




Protected Species & Habitat Walkover Survey

Site Location	Chiltern View Barn, Water Lane, Ford, Aylesbury, HP17 8XD
Document reference	CE4092
Date of Site visit	8 th December 2022
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Validity of data

The findings of this study are valid for a period of 24 months from the date of survey. If works have not commenced by this date, it may be necessary to undertake an updated survey to allow any changes in the status of bats on site to be assessed, and to inform a review of the conclusions and recommendations made.

Executive Summary

Chase Ecology was instructed by the client to undertake a Protected Species & Habitat survey at Chiltern View Barn, Water Lane, Ford, Aylesbury, HP17 8XD. The aim of the survey was to consider the value and suitability of the site and surrounding areas.

Site Location	Chiltern View Barn, Water Lane, Ford, Aylesbury, HP17 8XD
Survey Methodology	A site visit was carried out on the 8 th December 2022. The habitats on site were assessed for their suitability to support any legally protected or notable species that may present constraints to the proposed development. Any incidental sightings of individual species or field signs such as footprints, latrines or feeding remains identified during the survey would be noted.
Conclusion and recommendations	<p>The site and structures within t]have demonstrated a suitable level of value to protected species with identified habitats likely to support feeding, commuting & resting.</p> <p>See refence within section four & five of this report.</p>
Requirements for Additional Survey	<p>Amphibians</p> <p>It is recommended that an eDNA survey of the pond directly to the West boundary of the site is carried out to assess for any activity from Great Crested Newt.</p> <p>This survey must be carried out within the recommended optimal survey season of mid-April to the end of June.</p> <p>If confirmed evidence from Great Crested newts are recorded, further surveys/ protection may be required.</p> <p>Bats</p> <p>Building one & Two - In line with current best accepted guidelines which are maintained by both planning & Natural England, a structure which has demonstrated moderate value to bats must have a further two emergence or re-entry surveys to rule out or confirm activity from bats.</p> <p>This survey should be carried out within the recommended survey season from May to September with at least one of these surveys during the optimal time of May to August.</p> <p>If bat are recorded to be using features of the structure where disturbance would be caused a 3rd emergence survey would be required to support the requirements for a European Protected Species mitigation licence.</p>

	<p>Where roosting bats or their roosts are to suffer likely disturbance or destruction during any proposed development works, a protected species mitigation licence must be obtained prior along with agreed mitigation measures throughout development.</p> <p>Birds It is recommended that a nesting bird survey is carried out by a suitably qualified ecologist if works are to be carried out during the nesting season of March to September to building one.</p> <p>Such surveys would be carried out 24 hours prior to any works to the site and if any activity of nesting birds are observed, a suitable level of avoidance must be agreed as birds or their nests cannot be mitigated during this time.</p>
<p>Predicted Impacts of Development on surrounding areas</p>	<p>Further surveys to be carried out within the site to establish any mitigation or protection measures during the proposed development works.</p>

CONTENTS

- 1.0 Introduction
- 2.0 Legislation
- 3.0 Methodology
- 4.0 Results
- 5.0 Plans & Photographs
- 6.0 Conclusion and/or recommendations
- 7.0 References

Appendix 1: Location plan

Appendix 2: Protection & Enhancement.

1.0 Introduction

Brief

- 1.1** This report is produced to present an initial assessment of the potential ecological constraints and opportunities relating to the named site. The report has been prepared to advise the client of potential ecological constraints and opportunities. The report provides a sufficient baseline for the Site.

2.0 Legislation

This is not an exhaustive list but sets out briefly the relevance of Legislation, Policy and Guidance in terms of planning applications and this assessment.

Council Directive 92/43/EEC on the Conservation of natural habitats and of wild fauna and flora (EC Habitats Directive). Provides framework at an international (EU) level for the consideration / protection of European Protected Species (EPS), and habitats through the designation of sites.

Council Directive 79/409/EEC on the Conservation of wild birds (EC Birds Directive) and The Ramsar Convention on Wetlands of International Importance (1971) Provides framework at an international (EU) level for the consideration / protection of important bird populations and the sites on which they are dependant.

The Conservation of Habitats and Species Regulations (2017) This transposes 1) into UK law and provides the basis on which all EPS are protected and impacts on them can be licensed in the UK.

The Wildlife and Countryside Act (1981) as amended This provides the basis on which UK species are legally protected or restricted and confers protection on Sites of Special Scientific Interest SSSIs. It contains annexes of plants and animals which are legally protected as well as those which are considered to be invasive or harmful. It provides the basis on which impacts on such species can be licensed in the UK and provides controls on work on or near SSSIs.

