A Preliminary Ecological Appraisal of St. Nicholas Rectory,76 Breinton Road

Aim: To establish the presence or absence of bats & birds in the buildings & importance of the habitats on site.

The Hereford Diocesan Board
C/o Hook Mason Ltd

Reference: 1HD/PEAR.doc

16th June 2020

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Contents

1. Introduction

As part of the planning application, for the Proposed Re-development of the St. Nicholas Rectory site at 76 Breinton Road, Hereford it is necessary to survey the whole site including the existing house & garage to establish whether there are any protected species currently using the existing buildings or any habitats on the site. In addition, it will be necessary to survey & assess all the habitats on site & consider any potential impacts to the nearby River Wye SAC/SSSI & Catchment as well as the Bat Core Sustenance Zone.

2. Methodology of Surveys

The survey of the building & land was carried out on the 1st June 2020; by Ros Willder MCIEEM & CEnv, Bat Licence number CLS03109 & Natasha James, Dormouse license number 2019-43685-CLS of Willder Ecology, the weather was sunny. The daytime survey began at 10:30 am.

A detailed daytime survey was carried out of the buildings to be demolished and the land which will be affected by the re-development. This was done by a thorough external visual inspection of buildings using a strong hand-held torch, endoscope & Ladders.

The habitats on the site were also surveyed, assessed & mapped using the Phase one Habitat Survey Environmental Audit, see Phase one habitat map in appendix two.

An evening bat activity survey was carried on the 9th June 2020 by four bat workers using an Echo Meter Touch, an EM3, a song meter mini bat static recorder & four heterodyne bat detectors for full details of activity surveys see section 3.2 as well as a static detector (Song meter mini bat) deployed on the site.

A pond search was carried out to identify ponds within 250m & 500m of the site, the results of which are discussed in Section 4 and shown on the Pond Search map is shown in Appendix Three.

A designated site search was also carried out using the MAGIC map service from Natural England and the results are discussed in section 4 and shown in Appendix four.

3. Results of Surveys

3.1 Examination of the dwelling

The building proposed for demolition is in daily use as a residential property. It is a three-storey building with Dormer windows (lead sided) in the roof see figure 2. The main construction for the walls is red brick. The brick walls are then clad with red tiles from the second storey up and the roof overhangs all the house walls (see figure 1).

Figure 1 – Showing the dwelling with the red brick and tiled cladding

Figure 2 – Dormer windows within the roof

There are no gaps within the bricks and tiles on the building except for two small sections where two tiles have slipped slightly. The soffit of the building is painted timber with extremely limited gaps as shown in figure 3. The roof has hermetically sealed clay tiles however there are occasional small gaps along the roof ridge tiles see figure 4.

Figure 3 – A close up of the soffit on the house

There are three large flood lights on the front of the house which are on each evening and light up large areas around the house including the garden. The window and doors are timber and have no gaps as seen in figure 1. There is a lean to on the North-eastern elevation of the dwelling which is also red brick. The roof of the lean to is clay tiled that are covered with moss. Adjacent to the lean to there is an outbuilding that is also red brick with clay tiles and has some moss covering as seen in figure 4.

Figure 4 – The outbuilding on the north eastern elevation

To the south west of the site there is the garage which is of a red brick construction & sealed red clay roof tiles. The garage has a large garage door and two bright flood lights either side of the door & flower borders & shrubs either side of it as shown in figure 5.

Figure 5 – The garage with the flood lights

Figure 6 The shrubs adjacent to the garage

By the side of the garage there is a patch of shrubs which are comprised of buddleia, Hazel, Holly, Dogwood, Dog Rose and Ash as shown in figure 6. Around the southern elevation of the dwelling there is a border by the garage & the house which consist of garden shrubs and flowers such as Ivy and Rose which has grown up to the base of the window (see phase one habitat plan in Appendix one).

