

Ecological Impact Assessment



Tyler
Grange

Monks Cross, York
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Summary

- S.1. This report has been prepared by Tyler Grange Group Ltd on behalf of LIDL GB. It sets out the findings of an Ecological Impact Assessment (EclA) of a parcel of land at Monks Cross, York (OS Grid Reference SE 62437 55061), hereinafter referred to as the 'site' to inform a planning application for the site. Proposals are for the demolition of the existing building and erection of a new Lidl food store (Use Class E) and drive-through unit with associated car parking and landscaping.
- S.2. The site measures approximately 1.3 hectares and comprises predominantly hardstanding, with two buildings, ornamental planting, and scattered scrub and trees the extent of these habitats is shown on drawing **14417/P01a**.
- S.3. The findings of the desk study, phase I habitat survey and preliminary roost assessment recorded the following outcomes:
- Potential effects to habitats;
 - a) All habitats on site are considered to be of negligible ecological importance.. All trees will be retained and some scrub will be retained.
 - b) The Defra 3.0 Metric has calculated that the proposed development as illustrated on the attached landscape strategy plan (**Appendix 2**) would amount to a measurable net gain in biodiversity value of c. **0.19** biodiversity units, equating to a **30.41%** net gain in biodiversity value overall.
 - Potential effects to statutory and non-statutory conservation designations;
 - a) The nature conservation sites within the Zone of Influence of the site are considered to be sufficiently distant as to avoid any adverse impacts from the proposed works.
 - Potential effects on protected/priority species:
 - a) **Bats**: No bat roosts were recorded during an initial ground level assessment of the built structures within the site, and the built structures are considered to have negligible potential to support bats requiring no further surveys;
 - b) **Birds**: Minor loss of suitable habitat. Checks should be carried out by a suitably qualified ecologist prior to clearance works, and due diligence is expected by contractors – outlined in **section 4**;
 - c) **Hedgehogs**: Unlikely to be present on site, but sensitive working methodologies and implementation of hedgehog highways have been recommended to maintain habitat links to adjacent land and limit impacts to individuals that may use the site; and
 - d) **Amphibians, badger, reptiles, water vole, otter**: negligible potential for these species to utilise this site – no further action required.



- S.4. Provided the recommendations outlined in this report can be implemented fully and successfully and assuming recommendations provided, then development proposals would comply with relevant wildlife legislation and planning policy.



Section 1: Introduction and Site Context

- 1.1. This report has been prepared by Tyler Grange Group Ltd on behalf of LIDL GB. It sets out the findings of an Ecological Impact Assessment (EclA) of a parcel of land at Monks Cross, York (OS Grid Reference SE 62437 55061), hereinafter referred to as the 'site' to inform a planning application for the site. Proposals are for the demolition of the existing building and erection of a new Lidl food store (Use Class E) and drive-through unit with associated car parking and landscaping.
- 1.2. The site is located west of Monk's Cross Drive, northwest of York city centre. The site measures approximately 1.3 hectares and comprises predominantly hardstanding, with two buildings, ornamental planting and scattered scrub and trees. See **Figure 1.1** below.



Figure 1.1 – Site red line boundary.
(Aerial Imagery © Google 2021)

- 1.3. This Report:
 - Uses available background data, results of field surveys and consultation, to describe and evaluate the ecological features present within the likely 'zone of influence' (Zoi)¹ of the proposed development;
 - Describes the actual or potential ecological issues and opportunities that might arise as a result of the site's development;
 - Where appropriate, makes recommendations for mitigation of adverse effects and ecological enhancement, to ensure conformity with policy and legislation listed in **Appendix 1**; and
 - Identifies whether any further work is required to inform a future planning application.
- 1.4. This assessment and the terminology used are consistent with the 'Guidelines for Ecological Impact Assessment in the UK and Ireland'² and 'Guidelines for Preliminary Ecological Appraisals'³

¹ Defined as the area over which ecological features may be subject to significant effects because of activities associated with a project and associated activities (CIEEM 2018).

² <https://cieem.net/resource/guidelines-for-ecological-impact-assessment-ecia/>

³ <https://cieem.net/wp-content/uploads/2019/02/Guidelines-for-Preliminary-Ecological-Appraisal-Jan2018-1.pdf>



Section 2: Methodology

Scope of Assessment

- 2.1 This report follows the guidance set out in the Chartered Institute of Ecologists and Environmental Management (CIEEM) Guidance on Preliminary Ecological Appraisals (PEA).
- 2.2 The extent of potential ecological effects which could arise from the proposed development were determined by undertaking a desk-based assessment of available records and published sources, together with an initial site survey. With this information, the 'Zone of Influence' (Zol) of the proposed development was established, together with potential ecological effects, opportunities, and any further work, such as detailed surveys, that might be necessary to inform detailed development designs and requirements for mitigation.

Data Search

- 2.3 A desk-based study was undertaken to identify statutory and non-statutory nature conservation designations and protected species records and relevant planning policies. The following sources were used:
- The data search was undertaken in September 2021 for a 10km radius around the site for European statutory sites, a 2km radius for national statutory and non-statutory sites and a 2km radius for protected and priority⁴ species records. The data search was conducted by inspecting the Multi Agency Geographic Information for the Countryside website (www.magic.defra.gov.uk⁵).
 - Records of protected species and other species of nature conservation importance within 2km of the site were obtained from North & East Yorkshire Ecological Record Centre (NEYEDC) in November 2021; and
 - Local planning policies from the Local Plan were checked to identify local planning policies which need to be considered as part of the development of the site (see **Appendix 1**).

Extended Phase 1 Habitat Survey

- 2.4 An 'extended' Phase 1 habitat survey of the site was initially undertaken on 3rd November 2021 by Amy Sherwin, an experienced field ecologist and qualifying member of CIEEM. Weather conditions on the day of the survey were optimal 8°C, dry, 30% cloud cover and wind Beaufort scale (BFS): 2. An update survey of the site was conducted on 3rd October 2023 by Bethany Phythian, an experienced field ecologist and qualifying member of CIEEM. Weather conditions: sunny, dry, 10% cloud cover, wind BFS 1

⁴ UK priority species and habitats are those subject to conservation action and referred to as Species of Principal Importance (SoPIs) or Habitats of Principal Importance (HoPIs). They are listed at Section 41 of the Natural Environment and Rural Communities (NERC) Act 2006. Section 40 of the NERC Act states that local planning authorities must have regard for the conservation of both SoPIs and HoPIs.