The Countryside and Rights of Way Act 2000 (CRoW) Provides a statutory basis for nature conservation, strengthens the protection of SSSIs and UK protected species and requires the consideration of habitats and species listed on the UK and Local Biodiversity Action Plans (UKBAP / LBAP).

Natural Environment and Rural Communities Act 2006 (NERC) Sets out the responsibilities of Local Authorities in conserving biodiversity. Section 41 of the Act requires the publishing of lists of habitats and species which are "of principal importance for the purpose of conserving biodiversity". At present these largely reflect those making up the UKBAP lists. Hedgerows Regulations (1997) Define and provide protection for Important Hedgerows.

Protection of Badgers Act (1992) Protects badgers from persecution, this includes excavation / development in the proximity of setts.

Protected Sites Statutory EU / International Protected Sites Special Areas of Conservation (SACs); and Special Protection Areas (SPAs) and Ramsar Sites contain examples of some of the most important natural ecosystems in Europe. Work on or near these sites is strictly protected and Local Authorities will be expected to carry out 'Appropriate Assessment' of development

in proximity of them. In this case there is often an increased burden on the developer in relation to provision of information and assessment.

Statutory UK Protected Sites

Local Nature Reserves (LNRs); National Nature Reserves (NNRs); Sites of Special Scientific Interest (SSSIs) all receive strict protection under UK legislation. Work in or in proximity to these sites would be restricted with any needing to be agreed with Natural England. Natural England now provide guidance on the nature of development which could impact on SSSIs through Impact Risk Zones.

Locally Protected Sites

Local Authorities have a variety of protected wildlife sites designated at a local or regional level. These are gradually being brought under the banner of Local Wildlife Sites (LWS) but at present a plethora of different designations exist - all subject to local policy.

Protected Species

European Protected Species

A number of species (most relevantly bats, great crested newts [GCN], and otters) receive strict protection from killing, injury and disturbance under The Conservation of Habitats and Species Regulations (2010). Protection is also conferred on the habitats on which they rely such as roost space in the case of bats and ponds and fields etc. in the case of GCN.

UK Protected Species

A number of species (including bats, GCN, water vole and white clawed crayfish) are strictly protected under The Wildlife and Countryside Act (1981) as amended, from killing, injury, disturbance and damage or destruction of their resting places etc. Certain species (such as reptiles) and some birds (such as barn owl) receive partial protection e.g. at certain times of the year or from certain activities only. All nesting bird species are protected from damage or destruction of their nests - whilst active.

Invasive species

Schedule 9 of the Wildlife and Countryside Act (1981) as amended, lists these species and makes it an offence to cause or allow their spread in the wild. This often has impacts on development and planning in relation to the presence of invasive plant species such as: himalayan balsam (*Impatiens glandulifera*), japanese knotweed (*Fallopia japonica*) and giant hogweed (*Heracleum mantegazzianum*).

Planning Policy / Guidance

The National Planning Policy Framework (NPPF)

The National Planning Policy Framework was published in 27 March 2012 (Updated 2021) replacing the majority of previous Planning Policy Guidance

notes (PPGs) and Planning Policy Statements (PPSs). The most relevant paragraphs from the NPPF are set out below.

The general approach to assessing the natural environment is now embedded within the definition of what 'sustainable development' is. The policy states that sustainable development should “contribute to protecting and enhancing our natural environment” and “help to improve biodiversity”. There is also a need for positive inclusion of the natural environment in development design and “moving from a net loss of bio-diversity to achieving net gains for nature”. The document sets out the Frameworks presumption in favour of sustainable development.

The natural environment is stated within the NPPF core principles: development should “recognise the intrinsic character and beauty of the countryside” and contribute to conserving and enhancing the natural environment and reducing pollution. Allocations of land for development should, “prefer land of lesser environmental value, where consistent with other policies in this Framework”.

NPPF details the approach to the natural environment. The Framework states that development should “minimise impacts on biodiversity and provide net gains in biodiversity, where possible, contributing to the Government’s commitment to halt the overall decline in biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures”. The Framework sets out ways to minimise the impacts on biodiversity through “promoting the preservation, restoration and re-creation of priority habitats, ecological networks and the protection and recovery of priority species populations, linked to national and local targets”. The NPPF requires the consideration of the impacts of development on the natural environment. The Framework also encourages “opportunities to incorporate biodiversity in and around developments”. Importantly this sets out the hierarchy of avoiding, mitigating and compensating harm from development - plans should ensure that they can demonstrate engagement with this hierarchy when required.

