

**199-203 Henley Road & land to the rear of
205-207 Henley Road, Caversham RG4 6LJ**

Preliminary Ecological Appraisal

**199 – 203 Henley Road & land to rear of
205-207 Henley Road, Caversham**



April 2019

Ecology | Green Space | Arboiculture | GIS

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EXECUTIVE SUMMARY

- The site was located land at 199 – 203 Henley Road and land to the rear of 205 – 207 Henley Road, Caversham, RG4 6LJ, (central grid reference: SU 73014 75214);
- The development proposals include demolition of existing structures and redevelopment to form a care home (Class C2), communal and ancillary facilities, associated parking and landscaping;
- A preliminary ecological survey was undertaken in February 2019 in order to identify the main habitats present on site and the potential for protected species;
- The preliminary ecological survey identified the potential for bats, badger, otters, birds, reptiles and hedgehog on or adjacent to the site, and recommended further targeted surveys for bats, badgers, otters and reptiles;
- Initial draft recommendations to enhance the retained habitats are detailed, although these may be subject to change upon completion of the further surveys.;
- Outline recommendations are made in relation to protected species, however, these will need to be updated and further detail provided upon completion of the protected species surveys.

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1 INTRODUCTION

Ethos Environmental Planning (Ethos) have undertaken this Preliminary Ecological Assessment (PEA) of land at 199 – 203 Henley Road and land to the rear of 205 – 207 Henley Road, Caversham, RG4 6LJ, (central grid reference: SU 73014 75214) hereafter referred to as the 'Site'.

1.1 Aims and objectives

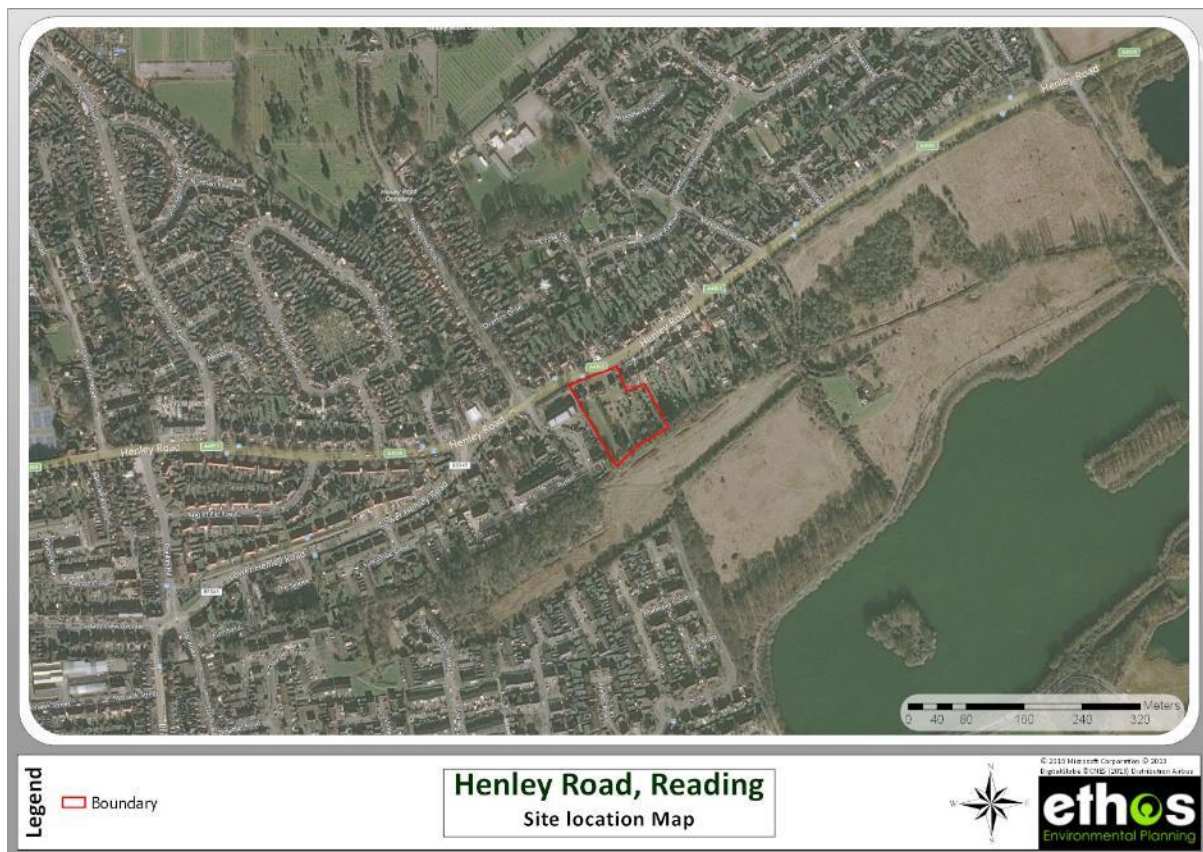
The PEA comprises a Phase 1 Habitat survey which has been extended to include an assessment for protected species. The overall assessment has been informed by guidelines provided in the '*CIEEM guidelines for ecological report writing, 2nd Ed, 2017*'. Further guidance in relation to surveys for protected species is detailed in the relevant sections within this report. The survey has the following objectives:

- to establish baseline ecological conditions and determine the importance of ecological features present within the specified area;
- to identify the existing habitats on Site;
- to identify the potential for protected species;
- to identify if any further surveys are required with regards to protected habitats or species; and
- to identify any key ecological constraints and make recommendations for design options to avoid significant effects on important ecological features/resources.

1.2 Site Location

The Site was located to the south of Henley Road in Caversham in Berkshire, (central grid reference: SU 73014 75214). The Site was bordered by Henley Road to the north, by other residential dwellings and gardens to the west and east, and by a brook and farmland to the south. The wider environment was dominated by urban development with residential dwellings, gardens and roads to the west and a number of connected waterbodies, Caversham Lakes, and farmland to the east. The location of the Site in relation to the surrounding area is shown in Figure 1.

Figure 1 Site Location



1.3 Development Proposals

The development proposals (figure 2) include the demolition of existing structures and redevelopment to form a care home (Class C2), communal and ancillary facilities, associated parking and landscaping.

The majority of the habitats in the centre of the site are proposed for removal, however, the boundary hedgerows are to be retained. A wildlife buffer will be created along the southern site boundary, incorporating areas of long grassland, fruit trees and enhancing a retained pond.

Figure 2 Development proposals



1.4 Structure of the Report

The following is included within this report:

- Legislative and planning context;
- Methodology;
- Background data review;
- Phase 1 habitat survey;
- Protected species assessment;
- Discussion and conclusions;
- Further surveys; and
- Recommendations.

2 LEGISLATIVE AND POLICY CONTEXT

This section provides a summary of the legislative and planning context which has been used to inform the ecological assessment and subsequent recommendations made in this report. **Appendix 1** sets out further details in relation to the most relevant legislation and policy.

2.1 Summary of Legislation

The Habitats Directive (together with the Birds Directive) forms the cornerstone of Europe's nature conservation policy. It is built around two pillars: the Natura 2000 network of protected sites and the strict system of species protection. All in all, the directive protects over 1,000 animals and plant species and over 200 "habitat types" (e.g. special types of forests, meadows, wetlands, etc.), which are of European importance. The habitats Directive and parts of the Birds Directive are transposed into legislation by the **Conservation of Habitat and Species Regulations 2017**.

The Wildlife and Countryside Act 1981 (as amended) is a key piece of national legislation which implements the Convention on the Conservation of European Wildlife and Natural Habitats (Bern Convention) and implements the species protection obligations of Council Directive 2009/147/EC (formerly 79/409/EEC) on the Conservation of Wild Birds (EC Birds Directive) in Great Britain.

Badgers and their setts are protected under the **Protection of Badgers Act 1992** as amended by the Hunting Act 2004.

The **Natural Environment and Rural Communities Act 2006** (the NERC act) places a duty on all public authorities, including local planning authorities, to consider biodiversity in their work. Local planning authorities are to ensure that there is no net loss of biodiversity on a site, no net loss in habitat connectivity and aims to enhance biodiversity.

The **Hedgerows Regulations 1997** protect 'important hedgerows' from being removed (uprooted or destroyed). Hedgerows are protected if they are at least 30 years old and meet at least one of the criteria listed in part II of schedule 1.

Specific legislation related to different species such as bats, birds and reptiles is outlined in Appendix 1, A1.1.

2.2 Policy

The **National Planning Policy Framework (NPPF)** aims to minimise impacts on biodiversity and provide net gains in biodiversity where possible, contributing to the Government's commitment to halt the overall decline in biodiversity, including the establishment of coherent ecological networks more resilient to current and future pressures.

The **UK Biodiversity Action Plan (UK BAP)** sets out a programme for conserving the UK's biodiversity. It led to the production of 436 action plans between 1995 and 1999 to help many of the UK's most threatened species and habitats to recover. A review of the UK BAP priority list in 2007 led to the identification of 1,150 species and 65 habitats that meet the BAP criteria at UK level.

2.2.1 Local Policy

The "Adopted Core Strategy Document" was produced by Reading Borough Council in January 2008 and revised January 2015. The following policies have been considered relevant to the site:

CS36: Biodiversity and Geology

- A) Development should retain, protect and incorporate features of biodiversity or geological interest (including protected species and their habitats) found within the application site into their schemes.

On sites with recognised biodiversity or geological value, development will not be permitted where there would be a direct or indirect adverse impact on the site, unless it can be clearly demonstrated that: -

- i. The need for development clearly outweighs the need to protect the value of the site; and
- ii. Appropriate compensation, impact minimisation, mitigation and compensation are provided.