⁵ Accessed September 2021



- 2.5 The survey broadly followed the methodology set out in guidance from the Joint Nature Conservation Committee (JNCC) for extended Phase 1 habitat survey⁶. This method of survey provides information on habitats and assesses the potential for legally protected or otherwise notable species to occur in and adjacent to the site and allows the ecological value of resources to be determined.
- 2.6 The vegetation composition of the different habitats within the site was defined using the DAFOR scale, whereby D = Dominant, A = Abundant, F = Frequent, O = Occasional and R = Rare.

Preliminary Roost Assessment (PRA)

- 2.7 A preliminary roost assessment (PRA) of two buildings within the site was undertaken during the phase 1 surveys (including the update survey). The buildings within the site were subject to an external inspection to assess the likelihood of use by roosting bats and to inform the need for further surveys and/or mitigation. The buildings were then categorised as providing negligible, low, moderate or high bat roost potential (**Table 2.1**), in line with the current BCT guidelines⁷.
- 2.8 Externally, the buildings were inspected from ground level and the inspection focussed on identifying features suitable for roosting bats to gain access to potentially suitable roosting areas. This included gaps behind soffits / fascias, under lifted lead flashing, under lifted roof tiles, around windows and within masonry.

Table 2.1: Roost potential categories

Suitability	Description of Roosting Habitats
Negligible	Negligible habitat features on site likely to be used by roosting bats.
Low	A structure with one or more potential roost sites that could be used by individual bats opportunistically. However, these potential roost sites do not provide enough space, shelter, protection, appropriate conditions, and/or suitable surrounding habitat to be used on a regular basis or by larger numbers of bats (i.e. unlikely to be suitable for maternity or hibernation).
Moderate	A structure with one or more potential roost sites that could be used by bats due to their size, shelter, protection, conditions and surrounding habitat but unlikely to support a roost of high conservation status (with respect to roost type only – the assessments in this table are made irrespective of species conservation status, which is established after presence is confirmed).
High	A structure with one or more potential roost sites that are obviously suitable for use by larger numbers of bats on a more regular basis and potentially for longer periods of time due to their size, shelter, protection, conditions, and surrounding habitat.

Evaluation

- 2.9 The habitats and species in this ecological appraisal were evaluated using published guidance produced by CIEEM⁸. The level of value of specific ecological receptors is assigned using a geographic frame of reference, i.e. international value being most important, then national, regional, county and local.

⁶ Joint Nature Conservation Committee, (2010), *Handbook for Phase 1 habitat survey - a technique for environmental audit*.

⁷ Collins, J. (ed.) (2016) *Bat Surveys for Professional Ecologists: Good Practice Guidelines (3rd edn)*. The Bat Conservation Trust, London.

⁸ CIEEM (2016) *Guidelines for Ecological Impact Assessment in the UK and Ireland: Terrestrial, Freshwater and Coastal*, 2nd edition. Chartered Institute of Ecology and Environmental Management, Winchester.



- 2.10 Value judgements are based on various characteristics that can be used to identify ecological resources or features likely to be important in terms of biodiversity. These include site designations (such as Sites of Special Scientific Interest (SSSIs)), or for undesignated features, the size, conservation status (locally, nationally or internationally) and the quality of the ecological resource. In terms of the latter, 'quality' can refer to habitats (for instance if they are particularly diverse, or a good example of a specific habitat type), other features (such as wildlife corridors or mosaics of habitats), or species populations or assemblages.

Quality Assurance

- 2.11 All ecologists at Tyler Grange are members of the Chartered Institute of Ecology and Environmental Management (CIEEM) or are working towards membership and act under the direction of members and abide by the Institute's code of conduct.

Limitations

- 2.12 There was no internal access to either on site building during the PRA survey, however due to the structure of the buildings (i.e. no accessible roof voids that could be used by bats) this is not considered to have impacted the results and would not have affected the characterisation given to the building.
- 2.13 The findings of this report are valid at the time of writing. Owing to the dynamic nature of ecological resources, if more than 12 months have elapsed since the report was written, advice should be sought to determine whether update survey work is required. The findings of the report should not be relied upon without this advice.
- 2.14 This report is also partly based on 3rd party data held by the Local Record Centre, which Tyler Grange Group Ltd. cannot guarantee the accuracy of the data provided.



Section 3: Ecological Features and Evaluation

Site Context

- 3.1 The site is located within Monk's Cross shopping Park, York. The site measures approximately 1.3 hectares and comprises predominantly hardstanding, with two buildings, ornamental planting and scattered scrub and trees

Protected Sites

Statutory Sites

- 3.2 The site is not covered by, or adjacent to, any areas which are subject to a statutory designation. However, there are three statutory sites within the wider study area:
- Strensall Common, Special Area of Conservation (SAC)⁹, located 3.6km north of the site.
 - River Derwent, SAC¹⁰, located 7.8km east of the site.
 - Lower Derwent Valley, RAMSAR, Special Protection Area (SPA) and SAC¹¹, located 9.3km southeast of the site.
- 3.3 The Ramsar, SAC and SPA are all of International ecological importance.
- 3.4 The desk study returned no other results for statutory nature conservation sites within 2km of the site, such as Sites of Special Scientific Interest (SSSI), national nature reserves or locally important sites such as Local Nature Reserves

Non-statutory Sites

- 3.5 The site is not covered by, or adjacent to, any areas that are subject to a non-statutory nature conservation designation.
- 3.6 There are three non-statutory sites, known as Sites of Importance for Nature Conservation in York (SINC), within 2km of the site, namely:
- New Lane Meadows, located 0.6km north west of the site;
 - New Earswick Meadow, located 1.8km west of the site; and
 - Earswick Meadow/Earswick Strensall Rd Pasture, located 1.9km north of the site.
- 3.7 SINC's are of local ecological importance.

⁹ <https://sac.jncc.gov.uk/site/UK0030284>

¹⁰ <https://sac.jncc.gov.uk/site/UK0030253>

¹¹ <https://sac.jncc.gov.uk/site/UK0012844>



Habitats and Flora

3.8 The following describes the habitats within and adjacent to the site at the time of survey. The location and extent of each habitat is shown on plan **14417_P01** appended to this report and described alphabetically below.

Buildings

3.9 The site contains two buildings (B1 and B2). B1 was used as a former shop of half brick and composite cladding with a flat roof. B2 was a small brick building with a flat roof possibly a utilities building. This habitat is considered to be of **negligible ecological importance**, given that it has no inherent interest for biodiversity. The potential for onsite buildings to support roosting bats is discussed in **section 3.23 below**.

Scrub

3.10 Along the southern boundary of the site, and area that was previously bare ground with ephemeral species now comprises now dense bramble scrub.. This habitat was species poor and small in area, as such this habitat type is considered to be of **negligible ecological importance**, see **Photograph 1** below.



