

T4 ECOLOGY LTD

ECOLOGY CONSULTANCY SERVICES, MALDON, ESSEX



Preliminary Ecological Appraisal

Incorporating Non-Licensed Method Statement

Proposed Extension

The Cottage

Broad Green

Chrishall

Essex

SG8 8QR

Prepared for:

Mr S. Cahill

March 2022

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Report Reference MH1437 Version 1-Dated 31/03/21

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1. Survey Finding and Recommendations Summary

In summary, the proposed development area comprises a cottage and associated land that is currently subject to ongoing restoration works as a result of an existing planning consent. The proposed development area is subject to management and disturbance as would be reasonably expected in such a land use context.

The statutory designation search undertaken as part of the desk study identified that the site is not situated within any statutory or non-statutory designated locations. It is concluded that the proposal would not be reasonably likely to have any adverse impact upon statutory/non statutory designations.

No trees with potential roosting habitat are situated on site nor would be lost to the proposal. Given the construction methodology and lack of structural opportunities, the buildings are considered to at the very most a negligible level of bat roosting potential. Further surveys are neither necessary nor appropriate and the proposal would have no adverse impact upon bat species.

Structurally and/or tree mounted bat boxes should be installed, along with new planting appropriate to the context of this proposal. Enhancement recommendations have been provided in section 5.2.

It is not considered reasonably likely that reptile species would be adversely affected by the development proposals. Precautionary methods in respect of great crested newt have been provided in section 5.2.

No active or inactive badger setts were found, with no evidence of badger activity identified. No surveys have been advised.

Appropriate recommendations in respect of due diligence relating to nesting birds and ecological enhancements have been made in section 5.2 of the report.

It is considered and concluded that the proposal can proceed without adverse impacts upon legally protected/priority species and habitats provided the specific mitigatory guidance and enhancement recommendations identified within section 5.2 are fully adhered to. Where necessary, appropriately worded conditions should be placed upon any consent granted in order to ensure appropriate measures are followed.

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2. Introduction

2.1. Phase 1 Brief

T4 Ecology Ltd was commissioned by Mr S. Cahill to undertake an ecological assessment at The Cottage, Broad Green, Chrishall, Essex.

This report contains the findings of a Preliminary Ecological Appraisal-PEA. The purpose of a PEA is to identify the potential for presence of protected species on a site, in line with UK law and the requirements of The National Planning Policy Framework (NPPF)(2021). The brief of the ecological survey was to assess the habitats found on site and identify the potential for presence on site of protected species.

The site-based element is supported by a desktop study undertaken to identify presence of Statutory/National/Local designations or protected species within the vicinity (up to a 5KM radius) of the site. The final part of the project brief was to identify and make recommendations as appropriate for any further surveys required to determine presence/absence of protected species on site if the survey determined that presence of a protected species on site was considered to be reasonably likely.

2.2. Development Proposals & Planning Context

Proposals are for the construction of an extension to an existing residential dwelling. It should be noted that the renovation works of the building in accordance with Uttlesford District Council Planning Reference: UTT/13/1854/LB are ongoing on site.

Proposal plans for the extension works have been supplied by the Applicant and have been viewed as part of the assessment. Given availability of proposal plans, it was possible to undertake an assessment of any potential impacts resultant from the proposal and recommend further works/appropriate mitigation for inclusion at reserved matters stage as appropriate in section 5.2 of this report.

2.3. Scope of Survey

The purpose of this report is to provide an independent opinion of the likely presence of protected species on a site to inform the client of their obligations, and to assist the Local Planning Authority (LPA) in their determination of a planning application.

It should be noted that whilst every effort has been made to provide a comprehensive description of the site, no investigation could ensure the complete characterisation and prediction of the natural environment. This PEA does not constitute a full botanical survey or a Phase 2 preconstruction survey for Japanese Knotweed. In this regard, this survey provides a preliminary view of the likelihood of protected species occurring on site, based on the suitability of the habitat and any direct evidence on site. Additional surveys may be required if it is considered reasonably likely a protected species may be present.

The survey presents a snapshot in time, and therefore makes an assessment purely of what was seen at the time the survey was undertaken. The PEA does not therefore make any retrospective analyses.

This report has a maximum validity of 18 months from the date which the survey was undertaken. Beyond 18 months, it is unsuitable for use in planning and should be rejected by the Local Planning Authority.

3. Methodology

3.1. Survey

Habitats on site were recorded in accordance with the general principles and methods provided in the Handbook for Phase 1 Habitat Survey, JNCC 1993. The survey methodology involves undertaking a site visit to gain an understanding of the site ecology and surrounding characteristics. During the site visit the recording and mapping of habitat types and ecological features present on site is undertaken, including the identification of the main species present. The potential for presence of protected species is assessed as part of the overall methodology, and further advice/surveys recommended as considered appropriate based on the evidence obtained.

The survey works were undertaken in accordance with Guidelines for Preliminary Ecological Appraisal produced by the Chartered Institute of Ecology and Environmental Management (CIEEM) in December 2017.

