

Bromleigh, Bishopstone, Herefordshire, HR4 7JG

for Zoe Acketts

PRELIMINARY ECOLOGICAL APPRAISAL



March 2023

5327

ATW Ecology

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Report control

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Survey date		13 March 2023					
Surveyor		Andrew Tillson-Willis MRSB MCIEEM MIFM Mem.RES					
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Signed Disclosure							

The information/ data/ evidence/ advice/ opinion which we have prepared and provided is true and has been prepared and provided in accordance with the Chartered Institute of Ecology & Environmental Management's Code of Professional Conduct. We confirm that the opinions expressed are our true and professional bona fide opinions.



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IMPORTANT

Please note, due to the dynamic nature of the natural environment, our reports can only provide a snap-shot of what was present at the time of survey and as such often have a limited period of validity. Many statutory authorities regard one year as the maximum time that should elapse before a report will need to be updated. Where a protected species licence is required, a walk-over of the site should be conducted within three months of an application being submitted to check that the habitats have not changed significantly since the survey was conducted. Any information relating to legal matters in this report is provided in good faith but does not purport in any way to give any advice on or interpretation of the law whatsoever. Professional legal advice should always be sought. Any designs, specifications, advice, suggestions, or comments written or verbal relating to construction or supervision of building-related work of any kind are provided for consideration only and under no circumstances are to be interpreted as provision of design, management or supervision sensu the Construction (Design and Management) Regulations 2007.

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Objectives, Methods, & Limitations

Introduction and objectives

ATW Ecology were commissioned by Zoe Acketts to undertake a preliminary ecological appraisal of Bromleigh, Bishopstone, Herefordshire, HR4 7JG, a 1.5 storey detached residential dwelling set within gardens extending to approximately 0.24ha. OS Grid Reference SO 41696 43214 (approx. centre of area coverage).

The appraisal aims to provide baseline information of habitats present on site and identify the following (where relevant):

- Identify areas and features (both on- and off-site) including appropriate buffer areas that, by virtue of their importance, should be retained and avoided by both construction activities and the overall footprint of the project;
- areas and features where opportunities exist to undertake necessary mitigation and compensation;
- o areas and features with potential for biodiversity enhancement;
- areas where ongoing biodiversity conservation management is required to prevent deterioration in condition during construction/implementation;
- o areas needing protection on site and/or in adjacent areas (e.g. from physical damage on site or pollution downstream) during the construction process; and
- areas where biosecurity measures are necessary to manage the risk of spreading pathogens or non-native invasive species

Methods

The site was surveyed by Andrew Tillson-Willis MRSB MCIEEM MIFM Mem.RES an appropriately experienced ecologist on 13 March 2023, Natural England CL18 level 2 bat class licence registration number 2020-48784-CLS-CLS.

The survey follows the Phase 1 Habitats Survey methodology developed by the former Nature Conservancy Council (1990) and was conducted in accordance with current Chartered Institute of Ecology and Environmental Management guidelines for preliminary ecological appraisal (Second edition, December 2017).

Buildings and trees were subject to preliminary bat roost appraisal, a thorough inspection for any bat field signs or evidence of, or potential for bat roosting. Methods followed those outlined in the Bat Conservation Trust's 2016 survey guidelines (Collins 2016).

Limitations

The month of March is outside the optimal survey period for most habitats and taxa in this part of England, ecological survey based on a single site visit will typically under-represent the biodiversity of a site due to seasonal variations in plant growth and animal activity. A detailed species list was not possible within the scope of this survey, but general habitat types and dominant vegetation could still be assessed.

These limitations are not considered to have altered key recommendations detailed within this report.

Results

General description

The site surveyed comprises a 1.5 storey detached residential dwelling set within gardens extending to approximately 0.24ha with amenity grassland, outbuildings, scattered trees, and boundary hedgerows.

Trees and woody shrubs present within the survey boundary include yew, Leyland cypress, beech, silver birch, holly, laurel, Rhododendron spp., Salix sp., box, Acer sp., elder, and fruits.

