



FUTURESECOLOGY

Green Park Construction

Moor Lane, Haxby

ECOLOGICAL IMPACT ASSESSMENT

Report Reference Number: FE281/EcIA01

September 2023

Please note that the report is likely to be valid for a period of 12 months¹. Where specific protected species surveys are undertaken the validation period of these surveys differs and must be considered carefully when utilising the data present within this report. For example, bat nocturnal emergency surveys are likely to be valid for a period of two seasons (a season being May – September) to support a planning application though to apply for a European Protected Species Licence surveys must be up to date and should be conducted in the current or most recent optimal survey season.

Futures Ecology Ltd
Carrwood Park, Swillington Common Farm, Selby Rd, Leeds LS15 4LG

Company Number: 12125083

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REV	Issue Status	Author or Reviewer	Name & Qualifications	Position	Date
-	Draft 1	Author	A. Eales BSc (Hons)	Principal Ecologist	01.07.2023
		Reviewer	K. Haymes BSc (Hons) ACIEEM	Senior Ecologist	12.09.2023

¹ <https://cieem.net/wp-content/uploads/2019/04/Advice-Note.pdf>

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1.0 EXECUTIVE SUMMARY

- 1.1 An Ecological Impact Assessment (EclA) was undertaken following published guidelines on the likely effects upon biodiversity as a result of a proposed residential scheme. The assessment draws from desk study data and field surveys undertaken between May and June 2023.
- 1.2 Proposals comprise the construction of one bungalow with associated garden. Much of the site comprised two agricultural buildings, bare ground and ephemeral / short perennial vegetation.
- 1.3 The assessment identified the following Important Ecological Features (IEFs) which could be affected by the proposals or warrant consideration due to their legal protection afforded them:
 - Strensall Common SAC
 - Mature trees (boundary)
 - Invasive non-native species
 - Nesting birds
 - Badger
 - Great crested newts (GCN)
- 1.4 No impacts are expected on any of the designated sites within the specified zones of influence.
- 1.5 The proposals will result in the demolition of two agricultural buildings and permanent loss of a small area of ephemeral / short perennial vegetation.
- 1.6 Habitats either on site or adjacent had the potential to support protected species, badger and great crested newts. Protected species surveys confirmed the likely absence of these species. As such there are no statutory constraints from the presence of these protected species.
- 1.7 Mitigation through design has been used to avoid impacts where possible. Construction phase impacts on boundary trees and nesting birds as well as controlling the potential spread of Himalayan balsam will be minimised through careful control of construction activities through an industry best practice Construction Environmental Management Plan (CEMP) which is recommended to be a condition of any planning consent. As a result, all other predicted effects on more valuable onsite habitats such as boundary trees, which are largely retained within the scheme, will be minimised. This also reduces the impacts on important faunal species that may utilise these habitats, such as foraging and commuting bats and nesting birds.
- 1.8 The inclusion of biodiversity enhancements listed in Section 10 would maximise the biodiversity value of the site, in line with NPPF and local planning policy.

2.0 INTRODUCTION

- 2.1 The following report has been prepared by Futures Ecology Ltd. on behalf of Green Park Construction to support a planning application for a proposed residential development. It presents the findings of an Ecological Impact Assessment (EclA) to determine the likely ecological impacts of the scheme at a site on Moor Lane, Haxby in North Yorkshire (herein referred to as the Site).
- 2.2 This report also seeks to address comments provided by the City of York Council Countryside & Ecology Officer in relation to application reference 23/00219/FUL dated 6th March, 2023.

SITE LOCATION AND CONTEXT

- 2.3 The Site comprises approximately 0.2ha of largely agricultural barns and a small area of bare ground and ephemeral short perennial vegetation. The site is located on the northern edge of Haxby, c.8km north of the centre of York (grid reference: SE 60502 59373).
- 2.4 The landscape surrounding the site is primarily arable and pasture fields divided by mature hedgerows and trees.

DEVELOPMENT PROPOSALS

- 2.5 Proposals comprise the demolition of the two agricultural buildings and construction of a single storey residential dwelling with associated garden.

OBJECTIVES

- 2.6 This document has been prepared with reference to the Chartered Institute of Ecology and Environmental Management's (CIEEM) Ecological Impact Assessment (EclA) Guidelines (2018)² and BS 42020: 2013 Biodiversity – Code of practice for planning and development.
- 2.7 The key objectives of an Ecological Impact Assessment are to:
- Gain an understanding of the baseline ecology of the site and immediate surrounding area;
 - Determine whether the site supports or has the potential to support protected species;
 - Identify any likely ecological constraints and use to inform future layouts (if necessary);
 - Assess the likely significant impacts of the proposed development on the Important Ecological Features;
 - Identify mitigation measure likely to be required; and

² CIEEM (2018) Guidelines for Ecological Impact Assessment in the UK and Ireland: Terrestrial, Freshwater, Coastal and Marine version 1.1. Chartered Institute of Ecology and Environmental Management, Winchester.

Identify the opportunities offered by the potential project to deliver ecological enhancement.

3.0 ASSESSMENT METHODOLOGY

SCOPE OF THE ASSESSMENT

3.1 The scope of this assessment is to consider the likely effects of the proposed scheme upon ecological features identified during the baseline survey and data collection. During this process, pathways are identified that will result in a likely impact. This may be either directly or indirectly that would result in a potential effect on a habitat and/or species. Ecological features may be located within the redline boundary of the Site or within areas identified from the initial survey which is referred to as the zone of influence (Zoi).

3.2 Ecological features that are to be included within this assessment comprise:

- Designated habitats or sites,
- Protected and notable species,
- Species and Habitats (SPI) and (HPI).

3.3 Baseline information and potential impacts have been quantified as far as practical to inform the assessment, supported by professional judgment and experience as appropriate.

3.4 The main sources of information for the assessment comprise:

- Biological records obtained from the relevant Local Records office and local interest groups (desk study),
- Online sources of Ecological Data (desk study),
- Review of legislation and land-use policies,
- Review of nearby by planning applications to determine any nearby ecological features,
- Field surveys.

DESK STUDY

3.5 Prior to the field survey, aerial photographs and mapping tools were reviewed using online mapping resources at a minimum scale of 1:25,000; Google Maps³; and the Multi Agency Geographic Information for the Countryside (MAGIC)⁴ to assess the landscape context of the survey area and surrounding areas.

3.6 To support the field survey and compile baseline information of relevance to the site, ecological information was sought from third party organisations:

- North and East Yorkshire Ecological Data Centre (NEYEDC),

³ www.google.com/maps

⁴ www.magic.defra.gov.uk

- Natural England's Open Dataset⁵,
York City Council Planning Applications⁶
- 3.7 The search area for designated sites and protected species is determined by the likely Zone of Influence (Zoi) and the likely significant affect. The search areas for the various levels of site designation and for protected / notable species is detailed below:
- Sites of international statutory designation such as Special Area of Conservation (SAC), Special Protection Area (SPA) and Ramsar Sites are searched for within a 10km radius around the application site.
 - Sites of national or regional importance with a statutory designation of Site of Special Scientific Importance (SSSI) or National Nature Reserve (NNR) within 2km.
 - Sites of local importance with statutory designation of Local Nature Reserve (LNR), or non-statutory designation of Site of Importance for Nature Conservation (SINC) or the equivalent Local Wildlife Site (LWS) within 1km; and
 - Records of notable / protected species (i.e. including Species of Principal Importance under Section 41 of the Natural Environment and Rural Communities (NERC) Act 2006 and local Biodiversity Action Plan (LBAP) species within 1km and bats within 2km.
 - EPSM licences relating to bats and GCN within 2km,
 - Natural England Environmental DNA surveys and Habitat Suitability Assessments of Ponds for great crested newt in support of District Level mitigation Licensing.

BASELINE SURVEYS

- 3.8 The habitat and protected species surveys were undertaken by A. Eales BSc (Hons) who has extensive experience in undertaking these surveys. A. Eales is registered to use a Natural England Class Licence Level 2 to survey for bats (CL20: 2021-52518-CLS-CLS) and great crested newts (2016-22825-CLS-CLS).

Habitat Appraisal

- 3.9 The survey was undertaken on 17th May 2023. Survey methodology followed guidance from Joint Nature Conservation Committee (JNCC) 2016⁷ comprising a walkover of the survey area mapping (using JNCC standard habitat codes) and broadly describing and classifying the principal habitat types and other features of interest. The frequencies at which plant species occurred were noted using the DAFOR method. Whilst the plant species lists obtained should not be regarded as exhaustive, sufficient information was obtained to determine broad habitat types.
- 3.10 Habitats were also assessed for their potential to support protected or notable species including any incidental sightings of birds recorded during the walkover. Where

⁵<https://naturalengland-defra.opendata.arcgis.com/datasets/great-crested-newts-edna-pond-surveys-for-district-level-licensing-england/explore?location=52.627247%2C-0.857662%2C6.58>

⁶ York City Council Planning Portal <https://planningaccess.york.gov.uk/online-applications/>

⁷ JNCC (2016) Handbook for Phase1 Habitat Survey – a technique for environmental audit. ISBN 0 86139 636 7

potentially suitable habitats were observed during the scope of this assessment, detailed protected species surveys were undertaken using methodology detailed below.

