

Preliminary Ecological Assessment

Survey Site: Florence Cottage,
4, Pear Tree Lane.
Claverley,
Wolverhampton.
WV5 7AT

Grid reference: SO81419190

Survey Date: 21st November 2023

Report Reference: 040/23

Site investigation undertaken by:
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Questions arising from the survey report should be directed to Shropshire Wildlife Surveys who will be pleased to clarify any issues raised.

Whilst the surveyor makes every reasonable effort, Shropshire Wildlife Surveys cannot guarantee that all protected species have been identified and survey results are definitive.

Reports are not normally valid for more than two years. It is recommended that Surveys are checked after one year for change of status of protected species.

Where EPS Licences are recommended / required; reports over two years old will not normally be acceptable. In the case of Low Impact Class Licences surveys must be up to date and have been conducted within the current or most recent optimal season.

All species records will belong to the surveyor and will be passed to the LRC in accordance with current guidelines.



Executive Summary

Shropshire Wildlife Surveys were commissioned by the owner to carry out an ecological survey and assessment of Florence Cottage, 4, Pear Tree Lane, Claverley, Wolverhampton, WV5 7AT, (Grid ref: SO81419190) in relation to proposed - Demolition of Florence Cottage and replacement with 4 - bedroom two storey house. (To include demolition of out buildings.)

The survey was carried out on the 21st November 2023 by John Morgan an experienced wildlife surveyor and licensed Bat and Great Crested Newt worker.

Results.

The site is located approximately 2km southeast of Claverley and 1km northwest of Halfpenny Green airfield.

The site comprises a small cottage within the grounds of a large, detached house dating from 1930's set in landscaped gardens. It is set in a predominantly rural arable farmscape.

No evidence of bats was found within the cottage and outbuildings.

Old Barn Swallow, Wren, Robin, and Blackbird nests were observed within the outbuildings.

A pond (former concrete lined swimming pool) is within 100m of the proposed works and was assessed as having a H.S.I. score of 0.60 which is classed as 'Average'.

Assessment Summary.

Based on the lack of evidence, the well-maintained state of the cottage and its construction materials and methods, the surveyor is of the opinion that the cottage has a **negligible to low potential** for roosting bats with the outbuildings having a **negligible potential** for roosting bats, and in accordance with current guidelines, no further surveys for bats are recommended for the site.

Despite the H.S.I score for breeding Great Crested Newts, after taking into consideration the lack of nearby records, the actual ponds history and suitability for the species and the adjacent habitat, the surveyor is of the opinion that it is unlikely that the species will be found in the immediate area of works.

Standard advice concerning nesting birds is advised for any works that will affect structures or vegetation during the proposed works.

The surveyor is of the opinion that provided the recommendations and enhancements stated within the full report are followed, it is unlikely the proposed development will have any impact upon any protected species that might be found in the local area.

If any protected species are found at any stage of the development, then work in that area must stop and Shropshire Wildlife Surveys contacted on 01952 416307 / 07854025807 or alternatively, Natural England on 0300 060 3900 for advice.



John Morgan
November 2023



1.0 Introduction.

Shropshire Wildlife Surveys were commissioned by the owner to carry out an ecological survey and assessment of Florence Cottage, 4, Pear Tree Lane, Claverley, Wolverhampton, WV5 7AT, (Grid ref: SO81419190) in relation to proposed - Demolition of Florence Cottage and replacement with 4 - bedroom two storey house. (To include demolition of out buildings.)

The survey was carried out on the 21st November 2023 by John Morgan an experienced wildlife surveyor and licensed Bat and Great Crested Newt worker, Natural England licence numbers: -

Bats

CLS19 - 2015-17229-CLS-CLS

CLS20 - 2015-14388-CLS-CLS

Great Crested Newts.