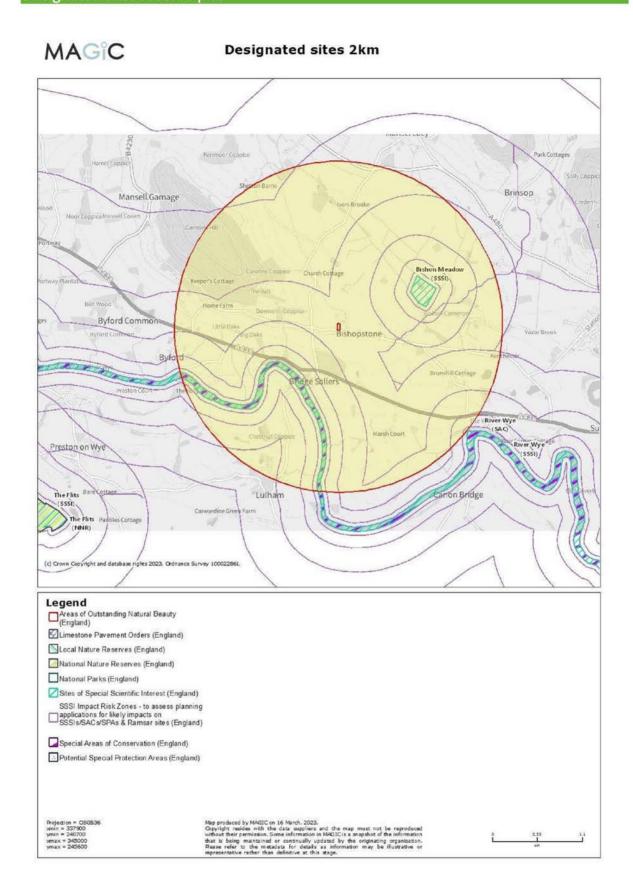
Grasses and forbs present include perennial ryegrass, red fescue, dandelion agg., ivy, crocus, red dead nettle, herb-Robert, cleavers, broad-leaved dock, groundsel, speedwell, creeping buttercup, Geranium sp., lords and ladies, lesser celandine, mouse-ear, common nettle, ground ivy, daffodil, and Italian arum.

Designated sites

A search for Statutory Designated Sites within a 2km search radius was conducting using DEFRA's Magic Map Application;

- o Bishon Meadow SSSI
- River Wye SSSI & SAC

Designated sites records plan



Protected & notable habitats

Grassland

None of note. Grassland within the site is mostly recently laid and maintained for amenity, species composition of perennial rye and red fescue with very few herbs consistent with medallion turf.

Trees, hedgerows, woodland & scrub

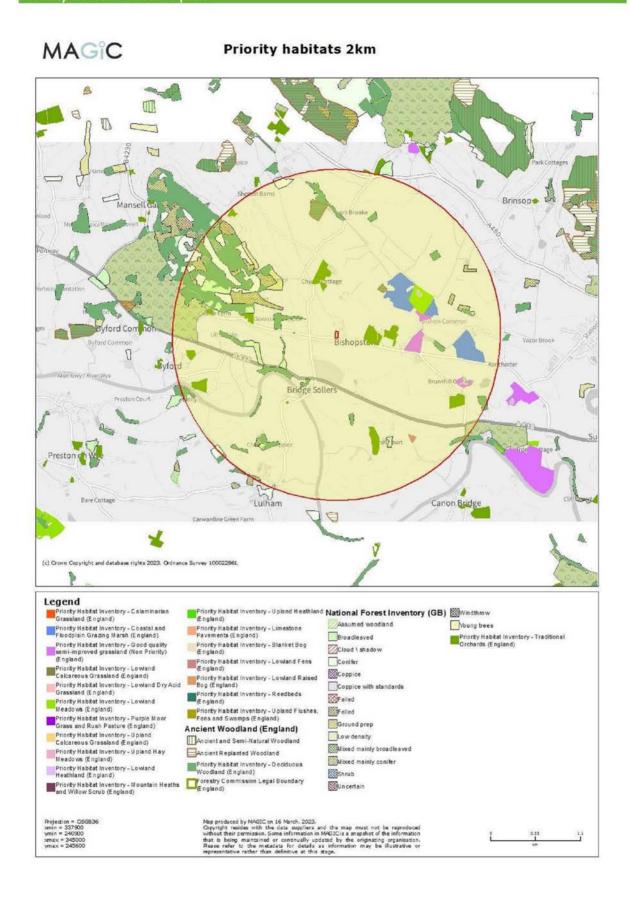
The site contains a number of scattered mature trees including a small number of young fruit trees.