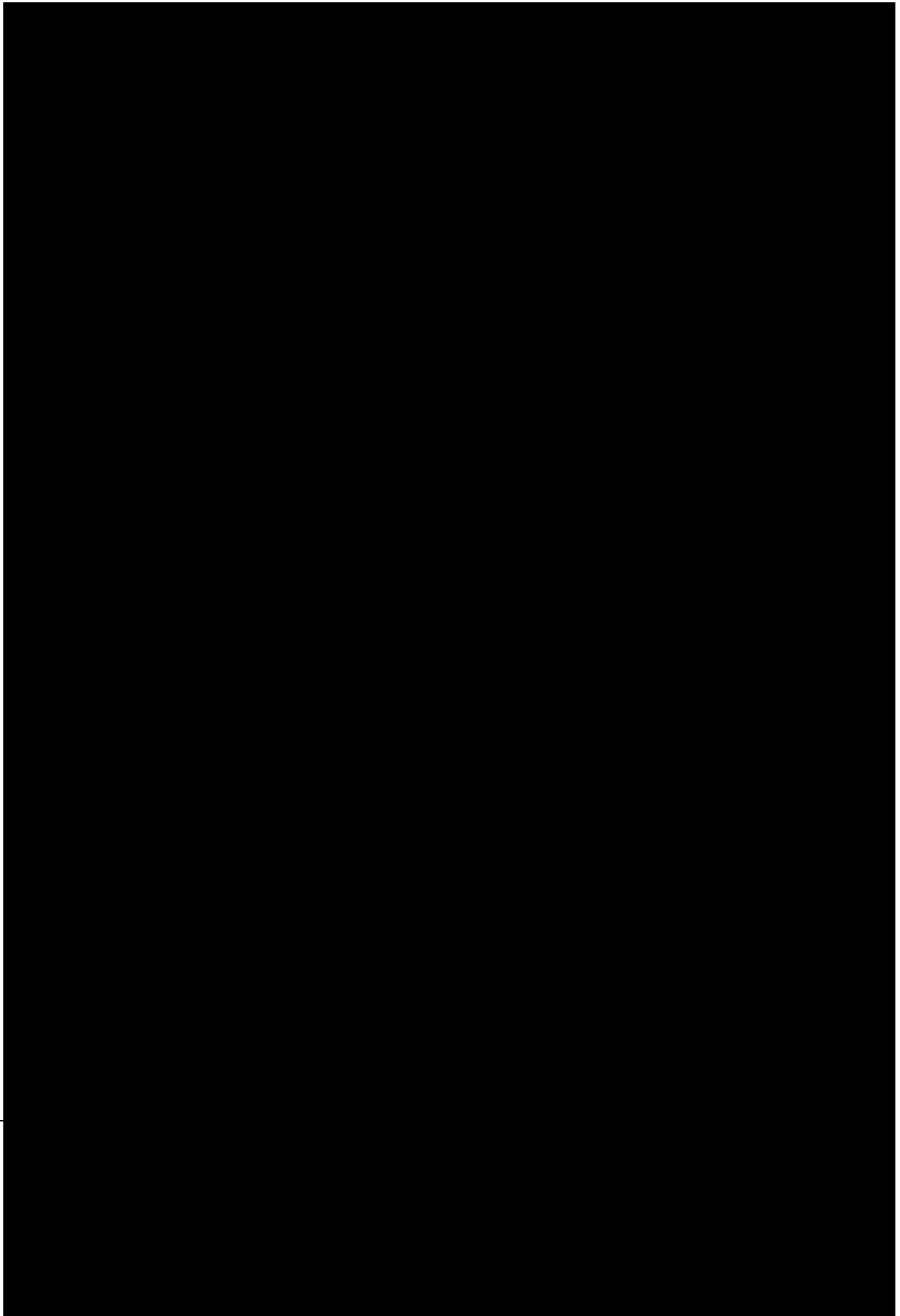
3.11 The distribution and extent of any invasive species listed on Schedule 9, Section 14 of the Wildlife and Countryside Act 1981 (as amended) were also noted during the survey.

3.12

3.13

3.14

3.15



Bats

Roost Habitat – Buildings & Trees

- 3.16 All buildings within the site boundary were assessed for their potential to support roosting bats using statutory guidance (Natural England, 2019¹²) and best practice survey methodology (Collins, 2016¹³ and Mitchell-Jones & McLeish, 2004¹⁴).
- 3.17 The buildings were inspected externally using close focussing binoculars, a high-powered torch and endoscope where appropriate. Features such as small gaps around or under barge/soffit/fascia boards, windows, lintels, flashing, external pipework and or raised or missing roof/ridge tiles or gaps at gable ends, which have the potential for use as access points, were noted. Evidence that bats actively used such features included: staining within and around the gaps or bat droppings / urine staining under gaps. The presence of cobwebs and or general detritus within and around potential access points was used as an indicator that bats had not recently used the area to access the building.
- 3.18 Where accessible and safe to do so, the interiors of the building including roof voids and cellars were assessed for evidence of bat activity and for the potential to be used by roosting bats. Evidence of a roost would be determined by the presence of live or dead bat(s), concentrated piles or scattered bat droppings, feeding remains such as insect wing fragments as well as scratch marks and or staining from mammalian fur oil/ urine.
- 3.19 The trees along the eastern boundary were inspected from the ground using close focussing binoculars, a high-powered torch, and an endoscope where appropriate. Potential Roosting Features (PRF) for bats such, holes / cavities, loose bark, cracks / splits, occluded bark, and gaps behind ivy stems. (British Standard 8596:2015¹⁵). Other factors such as orientation of the feature, its height from the ground, the direct surroundings and its location in respect to other features may enhance or reduce the potential value of the PRF. Signs indicating possible use by bats were also recorded such as bat droppings, odour, scratches, staining and audible sounds.
- 3.20 An assessment was made on the level of bat roosting potential offered by the structures and trees, based on the presence of the features detailed above. Table 1 below broadly classifies the potential categories and discusses the relevance of such features, where present.

Table 1: Bat Roost Potential Classification Buildings & Trees - Based on Table 4.1 and Table 7.3 of Bat Surveys for Professional Ecologists: Good Practice Guidelines (Collins, 2016).

Classification / Suitability	Description of Roosting Habitat within either buildings or trees	Likely Further Survey Work
Negligible	Negligible or no habitat features likely to be used by roosting bats.	None.

¹² <https://www.gov.uk/guidance/bats-surveys-and-mitigation-for-development-projects> (accessed March 2020)

¹³ Collins, J. (ed.) (2016) Bat Surveys for Professional Ecologists: Good Practice Guidelines (3rd edn). The Bat Conservation Trust, London.

¹⁴ Mitchell-Jones, A.J. and McLeish, A.P. (eds) (2004) Bat Workers' Manual (3rd edn). JNCC, Peterborough.

¹⁵ British Standard (2015) BS 8596:2015 Surveying for bats in trees and woodland – Guide, October 2015.

