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ECOLOGY CONSULTANCY SERVICES, MALDON, ESSEX



Preliminary Ecological Appraisal Incorporating Bat Survey Inspection

6, Hill Road

Great Sampford

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Prepared for:

Mr & Mrs Godbole

January 2023

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1. Survey Finding and Recommendations Summary

In summary, the proposed application area comprises the existing dwelling, and garden situated in a village area bounding neighbouring buildings, arable land and road. As such, the site and surrounds are subject to management and disturbance as would be reasonably expected in such a land use context.

The house presents a negligible level of roosting potential. No further surveys are considered to be necessary. No trees with bat roosting potential are situated on site nor would be lost to the proposal. No further surveys have been advised.

Small numbers of bats may commute and forage in the area. However, given small scale of proposal, it is considered that any such behaviours would continue post development. As such, it is not considered that the local bat population would be adversely affected by the development proposal.

It is fully recommended that new planting should be undertaken where appropriate. It is also advised that a bat considerate lighting scheme be employed to manage potential impacts of the construction and completed phases, along with the installation of bat boxes on trees and buildings as part of the development.

Recommended ecological enhancements are provided in section 5.2.

It is not considered reasonably likely reptile or great crested newt would be adversely affected by the development proposals.

No active or inactive badger setts were found, and no surveys have been advised. However, general appropriate precautionary measures for the construction phase have been advised in section 5.2.

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 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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Prelim

2. Introduction

2.1. Phase 1 Brief

T4 Ecology Ltd was commissioned by Mr & Mrs Godbole to undertake an ecological assessment at 6, Hill Road, Gt Sampford, 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. Bat Survey Brief

In addition, this report also contains the results of a Preliminary Roost Assessment (PRA) undertaken at the same time as the PEA, comprising an internal/external inspection of the existing building/s. Bats are a strictly protected species under European Legislation. In this regard, given presence of buildings where demolition/alteration works are proposed, the inspection was undertaken in order to meet the specific requirements of the legislation to inform design, mitigation and if appropriate, European Protected Species License Applications.

2.3. Development Proposals & Planning Context

Proposals are for the creation of an additional storey to the existing house and construction of a dwelling. Proposal plans by...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 as appropriate in section 5.2 of this report.

2.4. 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.

Prelim

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 30th November 2022. Weather conditions were dry with 80% cloud cover, and an ambient air temperature of 10°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

Records were requested from the Essex Field Club (EFC) Essex Recorders Partnership data search service. The information supplied by EFC is compiled using county records held by the County Recorders of the Essex Field Club, Butterfly Conservation, Essex Amphibian & Reptile Group, Essex Bat Group and provide information upon the records that were available at the time the search was undertaken. Therefore, a protected species records data search was undertaken for records of protected species for a minimum of 1km and a maximum of a 2km radius of the site grid reference, in addition to any other pertinent information relevant to the site.

In addition, 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/permitted by the property owner. 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.

Trees

Preliminary Roosting Assessment (PRA) from ground level was made of trees where removal is likely to be required to implement the proposal, in accordance with Bat Conservation Trust Guidelines (2016), section 6.2:

A preliminary ground level roost assessment of a tree comprises a detailed inspection of the exterior of the tree from ground level to look for features that bats could use for roosting. The aim of this survey is to determine the actual or potential presence of bats and the need for further survey and/or mitigation. As part of the inspection, trees are graded in terms of their roosting suitability (High, Moderate and Low/No potential).

Where suitable roosting habitat (moderate or high suitability) or evidence of bats is found during a preliminary ground level roost assessment then further surveys (such as further inspection surveys, presence/absence surveys or roost characterisation surveys are likely to be necessary if impacts on the roosting habitat or the bats using it are predicted.

If no or low suitability for bats are found then further surveys are not necessary. Where there is low suitability, precautionary measures may be appropriate during felling or pruning activities.

