



133 Baston Road, Hayes

Preliminary Ecological Appraisal

A Report for South East Living Group

October 2023



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133 Baston Road, Hayes, Bromley, BR2 7AB

Preliminary Ecological Appraisal

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Project Ref:	133 Baston Road	
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Disclosure:		
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1 PROJECT OVERVIEW

Client: South East Living Group

Site Address: 133 Baston Road, Hayes, Bromley, BR2 7AB

Attending Ecologists: Charlotte Bell MCIEEM

Survey Date: 8th September 2023

Site Proposals: A residential development comprising five detached houses and associated access, parking and landscaping.

Associated Planning Reference Number: Not yet submitted.

Source of Relevant Documents:

Document:	Source:
Site Location Plan:	Google Earth Pro 9422-133 Baston Road_HAYES_Topo
Desk Study:	Greenspace Information for Greater London CIC (GiGL) Magic.defra.gov.uk
Proposed Development:	Holloways. Drawing Ref: 134-S00-Overall Site Plan

2 NON-TECHNICAL SUMMARY

- 2.1 In response to the proposed development at 133 Baston Road, Hayes, Bromley ('the Site'), a Preliminary Ecological Appraisal of land within the redline boundary (ref. drawing) has been undertaken.
- 2.2 The Site occupies approximately 0.59 hectares (ha) and comprises amenity grassland, hedgerows, introduced shrub, tall ruderal, scrub and hardstanding.
- 2.3 Development of the Site is not going to impact designated sites or areas of ancient woodland.
- 2.4 Retained trees should be protected in accordance with BS 5837:2012 'Trees in relation to design, demolition and construction' where possible.
- 2.5 No evidence of badger was recorded. However, this is highly mobile species and should a period of >12 months pass, an update badger survey should be conducted.
- 2.6 A ground-level roost assessment concluded that all the trees present within the site have 'Negligible' suitability to support roosting bats. In addition, all buildings within the site were found to have 'Negligible' suitability to support roosting bats.
- 2.7 Timings and methods of best practice for breeding birds are required.
- 2.8 No further surveys for GCN or dormice are required.
- 2.9 The grassland is currently unsuitable for reptiles. Due to the small area of ruderal and scrub habitat, precautionary methods have been advised regarding dismantling of spoil piles and management of habitats going forward and no further surveys are recommended.
- 2.10 Suitable habitat and features for hedgehog are present and advice has been provided regarding dismantling of spoil piles during March-October and appropriate landscaping recommendations for this species.
- 2.11 In accordance with the requirement of the National Planning Policy Framework (NPPF) 2023, recommendations to enhance the Site's suitability for wildlife have been provided.
- 2.12 Provided the recommendations provided within this report are implemented, the proposed development will not contravene any relevant legislation or planning policies pursuant to nature conservation.

3 INTRODUCTION

3.1 Context

3.1.1 In response to proposed development at 133 Baston Road, Hayes, Bromley (hereafter referred to as ‘the Site’), a Preliminary Ecological Appraisal (PEA) was undertaken of land within the redline boundary (see Phase 1 Habitat Map, Figure 1).

3.1.2 The Site’s suitability to support protected species and habitats was assessed and appropriate recommendations are provided within Section 5 of this report. Trees to be affected were assessed for their suitability to support roosting bats. Ecological features of interest are depicted in Figure 1: Phase 1 Habitat Survey Map. Photographs of the Site are provided in Appendix A.

3.2 Site Location

3.2.1 The Site is located in Hayes, 2 miles south of Bromley city centre, at National Grid Reference: TQ 40840 65729. The location of the Site is depicted in Image 1.



Image 1 – Geographical Location of 133 Baston Road, Hayes, Bromley

3.3 Site Description

3.3.1 The Site occupies approximately 0.59ha and comprises amenity grassland, hedgerows, introduced shrub, tall ruderal, dense scrub, buildings and hardstanding.

3.3.2 The Site is bound by amenity grassland (football pitches) to the north and east, deciduous woodland to the south and residential properties and their associated gardens to the west. Baston Road forms the south-west boundary of the Site. The wider landscape is one of residential properties with associated gardens, commercial properties with amenity fields, agricultural fields and large areas of woodland associated with Hayes Common.

3.4 Legislation and Planning Policy

3.4.1 Relevant legislation and policies that apply to ecological issues within England and Wales are:

- [The Conservation of Habitats and Species Regulations 2017 \(as amended\)](#)
- [The Environment Act 2021](#)
- [The Wildlife and Countryside Act 1981 \(as amended\)](#)
- [The Natural Environment and Rural Communities \(NERC\) Act 2006](#)
- [Hedgerows Regulations 1997](#)
- [The Protection of Badgers Act 1992](#)
- [The Wild Mammal \(Protection\) Act 1996](#)
- [The National Planning Policy Framework \(NPPF\) 2023](#)
- [Government Circular 06/05](#)
- [Local Plan for the London Borough of Bromley 2019](#)

3.4.2 The above summary serves as guidance only. Further information is presented in Appendix B.

3.5 Objectives of the Survey

3.5.1 The objectives of the survey were to:

- Classify the main habitats present within the Site.
- Evaluate the ecological importance of these habitats.
- Assess the suitability for protected species and any otherwise notable species to occur within the Site.
- Provide appropriate recommendations for further surveys and mitigation where required as well as opportunities for biodiversity enhancement.

4 SURVEY METHODOLOGY

4.1 Desk Study

4.1.1 A desk study was undertaken in September 2023 to determine the presence of sites and habitats of conservation importance, along with existing records of protected and notable species of relevance to the Site.

4.1.2 The following bodies were consulted for the desk study:

- Google Earth Pro for aerial imagery.
- Magic Map (Magic.defra.gov.org) for statutory designated sites.
- Greenspace Information for Greater London (GiGL) for existing records of protected and notable species.
- OS mapping for ponds within 250m of the Site.