- B) Local Nature Reserves and Wildlife Heritage Sites will be safeguarded and where possible, enhanced. Permission will not be granted for any development that would adversely affect a designated nature reserve or Wildlife Heritage Site.

- C) Any development that would sever or threaten the integrity of an established wildlife link, as indicated on an adopted proposals map, will not be permitted. Where applicable, developments should be designed to protect, consolidate, extend and enhance the network of wildlife links and corridors in and adjoining the Borough, working with neighbouring authorities where appropriate.

CS38: Trees, Hedges and Woodlands

Individual trees, groups of trees, hedges and woodlands will be protected from damage or removal, and the Borough's vegetation cover will be extended.

3 METHODOLOGY

3.1 Background Data Search

Records of protected and notable species recorded within 1km of the Site with an extended 2km search for bat records were requested from Thames Valley Environmental Record Centre (TVERC) in February 2019. Records of designated sites within 1km of the Site were also requested from TVERC.

A search was also undertaken for granted European Protected Species (EPS) Applications within 1km of the Site using publicly available information.

A Phase 1 survey, reptile presence / absence surveys, bat emergence surveys and camera trap monitoring surveys were carried out at the site by Ethos in 2016. The full details of these surveys are included in the previous report, Ecology Assessment, Land south of Henley Road, Reading, September 2016. They results are summarised in section 4 of this report.

3.2 Phase 1 Habitat Survey

The Phase 1 habitat survey and mapping has drawn on guidance provided in the *Handbook for Phase 1 Habitat Survey - a technique for environmental audit* (JNCC 2010). A Phase 1 habitat survey was carried out on 8th February 2019. The survey incorporated detailed assessment of the land within the development boundary, including a description and mapping of all key features and habitat types. The survey was carried out to identify the range of habitats within the Site and the predominant and notable species of flora, including any invasive non-native species present.

3.3 Protected Species Surveys

The Phase 1 habitat survey has been extended to include an assessment for protected species in line with *Guidelines for Preliminary Ecological Appraisal, 2nd edition, CIEEM 2017*. Details of general methodologies focusing on habitat suitability are described below.

3.3.1 Amphibians

The habitats on Site were assessed for their potential to support amphibian species, including great crested newt (*Triturus cristatus*) (GCN). The Site was examined for suitable waterbodies and for breeding terrestrial habitat. In addition to the on-site assessment a desk-based review of ponds within 500m was also undertaken, in line with the *Great Crested Newt Mitigation Guidelines* (English Nature, 2001).

3.3.2 Bats

Habitats

The habitats on Site were assessed for their suitability to support foraging and commuting bats. The assessment looked at availability of suitable habitat and connectivity features in the wider landscape.

Preliminary Roost Inspection (Structures)

Physical external and internal inspection of the buildings on Site were undertaken on the 8th February 2019 by the surveyors using the equipment described below to assist the inspection. A CLU-10 (1 million candlepower) searchlight fitted with a red filter was used to search dark areas for signs of bats. Pentax 0.5m Papilio (8.5x21) close focusing binoculars were used to view areas inaccessible on foot. A telescopic inspection mirror was used to look on top of or into structures features with limited visual access for evidence of bats. A Rigid Sea-snake C-350 with micro camera head and extension cord endoscope was also used within the loft voids to search within gaps in the loft structure. Approximately 2.5 hours of search effort were expended.

The physical search includes a search for live animals and a search for other signs that give an indication of past or present occupancy as outlined below. In the case of bats, typical indicators include droppings (which are characteristic and can often be speciated or at least be indicative of species type), signs of staining, urine splashing, characteristic odours, and accumulations of discarded prey remains.

Preliminary Ground Level Assessment (Trees)

The initial ground level tree roost assessment was undertaken on the 8th February 2019 using the equipment described below to assist the inspection. Approximately 45minutes of survey effort was expended. The survey comprised a systematic search for potential roosting features (PRFs) from ground level using Barr and Stroud binoculars and a CLU-10 (1 million candlepower) searchlight.

3.3.3 Badgers

The survey for badger (*Meles meles*) included a search of the development site for any evidence of badgers, including setts, foraging signs (snuffle holes), runs and latrines.

3.3.4 Birds

The bird survey included an assessment of the habitats on Site for their potential to support breeding birds. Surveyors were equipped with Barr and Stroud 8 x 42 binoculars and any bird species observed during all site visits were recorded.

3.3.5 Hazel Dormouse

The survey included consideration of the potential of the Site for hazel dormouse (*Muscardinus avellanarius*), focusing on the connectivity and suitability of the habitat on Site.

3.3.6 NERC Section 41 mammals

The Site was assessed for its potential to support NERC S41 mammals such as European hedgehog (*Erinaceus europaeus*) and brown hare (*Lepus europaeus*).

3.3.7 Reptiles

The potential presence of reptiles on Site was assessed considering the habitats present (availability of refugia and basking areas) and suitability of surrounding environment. Where possible, attempts to confirm reptile presence on Site were made following *Froglife Advice Sheet 10 – Surveying for Reptiles* through direct observation in reptile “hotspots” and checking of any existing refugia.

3.4 Personnel

The surveyors on site are included within the table below **Table 1**. The survey team have worked together on numerous similar projects and have a complimentary range of skills and experience which are considered to have provided a robust ecological appraisal of the site.

Table 1: Surveyors on site

Ecologist	Position	Qualification/Licence	Experience
Rachel Fayers	Senior Ecologist	BSc (Hons), ACIEEM Class 2 Bat Licence (NE) Class 1 GCN Licence (NE)	Rachel is a practised ecologist and conservationist with over seven years’ experience in the field and is a licensed bat worker. Rachel is responsible for managing ecology surveys, appraisals and projects through various stages of planning and implementation.
Kane Burchill	Assistant Ecologist	Class 1 Bat Licence (NE) Level 2 Certificate and Diploma in Work-based Environmental Conservation Working towards a certificate of higher learning: Field Ecology - currently Level 2 Certificate and Diploma in Work-based Environmental Conservation	Kane has over four years’ experience in ecological field survey and consultancy. As an assistant Ecologist with Ethos; Kane is responsible for undertaking comprehensive habitat assessments and protected species surveys.

3.5 Limitations

The preliminary ecological appraisal was undertaken outside of the recommended survey period for identifying the botanical interest of a site (April-October). Therefore, it may not

have been possible to identify certain species present due to the lack of any notable features such as flowers. However, sufficient species were present to allow classification of the Phase 1 habitat types and This is not considered a limitation to the assessment.

A reasonable attempt to gather data was made, but it is also possible that other data exists within this area that was not made available to Ethos. This should therefore not be considered an exhaustive list and it is not possible to assume the absence of any species absent from the records. The background data search results for protected species (excluding bats) have not yet been received. However, it was assessed that this was not a significant limitation to the assessment because the results of previous surveys of the site were considered very relevant.

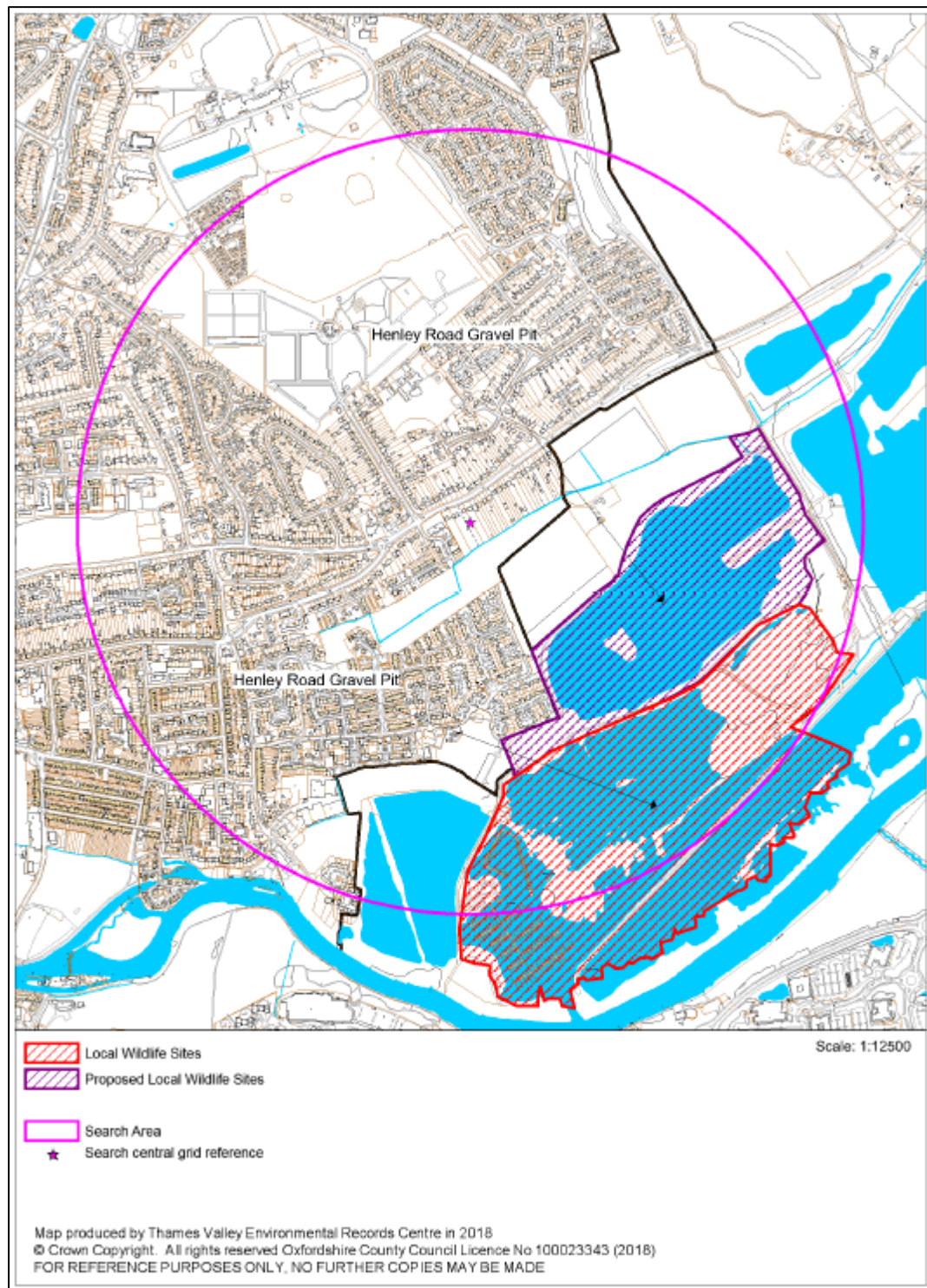
There was no internal access to structures 201 and 203 and it was not possible to identify evidence of use by bats in these structures. However, a thorough external inspection was undertaken and the results of the 2016 internal surveys were also consulted. As further emergence surveys are required, it will be possible to carry out an updated internal inspection.