Boundary hedgerows are species poor comprising Leyland cypress and beech to eastern boundary, beech to western boundary, and yew to southern boundary.

Ponds & water courses

No ponds or water courses on site or immediately adjacent to the site.

Priority habitats records plan



Protected & notable species

Bats

Buildings were subject to preliminary bat roost appraisal to identify potential for, and evidence of use by roosting bats.

B1: A 1.5 storey detached residential dwelling. Constructed of machine-made red brick in a stretcher bond, brickwork and bucket handle pointing are in good condition all round. Windows and doors are a mixture of timber framed and modern PVCu all in generally good condition and tight to apertures. Facia and soffits are timber, all in good condition and tightly fitted, soffits feature vents all plastic vent caps are in place. The property features a hip and valley roof with slate covering, slates are in largely good condition and very well seated, a small number of individually damaged slates were noted but tops remain in place with no access created. Ridge tiles of ridge and hips are un-pointed but sit flush to slates beneath. Two vents are present on the western aspect, cut into the slates with two layers of expanded metal mesh across the inside. A solar water heater is mounted on the southern aspect and photovoltaic cells are mounted on the western and eastern aspects. Flat roofed dormers on northern and southern aspects feature timber windows surrounded by leadwork with timber facia boards and leaded roofs, all appears in good condition and tightly fitted. A balcony on the western aspect features a flat leadwork roof and timber panelling with timber framed doors, all in good condition and tight. 'Velux' style windows on the northern aspects appear in good condition, well fitted and tight. A flat leadwork roof at the southern aspect appears good and tight. A small conservatory fills in the northern aspect, constructed of PVCu and metal frame on brick footing with twin-wall polycarbonate roof, one end cap is missing from a roof support otherwise all in good condition and tightly fitting.

Internally the property features several roof voids, some in the eaves, and some in the apexes. All voids show modern machine-cut rough sawn timbers. Slates are lined throughout with a modern non-bitumen breathable roofing membrane, some minor staining was noted but this appears to be the action of water ingress rather than activity of bats. Eaves voids have additional Kingspan insulation boards between rafters. Floors of voids are insulated with glass fibre roll, low numbers of scattered rodent droppings were identified but no evidence of bat activity was noted.

The dwelling was assessed as offering 'negligible' potential to support roosting bats.

B2: A timber outbuilding constructed of double tongue and groove. Some light ivy growth on northern and western aspects but not sufficiently dense to provide roosting for bats or birds. Windows and doors are timber framed all tight to apertures. Gable roof with felt covering and timber facia and bargeboards, some rot was noted on the south-western corner of the roof and bargeboard but no suitable crevices or access created. Internally the roof is lined with timber sarking boards and expanded polystyrene sheet applied to the underside.

The dwelling was assessed as offering 'negligible' potential to support roosting bats.

B3: A recently constructed timber outbuilding with pent roof and folded metal eaves caps all parts in very good condition and tightly fitted.

The dwelling was assessed as offering 'negligible' potential to support roosting bats.

B4: A glass domed greenhouse on brick footing. All in good condition and tightly fitting.

The dwelling was assessed as offering 'negligible' potential to support roosting bats.

Badger

No evidence noted.

Other mammals

A rabbit was seen at the northern end of the site.

Evidence of mole was recorded in the form of mole hills.

Other common mammals including mice, brown rat, grey squirrel, fox, voles, shrews, and small mustelids may use the site on occasion.

Great crested newt

No aquatic habitat was noted on site, and terrestrial habitats are generally poor with suitable habitat restricted to a log pile and slabs. Two offsite ponds were identified within fields to the north both with records of great crested newt but both over 250m and poorly connected to the site.

