

# **Preliminary Ecological Appraisal of Land at 39 Debdale Road, Wellingborough, Northamptonshire**



*View from west edge of site*

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**Carried out on behalf of  
Richard Ashcroft**

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## **Land at 39 Debdale Road, Wellingborough Preliminary Ecological Appraisal**

### **EXECUTIVE SUMMARY**

A preliminary ecological appraisal was carried out of part of the garden of the above property that is the subject of a planning application for the construction of a single new dwelling. The survey involved carrying out a general habitat and species survey of the application site, with an assessment of the habitats and the potential for protected species to be present.

The application site is of little biodiversity interest, mostly consisting of regularly mown lawn supporting only common and widespread plant species with a gravel parking area in the west of the site. There are a number of mature broad-leaved trees on the northwest and northeast edges of the site with an ornamental hedge and metal railing fence on the northeast boundary, the other boundaries consisting of closeboard fencing.

None of the trees on the site contain any significant deadwood features able to support roosting bats, having been regularly pruned to remove any dead wood, though as two of the oak trees are to be felled due to having extensive internal decay which makes them unsafe, a precautionary check for evidence of bats would need to be made prior to carrying out any felling or tree surgery work required on them. The trees on the site and in the adjacent gardens could provide foraging habitat for bats, and any new external lighting should be kept to a minimum and directed away from them.

The trees and hedge could support nesting birds and any clearance of woody vegetation should ideally avoid the bird nesting season.

No evidence of badgers was found and no reptiles or amphibians were recorded. The regularly mown lawn and sparse vegetation beneath the trees provides poor terrestrial habitat for reptiles and amphibians, and the surrounding housing reduces the likelihood of these species reaching the site from elsewhere. The site is within a green impact zone for great crested newts identified as part of the South Midlands District Licensing Scheme, which means great crested newts may be present in the area, though due to the condition of the site and the small scale of the development, a great crested newt licence would not be required, with a non-licensed strategy of reasonable avoidance measures sufficient to minimise the risk of this or any amphibian or reptile species being harmed during clearance and construction work.

The loss of the species-poor vegetation at the site would have no significant biodiversity impact, and the small development will have no impact on any habitats of interest in the area such as Glamis Meadow and Wood LNR, which is separated from it by extensive housing.

Most of the existing trees and the hedge will be retained within the development with the exception of two of the oaks that have permission from NNC to be felled due to decay in their trunks. Two trees (a Sargent's cherry and chestnut leaved oak) will be planted to replace them as part of the permission, and the planting scheme for the development should also use a high proportion of native or wildlife attracting ornamental tree and shrub species which have a higher value for local wildlife. New roosting and nesting opportunities for bats and birds could also be provided by incorporating one or two swift boxes into the eaves of the new dwelling and erecting bat and bird boxes on some of the mature trees to provide a gain for biodiversity as required by the NPPF, with holes provided in the base of solid boundary features such as closeboard fencing to maintain foraging routes for hedgehogs.

## **1. INTRODUCTION**

### **1.1 Surveyor Experience and Competence**

The survey was carried out by Philip Irving MCIEEM, who has worked for over twenty years as a Senior Ecologist for a Countryside Management Trust based in Bedfordshire, providing ecological advice on the management of Trust sites and writing management plans etc.

He also undertakes consultancy work including surveys for bats, great crested newts and other protected species, and holds a Natural England Bat Survey Class Licence CL18 (licence registration no: 2015-12411-CLS-CLS), and a great crested newt class licence CL08 (licence registration no: 2015-17174-CLS-CLS).

### **1.2 Site Description**

The property is located on the southwest side of Debdale Road c. 400m to the northwest of Wellingborough town centre centred at Ordnance Survey Grid Reference SP884683, with the c. 0.1ha application site consisting of a fenced off section of the garden to the northwest of the existing dwelling.

The property is surrounded by housing of various ages and construction with the adjacent properties of Lyndhurst directly to the northwest and No.39 to the southeast of the site within the applicant's ownership. Many of the surrounding properties have large gardens containing numerous trees. There is an area of woodland at Glamis Meadow and Wood LNR c. 150m to the northwest of the property with the only other areas of greenspace near the property consisting of town parks and recreation grounds, the nearest including Bassett's Close c. 300m to the southeast and Wellingborough Town Cricket Club c. 320m to the north.