Biodiversity 2020: A Strategy for England’s Wildlife and Ecosystem Services. This strategy builds on the Natural Environment White Paper (June 2011) - The Natural Choice: securing the value of nature. Setting out the current UK Government's approach to nature conservation. It promotes a more coherent and inclusive approach to conservation and the valuing in economic and social terms of economic resources.

The strategy promotes initiatives such as Biodiversity Offsetting, Nature Improvement Areas and a focus on well-connected natural networks and introduces the concept of securing a 'no net loss' situation with regard to UKBAP / Section 41 habitats and species.

ODPM circular 06/05 (2005) Biodiversity and Geological Conservation - Statutory Obligations and Their Impact Within the Planning System

Provides guidance to Local Authorities on their obligations to biodiversity – particularly in relation to assessing planning applications and ensuring the adequacy of information.

BSI (2013) British Standards Institute BS 42020:2013 Biodiversity — Code of Practice for Planning and Development.

Provides a standard for the biodiversity assessment and development industries and decision makers such as Local Planning Authorities to work to.

Ancient Monuments and Archaeological Areas Act 1979

No works of any kind affecting the site can be carried out without the prior consent

3.0 METHODOLOGY

3.1 All survey and reporting undertaken by Mr Garry Smith who is an experienced ecologist with over 9 years' experience of professional ecological surveys.

Great Crested Newt Licence (2015-7216-CLS-CLS)

Bat Licence Class 2 (2017-28032-CLSCLS)

Past associations & Practical enhancements

- Black Country & Staffordshire Naturalists group 2012 – 2014
- Staffordshire Bat Group 2012 – 2014
- Derbyshire Bat Group 2017 – 2018
- ARG Staffordshire – 2015 – 2016
- ARG Shropshire & Staffordshire 2017 – Current

3.2 The report is based on a Desk Study of designated wildlife sites and records of protected or notable species, and a Habitat Survey carried out on the site, this involves walking the site, an assessing the different habitats (for example: woodland, grassland, scrub). The survey method included assessing/walking the habitats within the site and direct bordering habitats to determine if any protected species or habitats of value would suffer disturbance from the planned development works.

4.0 Results

Desk Study

4.1 A data search of freely available information was undertaken to assess the names species for distribution/record within a 2km study area as detailed below

Species (Common names)	
Great Crested Newt	Common Toad
Grass Snake	Hedgehog
[REDACTED]	Common Pipistrelle - Bats
Barn Owl	Brown Long-eared - Bat

4.2 Designated sites; Statutory (5km)

Site	Designation	Distance (km)	Direction
No records			

Non-Statutory (2km)

Site	Designation	Distance (km)	Direction
No records			

Priority Habitat Inventory within 2km

HABITAT	Distance (km)	DIRECTION
DECIDUOUS WOODLAND	1.00	S
DECIDUOUS WOODLAND	1.10	SE
DECIDUOUS WOODLAND	1.15	W
DECIDUOUS WOODLAND	1.45	N

None of the above named sites/locations would be effected in any way from the proposed development plan for this site, including both habitats and species.

4.3 Aerial photographs of the site were consulted to determine if there are important landscape features surrounding and within vicinity of the site.

4.4 A search of previous Granted European Protected Species Applications revealed one within 2km of the site for Common Pipistrelle & Brown Long-eared bats.

Field study


4.5 A site visit was completed on the 8th December 2022 by Garry Smith & Annika Smith where the site and surrounding areas were assessed for both protected species and habitats of value & importance. Weather conditions were optimal for such a survey of this kind.

4.6 The habitats on site were assessed for their suitability to support any legally protected or notable species that may present constraints to the proposed development. fauna and faunal habitat was also assessed (for example droppings, tracks or specialist habitat such as ponds for breeding amphibians).

4.7 The offers two residential buildings with surrounding habitats of hard standing, managed grass and soft landscaping's. See section five – Image 1: Habitat Plan and images throughout the site/buildings.

