedgerow works is between September and October, when dormice are active and not hibernating underground, but are not with vulnerable, dependant young.

The hedgerow translocation should be preceded by an ecologist check for dormouse nests in September or October, when dormice are still active but avoiding the breeding and hibernation seasons. A licensed dormouse ecologist shall supervise the work checking the site for nests immediately before commencement of works and, if needed, during clearance.

With careful timing and works being carried out bunder a watching brief, it is considered that wildlife offences would be extremely unlikely and therefore an EPS derogation licence **will not** be required.

No adverse effects are predicted on hazel dormice during operation and the additional planting around the Site will provide nesting, foraging and commuting habitat for dormice such that residual effects will be positive.

6.2.5 Other Protected/ Notable Species

The loss of habitat within the development footprint is not considered to significantly affect the availability of habitat for invertebrates or hedgehog in the context of the local landscape and no specific mitigation is necessary. However, wildlife including hedgehogs may cross the Site. Therefore, best practice measures must be employed to avoid harm to wildlife during enabling/ construction and any pipe work should be capped overnight and any pits/ trenches covered or a means of escape provided. The layout provides continuity around the Site such that wildlife will be able to traverse the Site during operation and the habitat management recommendations and additional planting will benefit wildlife such that residual effects will be positive. Botanically diverse habitats will ensure that invertebrates have a range of resources. Additional enhancements detailed on the accompanying landscaping scheme will create a range of habitats including native planting and associated ground flora, which will be of benefit to wildlife generally.

7 ENHANCEMENTS

The compensation described above aims to ensure no net-loss in biodiversity caused by development. In addition, the following features will be installed, to provide a net-gain in biodiversity, in line with Local and National policy. Measures are shown on the landscaping drawing:

- 2 x in-built bat boxes on the new stable/ garage building (west or south-facing).
- 2 x in-built bird boxes on the new stable/ garage building (east or north facing).
- Native species-rich hedgerow planting on Devon Banks.
- Trees of local provenance to be planted along the western boundary with grassland beneath being mown twice yearly, once in spring and once in late summer, when seed has set, arisings to be removed/ composted on Site.

8 SUMMARY AND CONCLUSIONS

The information provided within this report is considered sufficient to assess the potential impacts from the development at the Site and to allow the Local Planning Authority to write conditions, where necessary, to ensure that there are no adverse effects on ecological features from the development as proposed.

A careful approach to ground works and vegetation removal is recommended, to avoid/minimise impacts to habitats and reptiles. A carefully considered lighting scheme will ensure no adverse effects to foraging and commuting bats.

Enhancement measures have been recommended with the aim of providing a net biodiversity gain, contributing to the aims of NPPF and local policy. Overall, the development will provide a net-gain in biodiversity by increasing the amount of hedgerow on Site and improving the quality of grassland around the Site boundaries.

9 REFERENCES

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Key

- Site Boundary
- Line of trees - grown out hedge
- Scattered broadleaved trees
- SI — Poor semi-improved grassland, part grazed
- Buildings
- Ruderal vegetation
- Species-poor intact hegderow

N

0 6 12 18 24 m

Figure 1:
Phase 1 Habitats

Project:
Land at Walden View

Client:
Tallis Kemp

Date:
22/06/2022

Drawn by:
RT

Ref:
22-186-P1

Revision:
-

lakeway
ecological consultancy

Appendix 1 – Devon Wildlife Checklist

A.1 Protected and priority species (relates to question 13a in the planning application form).

Species - terrestrial, intertidal, marine	Walkover shows that suitable habitat present and reasonably likely that the species will be found? Tick or cross	Detailed survey needed to clarify impacts and mitigation requirements?	Detailed survey carried out and included ?	Species Present or Assumed to be present on site Indicate with P or A and name the species	Impact on species?	Detailed Conservation Action Statement included? Sets out actions needed in relation to avoidance / mitigation / compensation / enhancement	EPS offence committed? Three tests met?	Grid reference for specific location of species (if required for large sites)
Bats (roost)	x							
Bats (flight line / foraging habitat)	✓	x	x	A - bats	✓	✓	n/a	
Dormice	✓	x	x	A	✓	✓	avoidance	
Otters	x							
Great crested newts *(*check consultation zone)*	x							
Cirl buntings (**check consultation zone*)	x							
Barn owls	x							
Other Schedule 1 birds	x							
Breeding birds	✓	x	x	A – range of species	✓	✓	n/a	
Reptiles	✓	x	x	A	✓	✓	n/a	
Native crayfish	x							
Water voles	x							
Badgers	x							
Other protected species	x							
UK BAP priority species	x							
Devon BAP key species	x							
Invasive species	x							