CLS08 - 2015-17175-CLS-CLS

Box Trap - 2022-56073-SCI-SCI

In accordance with the guidance given in The Natural Environment and Rural Communities Act (NERC) 2006, National Planning Policy Framework (NPPF), ODPM Circular 06/2005 and 'The Conservation of Habitats and Species Regulations 2010:'

Evidence was sought of the presence or absence of protected species as defined in:

The Wildlife and Countryside Act 1981 - as listed in:

Schedule 1. Birds protected by special penalties at all times,

Schedule 5. Protected animals

Schedule 9. Part II Invasive Weeds

The Conservation [Natural Habitats, &c.] Regulations 1994 - as listed in:

Schedule 2. European protected species of animals

The Conservation of Habitats and Species Regulations 2010.

A summary of legislation and the law applicable to Protected Species is shown at appendix 1.

The area investigated is highlighted in red on the appended documents:

Ordnance Survey map abstract & Aerial photograph (Appendix 2)

Site Plan (Appendix 3)

2.0 Site Description.

The site is located approximately 2km southeast of Claverley and 1km northwest of Halfpenny Green airfield.

The site comprises a small cottage within the grounds of a large, detached house dating from 1930's set in landscaped gardens.

It is set in a predominantly rural arable farmscape.

3.0 Methodology.

3.1 Desk Study.

A desk study was carried out to locate any national and local nature conservation designations and any species records which already exist for the area. The desk study was based upon a search of the NBN Gateway with the view of consultation of the Local Record Centre should the NBN suggest the need for more in-depth results.



Ordnance Survey, Magimap, and Aerial photographs were scrutinised for any features that might indicate probable species to be found.

The Local Planning website was trawled for additional information from local planning permission to determine if any Protected Species records have not yet been entered onto the local record centre data set.

3.2 Field Survey.

The survey was carried out in accordance with the guidelines presented in the Handbook for Phase 1 Habitat Survey (JNCC, 2007 edition). This is a standard technique for classifying and mapping most British habitats. The aim is to provide a record of habitats that are likely to be ecologically important.

The area of site impacted by the proposed works was walked to identify any features of note. Broad habitat types were recorded and mapped. 'Target Notes' were used to record habitats and features considered to be of interest, lists were made of incidental species observed or signs of their presence.

A site plan showing existing and proposed buildings is shown at appendix 3a & 3b.

A plan showing location of ponds with 100m and 250m radius included at appendix 4.

A selection of photographs describing the buildings and ponds is shown at appendix 5.

Schedule 9. Part II Invasive Weeds would be identified during the walk over.

3.3 Bats.

Trees and any structures are assessed using criteria shown in the BCT Bat Surveys Good Practice Guidelines 3rd Edition.

Available equipment included bright torches, mirrors, inspection camera (endoscope) digital camera with x50 optical and x2 digital magnification (total of x100 magnification), close focus binoculars and ladders.

3.4 Amphibians and Reptiles.

The site was assessed for its habitat potential for amphibians and reptiles.

Ponds are assessed for likelihood of being used by breeding Great Crested Newts using the Habit Suitability Index scoring methodology¹.

3.5 Other Protected Species.

Species considered would be nesting birds.

4.0 Constraints

There were no constraints.

5.0 Results

5.1 Desk Study.

Three ponds were identified within 250m of the site on Ordnance Survey maps and Aerial photographs, all are over 100m from the area impacted by the proposed works. Using Natural England Rapid risk assessment form WML-A14-2 and a site area of 1470m² these ponds were assessed as having a Notional Offence Score of 0.1 which is "Offence Highly Unlikely."

However: A further pond was discovered during the walk over within 100m of the impacted

¹ Oldham R.S., Keeble J., Swan M.J.S. & Jeffcote M. (2000). Evaluating the suitability of habitat for the Great Crested Newt (*Triturus cristatus*). Herpetological Journal 10 (4), 143-155.



area. Using the above methodology, the Notional Offence Score is 0.5 which is “Offence Likely.”

The site falls within SSSI Impact Zones. According to MagicMap, the proposed works do not meet the trigger point for further consultation with Natural England.