### **1.3 Proposed Works**

The site is the subject of a planning application for the construction of a single new dwelling. Given that the presence of protected species and habitats of importance is a material consideration in the planning process (NPPF), a survey is required to provide information to the local planning authority (North Northamptonshire Council) on any impact the proposal is likely to have on any habitats or species of interest that are present. Any impact identified on protected species or habitats will need mitigation proposals to be put forward to the planning authority to ensure any populations in the area are maintained at a favourable conservation status.

### **1.4 Aims of Survey**

The aims of the survey are to:

- Conduct an ecological survey of the application site to identify habitats and species present and assess their importance for biodiversity.
- Determine the impact of the proposed development on any habitats of interest or protected species at the site.
- Produce a mitigation plan for any impact on the protected species to ensure the population is maintained at a favourable conservation status in the local area.
- Propose biodiversity enhancements to be included in the development to provide a gain for biodiversity as required by the NPPF.

## **2. LEGISLATION RELEVANT TO PROTECTED SPECIES**

### **2.1 Bats**

Throughout Europe in the last 30 years there has been an awareness that bat populations are declining considerably. This decline combined with their special roosting requirements has led to them being given special protection by law. All bats and their roosts are protected by law under The Wildlife and Countryside Act 1981 (as amended), through inclusion in schedule 5, section 9. From 1st April 2010, a new version of the Habitats Regulations came into force in England and Wales to become the Conservation of Habitats and Species Regulations. This version of the legislation updates and consolidates all the amendments to the Regulations since they were first made in 1994 and effectively makes any disturbance of bats an offence. In summary, taken together the legislation makes it illegal to:

- Intentionally kill, injure or capture bats;
- Intentionally or recklessly disturb bats while they are occupying a structure used for shelter or protection;
- Intentionally or recklessly damage, destroy or obstruct access to areas used by bats for shelter or protection.

Structures used by bats for shelter are commonly known as bat roosts. Because bats tend to re-use the same roosts, legal opinion is that, the roost is protected whether or not the bats are present at the time. The appropriate Statutory Nature Conservation Organisation (SNCO) must be consulted of any work that may affect bats, or their roosts. In England, the appropriate SNCO is Natural England who will advise as to whether work can be carried out, and if so, the methods to be used.

Developments that would contravene the protection afforded to bats under the Conservation of Habitats and Species Regulations 2010 require a Habitat Regulations Licence issued by Natural England before any works can commence. Three tests must be satisfied before Natural England can issue a licence or permit otherwise prohibited acts. The Local Planning Authority will need to ensure that tests 1 and 2 have been satisfied and Natural England will need to be consulted regarding test 3. The three tests are:

1. That the development is 'in the interests of public health and public safety, or for other imperative reasons of overriding public interest, including those of social or economic nature and beneficial consequences of primary importance for the environment' (Regulation 44 (2) (e)).
2. That there is no satisfactory alternative (Regulation 44 (3) (a)).
3. That the action authorised will not be detrimental to the maintenance of the population of the species at a favourable conservation status in their natural range (Regulation 44 (3) (b)).

The legislation means that the developer will need to have a clearly documented compensation strategy to maintain the numbers of bats in the local area.

### **2.2 Nesting Birds**

Nesting birds are protected by law under The Wildlife and Countryside Act 1981 which makes it an offence to kill, injure or take any wild bird, and take, damage or destroy any nest in use or being built or any egg.

## 2.3 Badgers

The main legislation protecting badgers in England and Wales is the Protection of Badgers Act 1992. This act consolidates all previous legislation including the Badgers Act 1973 and the Badgers (Further Protection) Act 1991. Under the 1992 Act it is an offence to:

- wilfully kill, injure, take or attempt to kill, injure or take a badger;
- possess a dead badger or any part of a badger;
- cruelly ill-treat a badger;
- use badger tongs in the course of killing, taking or attempting to kill a badger;
- dig for a badger;
- sell or offer for sale or control any live badger;
- mark, tag or ring a badger;
- interfere with a badger sett by:
  - damaging a sett or any part thereof;
  - destroying a sett;
  - obstructing access to a sett;
  - causing a dog to enter a sett;
  - disturbing a badger while occupying a sett.

