

# New Henry Street, Bristol

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## Preliminary Ecological Appraisal Report

Final

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Client: Dominus Real Estate

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# DOCUMENT CONTROL

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## DOCUMENT REVISIONS

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1.0 Draft	Draft Preliminary Ecological Appraisal issued to Client for review including BNG Results	24 March 2023
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## NON-TECHNICAL SUMMARY

<b>Purpose of the Report</b>	To provide the results of a Preliminary Ecological Appraisal survey and Biodiversity Net Gain (BNG) assessment using the Defra Metric 3.1 conducted at the New Henry Street Site to inform a planning application for new student accommodation at the Site.
<b>Surveys Undertaken</b>	An Extended UKHab survey was conducted on 28 February 2023. A desk study and data search for ecological records was conducted through Bristol Regional Environmental Records Centre (BRERC) on 7 March 2023 to inform this report. A Biodiversity Net Gain (BNG) calculation using the Defra Metric 3.1 was conducted on 22 March 2023.
<b>Summary of Results</b>	The habitats at the Site were of negligible ecological value comprising hardstanding and buildings. There were small holes in the mortar of the Calor Gas building and some cracks in the eastern building which had a low suitability for roosting bats. The wall along the northern boundary of the Site had a potential moderate suitability to be used by roosting bats.
<b>Conclusions</b>	The Site had a negligible suitability to be used by foraging and commuting bats, however the footpath along the northern boundary of the Site had a moderate suitability within the urban setting to be used by commuting bats. There were no ponds within 500 m of the Site. All protected species have been scoped out of the assessment other than roosting bats.
<b>Further Surveys Required</b>	An endoscope survey to be conducted on the cracks and holes in the buildings and northern boundary wall to ascertain whether there is the potential for roosting bats to use the Potential Roost Features (PRFs) identified during the field survey. Should these features be suitable for roosting bats, one to three further emergence surveys will need to be conducted to prove absence or to determine the species and roost characterisation should bats be present.
<b>Avoidance</b>	No avoidance measures are proposed.
<b>Mitigation</b>	Construction works will not be conducted at dawn or dusk and operational lighting will follow specifications outlined within this report to minimise disturbance to bats and other nocturnal species e.g. badger and hedgehog that may be using the Site.
<b>Compensation</b>	Compensation for bat roosts should they be present would include in-built bat tubes to be installed within the walls of the new buildings. The details would be outlined within a European Protected Species Licence (EPSL) application to Natural England (if required).
<b>Enhancement</b>	The landscape plans include non-native urban tree, shrub and rain-garden planting. Biodiverse green roofs and brown roofs are proposed. The development will result in a 100% gain in habitat units at the Site.
<b>Data Valid Until</b>	February 2024.

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# 1 INTRODUCTION

## 1.1 BACKGROUND

Dominus Real Estate commissioned Johns Associates Ltd to undertake a Preliminary Ecological Appraisal (PEA) and Biodiversity Net Gain (BNG) assessment using the Defra Metric 3.1 in February 2023 at the New Henry Street site, Units 1-15 Premier Estates, Sussex Street, Bristol. The site is located at post code BS2 0RA (central Ordnance Survey (OS) grid reference ST 6015 7289).

## 1.2 SUMMARY OF PROPOSALS

Proposals include new built student accommodation to be located in an existing light industrial area currently undergoing extensive regeneration adjacent to Bristol's Temple Quarter Enterprise Zone. The scheme will include areas for both community use and maker/workshop space.

## 1.3 PURPOSE OF THIS REPORT

The purpose of the report is to:

- Provide an ecological baseline
- Identify key ecological constraints to the proposed development
- Inform master-planning to allow significant ecological effects to be avoided or minimised wherever possible
- Provide mitigation or compensation measures
- Provide ecological enhancement measures and measure Biodiversity Net Gain (BNG)

## 1.4 PERSONNEL

The PEA and BNG calculations were conducted by Tessa Pepler BSc (Hons) MSc MCIEEM, a Principal Ecologist at Johns Associates who has worked as an ecological consultant since 2005 and has a BSc (Hons) in Environmental Studies and an MSc in Ecology and Management of the Natural Environment. Tessa is a full member of the Chartered Institute of Ecology and Environmental Management (MCIEEM) and holds Natural England Class 1 survey licences for bats, great crested newts and dormice.

## 1.5 SITE DESCRIPTION AND LOCATION

The planning application area, which hereafter is referred to as the 'Site', is located to the east of Bristol. The Site is located within an industrial urban area, and is bordered by Sussex Street to the south, Alfred Street to the west, Folly Lane to the east and a vegetated footpath is located adjacent to the northern boundary of the Site.

A railway line is located 174 m to the south of the Site. The Kennet and Avon Canal is located 361 m to the south-west of the Site and 444 m to the south. The River Avon is located 608 m to the south-west of the Site. The soil type at the Site comprises slightly acid loamy and clayey soils with impeded drainage<sup>1</sup>.

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<sup>1</sup> MAGIC Map <https://magic.defra.gov.uk/magicmap.aspx>

## 1.6 LEGISLATION AND POLICY

Relevant legislation and national and local planning policies are provided in Appendix A to this report.