Photograph 1– Area of dense bramble scrub south of the site

3.11 A strip of scrub was present along the western boundary of the site covered by overhanging trees from outside of the red line boundary. Species present included bramble *Rubus fruticosus*, common nettle *Urtica dioica* and thistle *Asteraceae sp.* This habitat type is considered to be of **negligible ecological importance** due to it being small in size and sparse. However, this habitat could support bird breeding habitat, see **section 4.0**. See **Photograph 2** below.





Photograph 2– Example of scattered scrub along the western boundary of the site.

Hardstanding

- 3.12 Hardstanding covered large areas of the site comprising paths and a car park. This habitat type is considered to be of **negligible ecological importance**, given that it has no inherent interest for biodiversity, see **Photographs 3 and 4** below.



Photograph 3 and 4– Hardstanding surrounding building and within car park.

Scattered Trees

- 3.13 Trees were present along the eastern boundary of the site and include semi-mature and immature species including Norway maple *Acer platanoides*, oak *Quercus sp*, field maple *Acer campestre*, sweet chestnut *Castanea sativa*, beech *Fagus sylvatica*, cherry *Prunus sp.*, sweetgum *Liquidamber styraciflua* and birch *Betula sp*
- 3.14 In some instances Individual trees can be considered to be locally important as highlighted by local planning policy NE1, but given the young age class of trees present onsite, status as amenity trees within existing development (as shown in photo 5 below) these are considered to be of **negligible ecological importance**. See **Photograph 5** below.





Photograph 5– Example of scattered trees along the eastern boundary of the site.

Ornamental Planting and scattered shrubs

- 3.15 Areas of non-native ornamental planting are present scattered around the site, adjacent to paths and within parking areas. This habitat type is considered to be of **negligible ecological importance** due to it being unconnected to other habitats sparse and containing non-native plant species. However, this habitat could support bird breeding habitat, see **section 4.0**. See **Photographs 6 and 7** below.



Photograph 6 and 7– example of ornamental planting across the site.

Habitats Adjacent to site

- 3.16 The site lies within a shopping park complex and is surrounded by roads, buildings and a line of trees along the west of the site.

Fauna

Amphibians including Great Crested Newt (GCN)

- 3.17 NEYEDC returned 32 records of GCN *Triturus cristatus* within the study area within the last 20 years. The closest record was 0.2km from the site in 2013.



- 3.18 No ponds were recorded on-site but 15 water bodies were recorded within the extended terrestrial range for Great GCN within 500m of the site, and two waterbodies within 250m of the site. However, the likelihood of any GCN being present in these ponds being able to disperse to the site is considered to be negligible due to the main road roads and extensive built form creating a dispersal barrier to the site.
- 3.19 The likelihood of amphibian presence within the site is considered to be exceptionally low due to the absence of suitable aquatic and terrestrial habitat for this species group, abundance of suitable terrestrial habitat off-site and lack of connectivity with ponds nearby which could support breeding populations of amphibians. Therefore, this site is considered to be of **negligible ecological importance** to amphibians and they will not be discussed any further in this report.

Badger

- 3.20 NEYEDC returned three records of badger within in the study area within the last 20 years, with no records being for setts.
- 3.21 The habitats on site are unsuitable for badger, considering the high proportion of hardstanding developed land and constant use of the land during all times of day. There was no evidence of badger setts or activity recorded on site and no mammal runs were present. The site is therefore considered to be of **negligible ecological importance** for badgers and this species group is not considered any further in this report.


Bats

- 3.22 NEYEDC returned 64 records of bats within 2km of the site. The following species were recorded: common pipistrelle *Pipistrellus pipistrellus*, pipistrelle species *Pipistrellus sp*, brown Long-eared Bat *Plecotus auratus* and Brandt's *Myotis Brandtii*. None of the records were specifically for a bat roost location.

Preliminary Roost Assessment

- 3.23 All built structures on site were inspected for their bat roost potential. See **Table 3.1** below for full details of the preliminary roost assessment of the buildings within the site.

Table 3.1: Results of preliminary roost assessment for bats

Building	Description
<p>B1</p> 	<p>Large commercial brick building with a metal roof and layer of metal panelling around the top portion of the building. A glass rain shelter is attached to the area at the southeast.</p> <p>This building was observed to have no potential to support void dwelling bats and due to the lack of surrounding habitat and small size of the structure, the building is classified as having negligible bat roost potential.</p>
<p>B2</p>	<p>Small brick building with a flat roof.</p> <p>This building was observed to have no potential to support void dwelling bats and due to the lack of surrounding habitat and</p>





small size of the structure, the building is classified as having **negligible bat roost potential**.

- 3.24 Internal access was not possible during the survey visit but this is not expected to impact the above characterisations due to the structure of the buildings being single story without loft spaces and no access points found externally.
- 3.25 Additionally, all trees on site were immature or semi mature and none were found to have PRFs and are not discussed further.
- 3.26 The majority of the site is considered to be of **negligible ecological importance** for foraging and commuting bats due to its urban nature and lack of linear habitats, but there is a strip of woodland adjacent to the west of the site (off-site) that is suitable for commuting bats. The offsite treeline to the west should remain unlit during the construction and operational phases.

Birds

- 3.27 NEYEDC returned 44 birds records of 21 species within the study area. Four species records of birds which are birds of Conservation Concern (BoCC) or listed as a priority species in the Biodiversity Action Plan (BAP) were returned within 2km of the site boundary within the past 10 years that are relevant to the site. These species were bullfinch *Pyrrhula pyrrhula*, dunnock *Prunella Modularis*, house sparrow *Passer domesticus* and swift *Apus apus* (full details can be made available on request).
- 3.28 The scrub and trees on site provide suitable foraging and nesting habitat for a range of common woodland species, as well as BoCC birds like dunnock, bullfinch and house sparrow. which have been returned in the local record search.
- 3.29 The site is considered unsuitable for ground nesting birds due to its small size, enclosed nature, urban surroundings, and presence of structures obscuring sightlines restricting site suitability. Additionally, no other habitats were recorded on site or adjacent to the site with the potential to support any Schedule 1 species, and no such relevant species were recorded during surveys.
- 3.30 The site is considered to be of **negligible ecological importance** to this species group, but as potential nesting habitat is present, recommendations for this are detailed in **Section 4**.

Hedgehog

- 3.31 NEYEDC returned seven records of hedgehog located within 2km of the site boundary within the last 20 years. The closest being 0.6km of the site.
- 3.32 In general, the habitats on site are unsuitable for hedgehog, but the offsite tree line and hedgerows around the site perimeter of the site could provide potential foraging and nesting opportunities causing hedgehogs to commute through the site.



Reptiles

- 3.33 NEYEDC returned no records of reptiles within 2km of the site boundary within the last 20 years.
- 3.34 The habitats on site are generally unsuitable for reptiles and therefore the site is considered to be of **negligible ecological importance** to this species group, and no impacts are anticipated from development. Therefore, they are not considered any further in this report.

