

Building 4

- 3.4.7 Building 4 is an open barn (see Photographs 15 and 16). The building is in a poor state of repair. The timber support frame is complete, but the metal roofing and cladding is loosely attached to the support frame. The building is not enclosed. No evidence of bat activity was found in Building 4.



Photograph 15 showing Building 4



Photograph 16 showing Building 4

Building 5

- 3.4.8 Building 5 is a dilapidated barn (see Photograph 17). Parts of the barn have roofing that have collapsed. The barn is too dangerous to enter. But no suitable bat roosting habitat could be seen from the outside.



Photograph 17 showing the roof of Building 5

Building 6

- 3.4.9 Building 6 is a dilapidated barn (see Photograph 18). The barn has wooden cladding, and a pitched, felted roof. The wooden cladding has several missing panels. The felt roofing is complete. The barn is in too poor condition for an internal inspection and no suitable bat roosting habitat could be seen from the outside.



Photograph 18 showing Building 6

Bat Emergence Surveys

- 3.4.10 Two bat emergence surveys were undertaken on the site, focusing on Buildings 1 and 3, which both had evidence of bats present internally. Building 6 was also observed with a thermal camera due to previous bat droppings having been found internally (Dunelm Ecology, 2020). Three surveyors and thermal and infra-red cameras monitored the buildings for emerging bats. Figure 3 shows the location of the surveyors and cameras during the surveys.

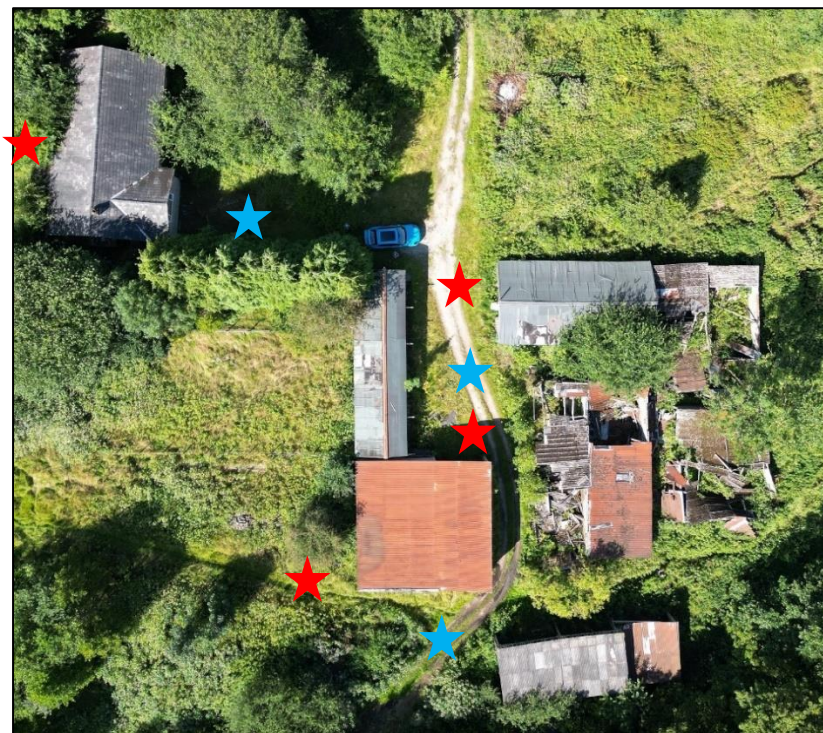


Figure 3 showing the location of the surveyors (Blue Stars) and Cameras (Red Stars) during the dusk surveys

- 3.4.11 One Common Pipistrelle bat emerged from Building 1 (the bungalow) during the second dusk survey. The emergence point was the front soffit.
- 3.4.12 One Common Pipistrelle bat emerged from Building 3 during the first dusk emergence survey, and one Brown Long-eared bat *Plecotus auritus* emerged from Building 3 during the second dusk emergence survey. The emergence points were the open front of the building, with the bats presumably roosting in internal cavities.
- 3.4.13 No bats emerged from any of the other buildings observed.
- 3.4.14 Foraging and commuting by Soprano Pipistrelle *Pipistrellus pygmaeus*, Common Pipistrelle, Noctule bat *Nyctalus noctula* and Whiskered/Brandt's bat *Myotis sp.* was recorded during the surveys.