According to UK Gov website, the site falls within Flood Zone 1 with Very Low potential of Surface Flooding expected at the site.

Records of five species of bat are recorded within 500m of the site, all are attributed to the surveyor.

No other records of protected species were discovered on available resources within 500m. The nearest records of Great Crested Newts are approximately 3km to the east.

5.2 Site Survey.

The site was surveyed on 21st November 2023 by John Morgan of Shropshire Wildlife Surveys.

Weather during the survey was: - Temperature: 12°C. Cloud: 7/8 St. Wind: F0 to F2 variable.

The area impacted by the proposed works include hardstanding and gravel around the existing cottage, garage and stables and garden lawn.

No evidence of Schedule 9. Part II Invasive Weeds were identified during the walk over.

It was noticed that a cat that lives within the garage and stables is feral, but occasionally fed by the site owners and neighbours.

During the walkover, an additional pond (Pond A) was discovered, it is a concrete lined former swimming pool that was converted to a pond as a feature for a landscaped gravel garden containing shrubs and sculptures.

Because of the presence of this pond the next nearest pond was visited (pond B) to determine potential likelihood of breeding Great Crested Newts in the area.

5.3 Bats.

The cottage is a former garage dating from the 1930's which was converted to a dwelling it is believed in the 1950's. It is of brick walled construction with a pitched roof of interlocking concrete tiles over bitumastic felt sarking. Ground floor extensions had a mixture of flat roof with bitumastic felt covering or mono-pitch tiled the same as the main roof.

Ridge tiles and gable verges were all well mortared with no visible gaps. A gap in the lead flashing at the chimney was closely examined using available optical equipment and an internal inspection of the gap from inside the loft was closely inspected using an inspection camera (endoscope). Cobwebs and detritus across the gap indicated no disturbance from bats or birds.

All soffits, fascia boarding, and windows were sealed with either mortar or mastic sealant.

The loft space is above vaulted ceilings to the bedrooms below and is around 1.2m high. The floor of the loft is insulated with rock wool matting. A considerable amount of small rodent droppings was present within latrines and scattered above and below the insulation.

No evidence of bats was observed within the loft space.

The cottage was assessed as having negligible to very low potential for roosting bats based on its construction methods, materials, and well-maintained state of repair.

No evidence of bats was observed within the garage, or stables. The structures were assessed as having negligible potential for roosting bats.



5.4 Nesting Birds.

No evidence of nesting birds was observed within the cottage.

Within the garage were several old Barn Swallow nests, 3 of which have been re-used by Robin or Wren.

An old nest, most likely Blackbird was observed within the stables.

5.5 Amphibians and reptiles.

Using current guidance, pond A adjacent to the site was assessed for Great Crested Newts and scored using the Habitat Suitability Index (H.S.I.) scoring methodology.

This former swimming pool is constantly aerated by a fountain and filter system. The H.S.I score was 0.60, which is classed as having an average potential for use by breeding Great Crested Newts. However, there are no margins to this former concrete swimming pool and very little suitable vegetation normally associated with this species. This pond is located within an area of landscaped gravel garden containing ornamental plants and sculptures. This is surrounded by garden lawn to three sides with gravel driveway to the east.

Based on the above result the next nearest pond (Pond B) was visited and scored using H.S.I methodology. This pond is relatively new and does not appear on ordnance survey maps, but visible on aerial photographs. This pond is ornamental and fed from adjacent brook via a sluice gate, there was an obvious surface current across the pond.

The H.S.I. score for this pond was 0.72 which is classed as 'Good'. The pond is surrounded by brook to the south with the remainder being garden lawn and ornamental shrubs.

Location of ponds with distance radius and table 1, showing H.S.I. calculations is at appendix 3.

5.6 Other Protected Species.

No evidence of any other Protected species was observed.

6.0 Assessment.

6.1 Bats.

The cottage was assessed as having **negligible to very low potential** for roosting bats with the garage and stables assessed as **negligible potential** for roosting bats.