Water Vole and Otter

- 3.35 NEYEDC returned 53 records of water vole *Arvicola amphibius*, the closest being approximately 0.2km north of the site and eight record of otter *Lutra lutra*, the closest being associated with a ditch 1.3km west of the site.
- 3.36 There were no ditches on or directly adjacent to the site at the time of survey and there are no other watercourses in close proximity to the site that would be suitable for water vole or otter. It is considered therefore the site is considered to be of **negligible ecological importance** to these species and these species are not considered further.



Section 4: Considerations in Respect of Proposed Development

Proposals

- 4.1. The proposals for the site (see **Appendix 2**) comprise demolition of B1 and construction of a new retail unit and drive through facility including access to the buildings and parking. The impacts of this in relation to nature conservation sites, habitats and species are outlined below.

Protected Sites

- 4.2. All statutory and non-statutory sites are considered to be sufficiently distant from the site and would not be impacted as a result of the proposed works due to the distance between them and the site.

Habitats and Flora

- 4.3. All habitats on site are considered to be of negligible ecological importance. The strip of scattered scrub along the western boundary (G1, as per landscape plan) will be retained, but G2 will be cut back/removed and replaced with species rich flowering lawn as a result of the proposed works. All mature and semi-mature scattered trees will be retained as shown on the landscape plan (see **Appendix 2**), but one shrubby tree T33, will be removed. To compensate for this removal, thirteen trees will be planted around the site; a mixture of native and ornamental variants.

Fauna

Bats

- 4.4. As European protected species, all UK bats receive legal protection in England under the Conservation of Habitats and Species Regulations 2018 (HabRegs) (as amended) and the Wildlife and Countryside Act (WCA) 1981 (as amended). As such deliberate injury, disturbance or damage/destruction of a bat or its roost could trigger this legislation, which protects bats.
- 4.5. The preliminary roost assessment found that the two on site buildings to be of **negligible bat roost potential** and are considered to be absent of roosting bats. Therefore, demolition of the building B1 will not breach current legislation and/or local planning policy in regard to the protection of bats.
- 4.6. The adjacent suitable foraging and commuting habitats i.e., offsite treeline to the west should remain unlit during the construction and operational phases. Consideration of this should be given when creating the lighting scheme for the site.
- 4.7. Enhancements for bat species could be provided at the site in the form of a bat box scheme.

Breeding Birds



- 4.8. The trees, scrub and ornamental planting areas are likely to be used by breeding birds and there is evidence that some of the buildings on site have been used by nesting wood pigeons *Columba palumbus* in the previous ecology walkover in 2020.
- 4.9. All wild birds, their nests and eggs are afforded protection under the WCA 1981 (as amended). As such the removal of dense scrub and building works could trigger this legislation, which protects birds while actively nesting.
- 4.10. Any building works or activity to remove dense scrub within the 'core' nesting bird season (March to August inclusive) should be preceded by checks by a suitably qualified ecologist (SQE), with any active nests found to be left until all chicks have fledged, and a suitable buffer for that species retained until the nest is no longer considered active by an SQE.
- 4.11. Due diligence must also be shown by all site contractors to check for active nests prior to demolition of the building and vegetation clearance, even if conducted outside of the 'core' nesting period as some species of bird are known to nest year-round. Should an active nest be suspected, a SQE will need to attend site to assess the status of the nest and advise further.
- 4.12. Further enhancements are also proposed through the erection of house sparrow boxes (Vivara pro woodstone house sparrow nest box, or equivalent) on the site (e.g on a suitable mature tree) on a southwestern aspect, at a minimum height of 3m.

Hedgehog

- 4.13. Hedgehogs are listed as a Species of Principal Importance (SoPI) within section 41 of the Natural Environment and Rural Communities (NERC) Act 2006. Consequently, they are a material consideration within the planning process, as section 40 of the NERC act 2006 places a duty on all public authorities in England and Wales to have regard, in the exercise of their functions, to the purpose of conserving biodiversity.
- 4.14. Habitats to be lost on site include scrub, which provides limited suitable habitat for hedgehog. proposals could provide opportunity to enhance the site for hedgehogs through provision of hedgehog houses.
- 4.15. Fences to ground level around the boundary of the site should be avoided, or be designed to include regularly spaced gaps at ground level (approximately 10cm²), to maintain access through the site for hedgehogs, colloquially known as 'hedgehog highways'.
- 4.16. To avoid the injury or death of any hedgehogs onsite, any new excavations should be covered overnight. If this is not feasible, a suitable means of escape should be provided in the form of a ramp with a maximum angle of 45°.
- 4.17. Any hedgehogs encountered onsite outside of hedgehog hibernation season should be allowed to move off their own accord. If this is not feasible, they should be moved to a safe location.



Section 5: Biodiversity Net Gain

- 5.1. Section 170 of the National Planning Policy Framework (NPPF), published February 2021, states that planning and decisions should contribute to and enhance the natural environment by, amongst others, “identifying and pursuing opportunities for securing measurable net gains for biodiversity”.
- 5.2. The DEFRA Biodiversity Metric 3.0 (JP029) was published on the 7th July 2021. This calculator is used to “measure and account for biodiversity losses and gains resulting from development”. The calculator requires baseline data as well as information on habitats lost and created to calculate the total number of biodiversity units on site.
- 5.3. This section of the report provides the summary of the baseline biodiversity value of the site assessed against the proposed post-development biodiversity value.
- 5.4. As detailed in Sections 2 and 3 of this report, an extended Phase I habitat survey of the site was undertaken by Tyler Grange in July 2021. This data was used to determine the area and value of habitats currently on site (the ‘baseline’). This data was then transposed into classification of UK Habitats¹² to utilise within the Defra 3.0 metric. This report was updated in 2023 and therefore the 3.0 calculator was used for consistency.
- 5.5. The landscape strategy plan (see **Appendix 2**) was used in combination with the baseline data, to calculate the areas of retained and replacement habitats on site.
- 5.6. The calculator automatically assigns distinctiveness scores to each habitat, and the user inputs scores for condition, strategic significance and total area (in hectares); as per the guidance.
- 5.7. For these calculations, it is assumed that all existing/new habitats are of low strategic significance.
- 5.8. The information above was then inputted into the metric, to determine the number of biodiversity units at baseline and at post-intervention (i.e. habitat creation + retention + enhancement). The metric then uses all these data to produce the total net unit and percentage change. The Defra metric is provided separate to this report.
- 5.9. The majority of the site comprises hardstanding and emerging vegetation on bare ground which are to be lost to the development. Table 5.1 below summarises the existing biodiversity baseline value of the site.