Equipment utilised comprised close focus binoculars. No intrusive methods (i.e. Torch/Endoscope) were used nor considered appropriate in the survey. A preliminary

ground level roost assessment of trees is unlikely to result in disturbance to bats unless the ecologist intends to investigate with a torch or endoscope. If disturbance to bats is a possibility, then a survey licence is required.

Prelim

4. Results

4.1. Desk study Results.

Site Details

- The site is located at Central Grid Reference: TL 64223 35093
- Postcode: CB10 2RT

4.1.1. Magic-Statutory Designations

The search identified that the site is not directly located within nor bounding a statutory designation. The following designated locations are situated within a 5km radius of the site:

- West Wood Little Sampford Site of Special Scientific Interest (SSSI) –Approx. 3.0km south west of site at closest point.

Impact Assessment

The site is neither situated within, bounding nor has connectivity with a statutory designated location. Given the relatively small scale of the proposal within the context of an existing dwelling location (see section 4.2) in addition to the relative distance from a designation, it is not considered reasonably likely the proposal would result in any adverse direct 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 directly bounding any such location. There are no such designations within a 1km radius of the site.

Impact Assessment

It is not considered reasonably likely that the proposal would have an adverse impact upon LWS locations.

Ecological enhancements for the proposal have been identified in section 5.2.

4.1.3. Biological Records

The records have been analysed as part of the desk research and considered as part of the conclusions and subsequent recommendations of this report. A summary of records pertinent to the site is provided below:

Great Crested Newt/Amphibian

A single record was identified in respect of common toad from 2000, 0.8km from site.

Reptile

No records were available.

Bats

The search identified the following records in respect of bat species:

Species	No. Records	Date Range	Closest to site
Natterer's	3x Records	2004-2016	1.2km
Leisler's	1x Record	1987	0.2km
Noctule	1x Record	2012	0.7km
C. Pipistrelle	3x Records	2009-2016	0.3km
S. Pipistrelle	1x Record	2016	0.3km
Serotine	1x Record	2012	0.3km
B. Long eared	4x Records	2006-2012	0.3km
W. Barbastelle	1x Record	2016	1.2km

Hazel Dormouse

No records were identified within the search radius.

Water Vole

1 record was identified from 1998, 1.2km from site.

Badger

3 records were identified dating from between 1996 –2013, with the closest 0.4km from site.

4.2 Survey Results & Analysis

4.2.1 Site & Surroundings Description & Habitats

The site is situated in Great Sampford and comprises a broadly rectangular parcel of land situated in a north to south delineation, approximately 0.16ha in size.

To the north, the site is bounded by a telephone exchange and associated land. An arable field is located to the east, with a yard, paddock and arable land situated to the south. Hill Road bounds the site to the west, with a large, recently constructed dwelling situated on the opposing side of the road.

The site is entered from the west, via a culverted driveway entrance over a roadside ditch that has been subject to clearance management. The driveway leads to a hardstanding parking area which forms the central western section of the site.

The bungalow is situated approximately centrally within the site and is described and considered further in section 4.3.1. Further hardstanding is located to the east and west of the bungalow. To the immediate south of the bungalow is an area of managed, amenity lawn, with a small strip also located to the north of the building.

The northern and southern sections of the site comprise bare, compacted soil. A small row of pollarded beech is situated in the south east of the site, adjacent to a small wooden shed.

In summary, the proposed application area comprises the existing dwelling, and garden situated in a village area bounding neighbouring buildings, arable land and road. As such, the site and surrounds are 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 & Internal/External Inspections

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

Photographs are included in Annex 2, with a site plan included in Annex 3.

Bungalow

The bungalow comprises a brick/block single storey structure situated in a south west to north east delineation. The building has UPVC window/door frames and soffit with an apex roof of interlocking pantiles.

External inspection identified that the building comprises a maintained, tightly sealed structure. The walls are intact, with no gaps in brickwork, nor between UPVC door and window frames. Similarly, the UPVC soffits form a tight seal around the building. Roof pantiles tiles and ridge tiles (and cement seals at gable ends) were also intact and sealed, without potential opportunities. No evidence of bats was identified on external surfaces.