4.1.3 The desk study involved obtaining the following information:

- International statutory designated sites within 5km.
- National statutory designated sites within 2km.
- Non-statutory designated sites within 1km.
- Protected and notable species within 2km.
- Bat records within 5km.
- Ancient woodland parcels within 30m.
- Waterbodies with potential suitability for GCN within 250m.
- Habitats of Principal Importance (NERC Act 2006) within or immediately adjacent to the Site.

4.1.4 These search areas are considered sufficient to cover the potential zone of influence of the proposed development.

4.2 Habitats

Phase 1 Habitat Survey

4.2.1 The Site was surveyed using the methods outlined in '[The Handbook for Phase 1 Habitat Survey: A Technique for Environmental Audit](#)' (JNCC, 2016). The techniques applied during the survey involve identifying the main plant communities present on the Site and classifying the habitat types following the JNCC methodology. This technique provides an inventory of the basic habitat types present and enables areas of greater botanical interest to be identified, which may require more detailed surveys.

Invasive Non-Native Species

- 4.2.2 Any occurrences of recognised invasive species as listed on Schedule 9 of the Wildlife and Countryside Act 1981 (as amended) were also noted.
- 4.2.3 A map of the habitats and areas of interest (using a variation of the JNCC (2016) protocol for Phase 1 Habitat plans) is provided in Figure 1. Photographs of features of interest are presented in Appendix A, with a full species list provided in Appendix C.
- 4.2.4 The survey was undertaken by Principal Ecologist Charlotte Bell MCIEEM on 8th September 2023.

4.3 Protected and Notable Species

- 4.3.1 The survey was 'extended' to consider the suitability of the Site to support protected and notable species. Species considered included those identified during the desk study, or those considered appropriate by the surveyor during the survey. Detailed surveys were not completed for these species. However, based on an understanding of species ecology, consideration was given to the Site's potential to provide sheltering or foraging habitat and/or connectivity from other areas of potentially suitable habitat to allow dispersal between populations. Core species considered during the survey are outlined below.

Badger

- 4.3.2 Evidence of badger *Meles meles* activity within the Site was assessed by searching for signs such as:
- Presence of setts, indicated by suitably sized holes or burrows.
 - Evidence of badger latrines, badger hair and/or footprints.
 - Evidence of well-used runs supported by secondary evidence such as foraging signs.

Bats

Preliminary Roost Assessment - Trees

- 4.3.3 Trees within the Site were subject to a ground-level roost assessment in accordance with current best practice guidance (Collins, 2023). Trees were inspected for potential roosting features (PRFs) such as splits, fissures, cavities, delaminated bark, heavy ivy *Hedera* sp. cover and woodpecker holes. Evidence such as droppings, staining and bats themselves were searched for below and in suitable features, with the use of high-powered torch, telephoto lens camera and binoculars (where necessary). The quality and quantity of PRFs identified were used to categorise each tree as having 'Confirmed roosts'; or 'High', 'Moderate', 'Low' or 'Negligible' suitability to support roosting bats.

Preliminary Roost Assessment - Buildings

- 4.3.4 A full external and internal inspection was undertaken of all the buildings present within the Site, with the use of high-powered torch, ladder and binoculars (where required). Any suitability roosting or access points for bats such as raised fascia boards, missing/lifted tiles, cracks or crevices in brick/blockwork and gaps in soffit boxes were recorded and searched for evidence of use by bats (staining, droppings, scratch marks, or the bats themselves). The results of the scoping survey enabled the buildings to be categorised as having 'Confirmed roosts'; or 'High', 'Moderate', 'Low' or 'Negligible' suitability to support roosting bats.

Breeding Birds

- 4.3.5 The habitats within the Site were assessed for their suitability to support nesting birds. Factors considered include suitable cover and feeding habitat.

Great Crested Newts (GCN)

- 4.3.6 Any suitable terrestrial habitat for great crested newts (GCN) *Triturus cristatus* including long grass, tall ruderal, woodland and hedgerow borders, as well as wood and rubble piles that act as sheltering places, was recorded.

Hazel Dormouse

- 4.3.7 The Site was surveyed for suitable hazel dormouse *Muscardinus avellanarius* habitat, such as the presence of well-connected broadleaved woodland, hedgerows, mature scrub and suitable food sources such as oak *Quercus sp.*, hazel *Corylus avellana* and other nut-bearing trees, fruiting trees and shrubs and flowers.

Reptiles

- 4.3.8 Suitable habitat for reptiles was recorded including long grass, vegetated boundaries, woodland and hedgerow borders, as well as wood and rubble piles that provide sheltering opportunities.

4.4 Constraints

- 4.4.1 Any measurements or indications of area provided within this report are estimates and are provided as a guide only.
- 4.4.2 Access was not possible into the back garden of building 'B1' and thus a detailed survey of this area could not be conducted.
- 4.4.3 It should be noted that the absence of a species from biological records cannot be taken to represent actual absence. Species distribution patterns should be interpreted with caution as they may reflect survey/reporting effort rather than actual distribution.

5 SURVEY RESULTS

5.1 Desk Study

Designated sites

- 5.1.1 Statutory designated sites identified within the potential zone of influence of the proposed development are presented in Table 2 below. There are no international designated sites or non-statutory designated sites within the search radius.