12 UK Habitat Classification Working Group (2018) UK Habitat Classification – Habitat Definitions V1.0



Table 5.1. Habitat units at baseline

Habitat Type	Area (ha)	Biodiversity Value (Units)	Post development outcome
Hardstanding, Building and bare ground (urban – developed land; sealed surface)	1.24	0.00	All lost
Mixed scrub	0.03	0.08	Partial loss
Bramble Scrub	0.02	0.08	All lost
Ornamental planting	0.06	0.12	Partial loss
Urban Trees	N/A	0.32	All retained
Total	1.35	0.60	

- 5.10. **Table 5.2** below summarises the post-development value of the site based on the habitats and conditions outlined in paragraph 5.5 – 5.7.

Table 5.2. Post-development habitat creation

Habitat	Condition	Created	
		Area	Units
Habitats (ha)			
Hardstanding (urban – developed land; sealed surface)	N/A	1.16	0.0
Introduced shrub	Poor	0.03	0.06
Amenity grassland	Poor	0.07	0.14
Other neutral grassland ‘wildflower species rich’	Poor	0.05	0.02
Mixed Scrub	Poor	0.01	0.19
Urban trees	Poor	N/A	0.04
Total		1.32	0.35

- 5.11. The landscape strategy (**Appendix 2**) consists of retained trees and scrub, ornamental shrub planting, tree planting, mown amenity grassland, wildflower species rich grassland, new native scrub and hardstanding are proposed for the site.
- 5.12. **Table 5.3** below summarises the net biodiversity value of the site post-development.

Table 5.3. Biodiversity value

Habitat (units)	Baseline	Post-development	Percentage change
Habitats	0.64	0.83	+30.41 (%)

- 5.13. The Defra 3.0 Metric has calculated that, the proposed development at this stage as illustrated on the attached landscape strategy plan would amount to a net gain in biodiversity value of c. **0.19** biodiversity units, equating to a **30.41 %** net gain in biodiversity value.



Section 6: Conclusions and Recommendations

6.1. With the implementation of the mitigation and enhancement measures described in Section 4, it is considered the proposed development could conform with relevant planning policy and legislation (see **Appendix 1**).

6.2. The following measures for the species mentioned in Section 4 should be adhered to during the construction or operational phase of the development:

Bats: A sensitive lighting scheme is to be included in the new development along with installation of bat boxes on the site.

Birds: Works to remove ornamental scrub should be conducted outside of the core nesting bird season (March-August inclusive) or preceded by checks by a SQE.

Due diligence is expected by all contractors to check for active nests prior to and during construction, and if an active nest is identified an SQE should be consulted. Compensation and enhancement measures for birds should be factored into the new development and should include the installation of a series of bird boxes at suitable locations on the site.

Hedgehogs: The sensitive working methodologies outlined in **Section 4** should be adopted during the construction phase of the proposals.

The following landscaping features should also be incorporated in the landscaping scheme that will also contribute to enhancing the biodiversity value of the site.

- Installation of hedgehog highways (a 15 x 15 cm gap at the base of any boundary features such as fencing) to provide hedgehogs access through the site and if feasible, the installation hedgehog houses to increase opportunity for this species; and
- The installation of invertebrate 'shelters' amongst areas at suitable locations within the landscaped garden to provide enhanced opportunities for pollinating invertebrates.

6.3. The Defra 3.0 Metric has calculated that the proposed development at this stage as illustrated on the attached landscape strategy plan would amount to a net gain in biodiversity value of c. **0.19** biodiversity units, equating to a **30.41%** net gain in biodiversity value.

6.4. Providing the above recommendations are implemented, there are no ecological reasons why redevelopment of the site should not proceed in accordance with relevant wildlife legislation and planning policy 'NE6 and NE7' of the York local plan to protect and enhance the environment.



Appendix 1: Legislation and Planning Policy

Legislation

- A1.1 Specific habitats and species receive legal protection in the UK under various pieces of legislation, including:
- The Wildlife and Countryside Act (WCA) 1981 (as amended);
 - The Conservation of Habitats and Species 2017 (as amended).
 - The Countryside and Rights of Way (CRoW) Act 2000;
 - The Hedgerows Regulations 1997;
 - The Protection of Badgers Act 1992; and
 - The Natural Environment and Rural Communities Act (NERC) 2006.
- A1.2 The European Council Directive on the Conservation of Natural Habitats and of Wild Flora and Fauna, 1992, often referred to as the 'Habitats Directive', provides for the protection of key habitats and species considered of European importance. Annexes II and IV of the Directive list all species considered of community interest. The legal framework to protect the species covered by the Habitats Directive has been enacted under UK law through The Conservation of Habitats and Species Regulations 2017 (as amended).
- A1.3 In Britain, the WCA 1981 (as amended) is the primary legislation protecting habitats and species. SSSIs, representing the best examples of our natural heritage, are notified under the WCA 1981 (as amended) by reason of their flora, fauna, geology or other features. All breeding birds, their nests, eggs and young are protected under the Act, which makes it illegal to knowingly destroy or disturb the nest site during nesting season. Schedules 1, 5 and 8 afford protection to individual birds, other animals and plants.
- A1.4 The CRoW Act 2000 strengthens the species enforcement provisions of the WCA 1981 (as amended) and makes it an offence to 'recklessly' disturb a protected animal whilst it is using a place of rest or shelter or breeding/nest site.

National Planning Policy

National Planning Policy Framework (NPPF), September 2023

- A1.5 The National Planning Policy Framework (NPPF) was updated in September 2023 and sets out the Government's planning policies for England and how these should be applied. It replaces the National Planning Policy Framework published in July 2019.
- A1.6 Paragraph 11 states that:

“Plans and decisions should apply a presumption in favour of sustainable development.”



- A1.7 Section 15 of the NPPF (paragraphs 174 to 182) considers the conservation and enhancement of the natural environment including habitats and biodiversity (paragraphs 179-182)
- A1.8 Paragraph 174 states that planning and decisions should contribute to and enhance the natural and local environment by:
- “protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan);
 - recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland; and
 - minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures”
- A1.9 Paragraph 175 states that plans should distinguish between the hierarchy of international, national and locally designated sites; allocate land with the least environmental or amenity value; take a strategic approach to maintaining and enhancing networks of habitats and green infrastructure; and plan for the enhancement of natural capital at a catchment or landscape scale across local authority boundaries.
- A1.10 Paragraph 179 states that in order to protect and enhance biodiversity and geodiversity, plans should:
- “Identify, map and safeguard components of local wildlife-rich habitats and wider ecological networks, including the hierarchy of international, national and locally designated sites of importance for biodiversity; wildlife corridors and stepping stones that connect them; and areas identified by national and local partnerships for habitat management, enhancement, restoration or creation; and
 - 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.”
- A1.11 When determining planning applications, Paragraph 1780 states that local planning authorities should aim to conserve and enhance biodiversity by applying the following principles:
- “if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused;
 - development on land within or outside a Site of Special Scientific Interest, and which is likely to have an adverse effect on it (either individually or in combination with other developments), should not normally be permitted. The only exception is where the benefits of the development in the location proposed clearly outweigh both its likely



impact on the features of the site that make it of special scientific interest, and any broader impacts on the national network of Sites of Special Scientific Interest;

- development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons, and a suitable compensation strategy exists; and
- development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to improve biodiversity in and around developments should be integrated as part of their design, especially where this can secure measurable net gains for biodiversity or enhance public access to nature where this is appropriate.”