Using current guidance notes the surveyor is of the opinion that no further surveys are required for bats.

The surveyor is of the opinion that provided the recommendations at section 7 are complied with there will be no impact on any bats that might be found in the local area.

6.2 Nesting Birds.

The proposed development will have no impact on breeding birds in the local area.

6.3 Amphibians and reptiles.

It is not possible to carry out suitable surveys for amphibians and reptiles at the time of the survey so best practices are used to determine likely presence.

The H.S.I. score for the ponds is Average and Good but this scoring methodology does not consider all relative factors for identifying presence for the species.

Taking into consideration the lack of records for the area, the relatively modern age of ponds and their construction methods, the use of filtration and waterfall in pond A and the flow of water through pond B. Also, the immediate surrounding habitat of the ponds with the wider habitat of intense arable farming the surveyor is of the opinion that there is a very



low potential of Great Crested Newts being present in the immediate area and as such a precautionary approach should be used when carrying out demolition and construction on the site.

6.4 Other Protected Species.

It is not envisaged that the proposed development will have any impact on any other protected species that might be in the local area.

7.0 Recommendations.

To meet local council ecological policies and current best practice guidelines it is recommend that the following ecological requirements, enhancements, and precautions are included in the overall scheme.

7.1 External Lighting.

- Any exterior security or decorative lights to be installed on the development site shall be less than 3m from the ground and fitted with hoods to direct the light below the horizontal plane, at an angle of less than seventy degrees from vertical, and shall not be fixed to, or directed at, bat boxes or gables or eaves.
- Lighting must be less than 3 lux at ground level and there shall be no light splay exceeding 1 lux along buildings, eaves or roof or adjacent hedgerows or trees.
- Any lighting shall be Passive Infrared (PIR) triggered.

Reason: To minimise disturbance to bats, which are European Protected Species.

7.2 Nesting birds.

- No development works or vegetation clearance shall take place at any time within the bird breeding season (March 1st to August 31st inclusive) unless the site checked by a suitably competent person and there are no breeding birds, their young, nests or eggs that would be disturbed by the works to be carried out.
- If breeding birds, their young or eggs are found, no works may take place until the bird breeding season is completed or they have left the nest and there is no evidence of their returning. (Further advice at appendix 7)

Reason: To ensure the protection of nesting birds, which are protected under the Wildlife and Countryside Act 1981 (as amended).

7.3 Enhancements.

A minimum of one external woodcrete bat box or integrated bat brick, suitable for nursery or summer roosting for small crevice dwelling bat species, and a minimum of one artificial bird nests, of either integrated brick design or external box design, shall be erected on the site prior to first use of the development.

The boxes shall be sited at an appropriate height above the ground, with a clear flight path and where they will be unaffected by artificial lighting. The boxes shall thereafter be maintained for the lifetime of the development.

Reason: To ensure the provision of nesting opportunities for birds and roosting opportunities for bats, in accordance with MD12, CS17 and section 175 of the NPPF.

7.4 Site Precautions during development.

7.4.1 Amphibians and Reptiles.

Any major ground works should be carried out at a time of year when Great Crested Newts



would not be expected to be moving across it, typically October to middle of February. (Weather dependant.)

Minor groundwork's may be carried out at other times of the year following consultation with the Ecological Clerk of Works and during daylight hours only. Any trenches must be backfilled at the end of the day to prevent any amphibians falling in and becoming trapped during the night.

The duration of ground works must be kept as short as possible, no large machinery is to be used during any excavations without the use of a banks man to oversee the operating area of the bucket to look out for any Great Crested Newts. (It would be considered that no banks man would be needed with a mini digger.)

- No debris or building materials must be stored on the ground.
- Any spoil must be stored away from the boundaries of the site and hard compacted to prevent any access for Great Crested Newts
- All deliveries of building materials other than bulk aggregates are to be stored on pallets.

This is to prevent amphibians seeking shelter beneath items stored on the ground and being injured or killed when stored items moved.