Great Crested Newt

- 3.4.15 No ponds exist on site and no field ponds could be located within 250 metres of the site. The habitats on site provide suitable terrestrial habitat for Great Crested Newt. Given the lack of breeding habitat in the locality, it is reasonably unlikely that Great Crested Newt exists on site. This species is not considered further in this report.

Badger

- 3.4.16 No Badger sett was found on site or adjacent to the site. No evidence of Badger activity was found. This species is not considered further in this report.

Nesting Bird

- 3.4.17 The site supports suitable nesting habitat for birds, within the barns and mature trees and shrubs.

Invasive, Non-native Species

- 3.4.18 Himalayan Balsam *Impatiens glandulifera* exists across the site in most habitats. This is an invasive, non-native species.

4. Assessment

4.1 Development Context

- 4.1.1 The following assessment assumes that the buildings on the site will be demolished to be replaced by a new residential dwelling with associated landscaping.

4.2 Impacts on Designated Sites

- 4.2.1 The nearest statutory designated site lies 1.2km away. This is Watford Lodge LNR. The nearest non-statutory designated site is 460 metres away. This is Broadhurst Edge Wood Reserve Local Wildlife Site. Given the distances involved, there will be no direct impact to the protected sites from the development. There are no impact pathways between the site and the protected sites, due to barrier habitats, and therefore no indirect impact is expected.

4.3 Impacts on Habitats

- 4.3.1 No habitats of Principal Importance exist on site. The plantation woodland and mature shrubs are the most ecologically valuable due to their density and bird nesting suitability. The majority of the site offers minimal ecological value, being species-poor. The loss of the habitats on site is considered to be significant at site level only.

4.4 Impacts on Species

Bats

- 4.4.1 The 2023 survey results show that Building 1 (the bungalow) supports a day roost of Common Pipistrelle bat, with 1 bat emerging. The building has deteriorated since the previous known surveys (2013) found a roost of 6 Common Pipistrelle bats using it.
- 4.4.2 Building 3 supports two bat roosts of common species (Common Pipistrelle and Brown Long-eared bats). Given the small numbers of bats recorded emerging, it is likely that these are day roosts. This is similar to the 202 survey results (Dunelm Ecology).
- 4.4.3 No evidence of a roost of high conservation status is present on the site. Bat roosts will be destroyed due to the demolition of the buildings and this is significant at site level only. Suitable bat mitigation measures will be required to mitigate the impact on the species (see Section 5).

Nesting Birds

- 4.4.4 Without mitigation measures, the development could impact on nesting birds. The site is considered to be of importance for nesting birds at the site level only.

Invasive Species

- 4.4.5 Himalayan Balsam is present across the site. Under the Wildlife and Countryside Act (Section 14 and Part II of Schedule 9) 1981 (as amended), it is an offence for Himalayan Balsam to be planted in the wild or otherwise cause it to grow in the wild.
- 4.4.6 It is not an offence to have Himalayan Balsam on your land, but it is an offence to allow the species to spread into neighbouring areas or to grow in the wild. Therefore, it will be necessary to ensure appropriate measures are in place to prevent development activities from causing further spread of the species to new areas.



5. Recommendations

5.1 Mitigation Measures

- 5.1.1 Protection of ecological features (e.g. protected species) during the construction phase will be described in a Construction Environmental Management Plan (CEMP). It is anticipated that the CEMP will be provided as a planning condition in advance of the commencement of the proposed development.

Habitats

- 5.1.2 No specific habitat mitigation will be necessary. It is recommended that native trees are planted as well as fruit trees. Suitable landscaping must be designed to provide a good pollen and nectar source for invertebrates.