Other amphibians

Terrestrial habitats are considered generally poor for common amphibians.

Rare amphibians; natterjack toad and pool frog are not found locally.

Reptile

Grassland within the site lacks the structural heterogeny preferred by widespread reptiles, some suitable refuge is present in the form of a log pile, compost heap, and a pile of mulch behind the western outbuilding (B2), compost heaps and mulch provide suitable egg laying sites for grass snake and it is understood that a grass snake has been previously recorded in the garden.

Rare reptiles; smooth snake and sand lizard are not found locally.

Birds

Bird boxes are mounted on the outbuilding (B2) planned for removal / replacement. Hedgerows and trees within the site provide further suitable habitat for nesting birds.

Under the Wildlife and Countryside Act 1981, as amended (section 1), it is an offence to remove, damage or destroy the nest of any wild bird while that nest is in use or being built. Planning consent for a development does not provide a defence against prosecution under this act. Trees, shrubs, hedgerows, scrub, and buildings are likely to contain nesting birds between 1st March and 31st August inclusive.

Trees, hedgerows, shrubs, scrub and buildings are present on the application site and are to be assumed to contain nesting birds between the above dates, unless a recent survey has been undertaken by a competent ecologist to assess the nesting bird activity on site during this period and has shown it is absolutely certain that nesting birds are not present.

No removal of hedgerows, trees, shrubs, scrub, or buildings that may be used by breeding birds shall take place between 1st March and 31st August inclusive, unless a competent ecologist has undertaken a careful, detailed check of vegetation and buildings for active birds' nests immediately before the area is cleared and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. Any such written confirmation should be submitted to the local planning authority.

Fish

No suitable habitat.

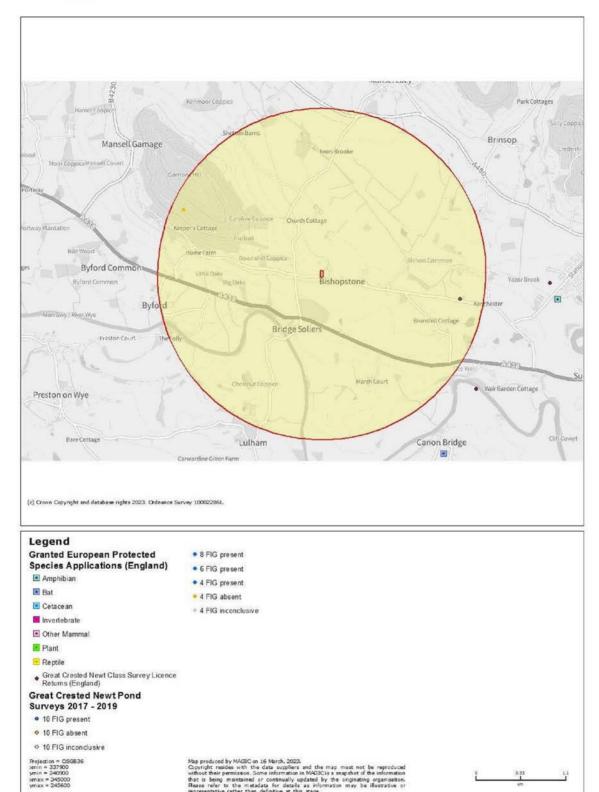
Invertebrates

None of note identified during survey.

Protected and notable species records plan



EPSML & Class licence data 2km



Invasive non-native species & pathogens

INNS plants

Rhododendron are present within ornamental planting.

It is an offence under the Wildlife and Countryside Act 1981, as amended, to introduce, plant or cause to grow wild any plant listed in Schedule 9, Part 2 of the Act. Rhododendron species are included within this schedule. All waste of these species is classed as a controlled/special waste and therefore needs to be disposed of in accordance with the Environmental Protection Act 1990 and the Environmental Protection Act Duty of Care Regulations 1991. Further information is available from the Non-native Species Secretariat (NNSS) web site at https://secure.fera.defra.gov.uk/nonnativespecies/home/index.cfm

Weeds act natives

Broad-leaved dock is present on site.

INNS animals

None observed, grey squirrel and muntjac may use the site on occasion.