Internally, the building has a roof void accessible by way of hatch. The void was approximately 1.8m from floor to ridge, with fibreglass insulation on the floor, and roof lined with felt. Cobwebs were present throughout the void including ridge beam (indicative that bats had not been present). No evidence of bats was identified at any point in the loft.

No evidence of bats was identified. Following inspection, given tight sealed condition of the building, associated lack of structural opportunity and absence of any evidence, the building is considered to offer a negligible level of roosting potential. Further surveys are considered to be neither necessary nor appropriate.

Vegetation/Foraging/Commuting

No trees with bat roosting potential are situated on site, nor would be lost to the development proposal.

Small numbers of bats may commute and forage across the wider area.

Impact Assessment

The house presents a negligible level of roosting potential. No further surveys are considered to be necessary. No trees with bat roosting potential are situated on site nor would be lost to the proposal. No further surveys have been advised.

Small numbers of bats may commute and forage in the area. However, given small scale of proposal, it is considered that any such behaviours would continue post development. As such, it is not considered that the local bat population would be adversely affected by the development proposal.

It is fully recommended that new planting should be undertaken where appropriate. It is also advised that a bat considerate lighting scheme be employed to manage potential impacts of the construction and completed phases, along with the installation of bat boxes on trees and buildings as part of the development.

Recommended ecological enhancements are provided in section 5.2.

4.3.2 Badgers/Transitory Mammals

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

No evidence of any active or inactive setts or latrines were identified in the proposed development area, or wider areas bounding the application area. It is reasonably likely that the species would may have a transitory presence in the wider area, along with other transitory species including deer and fox.

Impact Assessment

No active or inactive setts were found, with no evidence of badger activity identified in any location.

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

4.3.3 Nesting Birds

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

As general best practice guidance, 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.

Small scale, proportionate ecological enhancement recommendations for the project have been provided 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 in section 4.1, the proposed development area comprises the existing building and managed garden lawn/compacted bare soil areas situated in a wider managed dwelling location. As such, the site is not considered to provide potentially suitable habitat and the proposal would not affect potentially suitable reptile habitat.

Impact Assessment

As identified above, the proposed development area is not considered to provide potentially suitable reptile habitat as a result of existing land/surrounding land uses and management regimes. 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 (European Habitat Regulations).

Desk research has identified that the site is not situated within a Natural England (NE) District Level Licencing (DLL) Great Crested Newt Amber Zone.

No ponds are situated on site, nor would be lost to or affected by the proposal. The roadside ditch on the western boundary is managed and ephemeral. Given the management/land use, the site is unlikely to provide nor form part of a wider terrestrial dispersal network.

Distance from a potentially suitable water body and intervening land use is a critical factor in determining suitability for the species. As such, a search using mapping data was undertaken to identify ponds within a 250m radius. The nearest pond is located approximately 230m south. However, given intervening land uses (arable, farming, buildings) and condition of the application site as described, terrestrial connectivity is not considered a reasonable likelihood. As a lotic flowing watercourse, the River Pant (approx. 100m north) does not present as a potentially suitable habitat for the species.

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 crested 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.

It is acknowledged that there is no way of identifying whether there are other small ponds that may be hidden within any nearby dwellings/field margins and not shown on maps. None were immediately visible from site/analysis of mapping data. Identification of such ponds located on private property and not shown on maps cannot be reasonably expected as part of this survey/desk study.

Impact Assessment

Based upon the evidence above, it is not considered reasonably likely that great crested newt would be affected by or at risk from the development proposals. Risk of harm to the species is not considered a reasonable likelihood given the small-scale nature of the proposal/habitat condition as described. Consequently, it is considered that the risk of potential impact of the proposals upon the conservation status of great crested newt is negligible. The risk of potential impact of the proposals upon great crested newt is also negligible. No further surveys are considered necessary or appropriate in respect of this species at this site.

4.3.6 Hazel Dormouse

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

No potentially suitable habitat would be lost to the proposal, and the proposal is of small scale in a managed residential dwelling context.