Methods are also in accordance to the general principles contained within British Standards Institute (BSI) BS42020 –Biodiversity-Code of Practice for Planning & Development.

A habitat plan is included as Annex 3. Photographs are included within Annex 2.

3.1.1. Survey Timings and Conditions

The survey was undertaken by Consultant Ecologist Peter Harris BSc (hons) MCIEEM FRGS on the 9th March 2022. Weather conditions were dry with 50% cloud cover, and an ambient air temperature of 11°C.

Peter Harris is a full member of the Chartered Institute of Ecology & Environmental Management (CIEEM) and a Fellow of The Royal Geographical Society (FRGS). The surveyor is licenced by Natural England for surveying great crested newts. The surveyor is an ecologist with over 14 years of experience, and has been involved in a wide range of projects from single dwelling developments to large strategic urban renewal schemes subject to full Environmental Impact Assessment (EIA).

As an ecologist for over 14 years, Peter has obtained significant experience in respect of a wide range of protected and priority species. Species worked with include reptiles (surveys/mitigation), great crested newt (surveys/mitigation), badger (surveys/mitigation/licencing), dormouse (surveys) and bat, encompassing a wide range of survey and monitoring techniques. These include internal/external inspections/Preliminary Roost Assessment (PRA), in addition to involvement with successful bat mitigation license applications working in conjunction with specialist organisations.

3.2. Desktop Study & Records Search

To gain an understanding of any designations on/around the site in addition to the historical presence of protected species, desktop data has been obtained from the following sources:

3.2.1. Historical Protected Species Data

In appendix 2 of the Chartered Institute of Ecology & Environmental Management (CIEEM) Guidelines for Preliminary Ecological Appraisal (Second Edition) December 2017 state:

‘Very occasionally it might be possible to carry out a robust PEA without obtaining LERC/NBDC/CEDaR data; this will usually only apply to low impact or small-scale projects (e.g. by virtue of size, extent, duration of works, magnitude and locality), and should be determined on a case-by-case basis. In all cases, the decision not to obtain these data should be justified in the report. The following is not intended to be an exhaustive list, but gives examples of the type of sites where such data might not be needed:

- *a field in active arable cultivation where there is no impact on any hedges, trees or water bodies;*
- *small areas of cultivated garden/amenity grassland, as above; or*
- *small urban sites comprising mostly asphalt or compacted hardstanding’.*

In this instance, given the small-scale nature of the proposal (extension of a dwelling subject to ongoing restoration) and composition of the site and proposed development area noted during the survey as identified in section 4.2, it is not considered that a full data search would be appropriate, add value to nor alter the conclusion of the assessment.

The Natural England Open Data Portal was accessed for information in respect of protected amphibian species and Great Crested Newt District Licencing Zones.

Use of data is in accordance with CIEEM Guidelines for Accessing & Using Biodiversity Data, March 2016.

3.2.2. Designations

A desktop study was undertaken through MAGIC (Multi-Agency Geographic Information System for Countryside). The search looked to identify the presence of statutory designated sites within a 5km radius (e.g. Special Areas of Conservation (SACs), Sites of Special Scientific Interest (SSSI), National Nature Reserves (NNR) and Local Nature Reserves (LNR).

3.2.3 Additional Information

Freely available on-line mapping information and Ordnance Survey Maps were consulted as part of the background assessment.

3.3. Bat Survey Methodology

The PRA was undertaken employing methods based on the guidance described in the Bat Workers' Manual, English Nature's Bat Mitigation Guidelines and updated Bat Conservation Trust Bat Surveys Guidelines for Professional Ecologists (2016).

However, the first page of all three editions includes the following: *The guidelines should be interpreted and adapted on a case-by-case basis according to site-specific factors and the professional judgement of an experienced ecologist. Where examples are used in the guidelines, they are descriptive rather than prescriptive.*

Surveyors are expected to make judgements in respect of methodology appropriate to the survey conditions/evidence noted, and make conclusions based upon experience.

3.3.1 External/Internal Inspection

The first section of the survey involved an external inspection of the external surfaces of the buildings to identify any features that could be potentially be utilised by bats for roosting purposes. Such features may include small gaps and openings in brick work/roof structure, broken or missing tiles, or gaps in the soffits. During the external inspection, the buildings were also examined for key indicators of bat activity, such as droppings/staining in areas such as window ledges, walls other suitable external structural features.

The second section of the survey involved an inspection of internal areas of the buildings where safe access was possible/necessary as applicable. The purpose of the inspections was to identify whether there is any evidence of bat activity/roosting. Again, indicators of evidence such as droppings, fur deposits, scratching and staining were searched for, in addition to features such as insect remains that may have been brought into a building by a bat. In addition, issues such as structural integrity of the buildings, and whether the building has structural features such as enclosed/hidden roof spaces are taken into account.

An assessment of any vegetation potentially affected by the development proposals was also undertaken where appropriate.