Serious plant diseases & pathogens

None noted.

Serious animal diseases & pathogens

None noted.

Policy

No known conflicts with local, national & international planning biodiversity policy.

Phase 1 Habitats Survey results

Phase 1 Habitats Survey target notes

Eight Target Notes were identified on-site during the survey because of their ecological interest and/or value, and how they may be impacted by the development.

Target Note B1. A 1.5 storey detached residential dwelling planned for alteration / extension. The dwelling was assessed as having 'negligible' bat roost suitability.

Target Note B2. A timber outbuilding planned for removal / replacement. The building was assessed as having 'negligible' bat roost suitability. Bird boxes on the building provide nesting opportunity.

Target Note B3. A recently constructed timber outbuilding. The building was assessed as having 'negligible' bat roost suitability.

Target Note B4. A glass domed greenhouse. The building was assessed as having 'negligible' bat roost suitability.

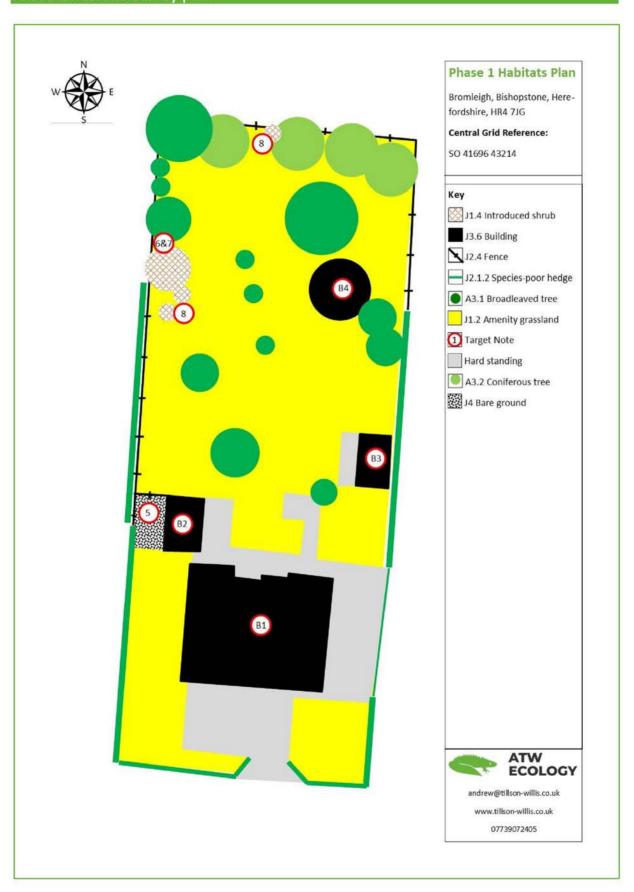
Target Note 5. A mulch pile providing suitable nesting opportunity for grass snake and slowworm. This feature will require clearance to facilitate proposed development.

Target Note 6. A log pile providing suitable refuge for common amphibians, widespread reptiles, small mammals, and invertebrates.

Target Note 7. A small compost heap providing suitable nesting opportunity for grass snake and slowworm.

Target Note 8. Rhododendron, Schedule 9 invasive species.

Phase 1 habitats Survey plan



Concluding remarks

On 13 March 2023 a Preliminary Ecological Appraisal was conducted of Bromleigh, Bishopstone, Herefordshire, HR4 7JG, a 1.5 storey detached residential dwelling and timber outbuildings set within gardens extending to approximately 0.24ha. OS Grid Reference SO 41696 43214 (approx. centre of area coverage).

Plans provided indicate proposed extension and alteration of the dwelling, and replacement of an existing outbuilding to the west with a larger outbuilding and separate garage.

The dwelling and outbuildings were subject to a preliminary bat roost appraisal to identify evidence of, and potential for bat roosting. All buildings within the site were assessed as having 'negligible' roost suitability, in line with currently accepted guidelines no further surveys are required. As a precaution a soft strip of roofing materials is recommended, in the unlikely event that bats are discovered during works all work shall halt while the project ecologist is consulted on how to proceed.