7.4.2 General precautions.

It is possible that wildlife might cross the site during the construction phase.

To remove any danger of an animal becoming trapped in trenches it is recommended that trenches are either back filled at the end of each day, or securely covered to prevent access or more practically, the ends of the trenches are sloped, or mammal ramp installed to allow any animal accidentally falling into the trench to escape on its own.

Pipe work with a diameter of more than 120mm must be securely covered at the end of each working day to prevent animals gaining access and getting trapped.

If any protected species are found at any stage of the development, then work in that area must stop and Shropshire Wildlife Surveys contacted on 01952 416307 / 07854025807 or alternatively, Natural England on 0300 060 3900 for advice.

A handwritten signature in black ink that reads "John Morgan".

**John Morgan.
November 2023**



Protected Species and the Law (Brief summary)

Taken together, the Wildlife and Countryside Act 1981 (WCA) (as amended), the Countryside and Rights of Way Act 2000 (CRoW), and the Conservation (Natural Habitats, &c.) Regulations 1994, make it illegal to:

- intentionally or deliberately kill, injure or capture (or take) any protected species;
- deliberately disturb any protected species;
- recklessly disturb any protected species;
- damage or destroy a 'breeding site or resting place' of any protected species;
- possess or transport unless acquired legally any protected species;
- sell (or offer for sale) or exchange, or parts of any protected species.

Because bats tend to re-use the same roosts after periods of vacancy, legal opinion is that the roost is protected whether or not the bats are present at the time.

Enforcement

The police are the main enforcement body for wildlife offences, and in some cases local authorities may also take action.

Section 24(4) of the 1981 Act gives English Nature the function of providing advice or assistance to the police in respect of alleged offences.

The maximum fine on conviction of offences under Section 9 of the 1981 and Regulation 39 currently stands at £5000.

The CRoW Act 2000 amended the 1981 Act to allow for a custodial sentence of up to six months instead of, or in addition to, a fine.

Note: Fines may be imposed in relation to each offence committed, so operations involving many animals or repeated offences can potentially accrue large fines.

In addition, items which may constitute evidence of the commission of an offence may be seized and detained.

The CRoW Act 2000 also amends the Police and Criminal Evidence Act 1984 to render Section 9 offences 'arrestable', giving the police significant additional powers.

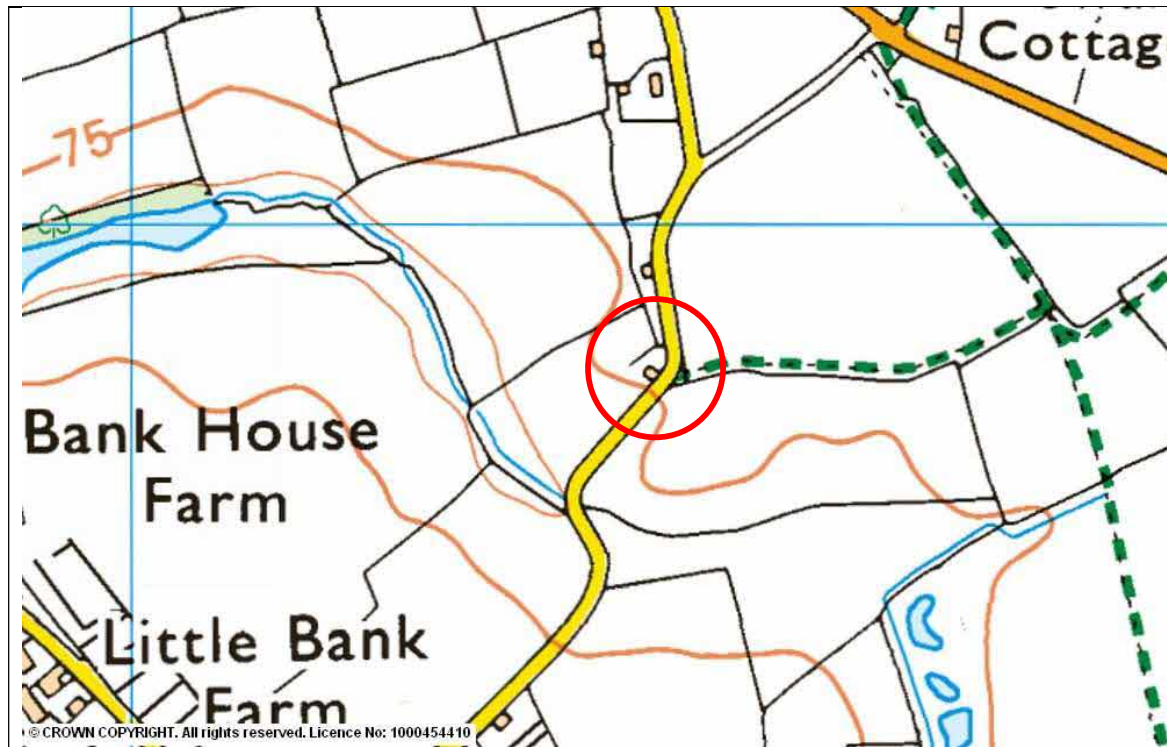
The use of an EPS licence in respect of protected species