Classification / Suitability	Description of Roosting Habitat within either buildings or trees	Likely Further Survey Work
Low	<p>A structure with one or more potential roost sites or features (PRF) that could be used opportunistically by small numbers or individual bats. These features do not provide enough space, shelter, suitable conditions and or surrounding suitable habitat to be used on a more regular basis or by larger numbers of bats. The feature is unlikely to be suitable for hibernation or maternity roosts.</p> <p>Examples on include (but are not limited to); loose/lifted bark, shallow splits exposed to elements, upward facing holes, small gaps beneath a soffit board.</p>	<p>Buildings Nocturnal presence / absence surveys are likely to be required to give confidence in a negative result. At least one dusk emergence or dawn re-entry survey during the appropriate survey period.</p> <p>Further roost characterisation surveys would be required should a roost be confirmed that will be affected by development proposals.</p> <p>Trees No further survey required but a precautionary working method statement may be appropriate.</p> <p>Further nocturnal surveys may be required should there be a significant lapse in time between the initial surveys and proposed works.</p>
Moderate	<p>A structure with one or more potential roost sites or features that could be used by bats due their size, shelter, protection, conditions and surrounding habitat but unlikely to support a roost of high conservation status (in respect to roost type only and not species conservation status).</p>	<p>Buildings At least two nocturnal presence / absence required to give confidence in a negative result. One dusk emergence and a separate dawn re-entry survey during the appropriate period.</p> <p>Should a roost be confirmed further roost characterisation surveys be required. Surveys should be evenly spread throughout the season with a minimum of at least 2 weeks apart.</p> <p>Trees An aerial assessment by roped access bat workers and / or nocturnal surveys (as above). Following an aerial assessment, a tree may be upgraded or downgraded based on findings.</p> <p>If roost sites are confirmed and the roost is affected by proposals a licence from Natural England will be required. After completion of survey work and presence of roost discounted a precautionary working method statement may still be appropriate.</p>
High	<p>A structure with one or more potential roost sites that are obviously suitable for use by large numbers or bats on a more regular basis and potentially for longer periods of time due to their size, shelter, protection, conditions and surrounding habitat.</p>	<p>Buildings At least three nocturnal presence / absence surveys required to give confidence in a negative result. At least one dusk emergence and a separate dawn re-entry survey. The third survey could be either a dusk or dawn nocturnal survey.</p> <p>Trees An aerial assessment by roped access bat workers (if appropriate) and / or nocturnal surveys (as above).</p> <p>Following an aerial assessment, a tree may be upgraded or downgraded based on findings.</p> <p>If roost sites are confirmed and the roost is affected by proposals a licence from Natural England will be required.</p>

Classification / Suitability	Description of Roosting Habitat within either buildings or trees	Likely Further Survey Work
		After completion of surveys work and presence of roost discounted a precautionary working method statement may still be appropriate.
Confirmed Roost	Evidence of roosting bats in the form of live or dead bats, droppings, urine staining, mammalian fur oil staining etc.	<p>At least three nocturnal surveys to ascertain the status of the roost during appropriate survey period. At least one dusk emergence and a separate dawn re-entry survey. The third survey could be either a dusk or dawn nocturnal survey.</p> <p>Trees An aerial assessment by roped access bat workers (if appropriate) and / or nocturnal surveys (as above).</p> <p>A Natural England licence application will be required if the roost site will be affected by the proposed works.</p> <p>A precautionary good practice method statement may still be required if the roost is unaffected directly by the proposed works.</p>

Foraging / Commuting Habitat

- 3.21 The potential for the site and immediate surrounds to support foraging and commuting bats was also assessed, with particular regard being given to the presence of continuous treelines providing good connectivity in the landscape, and the presence of varied habitat such as scrub, woodland, grassland and open water in the vicinity.

Great Crested Newt (GCN)

Aquatic Habitat

- 3.22 OS mapping and online aerial imagery were analysed for the presence of on and off-site water bodies within 500m of the application site in accordance with Natural England guidance¹⁶.
- 3.23 Where access was possible the waterbodies were evaluated using the HSI scoring system development by Oldham et al (2000)¹⁷ as part of the field surveys.
- 3.24 The scoring system produces a value of habitat suitability calculated from scores achieved under a variety of categories which include; the location within the UK, pond area, frequency of drying out, water quality, percentage shade, presence of waterfowl, presence of fish, number of other ponds within 1km, quality of surrounding terrestrial habitat, percentage coverage by macrophytes.
- 3.25 Pond suitability is then determined using the scale shown below in Table 2.

¹⁶ Natural England: Standing Advice Sheet: Great Crested Newts Paragraph 4: 4.1

¹⁷ Oldham, R.S., Keeble, J., Swan, M.J.S. and Jeffcote, M (2000) Evaluating the suitability of habitat for the great crested newt *Triturus cristatus*. Herpetological Journal 10(4), 143-155pp

Table 2: HSI Scores as a Measure of Pond Suitability

HSI Score	Pond Suitability
<0.5	Poor
0.5 – 0.59	Below average
0.6 – 0.69	Average
0.7 – 0.79	Good
>0.8	Excellent

Terrestrial Habitats

- 3.26 An assessment of the suitability of the terrestrial habitats within the site to support GCN was completed within the subject site. Suitable terrestrial habitat includes shelter habitat such as scrub and rank vegetation and habitat that could provide suitable hibernation sites such as rubble piles, tussock grassland and compost heaps.

Environmental DNA (eDNA)

- 3.27 The method used to collect the eDNA followed the Technical advice note for field and laboratory sampling of great crested newt environmental DNA, dated 30th September 2014¹⁸.
- 3.28 Samples were taken on 31st May, 2023 by a level 1 GCN licence holder E. Padmore (Licence Ref: 2023-11247-CL08-GCN).
- 3.29 The laboratory analysis was undertaken by ADAS and will provide one of the following outcomes described in Table 3 below.

Table 3: Description of Possible Results of eDNA Analysis

Result	Description
Positive	A positive result means that great crested newts are present in the water or have been present in the water in the recent past (eDNA degrades over around 7-21 days).
Negative	A negative result means that DNA from the great crested newt has not been detected in the sample.
Inconclusive	This occurs where the DNA from the great crested newt has not been detected but the controls have indicated that either: the sample has degraded and/or the eDNA was not fully extracted (poor recovery); or the PCR inhibited in some way. This may be due to the water chemistry or due to the presence of high levels of sediment in the sample which can interfere with the DNA extraction process.

¹⁸ Biggs J, Ewald N, Valentini A, Gaboriaud C, Griffiths RA, Foster J, Wilkinson J, Arnett A, Williams P and Dunn F 2014. Analytical and methodological development for improved surveillance of the Great Crested Newt. Appendix 5. Technical advice note for field and laboratory sampling of great crested newt (*Triturus cristatus*) environmental DNA. Freshwater Habitats Trust, Oxford.

Result	Description
Indeterminate	<p>The results will be recorded as indeterminate if the GCN result is negative and the degradation result is recorded as:</p> <ol style="list-style-type: none"> 1. Evidence of decay – meaning that the degradation was outside of accepted limits 2. Evidence of degradation or residual inhibition – meaning that the degradation control was outside of the accepted limits but that this could have been due to inhibitors not being removed sufficiently by the dilution of inhibited samples (according to the technical advice note).

Reptiles

- 3.30 An assessment of the suitability of the habitats present to support common reptile species was completed at the time of the habitat survey. This involved a review of habitats and habitat structure suitable for the shelter of reptiles such as areas of scrub and woodpiles, grassland with well developed, varied structure; and also, the appropriate juxtaposition of areas suitable for basking shelter and forage/hunting. This assessment was based on the methodology detailed in the Herpetofauna Workers Manual (Gent and Gibson, 1998)¹⁹, and Froglife Advice Sheet 10 – Reptile Survey (Froglife 1999)²⁰.

Other

- 3.31 Any sightings, evidence of or suitable habitats for other protected fauna, local Biodiversity Action Plan (BAP) species or otherwise notable species was recorded during the survey.

Survey Limitations

- 3.32 The surveys were undertaken at the appropriate time of year and all areas of the site were accessed as part of the assessment. As such, no survey limitations are anticipated.

IMPACT ASSESSMENT METHODOLOGY

Importance

- 4.25 Ecological features are those that are considered to be important and potentially affected by the project. Importance may relate, for example, to the quality or extent of designated sites or habitats, to habitat/species rarity, to the extent to which they are threatened throughout their range, or to their rate of decline (CIEEM 2018)²¹.

Geographical Context

- 4.26 The importance of an ecological feature is considered within a defined geographical context. For the purposes of the assessment this is:

¹⁹ Gent, A.H., & Gibson, S.D., eds 1998. Herpetofauna Workers' Manual. Peterborough, joint Nature Conservation Committee.

²⁰ Froglife 1999. Froglife Advice Sheet 10: Reptile Survey. Froglife, London

²¹ CIEEM (2018) Guidelines for Ecological Impact Assessment in the UK and Ireland: Terrestrial, Freshwater, Coastal and Marine version 1.1. Chartered Institute of Ecology and Environmental Management, Winchester.

- International (European)
 - National (United Kingdom)
 - Regional (North England)
 - County (North Yorkshire)
 - District (York)
 - Local (Haxby)
- 4.27 The assessment of the importance of the ecological features and the potential likelihood of an effect of the development will identify which ecological features could be significantly affected by the proposal. Only these features will be taken forward for further assessment.
- 4.28 Where further surveys are required to determine whether an effect would be significant, the precautionary principle would be applied, and a significant effect assumed.

Further Assessment

Significance

- 4.29 In order to assess the significance of effects, Important Ecological Features that could potentially be affected by the development have been identified and described and the potential effects quantified using a range of characteristics:
- Positive / negative
 - Extent
 - Magnitude
 - Duration
 - Frequency / timing
 - Reversibility
- 4.30 For the purposes of this assessment, a 'significant effect' is an effect that either supports or undermines biodiversity conservation objectives for 'important ecological features' or for biodiversity in general. Conservation objectives may be specific (e.g., for a designated site) or broad (e.g., national / local nature conservation policy) or more wide-ranging (enhancement of biodiversity)²².