Table 2 – Designated sites within 2km of the Site

Site Name	Description	Distance and orientation from Site
Statutory Designated Sites		
Nationally Designated Sites (SSSI, NNR, LNR)		
Keston and Hayes Commons SSSI	Keston and Hayes common is a 55 hectare area of land in Bromley which has been deemed a SSSI due to habitat types present, being fixed dune grassland, lowland dry heath, lowland neutral grassland and lowland wet heath. Notable species present include <i>Calluna vulgaris</i> , <i>Festuca ovina</i> , <i>Ulex minor</i> , <i>Erica tetralix</i> , <i>Sphagnum compactum</i> , <i>Cynosurus cristatus</i> , <i>Centaurea nigra</i> , <i>Agrostis capillaris</i> and <i>Rumex acetosella</i> .	0.6km SSW
Hayes Common, Keston Common, Ravensbourne Open Space & Padmall Wood LNR	<i>“Keston remains the most important site for rare, priority species and habitats within the London Borough of Bromley.”</i> <i>This site has been designated a local nature reserve due to the habitats present; meadows, woodland, heathland, ponds and bog and valley mire.”</i> Notable species present include <i>Calluna vulgaris</i> , <i>Festuca ovina</i> , <i>Ulex minor</i> , <i>Erica tetralix</i> , <i>Sphagnum compactum</i> , <i>Cynosurus cristatus</i> , <i>Centaurea nigra</i> , <i>Agrostis capillaris</i> and <i>Rumex acetosella</i> .	0.1km S

(SPA – Special Protection Area, SAC – Special Area of Conservation, SSSI – Site of Special Scientific Interest, NNR – National Nature Reserve, LNR – Local Nature Reserve, LWS- Local Wildlife Site)

Ancient Woodland

- 5.1.2 There are no ancient woodland parcels within 30m of the Site. The closest ancient woodland is Barnet Wood Ancient & Semi-Natural Woodland (ASNW) which lies approximately 600m east of the Site.

NERC s41 Habitats of Principal Importance (HPI)

- 5.1.3 There are no habitats listed under s41 of the NERC Act 2006 that lie within or adjacent to the Site. However, ‘Wood-pasture and Parkland’ lies 10m from the southern boundary of the Site.

Protected and Notable Species

5.1.4 Existing records of protected and notable species of relevance to the Site returned by the desk study are presented in Table 3 below.

Table 3 – Relevant records of protected and notable species within 2km of the Site

Common Name	Scientific Name	Closest Record (grid ref)	Date
Bats			
Common pipistrelle	<i>Pipistrellus pipistrellus</i>	1.9km E	27/09/2021
Soprano pipistrelle	<i>P. pygmaeus</i>	1.9km E	27/09/2021
Daubenton's bat	<i>Myotis daubentonii</i>	1.8km SE	27/09/2021
Birds			
Barn owl	<i>Tyto alba</i>	Confidential	11/06/2020
Skylark	<i>Alauda arvensis</i>	1.9km W	29/10/2019
Fieldfare	<i>Turdus pilaris</i>	1.9km W	16/02/2019
Brambling	<i>Fringilla montifringilla</i>	1.4km SE	05/12/2019
Lesser Redpoll	<i>Carduelis cabaret</i>	1.4km SE	01/03/2018
Linnet	<i>C. cannabina</i>	1.8km S	26/04/2020
Mistle thrush	<i>Turdus viscivorus</i>	0.7km NW	29/12/2019
House Sparrow	<i>Passer domesticus</i>	1.9km E	14/07/2022
Redwing	<i>T. iliacus</i>	1.0km E	21/02/2021
Song thrush	<i>T. philomelos</i>	1.7km NW	29/05/2021
Starling	<i>Sturnus vulgaris</i>	1.6km NW	01/06/2020
Firecrest	<i>Regulus ignicapilla</i>	0.8km S	12/09/2022
Mammals			
Badger	<i>Meles meles</i>	Confidential	16/01/2019
Harvest Mouse	<i>Micromys minutus</i>	1.6km S	15/09/2019
European hedgehog	<i>Erinaceus europaeus</i>	2.0km S	04/07/2022
Amphibians			
Common Toad	<i>Bufo bufo</i>	0.2km NW	26/03/2021
Common Frog	<i>Rana temporaria</i>	0.1km NW	11/05/2020
Reptiles			
Slow-worm	<i>Anguis fragilis</i>	0.4km S	31/03/2021
Grass Snake	<i>Natrix helvetica</i>	1.6km	20/04/2022
Common lizard	<i>Zootoca vivipara</i>	0.4km	31/03/2021

European Protected Species Mitigation Licences (EPSMLs)

5.1.5 The desk study returned the following records of EPSMLs within 2km of the Site:

- 2016-21306-EPS-MIT - The destruction of a resting place for common pipistrelle and soprano pipistrelle, granted on 26/02/2016. The location of this licence is 1.5km SE of the Site.
- 2016-24813-EPS-MIT - The destruction of a resting place for common pipistrelle and soprano pipistrelle, granted on 08/09/2016. The location of this licence is 1.5km SE of the Site.

5.2 Habitats

Phase 1 Habitat Survey

5.2.1 The following habitat types were recorded within the Site on 08/09/2023:

- Amenity Grassland
- Hedgerows
- Introduced Shrub
- Tall Ruderal
- Scrub
- Hardstanding

5.2.2 A summary of the key botanical species present within each habitat type are included within the descriptions below. A more comprehensive species list is depicted in Appendix C. While considering this information reference should be made to the Phase 1 Habitat Map presented in Figure 1 and photographs presented in Appendix B.

Amenity Grassland

5.2.3 The Site contains amenity grassland which is well-managed and supports perennial rye grass *Lolium perenne*, daisy *Bellis perennis*, dandelion *Taraxacum officinale*, yarrow *Achillea millefolium*, green alkanet *Pentaglottis sempervirens*, ragwort *Jacobaea vulgaris*, white clover *Trifolium repens*, cock's foot grass *Dactylis glomerata* and greater plantain *Plantago major*.

Hedgerows

5.2.4 The Site contains eight hedgerows, comprising different species and found in varying condition, Table 5 provides a summary of each hedgerow.