Figure 1: Site Location





## 2 METHODOLOGY

### 2.1 DESK STUDY

A desk study was undertaken to collate all relevant existing information relating to the Site and its surrounding area. The data was used to inform the scope of the subsequent Site survey and to enable a full assessment of the likely effects of the proposed activities on any sites, habitats or species of conservation interest to be carried out. The following sources were consulted:

- Multi Agency Geographic Information for the Countryside (MAGIC) website. Records and citations to a 2 km buffer for national designated sites, a 5 km buffer for international designated sites, 8 km for sites designated for bats ([www.gov.uk](http://www.gov.uk), [www.designatedsites.naturalengland.org.uk](http://www.designatedsites.naturalengland.org.uk)), priority habitats and EPS licences for notable species to 2 km, including a 500 m buffer radius for great crested newt (GCN) *Triturus cristatus* and GCN ponds ([www.magic.co.uk](http://www.magic.co.uk)). Search made on 28 February 2023.
- Google Maps ([www.maps.google.com](http://www.maps.google.com)).
- Ordnance Survey maps ([www.ordnancesurvey.co.uk](http://www.ordnancesurvey.co.uk)) to identify any ponds within 500 m of the Site, along with the presence of any significant barriers to the migration of GCN from these ponds to the Site. Search made on 28 February 2023.

### 2.2 DATA SEARCH

A data search was conducted through Bristol Regional Environmental Records Centre (BRERC) on 7 March 2023 for notable and protected species, and non-statutory designated sites within 2 km of the Site.

### 2.3 FIELD SURVEY

An extended UKHab survey of the Site was undertaken on 28 February 2023 by experienced surveyor Tessa Pepler BSc (Hons) MSc MCIEEM from Johns Associates Ltd. The weather was sunny and dry with good visibility. This survey was completed in accordance with Guidelines for Preliminary Ecological Appraisal (CIEEM, 2017) and BS42020:2013 Biodiversity - Code of practice for planning and development (British Standards Institute, 2013).

The on-Site habitats were classified following UK Habitat Classification (UKHab) (2020) guidelines, which provides a more detailed interpretation of baseline habitat survey data than previous habitat classifications systems, such as Phase 1 Habitat Assessments. The professional edition of UKHab "UK Habitat Classification –Professional Edition<sup>2</sup>" (UKHab-P) was used which includes Priority Habitat Types, all Annex 1 Habitats and the habitats listed in EUNIS.

The classification of primary habitats is hierarchical with five levels, which include terrestrial/freshwater/marine, ecosystem types, broad habitats, priority habitats and Annex 1 habitats. Habitat types were assigned a primary code to a hierarchical level of at least three, and secondary codes were used to further clarify the habitat and record additional information linked to the primary habitat such as habitat management. The full range of secondary codes following UKHab-P were used, which are grouped under the following headings of which the first three listed are considered mandatory sections:

- Habitat Mosaics (10 - 18)

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2 Butcher, B., Carey, P., Edmonds, R., Norton, L. and Treweek, J. (2020). The UK Habitat Classification User Manual Version 1.1 at <http://www.ukhab.org/>

- Habitat Complexes (19 – 32)
- Origin (33 – 49)
- Management (51 – 85)
- Land Use (86 – 116)
- Environmental Qualifier (117 – 138)

### 2.3.1 Species

The survey was 'extended' to assess the suitability of the Site and immediately adjacent habitats to support legally protected and/or notable species, including (but not limited to) plants, badger *Meles meles*, bats, amphibians, reptiles and breeding birds. This included recording visible signs of species presence and/or features that may indicate likely presence. Any hedgerows/corridors/ linear features were assessed for likely value for foraging and commuting bats, trees on Site were assessed for their suitability for roosting bats and water bodies assessed for suitability for great crested newt. A search for Invasive Non-Native Species e.g. Japanese knotweed *Fallopia japonica* was conducted of the Site and immediately adjacent areas.

## 2.4 THE BIODIVERSITY METRIC

The Defra Biodiversity Metric 3.1 provides a nationally measurable structured calculation methodology to account for biodiversity losses and gains resulting from development or land management change.

The Defra Metric 3.1 Biodiversity score has been calculated for the existing habitats at the Site and for the habitats proposed within the masterplan. The site was split into distinct habitat parcels and linear habitats based on the UKHab system, which were then mapped and measured using the QGIS mapping tool. Baseline habitats are shown in Appendix B.

The area or length of each habitat type was entered into the Calculation Tool along with the condition and strategic significance (informed by the desk study) in order to obtain the baseline (i.e. existing) value of each in biodiversity units. This process was repeated for the post-development habitats to be retained, enhanced and/or newly created. The post-development habitat plan is shown in Appendix C.

BNG is an approach to development that seeks to halt the current loss of biodiversity through development and through the planning system; restore ecological networks through early masterplanning and increase the natural habitat resource and ecological features. This has been included within the Environment Act 2021, and a mandatory requirement for development to enhance the ecological value of a site by a minimum of 10% will come into force in November 2023.

## 2.5 PRELIMINARY ROOST ASSESSMENT (PRA)

A detailed external and internal survey of the buildings was carried out on 23 February 2023 by Tessa Pepler. The inspection followed the professional survey guidance as detailed in Bat Survey Guidelines for Professional Ecologists: Good Practice Guidelines (Bat Conservation Trust, 2016).