Bats

- 5.1.3 A bat mitigation licence will be required. This will be applied for following the granting of planning permission, and prior to works commencing on Building 3. The licence will include a method statement, which will include measures to safeguard bats during the demolition of the structure on the site. The method statement will include the following recommendations:

- A toolbox talk given to contractors, alerting them to the presence of a protected species, and appropriate demolition techniques.
- The installation of two Schwegler 2F bat boxes on to retained trees.
- Ecological supervision of the demolition works by a licenced bat ecologist.
- Any bats found during demolition works will be placed in the bat boxes by the licenced ecologist.

- 5.1.4 Bat compensation measures will be required⁵. Two Greenwoods Eco Habitat boxes will be erected on to the new dwelling or retained trees. One of the boxes should be a large cavity box to accommodate the Brown Long-eared bat.

Nesting Birds

- 5.1.5 Impacts on nesting birds should be avoided in particular, by carrying out site clearance and similar operations outside of the bird breeding season (March- August). Construction activities that might directly impact upon breeding birds should hence be limited to the September-February period. If vegetation has to be cleared during the bird breeding season checks immediately before clearance

⁵ Reason, P.F. and Wray, S. (2023). UK Bat Mitigation Guidelines: a guide to impact assessment, mitigation and compensation for developments affecting bats. Chartered Institute of Ecology and Environmental Management, Ampfield.

by a suitably qualified ecologist will be required. If nesting activity is detected work in that area will need to stop until the ecologist considers that nesting activity is finished.

Invasive Non-native Species

- 5.1.6 The Himalayan Balsam will require eradication and it will be necessary to attempt to eradicate it from adjacent land too. This will need to be done using a recognised methodology and it is anticipated that a Method Statement will be provided as a planning condition.

General

- 5.1.7 Bird and bat boxes, of various types, should be incorporated into the building or erected onto mature trees within the wider site.



Appendix 1: Planning Policy & Legislation

National Policy

The National Planning Policy Framework (NPPF 2021) describes the Government's planning policy for England and how it should be applied. Within this framework, the requirements in relation to biodiversity are included within several policies. The two most relevant to individual planning decisions are Paragraphs 174 and 180, shown below:

- 174. Planning policies and decisions should contribute to and enhance the natural and local environment by:
 - a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan);
 - b) recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland;
 - c) maintaining the character of the undeveloped coast, while improving public access to it where appropriate;
 - d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures; etc...
- 180. When determining planning applications, local planning authorities should apply the following principles:
 - a) if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused;
 - b) development on land within or outside a Site of Special Scientific Interest, and which is likely to have an adverse effect on it (either individually or in combination with other developments), should not normally be permitted. The only exception is where the benefits of the development in the location proposed clearly outweigh both its likely impact on the features of the site that make it of special scientific interest, and any broader impacts on the national network of Sites of Special Scientific Interest;
 - c) development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists; and



- d) development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to improve biodiversity in and around developments should be integrated as part of their design, especially where this can secure measurable net gains for biodiversity or enhance public access to nature where this is appropriate.

Legislation

The Wildlife and Countryside Act 1981 (as amended by the CROW Act 2000) includes the notification and confirmation of Sites of Special Scientific Interest (SSSIs). SSSIs can be notified for their floral, faunal, geological, or physiographical features. Protection against damaging operations and management of SSSIs is also included within the Act. Impact Risk Zones (IRZs) are zones around an SSSI account for the particular sensitivities of the features for which it is notified and identify development proposal which could have adverse impacts.

The Wildlife and Countryside Act 1981 (as amended by the CROW Act 2000) protects native animals, plants and habitats. Under the Act it is an offence to intentionally kill, injure or take any wild animal listed on Schedule 5 and it is an offence to interfere with places used for shelter or protection, or intentionally disturb animals occupying such places. The Act prohibits picking, uprooting or destroy any wild plant (or any attached seed or spore) listed in Schedule 8.