Impact Assessment

It is not considered reasonably likely that the proposal would result in adverse impact upon the species. No further surveys are considered necessary or appropriate.

4.3.7 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.

4.3.8 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.

Small scale, proportionate ecological enhancement recommendations for the project have been provided in section 5.2.

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, rabbit, fox, hedgehog etc. The boundaries of the development area and wider site are currently relatively open and as such animals are able to forage across the site to other surrounding areas.

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.

Prelim

5. Conclusion & Recommendations

5.1 Conclusion

In summary, the proposed application area comprises the existing dwelling, and garden situated in a village area bounding neighbouring buildings, arable land and road. As such, the site and surrounds are subject to management and disturbance as would be reasonably expected in such a land use context.

The house presents a negligible level of roosting potential. No further surveys are considered to be necessary. No trees with bat roosting potential are situated on site nor would be lost to the proposal. No further surveys have been advised.

Small numbers of bats may commute and forage in the area. However, given small scale of proposal, it is considered that any such behaviours would continue post development. As such, it is not considered that the local bat population would be adversely affected by the development proposal.

It is fully recommended that new planting should be undertaken where appropriate. It is also advised that a bat considerate lighting scheme be employed to manage potential impacts of the construction and completed phases, along with the installation of bat boxes on trees and buildings as part of the development.

Recommended ecological enhancements are provided in section 5.2.

It is not considered reasonably likely reptile or great crested newt would be adversely affected by the development proposals.

No active or inactive badger setts were found, and no surveys have been advised. However, general appropriate precautionary measures for the construction phase have been advised in section 5.2.

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 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).

Construction Phase & General Precautions

- To protect any radiating mammals, it is recommended that any trenches be covered over with wooden sheeting at night and fencing off the demolition/construction zone and associated compounds would be advisable during the demolition/construction phase.
- Service pipes stored on site will be checked for sheltering mammals prior to installation.
- Given the location, there is a small risk of presence of hares on site and surrounding areas. As such, the methods outlined in point 1 would present sufficient reasonable precaution to reduce risk to the species. However, given the highly transient nature of this species (and in particular, young leverets) during the works (installation/storage and maintenance) a precautionary approach should be taken with regards this priority species. Should an individual be identified, works should cease immediately, and the animal permitted to safely disperse away from the works area.

Nesting Birds

- As general guidance, the bird breeding season is from March to September. If works to 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.

Enhancements

- The following ecological enhancements are recommended to be provided within the development:
 - o Enhancements secured in site specific BMP;
 - o 1 bird box per new building;
 - o 1 bat box per new building;
 - o Planting of new native trees and hedgerow to be defined by landscape architect;
 - o Low impact lighting solution; and
 - o Inclusion of native/wildlife friendly planting in landscape scheme;

- 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.

Prelim

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 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.