Figure 7 – the amenity grass

The garden area is normally regularly close mown amenity grassland and comprises of species such as Germander Speedwell, Daisy, Yarrow, Autumn Hawkbit, Creeping Buttercup, Ribwort Plantain, Sorrell, Rye Grass, Ivy, Bramble. There is a bank which leads to the western side of the garden which comprises of Common Dock, Columbine, Herb Robert, Knapweed, Forget me Not, Silverweed, Hedge woundwort, young Elder, Sumac, False Oat Grass and Autumn Hawkbit.

There are two large trees within the garden which are **T1** Ash and **T2** Silver Birch. **T3** is a young Cherry tree and **T4** is a Sumac tree as shown on the phase one habitat map in appendix two. The other trees are within the boundaries of the site.

Boundary one – Is along the northern boundary of the site & is comprised of a species poor hedge with an Ivy-covered Ash tree, Elder, Privet, Bramble & a Holly tree adjacent to the northern elevation of the house.

Boundary two – Is along the eastern boundary of the site and is a hedgerow with trees and comprised of Dog wood, Cherry and Privet species poor hedge along the fence line as shown in figure 7 & 8.

Boundary three – Is along the southern boundary of the site by Breinton road & is comprised of A large Lawson Cypress in the corner with a Leylandii, Apple and Ash trees, a leylandii stump, together with two Yew Trees, Privet shrubs, Silver Birch & Holly as shown adjoining Boundary two below in figure 8.

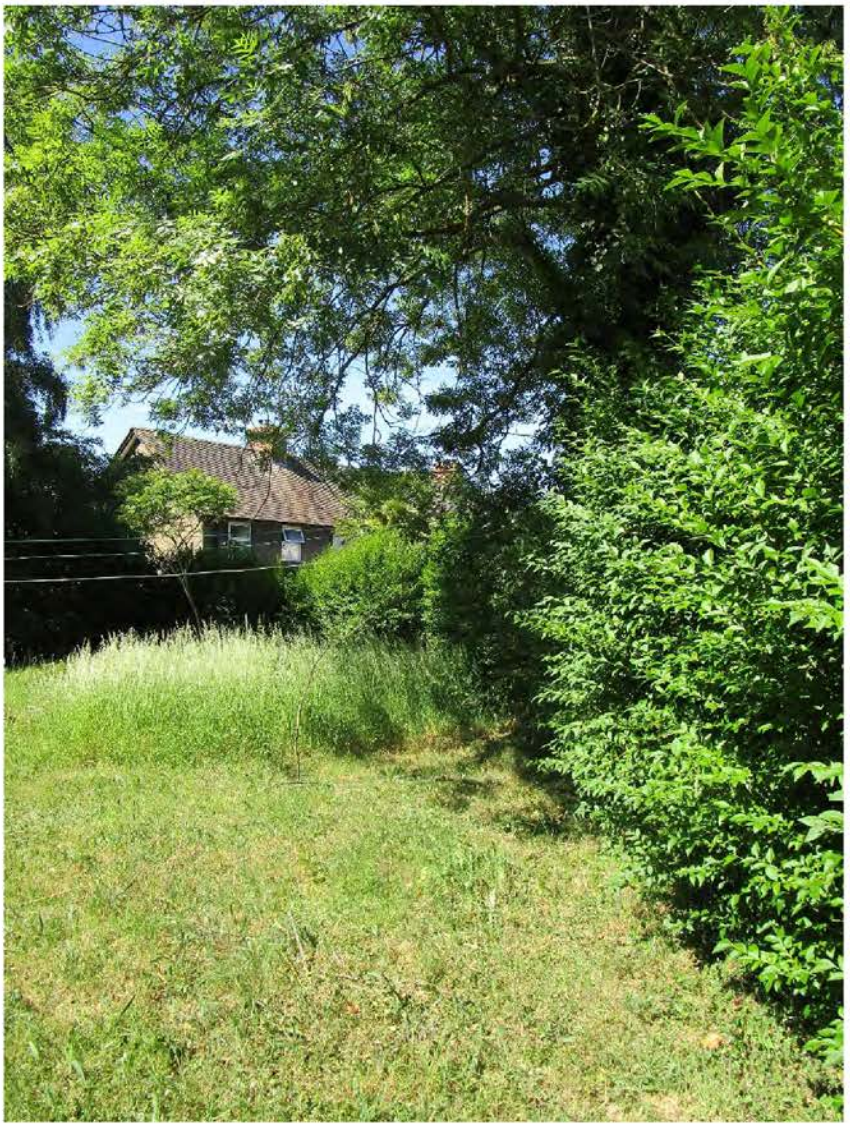

Figure 8 – Boundaries 1 (at the forefront), 2 (in middle) & 3 (far edge)