4. Results

4.1. Desk study Results.

Site Details

- The site is located at Central Grid Reference: TL 52050 14824
- Postcode: SG8 8QR

4.1.1. Magic-Statutory Designations

The search identified that the site is not directly located within nor bounding a statutory designation. There are no statutory designated locations within a 5km radius of the site.

Impact Assessment

The site is not situated within nor bounding a statutory designated location. There are no statutory designated locations within a 5km radius of the site. It is not considered that the proposal would have any adverse impact upon statutory designated locations.

4.1.2. Local Wildlife Sites-Non-Statutory Designations

Local Wildlife Sites (LWS) are used in the planning system to protect areas that have substantive nature conservation value at a local level.

The site is not situated within, nor bounding an LWS location. The nearest such locations comprise Park Wood LWS situated approximately 0.9km south east of site and Cane's Walk LWS which bounds Park Wood LWS to the north.

Impact Assessment

Given small scale of the proposal and relative distance, it is not considered reasonably likely that the proposal would have any adverse impact upon offsite non-statutory designated locations.

4.2. Survey Results & Analysis

4.2.1 Site & Surroundings Description & Habitats

The site is situated in Broad Green, Chrishall and comprises a broadly rectangular parcel of land approximately 0.04ha in size, situated in a north west to south east delineation.

To the north east, the site is bounded by the dwelling and garden associated with Camps Cottage. Broad Green & Broad Greens Farm is situated to the south and south west, with a road running along the south eastern perimeter. Garden land and Broad Green Stables are situated to the north west.

Within the site survey boundary, the site comprises the existing cottage and garden area in addition to a small shed and outside toilet shed. The cottage is located in the south eastern corner of the site.

It should be noted that the cottage is subject to ongoing restoration works as per planning consented ref: UTT/13/1854/LB. As such, the site has been subject to ongoing works.

The site is entered via an existing access on the eastern boundary. The main body of the site (including proposed extension location) comprises bare, compacted soil with scattered patches of scrub and ephemeral vegetation.

The southern boundary of the site is defined by a section of hedgerow/tree line with species present including yew, cherry, ivy and hawthorn. Wooden fencing forms the western and northern boundaries, with scattered shrubs including hypericum, choisya and hypericum situated adjacent to the fencing. A cypress tree line is situated just offsite along the north eastern boundary. The eastern boundary with the road is not defined by any feature, with the exception of a small remnant section of box shrub located in the south eastern corner.

In summary, the proposed development area comprises a cottage and associated land that is currently subject to ongoing restoration works as a result of an existing planning consent. The proposed development area is subject to management and disturbance as would be reasonably expected in such a land use context.

4.3. Potential for Protected Species Impact with Proposals

The site was assessed for the potential presence of protected species that may have a material impact upon the development proposals.

The ecological value of the site in respect of the potential presence of and impact upon protected species is considered further in the following sections:

4.3.1. Bats

All bat species are strictly protected under the Wildlife and Countryside Act 1981 and the Conservation Regulations (Habitat Regulations).

The locations of buildings described are illustrated on the plan contained within Annex 3.

Cottage & Buildings

The cottage building has been subject to significant ongoing restoration works as a result of the existing planning consent. A small roof void beneath the thatch and eaves cupboard did not contain any evidence of bat activity.

The small shed in the north eastern corner of the site is a standard wood/tin roof shack in a poor state of repair, with less than negligible roosting potential. Similarly, the small wooded toilet is an open fronted tin roofed shed, with a less than negligible roosting potential.

No evidence of bats was identified inside or outside of the buildings. Given the construction methodology and lack of structural opportunities, the buildings are considered to at the very most provide a negligible level of bat roosting potential. Further surveys are neither necessary nor appropriate.

Vegetation

No trees with bat roosting potential would be lost to the proposal.

Impact Assessment

No trees with potential roosting habitat are situated on site nor would be lost to the proposal. Given the construction methodology and lack of structural opportunities, the buildings are considered to at the very most a negligible level of bat roosting potential. Further surveys are neither necessary nor appropriate and the proposal would have no adverse impact upon bat species.

Structurally and/or tree mounted bat boxes should be installed in the proposal, along with new planting as described within the context of this scheme. Enhancement recommendations have been provided in section 5.2.

4.3.2. Badgers

Badgers and active setts are afforded protection under the Protection of Badgers Act 1992.

No evidence of badger specific activity including active or inactive setts, latrines or footprints was identified in the proposed development area, or wider areas bounding site. However, it is possible that the species would be present in the wider area on a transitory basis.

Impact Assessment/Transitory Mammal

No further surveys are considered necessary or appropriate. However, general best practice precautions in respect of the demolition and construction phases have been provided in section 5.2 given the possibility of transitory presence of the species/transitory mammal species.

4.3.3. Nesting Birds

Nesting birds and their eggs are protected under the Wildlife & Countryside Act 1981.

The buildings and site provide at the most, limited potential nesting habitat.