The survey entailed a direct search for evidence of bats on both internal and external features of the buildings. No trees were present within the Site to inspect. The external inspection of the buildings was carried out from the ground. Other supporting equipment included close focusing binoculars and a high-powered torch, as required. The buildings were examined externally for features that could support roosting bats and features that could lead to internal potential roost features (PRFs). One building was not subject to an internal inspection due to the buildings being in business use.

The presence of roosting bats can be observed through signs such as accumulations of moth or butterfly wings or bat droppings and staining and/or scratch marks around potential entrance and exit points. However, the absence of droppings/evidence cannot be treated as conclusive proof that bats are not present, and therefore an assessment was also made of the potential of the building to support bats based on the criteria detailed by the Bat Conservation Trust (2016) and provided in Table 1 below.

Table 1: Bat Conservation Trust PRA Guidelines

Suitability	Description of Roosting Habitats	Commuting and Foraging Habitats
Negligible	Negligible habitat features on site likely to be used by roosting bats.	Negligible habitat features on site likely to be used by commuting or foraging 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 (a) 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). A tree of sufficient size and age to contain PRFs but with none seen from the ground or features seen with only very limited roosting potential (b).	Habitat that could be used by small numbers of commuting bats such as a gappy hedgerow or unvegetated stream, but isolated, i.e., not very well connected to the surrounding landscape by other habitats. Suitable, but isolated habitat that could be used by small numbers of foraging bats such as a lone tree (not in a parkland situation) or a patch of scrub.
Moderate	A structure or tree with one or more potential roost sites that could be used by bats due to their size, shelter, protection, conditions (a) and surrounding habitat but unlikely to support a roost of high importance/ value for the local bat population (c).	Continuous habitat connected to the wider landscape that could be used by bats for commuting such as lines of trees and scrub or linked back gardens. Habitat that is connected to the wider landscape that could be used by bats for foraging such as trees, scrub, grassland or water.
High	A structure or tree 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 (a) and surrounding habitat.	Continuous, high-quality habitat that is well connected to the wider landscape that is likely to be used regularly by commuting bats such as river valleys, streams, hedgerows, lines of trees and woodland edge. High-quality habitat that is well connected to the wider landscape that is likely to be used regularly by foraging bats such as broadleaved woodland, tree-lined watercourses and grazed parkland. Site is close to and connected to known roosts.
<p>a. For example, in terms of temperature, humidity, height above ground level, light levels or levels of disturbance.  b. This system of categorisation aligns with BS8596:2015 Surveying for bats in trees and woodland (BSI,2015).  c. Assessment is made 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</p>		

## 2.6 LIMITATIONS CONSTRAINTS AND ASSUMPTIONS

The findings of this report are considered valid at the time of survey (February 2023). Should there be delays to the project timetable and/or implementation of the proposed development, updated desk study and/or survey work may be required. In this instance, advice should be sought to ensure the data, recommendations and conclusions set out in this report remain valid.

It has been assumed that the development proposals are as described in this document and that all proposed mitigation and enhancement measures will be implemented in full.

## 3 RESULTS

### 3.1 DESK STUDY

#### 3.1.1 Strategic Landscape Significance of Site

The Site is located within a heavily urbanised area with no directly connecting treelines or hedgerows or natural greenspace in proximity to the Site. The Site is not significant in the wider ecological landscape.

#### 3.1.2 Designated Sites

No Special Sites of Scientific Interest (SSSI) are located within 2 km of the Site.

Avon New Cut Local Nature Reserve (LNR) is located 862 m to the south-west of the Site. It is 23.08 ha in size and is a wildlife rich nature reserve that is a waterway alongside the River Avon.

Gorge Woodlands Special Area of Conservation (SAC) is located approximately 3.5 km to the west of the Site and is 151.07 ha in size. Avon Gorge is representative of *Tilio-Acerion* forests in south-west England on the limestone cliffs and screes of a large river gorge. It has a high concentration of small-leaved lime *Tilia cordata*, with the presence of rare whitebeams *Sorbus* spp., including two unique to the Avon Gorge (*S. bristoliensis* and *S. wilmottiana*), and other uncommon plants, such as green hellebore *Helleborus viridis*. Other characteristic species include soft shield-fern *Polystichum setiferum* and hart's-tongue *Phyllitis scolopendrium*. Species-rich transitions to scrub and grasslands are associated with the woodland. Small groves of yew *Taxus baccata* also occur on some of the stonier situations.

#### 3.1.3 Non-Statutory Designated Sites

There are seven Sites of Importance for Nature Conservation (SINCs) within 2 km of the Site. Table 2 provides more detailed information.