A.2 Designations / important habitats / sites of geological importance (relates to questions 13 b & c in the planning application form)

Designation Terrestrial, intertidal, marine	Within site or potential impact	Name of site / habitat	Detailed Conservation Action Statement included in report?	Habitat balance sheet included (showing area of habitats lost, gained and overall net gain)	Relevant organisation consulted & response included in the application?
Statutory designations	X				
European designations - Special Area of Conservation (SAC), Special Protection Area (SPA) and RAMSAR site or within Greater Horseshoe consultation zone	x				
Site of Special Scientific Interest (SSSIs)	X				
Marine Conservation Zone (MCZ)	x				
Local Nature Reserve (LNR)	X				
Non statutory wildlife designations					
County Wildlife Site (CWS)	X				
Ancient woodland	X				
Special Verge	X				
UK BAP Priority habitat	X				
Local Biodiversity Network (mapped by Devon Wildlife Trust / through Green Infrastructure work)	X				

Appendix 1 – Legislation

Habitat and Species Legislation

Species and habitats receive legal protection in the UK under various legislation, including:

- The Wildlife and Countryside Act (WCA) 1981 (as amended);
- The Conservation of Habitat and Species Regulations 2017 (as amended)
- The Countryside Rights of Way (CRoW) Act 2000;
- The Hedgerows Regulations 1997;
- The Protection of Badgers Act 1992; and
- The Natural Environment and Rural Communities (NERC) Act 2006.

Where relevant, this report takes into account the legislative protection afforded to specific habitats and species.

National Planning Policy Framework 2019

The National Planning Policy Framework (NPPF) sets out the Governments planning policies for England and how local planning authorities should incorporate them into their own policies and plans. Chapter 15 of the NPPF contains several policies targeted at enhancing the natural environment and requires local authorities to consider how impacts on biodiversity can be minimised and provide net gains in biodiversity. Paragraph 170 states that:

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

a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan);

b) recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland;

c) maintaining the character of the undeveloped coast, while improving public access to it where appropriate;

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;

e) preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans; and

f) remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate."

Additional Planning Practice Guidance (PPGs) supports the NPPF and includes guidance on:

- Landscape;
- Biodiversity, ecosystems and green infrastructure; and
- Brownfield land, soils and agricultural land.

North Devon and Torridge Local Planning Policy

The North Devon and Torridge Local Plan 2011 – 2031 (NDTLP) sets out policies to encourage and facilitate sustainable development and growth in the two council areas. Relevant policies that were considered as part of this report include:

- Strategic Policy ST03: Adapting to Climate Change and Strengthening Resilience. This includes 'conserving and enhancing landscapes and networks of habitats, including cross-boundary green infrastructure links, strengthening the resilience of biodiversity to climate change by facilitating migration of wildlife between habitats and improving their connectivity';
- Strategic Policy ST09: Coast and Estuary Strategy. This identifies a 'Coastal and Estuary Zone' where 'the integrity of the coast and estuary as an important wildlife corridor will be protected and enhanced. The importance of the undeveloped coastal, estuarine and marine environments, including the North Devon Coast Areas of Outstanding Natural Beauty, will be recognised through supporting designations, plans and policies. The undeveloped character of the Heritage Coasts will be protected';
- Strategic Policy ST14: Enhancing Environmental Assets. This policy has various aims, including providing a net gain in biodiversity, protection of sites, species and ecosystems, improving water quality and meeting the Nature Improvement Area's strategic objectives. Where biodiversity assets cannot be retained or enhanced on site, the Councils will support 'biodiversity offsetting' to deliver a net gain in biodiversity off-site in accordance with the offsetting strategy; and
- Development Management Policy DM08: Biodiversity and Geodiversity. The policy states that development should conserve, protect and where possible enhance biodiversity interests, giving appropriate weight to their importance. All development must consider opportunities for the creation of a biodiversity network. The policy ensures the appropriate protection of designated sites, seeks to avoid development on ancient woodland and veteran trees and states that development follows the mitigation hierarchy where possible, for example by using the DEFRA metric.

Post-2010 Biodiversity Framework

The UK Biodiversity Action Plan (UK BAP) was succeeded in 2012 by the 'UK Post-2010 Biodiversity Framework' which demonstrates a whole-environment strategy on how the UK contributes to achieving the Convention on Biological Diversity's (CBD) 20 Aichi Biodiversity Targets. In England, 'Biodiversity 2020: A strategy for England's wildlife and ecosystem services' (DEFRA, 2011) sets out the strategic direction for biodiversity policy in the future. The former UK BAP was used to draw up lists of species and habitats of 'principal importance' which continue to be regarded as priorities under the Post-2010 Biodiversity Framework and are identified under Section 41 of the NERC Act 2006; these species have been considered throughout this report.