As general guidance prior to future works/maintenance, the bird breeding season is from March to September. If works to buildings/vegetation is proposed during the season, a check should be made for nests prior to works commencing. If nests are present, they should be left intact and undisturbed until the young have fledged.

Impact Assessment

Provided works are undertaken during appropriate seasonality/due diligence as recommended above, the proposals would not have any direct impact upon nesting birds.

In addition to new tree planting as part of the proposal, it is advised that bird boxes should be installed on site to maintain and enhance nesting provision.

Enhancement recommendations to be implemented in full have been included in section 5.2.

4.3.4. Reptiles

Reptiles are afforded protection under the Wildlife & Countryside Act 1981, with smooth snake and sand lizard afforded full protection under the same act and the Conservation Regulations (Habitat Regulations).

As described within section 4.1, the development area comprises the existing buildings/associated garden area, comprised of bare compacted soil, in the context of a site where a consented planning application is being implemented. As such, the proposed development area does not provide potentially suitable habitat. The site

does not contain, habitat that would make colonisation nor presence a reasonable likelihood.

Impact Assessment

Based upon the evidence above, it is not considered reasonably likely that reptile species are present on site given lack of suitable habitat on site/connectivity to suitable offsite habitats. Therefore, the risk of potential impact of the proposals upon the conservation status of reptile is negligible. The risk of potential impact of the proposals upon individual reptiles is also considered to be negligible. No further surveys are necessary in respect of reptile species.

4.3.5. Great Crested Newt

Great crested newt is strictly protected under the Wildlife and Countryside Act 1981 and the Conservation Regulations (Habitat Regulations). It is acknowledged that the site is situated within an Amber Risk Zone Area with regard to Natural England's (NE) Great Crested Newt District Level Licencing.

There are no ponds or water bodies on site and no ponds or waterbodies would be lost/disturbed as a result of the proposal.

As identified in section 4.1, the application site comprises an active development site where implementation of an approved planning consent relating to the restoration of the existing property is being implemented. The site is disturbed, comprises large areas of bare soil and as clearly illustrated in Annex 2, Photos, the site presents as very poor potential terrestrial habitat for the species.

The nearest offsite pond is situated approximately 20m to the south east of the site on the opposing side of a road. It comprises a large pond, with a further 5 ponds/associated ditches located adjacent in an adjacent triangle of land located west of the adjacent school and associated playing fields. This area is entirely situated outside of the proposed development area, and would be unaffected by the proposal.

Whilst it is acknowledged that small numbers of GCN have been known to range significant distances (1km) to colonise new ponds, sometimes over a number of years if connective habitat is suitable, research undertaken by English Nature¹ (now Natural England) indicates that it is most common to encounter them within 50m of a breeding pond, with few moving further than 100m unless significant linear features or suitable terrestrial habitat is involved, when great rested newts can be encountered at distances of between 150m –200m. At distances greater than 200-250m great crested newts are hardly ever encountered. This valuation of habitats according to distance from great crested newt breeding ponds has also been adopted as part of Natural England's European Protected Species application form, with specific reference to the guidance provided by Natural England in WMLa14-2.

Impact Assessment

It is acknowledged that the site is located within approx. 20m of good quality habitat, and that the site is located in an Amber risk zone. Whilst the presence of GCN cannot therefore be ruled out in the general area, as described, the habitats noted within the application site are not in any way notable or potentially good quality given the current condition of the site following ongoing consented restoration of the property. In addition, given that the proposal relates to the extension to an existing dwelling in the context of the previous works, the proposal would not result in loss of potential suitable habitat. As such, it is concluded that the risk to the species is low.

From what was visible at the time of the survey, it is not considered that presence / absence surveys of ponds would represent an appropriate nor proportionate response to the low level of risk, and identification of presence/absence would not further inform the findings and conclusions of this report given the condition of the site as described. However, in order to reduce risks to a negligible level, it is considered that the construction phase should be appropriately managed given the identification of potentially sensitive nearby receptors (primarily nearby ponds/land located on opposing side of the road to the site). Consequently, in order to manage risk to GCN and control the construction phases, it is concluded that methods identified in section 5.2 should be fully adhered to during the development phase. The methods identified in section are simple to implement, proportionate and appropriate in the context of existing land use, level of risk and small scale of the development proposal.

4.3.6 Hazel Dormouse

Hazel dormouse is strictly protected under the European Habitat Regulations and the Wildlife and Countryside Act 1981.

The site does not have connectivity to suitable habitat nor locations where the species has been previously recorded. No potentially suitable habitat would be lost to the proposal.

Impact Assessment

It is not considered reasonably likely that a proposal of such small scale would result in adverse impact upon the species. No further surveys are considered necessary or appropriate and the proposal would not have any impact upon the species.

4.3.7 Invertebrates/Plant life

Given the existing and surrounding land uses, the site is not considered to provide habitat for protected, priority or notable species. No further surveys are considered to be necessary or appropriate.