The outbuilding requiring removal has a small number of bird boxes mounted on the exterior providing suitable bird nesting habitat. No removal of hedgerows, trees, shrubs, or buildings that may be used by breeding birds shall take place between 1st March and 31st August inclusive, unless a competent ecologist has undertaken a careful, detailed check of vegetation and buildings for active birds' nests immediately before the area is cleared and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. Any such written confirmation should be submitted to the local planning authority.

A mulch pile to the western rear of the outbuilding provides suitable habitat for nesting grass snake and slowworm. A grass snake has been previously recorded within a compost heap at the site. A precautionary approach is recommended with clearance carried out during the spring / early summer months. Mulch should be moved using hand tools and be relocating to the existing compost heap, or a new compost heap created at the northern end of the site, animals found sheltering within may be carefully relocated to this compost heap.

Great crested newt have been recorded in the local area, however the nearest ponds are over 250m north and poorly connected to the site, terrestrial habitats afforded by the site are of generally poor suitability. As a precaution all site workers shall be made aware of the possibility of great crested newt being present on site, in the unlikely event that great crested newt are found on site all work shall halt and the project ecologist consulted on how to proceed.

Grassland within the site is maintained as amenity and within much of the site is recently laid. An original patch of grassland with mole hills at the south-western corner of the site is to be replaced with driveway and garage, as a precaution, for the purpose of animal welfare it is recommended that clearance and ground works near mole hills is carried out by hand tool or small machine.

Three small Rhododendron, an invasive non-native species listed under Schedule 9, Part 2 of the Wildlife & Countryside Act 1981, as amended, were noted. Locations of Rhododendron are unaffected by the proposed development as such no action is required at this time, if plans change and require removal of Rhododendron a plan for its removal, containment and disposal will be required.

As general enhancement for biodiversity one general purpose bat box (Schwegler 2F or suitable alternative), two general purpose bird boxes (Schwegler 1B or suitable alternative), and one insect block (Schwegler Clay & Reed or suitable alternative) shall be installed on buildings or mature trees within the site.

Photographs

All photographs taken 13 March 2023.



Plate 1. The southern façade of the dwelling.



Plate 2. Western aspect of the dwelling.



Plate 3. Eastern aspect of the dwelling.



Plate 4. Eastern outcrops of northern aspect.



Plate 5. Western outcrop of northern aspect with conservatory and dormer.



Plate 6. General view of interior roof void (south-western).



Plate 7. General view of interior roof void (north-western).



Plate 8. General view of interior roof void (eastern).



Plate 9. General view of eaves void (southern).

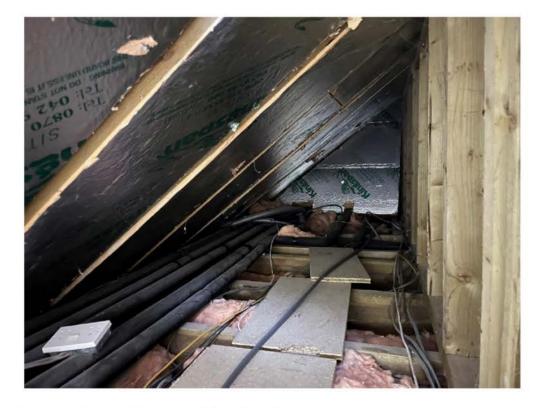


Plate 10. General view of eaves void (northern).



Plate 11. Amenity grassland at southern end of site to be replaced by garage and driveway.



Plate 12. A timber outbuilding (B2) to be removed / replaced.



Plate 13. Mulch pile to the rear of the outbuilding providing suitable habitat for widespread reptiles.



Plate 14. A newly constructed timber outbuilding (B3).



Plate 15. Dome greenhouse toward the northern end of the site (B4).



Plate 16. Log pile and compost heap providing suitable habitat for widespread reptiles, common amphibians, small mammals, and invertebrates.



Plate 17. Rhododendron, Schedule 9 invasive non-native species.



Plate 18. Rhododendron, Schedule 9 invasive non-native species.