Table 2: SINC Records

SINC ID	SINC Name	Location of SINC	Features
BC45	Easton-Staple Hill Disused Railway	412 m NE	The variety of habitats at this site include grassland, scrub, secondary woodland, tall ruderal vegetation, planted trees and flower beds. Many of the habitats are characteristic of former railway land.
BC27	Feeder Side	426 m S	Artificial water channel with semi-improved neutral grassland and scrub along banks. Rat's-tail Fescue <i>Vulpia myuros</i> , Rue-leaved Saxifrage <i>Saxifraga tridactylites</i> , Common Scurvygrass <i>Cochlearia officinalis</i> and Reed Sweet-grass <i>Glyceria maxima</i> .
BC47	River Avon	612 m SW	Range from tidal saline region in west (confluence with R. Severn), through brackish to freshwater in the City. Tidal to St. Anne's. Includes Priority Habitat Mudflats, and possibly Coastal Saltmarsh (Criteria 3). In Mudflat SNA.
BC2	Arno's Vale Cemetery	1.28 km SE	One of few wildlife sites in an ecologically impoverished area the cemetery has wooded slopes, with neutral grassland near the old chapels & semi-improved neutral grassland on the southern plateau. Arno's Court Wood lies to the SE of the cemetery.
BC65	St Anne's Wood	1.73 km SE	The valley sides are clothed in semi-natural broadleaved woodland, with amenity grassland in the bottom of the valley, on either side of the Brook. The woodland has suffered disturbance and exotic species

SINC ID	SINC Name	Location of SINC	Features
			are present in some places.
BC10	Blackswarth Road Wood	1.79 km E	Grassland, scrub, woodland and ancient semi-natural woodland that may include some Priority Habitat Lowland Mixed Deciduous Woodland (Criteria 3). The grassland, mainly restricted to the north-west, has a varied flora.
BC53	Narrowways Junction	2 km N	Grassland, including Priority Habitats Lowland Calcareous Grassland & Lowland Meadows, scrub, ruderal communities and woodland. Important for invertebrates (18+ butterfly species recorded) and reptiles Rock Stonecrop <i>Sedum forsterianum</i> , Corn Parsley <i>Petroselinum segetum</i> .

### 3.2 FIELD SURVEY – HABITATS

#### 3.2.1 Developed land, Sealed Surface u1b

The majority of the Site comprised hardstanding (Plate 1) of negligible ecological value with no vegetation present other than one buddleia *Buddleja davidii* shrub.

Plate 1: Hardtsanding and east face B1 Calor Gas building



#### 3.2.2 Buildings u1b5

There were two buildings at the Site; the Calor Gas building (Plate1 and 2) to the west of the Site (Appendix B, B1) and the workshop units building (Plate 3) to the east of the Site (Appendix B, B2). The buildings are discussed in more detail in Section 3.3.1 of this report.

Plate 2: B1 Calor Gas building west face



Plate 3: B2 Workshop building west face



### 3.3 SPECIES AND SPECIES GROUPS

All protected species other than bats have been scoped out of the survey owing to the presence of hardstanding throughout the Site and the lack of natural habitat within or adjacent to the Site. The wall along the northern boundary of the Site prevents accessibility from any species that may use the footpath to the north of the Site. No invasive non-native species were recorded within the Site. No records of GCN EPSL or GCN pond survey records were provided by MAGIC Map within 500 m of the proposed Site.

#### 3.3.1 Bats

The buildings and northern wall were assessed for suitability to be used by roosting bats. Potential Roosting Features (PRFs); cracks between the bricks and holes in the mortar with a low suitability to be used by roosting bats were recorded within the Calor Gas building (Plates 4 and 5) and the workshops building (Appendix B, TN1) (Plate 6). Ivy may have obscured further features on the west wall of the Calor Gas building. A mobile structure along the western boundary of the Site was very well sealed, in good condition and had a negligible suitability for roosting bats (Plate 7)

The wall along the northern boundary was wide with several layers of stone. The wall had numerous holes along it which were inspected and didn't provide sufficient space for roosting bats or were too exposed. It is possible that cracks and crevices extending into the inner wall structure could be present in the wall. Based upon the wall being located adjacent to a vegetated footpath which has a moderate suitability for commuting bats, it is considered that the wall has moderate suitability to be used by roosting bats due to the potential for internal larger size cavities to be present within it.



Plate 4: Crack in the Calor Gas buiding west face



Plate 5: Crack in the Calor Gas buiding west face



Plate 6: Crack in wall of east face B2 to left and above door



Plate 7: Mobile structure with negligible suitability for bats



BRERC provided bat roost records for the area extending 2 km from the Site for the following species: pipistrelle species *pipistrellus*, lesser horseshoe *Rhinolophus hoipposiderus*, common pipistrelle *Pipistrellus pipistrellus*, *Myotis* sp., Daubenton's *Myotis daubentonii*, serotine *Eptesicus serotinus*, nathusius pipistrelle *Pipistrellus nathusii*, Leisler's *Nyctalus leisleri*, long-eared *Plecotus* sp., noctule *Nyctalus noctule* and soprano pipistrelle *Pipistrellus pygmaeus*. One maternity roost was recorded for soprano pipistrelle.

MAGIC Map provided records of granted European Protected Species Licence (EPSL) within 2 km for common pipistrelle and soprano pipistrelle, common pipistrelle (six licences) and one licence for serotine, brown long-eared *Plecotus auritus* and whiskered bat *Myotis mystacinus*. The licences were not for breeding sites.