However, installation of new landscape planting within the future proposal would provide invertebrate habitat on the site post-development. Night scented plant species such as evening primrose, honeysuckle and jasmine would also attract moths in the evening, which would in turn attract foraging bats.

Recommended enhancements are identified in section 5.2.

4.3.8 Other Species

The site is not situated in a location, nor provides potentially suitable habitat where other protected species such as, water vole and otter would be considered at risk. No further surveys/precautions are considered necessary or appropriate.

4.3.9 General Wildlife & Biodiversity

It is acknowledged that the wider site and development area may be utilised by a range of transitory wildlife species including deer, fox, hedgehog etc.

Impact Assessment

As part of appropriate due diligence, it is advised that the full range of recommendations identified in section 5.2 be fully implemented, and all reasonable enhancements incorporated into a development proposal such that biodiversity is maximised as part of the development.

In addition, to enable wildlife to continue using the development area post development, it is advised that boundaries remain relatively open as per the current situation such that wildlife can continue to radiate in the area. This includes the use of permeable boundaries such as tree lines and hedgerows, in addition to leaving hedgehog gaps in any new fencing proposals.

5. Conclusion & Recommendations

5.1 Conclusion

In summary, the proposed development area comprises a cottage and associated land that is currently subject to ongoing restoration works as a result of an existing planning consent. The proposed development area is subject to management and disturbance as would be reasonably expected in such a land use context.

The statutory designation search undertaken as part of the desk study identified that the site is not situated within any statutory or non-statutory designated locations. It is concluded that the proposal would not be reasonably likely to have any adverse impact upon statutory/non statutory designations.

No trees with potential roosting habitat are situated on site nor would be lost to the proposal. Given the construction methodology and lack of structural opportunities, the buildings are considered to at the very most a negligible level of bat roosting potential. Further surveys are neither necessary nor appropriate and the proposal would have no adverse impact upon bat species.

Structurally and/or tree mounted bat boxes should be installed, along with new planting appropriate to the context of this proposal. Enhancement recommendations have been provided in section 5.2.

It is not considered reasonably likely that reptile species would be adversely affected by the development proposals. Precautionary methods in respect of great crested newt have been provided in section 5.2.

No active or inactive badger setts were found, with no evidence of badger activity identified. No surveys have been advised.

Appropriate recommendations in respect of due diligence relating to nesting birds and ecological enhancements have been made in section 5.2 of the report.

It is considered and concluded that the proposal can proceed without adverse impacts upon legally protected/priority species and habitats provided the specific mitigatory guidance and enhancement recommendations identified within section 5.2 are fully adhered to. Where necessary, appropriately worded conditions should be placed upon any consent granted in order to ensure appropriate measures are followed.

5.2 Recommendations and Further Action

Following the survey, the following recommendations have been made to ensure obligations in respect of protected species are met/the site is enhanced for the benefit of biodiversity if developed. The recommendations are considered to be appropriate and in context with the size of the proposals, and based upon the findings of the impact assessment section of the report (4.3.1 –4.3.9).

Non-Licensed Precautionary Method Statement

- As an appropriate precautionary action, in line with the existing and established management regimes, the vegetation on site should continue to be maintained and kept short through mowing/stripping management up to prevent potential foraging/terrestrial dispersal habitat developing through neglect of the grass/vegetation.
- Access into the site shall only be via the existing access point located on the eastern boundary.
- Prior to any works commencing, the construction zone, parking and compound shall be defined by way of heras fencing. The areas suitable for this land use comprise the compacted soil areas located to the east and west of the house.
- Materials should be stored on bare ground, hardstanding, or stored off the ground on pallets if located on any vegetated areas.
- No materials storage would be permitted outside of the aforementioned defined area. This is to prevent damage to potential GCN habitats in proximity of the site (pond and land located approximately 20m south east, on opposing side of the road).
- Open excavations should be inspected for amphibians prior to filling.
- Footings and slabs should be poured in the morning. This is to ensure that concrete has hardened off prior to evening to reduce risk of animals coming into contact with wet concrete. Similarly for the same reason, any hand mixed concrete should be made and stored on a ply board and covered with a tarpaulin at night.
- Any trenches will be covered over with wooden sheeting at night. In the event a trench cannot be adequately covered, scaffold planks will be left in the extraction to provide a means of escape.

- Service pipes stored on site will be checked for sheltering amphibians prior to installation.
- Given that no GCN habitat would be affected, it is considered unlikely the GCN would be encountered. Therefore, an ongoing watching brief by way of Ecological Clerk of Works (ECoW) is not considered appropriate or proportionate in the context of this proposal.
- Nonetheless, during the works, all site operatives should be made aware of the levels of protection afforded to great crested newt. In the highly unlikely event of a Great Crested Newt being found on the site, work must stop in this area and an ecologist contacted.
- Appropriate ecological enhancements are identified below under 'Enhancements'.

Nesting Birds

- As general guidance, the bird breeding season is from March to September. If works to buildings/vegetation are proposed during the season, a check should be made for nests prior to works commencing. If nests are present, they should be left intact and undisturbed until the young have fledged.