Devon BAP

The Nature of Devon – A Biodiversity and Geodiversity Action Plan was revised by the Devon Biodiversity Partnership in 2005. The document takes into account the objectives and targets of the former UK BAP and translates these within a local context. The Plan contains action plans for five common themes, 20 key habitats and 20 key species, which are a consideration in planning decisions.

Appendix 2 – Desk Study

Methods

The following sources were searched on 8th June 2022 to provide geographical context and to assess whether the proposals have the potential to impact protected species, habitats or sites:

- The Government's mapping website MAGIC (https://magic.defra.gov.uk/) was used to search for internationally designated sites within 5km, priority habitats and statutory sites designated for nature conservation within 2km.
- MAGIC was also searched for European Protected Species licences issued by Natural England in the surrounding area since 2008, over a 2km radius.
- Aerial photography (https://wtp2.appspot.com/wheresthepath.htm) was reviewed to assess connectivity between the Site and areas in the local landscape which may be of importance for protected species (wildlife corridors).

Desk Study Results

The search of https://magic.defra.gov.uk/ returned no EPS licences granted within 2km of the Site since 2008.

No internationally designated sites lie within 5km of the Site and no Nationally designated sites occur within 2km of the Site. The Site does not lie within any Devon Species Consultation Zones.

Priority Habitats

No habitats of principal importance (HPI[3]) were shown using MAGIC within the Site boundary or on adjacent land.

[3] Habitat of Principal Importance under Section 41 of the NERC Act 2006

Appendix 3 – Extended Phase-1 Habitat Survey

Methods

A site walkover was undertaken in accordance with the Joint Nature Conservation Committee's Phase 1 Habitat Survey methodology (JNCC 2010) on 6th June 2022 by Principal Ecologist Chris Turner BSc MCIEEM when weather conditions were dry and bright.

All habitats within the Site were identified, described and mapped during the field survey, and a non-exhaustive botanical species list compiled. Plant names follow Stace (2019). The survey was extended to highlight the potential presence of protected and priority species in accordance with CIEEM's Guidelines for Preliminary Ecological Appraisal (2017). This involved a search to identify the presence or potential presence of notable and protected species such as breeding birds, badger *Meles meles*, dormouse *Muscardinus avellanarius*, bats, reptiles and amphibians. Target Notes (TNs) were used to record any features or habitats of ecological interest.

Where access allowed, adjacent habitats were also considered in order to assess possible impacts of the proposal in a wider context.

A digital map was produced using QGIS (QGIS Development Team (2018) Geographic Information System Open Source Geospatial Foundation Project). The Phase 1 Habitat map is shown in **Figure 1**.

Results

The Site extends to approximately 0.35ha and is dominated by a poor semi-improved grassland field bound to the west by species-poor hedgerow. The eastern part of the Site is open to the wider field, which slopes gently down to the River Waldon

Habitats are described in **Table 3.1 overleaf** along with their potential to support protected/ notable species.

Table 3.1 Habitat Descriptions

Habitat Descriptions	Photograph
Semi-improved neutral grassland The main part of the Site is a section of semi-improved grassland field, dominated by common grasses including perennial rye grass, Yorkshire fog, soft rush, meadow grass and annual meadow grass. Forb species include occasional white clover, creeping buttercup. A large part of the Site is closely grazed by horses but where horses have been excluded, the sward is up to 50cm high. There was negligible potential for the field to support protected species owing to the level of disturbance and lack of shelter.	 Main part of the Site looking north-east
Hedgerows & Trees The western boundary comprises a species-poor hedgerow on a Devon Bank. Woody species include hazel, hawthorn, blackthorn, elm and elder with common forbs in the ground flora including male fern, red campion, meadowsweet, cow parsley, rough meadow grass and nettle. A multi-stemmed beech tree is present in the hedge, and an oak lies a short distance to the east of the beeches, within the Site boundary. Further to the east lies a line of trees, formerly a hedgerow on a bank. This forms the southern boundary to the field.	 Hedge fronting lane
Buildings A shipping container which has been adapted to be used as a stable occurs inside the western boundary to the Site. Immediately to the south of the stable lies a small metal shed. Neither of these building provide any habitat value but further detail is provided in Appendix 4 regarding protected species.	 

Appendix 4 – Preliminary Roost Assessment

Methods

All buildings within the Site boundary were assessed for their potential to support roosting bats. The assessment was undertaken at the same time as the extended Phase 1 habitat survey (6th June 2022), The survey was carried out by Principal Ecologist Chris Turner BSc MCIEEM. Chris is registered to use a Level 2 class licence to survey for bats (Natural England ref: 2015-12878-CLS-CLS).