## 4 ECOLOGICAL ASSESSMENT, CONSTRAINTS AND OPPORTUNITIES

### 4.1 DESIGNATED AND NON-DESIGNATED SITES

The statutory and non-statutory designated sites within 2 km of the proposed Site do not have habitats that are ecologically connected to the Site. The Site does not contain any habitat that could support any mobile species that are designating features of the statutory and non-statutory designated sites. As a result, it is considered that the proposed development will not have a significant negative effect on the conservation status of these sites.

### 4.2 FIELD SURVEY RESULTS – HABITATS

The habitats present within the proposed Site have negligible ecological value. No Priority Habitats are present with the Site. No invasive non-native species are present within the Site.

### 4.3 BNG CALCULATION

A summary of the BNG calculation is provided below. Appendix C contains the Post-Development UKHab Plan. The Headline BNG Results are provided in Appendix D and the full Defra biodiversity Metric 3.1 results are provided as a separate spreadsheet in support of the planning application.

Rain gardens, brown roofs, green biodiverse roofs, scented shrubs and urban trees will be created as part of the proposed landscape scheme. The species are non-native and all post-development habitats are therefore assessed to be of poor condition.

The overall on-site baseline habitat units are currently 0.00. The on-site post-development (enhancement) habitat units are 1.4 units. There is a **100%** total net increase in habitat units.

### 4.4 FIELD SURVEY RESULTS – SPECIES AND SPECIES GROUPS

#### 4.4.1 Bats

There was negligible habitat within the Site to support foraging and commuting bats. The buildings had a low suitability to be used by roosting bats in a few cracks and holes. The northern boundary wall had a moderate suitability to be used by roosting bats. The footpath adjacent to the northern boundary of the Site had a moderate suitability (within the urban landscape) to be used by foraging and commuting bats.

Native bat species receive full protection under UK and European legislation including the Wildlife and Countryside Act 1981 (as amended), the CRoW Act 2000, and the Conservation of Species and Habitats (Amendment) (EU Exit) Regulations 2019. It is an offence to wilfully or recklessly disturb or harm individual bats or to destroy, damage or obstruct a place of shelter used by bats, even if bats are absent.

A further endoscope inspection will be conducted by a Level 2 bat worker to establish whether the cracks and holes in the walls of the buildings and wall are suitable to be used by roosting bats. The ivy should be removed first to expose any hidden PRFs. The potential for bats to use the highly urbanised Site with no vegetation was increased due to the potential bat commuting route provided by the footpath adjacent to the northern boundary of the Site.

Should there be the potential for roosting bats, between one and three bat emergence surveys will be undertaken to establish presence/absence of bats. Should bats be present, a European Protected Species Licence (EPSL) will be required from Natural England (NE).



Proposed lighting of the Site will need to meet the Bat Conservation Trust specifications below and an assessment of the lighting strategy should be included as a planning condition for the Site:

- External lights should have hoods, cowls and be uni-directional in a downwards direction to illuminate the required area only.
- External lights should be set on motion-sensors and short <1 minute timers.
- Use of timers/sensors to ensure that all lighting is turned off at the site overnight when not in use.
- Lights automatically dim when not in use.
- All lights should lack UV elements when manufactured.
- Metal Halide, mercury light and fluorescent sources should not be used.
- LED lights should be used.
- Warm white spectrum lights should be used <2,700Kelvin to reduce blue light component. Avoid blue-white short wavelength lights.
- Lights with peak wavelengths higher than 550nm should be used.

## 5 CONCLUSIONS

A further endoscope survey will be conducted on the identified PRFs within the buildings (once ivy has been cleared to allow viewing) and the wall along the northern boundary to ascertain suitability for roosting bats. Should these features be suitable for roosting bats between one and three bat emergence surveys will be conducted between May and September to confirm presence/ likely absence of roosting bats.

Should bats be present, an EPSL will be required from NE to allow the works to take place that would otherwise be illegal. This process occurs following receipt of planning permission. Compensation would be likely to include the inclusion of built in bat tubes within the walls of the proposed buildings.

Enhancement of the Site will be attained through the creation of green and brown roofs, rain gardens, scented shrubs and urban trees. There will be a 100% BNG in habitat units at the Site.

## 6 REFERENCES

UK Habitat Classification, Habitat Definitions Version 1.1, UKHab September 2020.

Defra Biodiversity Metric 3.1 Auditing and accounting for biodiversity. User Guide 21<sup>st</sup> April 2022.

MAGIC Map <https://magic.defra.gov.uk/MagicMap.aspx>

Bat Surveys for Professional Ecologists, Good Practice Guidelines. Bat Conservation Trust Guidelines (2016),

## APPENDIX A – LEGISLATION AND PLANNING POLICY

## LEGISLATION

Many species of animal and plant receive some degree of legal protection. For the purposes of this report, legal protection refers to: species included on Annex II of the Habitats Directive 1992 (Council of European Communities, 22/07/1992) , Schedules 2 and 5 of the Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019 and Schedules 1, 5 and 8 of the Wildlife and Countryside Act 1981 (as amended) , excluding species that are only protected in relation to their sale (see Section 9[5] and 13[2]) reflecting the fact that the proposed development does not include any proposals relating to the sale of species.