4 BACKGROUND DATA REVIEW

4.1 Notable Sites

Figure 3 shows the locations of Local Wildlife Sites within 1km of the development site.

Figure 3 Designated wildlife sites within 1km of the development site



4.1.1 Notable Sites

No statutory designated sites were returned within the background data search within 1km of the site.

There was a single Local Wildlife Site returned within 1km of the Site; the Henley Road Gravel Pit. The site supports arrange of wildfowl that winter in the UK including species such as gadwell which is classed a bird of conservation concern. This pit is quite large and there are quieter areas and part of the site is divided by off by a thin causeway where scrub has established. The pit is one of the best sites for wildfowl in South Oxfordshire. Some nationally scarce insects have also been recorded here.

However, part of the site is a marina and another part is a rowing lake and it is planned to reassess the area with other pits to the north and west, that are currently outside the site boundary but listed as proposed extensions, in the future.

4.2 Notable Species

Bats

There were records of Daubenton's bat (*Myotis daubentonii*), Leisler's (*Nyctalus leisleri*), noctule (*Nyctalus noctula*), Brown long-eared bat (*Plecotus auritus*), Nathusius' pipistrelle (*Pipistrellus nathusii*), common pipistrelle (*Pipistrellus pipistrellus*) and soprano pipistrelle (*Pipistrellus pygmaeus*).

The results of other protected species are pending.

4.3 Granted European Protected Species Licences

The desk study revealed no EPS licences within 1km of the Site. The closest licence was for the demolition of a resting place for brown long-eared bats approximately 2.1 km north east of the development boundary.

4.4 Ecology Assessment, Land south of Henley Road, Reading, September 2016 (revised February 2017), Ethos

The Ecology Assessment, land south of Henley Road, Reading found the following results and conclusions:

Birds

- Moderate levels of bird activity were noted across the site, with the majority of activity recorded in the hedgerows;
- It was assessed to be likely that birds would be nesting seasonally in the hedgerows and mature trees.

Badgers

- Mammal droppings attributed to badger (*Meles meles*) were found in the orchard area and mammal trails were present throughout the semi-improved grassland beneath the orchard;
- Two mammal holes were observed at the site; one beneath a shed in the centre of the site and the other in a compost heap in the south-western corner of the site;
- Further camera trap surveys were carried out on the hole beneath the shed and no mammals were recorded using the hole (cameras were deployed from 22/08/16 – 15/09/16).

Amphibians

- The majority of the terrestrial habitats on site were typical of urban gardens with short-mown amenity grassland, introduced shrubs and hard standing which had low value for foraging amphibians;
- There were four ponds on site, all scored 'poor' or 'below average' on the HSI assessment and were assessed as having negligible potential for GCN.

Reptiles

- The preliminary appraisal and phase 1 habitat survey identified potential habitat for reptiles in the scrub edges and the semi-improved grassland beneath the traditional orchard;
- The reptile surveys found low numbers of two reptile species – slow worm (*Anguis fragilis*) and grass snake (*Natrix natrix*).

Bats

- The tree inspection identified three trees on site with potential for bats;
- Subsequent emergent surveys identified tree one was an occasional day roost for a single common pipistrelle (*Pipistrellus pipistrellus*);
- The bat surveys confirmed that the three main residential dwellings (199, 201 and 203) were all used by roosting bats;
- Bat activity was spread over the site, with the highest concentrations along the western hedgerow, to the south of the main residential dwellings;
- Common pipistrelle, soprano pipistrelle, Daubenton's, brown long eared, Noctule, serotine (*Eptesicus serotinus*) and Nathusius' pipistrelle.

5 PHASE 1 HABITAT SURVEY

5.1 General Site Description

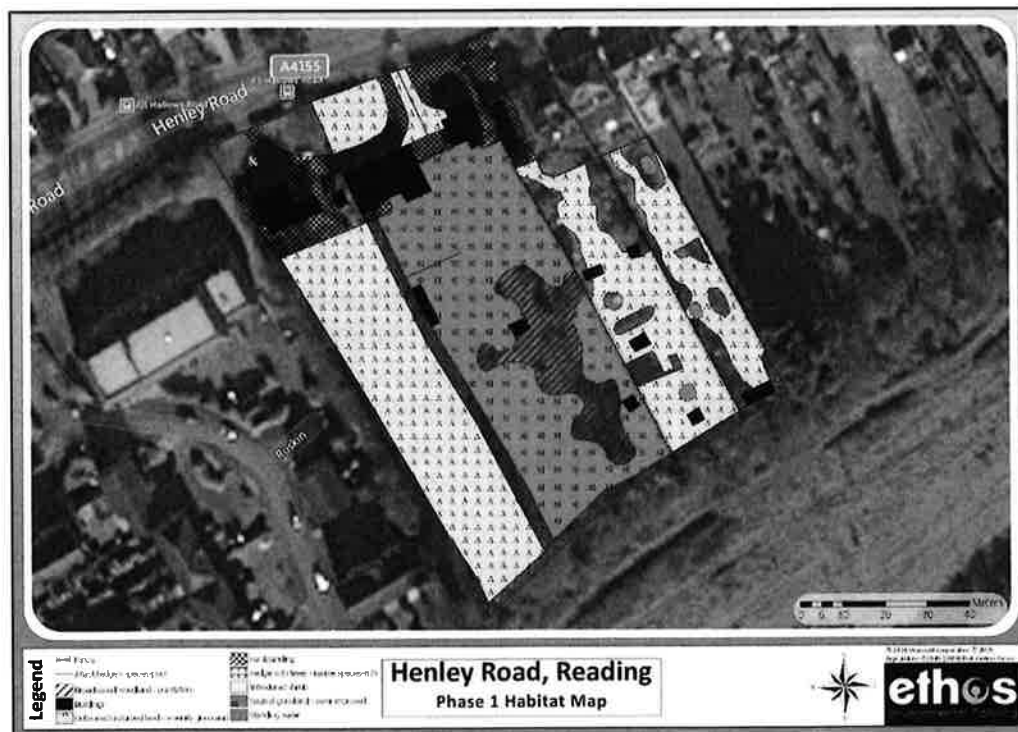
The site was located to the south of Henley Road in Caversham, east Reading, Berkshire. The wider environment was dominated by urban development including residential dwellings, gardens, pastureland and Caversham Lakes located to the south and east of the site. The site itself comprised of three residential structures with associated outbuildings and gardens extending to the south.

5.2 Habitat Description

Results of the Phase 1 habitat survey are shown in **Figure 4** and the habitats are listed below:

- Hedgerows (J2);
- Amenity grassland (J1.2);
- Semi-improved grassland (B1.2);
- Scattered scrub (A2.2);
- Introduced shrub (J1.4);
- Orchard (A1.1.2);
- Vegetable patch;
- Ponds (G1);
- Hard standing (J5); and
- Built structures (J3.6)

Figure 4 Phase 1 Habitat survey



5.2.1 Hedgerows

The Phase 1 survey identified six hedgerows as shown in figure 5. The hedgerows were predominantly located on the boundaries of the site and separated the residential gardens.

Hedge 1: Hedgerow 1 was a defunct, species-poor hedgerow located at the northern site boundary. The hedgerow had gaps where driveways were cut through. The hedge was dominated by English elm (*Ulmus procera*) with privet, snowberry (*Symphoricarpos albus*), buddleja (*Buddleja davidii*) and occasional hazel (*Corylus avellana*).

Hedge 2: Hedgerow 2 was an intact, species-rich hedgerow with trees located along the western boundary. The hedge was dominated by beech (*Fagus sylvatica*) with; damson *Prunus* sp.), walnut (*Juglans regia*), holly (*Ilex aquifolium*), ash (*Fraxinus excelsior*), hawthorn (*Crataegus monogyna*), garlic mustard (*Alliaria petiolata*), bramble (*Rubus fruticosus*), buddleja and of particular note was the presence of *Cotoneaster* sp. which is a schedule 9 invasive species.