Table 4– Summary of the hedgerows within the Site.

Hedge	Description	Species	Designation
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H1	Well-managed hedge at 2m height and 1m width. It is found adjacent to AM1 at the Site entrance.	Dominant elm <i>Ulmus procera</i> , occasional hawthorn <i>Crataegus monogyna</i> and ivy <i>Hedera helix</i> .	Species-poor, native hedgerow
H2	Well-managed hedge at 2m height and 1m width, found adjacent to the road at the Site entrance.	Dominant elm and occasional ivy.	Species-poor, native hedgerow
H3	Well-managed hedge at 1.5m height and 1m width. It is found along the SE border.	Dominant cherry laurel <i>Prunus laurocerasus</i> , rare hawthorn and elm.	Non-native hedgerow
H4	Well-managed hedge at 2m height and 1.2m width. It is found adjacent to AM2 at the front lawn of the site.	Dominant Lawson cypress <i>Chamaecyparis lawsoniana</i> and two apple trees <i>Malus domestica</i> .	Non-native hedgerow
H5	Unmanaged hedge at 2.5m height and 2m width, located on the western border.	Abundant field maple <i>Acer campestre</i> , occasional hazel <i>Corylus avellana</i> and beech <i>Fagus sylvatica</i> .	Species-poor, native hedgerow
H6	Managed hedge at 2m height and 1.2m width. It is found along the northwestern border of the site and runs adjacent to H5.	Dominant Lawson cypress, abundant cherry laurel and ivy and rare Bukhara fleecflower <i>Fallopian baldschuanica</i> .	Non-native hedgerow
H7	Well-managed hedge at 1.5m height and 1m width..	Frequent holly, ivy and hazel, occasional elm and hawthorn.	Species-poor, native hedgerow
H8	Well-managed hedge at 3m height and 1m width.	Dominant Lawson cypress.	Non-native hedgerow

Introduced Shrub

- 5.2.5 Ornamental introduced shrub is present in a small area at the entrance to the Site. Species present include abundant boxleaf honeysuckle *Lonicera nitida* and pampas grass *Cortaderia selloana*, occasional rose sp. *Rosa sp.* and common fleabane *Pulicaria dysenterica*.

Tall Ruderal

- 5.2.6 Tall ruderal was present around the edge of the field next to the house. Species present included dominant common nettle *Urtica dioica* with occasional green alkanet, dock *Rumex* sp. and rare burdock *Arctium* sp.

Scrub

- 5.2.7 A small area of scrub is found present between two sections of H8. Species present include dominant bramble *Rubus fruticosus* agg., frequent green alkanet and rare burdock and willowherb sp., *Epilobium* sp.

Spoil Piles

- 5.2.8 There is a compost pile TN1 and bonfire pile TN2.

Hardstanding

- 5.2.9 There are multiple areas of hardstanding found throughout the site in the form of tarmac drives and parking, paths and tennis courts. The outdoor swimming pool is not in current use and is fixed with a cover and is therefore mapped as hardstanding. Some opportunistic plant species can be seen encroaching upon this area, in the form of buddleia *Buddleia davidii* and bramble.

5.3 Protected and Notable Species

Badger

- 5.3.1 The habitats within the site are broadly suitable foraging, commuting and refuge habitat for badger. No signs of badger or their setts were observed during the survey. A small garden area of the Site was inaccessible; no other signs of badger were noted such as pushes or foraging signs.

Bats

- 5.3.2 The vegetation structure including hedgerows and grassland provide limited foraging and commuting opportunities for bats. The habitat is not extensive or well-connected to off-Site habitats however there are optimal habitats nearby in the surrounding environment, including woodland and woodpasture and parkland.

Roosting Habitat – Trees

- 5.3.3 A ground-level roost assessment was undertaken of the trees to be affected by the proposed development within the Site. The assessment concluded that all the trees present within the site have 'Negligible' suitability to support roosting bats (Collins, 2023).

Roosting Habitat - Buildings

- 5.3.4 Four buildings are present within the Site, all of which are to be affected by the proposed development. In addition there are three small outbuildings which had Negligible suitability for bats. Table 6 below provides a description of the four buildings.

Table 5 – Building Descriptions and Suitability to Support Roosting Bats

Building Ref	Description	PRFs (and any evidence found)	Suitable Access points	Level of Suitability
B1	Residential building with brick and pebble dashed walls with a roof of clay tiles.	Ridge board in the roof.	Small tear in roof lining but no access visible externally.	Negligible
B2	Metal and glass greenhouse.	None	None	Negligible
B3	Single storey building with rendered concrete and PVC cladded walls, and a flat roof covered by felt.	A small gap in the edge of felt roof and two in the PVC cladding, however, the holes are shallow.	Gap at the edge of felt roof and two gaps in the PVC wall cladding.	Negligible
B4	A toilet block and store room, constructed of concrete render and timber cladding. Flat roof made of metal with a very slight pitch.	None	None	Negligible

Breeding Birds

- 5.3.5 No nesting birds or disused nests were recorded during the survey. Suitable nesting habitat is present within the Site in the form of dense scrub, tall ruderal, hedgerows and scattered trees.

Hazel Dormouse

- 5.3.6 The hedgerows are regularly managed and have limited connections to other habitat except for H8 which is connected to wider habitat to the north. H1, H2, H5 and H7 support native species however they are species-poor. Overall the hedgerows have low potential for hazel dormouse.

Great Crested Newt

Terrestrial Habitat

- 5.3.7 The scrub, tall ruderal, hedgerows and amenity grassland provide sub-optimal but suitable terrestrial foraging habitat for GCN, whilst the compost and bonfire pile (TN1 & TN2) provide suitable refugia and hibernacula.