A1.12 As stated in paragraph 181 the following should be given the same protection as habitats sites:

- “potential Special Protection Areas and possible Special Areas of Conservation;
- listed or proposed Ramsar sites; and
- sites identified, or required, as compensatory measures for adverse effects on habitats sites, potential Special Protection Areas, possible Special Areas of Conservation, and listed or proposed Ramsar sites.”

A1.13 Paragraph 182 states that the presumption in favour of sustainable development does not apply where the planned project is likely to have a significant effect on a habitat site (alone or in combination with other plans or projects) unless an appropriate assessment has concluded the plan or project will not adversely affect the integrity of the habitats site.

Office of the Deputy Prime Minister (ODPM) Circular 06/2005: Biodiversity and Geological Conservation - Statutory Obligations and their Impact within the Planning System

A1.14 ODPM Circular 06/05 was prepared to accompany PPS9, however continues to be valid, and material in the consideration of planning applications since PPS9's replacement by the NPPF.

A1.15 ODPM Circular 06/05 provides guidance on applying legislation in relation to nature conservation and planning in England. Part I considers the legal protection and conservation of internationally designated sites (namely candidate Special Areas of Conservation (cSACs), SACs, potential Special Protection Areas (pSPAs), SPAs and Ramsar sites) and Part II considers the legal protection and conservation of nationally designated sites, namely Sites of Special Scientific Interest (SSSIs).

A1.16 Part III considers the protection of habitats and species outside of designated areas (particularly UK Biodiversity Action Plan species and habitats), which it states are capable of being a material consideration in the preparation of local development documents and the making of planning decisions.

A1.17 Part IV considers species protected by law and states that the presence of a protected species is a material consideration in the consideration of a development proposal that, if carried out, would be likely to result in harm to the species or its habitat and that it is essential that the



presence or otherwise of protected species, and the extent that they may be affected by the proposed development, is established before the planning permission is granted.

Local Planning Policy

York Local Plan (adopted 2005)¹³

- A1.18 Policy NE1: Trees, Woodlands and hedgerows, '*Trees, woodlands and hedgerows, which are of landscape, amenity, nature conservation or historical value, will be protected*'
- A1.19 Policy NE4a: International and National Nature Conservation Sites, '*Development which is likely to have a significant effect on a European site, proposed European site or a Ramsar site will be subject to the most rigorous examination, in accordance with the procedures set out in the Habitats Regulations 1994. Development in or likely to have an effect on a Site of Special Scientific Interest will be subject to special scrutiny. Where development could have an adverse effect, directly or indirectly, on an international, or national nature conservation site it will only be permitted where the reasons for the development clearly outweigh the special nature conservation value of the site.*'
- A1.20 Policy NE5a: Local Nature Conservation Sites, '*Development likely to have an adverse effect on a Local Nature Reserve or a non statutory nature conservation site will only be permitted where the reasons for the development clearly outweigh the substantive nature conservation value of the site.*'
- A1.21 Policy NE6: Species Protected by law, '*Where a proposal may have a significant effect on protected species or habitats, applicants will be expected to undertake an appropriate assessment demonstrating their proposed mitigation measures. Planning permission will only be granted for development that would not cause demonstrable harm to animal or plant species protected by law, or their habitats. The translocation of species or habitats will be an approach of last resort.*'
- A1.22 Policy NE7: Habitat Protection and Creation, '*Development proposals will be required to retain important natural habitats and, where possible, include measures to enhance or supplement these and to promote public awareness and enjoyment of them. Within new developments measures to encourage the establishment of new habitats should be included as part of the overall scheme.*'

Biodiversity Action Plans

- A1.23 The UK Post-2010 Biodiversity Framework succeeded the UK BAP partnership in 2011 and covers the period 2011 to 2020. However, the lists of Priority Species and Habitats agreed under the UKBAP still form the basis of much biodiversity work in the UK. The current strategy for England is 'Biodiversity 2020: A Strategy for England's wildlife and ecosystem services' published under the UK Post-2010 UK Biodiversity Framework. Although the UK BAP has been succeeded, Species Action Plans (SAPs) developed for the UK BAP remain valuable resources for background information on priority species under the UK Post-2010 Biodiversity Framework.

¹³ <https://www.york.gov.uk/downloads/file/2822/the-local-plan-2005-development-control-local-plan-full-document-and-appendices>



A1.24 Priority Species and Habitats identified under the UKBAP are also referred to as Species and Habitats of Principal Importance for the conservation of biodiversity in England and Wales within Sections 41 (England) and 42 (Wales) of the NERC Act 2006. The commitment to preserving, restoring or enhancing biodiversity is further emphasised for England and Wales in Section 40 of the NERC Act 2006.

Local Biodiversity Action Plans

A1.25 The York Biodiversity Action Plan¹⁴ includes plans for a number of habitats and species.

A1.26 Relevant species plans are published for bats and relevant habitat plans are published for urban habitats.

¹⁴ https://mayhewgroup.files.wordpress.com/2019/03/city_of_york_lbap_2017-2.pdf



Appendix 2: Landscape Plan



PROTECTION OF EXISTING VEGETATION

Existing vegetation to be retained on site shall be protected where necessary during works by 2300mm high mesh panel fencing secured to a scaffold tubing framework with fluorescent tape to the top rail. Protective fencing shall be erected on the canopy drip line wherever possible. Laminated, waterproof A4 signs shall be placed to the fence posts at 10m intervals bearing the words 'PROTECTED TREES ZONE' and 'NO CUTTING OR OPERATIONS WITHIN FENCED AREA'.
Tracking of machinery, storage of chemicals and building materials shall not be permitted within the protected area. Loads or spills should be removed immediately and the contaminated soil replaced. No bonfires shall be lit within 10m of the canopy spread. Any excavation work beneath the canopy spread shall be approved by hand.
All works affecting trees within the development shall be subject to BS 3837:2015.