Enhancements

- The following ecological enhancements are recommended to be provided within the development:
 - o Installation of 2x bird and bat boxes;
 - o Installation of 1 x invertebrate box;
 - o Inclusion of native/wildlife friendly planting in landscape scheme; and
 - o Use of logs/wood to create habitat piles on the margins of the wider garden.
- Suggested habitat boxes/plant species are provided within Annex 4.
- To enable wildlife to continue using the development area post development, it is advised that boundaries remain relatively open such that wildlife can continue to radiate in the area. This includes the use of permeable boundaries such as tree lines and hedgerows, in addition to leaving hedgehog gaps in any new fencing proposals.

1. Annex 1 –Legislation & Planning Policy

1.1. Habitat Regulations

The Conservation of Habitats and Species Regulations transpose Council Directive 92/43/EEC on the Conservation of Natural Habitats and Wild Flora and Fauna (Habitats Directive) into English law, making it an offence to deliberately capture, kill or disturb wild animals listed under Schedule 2 of the Regulations. It is also an offence to damage or destroy a breeding site or resting place of such an animal (even if the animal is not present at the time).

1.2. Wildlife & Countryside Act

The Wildlife and Countryside Act 1981, as amended by the Countryside and Rights of Way Act (CRoW) 2000 and the Natural Environment and Rural Communities Act (NERC) 2006, consolidates and amends existing national legislation to implement the Convention on the Conservation of European Wildlife and Natural Habitats (Bern Convention) and Council Directive 79/409/EEC on the Conservation of Wild Birds (Birds Directive), making it an offence to:

- Intentionally kill, injure or take any wild bird or their eggs or nests (with certain exceptions) and disturb any bird species listed under Schedule 1 to the Act, (which includes Cirl Bunting) or its dependent young while it is nesting;
- Intentionally kill, injure or take any wild animal listed under Schedule 5 to the Act; intentionally or recklessly damage, destroy or obstruct any place used for shelter or protection by any wild animal listed under Schedule 5 to the Act; intentionally or recklessly disturb certain Schedule 5 animal species while they occupy a place used for shelter or protection;
- Pick or uproot any wild plant listed under Schedule 8 of the Act.

Sites of Special Scientific Interest (SSSI) are designated under this Act.

Special Protection Areas (SPA) are strictly protected sites, designated under the Birds Directive, for rare and vulnerable birds and for regularly occurring migratory species.

1.3. Natural Environment & Rural Communities Act

The NERC 2006 places a duty on authorities to have due regard for biodiversity and nature conservation during the course of their operations.

1.4. National Planning Policy Framework (NPPF)

The NPPF July 2021 is specific in respect of conservation and biodiversity. ODPM 06/2005 remains in place. NPPF places a duty on planners to make material consideration to the effect of a development on legally protected species when considering planning applications, with a focus upon sustainable development and biodiversity net-gain.

1.5. Biodiversity Action Plans

The UK Biodiversity Action Plan (UKBAP) (Anon, 1995) was organised to fulfil the Rio Convention on Biological Diversity in 1992, to which the UK is a signatory. A list of

national priority species and habitats has been produced with all listed species/habitats having specific action plans defining the measures required to ensure their conservation. Regional and local BAPs have also been organised to develop plans for species/habitats of nature conservation importance at regional and local levels.

1.6. Local Development Plans

County, District and Local Councils have Development Plans and other policy documents that include targets and policies which aim to maintain and enhance biodiversity. These are used by Planning Authorities to inform planning decisions.

1.7. Natural England Standing Advice

Natural England has adopted national standing advice for protected species. It provides a consistent level of basic advice which can be applied to any planning application that could affect protected species. It replaces some of the individual comments that Natural England has provided in the past to local authorities.

1.8. Bats

All species of bat found in the UK are protected by law and are designated as a protected species. Paragraph 98 of Circular 06/2005 states that *'the presence of a protected species is a **material consideration** when a planning authority is considering a development proposal that, if carried out, would be likely to result in harm to the species or its habitat.'*

Bats are protected under UK legislation under The Wildlife and Countryside Act 1981 through inclusion on Schedule 5 -Protected bat species in Britain. On a European basis, bats are subject to protection under the Conservation (Natural Habitats &c.) Regulations.

The November 2017 the Conservation (Natural Habitats &c.) Regulations make it an offence to:

- Intentionally or deliberately kill, injure or capture (take) bats.
- Intentionally or recklessly damage or destroy bat roosts or disturb bats.

A bat roost is defined as 'any structure or place which is used for shelter or protection', whether or not the bats are utilising the roost at the time. European protected animal species and their breeding sites or resting places are protected by the Habitat Regulations.

In this regard, it is an offence for anyone to deliberately capture, injure or kill any such animal or to deliberately take or destroy their young/eggs as applicable. It is also an offence to damage or destroy a breeding or resting place of a European Protected Species and it is an offence to possess a European Protected Species.