The 1992 Act defines a badger sett as: “any structure or place which displays signs indicating current use by a badger”.

Badger setts can be disturbed inadvertently by earth moving operations, excavation and coring and any work that disturbs badgers whilst occupying a sett is illegal without a licence from Natural England. It is emphasised that badgers can be disturbed by work near a sett even if there is no direct interference or damage to the sett. For this reason, Natural England has provided guidelines on the types of activity which it considers should be licensed within certain distances of sett entrances. For example the following may require a licence:

- using very heavy machinery (generally tracked vehicles) within 30 m of any entrance to an active sett;
- using lighter machinery (generally wheeled vehicles), particularly any digging operation, within 20 m;
- light work such as hand digging or scrub clearance within 10 m.

## 2.4 Great Crested Newts

Great Crested Newt is listed on Schedule 5 of the Wildlife and Countryside Act 1981 (as amended) and Schedule 2 of the Conservation (Natural Habitats, &c.) Regulations 1994 (as amended), receiving protection for the animal and its habitat.

Under the Wildlife and Countryside Act it is illegal to undertake the following:

- Intentionally or deliberately kill, injure or capture great crested newt;
- deliberately disturb great crested newt;
- damage, destroy or obstruct access to and any structure or place used for shelter or protection by great crested newt;
- possess or transport a great crested newt or any parts of a great crested newt unless acquired legally;
- sell, barter or exchange great crested newt or any parts of great crested newts.

In order for otherwise illegal acts to proceed lawfully, the appropriate licence must be sought.

## 2.5 Reptiles

All common native reptile species (grass snake, adder, common lizard and slow-worm) are protected under Schedule 5 of the Wildlife & Countryside Act 1981 (as amended) which makes it illegal to intentionally kill or injure a common reptile.

## 3. METHODOLOGY

A walkover survey of the application site was made on the 15<sup>th</sup> January 2024 by Philip Irving MCIEEM to identify habitats and species present. The survey also included a list of bird species seen or heard within or in close proximity to the site; a search for potential bat roosting opportunities in trees, looking for deadwood features such as holes, hollows and loose bark that could support roosting bats; evidence of badger activity, either setts or signs of foraging behaviour such as paths and dung pits; and an assessment of the potential for reptiles and amphibians to be present.

The weather conditions at the time of the survey were sunshine with a moderate north-westerly breeze and a temperature of 1°C.

## 4. RESULTS

### 4.1 Desk Study

The only statutory protected site within 1km of the application site is Glamis Meadow and Wood LNR c. 150m to the northwest which consists of an area of secondary deciduous woodland and semi-improved grassland. There are few other habitats of interest in the area apart from occasional small areas of secondary deciduous woodland, the nearest c. 700m to the south and c. 800m to the north of the site.

Protected and notable species records within 1km of the site include numerous red and amber listed birds including kingfisher, swift, cuckoo, swallow, house martin, house sparrow, kestrel, bullfinch, linnet, marsh tit, dunnoek, starling, song thrush and mistle thrush. Bat records within 2km of the site include occasional common pipistrelle and brown long-eared bat including a roost of both species in Wellingborough c. 1.6km to the east, with other mammal records including occasional hedgehog. There are no reptile records within 1km of the site and the nearest record of great crested newt is from Glamis Meadow and Wood LNR c. 350m to the northwest.

### 4.2 Description

The site consists mostly of close-mown lawn containing occasional play equipment, the grassland of the lawn typical of an MG7-Lolium community dominated by perennial rye grass (*Lolium perenne*) with occasional other grasses such as cocksfoot (*Dactylis glomerata*) and Yorkshire fog (*Holcus lanatus*). The grassland contains locally frequent mosses and catsear (*Hypochaeris radicata*) with occasional weed species such as common ragwort (*Senecio jacobaea*), spear thistle (*Cirsium vulgare*), broad-leaved dock (*Rumex obtusifolius*) and dandelion (*Taraxacum officinalis*).