KEY

- Existing trees, hedges and vegetation to be retained
- Existing trees, hedges and vegetation to be removed
- Proposed Extra heavy standard (16-18cm girth) tree
- Proposed ornamental shrub planting
- Proposed native hedgerow
- Proposed instant Beech hedge
- Proposed native scrub
- Proposed mown amenity grass
- Proposed species rich flowering lawn mix
- Existing grass verge retained
- Proposed blue slate chippings
- Block paving (stretcher bond)
- Tarmac (MGV vehicular)
- Tarmac (vehicular)
- Tarmac (pedestrian)
- Concrete (cast in situ)
- Proposed 1800mm high close boarded timber fence (detailed by others)
- Proposed 1800mm steel palisade fence and gate (detailed by others)
- Proposed wildlife habitat boxes - Bird Nest Box (Schwegler 18)
- Proposed hedgehog holes 130x130mm at base of timber panel fencing

PLANTING SCHEDULES

SHRUB SCHEDULE

ORNAMENTAL PLANTING SCHEDULE				
Nr	Name	Ht in cm	Pot(L)	Density
50	Bergenia cordifolia 'Purpurea'	3L	5.00	
Nr	Name	Ht in cm	Pot(L)	Density
40	Ceanothus thyrsiflorus repens	30-40cm(D)	3L	5.00
48	Choysya ternata 'Sundance'	30-40cm	3L	5.00
64	Cornus sanguinea 'Mid Winter Fire'	40-60cm	3L	5.00
219	Corylus avellana	60-80cm	3L	5.00
42	Euonymus fortunei 'Emerald Gaiety'	30-40cm	3L	5.00
192	Euonymus fortunei 'Emerald Gaiety'	20-30cm(D)	3L	5.00
163	Hebe albicans 'Red Edge'	20-25cm	3L	5.00
134	Hebe pingiufolia 'Page'	20-25cm(D)	3L	5.00
87	Hebe pingiufolia 'Sutherlandii'	20-25cm	3L	5.00
24	Ilex aquifolium	50-60cm	3L	5.00
134	Lavandula angustifolia 'Hidcote'	20-25cm	3L	5.00
34	Pachysandra terminalis	20-30cm(D)	3L	5.00
20	Philadelphus 'Manteau d'Hermine'	30-40cm	3L	5.00
21	Prunus laurocerasus 'Otto Luyker'	30-40cm	3L	5.00
49	Rosa arvensis	60-80cm	3L	5.00
127	Spiraea japonica 'Goldflame'	30-40cm	3L	5.00
149	Viburnum davidii	20-25cm	3L	5.00
49	Viburnum opulus	60-80cm	3L	5.00
23	Vicia minor 'Bowles Variety'	15-20cm(D)	3L	5.00

All shrub material shall be first quality, sturdy, well rooted non-refrigerated stock with well branched heads and fibrous root systems. Shrubs shall be planted into 450mm deep good quality fibrous topsoil, that complies with BS 3882. Incorporate organic compost and slow release fertiliser in the planting mixture in accordance with all good horticultural practices. A proprietary geotextile membrane (such as plantex weed control membrane) is to be installed between the soil and mulch of the planted areas, cut with T or X slits to fit around the plants required. All plant material shall be a minimum of 24 pot size unless otherwise specified and conform to BS3838 Part 1 and BS4428. Finished beds shall be lightly forked over and dressed with 50mm depth blue slate mulch.

TREE SCHEDULE

SPECIES	Ht in m	NUMBERS REQUIRED		
		Girth in cm	12-14	14-16
Acer platanoides 'Deborah' (ApD)	-	-	-	2
Carpinus betulus 'Frans Fontaine' (CbFF)	-	-	-	3
Sorbus aucuparia (Sau)	-	-	-	3
Tilia cordata (Tc)	-	-	-	5

All trees to have clear stems to 2.0m above ground level with well developed branching heads with a single, central leader and healthy, fibrous root systems. Trees shall be planted into pits of an appropriate size to accommodate the root system without restriction, backfilled with a 3:1 topsoil/compost mix and shall be secured to a machine rounded stake using 1 no. tree tie with rubber spacer. Finished height of stake shall not exceed 1/3 height of staked tree above ground.

NATIVE HEDGE

NATIVE HEDGE SCHEDULE				
Nr	Name	Height/cm	Age	Root
21	Acer campestre	60-80cm	1/1	BR
122	Carpinus betulus	60-80cm	1/1	BR
219	Corylus avellana	60-80cm	1u1	BR
24	Ilex aquifolium	50-60cm	-	C 3L
49	Rosa arvensis	60-80cm	1/1	BR
49	Viburnum opulus	60-80cm	-	BR

Hedge to be planted in a previously prepared trench, 500mm wide and 450mm deep backfilled with a 3:1 mix of multipurpose topsoil to BS3882:2007 and planting compost. Bareroot transplants to be dipped in a suitable mycorrhizal dip before planting. Plants to be planted in a double staggered row, 300-350mm wide, at 5m plants per linear metre with species planted randomly throughout in groups of 7 to 30 of a single species. The hedge lines shall be mulched after planting with blue slate mulch (nominal size 40mm) to a uniform depth of 50mm.

NATIVE SPECIES SHRUB SCHEDULE

NATIVE SHRUB MIX SCHEDULE				
Nr	Name	Height/cm	Age	Root
23	Cornus sanguinea	60-80cm	1/1	B
17	Ilex aquifolium	60-80cm	-	C 3L
17	Prunus spinosa	60-80cm	1/1	B
6	Rosa canina	60-80cm	1/1	B
17	Ilex europaeus	20-40cm	-	C 3L
34	Viburnum opulus	60-80cm	1/1	B

Native species shall be planted into 450mm depth, good quality clean topsoil incorporating organic compost and slow release fertiliser, over un-compacted sub-grade. Prior to planting all bareroot plant stock shall be dipped into a suitable mycorrhizal plant dip in accordance with the manufacturers recommendations. Plants shall be planted in groups of 3-11 of a single species with the taller growing species to the back of the areas of the areas and the lower growing species to the edges of the areas. Planted areas to be mulched after planting with coarse grade forest mulch to a uniform depth of 50mm.

INSTANT BEECH HEDGE

Species	Age	Size in cm	Reqd
Fagus sylvatica	Instant	120-150	8

Hedge to be planted as an 'instant hedge'; plants are to be container grown in 1m long troughs, supplied as mature.
TURFING
The topsoiled area to be turfed, is to be grade and cross-graded to even running falls, to allow the finished levels of the turf to be 40mm above the adjoining paved areas. The surface should be lightly and uniformly firmed by rolling or treading and reduced to a fine silt up to 25mm in depth. All rubbish, stones greater than 50mm in diameter etc, shall be removed from the surface.
Apply an even application of approved fertiliser at a rate of 70g/m² and rake in. No turves shall be laid in exceptionally frosty weather or in other unsuitable weather conditions. The turves shall be laid in a stretcher bond pattern, closely butted and firmed into position, to the correct levels. The turves should be laid off planks, working over turves previously laid. A dressing of fine, sifted topsoil (complying with BS 3882) should be applied to the laid turf and brushed well into the joints.
Turves shall be watered regularly to prevent them drying out before they establish.

