

**P H I L I P M O R P H Y A R C H I T E C T S**

**R I B A C h a r t e r e d P r a c t i c e**

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**CHRISTMAS COTTAGE  
MELLIS COMMON IP23 8DT**

**R e f e r e n c e P M A / 5 9 3**

PLANNING CONDITION

PLANNING PERMISSION REF DC/22/05617

SEPTEMBER 2023

This document has been issued to the contractor and client.

## **Introduction**

### **Location**

Christmas Cottage is a semi detached house on the North side of Mellis Common.

It is a Victorian era cottage and is typical of the area having white painted walls under a clay pantile roof with painted timber windows. It is also typical in have a large amount of ground floor accommodation but limited bedroom space.

The site is long and narrow and the garage on site is also long and thin is too narrow to be useful. It is situated behind the main house so also difficult to access.

### **Brief**

The applicant has permission to demolish the garage and erect a single storey garage in its place. This is under permission ref DC/22/05617.

Condition 5 of this permission states:

*PRIOR TO ANY WORKS ABOVE SLAB LEVEL: BIODIVERSITY ENHANCEMENT STRATEGY*

*A Biodiversity Enhancement Strategy for protected and Priority species shall be submitted*

*to and approved in writing by the local planning authority.*

*The content of the Biodiversity Enhancement Strategy shall include the following:*

- a) Purpose and conservation objectives for the proposed enhancement measures;*
- b) detailed designs or product descriptions to achieve stated objectives;*
- c) locations, orientations, and heights of proposed enhancement measures by appropriate maps and plans;*
- d) persons responsible for implementing the enhancement measures;*
- e) details of initial aftercare and long-term maintenance (where relevant).*

*The works shall be implemented in accordance with the approved details prior to occupation and shall be retained in that manner thereafter."*

*Reason: To enhance protected and Priority species & habitats and allow the LPA to*

*discharge its duties under the NPPF 2021 and s40 of the NERC Act 2006 (Priority habitats & species).*

## **Proposed Mitigation and Enhancement.**

### **Bats.**

No roosts have been identified on site.

- It is proposed to install a Beaumaris woodcrete Batbox at high level on the existing East facing gable of the house. These to be checked for maintenance every year.
- The proposed annex roof has a breather membrane and so is unsuitable for use for bat nesting.

### **Birds.**

There is the possibility of nesting birds within the garden, though none have been identified.

It is proposed that :

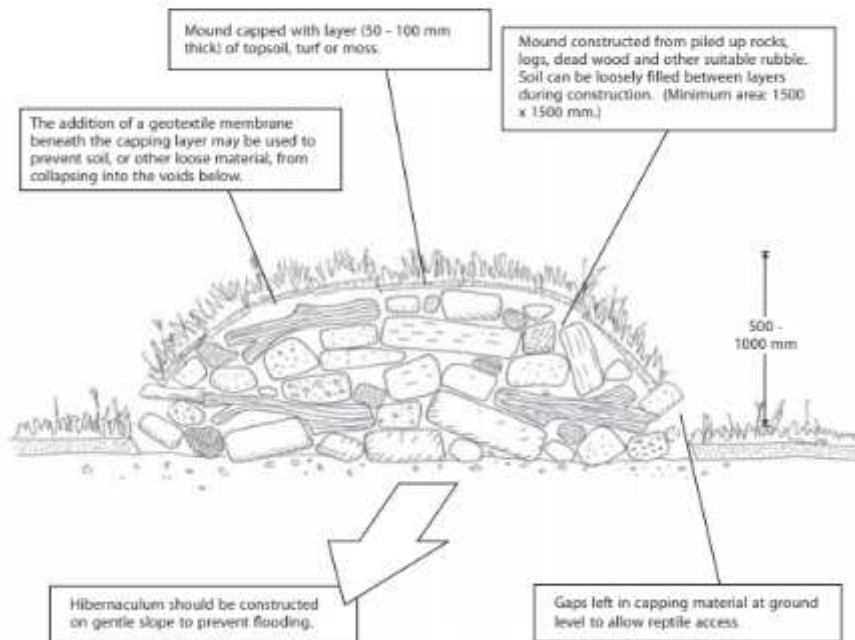
- Any vegetation removal shall be carried out by hand and any nests identified to a suitable ecologist.
- 2 Bird boxes are to be installed within the garden and one on the north facing gable end of the annex
- Nest features are to be checked annually between November and February inclusive and any repairs or modifications undertaken. There are no legal issues associated with the installation of bird boxes. When the nest box is occupied, all wild birds, their nests and eggs, are protected by law. Under the terms of the Wildlife and Countryside Act 1981, it is illegal to intentionally take, damage or destroy the nest of any wild bird whilst it is in use or being built. Under the terms of the Wildlife and Countryside Act 1981, if unhatched eggs are found in the box, they can only legally be removed from October to January inclusive. The eggs must be destroyed, as it is illegal to keep them.

### **Great Crested Newts. The site has been identified as 'Highly unlikely' for the presence of Newts in the ARBtech survey dated 9 November 2022**

- It is proposed that a tool box talk be given to the contractor and sub-contractor to help them identify newts by a licenced EcoW.
- If any GCT are found on site work will stop and the EcoW informed and further instruction sought.
- All debris will be removed from site immediately and stored over
- hardstanding or within a skip. Furthermore, the storage of building materials should also be located over hardstanding or bare ground and
- located on a pallet to prevent providing refuge value to amphibians
- Two hibernacula will be created using natural materials such as logs collected from the site, stone, vegetation arisings, and earth (see below) to enhance the site for great crested newts and other amphibians post-development. The hibernaculum will be installed adjacent to the north site boundary which has suitable connectivity to nearby ponds and a small woodland stand in the wider landscape.

## Hibernaculum on impermeable ground

Where ground conditions are impermeable, then an 'above-ground' or mounded design should be utilised in order to prevent the hibernaculum from flooding. This design should also be used if it is not possible to excavate a pit for any other reason.



## Amphibians

- It is proposed that s
- Should any common amphibian species be found during the works such as common frog *Rana temporaria*, common toad *Bufo bufo*, smooth newt *Lissotriton vulgaris*, and plamate newt *Lissotriton helveticus*, works can continue so long as individuals will be carefully removed from the impacted area by the EcOW and placed within suitable retained habitat adjacent to the north of the site.

## Appendix

### EUROPEAN PROTECTED SPECIES POLICIES

In December 2016 Natural England officially introduced the four licensing policies throughout England. The four policies seek to achieve better outcomes for European Protected Species (EPS) and reduce unnecessary costs, delays and uncertainty that can be inherent in the current standard EPS licensing system. The policies are summarised as follows:

- Policy 1; provides greater flexibility in exclusion and relocation activities, where there is investment in habitat provision;

- Policy 2; provides greater flexibility in the location of compensatory habitat;
- Policy 3; provides greater flexibility on exclusion measures where this will allow EPS to use temporary habitat; and,
- Policy 4; provides a reduced survey effort in circumstances where the impacts of development can be confidently predicted.

The four policies have been designed to have a net benefit for EPS by improving populations overall and not just protecting individuals within development sites. Most

notably Natural England now recognises that the Habitats Regulations legal framework now applies to 'local populations' of EPS and not individuals/site populations.