Hedge 3: Hedgerow 3 was a species-poor hedgerow with trees which ran from north to south, separating the residential gardens of properties 199 and 201. The hedge was dominated by beech (*Fagus sylvatica*) with other species including; holly (*Ilex aquifolium*), walnut, sycamore (*Acer pseudoplatanus*), hedge woundwort (*Stachys sylvatica*), common nettle (*Urtica dioica*) and wood avens (*Geum urbanum*).

Hedge 4: hedgerow 4 was an intact hedgerow with trees located on the southern site boundary. Species recorded include; mature beech (*Fagus sylvatica*) trees, sycamore (*Acer pseudoplatanus*), ash (*Fraxinus excelsior*), hazel (*Corylus avellana*), hawthorn (*Crataegus monogyna*), holly (*Ilex aquifolium*), guelder rose (*rosa* spp.), snowberry (*Symphoricarpos albus*), bamboo, common nettle (*Urtica dioica*), bramble (*Rubus fruticosus*), dog rose (*Rosa canina*) and of particular note was the presence of the Schedule 9 invasive species – variegated yellow archangel (*Lamium galeobdolon* subsp. *argenteum*).

Hedge 5: Hedgerow 5 was a short section of species-poor hedgerow which was located in the rear garden of house 201, running from east to west. Species included grape vine, buddleja (*Buddleja davidii*), rose (*rosa* spp.), hazel (*Corylus avellana*), common nettle (*Urtica dioica*) and ivy (*Hedera helix*).

Hedge 6: Hedgerow 6 was a short section of species-poor hedgerow located in the north of the site, separating gardens 205 and 207. Species included cotoneaster sp., ivy (*Hedera helix*), lilac (*Syringa vulgaris*) and English elm (*Ulmus procera*).

None of the hedgerows were assessed as 'important' under the Hedgerow Regulations (1997).



Photo 1: Hedge 2



Photo 2: Hedge 3



Photo 3: Hedge 1



Photo 4: Hedge 4

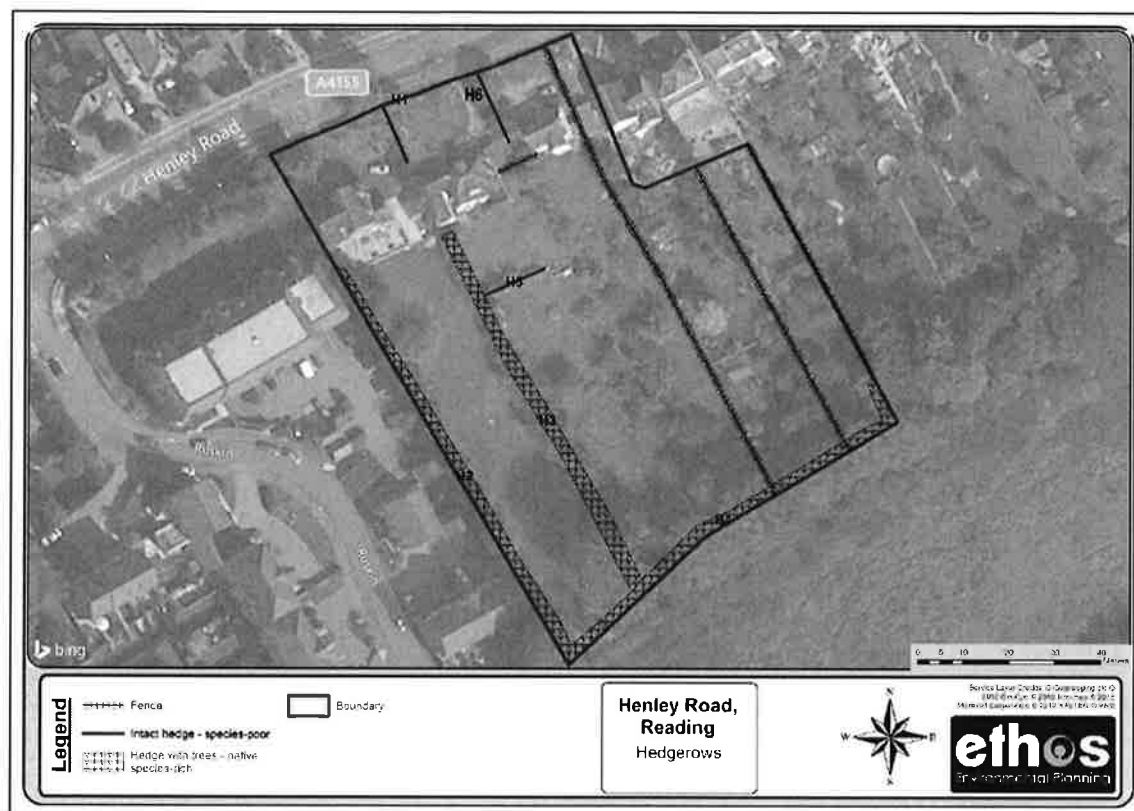


Photo 5: Hedge 5



Photo 6: Hedge 6

Figure 5: Hedgerows on site



5.2.2 Amenity grassland

Large sections of the site comprised of amenity grassland which was managed to a short sward. This habitat was assessed as having low botanical diversity with species recorded including; perennial rye grass (*Lolium perenne*), wood avens (*Geum urbanum*), clover (*Trifolium spp.*), ribwort plantain (*Plantago lanceolata*) and daisy (*Bellis perennis*).



Photo 7: Amenity grassland, house 199



Photo 8: Amenity grassland

5.2.3 Semi-improved grassland

The joint residential gardens of 201 and 203 were dominated by semi-improved grassland with a traditional orchard in the south. Species included; forgetmenot (*Myosotis sylvatica*), daisy (*Bellis perennis*), dandelion (*Taraxacum officinale*), red clover (*Trifolium spp.*), ribwort plantain (*Plantago lanceolata*), false oat grass (*Arrhenatherum elatius*), cock's foot (*Dactylis glomerata*), Yorkshire fog (*Holcus lanatus*), creeping bent (*Agrostis stolonifera*), buddleja (*Buddleja davidii*), willowherb (*Epilobium spp.*), yarrow (*Achillea millefolium*) and black medick (*Medicago lupulina*).



Photo 9: Semi-improved grassland



Photo 10: Semi-improved grassland

5.2.4 Scattered scrub

Several small areas of scattered scrub were noted on site in particular along the southern boundary and around some of the outbuildings. This habitat was dominated by bramble (*Rubus fruticosus*) with other species recorded including snowberry (*Symphoricarpos albus*), buddleja (*Buddleja davidii*), and common nettle (*Urtica dioica*).



Photo 11: Scattered scrub

5.2.5 Introduced shrub

There were a number small areas of introduced ornamental shrubs throughout the gardens. These areas were dominated by non-native species such as red lantern (*Banksia caleyi*), mint (*Mentha spp.*) buddleja (*Buddleja davidii*), Clematis spp., rose (*Rosa spp.*), lavender (*Lavandula spp.*), field bindweed (*Convolvulus arvensis*), wood avens (*Geum urbanum*), jasmine (*Jasminum spp.*) and honeysuckle (*Lonicera periclymenum*). Several clumps of bamboo were noted towards the south of the gardens which had started to spread across the site.



Photo 12: Introduced shrubs



Photo 13: Introduced bamboo

5.2.6 Fruit Trees (Orchard)

A small group of planted fruit trees was located in the southern part of the semi-improved grassland, comprising different varieties of apple (*Malus domestica*), walnut (*Juglans regia*), plum (*Prunus spp.*) and hazel (*Corylus avellana*) coppice. Mistletoe (*Viscum album*) was noted growing on a number of the fruit trees. This habitat was assessed as having moderate ecological value.



Photo 14: Orchard



Photo 15: Orchard

5.2.7 Vegetable patch

Several vegetable patches were present within the rear gardens of house 205. These were assessed as having Low ecological value.



Photo 16: Introduced shrub, Vegetable patch

5.2.8 Ponds

There were four ponds on site, as shown in figure 6 and described below:

Pond 1 was located in the north-east of the site, to the rear of house 207. This was a man-made pond with paving slabs around the edges and artificial pond liner. Some aquatic invertebrates were observed in the water and there were a range of aquatic plants.

Pond 2 was located in the north-east of the site, to the rear of house 205. This was a man-made pond which was covered with netting at the time of survey. Paving slabs were around the pond edges and there was a steep drop into the pond. Few aquatic invertebrates and plants were observed.

Pond 3 was located in the south-east of the site, to the rear of house 205. The pond was heavily shaded and was completely dry at the time of survey with a dense layer of leaf litter. Some reeds were noted growing in the centre of the pond. There was suitable terrestrial habitat close to the pond edges.

Pond 4 was located in the south-east of the site, to the rear of house 207. The pond was moderately shaded and had dense vegetation growing throughout the pond. There was some suitable terrestrial habitat close to the pond edges.