4.8 Preliminary Protected / Notable Species Assessment

Species	Evidence	Habitat
Reptiles	No	<p>No evidence of reptiles observed during a site visit on the 8th December 2022.</p> <p>Records of Grass Snake within a 2km desk study of the local surrounding environments.</p> <p>The main areas within the site have demonstrated poor value to reptiles from a lack of refugia.</p> <p>The habitats surrounding the two buildings are limited to both managed grass and hardstanding's.</p> <p>The East & West intact hedgerow boundaries would offer likely shelter for commuting with further value from a wooded habitat to the West of the site with likely feeding opportunities for Grass Snake.</p>
Amphibians	No	<p>No evidence of amphibians observed during a site visit on the 8th December 2022.</p> <p>Records of Great Crested Newt within a 2km desk study of the local surrounding environments.</p> <p>Aquatic habitat within 250M - West Boundary – Pond (HSI Average)</p>

		<ul style="list-style-type: none"> - 410 meters – North – pond - 430 meters – North - Drain <p>Similar to reptiles, the hardstanding and managed grassland throughout the site offers little value to reptiles. However, the intact hedgerow to the East & South boundaries and woodland/water features to the West would offer value for commuting & breeding.</p>
Birds	Yes	<p>Birds observed during a site visit on the 8th December 2022 included;</p> <ul style="list-style-type: none"> • Buzzard on North boundary fence • Magpie • Wren <p>Two Moorhen observed within the reedbed to the pond next to the West boundaries.</p> <p>Building one has demonstrated a number of gaps between the timbers and brickworks (eaves) of adequate proportions for birds with likely nesting materials observed.</p>
Mammals (not including bats)	No	<p>No evidence of mammals observed during a site visit on the 8th December 2022.</p>  <p>The site is situated within a rural environment with moderate value to both species and would likely take value from the site during the hours of darkness for both commuting and foraging.</p>
Bats	No	<p>No evidence of bats observed during a site visit on the 8th December 2022.</p> <p>Records of Brown Long-eared & Common Pipistrelle bats within a 2km desk study of the local surrounding environments.</p>

		<p>The site offers two structures which have both demonstrated moderate features of value to bats with likely roosting features of value.</p> <p><u>Building One</u> The brickworks to the structure have demonstrated no features of value to bats throughout along with no observed features within the door/window frames.</p> <p>A number of gaps between the brickworks and roof timbers (eaves) of adequate proportions for bats were observed around the building which would offer likely shelter/access opportunities for both void and crevice dwelling bat species.</p> <p>A small number of gaps within the roof coverings which has included gaps below the ridge coverings look to offer further shelter/access opportunities for bats within.</p> <p>The internal areas below the roof coverings offer a plastered vaulted covering. Such coverings would offer likely value to crevice dwelling bats such as pipistrelle where external gaps likely provide access into the habitats between the roof coverings and ceiling covering below.</p> <p><u>Building two</u> No gaps or features of value to bats were observed within the external claddings, however we did observed a number of gaps surrounding the door frames which may offer shelter & access opportunities for bats within.</p> <p>A small number of raised tiles look to offer adequate features commonly used by crevice dwelling bat species for daytime roosting and likely access opportunities within the roof void spaces.</p> <p>Internally, a felt membrane covering was observed below the roof tiles. Such coverings would offer likely value to crevice dwelling bats such as pipistrelle where external gaps likely provide access into the habitats between the roof coverings and membrane covering below</p>
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		<p>The surrounding habitats have also demonstrated value to bats with adequate feeding and commuting opportunities along with observed roosting features within trees observed within the woodland directly to the West of the site.</p> <p>A pond within this same woodland may also offer feeding opportunities for bats.</p>
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5.0 Plans & Photographs