Aquatic Habitat

- 5.3.8 A review of available online OS mapping identified one pond within 250m of the Site, as depicted on Figure 2, however, this waterbody was dry and therefore unsuitable. As the waterbody was deemed unsuitable, a HSI was not undertaken.

Reptiles

- 5.3.9 The majority of the Site is regularly managed amenity grassland and hardstanding. The tall ruderal, scrub, hedgerows, compost and bonfire piles provide suitable limited habitat for reptiles.

Other species

- 5.3.10 The habitats recorded within the Site provide optimal foraging and resting places for European hedgehog, a “Notable” species and SPI listed under S41 of the NERC Act 2006.
- 5.3.11 Beyond those noted above, the survey identified negligible suitability for other species of conservation concern within the Site.

6 EVALUATION AND RECOMMENDATIONS

6.1 Designated Sites

Statutory Designated Sites

Internationally Designated Sites

6.1.1 The desk study returned no records of Internationally Designated Sites within 5km of the Site.

Nationally Designated Sites

6.1.2 The desk study returned two records of Nationally Designated Sites within 2km of the Site. The closest designated site is Hayes Common, Keston Common, Ravensbourne Open Space & Padmall wood LNR which is 0.1km south of the site. This site will not be impacted by the proposed development provided that artificial lighting is kept to a minimum, see paragraph 6.4.4.

Non-Statutory Designated Sites

6.1.3 The desk study returned no records of non-statutory designated sites within 2km of the Site.

6.1.4 Due to the limited extent and nature of the proposals, coupled with the spatial separation and lack of habitat linkages, no designated sites are considered likely to be impacted by the proposed development.

6.2 Ancient Woodland

6.2.1 Guidance from Natural England and the Forestry Commission state that no development should occur within 15m of an ancient woodland. The proposed development lies well beyond 15m and no detrimental impacts to this or any other area of ancient woodland are likely to result from the proposed development.

6.3 Habitats and Botanical Species of Interest

6.3.1 The NERC s41 HPI, of 'Wood-pasture and Parkland' lies within 10m of the southern boundary of the site. The proposals will not impact any offsite areas provided that artificial lighting is kept to a minimum, see paragraph 6.4.4.

6.4 Protected and Notable Species

Badger

6.4.1 Although suitable habitat for badger is present within the Site, no evidence of badger was recorded within or adjacent to the Site, and no further consideration to the presence of badgers is required at this time.

6.4.2 However, badgers are a highly mobile species that will readily move into new areas. As badgers and their setts are protected under the Protection of Badgers Act 1992, should 12

months elapse between the survey date and the commencement of works, an update survey of the Site for evidence of badgers should be undertaken.

Bats – Commuting and foraging habitat

6.4.3 The Site's habitats are considered to offer 'Low' suitability for foraging and commuting bats. The boundary hedgerows and trees are being retained in the proposals and the impact of the proposals on foraging bats is considered negligible so there is no requirement for bat activity surveys.

6.4.4 Since lighting can be detrimental to bats using vegetation for foraging and commuting, any external lighting proposed for the development should avoid direct illumination of the vegetation and boundary features. The Institution of Lighting Professionals (ILP), in partnership with the Bat Conservation Trust (BCT), has published guidance relating to bats and lighting – this is available at the following link; <https://www.theilp.org.uk/documents/guidance-note-8-bats-and-artificial-lighting/>.

Bats – Roosting habitat

6.4.5 A ground-level roost assessment of trees to be affected by the proposed development identified all trees as having negligible potential to support roosting bats, and thus no surveys of the trees present are required.

6.4.6 All buildings support negligible suitability for roosting bats. Therefore, further surveys are not required.

Breeding Birds

6.4.7 Suitable breeding, nesting and foraging habitat for breeding birds is present in the dense scrub, hedgerows and scattered trees. Breeding bird surveys are not required however replacement of habitats should be included within the associated landscape strategy through generous planting.

6.4.8 As all nesting birds are protected under the Wildlife and Countryside Act 1981 (as amended) it is recommended that works to suitable vegetation and buildings (where necessary) are conducted outside the core breeding period for birds, late February – August inclusive.

6.4.9 Should these timings be unfeasible, a survey for the presence of breeding birds should be conducted by a suitably experienced ecologist immediately prior to the start of works. Should evidence of breeding birds be recorded, works within 5m of the nest, or works that have the suitability to destroy the nest(s), should stop until the eggs have hatched, and the chicks fledged, or the nest is deemed by a suitably experienced ecologist to no longer be active.

Hazel Dormouse

6.4.10 The hedgerows and scrub are of low value to dormice as they are regularly maintained, fragmented and have low representation of native species. H8 is the only hedgerow connected to the wider landscape however this is composed of non-native cypress. Moreover, H4 is the only hedgerow being removed as part of the proposals and this is unsuitable for dormice. No further surveys are required.

Great Crested Newt

6.4.11 The desk study identified no records of GCN, however, the select habitats within the Site are considered suitable for the species during its terrestrial phase. As there are no suitable waterbodies for GCN within 250m of the site, the risk of their presence on Site is considered negligible and the species will not be further considered.

Reptiles

6.4.12 Desk study records of reptile species including slow worm, common lizard and grass snake were identified within 2km of the Site. The scrub, tall ruderal and hedgerows provide foraging and sheltering habitat for reptiles within the Site. The Site also contains bonfire and compost piles which provide suitable sheltering habitat for reptiles. The amenity grassland habitats within the site are well-maintained and unsuitable for reptiles. To ensure the absence of reptiles in this area, the amenity grassland must continue to be well-maintained.

6.4.13 All UK native reptile species are protected under the Wildlife and Countryside Act 1981 (as amended) from intentional killing and injury amongst other offences. In this instance, a reptile survey to determine presence/likely absence is not considered necessary due to the small extent and poor quality of habitat present, however the following measures need to be implemented prior and during construction as a precaution.