The threshold above which a person will commit the offence of deliberately disturbing a wild animal of a European protected species has been raised. A person will commit

an offence only if he deliberately disturbs such animals in a way as to be likely to significantly affect:

- The ability of any significant groups of animals of that species to survive, breed, or rear or nurture their young, or;
- The local distribution of abundance of that species.

The existing offences such as obstruction of a bat roost, low-level disturbance, and sale which cover European Protected Species under the Wildlife and Countryside Act (1981) continue to apply.

2. Annex 2 –Photographs



Site and proposed extension area looking east



Site & extension area looking north east



Former toilet building



Shed in north eastern corner of site



Shed interior



Cottage viewed from north east



Northern elevation of cottage



Western elevation



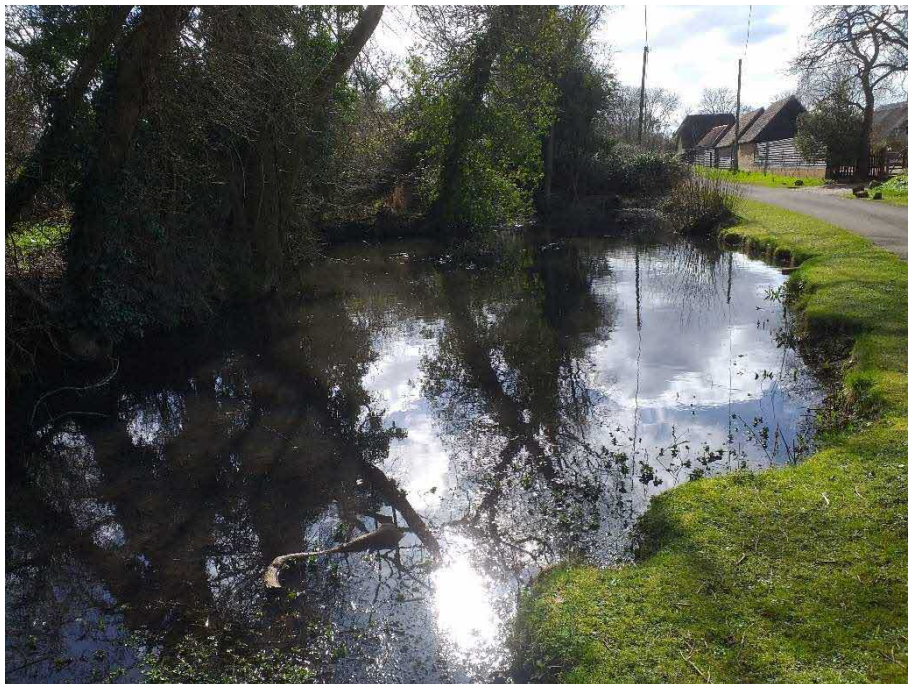
Southern elevation



Roof void of loft. No evidence of bats



Eaves cupboard –No evidence of bats



Pond located approx. 20m south east of site



Pond in context with site –vehicles parked at site entrance



Land located to east of pond as part of a potential wider terrestrial network

3. Annex 3 –Habitat Plan



4. Annex 4 –Recommended Enhancements

The following hedgerows/shrub and smaller tree species could be utilised accordingly:

- Hawthorn *Crataegus monogyna*
- Ash *Fraxinus excelsior*
- English Elm *Ulmus procera*
- Field Maple *Acer campestre*
- Hazel *Corylus avellana*
- Dog Rose *Rosa canina*
- Elderberry *Sambucus nigra*
- Holly *Illex aquifolium*
- Blackthorn *Prunus spinosa*
- Rowan *Sorbus aucuparia*
- Guelder Rose *Viburnum opulus*
- Silver Birch *Betula pendula*
- Alder *Alnus glutinosa*
- Cotoneaster *spp.*
- Spindle *Euonymus europaeus*

The following species could also be considered within the landscaping scheme as appropriate, given their wildlife friendly/native characteristics:

- *Viburnum sp.*
- Californian Lilac *Ceanothus sp.*
- Lavender *Lavandula angustifolia*
- Hebe *Sp.*
- Privet *Ligustrum vulgare*
- Dogwood *Cornus sanguinea*

In addition, vertical areas on sides of buildings and/or boundary fences could be utilised to provide additional habitat. Suitable species to grow on vertical habitats could include:

- Ivy *Hedera helix*
- Clematis *vetalba*
- Honeysuckle *Lonicera periclymenum*

Bulbs and small, wildlife friendly annuals and biennials can also be utilised within wildlife friendly and garden planting where considered appropriate by the landscape architect. Suitable species could include:

- Hypericum *perforatum*
- Wood Anemone *nemorosa*
- Tustan *Hypericum androsaemum*
- Foxglove *Digitalis grandiflora*
- Bluebell *Hyacinthoides non-scripta*

Dependant on soil condition, British Seed House RE1 mix (or similar product) is recommended for installation of the species rich grass areas where required. Alternatively, turf already seeded with wild flower seed could be utilised.