European Protected Species (EPS) such as bats, Hazel Dormouse, Otter, Natterjack Toad, Smooth Snake, Sand Lizard and Great Crested Newt are protected by the Wildlife and Countryside Act 1981 (as amended by the CROW Act 2000) and the Conservation of Habitats and Species Regulations 2017. The Acts make it an offence to:

- a) Deliberately capture, injure or kill an EPS;
- b) Deliberately impair an EPS's ability to survive, breed, reproduce, rear or nurture young; to hibernate or migrate; or significantly affect the local distribution or abundance of the EPS.
- c) Possess or control live or dead EPS or any part of, or anything derived from a EPS;
- d) Damage or destroy a breeding site or resting place of an EPS;
- e) Intentionally or recklessly obstruct access to any place that is used for shelter or protection by an EPS;
- f) Intentionally or recklessly disturb a structure or place that it uses for shelter or protection that is occupied by an EPS.

All common herptiles are protected under the Wildlife and Countryside Act 1981 (as amended by the CROW Act 2000). Grass Snake, Slow Worm, Common Lizard, Adder are protected against intentional killing or injury.



Common Frog, Common Toad, Smooth Newt and Palmate Newt is protected against sale. In addition, all British reptiles, Common toad and Great Crested Newt are listed as Species of Principal Importance.

All nesting birds are protected under the Wildlife and Countryside Act 1981 (as amended). It is an offence to intentionally kill, injure or take any wild bird or take, damage, or destroy its nest whilst in use or being built, or take or destroy its eggs. It is an offence to intentionally or recklessly disturb a species listed on Schedule 1 of the Act while they are nest building or at or near a nest with eggs or young, or to disturb the dependent young.

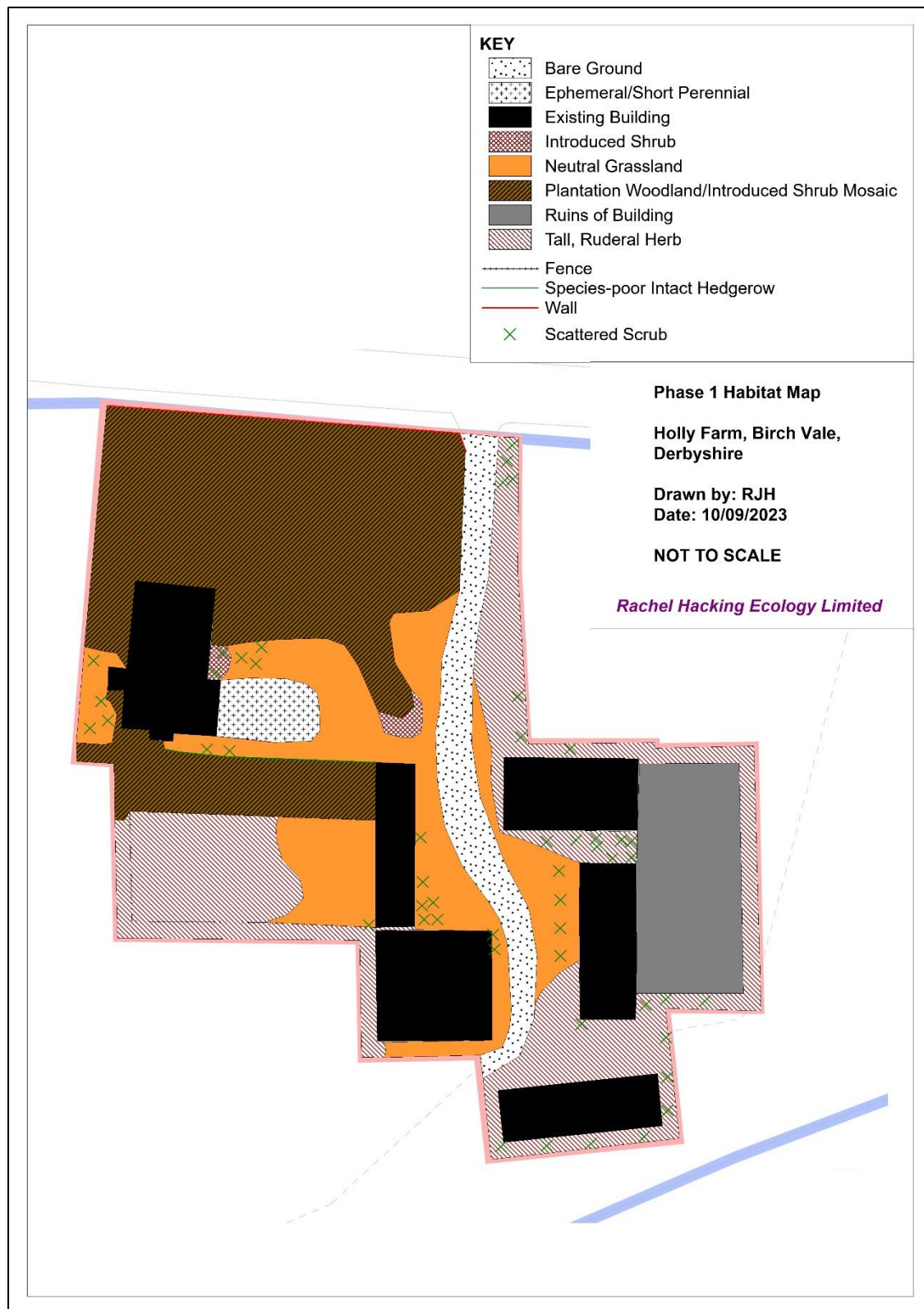
The Protection of Badgers Act 1992 makes it an offence to wilfully, or to attempt to kill, injure, take, possess or cruelly ill-treat a Badger, or intentionally or recklessly interfere with a sett. Interference of a sett includes disturbing badgers during occupation of a sett, or damaging or destroying a sett, or obstructing access to the sett.