Prelim

2. Annex 2 – Photographs



Site entrance from Hill Road



Hard standing/parking in west of site



Western elevation of bungalow



Eastern elevation of bungalow



Southern elevation



Northern elevation



UPVC soffit and seal with brickwork



Tight sealed pantiles



Roof void –no evidence of bats



Roof void –no evidence of bats



Roof void –no evidence of bats



Roof void –no evidence of bats



Northern section of site looking south



Western section of site looking south



View across site looking south west



Southern section of site looking north



View across site looking north east



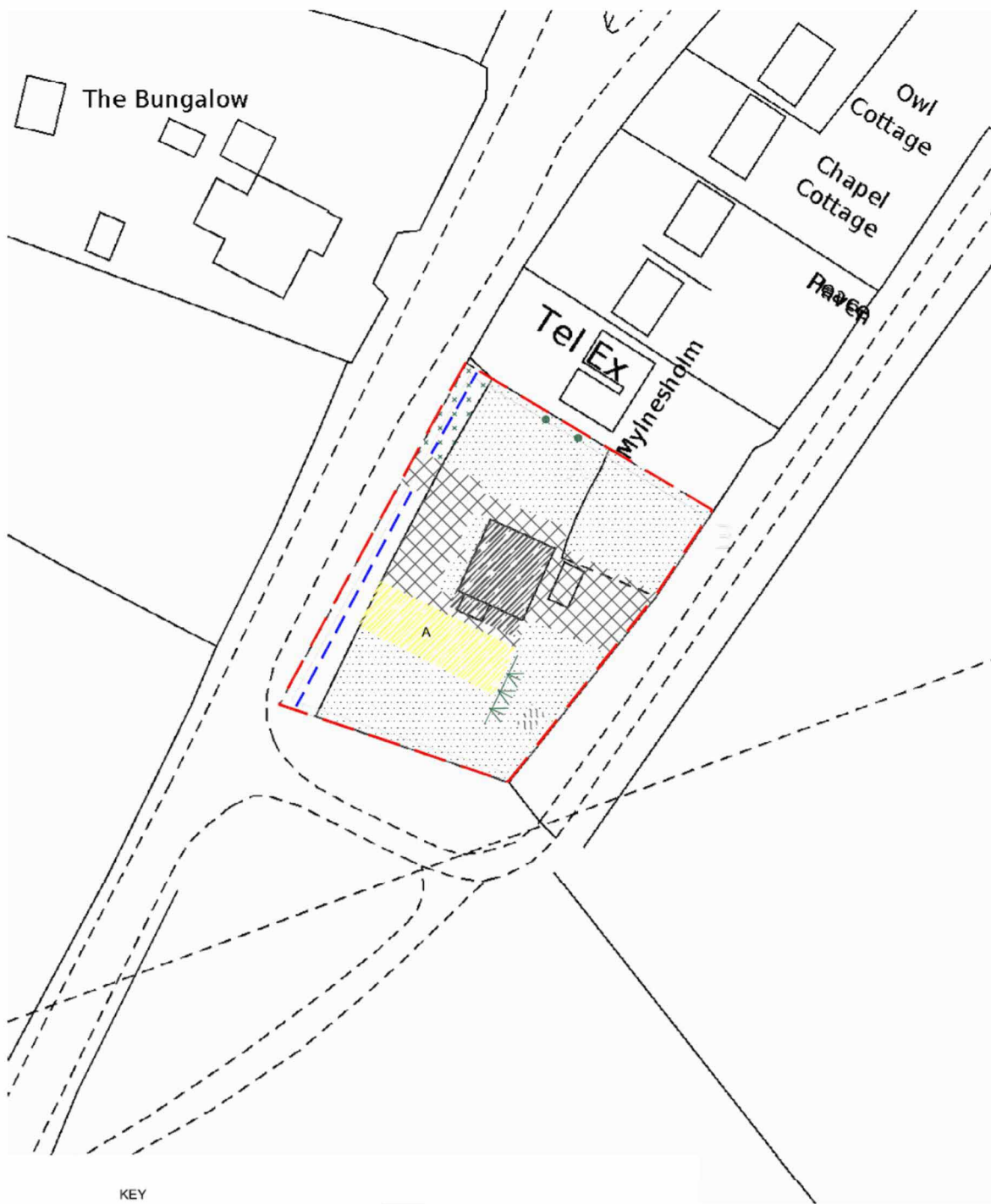
Pollarded trees in south east of site



Small shed located adjacent to trees on south east of site

3. Annex 3 –Site Plan

Prelim



KEY	
	Survey boundary
	Scattered scrub / ruderal
	Broad-leaved tree
	Amenity grassland
	Broad-leaved treeline
	Dry ditch
	Concrete / gravel hardstanding
	Shed
	Building
	Bare ground

Extended Phase 1 Habitat Survey

6 Hill Road, Great Sampford

eng no. MH1560-01

scale NTS @A4 date Jan 2023

T4 ECOLOGY LTD
ECOLOGY CONSULTANCY SERVICES, MALDON, ESSEX

4. Annex 4 –Recommended Enhancements

Prelim

Habitat Boxes.

The use of bird and bat boxes has been recommended. 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.