- Maintain short grassland (<50mm) prior and during construction work.
- Manage the scrub and tall ruderal habitat during May-September by cutting to 150mm followed by a cut to 50mm a week later. Maintain short vegetation up until construction starts.
- Dismantle any spoil piles in the construction zone by hand and during the active period for reptiles, which is March – October.
- Store all materials on hardstanding and on pallets to avoid creating a refuge for reptiles.

Other species

6.4.14 There are records of hedgehog present within 2km of the Site, habitats within the Site that have the suitability to support the species and suitable connected habitats within the wider

landscape. It is recommended that the bonfire pile and compost pile (TN1 & TN2) are turned carefully by hand outside of the winter months November – February to avoid killing or injuring hibernating hedgehogs. The bonfire pile should be carefully relocated before burning.

6.4.15 There are no further issues regarding protected species on the Site and no further surveys to determine the presence of other protected species are required in this instance.

6.4.16 Should at any point during the development a protected or notable species be identified within the Site, then all works should stop and the appointed ecologist consulted on the appropriate manner in which to proceed.

7 ECOLOGICAL ENHANCEMENTS

7.1 Opportunities to include biodiversity enhancements within the Site exist and in accordance with the requirements of the NPPF 2023 the following recommendations are considered appropriate for the Site:

- The installation of four bird boxes in suitable locations such as trees and/or integrated into any proposed dwellings would increase the Site's suitability for nesting birds. Boxes should be selected from either integrated boxes such as those available from www.habibat.co.uk, or open fronted and hole fronted nesting boxes. To maximise suitability, boxes should be installed on sheltered aspects close to vegetation at a height of 2-3m, preferably on north, north-east or north-west facing elevations.
- The installation of four swift *Apus apus* boxes, which will be incorporated into the buildings at eaves height.
- The installation of two bat boxes installed in suitable locations would increase the Site's suitability for roosting bats. These boxes should be installed at a height of 3m or more or at eaves height on sunny, sheltered aspects, away from direct illumination by artificial lighting and in a location, which ensures connectivity to foraging habitats within the wider landscape. In this instance, two Schwegler 2FN (or similar) are recommended for any suitable retained trees on the peripheries of the development within retained 'dark corridors'.
- The incorporation of a wildlife-friendly planting scheme within the grounds post-development, including native plant species, would be of benefit to invertebrates, and subsequently birds and bats. In particular, native tree and hedgerow planting is recommended using species such as pedunculate oak, field maple, hawthorn, blackthorn and hazel.
- The incorporation of bug hotels, beetle banks, loggeries and/or bee posts would enhance the opportunities within the Site for invertebrates. It is recommended that six bee bricks are incorporated into south and east facing walls.
- To maintain and enhance the Site for hedgehogs, the proposed development should incorporate 'hedgehog highways'; gaps 13 x 13cm will need to be installed at the base of any closeboard fencing and these should be located in places which link established planting. In addition, new hedgerow and scrub planting along with log and brash piles should be used to strengthen and extend existing green corridors, such as around the boundary of the Site. A minimum of ten log piles and two brash piles are recommended, to be situated around the boundaries of the Site and at the base of retained vegetation.

8 REFERENCES

Chartered Institute of Ecology and Environmental Management. (CIEEM). (2018). Guidelines for Preliminary Ecological Appraisal. 2nd Edition. CIEEM. Winchester.

Collins, J. (ed.). (2023). Bat Surveys for Professional Ecologists: Good Practice Guidelines (4th edn). Bat Conservation Trust, London.

JNCC. (2016). Handbook for Phase 1 Habitat Survey; A Technique for Environmental Audit. Peterborough.

Natural Environment and Rural Communities (NERC) Act (2006).

<http://www.legislation.gov.uk/ukpga/2006/16/contents>

National Planning Policy Framework (NPPF) (2023).