On the northwest and northeast edges of the site are a number of mature pedunculate oak (*Quercus robur*) standards, with a mature beech (*Fagus sylvatica*) next to the entrance to the adjacent property, one semi-mature common lime, and two mature common limes (*Tilia x vulgaris*) in the east corner which have both been previously pollarded and have a small amount of ivy (*Hedera helix*) on their trunks. All the trees appear in good condition and have been regularly pruned with all dead wood removed, including the top of the beech, though one of the

oaks has abundant bracket fungus at the base of the trunk indicating there is decay in the interior, with an the adjacent oak also previously confirmed as containing decay in the trunk (Yates, September 2023). The shaded ground beneath the trees contains locally frequent cow parsley (*Anthriscus sylvestris*), bluebell sp. (*Hyacinthoides* sp.), snowdrop sp. (*Galanthus* sp.) and other bulbs with occasional ivy, ground ivy (*Glechoma hederacea*), cleavers (*Galium aparine*), wood avens (*Geum urbanum*) and cuckoo pint (*Arum maculatum*).

Frequent young holly (*Ilex aquifolium*) regeneration is encroaching from the hedge on the northeast boundary. The 2-4m high hedge consists mostly of holly and yew (*Taxus baccata*) with small amounts of cherry laurel (*Prunus laurocerasus*) and hazel (*Corylus avellana*). Near the southeast end of the hedge is a c. 3m long row of young Leyland cypress (*Cupressus leylandii*) and a single young beech standard, with a c. 5m long section of garden privet (*Ligustrum ovalifolium*) at the southeast end. Ivy is frequent on the ground at the base of the hedge and covers an adjacent metal railing fence.

A closeboard fence forms the southwest and southeast boundaries of the site, which also includes part of a gravel parking area to the west of the lawn.

### **4.3 Species Surveys**

None of the trees at the site contain any significant deadwood features likely to support roosting bats, having been regularly pruned to remove any dead wood.

Birds recorded in and around the site consisted of blackbird, robin goldfinch and blue tit.

The close mown lawn and sparse vegetation beneath the trees has no potential to support reptiles and amphibians.

## **5. ASSESSMENT**

### **5.1 Habitats and Vegetation**

The application site is of little biodiversity interest, mostly consisting of regularly mown lawn supporting only common and widespread plant species with a gravel parking area in the west of the site. There are a number of mature broad-leaved trees on the northwest and northeast edges of the site with an ornamental hedge and metal railing fence on the northeast boundary, the other boundaries consisting of closeboard fencing.

The loss of the species-poor vegetation at the site would have no significant biodiversity impact, and the small development will have no impact on any habitats of interest in the area such as Glamis Meadow and Wood LNR, which is separated from it by extensive housing.

### **5.2 Bats**

None of the trees on the site contain any significant deadwood features able to support roosting bats, having been regularly pruned to remove any dead wood, though as two of the oak trees are to be felled due to having extensive internal decay which makes them unsafe, a precautionary check for evidence of bats would need to be made prior to carrying out any felling or tree surgery work required on them.

The trees on the site and in the adjacent gardens could provide foraging habitat for bats, and any new external lighting should be kept to a minimum and directed away from them. The site would only be a very small part of any bats foraging area so the impact on bats in this respect would be negligible.



### **5.3 Nesting Birds**

The trees and hedge could support nesting birds and any clearance of woody vegetation should ideally avoid the bird nesting season.

### **5.4 Great Crested Newts and Reptiles**

The regularly mown lawn and sparse vegetation beneath the trees provides poor terrestrial habitat for reptiles and amphibians, and the surrounding housing reduces the likelihood of these species reaching the site from elsewhere. The site is within a green impact zone for great crested newts identified as part of the South Midlands District Licensing Scheme, which means great crested newts may be present in the area, though due to the condition of the site and the small scale of the development, a great crested newt licence would not be required, with a non-licensed strategy of reasonable avoidance measures sufficient to minimise the risk of this or any amphibian or reptile species being harmed during clearance and construction work.

## **6. RECOMMENDATIONS AND MITIGATION**

### **6.1 Habitats and Vegetation**

Most of the existing trees and the hedge will be retained within the development with the exception of two of the oaks that have permission from NNC to be felled due to decay in their trunks. Two trees (a Sargent's cherry and chestnut leaved oak) will be planted to replace them as part of the permission, and the planting scheme for the development should also use a high proportion of native or wildlife attracting ornamental tree and shrub species which have a higher value for local wildlife.