An EPS licence is a licence which permits an action that is otherwise unlawful,

To ensure that no illegal activities are undertaken during the course of a development, it is recommended that a licence is applied for if, on the basis of survey information and specialist knowledge, it is considered that

- the site in question is demonstrably a breeding site or resting place for protected species
- the proposed activity is reasonably likely to result in an offence

No licence is required if the proposed activity is unlikely to result in an offence.



1:25000 scale



Approximate boundary of site shown in red



Existing Site Plan.



Target Points.

① = Garden lawn

📷 Indicate approximate camera positions for photographs at appendix.



Proposed site plan





**Location of ponds with 100m & 250m radius.
(Ponds A & B added to Magicmap by author)**

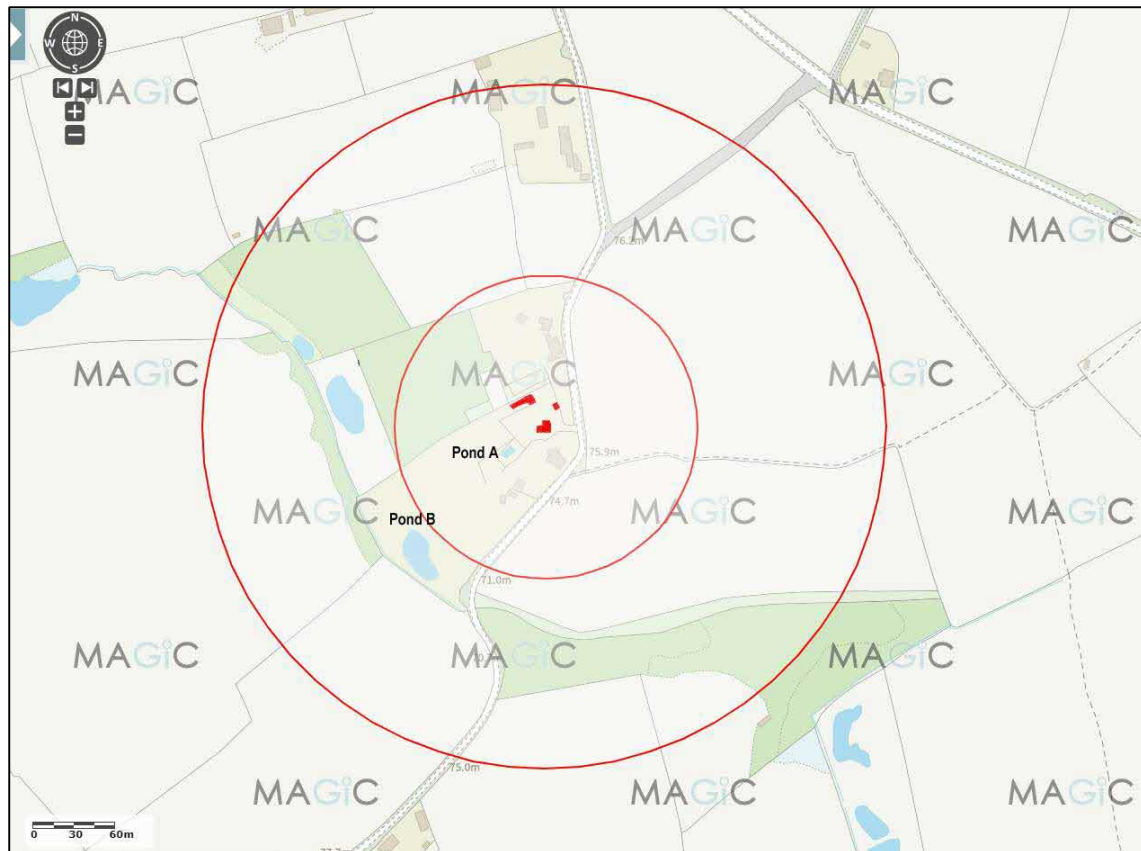


Table 1.

Habitat Suitability Index Scores		
	Pond A	Pond B
SI1 - Location	1.00	1.00
SI2 - Pond area	0.10	0.65
SI3 - Pond drying	0.90	0.90
SI4 - Water quality	0.67	0.67
SI4 - Shade	1.00	1.00
SI6 - Fowl	1.00	0.67
SI7 - Fish	1.00	0.67
SI8 - Ponds	0.40	0.40
SI9 - Terr'l habitat	0.67	0.67
SI10 - Macrophytes	0.40	0.80
H.S.I. score	0.60	0.72
Remarks	Average	Good

H.S.I. Pond suitability	
<0.5	Poor
0.5 - 0.59	Below average
0.6 - 0.69	Average
0.7 - 0.79	Good
>0.8	Excellent



Plate 1 | Describing west of cottage from CP(A)



Plate 2 | Describing north side of cottage from CP(B) Inset phot showing loose flashing.



Plate 3 | Describing east side of cottage from CP(C)



Plate 4 | Describing proximity of hedge to south side of cottage from CP(D)



Plate 5 | Describing west gable and looking along south facing roof of cottage from CP(E)



Plate 6 | Describing internal vaulted ceiling inside 1st floor of cottage.