Legislation and Planning Policy

Legislation birds

The Wildlife and Countryside Act 1981 (as amended) and the Conservation of Habitats and Species Regulations 2010 afford certain habitats and species protection. The following are of relevance to this assessment:

Under the Wildlife and Countryside Act 1981 (as amended) it is an offence to:

- o Intentionally kill, injure, or take any wild bird.
- Intentionally take, damage, or destroy the nest of any wild bird while it is in use or being built.
- Intentionally take or destroy the egg of any wild bird.

Legislation bats

Bats and their habitats are protected under The Wildlife and Countryside Act 1981 (as amended) and the Conservation of Habitats and Species Regulation 2010. Formal policies and recognised best practice include the UK Post-2010 Biodiversity Framework (former UK Biodiversity Action Plan), PAS2010 Planning to Halt the Loss of Biodiversity, Circular 06/2005 Biodiversity and Geological Conservation, BS 42020: 2013 and BS 8583: 2015 on Biodiversity, the National Planning Policy Framework.

All bat species are designated and protected as European protected species (EPS). EPS are protected under the Conservation of Habitats and Species Regulations 2017.

It is an offence to:

- deliberately kill, injure, disturb or capture them
- damage or destroy their breeding sites and resting places (even when bats are not present)
- o possess, control or transport them (alive or dead)

It is also an offence under the Wildlife and Countryside Act 1981 to intentionally or recklessly:

- o disturb bats while they occupy a structure or place used for shelter or protection
- o obstruct access to a place of shelter or protection

Several species of bats are listed as rare and most threatened species under Section 41 of the Natural Environment and Rural Communities Act (2006). You must have regard for the conservation of Section 41 species as part of your planning decision.

Bats may use a variety of structures for roosting including but not limited to buildings (including modern and ancient structures), caves, mines, tree hollows, and purpose-built bat boxes. Bats change roosts seasonally with different roosts serving different purposes

(breeding, hibernating, maternity) and some roosts such as day roosts and transitional roosts may only be used briefly and infrequently, however unoccupied roosts are still protected by law. Due to multiple factors including loss of roost sites, loss or degradation of foraging habitat, predation by domestic pets, and persecution by humans, UK bat populations have suffered significant decline leading to them being considered of conservation concern.

Legislation great crested newts

Triturus cristatus (great crested newt) are afforded protection under the Wildlife and Countryside Act 1981 (as amended) prohibiting the intentional or reckless damage, disturbance, or obstruction of access, to their places of shelter, both aquatic and terrestrial. They are also given European wide protection via Annex II and Annex IV of the EC Habitats Directive. The Conservation of Habitats and Species Regulations 2017 transpose the EC Habitats Directive into UK law thus making it illegal to:

- o deliberately capture, injure, or kill
- deliberately disturb with the significant likelihood to affect population survival, breeding, local distribution or abundance
- o deliberately take or destroy eggs
- damage or destroy a breeding site or resting place
- o possess, control, transport, sell or exchange, or offer for sale or exchange

The above applies to all life stages in whole, part, or any derivative thereof.

The Natural Environment and Rural Communities (NERC) Act 2006 places a duty on public bodies to consider enhancement of biodiversity within all their actions. This Act also includes measures to protect species and habitat considered to be of Principal Importance and highlighted as requiring particular conservation action by the national and relevant local Biodiversity Action Plans (BAP).

Legislation reptiles

Smooth snakes, and sand lizards are designated and protected as European protected species (EPS). EPS are protected under The Conservation of Habitats and Species Regulations 2017.

It is an offence to:

- o deliberately kill, injure, disturb or capture them
- deliberately take or destroy their eggs
- o damage or destroy their breeding sites and resting places
- possess, control or transport them (alive or dead)

For smooth snakes and sand lizards, it is also an offence under the Wildlife and Countryside Act 1981 to intentionally or recklessly:

- o disturb them while they occupy a structure or place used for shelter or protection
- obstruct access to a place of shelter or protection

Other native reptiles are protected under the Wildlife and Countryside Act 1981. It is an offence to kill or injure:

- o adder
- o grass snake
- o common or viviparous lizard
- slow worm

All native reptiles are listed as rare and most threatened species under Section 41 of the Natural Environment and Rural Communities Act (2006).