### **6.2 Bats**

Prior to any felling or tree surgery work on the mature trees, any ivy should be carefully removed by hand and any holes, cavities or other deadwood features that are exposed examined for evidence of roosting bats, using an endoscope if necessary. If any evidence is found, work should stop and if necessary, a bat licence obtained prior to it being undertaken.

Any new external lighting required, either temporary lighting during building work, or permanent lighting post development, will be low level to reduce impacts on foraging bats and not directed at the retained trees on the site. Where external lighting proves necessary it should consist of LED light sources or be fitted with directional accessories (i.e. hoods, cowls, shields, louvres) to minimise light spillage.

New roosting opportunities for bats could be provided by erecting one or two bat boxes on the mature trees to provide a gain for biodiversity in the development as required by the NPPF.

### **6.3 Nesting Birds**

As nesting birds are protected by law under The Wildlife and Countryside Act 1981, any clearance of woody vegetation should be timed to avoid the bird nesting season (which is generally from March to September). If this isn't possible, a check for nesting birds should be undertaken prior to works commencing by an ecologist. If an active nest is found, clearance work must cease and an appropriate sized buffer established around the nest. The buffer must remain intact until it has been confirmed that the young have fledged and the nest is no longer in use.

New nesting opportunities for birds could be provided by incorporating one or two swift boxes into the north or east facing eaves of the new dwelling and/or erecting bird boxes on some of the mature trees to provide a further gain for biodiversity in the development.

## 6.4 Badgers and Hedgehogs

No evidence of badger activity was found at the site, though any excavations which are necessary will either be covered at night or fitted with suitable ramps in order to prevent any foraging mammals such as hedgehogs from becoming trapped. These will be in the form of branches or boards placed on the bottom of the trench, with their upper ends above ground level and touching the sides, or sloping ends left in trenches. Any pipes that need to be left overnight on site will also be capped to avoid animals becoming trapped.

'Hedgehog tunnels', which are small holes (13cm square gap) at the base of solid perimeter boundary features could be provided in the existing closeboard fencing on the southwest and southeast boundaries, which is in the same ownership, to increase the habitat connectivity and access to additional foraging and nesting opportunities for hedgehogs.

## 6.5 Amphibians and Reptiles

It is recommended that the following non-licensed avoidance measures are implemented to reduce the impact of disturbance to any reptile or amphibian species that may be present in the area:

- All vegetation due for clearance will be kept close cut from February onwards prior to work commencing, to deter any species from using it as cover, and to make it easier to find any that may be present. Any animals that are found will be collected and moved to suitable areas of undisturbed vegetation such as at Glamis Meadow and Wood LNR. If great crested newts are found whilst works are on-going despite following good practise guidelines, all work will stop and the situation re-assessed and a mitigation licence applied for if necessary. Any handling of this species will only be carried out by someone with a great crested newt license.
- If work is carried out at a time of year when these species are likely to be active, the following precautions will be carried out:
  - any holes or trenches will be covered over at night to prevent animals falling into them;
  - any materials stored overnight will be raised above ground on pallets to prevent animals sheltering underneath them, and building waste will be put in skips and not be left lying around to prevent them taking refuge in it;
  - concrete will not be left unset overnight, or suitable barriers erected to prevent them accessing the concrete.
  - excavations and working areas will be managed so as not to create temporary waterbodies which may attract newts onto the site

## REFERENCES

TREE DECAY DETECTION SURVEY & ASSESSMENT, 39 Debdale Road, Wellingborough NN8 5AJ (Robert C Yates, September 2023)

**Land at 39 Debdale Road, Wellingborough Preliminary Ecological Appraisal**



## APPENDIX

### Photographs



*Mown grassland of lawn*



*Oaks in northwest of site*



*Beech in north corner of site*



*Limes in east corner of site*



*Bracket fungus at base of mature oak*



*Young bluebells and cow parsley under oak trees*



*Hedge and young lime on northeast boundary*



*Cherry laurel in northeast hedge*



*Young conifers near southeast end of northeast hedge*



*Garden privet at southeast end of northeast hedge*



*Ivy covered metal railing fence on northeast boundary*



*Gravel parking area at west end of site*