Plate 7 | Looking along loft towards eastern gable wall.



Plate 8 | Looking along loft towards western gable wall. Arrow indicates gap where light was visible, leading to loose flashing around part of chimney.



Plate 9 | Describing open fronted timber garage from CP(F)



Plate 10 | Describing Stables from CP(G)



Plate 11 | Describing Pond A from CP (H)



Plate 12 | Describing Pond B from west.



Summary of Legislation applicable to Nesting Birds.

The basic protection afforded to birds is listed below:

All birds, their nests and eggs are protected by law and it is an offence, with certain exceptions, to:

- a) intentionally kill, injure or take any wild bird
- b) intentionally take, damage or destroy the nest of any wild bird while it is in use or being built
- c) intentionally take or destroy the egg of any wild bird
- d) have in one's possession or control any wild bird (dead or alive) or part of a wild bird which has been taken in contravention of the Wildlife and Countryside Act 1981 or the Protection of Birds Act 1954
- e) have in one's possession or control an egg or part of an egg which has been taken in contravention of the Act
- f) have in one's possession or control any birds of a species occurring on Schedule 4 of the Act unless registered and ringed in accordance with the Secretary of State's regulations.
- g) intentionally (or recklessly, in England and Wales only) disturb any wild bird listed on Schedule 1 while it is nest building or is at (or near) a nest with eggs or young; or disturb the dependent young of such a bird.

The impacts which the proposed development might have on breeding birds should be small.

If birds start nesting during the development phase, delays will be inevitable, up to the moment when the young birds leave the nest.

Example of garden birds nesting times