Mitigation, Compensation and Enhancement

- 4.31 Where significant effects have been identified, the mitigation hierarchy has been considered: avoiding significant effects where possible, applying mitigation measures to minimise unavoidable significant effects and compensating for any remaining significant effects.

²² CIEEM (2018) Guidelines for Ecological Impact Assessment in the UK and Ireland: Terrestrial, Freshwater, Coastal and Marine. Chartered Institute of Ecology and Environmental Management, Winchester.

- 4.32 The assessment will include mitigation, compensation and enhancements which are proposed.

Residual Effects

- 4.33 Upon completion of the above, residual significant effects will then be identified. It is then only necessary to assess and report significant residual effects (those that remain after mitigation measures have been considered).

Cumulative Effects

- 4.34 Consideration is given to the effects that may arise cumulatively from the development proposed in combination with other plans and projects proposed/consented but not yet built and operational.

4.0 LEGISLATION, PLANNING POLICY AND GUIDANCE

- 4.1 The policy and guidance framework for nature conservation is provided by various national, regional, and local planning policies as outlined below, with further details, as necessary, within relevant subsequent sections.

Legislative Framework

- 4.2 The following legislation and European Directives afford protection to wildlife and have been used to inform this assessment.

The Environment Act 2021²³

The Conservation of Habitats & Species Regulations 2017 (as amended)²⁴;

The EC Habitats Directive (Directive 92/43/EEC)²⁵ as translated into UK law by The Conservation of Habitat and Species Regulations 2017 (as amended);

The EC Birds Directive (Directive 79/409/EEC)²⁶; as translated into UK law by The Conservation of Habitat and Species Regulations 2017 (as amended);

Wildlife and Countryside Act 1981 (as amended) (WCA)²⁷;

Natural Environment and Rural Communities Act 2006 (NERC)²⁸.

The Protection of Badgers Act 1992²⁹.

The Hedgerow Regulations Act 1997³⁰.

²³ <https://www.legislation.gov.uk/ukpga/2021/30/contents/enacted>

²⁴ HMSO. The Conservation of Habitats and Species Regulations 2017 (as amended) - No.1012

²⁵ EC (1992) Council Directive 92/43/EEC on the Conservation of natural habitats and of wild fauna and flora (The EC Habitats Directive).

²⁶ EC (1979), Council Directive 79/409/EEC on the Conservation of wild birds (EC Birds Directive).

²⁷ HMSO. The Wildlife and Countryside Act 1981 (as amended).

²⁸ HMSO. (2006), Natural Environment and Rural Communities Act.

²⁹ HMSO. The Protection of Badgers Act 1992 (as amended).

³⁰ HMSO. The Hedgerow Regulations Act 1997

National Planning Policy

- 4.3 The latest National Planning Policy Framework (NPPF, 2023)³¹ sets out the Government's planning policies for England and how these are expected to be applied within the planning system. It provides a framework for local councils to produce local plans and determine planning applications in order to achieve more sustainable developments. In relation to ecology and biodiversity, Chapter 15: Conserving and enhancing the natural environment, is of relevance to this report.
- 4.4 The Government Circular, Biodiversity and geological conservation: circular 06/2005, defines statutory nature conservation sites and protected species as a material consideration in the planning process.
- 4.5 The former UK Biodiversity Action Plan (BAP) has been used to compile the statutory lists of priority species and habitats as required under Section 41 of the Natural Environment and Rural Communities (NERC) Act 2006 (also referred to as Habitats and Species of Principal Importance). These lists continue to be regarded as conservation priorities under the NPPF, although the UK Biodiversity Action Plan (BAP) has now been superseded by the UK Post-2010 Biodiversity Framework³² and Biodiversity 2020³³.

Local Planning Policy

- 4.6 Within York all planning decisions are expected to be based on the York Local Plan (City of York Council, 2005)³⁴ and the Haxby and Wigginton Draft Neighbourhood Plan (Haxby Town Council and Wigginton Parish Council (2021)³⁵. A new local plan for York is currently under review and will replace the current local plan. The key local policies concerned with ecology being:

Policy NE1 Trees, Woodland and Hedgerows;

Policy NE6 Species Protected by Law;

Policy 3 ENd

Local Biodiversity Action Plan

- 4.7 Local BAPs are a key element for securing the requirements of the NPPF at a local level, consequently this assessment has taken due consideration of the priority habitats and species within City of York Biodiversity Action Plan³⁶.

³¹ Department for Levelling Up, Housing & Communities (September 2023). National Planning Policy Framework. London

³² JNCC and Defra (on behalf of the Four Countries' Biodiversity Group) (2012) UK Post-2010 Biodiversity Framework. July 2012.

³³ DEFRA (2011) Biodiversity 2020: A strategy for England's wildlife and ecosystem services.

³⁴ City of York Council (2005) Draft Local Plan Incorporating the 4th Set of Changes. Development Control Local Plan April 2005 accessed September <https://www.york.gov.uk/downloads/file/2822/the-local-plan-2005-development-control-local-plan-full-document-and-appendices>

³⁵ Haxby Town Council & Wigginton Parish Council (2021) Haxby and Wigginton Neighbourhood Plan Draft V2.4 January 2021 accessed September 2023 <https://www.haxbytowncouncil.gov.uk/downloads.php?did=838&filename=HWNP%20Plan%20Draft%20v2.4.pdf>

³⁶ City of York Council (2013) City of York Biodiversity Action Plan May 2013 accessed https://mayhewgroup.files.wordpress.com/2019/03/biodiversity_action_plan-5.pdf

5.0 BASELINE ECOLOGICAL CONDITIONS

5.1 The baseline conditions have been established through desk-based assessments and field surveys. The results of the most up to date site assessments are presented below.

DESK STUDY

5.2 A summary of relevant information provided by third party consultees is provided below. The original data has not been included in this report and a summary of the relevant findings is provided upon Figure 1.

Statutory Designated Sites

5.3 One internationally designated site occurs within 10km of the Site. Strensall Common Special Area of Conservation (SAC) is located 2.7km east of the application site. Further details regarding its qualifying features are provided below in Table 4.

5.4 There are no national or local sites with a statutory designation within the relevant impact risk zone.

5.5 Consultation with MAGIC site check confirms that the application site lies within the Impact Risk Zone (IRZ). The development proposals that would require consultation with Natural England due to their potential impact being;

Any residential developments with a total net gain in residential units.

Any residential developments outside of existing settlements / urban areas with a total net gain in residential units.

5.6 Comments received from the City of York Council Countryside & Ecology Officer states:

“Habitat Regulations Assessment – Strensall Common SAC (SSSI)

The application site is located approximately 3.5km to the west of Strensall Common Special Area of Conservation (SAC), as such sits within its Impact Risk Zone (IRZ). The potential impacts of the proposed works on Strensall Common should therefore be considered. Habitat Regulations Assessment (HRA) is the process that competent authorities must undertake to consider whether a proposed development plan or programme is likely to have a significant effects on a European site designated for its nature conservation interest.

As a competent authority it is out (the LPA) responsibility to produce a HRA. However, it is common practice for the applicant to produce a ‘shadow HRA’ and for the LPA, in coming to its own conclusions, to ‘adopt’ this to fulfil the legal duty.

This application was considered in light of the assessment requirements of the Conservation of Habitats and Species Regulations 2017 by City of York Council, which is the competent authority responsible for authorising the project and any assessment of it required by the Regulations. Having considered the nature, scale, timing, duration and location of the project it was concluded that it is eliminated from further assessment because it could not have any conceivable effect on Strensall Common SAC.”

- 5.7 Given the above comments the SAC site does not represent an Important Ecological Feature (IEF) in the context of this assessment and will not be considered further within this report.

Table 4: Statutory Designated Sites

Site Name	Designation	Proximity to Site (approximate)	Description
Strensall Common	Special Area of Conservation (SAC)	2.7km E	Strensall Common forms part of a larger tract of internationally important lowland heath. The site supports a mosaic of wet heath, dry heath, mire, open water, woodland, and acid grassland. Over 150 plant species grow here.

Non-Statutory Designated Sites

- 5.8 There are no sites of local importance with a non-statutory designation within the relevant impact risk zone.

Protected / Notable Species Records

- 5.9 Records of protected and notable species provided by desk study consultees are provided in Table 5 below. The species records have been filtered to comprise relevant protected and / or notable species within 1km (and bats within 2km) of the survey area from the last 20 years. The locations are shown on Figure 1.