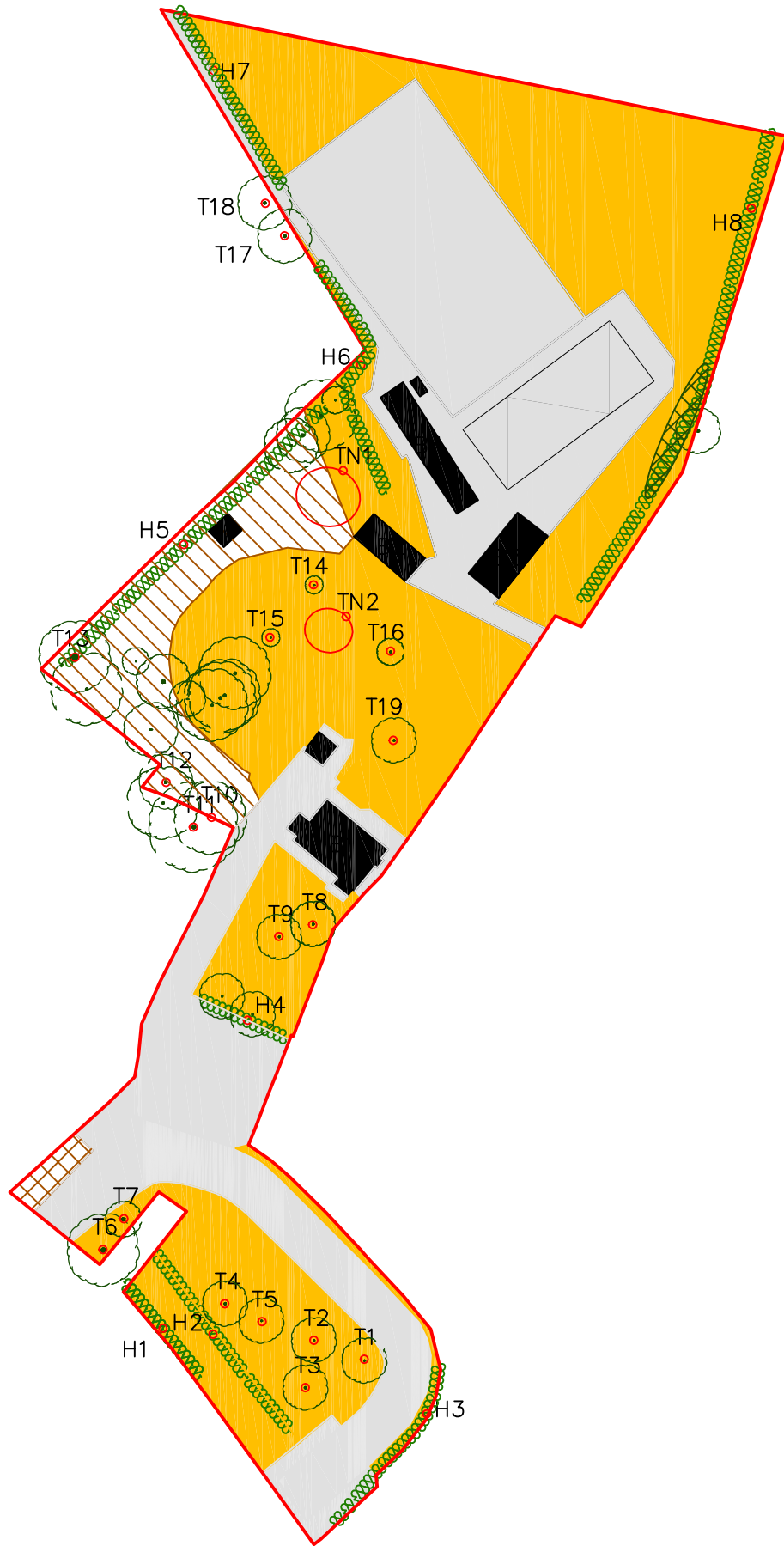
https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/740441/National_Planning_Policy_Framework_web_accessible_version.pdf

Office of the Deputy Prime Minister (ODPM) Circular 06/2005. Biodiversity and Geological conservation – Statutory Obligations and their Impact within the Planning System. ODPM, London.

Protection of Badgers Act (1992). <http://www.legislation.gov.uk/ukpga/1992/51>

The Wildlife and Countryside Act (as amended) 1981. <http://jncc.defra.gov.uk/page-1377>

Figures



Project Title : 133 Baston Road

Job Reference : J21333

Drawing Title : Figure 1 - Pre-Development

Date : 27.09.2023

Status : Final

Scale : NTS

Drawn : JP

Checked : JP

Approved : N/A

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No dimensions are to be scaled from this drawing.
All dimensions are to be checked on site. All measurements are for indicative purposes only.

Legend

- Site Boundary
- Dense Scrub
- Improved Grassland
- Tall Ruderal
- Introduced Shrub
- Hedgerow
- Tree
- Hardstanding
- Building
- Target Note
- Hedgerow
- Tree

Appendices

APPENDIX A – PHOTOGRAPHS



Plate 1. B1



Plate 2. B2



Plate 3. B3



Plate 4. H4



Plate 5. H1 and H2



Plate 6. Bonfire pile TN2

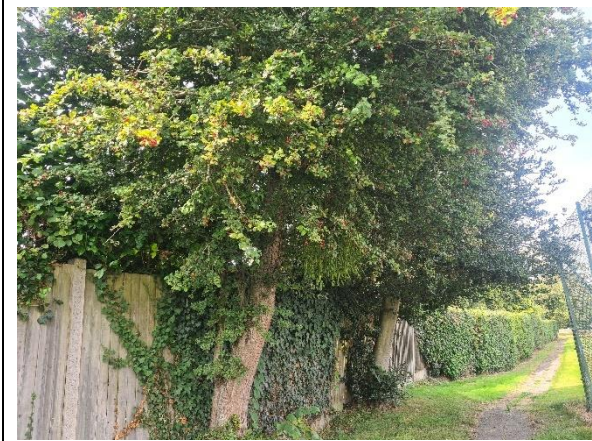


Plate 7: T17 and T18



Plate 8: Amenity grassland

APPENDIX B – Legislation and Planning Policies

Legislation

- The Conservation of Habitats and Species Regulations 2017 (as amended) transposes European Union Council Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora (EC Habitats Directive) into National law. These regulations provide for the designation and protection of 'European Sites', the protection of 'European Protected Species' and the adaptation of planning controls for the protection of such sites and species. Under the regulations, public bodies have a duty in exercising their functions to have regard to the EC Habitats Directive.
- The Environment Act 2021 operates as the new framework of environmental protection following the United Kingdom's departure from the EU. The Environment Act allows the UK to enshrine some environmental protection into law, and offers new powers to set new binding targets, including for air quality, water, biodiversity, and waste reduction. The Act mandates the creation of Local Nature Recovery Strategies, Protected Site Strategies, Species Conservation Strategies, and the use of conservation covenants to support the design and delivery of strategic approaches to deliver better outcomes for nature. Additional mandates covered by The Act (Part 7) will come into force in November 2023 and include:
 - A requirement for Biodiversity Net Gain for developments, to ensure all development deliver a minimum of 10% net gains in biodiversity (Section 98).
 - Strengthening of the duty placed on all public bodies to “conserve” and “enhance” biodiversity (Section 102).
 - Duty placed upon Local Authorities to consult prior to felling street trees (Section 115).
- The Wildlife and Countryside Act 1981 (as amended) provides detail on a range of protection and offences relating to wild birds, other animals, and plants. The level of protection depends on which Schedule of the Act the species is listed on. Licences are available for specific purposes to permit actions that would otherwise constitute an offence in relation to species.
- The Countryside Rights of Way Act 2000 provides additional support to the Wildlife and Countryside Act 1981; for example, increasing the level of protection for certain species of reptiles.
- The Natural Environment and Rural Communities (NERC) Act 2006 imposes an obligation on all public bodies, including local authorities, to consider whether their activities can contribute to the protection of wildlife. The duty is created by section 40(1) of the Act, which

states that: “Every public authority must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity.”