The buildings were assessed externally for signs of bats and points where bats could gain access. Close focusing binoculars, telescopic ladders, a Rigid CA-300 endoscope and high-powered torch were used where appropriate. A search was made for features which could provide suitable roosting spaces for bats. Any direct signs (such as droppings stuck to walls) as well as features of potential value to bats were noted on hand drawn maps.

A systematic search was made of all internal areas of the buildings for the presence of bats, potential roosting sites and evidence such as bat droppings, carcasses and feeding remains (insect fragments).

Trees were inspected from ground-level with the aid of binoculars for Potential Roost Features (PRFs) such as rot holes, hazard beams, cracks or splits, woodpecker holes, knot holes, man-made holes, cankers, gaps between overlapping stems/ branches, loose bark, dense ivy, epicormic growth and bat, bird or dormouse boxes. Signs indicating possible use by bats were also recorded such as bat droppings, odour, scratches, staining and audible sounds. Information collected about PRF's included a description, the height of the feature above ground level and the orientation of the feature in relation to the trunk.

In line with best practice guidance (Collins, 2016), the buildings were prescribed a category based on their potential to support roosting bats as detailed in **Table 4.1** below. Building locations are shown in **Figure 1**.

Table 4.1: Bat Roost Potential (as detailed in Collins, 2016)

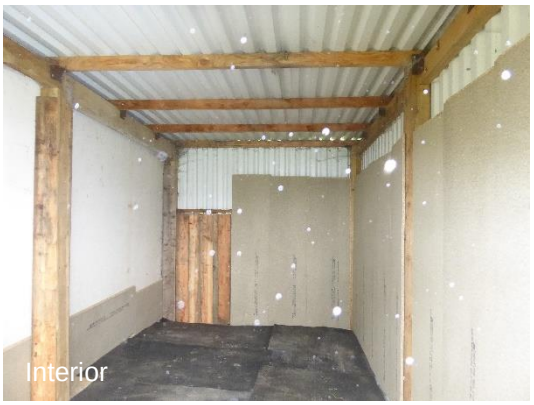
Suitability	Description of bat roosting potential	Description of bat roosting potential (trees)
Negligible	The building is not considered suitable for bats	Negligible habitat feature/s likely to be used by roosting bats
Low	A structure with one or more potential roost sites that could be used on a sporadic or occasional basis for feeding or solitary day roosting	A tree with one or more potential roost sites that could be used by individual bats opportunistically. However, these potential roost sites do not provide enough space, shelter, protection, appropriate conditions and/or suitable surrounding habitat to be used on a regular basis or by larger numbers of bats (i.e. unlikely to be suitable for maternity or hibernation). A tree of sufficient size and age to contain PRFs but with none seen from the ground or features seen with only very limited roosting potential.
Moderate	A structure with one or more areas suitable for roosting due to the features size, shelter, protection, conditions and surrounding habitat that could be attractive to bats and potentially support maternity roosts	A tree with one or more potential roost sites that could be used by bats due to their size, shelter, protection, conditions and surrounding habitat. Unlikely to support a roost of high conservation status (with respect to roost type only – the assessments in this table are made irrespective of species conservation status, which is established after presence is confirmed).
High	A structure with many areas suitable for roosting with a large number of potential access points obviously suitable for use by larger numbers of bats on a more regular basis. These are normally sheltered locations, subject to low variation in temperature	A tree with one or more potential roost sites that are obviously suitable for use by larger number of bats on a more regular basis and potentially for longer periods of time due to their size, shelter, protection, conditions and surrounding habitat.
Roost	Bats and/or evidence of bats found	Known or confirmed roost

Preliminary Roost Assessment Results

The buildings presented negligible bat roosting potential. No evidence of bats was found and it is considered that the buildings do not currently support bat roosts. Further details are provided in **Table 4.2**.

None of the trees presented any bat roosting potential and were therefore all classified as **negligible** in accordance with best practice guidance (Collins, 2016).

Table 4.2: Building descriptions and bat roosting potential

Description	Photograph	Bat Roost potential (Collins, 2016)
B1 – Stable The building comprises a metal shipping container part converted to a stable. There was negligible potential for crevice dwelling bats on the exterior of the building. No evidence of bats was found. Internally, the building generally lacked sheltered crevices sought out by roosting bats and no evidence of bats was found. The rear of the stable was separated from the stable and was used for storage, this presented negligible bat roosting potential and no evidence of bats was found. The building similarly presented negligible potential for nesting birds.	 Exterior  Interior	Negligible
B2 – Metal Shed This building is a metal clad shed with a sloping corrugated metal roof. No potential ingress points were noted and the building presented negligible bat roosting potential. The building similarly presented negligible potential for nesting birds.		Negligible

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