GRASS SEEDING

SPECIES RICH GRASS MIX
100mm depth of topsoil complying with BS3882 to be spread to area.
Soil to be cultivated using a disc harrow or rotovator, to 50mm depth then further cultivated and rolled to produce a firm seed bed.
Species rich grass seed mix such as Emergote's EL1 Flowering Lawn Mix to be sown at the supplier's recommended rates.

PREPARATION AND PLANTING

Organic matter to be proprietary shrub planting compost, or approved compost derived from recycled organic material, or similar.
TREES AND SHRUBS
1 Provide 30 litres of water per tree during prolonged dry periods and as instructed by the Landscape Architect on site.
2 Keep areas free from weed growth.
3 Annually apply a slow release fertiliser in Spring.
4 Replace all failures.
5 Prune all damaged or broken branches.
6 Top-up mulch as required.
7 Check tree ties and stakes.

Rev. B: Updated to include hedgehog holes (SF)
Rev. A: Updated to revised site layout P432B (SF)
October 2023
October 2023

 Westleigh Hall Westfield Road Denby Dale Huddersfield HD8 8JQ Telephone 01484 86511 Fax 01484 86506 16th 0424 86600 email info@fdalandscape.co.uk www.fdalandscape.co.uk	client Lidl GB Ltd
	project Proposed Retail Development MONKS CROSS YORK NEW SPEC STORE REPLAN
drawing title LANDSCAPE DETAILS	drawing no R/2576/2B
scale 1:200/AD	date Feb 22
CS	drawing no R/2576/2B

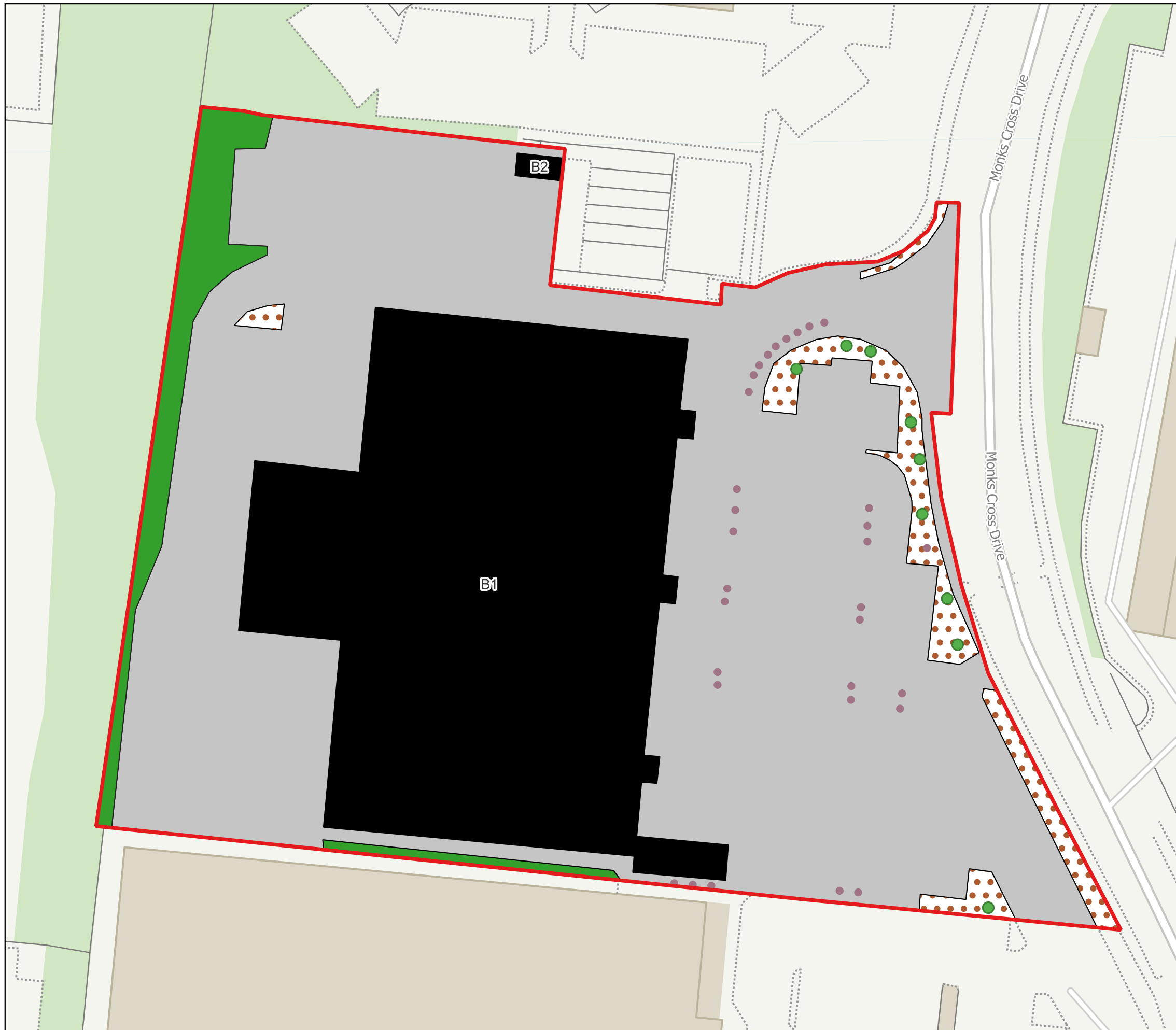


- Native Shrub Mix (0.75 ctrs)
- 23nr Cornus sanguinea
- 17nr Ilex aquifolium
- 17nr Prunus spinosa
- 6nr Rosa canina
- 17nr Ilex europaeus
- 34nr Viburnum opulus

- Native Hedge - No Thorn (4.5m)
- 24nr Acer campestre
- 122nr Carpinus betulus
- 219nr Corylus avellana
- 24nr Ilex aquifolium
- 49nr Rosa arvensis
- 49nr Viburnum opulus

Plan 1: 14417_P01_Habitat_Features_Plan





-  Redline Boundary
-  Building
-  Hardstanding
-  Introduced shrub
-  Scrub
-  Scattered Trees
-  Introduced Shrubs



Project	Monks Cross, York
Drawing Title	Habitat Features Plan
Scale	As Shown (Approximate)
Drawing No.	14417/P01a
Date	October 2023
Checked	BP/AS



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