Image 1 – Habitat plan

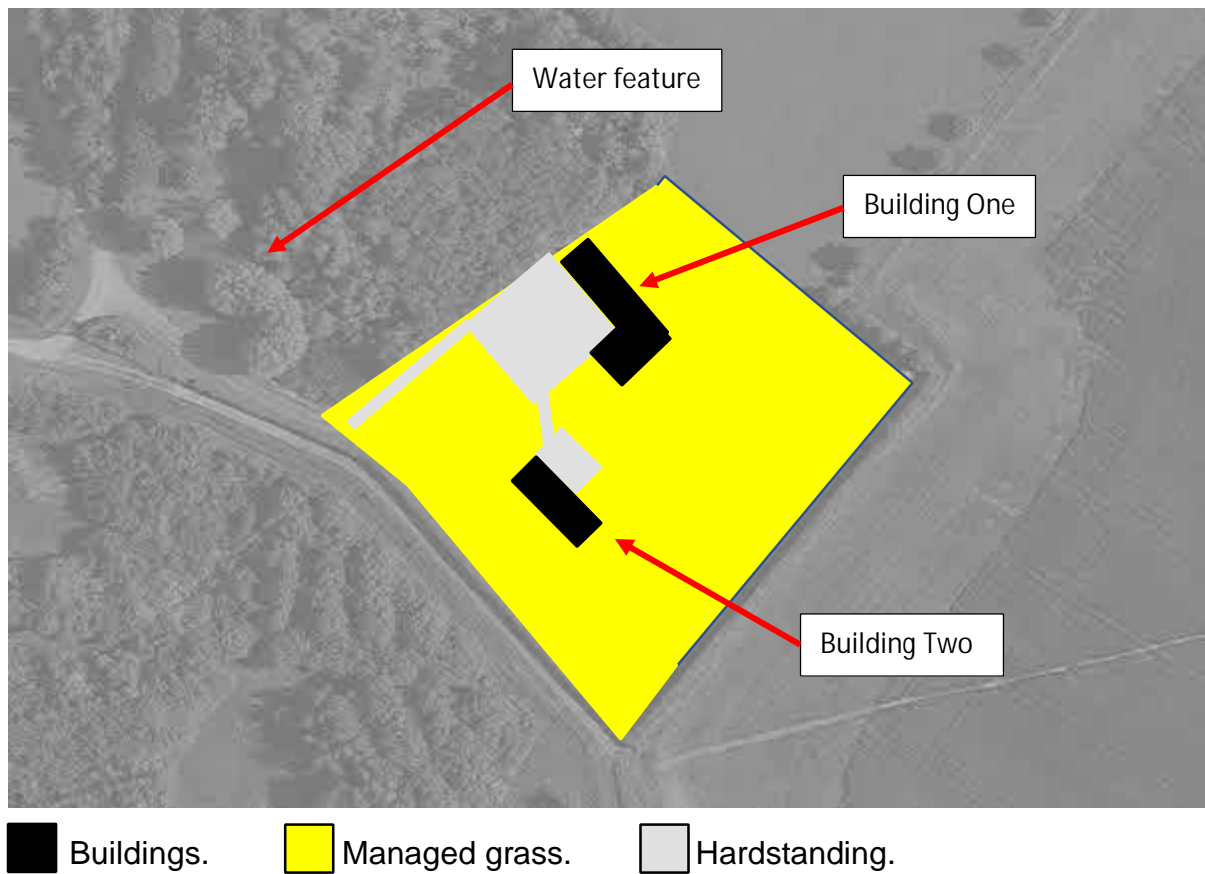


Image 2 – View looking West to East from hardstanding driveway/site entrance within the West section of the site



Image 3 – View looking South to North across the site



Image 4 – View looking East to West across the lower South areas of the site



Image 5 – View looking East to West across the North section of the site



Image 6 – View looking East to West through the central areas of the site



Image 7 – Building one – South/West facing elevation of the building



Image 8 – Building one – North/East facing elevation of the building



Image 9 – Building one – Gaps of adequate proportions within the eaves areas of the North/East elevation offering value to bats with likely roosting habitats within



Image 10 – Building one – Gaps observed below the ridge coverings offering further shelter/access opportunities for bats within



Image 11 – Building one – Further examples of gaps within the eaves areas of the building offering further access opportunities for bats within and likely access for nesting birds. Looed to be evidence of nesting materials for birds