Legal offences associated with species listed on Schedule 2 of the Conservation of Habitats and Species Regulations and Schedule 5 of the Wildlife and Countryside Act in England and Wales include inter alia:

- Deliberate capture, injury or killing of animals or taking or destroying their eggs;
- Deliberately disturb animals in a way that would significantly affect their local distribution or abundance, or affect their ability to survive, breed or rear young;
- Intentional or reckless disturbance of an animal in its place of shelter or protection;
- Damaging or destroying a resting place or breeding site;
- Intentionally or recklessly obstructing access to a place of shelter or protection; and
- Possess, control, transport, sell, exchange or offer for sale/exchange any live or dead animal or any part of an animal.

Relevant species listed on these Schedules that are potentially associated with this Site include bats and reptile species (e.g. slow worm). All species of bat receive full protection from all legal offences listed above. Common reptile species receive partial protection under the Wildlife and Countryside Act in that they are protected from killing and injury only.

All species of wild bird are protected under the Wildlife and Countryside Act (1981) (as amended) from killing or injury. In addition, it is an offence to take or damage/ destroy their eggs and to damage or destroy a nest whilst it is in use. Species listed on Schedule 1 (such as barn owl) receive additional protection in that it is illegal to disturb birds or their young whilst occupying, or near to, an active nest.

A number of wild plants, habitats and animals (including reptiles, hedgehog and most species of bat) are also included within Section 41 of the Natural Environment and Rural Communities (NERC) Act 2006 which lists flora, fauna and habitats considered by the Secretary of State to be of principal importance for conserving biodiversity. The publication of the "England Biodiversity List" satisfies the requirements of Section 41 of the NERC Act 2006 for the conservation of biodiversity. Section 40 of the NERC Act 2006 requires public bodies, including local planning authorities, to have regard for the conservation of biodiversity in England, when carrying out their normal functions.

Badgers are protected under the Protection of Badgers Act 1992 (UK Government, 1992) which makes it an offence to willfully kill, injure or take (or attempt to kill, injure or take) a badger; or to disturb badgers whilst occupying their setts.

## NATIONAL PLANNING POLICY

There are numerous national and local planning policies associated with flora and fauna (also referred to as biodiversity) that need to be addressed as part of the planning process. The Government has issued its National Planning Policy Framework (NPPF) 2021, which requires impacts to biodiversity to be minimised. Paragraph 181 of the NPPF applies the same protection to Ramsar sites as that conferred by the Habitats Regulations to SACs and SPAs. The NPPF requires development to apply the following principles (Paragraphs 179-180):

- Minimise impacts on and provide net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressure;
- Identify and pursue opportunities for securing measurable net gains for biodiversity;
- Ensure that there will be no adverse impacts to SSSIs (such development would not normally be permitted);
- Ensure that there will be no 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; and
- Where significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts) adequate mitigation, or as a last resort compensation, must be provided.
- The NPPF and associated Planning Practice Guidance also emphasise the requirement for ecological networks and wildlife corridors to be created throughout the wider landscape (paragraph 179).

Planning authorities should follow key principles to ensure that the potential impacts of planning decisions on biodiversity conservation are considered. Circular 06/05: Biodiversity and Geological Conservation provides guidance on the application of the law relating to planning and nature conservation and complements the NPPF.

### The Natural Environment Paper

“The Natural Choice: Securing the Value of Nature” outlines the Government’s approach and vision for nature in the UK including protecting and improving our natural environment, growing a green economy and reconnecting people and nature.

### Biodiversity 2020

A strategy for England’s wildlife and ecosystem services, are the country level strategies for England and builds on the natural Environment White Paper. It sets out the strategic direction for biodiversity policy for the next decade on land (including rivers and lakes) and at sea. The priorities for action include a more integrated large-scale approach to conservation, putting people at the heart of biodiversity policy, reducing environmental pressure and improving knowledge.

### LOCAL PLANNING POLICY







The Bristol Local Plan (and the current review of the Local Plan) includes a range of policies that are directly or indirectly associated with nature conservation, biodiversity and the interaction between people, wildlife, urban living and wider sustainability. Notably, these include policies associated with Green Infrastructure such as Policy BCS9 that states: *“Green infrastructure assets include open spaces, recreation areas, parks and gardens, allotments, biological and geological conservation sites, landscape features, rivers, waterways and watercourses, woodlands, street trees and planting, green roofs and walls, cycle routes, pedestrian walkways and public rights of way, green corridors and open countryside. This policy addresses green infrastructure assets as a whole and also sets out the approach to two specific forms of green asset, open space and biological and geological conservation sites.”*