Section 40 of the Natural Environment and Rural Communities (NERC) Act 2006 places a duty on every public authority to have regard to conserving biodiversity. Section 41 of the same Act requires the Secretary of State to publish a list of the living organisms and types of habitats that are of 'Principal Importance' for the purpose of conserving biodiversity. The Secretary of State must take steps, as appear reasonably practicable, to further the conservation of those living organisms and habitats in any list published under this section. The list of species and habitats of principal importance currently includes 943 species and 56 habitats. These are the species and habitats found in England which are regarded as conservation priorities under the UK Post-2010 Biodiversity Framework

The Hedgerows Regulations 1997 protect 'important' hedgerows from destruction or damage. A hedgerow is 'important' if it (a) has existed for 30 years or more; and (b) satisfies at least one of the criteria listed in Part II of Schedule 1 of the Regulations. Under the Regulations, it is against the law to remove or destroy 'important' hedgerows unless permitted by the local planning authority.



Appendix 2: Habitat Map



Appendix 3: Bat Emergence Survey Data

Table 2. Results from the dusk emergence survey				
Survey Type	Date	Average Temp (°C)	Sunset	Weather
Emergence	30.08.2023	13	20:03	Dry, Overcast, Cool
Results				
Common Pipistrelle bat emerged from Building 3 at 20:21				
Common Pipistrelle intermittent foraging around the site between 20:20 and 21:30				
Noctule heard commuting (not seen) at 20:31				
Brown Long-eared recorded foraging nearby at 20:39				

Table 3. Results from the dusk emergence survey				
Survey Type	Date	Average Temp (°C)	Sunset	Weather
Emergence	13.09.2023	15	19:30	Dry, Overcast, Mild
Results				
Brown Long-eared bat emerged from Building 3 at 19:51				
Noctule recorded commuting at 19:42				
Myotis sp. recorded foraging around the site at 19:50 and 19:58.				
Common Pipistrelle recorded foraging intermittently between 19:30 and 20:30.				