Photo 17: Pond 1



Photo 18: Pond 2

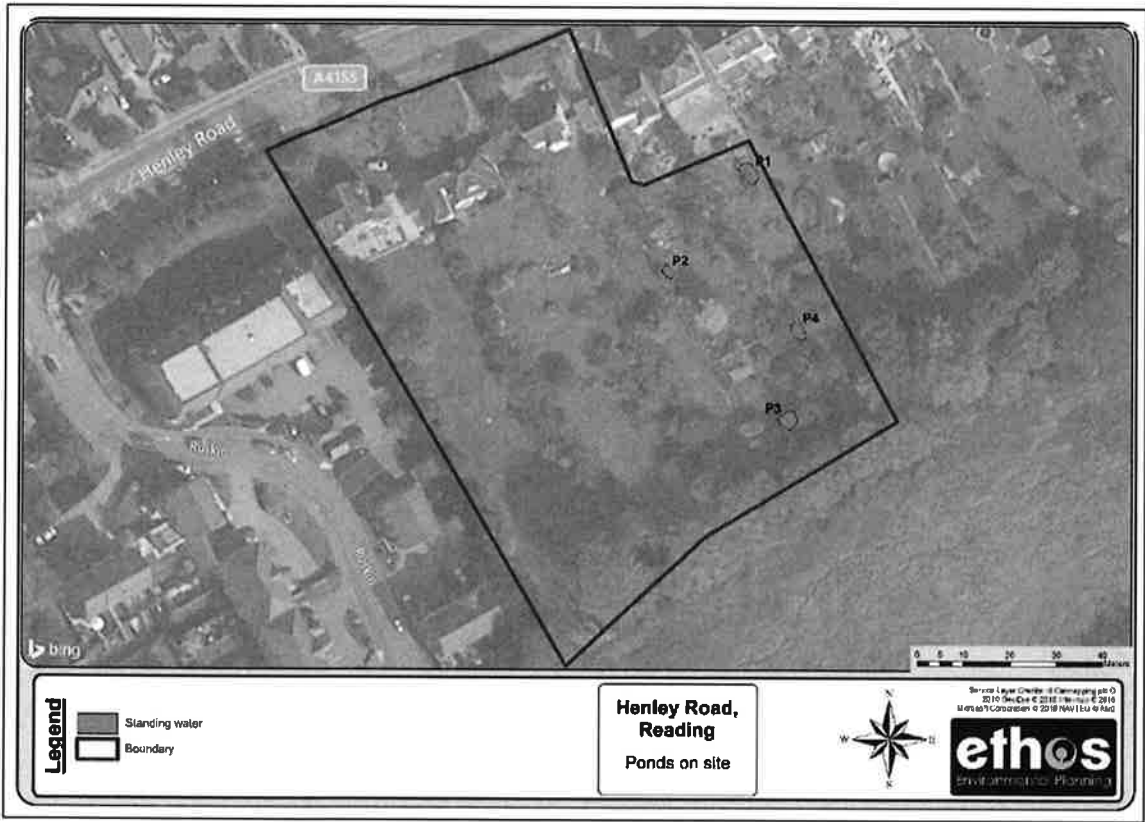


Photo 19: Pond 3



Photo 20: Pond 4

Figure 6: Ponds on site



5.2.9 Hard standing

Sections of hardstanding were scattered throughout the site which included tarmac and gravel driveways and paving patio areas. This habitat was assessed as having negligible ecological value.



Photo 21: hard standing



Photo 22: hard standing

5.2.10 Built structures



Photo 23: Number 203 & 205 Henley Road



Photo 24: garden shed

There were several built structures across the site; including three detached residential dwellings, along with associated garages and outbuildings, and a number of sheds and greenhouses within the residential gardens. The built structures are described in detail in section 6.

6 ASSESSMENT FOR PROTECTED SPECIES

6.1 Amphibians

The background data search no records of GCN within 1km of the site. There were four ponds on site as described below;

Pond 1 was located in the north-east of the site, to the rear of house 207. This was a man-made pond with paving slabs around the edges and artificial pond liner. Some aquatic invertebrates were observed in the water and there were a range of aquatic plants.

Pond 2 was located in the north-east of the site, to the rear of house 205. This was a man-made pond which was covered with netting at the time of survey. Paving slabs were around the pond edges and there was a steep drop into the pond. Few aquatic invertebrates and plants were observed.

Pond 3 was located in the south-east of the site, to the rear of house 205. The pond was heavily shaded and was completely dry at the time of survey with a dense layer of leaf litter. Some reeds were noted growing in the centre of the pond. There was suitable terrestrial habitat close to the pond edges.

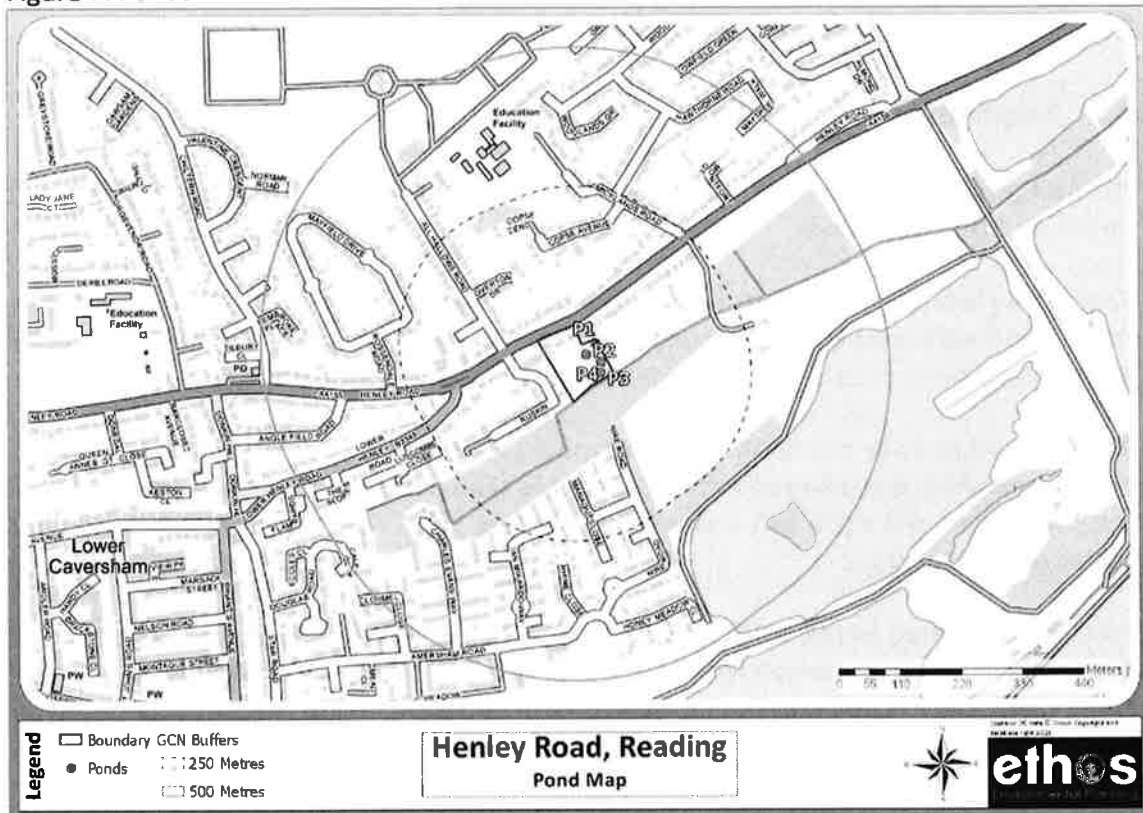
Pond 4 was located in the south-east of the site, to the rear of house 207. The pond was moderately shaded and had dense vegetation growing throughout the pond. There was some suitable terrestrial habitat close to the pond edges.

Ponds 1, 2 and 4 scored 'below average' in the Habitat Suitability Index (HSI) assessment and pond 3 scored 'poor'.

There was only one other water body within 500metres of the site, as shown in figure 8. This was a large lake used for water skating and water boarding located 307 metres south of the site. The lake would be subject to disturbance that reduced it's suitability for GCN and it's location was assessed to be a sufficient distance that any GCN (if present) would be highly unlikely to use the terrestrial habitats on site.

The majority of the terrestrial habitats on site were typical of urban gardens with short-mown amenity grassland, introduced shrubs and hard standing which had low value for foraging amphibians. The highest quality terrestrial habitat was located adjacent to the stream in the south of the site. Overall it was assessed that GCN were likely absent from site and no further recommendations have been made in relation to this species.

Figure 7: Ponds within 500m



6.2 Bats

6.2.1 Habitats

The hedgerows, in particular hedgerow 2, 3 and 4 were assessed to provide potential for foraging and commuting bats. The traditional orchard, semi-improved grassland and introduced shrubs were assessed as providing moderate potential for foraging bats.

6.2.2 Tree Survey

The tree survey identified three trees on site as having potential for roosting bats.

Tree 1: this was a mature horse chestnut (*Aesculus hippocastanum*) tree with two woodpecker holes located approximately 4metres high on the main trunk. The tree was classified as 'Category 1' – high potential for roosting bats.

Tree 2: this was a mature beech (*Fagus sylvatica*) tree with dense ivy (*Hedera helix*) covering the main trunk. The tree was classified as 'Category 1' – high potential for roosting bats.

Tree 3: this was a mature beech (*Fagus sylvatica*) tree within the southern hedgerow which had a slight covering of ivy (*Hedera helix*) and a single large hole within the trunk of the tree. The tree was classified 'Category 1' – high potential for roosting bats.