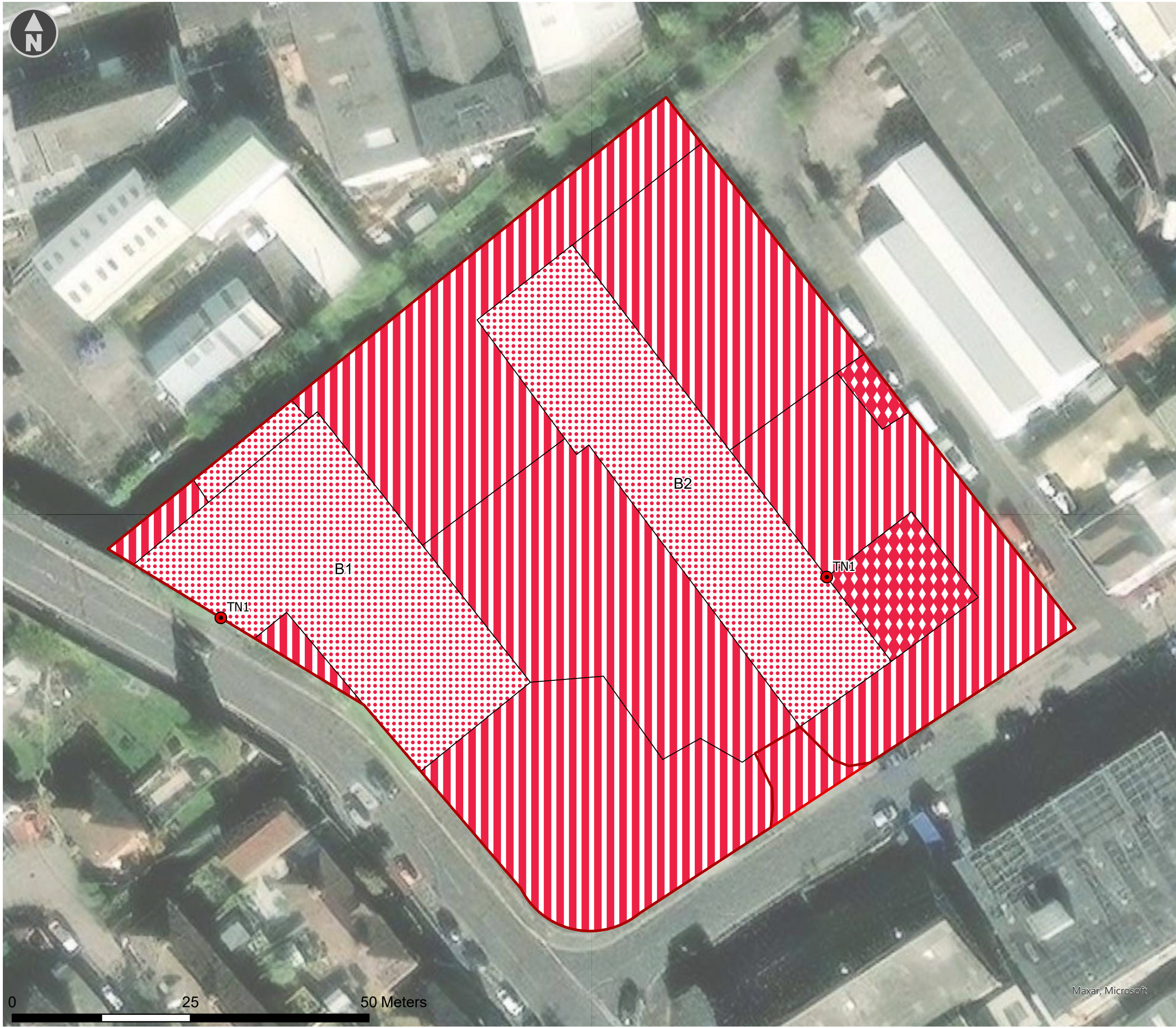
The Bristol Biodiversity Action Plan accessed via <https://www.bristol.gov.uk/documents/20182/35052/BBAP.pdf> on 22/03/23) also provides an over-arching framework for habitat and species conservation in Bristol and promotes the benefits of wildlife to people, identifying different approaches to better promote, and engage people in, biodiversity conservation in the city.

# APPENDIX B – UKHAB BASELINE SURVEY MAP & TARGET NOTES





-  Site Boundary
-  u1b - developed land, sealed surface
-  u1b5 - buildings
-  u1b6 - other developed land
-  u1e - built linear feature
-  Target Note