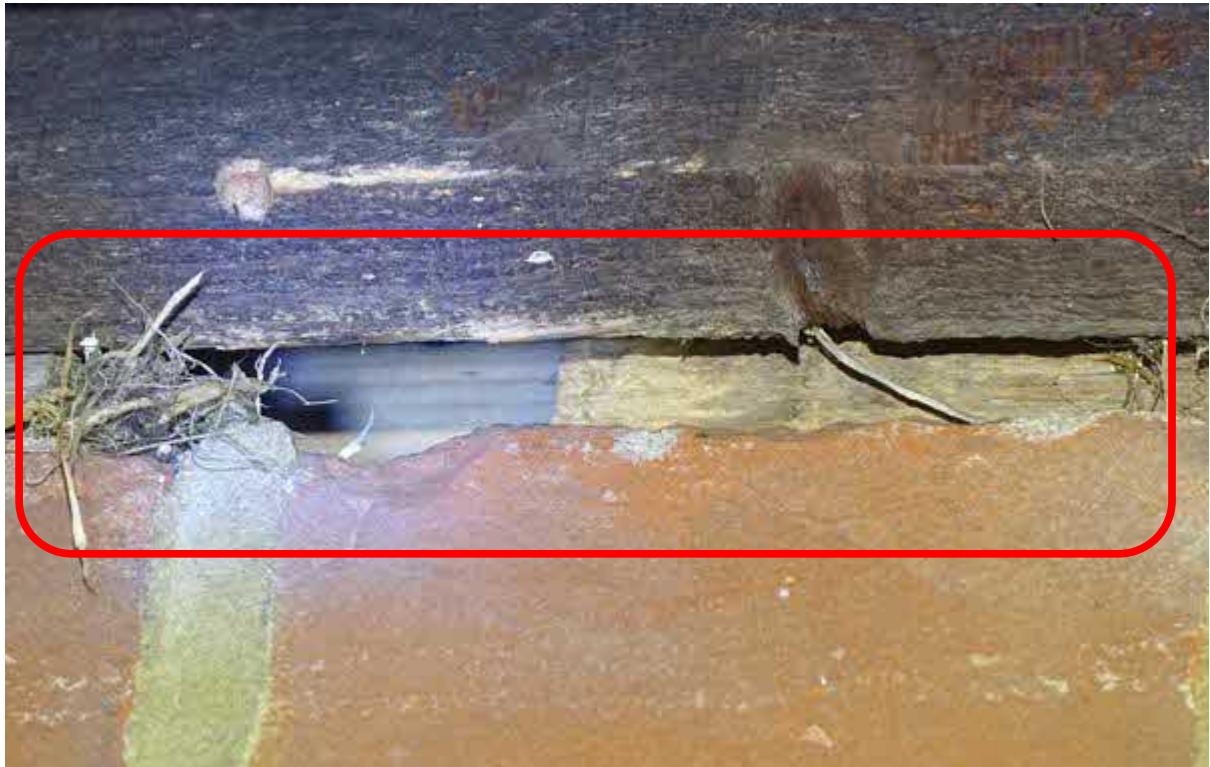


Image 12 – Building one – Internal view from within the building below the roof areas which offer a covered vaulted ceiling



Image 13 – Building two – North/East facing elevation of the building



Image 14 – Building one – South/West facing elevation of the building which has evidenced gaps around the timber doors



Image 15 – Building two – Small number of raised tiles within the roof coverings to the building which likely offer shelter opportunities for bats