Table 5 - Summary of Relevant Protected Species Records

Species	Latin	Conservation Status	Total No. of Records	Location / Minimum distance of records from Site boundary (m)	Grid ref. accuracy of nearest record
Bat species					
Common pipistrelle	Pipistrellus pipistrellus	Regs (Sch2), WCA (Sch5), WYBAP	Roost: 0 Field Record: 5 Total: 5	Roost: N/A Field record: 586m Southeast (SE)	Roost: N/A Field record: 100m
Brandt's bat	Myotis brandtii	Bern (A2), CMS (A2), HabDir (A4), Regs (Sch2), WCA (Sch5)	Roost: 0 Field Record: 2 Total: 2	Roost: N/A Field record: 586m SE	Roost: N/A Field record: 100m
Daubenton's bat	Myotis daubentonii	Bern (A2), CMS (A2), HabDir (A4), Regs (Sch2), WCA (Sch5)	Roost: 0 Field Record: 1 Total: 1	Roost: N/A Field record: 1740m South (S)	Roost: N/A Field record: 100m

Soprano pipistrelle	Pipistrellus pygmaeus	Regs (Sch2), NERC (SPI), WCA (Sch5), WYBAP	Roost: 0 Field Record: 5 Total: 5	Roost: N/A Field record: 586m SE	Roost: N/A Field record: 100m
Pipistrelle bat species	Pipistrellus spp.	Regs (Sch2), WCA (Sch5), WYBAP, LBAP	Roost: 0 Field Record: 1 Total: 1	Roost: N/A Field record: 1677m North (N)	Roost: N/A Field record: 100m
Brown long-eared bat	Plecotus auritus	Regs (Sch2), NERC (SPI), WCA (Sch5), WYBAP	Roost: 0 Field Record: 1 Total: 1	Roost: N/A Field record: 1740m S	Roost: N/A Field record: 100m
Bird species					
Bullfinch	Pyrrhula pyrrhula	BoCC (Amber), NERC (SPI)	1	918m S	
Swift	Apus apus	BoCC (Red)	2	677m S	
Amphibian species					
Great crested newt	Triturus cristatus	WCA (Sch5), NERC (SPI), Regs (Sch2)	9	542m Southwest (SW)	

Status Key: Regs - The Conservation of Habitats and Species Regulations 2017 (as amended). WCA - The Wildlife and Countryside Act 1981 (as amended). Sch 1 - Schedule 1. Sch 2 – Schedule 2. Sch5 - Schedule 5. Sch8 - Schedule 8. Sch9 - Schedule 9. NERC - England Natural Environment and Rural Communities Act (2006) Section 41. SPI - Species of Principal Importance. BoCC - Birds of Conservation Concern. Bern – Bern Convention (1979). A2 – Annex 2. A4 – Annex 4. CMS – Convention on Migratory Species. HabDir – The Habitat Directive (1992).

- 5.10 There are no records of badger *Meles meles* within 200m of the Site, and there are no known setts located within 1km from the Site boundary. The Site does not fall within an area of increased probability of badger activity.
- 5.11 A search of the MAGIC online resource revealed there were no European Protected Species Licences (EPSL) relating to bats within 2km of the Site boundary.
- 5.12 There are no EPSL's relating to GCN located within 1km.
- 5.13 There was one record of a negative GCN survey 291m north-west of the site from Natural England's Open Dataset.

HABITATS

Ephemeral / Short Perennial Vegetation (Sparsely vegetated land; ruderal ephemeral u1f 81)

- 5.14 A narrow strip of vegetation no more than c.1m wide around building B1. Species composition was typical of successional vegetation. No one species dominated the assemblage, abundantly recorded species comprised barren brome *Anisantha sterilis*, with frequent cleavers *Galium aparine*, herb robert *Geranium robertianum*, groundsel *Senecio vulgare* and wood avens *Geum urbanum*. Species recorded occasionally or rarely across the sward comprised common daisy *Bellis perennis*, black medic *Medicago lupulina*, creeping buttercup *Ranunculus repens*, Yorkshire fog *Holcus lanatus*, shining cranes bill *Geranium lucidum*, rosebay willowherb *Chamaenerion angustifolium*, creeping thistle *Cirsium arvense*, sow thistle *Sonchus asper*, colt's foot *Tussilago farfara*, purple

dead nettle *Lamium purpureum*, forget-me-not *Myosotis sylvatica*, garlic mustard *Alliaria petiolata*, white dead nettle *Lamium album*, shepherd's purse *Capsella bursa-pastoris*, spear thistle *Cirsium vulgare* and common nettle *Urtica dioica*.

- 5.15 Ephemeral / short perennial habitat is not listed as a York LBAP habitat of importance and is not listed under the NERC Act 2006 as a priority habitat. As a result of this, along with its limited extent as such in its own right is not considered to be of ecological importance at the site level and not considered to represent an Important Ecological Feature (IEF).



Photograph 1 – Ephemeral / short perennial vegetation along western elevation.



Photograph 2 - Ephemeral / short perennial vegetation along western and northern elevation.

Scattered Scrub (Bramble scrub; h3d)

- 5.16 Small, scattered patches of immature bramble *Rubus fruticosus* were present around the perimeter of B1 and across the area of ephemeral / short perennial vegetation.
- 5.17 This habitat was of a limited extent, is not a York LBAP habitat of importance and is not listed under the NERC Act 2006 as a habitat of principal importance. As such in its own right is not considered to be of ecological importance at the site level and not considered to represent an IEF.

Tree Line (Woodland; line of trees w1 33)

- 5.18 Along the eastern boundary c.9 individual mature trees were present, the majority of which had recently been felled / cut back. The species present were primarily English oak *Quercus robur* with a small number comprising hawthorn *Crataegus monogyna* and hazel *Corylus avellana*. Two mature English oak trees remained close to the northwestern and southwestern corners of B1 that had not been included in the recent works.
- 5.19 The tree line was of a limited extent and did not provide a corridor connecting the site the wider the landscape. It is not a York LBAP habitat of importance and is not listed under the NERC Act 2006 as a habitat of principal importance. However, trees have an inherent value for wildlife and are included within local planning policy NE1 Trees, Woodland and Hedgerows (City of York Council, 2005)³⁸ to ensure trees are protected from loss or damage. As such the trees would therefore represent and IEF of importance at a Local level.

³⁸ City of York Council (2005)



Photograph 3 – Line of broadleaved trees along the western boundary.



Photograph 4 - Line of broadleaved trees along the western boundary.

Invasive Non-Native Species (INNS)

- 5.20 Stands of Himalayan balsam *Impatiens glandulifera* were recorded close to B1 along the northern and eastern elevations. At the time of survey, the stands were immature and of a limited extent.
- 5.21 Himalayan balsam is listed under Schedule 9 of the Wildlife and Countryside Act 1981 (as amended) it is an offence to plant or otherwise cause these species to grow in the wild. In order to ensure compliance with the legislation, any future development of the site will need to be guided by a management plan for the control and eradication of these species.
- 5.22 Although these species are not considered to be important ecological features in the context of this assessment, Schedule 9 species will be subject to further consideration due to the legal implications of them spreading as a result of development operations.



Photograph 5 – An example of Himalayan balsam recorded.

FAUNA

Badger

- 5.23 No records relating to badger were provided by the local records office.

- 5.24 A hole, along with fresh digging c.3m from the northern elevation of B1. A fresh badger latrine was also recorded c.1m from the hole. Further evidence of rabbit activity was recorded. To confirm whether the hole represented an active outlier sett two wildlife cameras were installed and monitored the hole for a period of 21 nights.
- 5.25 From analysis of the footage, the presence of a badger was recorded on one occasion out of the 29 nights recording. The badger did not enter or exit the hole and appeared to be only passing through the site. As such it has been concluded that badger setts do not pose a statutory constraint to development and are not an IEF.

Bats

- 5.26 No records relating to bat roost locations were provided by the local records office.

Roost Habitat – Buildings & Trees

- 5.27 Two buildings are present within the application site B1 and B2 both agricultural buildings used for storage of machinery and equipment. Below provides details of buildings' construction and any Potential Roosting Features (PRFs) noted along with photographs (Photographs 6 - 9).
- 5.28 Building B1 was a single-storey, breeze block structure with a corrugated steel sheet roof. Internally the roof was partially lined with timber sheeting with sections of the timber roof joists also lined with extra timber sheeting at the joints (refer to Photograph 8). Skylights were present throughout the roof and airbricks along the eastern and western elevations.
- 5.29 PRFs of note comprised the cavity created between the roof covering and timber sheeting underlining the roof. Gaps were visible into these areas at the wall places on both the eastern and western elevations. Sections of the timber underlining were accessible and these areas were inspected for signs of bat activity however none were found. Furthermore, given that the roof covering was metal sheeting this is likely to create unfavourable conditions for bats due to the likelihood of extreme temperature fluctuations.
- 5.30 The other additional PRF of note was the small cavity suitable for one or two bats created by the extra timber lining at the joints of the roof support joists. However, these were also closely inspected and were found to be clogged with detritus and cobwebbing suggesting these had not been occupied by bats. Again, the roof covering would make roosting conditions unfavourable.
- 5.31 No further PRFs were noted and overall no evidence of bats was observed.
- 5.32 Given the very limited potential offered the building was classified as offering negligible bat roosting potential.
- 5.33 Building B2 comprised a single-storey, timber poultry shed with a cement fibre roof. The structure was unlined and offered no PRFs. Consequently, the structure was classified as having negligible bat roost potential.