0 25 50 Meters

Maxar, Microsoft

**CLIENT** Dominvs Group Limited

**PROJECT** New Henry Street

**TITLE** UKHabs Classification Survey






SCALE @ A3	CREATED BY	CHECKED BY
1:500	CA	TP
REFERENCE	ISSUE/REVISION	DATE
J01143-002		23/3/2023

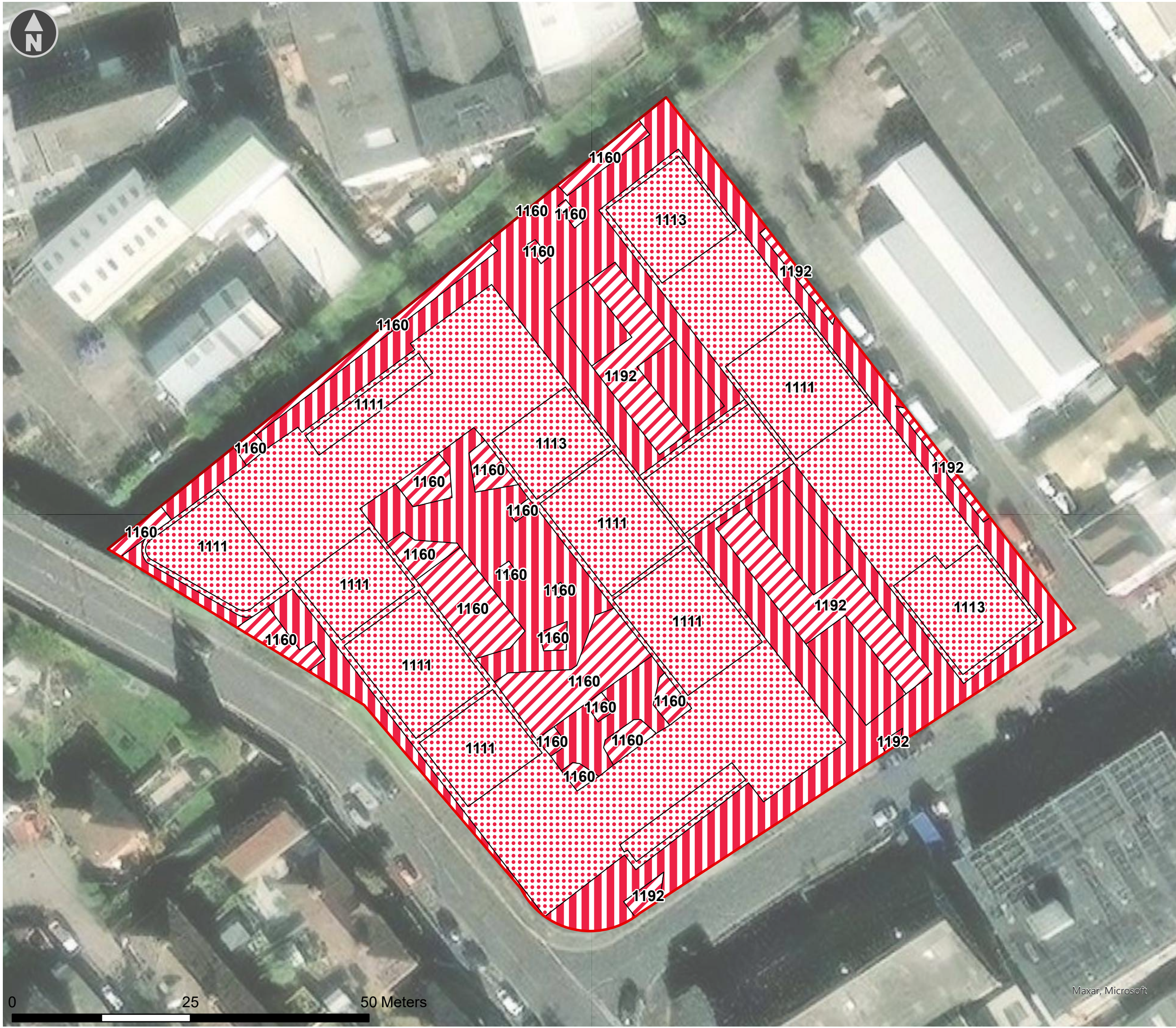


## APPENDIX C – PROPOSED PHASE 1 HABITATS MAP





-  Site Boundary
-  u1 - built-up areas and gardens
-  u1b - developed land, sealed surface
-  u1b5 - buildings
-  u1e - built linear feature



0 25 50 Meters

Maxar, Microsoft

**CLIENT** Dominvs Group Limited

**PROJECT** New Henry Street

**TITLE** Post-Development UKHabs Classification

<b>SCALE @ A3</b>	<b>CREATED BY</b>	<b>CHECKED BY</b>
1:500	CA	TP

<b>REFERENCE</b>	<b>ISSUE/REVISION</b>	<b>DATE</b>
J01143-003		23/3/2023



# APPENDIX D – DEFRA METRIC 3.1 HEADLINE RESULTS

## The Biodiversity Metric 3.1 - Calculation Tool

### Start page

#### Project details

Planning authority:	Bristol City Council
Project name:	New Henry Street, Bristol
Applicant:	Dominvs Group Limited
Application type:	Full
Planning application reference:	
Assessor:	Tessa Pepler BSc (Hons) MSc MCIEEM
Reviewer:	
Metric version:	3.1
Assessment date:	21/03/2023
Planning authority reviewer:	

Instructions

Main menu

Results

View all

Reset view

#### Cell style conventions

	Enter data
	Automatic lookup
	Result

New Henry Street, Bristol

#### Headline Results

Return to results menu

#### On-site baseline

Habitat units	0.00
Hedgerow units	0.00
River units	0.00

#### On-site post-intervention

(Including habitat retention, creation & enhancement)

Habitat units	1.40
Hedgerow units	0.00
River units	0.00

#### On-site net % change

(Including habitat retention, creation & enhancement)

Habitat units	0.00%
Hedgerow units	0.00%
River units	0.00%

#### Off-site baseline

Habitat units	0.00
Hedgerow units	0.00
River units	0.00

#### Off-site post-intervention

(Including habitat retention, creation & enhancement)

Habitat units	0.00
Hedgerow units	0.00
River units	0.00

#### Total net unit change

(including all on-site & off-site habitat retention, creation & enhancement)

Habitat units	1.40
Hedgerow units	0.00
River units	0.00

#### Total on-site net % change plus off-site surplus

(including all on-site & off-site habitat retention, creation & enhancement)

Habitat units	100.00%
Hedgerow units	0.00%
River units	0.00%

#### Trading rules Satisfied?

Yes ✓

The full Defra Metric 3.1 Biodiversity Net Gain Calculation Spreadsheet is submitted separately.