Figure 8: Trees with bat potential

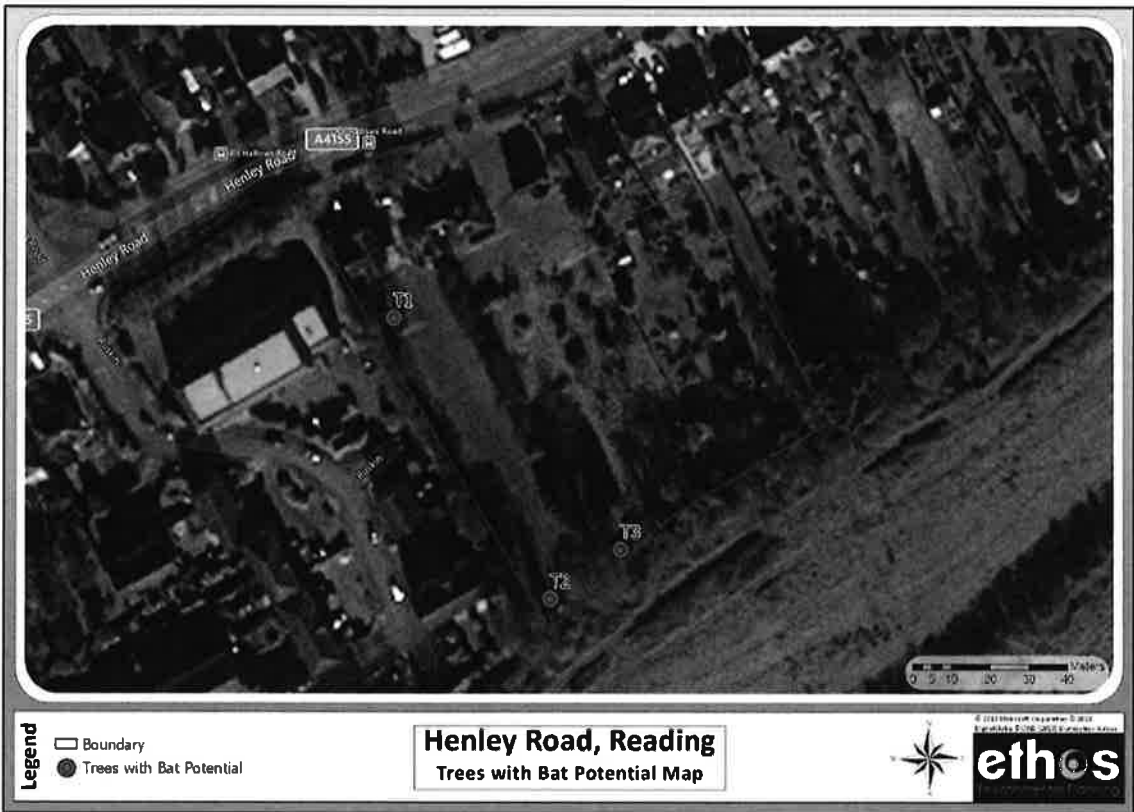
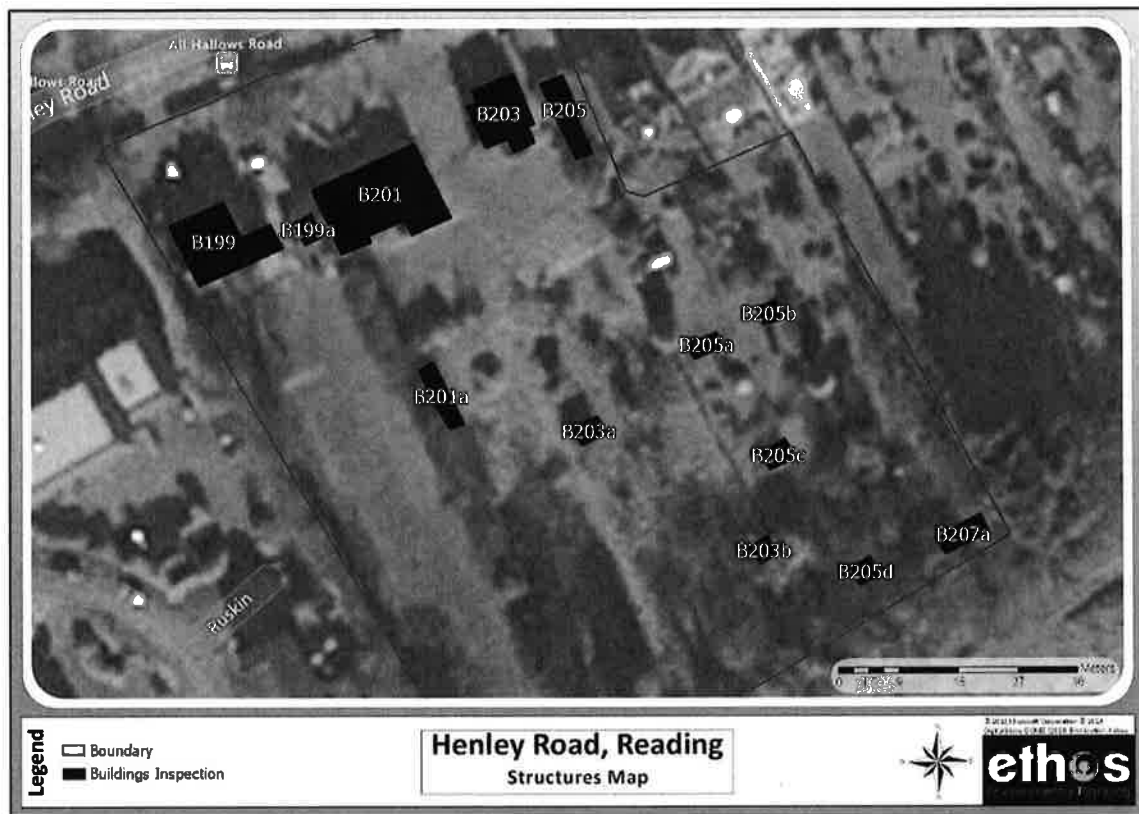


Photo 27: Tree 1



Photo 28: Tree 2

Figure 9: Buildings on site



Building 199 (residential dwelling, no 199. Henley Road)

This was a two storey residential dwelling with brick walls and a relatively recent extension at the western elevation. The roof was composed of clay tiles which were generally in good condition although there were a few missing and raised tiles at the eastern elevation which provided potential access into the roof void. There were wooden fascia boards, of which parts were rotten, with gaps between the fascia boards and the walls, particularly at the southern elevation. There were wooden soffits which were in moderate condition and lead flashing was present around the chimney and roof joins. The features on the modern extension were in excellent condition; tight-fitting and with no potential access points. There were external wooden beams at the northern elevation and pebble dashing on the top half of the building.

Internally there were two loft voids; one over the original building and one over the modern extension which tied into the original roof.

The modern loft had wooden panels where it tied into the original building, plastic sarking which had no gaps, and tight-fitting breezeblocks at the gable end. No evidence of bats was observed and the modern plastic sarking was considered to reduce the suitability of the loft for roosting bats.

The loft over the original building was large, with a high pitched roof. The wooden panelled sarking was tight fitting and the roofing structure comprised of timber purlings, rafter and ridge beam. Small gaps were noted within the gable ends which were assessed as providing potential roosting features for crevice dwelling bats. A large number of bat droppings, approximately 30 bat droppings, were identified at the southern gable end with additional droppings found on the walls and within cobwebs indicative of crevice dwelling bats using small voids between the wall and the roof. Droppings varied in size and age indicating continual use of several species using the structure. As a result of these findings (and as 2016 surveys identified roosting bats), it was confirmed that the building had **high potential** as a bat roost.



Photo 21: Building 199 front (north)



Photo 22: Building 199 rear (east)



Photo 23: building 199 rear (South)



Photo 24: building 199 lean to on eastern elevation



Photo 25:building 199 loft



Photo 27:building 199 bat droppings

Photo 26:building 199 loft



Photo 28:building 199 new loft

Building 199a - shed

This was a wooden shed with wooden panel walls and a slightly pitched roof composed of felt. The structure lacked features suitable for roosting bats and was assessed as having **negligible potential** for roosting bats.



Photo 29: Building 1a

Building 201 – Number 201 Henley Road

This was a two and a half storey residential dwelling with brick walls and pebble dashing on the second storey. The hip roof was clad in clay tiles, with many having slipped or missing, and the clay ridge had gaps at the ridge tiles. The house had wooden soffits and fascia boards, which left some gaps next to the walls, and there were also gaps in the lead flashing on the roof.

There was no internal access to the loft void of structure 201 however, due to the high number of slipped roof tiles and the results of surveys carried out in 2016 (which confirmed roosting bats), it was assessed that the building had **high potential** for roosting bats.



Photo 30: building 201 – northern elevation



Photo 31: building 201 – northern elevation



Photo 32: building 201 eastern elevation



Photo 33: building 201 south elevation

Building 201a - shed

This was a dilapidated shed with walls composed out of a mixture of wooden panels and clear corrugated plastic which had large gaps. The roof was pitched and composed partially of corrugated metal and felt which was in poor condition. There were lots of cobwebs within the shed and no evidence of bats was found. The shed was quite damp inside and overall, it was assessed as having **negligible potential** for roosting bats.



Photo 34: building 201a on right



Photo 35: building 201a interior



Photo 36: Building 201 a



Photo 37: building 201 a

Building 203 – Residential dwelling No. 203 Henley Road

This two storey building had brick walls covered with pebble dashing on the upper half of the structure, and a pitched roof with clay tiles. The roof had gables to the east, west and south and many of the clay tiles were slipped or missing, particularly in the joins between different sections of roof. The pebble-dashing was in poor condition and there were many crevices where gaps had formed.

There was no internal access to the loft void of structure 201 however, due to the high number of slipped roof tiles and the results of surveys carried out in 2016 which confirmed roosting bats, it was assessed that the building had **high potential** for roosting bats.



Photo 38: building 203 north elevation



Photo 39: building 203 gaps within tiles on



Photo 40: building 203 coal shed



Photo 41: building 203 coal shed

Buildings 203a, 203b, 205b, 205d, and 207d (sheds)

These were varying styles of sheds, located in the south of gardens 201 – 207. The majority of the sheds had wooden panel walls with pitched roofs composed of roof felt. Shed 203a had wooden panel walls with a pitched, corrugated asbestos roof. Shed B207a was located adjacent to the southern hedgerow and was covered in dense vegetation which had resulted in the collapse of the shed roof. Overall, it was assessed that the sheds had **negligible potential** for roosting bats and no further surveys were required.