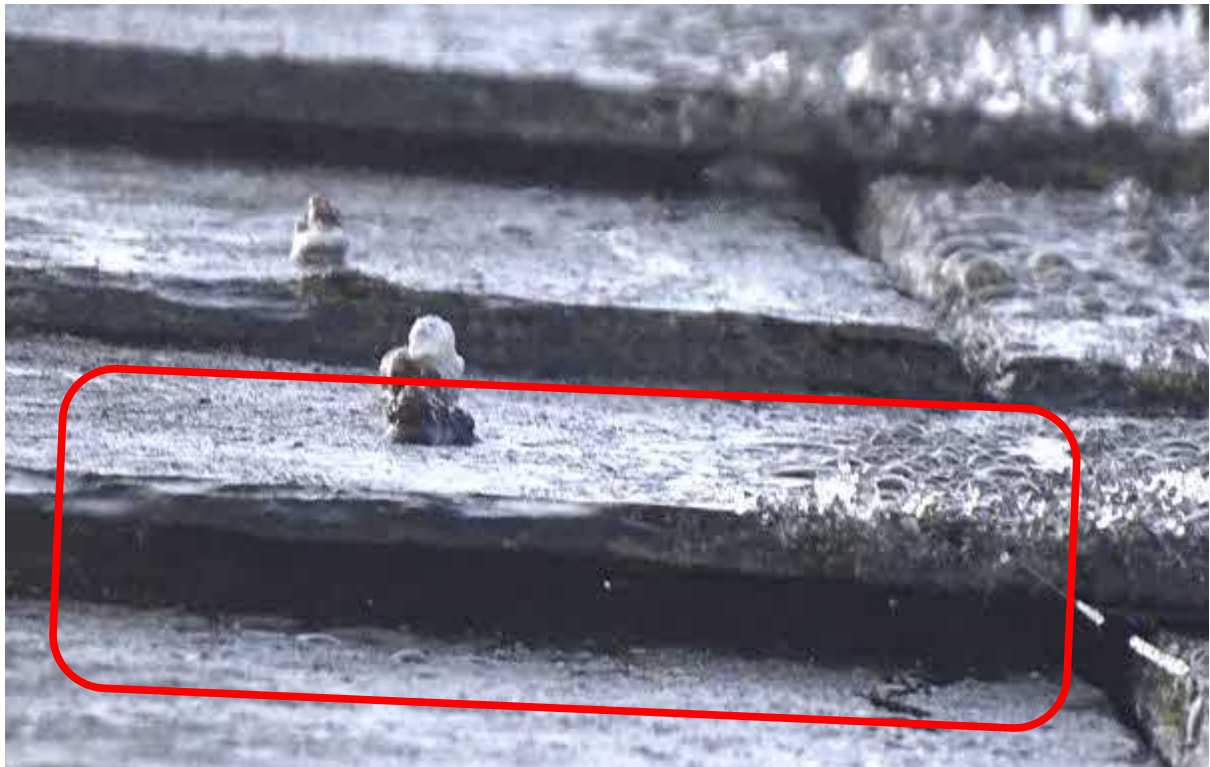


Image 16 – Building two – Small number of gaps within the eaves areas of the building which look to offer further likely shelter/access opportunities for bats



Image 17 – Building two – Internal view from within the inner roof void spaces of the building



Image 18 – Building two – Internal view from within the inner roof void spaces of the building



Image 19 – Water feature located to the West of the site which has demonstrated an average HSI score for Great Crested Newts



Image 20 – As above



Image 21 – Woodland to the West of the site demonstrated trees with suitable roosting habitats for bats



Image 22 – Woodland areas to the West boundary of the site



6.0 Conclusion and recommendations

All recommendations provided in this section shall be on Chase Ecology's current understanding of the site proposals and current planning application, correct at the time the report was compiled. Should any aspect of the proposals alter, the conclusions and recommendations made in the report should be reviewed to ensure that they remain appropriate

6.1 Amphibians

It is recommended that an eDNA survey of the pond directly to the West boundary of the site is carried out to assess for any activity from Great Crested Newt.

This survey must be carried out within the recommended optimal survey season of mid-April to the end of June.

If confirmed evidence from Great Crested newts are recorded, further surveys/ protection may be required.

6.2 Reptiles

It is recommended that a suitable level of protection be applied during development to eliminate any disturbance to reptiles which may utilise the habitats surrounding the site.

A suitable level of reasonable avoidance measures would be necessary and should be incorporated within any final protection/impact plans for development.

6.3 Bats

Building one & Two - In line with current best accepted guidelines which are maintained by both planning & Natural England, a structure which has demonstrated moderate value to bats must have a further two emergence or re-entry surveys to rule out or confirm activity from bats.

This survey should be carried out within the recommended survey season from May to September with at least one of these surveys during the optimal time of May to August.

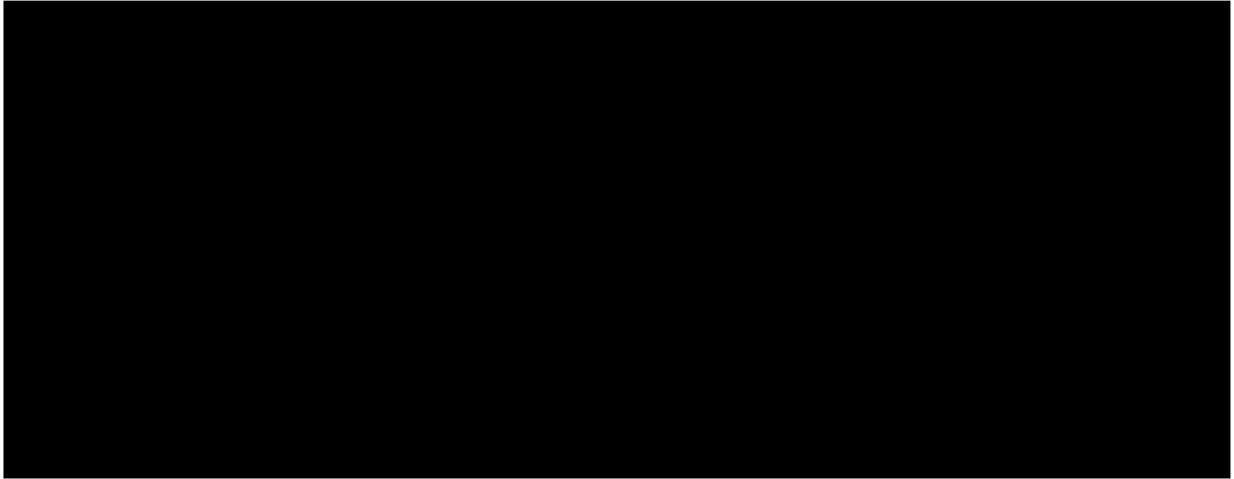
If bat are recorded to be using features of the structure where disturbance would be caused a 3rd emergence survey would be required to support the requirements for a European Protected Species mitigation licence.