National Planning Policy

In accordance with the National Planning Policy Framework 2012, the planning system should contribute to and enhance the natural environment by minimising impacts on biodiversity and providing biodiversity net gain where possible, promote the preservation, restoration and re-creation of priority habitats, and the protection and recovery of priority species populations and ecological networks.

Local planning authorities should aim to conserve and enhance biodiversity by applying the following principles when determining planning applications:

- Planning permission should be refused if harm resulting from a development cannot be avoided, adequately mitigated, or compensated.
- Opportunities to incorporate biodiversity in and around developments should be encouraged.
- Planning policies and decisions should limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes, and nature conservation.

Additional advice set out in the National Planning Practice Guidance (2014) section 'Natural Environment' emphasizes the need for biodiversity to be taken into account when preparing a planning application, as detailed above, and sets out how biodiversity can be protected and enhanced by: seeking to include habitat restoration; re-creation and expansion; improved links between existing sites; buffering of existing important sites; new biodiversity features within a development; and securing management for long term enhancement.

References

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- Institute of Lighting Professionals and Bat Conservation Trust (2018). Guidance Note 08/18: Bats and artificial lighting in the UK, Bats and the Built Environment series. ILP, Warwickshire.
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- https://magic.defra.gov.uk/magicmap.aspx
- https://osmaps.ordnancesurvey.co.uk/
- o Wild birds: protection and licences GOV.UK (www.gov.uk)
- Bats: protection and licences GOV.UK (www.gov.uk)
- Great crested newts: advice for making planning decisions GOV.UK (www.gov.uk)
- Great crested newts: protection and licences GOV.UK (www.gov.uk)
- o Reptiles: advice for making planning decisions GOV.UK (www.gov.uk)
- Hazel dormice: advice for making planning decisions GOV.UK (www.gov.uk)

Quality Assurance

Andrew Tillson-Willis / ATW Ecology.

Originally founded in 2003 as a zoological consultancy dedicated to improving the captive husbandry and propagation of amphibia in zoological, educational, and private collections and established as the UK's leading independent batrachoculture research facility with an international reputation for advancements in herpetology. In 2013 following customer demand we began offering herpetological fieldwork services including freelance ecological surveying and supervision, these services have expanded greatly over recent years working with a network of freelance partners to cover all aspects of ecological consultancy. Other subsidiary companies within the group specialising in entomology, ichthyology, animal nutrition, and media, provide a unique and diverse base of in-house expertise.

Contracts undertaken by ATW Ecology cover a wide spectrum of projects at local and national levels in the construction, agricultural, leisure, and utilities sectors. All our scientific staff and freelance partners belong to appropriate professional institutes by whose codes of practice they abide. Due consideration of the British Standards on Biodiversity is included in relevant work and applied where appropriate.

Andrew Tillson-Willis MRSB MCIEEM MIFM Mem.RES — Principal consultant

Andrew is an experienced ecologist, herpetologist, and entomologist with nineteen years' experience as a zoological consultant and eight years as a freelance ecological surveyor before joining full time ecological consultancy four years ago. He holds Natural England survey licences for great crested newt (personal licence), bats (level 2 class licence), and white-clawed crayfish (class licence), a Natural Resources Wales survey licence for great crested newt, is registered under the Construction Skills Certification Scheme (CSCS), is a registered member of the Royal Society of Biology, and Institute of Fisheries Management, a full member of the Chartered Institute of Ecology and Environmental Management, and Royal Entomological Society. In his spare time Andrew is co-ordinator and recorder for the Worcestershire Reptile & Amphibian Group, long-standing committee member of the Herefordshire Amphibian & Reptile Team, committee member of Worcestershire Mammal Group, steering member of the Malvern Hills Crayfish Group, and an active member of the Worcestershire Bat Group, and Herefordshire Mammal & Bat Group.

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Please note that this report is a baseline ecological site audit of factors and features that may be significant for regulatory compliance and biodiversity policies relating to change of use or other disturbance. Such reports may not, on their own, contain sufficient information for a planning application and may require further more detailed study to assure compliance.



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