Photograph 6 – Showing the western and southern elevations of B1.



Photograph 7 – Showing the eastern elevation of B1.



Photograph 8 – An example of the timber sheeting at timber roof joists.



Photograph 9 – Showing the western and southern elevations of B2.



Photograph 10 – Showing the northern and eastern elevations of B2.

Foraging / Commuting Habitat

- 5.34 The eastern boundary does not provide good connectivity to the wider landscape and given its limited extent unlikely to provide a suitable foraging resource.
- 5.35 As such unlikely to represent an IEF and will not be considered further in the is assessment.

Great Crested Newts (GCN)

- 5.36 Nine records relating to one grid reference location for GCN was provided by the local records office c. 542m southwest of the application site.

Terrestrial Habitat

- 5.37 The site offered some very limited opportunities for refuge in areas of stored materials.

Aquatic Habitats

- 5.38 One waterbody P1 is present within the application site boundary. Further details provided in Table 6 below.
- 5.39 Reference to 1:25,000 ordnance survey maps, and other publicly available information revealed a further six ponds within 500m of the Site. An assessment has been made to determine whether any offsite ponds have connectivity to the Site and whether they would then constitute an IEF with regards to GCN. Further details regarding the ponds, the assessment, their location and any background information is detailed in Table 6.

Table 6: A Review of Waterbodies within 500m of the Application Site

Pond Ref.	Locality	Straight Line Distance / Direction. Distance via Optimal Connective Habitat in (m)	OS Grid Ref	Further Information	Connectivity to Application Site
P1	Within site boundary	0m	SE60491 59322xx	Large duck pond within ownership of client.	Within site boundary. eDNA survey undertaken in June 2022 by Futures Ecology, this result was negative. No Likely Potential Constraint.
P2	Field pond to east of Moor Lane	Straight line distance: 262m SE Connective Distance: 432m SE	SE 60732 59185	Included within eDNA assessment in 2019 and 2022 as part of application ref: 23/00160/OUTM and confirmed as negative for GCN eDNA on both occasions (Land East of Moor Lane, Haxby Site Inspection Report, Brooks Ecological, 02.04.2022).	In arable field. Connective habitats present via hedgerows. However, confirmed as negative for GCN eDNA in 2019 and 2022. No Likely Potential Constraint.

Pond Ref.	Locality	Straight Line Distance / Direction. Distance via Optimal Connective Habitat in (m)	OS Grid Ref	Further Information	Connectivity to Application Site
P3	Field pond to the east of Moor Lane	Straight line distance: 341m S Connective Distance: 551m S	SE 60533 58993	Included within eDNA assessment in 2019 and 2022 as part of application ref: 23/00160/OUTM and found to be positive in 2019 and negative in 2022. (Land East of Moor Lane, Haxby Site Inspection Report, Brooks Ecological 02.04.2022)	Field pond. Connective habitats present between application site and pond. Confirmed to be positive for GCN eDNA in 2019 and negative 2022. However, the distance from the application site is beyond the upper limit of routine migratory range (250m). No likely Potential Constraint.
P4	Field pond to the west of Moor Lane	Straight line distance: 262m SE Connective Distance: 432m SE	SE 60732 59185	Included within eDNA assessment in 2022 as part of application ref: 23/00160/OUTM and found to be negative. (Land East of Moor Lane, Haxby Site Inspection Report, Brooks Ecological 02.04.2022)	Field pond. Potential barrier to dispersal from the presence of Moor Lane. Some connective habitat however the connective distance from the application site is beyond the upper limit of routine migratory range (250m). Found to be negative of GCN eDNA. No likely Potential Constraint.
P5	Field pond to the west of Moor Lane	Straight line distance: 184m W Connective Distance: 322m W, crossing Moor Ln.	SE 60189 59252	Included within eDNA assessments in 2019 as part of Natural England's surveys for District Level Licensing ³⁹	GCN confirmed absent in 2019. Potential barrier to dispersal from the presence of Moor Lane. Some connectivity via hedgerows. No Likely Potential Constraint.

³⁹ Natural England's Open Data Set accessed September 2022 <https://naturalengland-defra.opendata.arcgis.com/datasets/great-crested-newts-edna-pond-surveys-for-district-level-licensing-england/explore?location=52.691359%2C-0.857662%2C6.58>

Pond Ref.	Locality	Straight Line Distance / Direction. Distance via Optimal Connective Habitat in (m)	OS Grid Ref	Further Information	Connectivity to Application Site
P6	Field pond to the west of Moor Lane	Straight line distance: 432m NW Connective Distance: 635m NW, crossing Moor Ln.	SE 60073 59586	No additional information available.	Field pond. Potential barrier to dispersal from the presence of Moor Lane. Connective distance from the application site is beyond the upper limit of routine migratory range (250m). Found to be negative of GCN eDNA. No likely Potential Constraint.
P7	Field pond	Straight line distance: 381m SE Connective Distance: 706m SE, crossing Moor Ln.	SE 60841 59129	Assessed in 2019 and 2022 as part of application ref: 23/00160/OUTM and found to be dry.	Found to be dry. Connective distance from the application site is beyond the upper limit of routine migratory range (250m). No Likely Potential Constraint.

- 5.40 The conclusions of Table 6 are based on an assessment using available data, whilst considering current guidance and available literature, to determine the likelihood of impacts resulting from development proposals to GCN. As a potential likely constraint was identified in relation to P1, and as such an eDNA assessment was recommended.
- 5.41 With regards to the six ponds identified within 500m of the application site none were identified as a potential constraint. Pond P2 was the only pond which had potential connective habitat between the waterbody and the application site and within the routine migratory range for GCN. However, was tested for GCN eDNA in 2019 and 2022 and found to be negative on both occasions.
- 5.42 Ponds P3 to P7 were either beyond the upper routine migratory limit for GCN (English Nature 2004⁴⁰; Franklin, 1993⁴¹; Oldham and Nicholson, 1986⁴²; Jehle, 2000⁴³; Kovar et al. 2009⁴⁴) or there was a barrier to any potential dispersal from ponds to the west of Moor Lane, found to be negative for GCN eDNA or dry. HSI and eDNA Assessment
- 5.43 An HSI assessment was undertaken on P1 and scored 0.2 which equates to a below average quality waterbody. Environmental DNA (eDNA) assessment undertaken on P1 on

⁴⁰ English Nature (2004) An assessment of the efficiency of capture techniques and the value of different habitats for the great crested newt *Triturus cristatus* English Nature Research Report 576.

⁴¹ Franklin P.S. (1993) The migratory ecology and terrestrial habitat preferences of the great crested newt, *Triturus cristatus*, at Little Wittenham Nature Reserve. M.Phil. Thesis, De Montfort University, UK.

⁴² Oldham, R.S. & Nicholson, M., 1986. Status and ecology of the warty newt *Triturus cristatus*. Report to the Nature Conservancy Council (Contract HF 3/05/123), Peterborough.

⁴³ Jehle, R., 2000. The terrestrial summer habitat of radio-tracked great crested newts *Triturus cristatus* and marbled newts *T. marmoratus*. *Herpetological Journal*, 10, pp. 137-142.

⁴⁴ Kovar R, Brabec M, Vita R & Bocek R (2009) Spring migration distances of some Central European amphibian species. *Amphibia-Reptilia* 30 (2009): 367-378

31st May, 2023 and found to be negative for GCN eDNA. The eDNA analysis results are detailed in Appendix B.

Conclusion

- 5.44 Consequently, GCN are not considered likely to be present within the application site and therefore do not represent an IEF in the context of this assessment.

Reptiles

- 5.45 No records of reptile species occurring within 1km of the site were provided by the local records office.
- 5.46 The site was generally considered unsuitable for reptile given its relatively small size and lack of suitable habitat mosaic. Furthermore, habitats surrounding the site also lacked the suitable mosaic that would support this species group. Therefore, reptiles are considered to be absent within the application site and therefore do not represent an IEF in the context of this assessment.