- The Hedgerows Regulations 1997 are enforced under the Environment Act 1995, and serves to: restrict the removal of hedgerows, or parts of hedgerows which are over 20m in length. In this case, removal includes digging up and replanting elsewhere, as well as removing from the land completely or destroying in the course of other actions. This includes developments or activities which destroy the roots, causing the vegetation to die.
- The Protection of Badgers Act 1992 exists to protect badgers *Meles meles* from cruelty. Under the act it is a criminal offense to wilfully kill, injure, take, possess or cruelly ill-treat a badger, or to attempt to do so, or to intentionally or recklessly interfere with a sett.
- The Wild Mammal (Protection) Act 1996 protects wild mammal species from certain cruel acts, including kicking, beating, nailing, or otherwise impaling, stabbing, burning, stoning, crushing, drowning, dragging or asphyxiation of any wild mammal with intent to inflict unnecessary suffering. Crushing and asphyxiation are most likely to occur as a result of development proposals, should these works collapse any mammal burrows, or encounter wild mammals on site.

National Planning Policy

- The National Planning Policy Framework (2023) states (Section 15) that the planning system should identify, map and safeguard components of local wildlife-rich habitats and wider ecological networks; promote the conservation, restoration and enhancement of priority habitats, ecological networks and the protection and recovery of priority species; and identify and pursue opportunities for securing measurable net gains for biodiversity. It also states that local planning authorities should refuse planning on the following principles:
 - If significant harm to biodiversity resulting from a development cannot be avoided, adequately mitigated, or, as a last resort, compensated for;
 - If development is on land within or outside a Site of Special Scientific Interest (SSSI), and is likely to have an adverse effect on it (the exception being where the benefits of the development in the location proposed clearly outweigh its likely impact);
 - If development results in the loss or deterioration of irreplaceable habitats, such as ancient woodland and ancient or veteran trees (unless there are wholly exceptional reasons, and a suitable compensation strategy exists).

- Additionally, the NPPF states that development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to incorporate biodiversity improvements in and around developments should be encouraged, especially where this can secure measurable net gains for biodiversity.
- Species and Habitats of Principal Importance for Conservation in England and Wales and priority habitats and species listed in the Bromley Biodiversity Plan 2021-2026 are species which are targeted for conservation. The government has a duty to ensure that involved parties take reasonable practice steps to further the conservation of such species under Section 41 of the Natural Environment and Rural Communities Act 2006. In addition, the Act places a biodiversity duty on public authorities who 'must, in exercising their functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity' (Section 40 [1]). Criteria for selection of national priority habitats and species in the UK include international threat and marked national decline.
- Bromley Local Plan Policy 68 to 79 relates to Nature Conservation. For example, regarding Wildlife Features, Policy 70 states: Where development proposals are otherwise acceptable, but cannot avoid damage to and/or loss of wildlife features, the Council will seek through planning obligations or conditions i) inclusion of suitable mitigation measures; and ii) creation, enhancement, and management of wildlife habitats and landscape features to contribute towards the Bromley Biodiversity Action Plan.

APPENDIX C: SPECIES LIST

Common Name	Scientific Name	DAFOR
<u>Amenity Grassland</u>		
Daisy	<i>Bellis perenne</i>	F
Yarrow	<i>Achillea millefolium</i>	O
Elm (saplings)	<i>Ulmus procera</i>	R
Hawkweed sp.	<i>Hieracium sp.</i>	O
Perennial rye grass	<i>Lolium perenne</i>	D
Annual meadow-grass	<i>Poa annua</i>	A
Cat's ear	<i>Hypochaeris radicata</i>	O
Dandelion	<i>Taraxacum officinalis spp.</i>	F
Ribwort plantain	<i>Plantago lanceolata</i>	O
Common ragwort	<i>Jacobaea vulgaris</i>	O
Green alkanet	<i>Pentaglottis sempervirens</i>	R
White clover	<i>Trifolium repens</i>	A
Cock's foot	<i>Dactylis glomerata</i>	F
Greater plantain	<i>Plantago major</i>	O
<u>Introduced Shrub</u>		
Rose	<i>Rosa sp.</i>	O
Boxleaf honeysuckle	<i>Lonicera nitida</i>	A
Bramble	<i>Arctium sp.</i>	F
Common fleabane	<i>Pulicaria dysenterica</i>	R
Pampas grass	<i>Cortaderia selloana</i>	A
Ivy	<i>Hedera helix</i>	F
<u>Tall Ruderal</u>		

Common nettle	<i>Urtica dioica</i>	D
Dock sp.	<i>Rumex sp.</i>	O
Burdock	<i>Arctium sp.</i>	R
Green alkanet	<i>Pentaglottis sempervirens</i>	O
Hedge bindweed	<i>Calystegia sepium</i>	LA
Butterfly bush	<i>Buddleia davidii</i>	F
Creeping thistle	<i>Cirsium arvense</i>	F
Bramble	<i>Rubus fruticosus agg.</i>	F

Dense Scrub

Bramble	<i>Rubus fruticosus agg.</i>	D
Green alkanet	<i>Pentaglottis sempervirens</i>	F
Willowherb sp.	<i>Epilobium sp.</i>	R
White dead-nettle	<i>Lamium alba</i>	O
Burdock	<i>Arctium sp.</i>	R