Recommend species are likely to include:

- Slender Creeping Red *Fescue Festuca rubra ssp litoralis*
- Crested Dogs Tail *Cynosurus cristatus*
- Common Bent *Agrostis capillaris*
- Cocksfoot *Dactylis glomerata*
- Meadow Fescue *Festuca pratensis*
- Golden Oat Grass *Trisetum Flavascence*
- Sweet Vernal Grass *Anthoxanthum odoratum*
- Ribwort Plantain *Plantago lanceolata*
- Yarrow *Achillea millefolium*
- Common Knapweed *Centaurea nigra*
- Meadow Sweet *Filipendula ulmaria*
- Lady's Bedstraw *Galium verum*
- Ox eye daisy *Leucanthemum vulgare*
- Self Heal *Prunella vulgaris*
- Meadow Buttercup *Ranunculus acris*
- Bulbous Buttercup *Ranunculus bulbosus*
- Agrimony *Agrimona eupatorium*
- Rough Hawkbit *Leontodon hispidus*
- Yellow Rattle *Rhinanthus minor*
- Common Birdsfoot Trefoil *Lotus corniculatus*
- Salad Burnett *Sanguisorba minor*
- Harebell *Campanula rotundifolia*
- Cowslip *Primula deorum*
- Field Poppy *Papaver Rhoeads*
- Wild Thyme *Thymus Serpyllum*
- Quaking Grass *Brizia Media*
- Pignut *Conopodium majus*

Using Seeds

Seed Bed Preparation

Whilst seeds can be sown at any time, the best time to prepare the meadow bed is summer. The top grass, and top inch of top soil should be removed if possible. The most important factor is to ensure that the seed bed is weed free, and level using roller/rake. Also, remove stones in areas of seedbed, Wildflower meadows from seed are most successful when soil fertility is low and weeds can be less vigorous.

Sowing Seed

The best time to sow the seeds is in spring or early autumn. Spread seeds in a sand mix using a spreader for even distribution at a density of approx. 4 grams per sq. metre.

Using Plugs

Use of wildflower plugs is generally more reliable, and gives quicker results than using seed. However, over large areas, density of plugs can be reduced, with 1 or 2 plugs per square metre. Generally, plugs can be installed at any time but spring/autumn are optimum months.

Using Turf Impregnated with seeds

Use of turf less dependent on soil conditions as the seed are already in place. This enables more variety of species. However, to be successful, it should be installed in free draining areas that do not become water logged.

Wildflower Plugs and seeds are available from a number of online suppliers:

www.wigglywigglers.co.uk

www.bostonseeds.co.uk

www.wildflowershop.co.uk

www.reallywildflowers.co.uk

www.wildflower.org.uk

www.meadowmania.co.uk

Sections of turf already seeded are also available from the following suppliers:

www.meadowmat.co.uk

www.wildflowerturf.co.uk

www.wigglywigglers.co.uk

Habitat Boxes.

The use of bird and bat boxes has been recommend. Suitable products include:



Standard Bird Box-Suitable for a wide variety of species.
Can be installed in trees and buildings.



Schwegler 2F Bat box. Suitable for attachment to trees.

Buildings-Integral Bat Boxes

The construction of new buildings presents the opportunity for integral bat boxes, installed during the construction phase.

Products such as the Ibstock Range (www.ibstock.com) would be appropriate for installation in the eaves of the new dwellings, as installed as illustrated below:



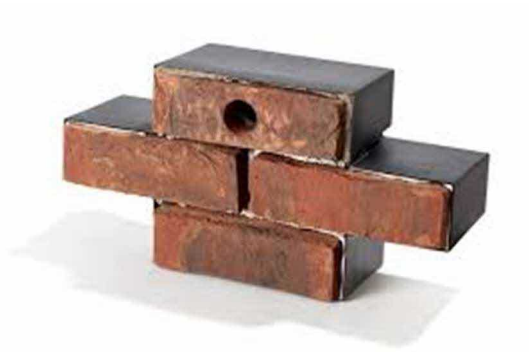
Ibstock Integral Bat Box

Aftercare

Bats are a protected species, and any object they utilise for roosting is therefore also protected. Therefore, following installation the bat boxes should not be disturbed, as disturbance may result in an offence under the Wildlife and Countryside Act (1981) and the European Habitat Regulations (2010). Bat boxes are very robust and will not require maintenance, and therefore are at their most effective if left undisturbed.

Buildings-Integral Bird Boxes

Integral bird boxes could be installed on the north/east facing eaves. A system such as the Bird Brick House (www.birdbrickhouses.co.uk) as illustrated below is recommended, installed in accordance with the manufacturers specific recommendations.



Bird Brick House System

Installation

The following should be taken into account in consideration during the installation of bird boxes suitable for a wide variety of common garden species.

- These should be placed away from cats, and at least 2m from ground level.
- These should where possible be located away from direct sunlight, ideally facing between north and east (not south), away from cats, and at 2-5m height.
- They should also be out of reach of windows when placed upon buildings.