Birds

- 5.47 Consultation from the local records office only provided two records of bird species, both of which are listed as either amber or red on BoCC (2021).
- 5.48 An old, abandoned nest was noted within B1. Habitats on site are considered unlikely to support an important assemblage of bird species given its relatively small size and limited vegetation. However, given that the buildings could support nesting birds, they will be considered further within the impact assessment due to the protection afforded to all wild birds while nesting, but a geographic scale of importance will not be applied.

Summary of Ecological Features & Further Assessment Requirements

- 5.49 The table below provides a summary of the ecological features, their importance, geographical significance and impacts based on the current layout proposals Single-Storey Dwelling – Proposed General Arrangement (10) 022, 10.01.23. For ecological features on which further assessment is required please see Table 7.

Table 7 - Summary of Relevant Features & Further Assessment Requirements

Ecological Feature	Geographical Context	Important Ecological Feature IEF	Justification of Impacts	Further Consideration
Strensall Common SAC	International	No	None. Correspondence received from City of York Council	No
Ephemeral / Short Perennial Vegetation	N/A	No	Loss	No
Scattered Scrub	N/A	No	Loss	No

Ecological Feature	Geographical Context	Important Ecological Feature IEF	Justification of Impacts	Further Consideration
Broadleaved Trees	Local	Yes	Potential damage of retained trees during construction.	Yes
INNS	N/A	N/A	Potential spread from development	Yes
Badger	N/A	No	Confirmed absent from further surveys	No
Generalist Bat Species - foraging and commuting habitat	N/A	No	No potential constraint	No
Bat Species – roosting habitat	N/A	No	No potential constraint	No
GCN (on site pond)	Local	No	Confirmed absent from further surveys	No
GCN (offsite ponds)	Local	No	No potential constraint	No
Reptiles	N/A	No	No potential constraint	No
Nesting Birds	N/A	Yes	Loss of potential breeding habitat	Yes

6.0 IMPACT ASSESSMENT

PROPOSALS

- 6.1 The proposals comprise the demolition of the two outbuildings and construction of one single-storey dwelling.

BROADLEAVED TREES

Potential Impacts

- 6.2 No losses of any trees are anticipated as part of the development proposals. Two mature oak trees are present and a number of trees that have recently undergone management, some of which have new growth. These are to be retained with additional planting of cherry laurel *Prunus laurocerasus*.
- 6.3 Construction activities may lead to impacts on retained specimens through accidental damage, root compaction or dust deposition. In severe cases this could lead to tree losses. In the absence of mitigation this would be a not-significant adverse effect at a Local level.

- 6.4 Direct lighting of retained trees and new planting at the boundary could also lead to nocturnal species avoiding this habitat. This could lead to a not-significant adverse effect at a Local level.

Mitigation Measures

- 6.5 Root protection areas will be implemented to protect the retained trees in line with document BS5837 (British Standard, 2012)⁴⁵ and pollution prevention measures will also be implemented during construction, through the adherence of best practice working methods. These measures will protect the retained trees during the construction phase.
- 6.6 A sympathetic lighting scheme will be implemented in accordance with BCT guidance (2018)⁴⁶, with particular avoidance of light spill upon boundary habitats.
- 6.7 The above must be outlined within a Construction and Environment Management Plan: Biodiversity (CEMP).

Residual Effects

- 6.8 The impacts to the retained trees would be Neutral following the mitigation outlined above.

Compensation / Enhancements

- 6.9 New non-native shrub planting is proposed along the eastern boundary. This will provide connectivity to the wider landscape post development. Although connectivity is improved the overall effect is likely to be still Neutral.

SCHEDULE 9 / INNS

- 6.10 Stands of Himalayan balsam were noted in several locations around the perimeter of building B1 which is included within Schedule 9 of the Wildlife and Countryside Act 1981 (as amended).

Potential Impacts

- 6.11 Development of the site could potentially lead to the unintentional spread of this species outside the redline boundary. This would be a breach of the Wildlife and Countryside Act 1981 (as amended) as it is an offense to plant or otherwise cause these species to grow in the wild.

⁴⁵ British Standard (2005) Trees in relation to Construction <https://www.rbkc.gov.uk/idxWAM/doc/Other-1592559.pdf?extension=.pdf&id=1592559&location=Volume2&contentType=application/pdf&pageCount=1>

⁴⁶ BCT & Institution of Lighting Professionals (2018). Guidance Note 08/18 Bats and artificial lighting in the UK. Bats and the Built Environment series.

Mitigation Measures

- 6.12 In order to ensure compliance with the legislation, the development will be guided by a Construction Environmental Management Plan: Biodiversity (CEMP) for the control and eradication of these species using methods recommended by DEFRA⁴⁷.

Residual Effect

- 6.13 With the implementation of the above mitigation the residual impact would be neutral.

BREEDING BIRDS

Potential Impacts

- 6.14 The proposals will result in the demolition of one building that had evidence of previous nesting by birds. Should further nests be set up in the intervening period there is the potential for disturbance, killing or injury of nesting birds during construction phase, which would be a breach of legislation.

Mitigation Measures

- 6.15 To comply with relevant legislation, any removal of vegetation should be timed to avoid the nesting season where possible (March to August inclusive, although dates do vary depending on the species and weather conditions). Where it is not feasible, affected areas should be checked for nests in advance by an experienced ecologist. Any active nests identified should be left with a minimum buffer of 5m to be identified by the ecologist, until such time as all birds have fledged.

Residual Effect

- 6.16 Impacts from the disturbance, killing or injury of nesting birds are considered to be Neutral following mitigation measures.

Compensation / Enhancements

- 6.17 The installation of a variety of nest boxes for birds which are likely to use the habitats within the site will result in a gain for biodiversity. The following nest boxes will be included within the proposed scheme.

Woodstone Barcelona Open Nest Box – Installed on retained oak tree on eastern boundary;

Schwegler 1B Bird Box – Installed on retained oak tree on eastern boundary.

⁴⁷ Department of Food and Rural Affairs, 2013, Guidance: Japanese knotweed, Giant Hogweed and Other Invasive Species available at <https://www.gov.uk/japanese-knotweed-giant-hogweed-and-other-invasive-plants>

7.0 RESIDUAL EFFECTS

- 7.1 Through the careful implementation of a Construction and Environment Management Plan (CEMP) and the installation of new bat and bird boxes no residual effects are expected.
- 7.2 No tree losses are proposed and with new shrub planting along the eastern boundary, this will secure connectivity around the development site.
- 7.3 Overall, it is anticipated that the development proposals will result in a not-significant positive effect at a Local level in the mid-to-long term.

8.0 CUMULATIVE EFFECTS

- 8.1 York City Council Planning Portal⁴⁸ was reviewed for recent, nearby planning applications to make an assessment of potential cumulative effects. There was an application for a large area immediately south of the application site for c.800 dwelling (planning ref: 23/00160/OUTM). Given the scale and nature of the proposed application, no significant cumulative effects are expected.

9.0 MONITORING

- 9.1 Given the nature and scale of the proposed application as well as lack of potential ecological features identified monitoring is not considered necessary.

10.0 BIODIVERSITY ENHANCEMENTS

- 10.1 In accordance with NPPF (2023)⁴⁹, The Environment Act 2021 and comments received from York City Council the development should incorporate features to encourage biodiversity.
- 10.2 This should include the installation of one integral bat box incorporated into to the new dwelling. The integral bat box should be installed as close to the gable apex as possible. Products could either comprise Segovia Build-In Woodstone Bat Box⁵⁰, Ibstock Bat Box B⁵¹ or Habibat 003 Bat Box⁵².

⁴⁸ York City Council Planning Portal <https://planningaccess.york.gov.uk/online-applications/>

⁴⁹ National Planning Policy Framework (2023) <https://www.gov.uk/government/publications/national-planning-policy-framework--2>

⁵⁰ <https://www.wildcare.co.uk/vivara-pro-segovia-build-in.html>

⁵¹ <https://www.wildcare.co.uk/ibstock-bat-box-b-brick-slip-front.html>

⁵² <https://www.greenearthhabitats.co.uk/solutions#&gid=1862587848&pid=1>

APPENDIX A: BOTANICAL SPECIES LIST

The habitat types were mapped within the site and a representative species list for each habitat type recorded. Species lists are not exhaustive of all flora present in each habitat type.