Photo 42: building 205b



Photo 43: building 203b



Photo 44: building 205d



Photo 45: building 207a



Photo 46: building 203a

Buildings 205a and 205c (greenhouses)

Two greenhouses were located within the garden of Building 205. The greenhouses lacked features suitable for roosting bats and no further surveys were required.



Photo 47: greenhouse



Photo 48: greenhouse

6.3 Badgers

There were suitable habitats on site for badgers, with the fruit trees within the scattered trees and the hedgerows providing potential foraging opportunities. Mammal trails were noted within the semi improved grassland in the rear gardens of properties 201 and 203. Two mammal holes were observed at the site; one beneath a shed in the centre of the site and the other was located under a dilapidated structure in the rear garden of property 207. Overall, it was assessed that there was high potential for badger (*Meles meles*) on site and further surveys will be required.

6.4 Birds

The mature trees, introduced shrub and hedgerows were assessed as providing high nesting and foraging potential for breeding birds. The orchard on site was assessed as providing foraging opportunities for a range of bird species. A number of the outbuildings located on site were undisturbed and covered in dense vegetation. These structures were assessed to provide high potential for nesting birds however, no evidence of nesting birds was noted within the structures on site. The following bird species were observed during the site walkover on site; blue tit (*Cyanistes caeruleus*), great tit (*Parus major*), blackbirds, wood pigeon (*Columba palumbus*) and pheasant (*Phasianus colchicus*).

6.5 Hazel Dormouse

The hedgerows contained species known to be a favoured food source for dormice although the mature hedgerows on site had poor connectivity to the wider environment to the south. The site's semi-urban location reduced the suitability for this species and, overall the site was assessed as having negligible - low potential for dormice. No further surveys are required.

6.6 NERC Section 41 Mammals

No evidence of NERC S41 mammals was identified during the ecological walkover survey. However, the Site was considered suitable for European hedgehog; the grassland, hedgerows and introduced shrub would provide suitable foraging habitat and the hedgerows would provide suitable nesting habitat. The residential gardens to the south of the Site are likely to support hedgehog.

6.7 Otter and Water Vole

The southern boundary was adjacent to Berry Brook which was assessed as having good connectivity to suitable habitat within the wider environment. Berry Brook was assessed to provide good commuting opportunities for otters and the terrestrial habitat on site provided moderate opportunities for terrestrial otters. A mammal hole was located under a dilapidated structure adjacent to Berry Brook and it was assessed that further monitoring of this hole will be required.

6.8 Reptiles

The amenity grassland on site was assessed as having low potential for reptiles as it was cut to a short sward, however, the rough semi-improved grassland, hedgerows, scattered scrub and introduced scrub on site was assessed as having moderate- high potential for reptiles. Low numbers of grass snake and slow worm have previously been recorded on site. Overall the site was assessed as having high potential for reptiles and further surveys will be required to update the assessment.

7 DISCUSSION

7.1 Habitats

The Habitats on site were assessed to have generally low botanical value and it was assessed that dedicated botanical surveys were not required. The highest value ecological features on site were the hedgerows and the orchard, both of which were BAP priority habitats. The development proposals will aim to retain majority of the hedgerows on site with the exception for hedgerow 3. The proposals will necessitate the removal of majority of the habitats within the centre of the site including the orchard.

Recommendations in relation to providing compensatory habitat will be required. It is recommended that these are made upon completion of the protected species surveys.

Cotoneaster was recorded in three locations on site and variegated yellow archangel at the southern site boundary. These are Schedule 9 invasive species which should not be allowed to spread outside of the site and, therefore, will be removed.

7.2 Protected Species

Considering the results of previous surveys of the site and assessing the current potential of the habitats on site, further surveys have been recommended in order to update the baseline conditions on site. This is required so that appropriate and proportional mitigation, compensation and enhancement measures can be incorporated into the scheme. Further surveys for bats, reptiles, otters and badgers are recommended in section 8.

8 RECOMMENDATIONS

8.1 Further Surveys

Bat Surveys

- An updated internal structures inspection of structures 201 and 203 will be required to identify any recent use of bats;
- Three emergent surveys will need to be carried out on the main residential properties (199, 201 and 203) on site between April – October to determine the presence of roosting bats on site;
- Trees 1, 2 and 3 will be subject to tree climbing to determine the presence/ absence of roosting bats within the tree. In the absence of tree climbing, the three trees will be subject to three emergent surveys between April – October;
- Activity surveys will need to be carried out across the site to identify key features in relation to bats;
- The site will be subject to static monitoring to supplement the activity surveys.

Badgers and Otters

- All mammal holes on site will be subject to camera trap monitoring to determine their current status.

Reptiles

- Presence / absence surveys will be carried out between April- September. A minimum of 7 visits will be required to determine presence/ absence. More surveys may be required if a high population of reptiles are identified to inform mitigation and compensation measures.

8.2 Draft recommendations in relation to proposed habitats

In the absence of updated protected species surveys, the following draft recommendations are made in relation to proposed habitats included within development proposals.

8.2.1 Wildlife buffer

The vegetation at the south of the site will be retained and enhanced to create a wildlife buffer and this will compensate for the loss of the habitats cleared during development of the site. The following recommendations are made in relation to the wildlife buffer:

- The retained pond in the south of the site will be enhanced to compensate for the loss of the three ponds in the north of the site. Currently the pond is very shallow, has very low water levels and dense vegetation. It is recommended that the pond is made deeper and wider and the vegetation is cleared. The pond will then be left to fill naturally with rainwater and to colonise with plants;
- To compensate for the loss of the section of Orchard (which is a BAP habitat), 10 fruit trees will be planted in the wildlife buffer. These will include apple, plum and pear;

- Selected vegetation removed during site clearance will be retained on site and used to create habitat piles in the wildlife buffer;
- The existing hedgerow will be enhanced with the planting of native species such as hazel (*Corylus avellana*), hawthorn (*Crataegus monogyna*), blackthorn (*Prunus spinosa*), rowan (*Sorbus aucuparia*) and English elm (*Ulmus procera*). This will enhance the site for a wide range of faunal species; and,
- Grassland areas will be sown with a species-rich seed mixture such as Emorsgate Seeds EM3 – Special General Purpose Meadow Mixture. This contains a wide range of herb and grass species which would provide foraging habitat to a range of invertebrates.

8.2.2 General habitat recommendations

- All proposed areas of amenity grassland (areas of open space and residential gardens) should be sown with Emorsgate Seeds EL1. This contains a range of slow growing grasses with a few wild flower species that both respond well to regular mowing and have value for butterflies and other pollinators;
- Proposed trees planted as part of the street scene should be native species. Suitable species include silver birch (*Betula pendula*) and rowan (*Sorbus aucuparia*) as they do not grow too large yet provide foraging habitat for a range of bird species;
- Targeted removal of invasive species (cotoneaster and variegated yellow archangel) will be carried out. Plants will be disposed of according to specifications for contaminated waste; and,
- Native hedgerow species will be used where [possible to in-fill existing gaps at boundaries.

8.2.3 Draft recommendations for protected species

- If reptiles are found to still be present on site, a reptile mitigation strategy will be required in order to protect them during site clearance. A compensation strategy will also be required;
- If bat roosts are found to still be present within any built structures or trees proposed for removal, a bat mitigation strategy will be required. This is likely to include the need for a bat licence from Natural England, precautionary method statements (including timing of works), a lighting strategy and protection of key commuting routes. Compensatory roost features and enhancement measures will also be required;
- Mitigation measures to protect breeding birds during site clearance will be required. Provision of compensatory nest boxes will be required as well as integral bird boxes within the proposed structure as an enhancement measure;
- If badgers are found to be present on site, a mitigation strategy will be required in order to protect them during site clearance, construction and post-development. If any active setts are found, an assessment will be made to determine whether it can be retained within proposals or whether a licence to close the sett will be required;
- If an otter holt or resting place is found to be present, a mitigation strategy will be required in order to protect this species during construction and post-development;
- Enhancement measures will be required in order to achieve a net ecological gain; and,
- Provision for invertebrates will be required, with an emphasis on providing foraging habitat for pollinators throughout the scheme.

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APPENDIX 1 LEGISLATION AND POLICY DETAILS

A1.1 Legislation - Species

This section outlines the key legislation related to the habitats and species considered within this survey report.

Bats

All British bats are fully protected under Section 9 Schedule 5 of the Wildlife and Countryside Act 1981 and amendments. Agreement, and are fully protected under The Conservation of Habitats and Species Regulations 2017. In addition, they are protected under the Berne Convention; they are given migratory species protection within the Bonn Convention. Regulation 43 (1) of The Conservation of Habitats and Species Regulation 2017 makes it an offence to:

- deliberately capture, injure or kill any species of bat;
- deliberately disturb any species of bat;
- damage or destroy a breeding site or resting place of any species of bat.

It is an offence to disturb any bat roosting site, whether the bats are there or not. Under Regulations 43 (2) disturbance includes in particular any disturbance which is likely:

- To impair their ability
 - to survive, to breed or reproduce, or to rear or nurture their young; or
 - in the case of a hibernating or migratory species, to hibernate or migrate; or
- To affect significantly the local distribution or abundance of the species to which they belong.