Where roosting bats or their roosts are to suffer likely disturbance or destruction during any proposed development works, a protected species mitigation licence must be obtained prior along with agreed mitigation measures throughout development.

6.4 Birds

It is recommended that a nesting bird survey is carried out by a suitably qualified ecologist if works are to be carried out during the nesting season of March to September to building one.

Such surveys would be carried out 24 hours prior to any works to the site and if any activity of nesting birds are observed, a suitable level of avoidance must be agreed as birds or their nests cannot be mitigated during this time.



6.6 General Recommendations for Enhancement

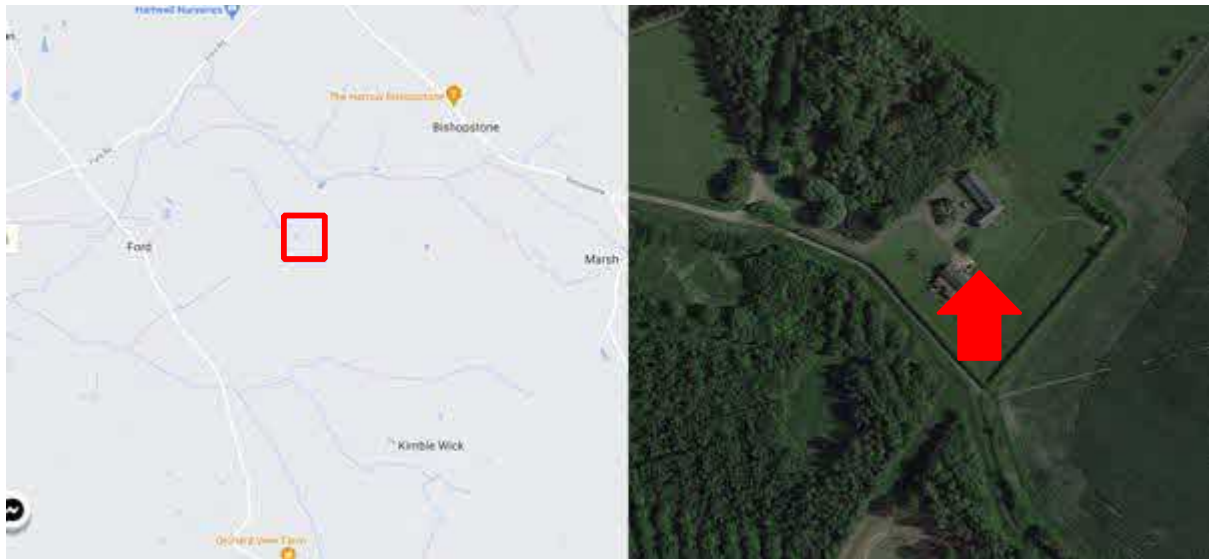
In addition to any specific required to compensate for impacts on protected species or habitats, both national and local planning policy encourages ecological enhancement in all development.

Based on the existing ecological value of the site and information available about the proposed development, consideration should be given to the use of native species or those with recognised benefit to wildlife in areas of soft landscaping to enhance the value of the site for wildlife.

7.0 References

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- Stace, C.*, 2010. *New Flora of the British Isles*. 3rd Edition. Cambridge University Press
- CIEEM.* (2017). *Guidelines for Preliminary Ecological Appraisal*. CIEEM Magic database (2017) <http://www.magic.gov.uk/MagicMap.aspx> accessed on 08/03/2017.
- Google Earth* (2017)

Appendix 1: Location plan



See Appendix 2: Protection & Enhancement.

This document must be available to all involved in the planned development.

All contractors must be aware of the potential of protected & priority species being found on site and care should be taken during works to avoid harm (including during any tree works).

If any protected species are identified other than the species documented within this report which form part of the Mitigation at any point within the proposed development the client must stop works and contact a suitably qualified ecologist to assist further where further surveys/licences may be required before works can continue.

Protection During Works

Further surveys to be carried out within the site to establish any mitigation or protection measures during the proposed development works.