Common Name	Scientific Name	DAFOR
Barren brome	<i>Anisantha sterilis</i>	A
Black medic	<i>Medicago lupulina</i>	O
Bramble	<i>Rubus fruticosus</i>	LA
Cleavers	<i>Galium aparine</i>	A
Colt's foot	<i>Tussilago farfara</i>	R
Common daisy	<i>Bellis perennis</i>	R
Common nettle	<i>Urtica dioica</i>	O
Creeping buttercup	<i>Ranunculus repens</i>	O
Creeping thistle	<i>Cirsium arvense</i>	O
English oak	<i>Quercus robur</i>	A
Groundsel	<i>Senecio vulgare</i>	A
Hawthorn	<i>Crataegus monogyna</i>	R
Hazel	<i>Corylus avellana</i>	R
Herb robert	<i>Geranium robertianum</i>	A
Himalaya balsam	<i>Impatiens glandulifera</i>	LA
Purple dead nettle	<i>Lamium album</i>	R
Shepherd's purse	<i>Capsella bursa-pastoris</i>	R
Shining cranes bill	<i>Geranium lucidum</i>	R
Sow thistle	<i>Sonchus asper</i>	R
Rosebay willowherb	<i>Chamaenerion angustifolium</i>	R
Wood avens	<i>Geum urbanum</i>	A
Yorkshire fog	<i>Holcus lanatus</i>	O

DAFOR, D=dominant, A=abundant, F=frequent, O=occasional, R=Rare, L=Locally

APPENDIX B: ENVIRONMENTAL DNA RESULTS

Client:



ADAS
Spring Lodge
172 Chester Road
Helsby
WAG 0AR

Tel: 01159 229249
Email: Helen.Rees@adas.co.uk

www.adas.uk

Sample ID: ADAS-456 Condition on Receipt: Good Volume: Passed
 Client Identifier: Pond 1, FE281 Moor Lane Description: pond water samples in preservative
 Date of Receipt: 06/06/2023 Material Tested: eDNA from pond water samples

Determinant	Result	Method	Date of Analysis
Inhibition Control [†]	2 of 2	Real Time PCR	07/06/2023
Degradation Control [‡]	Within Limits	Real Time PCR	07/06/2023
Great Crested Newt* [†]	0 of 12 (GCN negative)	Real Time PCR	07/06/2023
Negative PCR Control (Nuclease Free Water)	0 of 4	Real Time PCR	As above for GCN
Positive PCR Control (GCN DNA 10 ⁻⁴ ng/μL) [‡]	4 of 4	Real Time PCR	As above for GCN

Report Prepared by: Report Issued by:
 Signed: Signed:
 Position: Director: Biotechnology Position: MD: Biotechnology
 Date of preparation: 09/06/2023 Date of issue: 09/06/2023

eDNA analysis was carried out in accordance with the stipulated methodology found in the Technical Advice Note (WC1067 Appendix 5 Technical Advice Note) published by DEFRA and adopted by Natural England.

** If all PCR controls and extraction blanks give the expected results a sample is considered: negative for great crested newt if all of the replicates are negative; positive for great crested newt if one or more of the replicates are positive.*

† Recorded as the number of positive replicate reactions at expected C_i value. If the expected C_i value is not achieved, the sample is considered inhibited and is diluted as per the technical advice note prior to amplification with great crested newt primer and probes.

‡ No degradation is expected within time frame of kit preparation, sample collection and analysis.

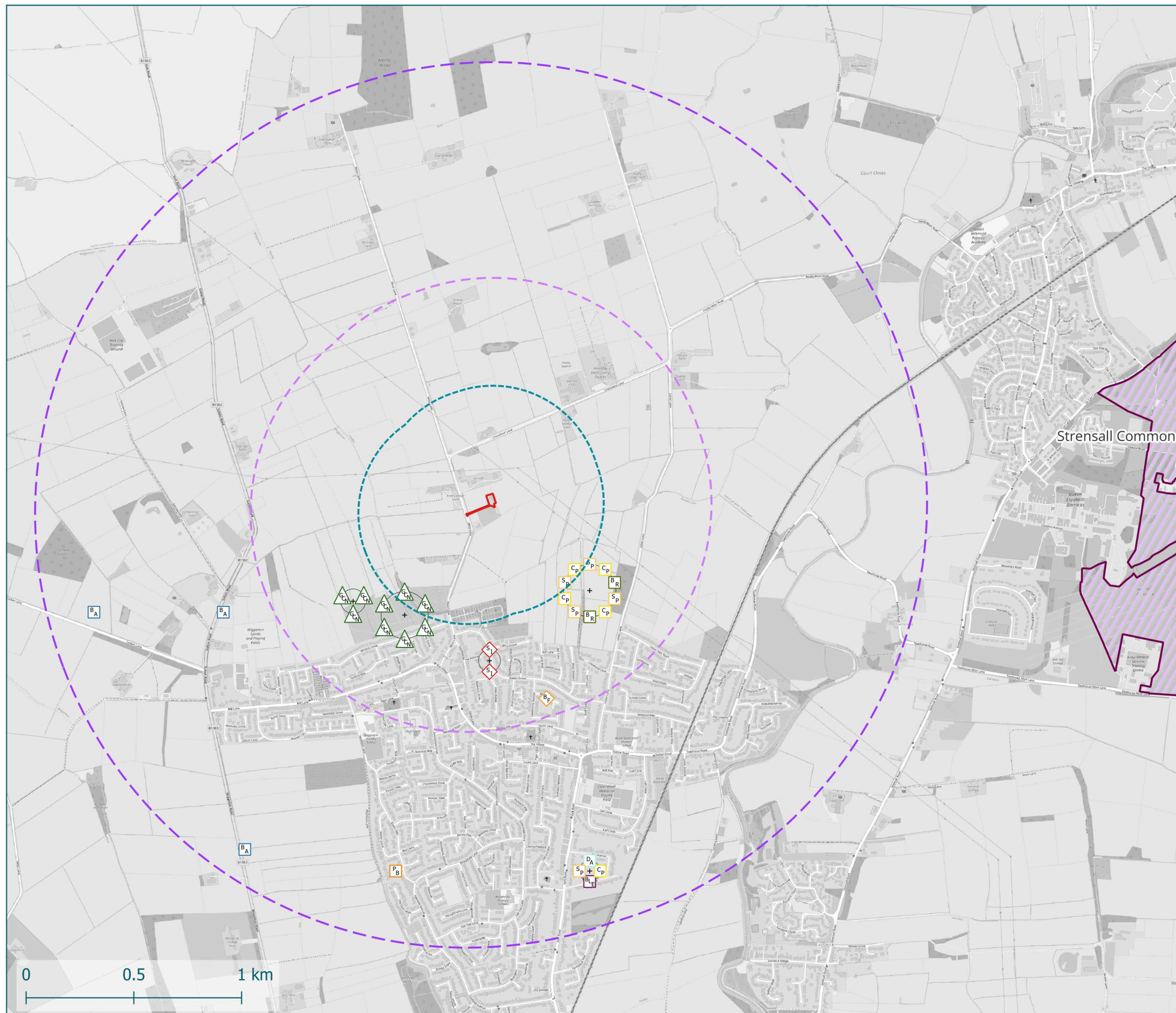
‡Additional positive controls (10⁻¹, 10⁻², 10⁻³ ng/μL) are also routinely run, results not shown here.



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Carrwood Park, Swillington Common Farm, Selby Road, Leeds, LS15 4LG
Telephone: 01133 372185

Unit 9, The Tangent Business Hub, Weighbridge Road, Shirebrook, Mansfield, Derbyshire, NG20 8RX
Telephone: 01623 749709



Site Boundary

Site Buffers

- 500m
- 1km
- 2km

Notable Species

- Cp Common pipistrelle bat
- Sp Soprano pipistrelle bat
- Pb Pipistrelle bat species
- Da Daubenton's bat
- Br Brandt's bat
- Bl Brown long-eared bat
- Ba Eurasian badger
- St Swift
- Bf Common bullfinch
- Gcn Great crested newt

Designated sites_England

- Special Areas of Conservation (SAC)

Client: Green Park Construction

Project: Moor Lane, Haxby

Title: Figure 1 - Site Location & Desk Study Results Plan

Plan Reference: FE281_01

Project Reference: FE281

Report Reference: EcIA_01

Author: JB

Date: 8/9/2023

Scale: 1:18,000

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Telephone: 01623 749709

Key

Site Boundary

Site Boundary

Habitats

Waterbody

Himalayan balsam

Broadleaved tree

Buildings

Hardstanding

Cultivated/disturbed land - ephemeral/short perennial

Bare ground



The MOT Man York



Client: Green Park Construction

Project: Moor Lane, Haxby

Title: Figure 2 - Phase 1 Habitat Plan

Plan Reference: FE281_01

Project Reference: FE281

Report Reference: EcIA01

Author: JB

Date: 12/9/2023

Scale: NTS@A3



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Telephone: 01623 749709



Site Boundary

Site Buffers

500m

250m

Waterbodies

Pond



Client: Green Park Construction

Project: Moor Lane, Haxby

Title: Figure 3 - Waterbody Plan

Plan Reference: FE281_01

Project Reference: FE281

Report Reference: EcIA_01

Author: JB

Date: 13/9/2023

Scale: 1:4,500



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