Presence of bats does not necessarily mean that development cannot go ahead, but that with suitable, approved mitigation, exemptions can be granted from the protection afforded to bats under regulation 43 by means of a licence. Natural England (NE) is the appropriate authority for determining licence applications for works associated with developments affecting bats, including demolition of their roost sites. In cases where licences are required, certain conditions have to be met to satisfy Natural England. Before the Statutory Nature Conservation Organisation (SNCO), in this case NE, can issue a licence to permit otherwise prohibited acts three tests have to be satisfied under the requirement of Regulation 55. These are:

1. Imperative Reasons of Overriding Public Interest [Reg 55(2)(e)];
2. No Satisfactory Alternative [Reg 55(9)(a)];
3. Maintenance of Favourable Conservation Status [Reg 55(9)(b)].

In order to meet the tests, SNCO usually expects the planning position to be fully resolved as this is necessary to satisfy tests 1 and 2. Full planning permission, if applicable, will need to have been granted and any conditions relating to bats fully discharged. ahead of any licence application to the SNCO. The LPA have a legal duty under The Conservation of Habitats and Species Regulations 2017, to assess whether the application is likely to meet the Three Tests

and therefore the requirements for Natural England licensing, prior to determination of an application The Licence application process may take two months before a licence is issued. Planning Permission and granting of a bat licence are separate legal functions. Therefore receiving planning permission from the Local Authority is no guarantee that the SNCO will issue a derogation licence.

Reptiles

All reptile species in Great Britain receive some legal protection from legislation in the Wildlife and Countryside Act 1981 (as amended), and the two rarest species are afforded additional protection by European law (The Conservation of Habitats and Species Regulations 2017). Both the Wildlife and Countryside Act 1981 and Habitat Regulations 1994 provide mechanisms to protect species, their habitats and sites occupied by the species.

The two European protected species, **Sand lizards** (*Lacerta agilis*) and **Smooth snakes** (*Coronella austriaca*), receive all elements of protection in Section 9 of the Wildlife and Countryside Act 1981 (as amended) and Conservation of Habitats and Species Regulations 2017:

These pieces of legislation prohibits the following on any of the above species:

- Deliberately or intentionally killing and capturing (taking) or intentional injuring.
- Deliberately disturbing
- Deliberately taking or destroying eggs
- Damaging or destroying a breeding site or resting place or intentionally damaging a place used for shelter or protection.
- Intentionally obstructing access to a place used for shelter; and keeping, transporting, selling or exchanging; offering for sale or advertising.

Under Regulations 43 (2) (The Conservation of Habitats and Species Regulations 2017) disturbance includes in particular any disturbance which is likely:

- To impair their ability
 - to survive, to breed or reproduce, or to rear or nurture their young; or
 - in the case of a hibernating or migratory species, to hibernate or migrate; or

To affect significantly the local distribution or abundance of the species to which they belong.

Species that receive protection against intentional killing, injuring and sale only from Schedule 9 of the Wildlife and Countryside Act 1981 (as amended): **Slow-worm** (*Anguis fragilis*), **Common lizard** (*Lacerta vivipara*), **Adder** (*Vipera berus*) and **Grass snake** (*Natrix natrix*).

Both the Wildlife and Countryside Act 1981 and The Conservation of Habitats and Species Regulations 2017 apply to all life stages of the protected species: i.e. eggs and spawn, larvae, juveniles and adults are all protected.

Badgers

The Protection of Badgers Act 1992 is based primarily on the need to protect badgers from baiting and deliberate harm or injury. It also contains restrictions that apply more widely and it is important for developers to know how this may affect their work. All the following are criminal offences:

- to wilfully kill, injure, take, possess or cruelly ill-treat a badger;
- to attempt to do so; or
- to intentionally or recklessly interfere with a sett.

Sett interference includes damaging or destroying a sett, obstructing access to a sett, and disturbing a badger whilst it is occupying a sett. It is not illegal, and therefore a licence is not required, to carry out disturbing activities in the vicinity of a sett if no badger is disturbed and the sett is not damaged or obstructed.

Development should not be permitted unless it is possible to take steps to ensure the survival of the badgers in their existing range and at the same population status, with provision of adequate alternative habitats if setts and foraging areas are destroyed. Natural England will normally only issue a licence after detailed planning permission has been granted, where applicable, so that there is no conflict with the planning process.

Before the planning application is determined, the local planning authority should request a detailed ecological survey/report and developers should be prepared to provide the following information:

- The numbers and status of badger setts and foraging areas that are affected by the proposal;
- the impact that the proposal is likely to have on badgers and what can be done by way of mitigation;
- judgment on whether the impact is necessary or acceptable; and
- a recommendation on whether a licence will be required.

A badger survey usually requires assessment of the site and a 30-50m buffer area as tunnels can extend up to 20m from sett entrances. As badgers are not a European Protected species the Three Test do not need to be applied, however Planning Permission and badger licensing are separate legal functions. Thus receiving planning permission from the Local Authority is no guarantee that development operations will not breach the Protection of Badgers Act 1992. Similarly planning permission does not guarantee that a badger licence will be granted.

Birds

All wild birds are protected under the Wildlife and Countryside Act 1981 (as amended) and cannot be killed or taken, their nests and eggs taken, damaged or destroyed while their nest is in use or being built. It also prohibits or controls certain methods of killing or taking except under licence. Other activities that are prohibited include possession and sale. Activities such

as killing or taking birds (including relocating) which would otherwise be illegal can be carried out under licence where there is suitable justification and the issue cannot be resolved by alternative means.

Specially protected or Schedule 1 birds receive full protection under the Wildlife and Countryside Act 1981 (as amended). Part I birds are protected at all times, Part II during the close season only. In addition to the protection from killing or taking that all birds, their nests and eggs have under the Act, Schedule 1 birds and their young must not be disturbed at the nest.

Hazel Dormouse

They are protected under both the Conservation of Habitats and Species Regulations 2017 and the Wildlife and Countryside Act 1981 (as amended). Dormice and their breeding sites and resting places are fully protected. Without a licence it is an offence for anyone to deliberately disturb, capture, injure or kill them. It is also an offence to damage or destroy their breeding or resting places, to disturb or obstruct access to any place used by them for shelter. It is also an offence to possess or sell a wild dormouse.

If it is not possible to avoid harming dormice or damaging or blocking access to their habitats, a derogation licence will be required. Planning permission is required to be in place before a licence application.

Planning Permission and granting of a mitigation licence are separate legal functions. Therefore receiving planning permission from the Local Authority is no guarantee that the SNCO will issue a derogation licence.

Great Crested Newt

Great crested newts are fully protected under UK and European legislation:

- Bern Convention 1979: Appendix III
- Wildlife & Countryside Act (as Amended) 1981: Schedule 5
- EC Habitats Directive 1992: Annex II and IV
- The Conservation of Habitats and Species Regulations 2017
- Countryside Rights of Way Act 2000 (CRoW 2000).

These pieces of legislation prohibit the following:

- Deliberately or intentionally killing and capturing (taking) or intentional injuring.
- Deliberately disturbing
- Deliberately taking or destroying eggs
- Damaging or destroying a breeding site or resting place or intentionally damaging a place used for shelter or protection.
- Intentionally obstructing access to a place used for shelter; and keeping, transporting, selling or exchanging; offering for sale or advertising.

Under Regulations 43 (2) (The Conservation of Habitats and Species Regulations 2017) disturbance includes in particular any disturbance which is likely:

- To impair their ability
 - to survive, to breed or reproduce, or to rear or nurture their young; or
 - in the case of a hibernating or migratory species, to hibernate or migrate; or

To affect significantly the local distribution or abundance of the species to which they belong. Paragraphs 43(1) and 43(2) ensure that protection applies to all stages of their life cycle.

GCN mitigation and licensing can be complex. Natural England have a rapid risk assessment tool which can be used for guidance to assist with determining whether a licence needs to be applied for, or if the development can proceed with Reasonable non-licensed Avoidance Measures (RAM). If a licence is required, the Favourable Conservation Test need to be met.

A1.3 Policy considerations

The National Planning Policy Framework (NPPF) set out the Government's planning Policies for England, to provide the framework and planning requirements for local plans; to deliver strategic and sustainable development.

National Planning Policy

NPPF 2012: policy 109: Conserving and enhancing the natural environment

The planning system should contribute to and enhance the natural and local environment by:

- protecting and enhancing valued landscapes, geological conservation interests and soils;
- recognising the wider benefits of ecosystem services;
- minimising impacts on biodiversity and providing net gains in biodiversity where possible, contributing to the Government's commitment to halt the overall decline in biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures;
- preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of soil, air, water or noise pollution or land instability; and
- remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate.

NPPF 2018 (pending)

A draft NPPF 2018 has been prepared which consolidates proposals from various Government consultation documents in recent years. The draft NPPF has undergone consultation and is due to replace NPPF 2012 imminently in 2018.

The draft NPPF 2018 sets out principles for conserving and enhancing the local environment. Key policies are that local plans should allocate land with least environmental or amenity

value and take a strategic approach to maintaining and strengthening networks of habitats and green infrastructure.

Para 173 sets out nature conservation principles that LPAs should apply to the determination of planning applications:

'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 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) should be refused, unless there are wholly exceptional reasons and a suitable mitigation strategy exists. Where development would involve the loss of individual aged or veteran trees that lie outside ancient woodland, it should be refused unless the need for, and benefits of, development in that location would clearly outweigh the loss; and development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to incorporate biodiversity improvements in and around developments should be encouraged, especially where this can secure measurable net gains for the environment.'*