Boundary Four – Is along the southern boundary of the site alongside Breinton Road and is a line of trees comprised of, Ash, Holly, Sycamore (mature pollard|), Hazel, Ornamental Shrubs, Yew tree & Buddleia as shown below in figure 9.

Boundary Five – Is along the eastern boundary of the site alongside Westfaling street, it is marked by a Timber Fence line with one buddleia and a covering of ivy on the fence in areas as shown in figure 4.

All the boundaries around the site are marked on the phase one habitat map in appendix two.

Figure 9 – South eastern corner of the site, Boundary 4 & the mature Sycamore tree

The area in the south west corner of the site next to boundary four is comprised of bare disturbed ground which is used for storage of trailers & cars. There is also a small patch of semi improved grass here with a similar mix of species as the rest of the grass lawned areas with an ornamental knapweed as shown in figure 9.

The main access onto the site is a hard-standing driveway off Breinton road as shown in figure eight. Adjacent to this there is a large garden border in front of the house adjacent to the garage & additional hard standing parking area in front of the house & garage, as shown on the Phase one habitat map in appendix two.

3.2 Evening Activity Surveys

Evening survey – St Nicholas Rectory 09/06/2020
Temperature Start 18.6◦C End 14.4◦C, Cloud cover 100%, Wind speed 0 m/s
Surveyors: Natasha James (NJ), Ros Willder (RW), Dave Smith (DS), Yasmina Ashcroft (YA)
Sunset 21:30 (survey from 21:00 – 23:00)

21:28	Common Pipistrelle (CP) flew across the road & along boundary trees (on Breinton Road)
21:30	CP flew across the road & along boundary trees (on Breinton Road)
21:37	CP x2 flying along Breinton Road boundary trees (BT).
21:38	CP flying across the road and then along BT.
21:40	Noctule flying high over the site.
21:41	CP flying across the road (Westfalling Street) & then along BT along Breinton Rd.
21:42 - 47	SP & CP foraging over the garden continuously till 21:47 when 1 more CP joined them from over the road.
21:44 - 45	CP flying across the road (Westfalling Street) & then along BT along Breinton Rd.
21:50	CP flying across the road (Westfalling Street) & then along BT along Breinton Rd.
21:51	CP flew across in front of the house plus x4 CP and x1 SP foraging around the BT and garden of the house.
21:51 – 54	x2 CP continuous foraging in rear garden.
21:56 – 58	CP foraging & SP x2 foraging till 21:58.
22:00 - 02	CP flew over Westfalling Street & along BT.
22:06	CP flew over Westfalling Street & BT.
22:07	CP foraging in the garden till 22:10.
22:08	SP foraging in the garden till 22:10.
22:11	CP Fly by at corner of the site.
22:15	CP flew over Westfalling Street and along BT in Garden by Breinton Street.
22:16	SP foraging in Garden.
22:19	Noctule flew high over site.
22:20	CP flying along at the edge of the site (corner where two roads meet)
22:22	CP foraging over Garden.
22:28	CP foraging over Garden.
22:30	CP foraging over Garden and using hedge.
22:39	Hedgehog foraging in garden & appeared from shrubs by Garage.
22:40	CP and SP Fly by in Garden.
22:48	CP foraging along hedge line.
22:50	BLE Heard not Seen very faint.
22:55 & 56	CP Fly by in Garden.
23:00	End of survey.

Notes – *Jackdaw in chimney roof & Hedgehog in Garden.*
Lights: Very bright streetlight in Westfalling Street and Breinton Rd & Floodlight on house. Streetlight illuminated North elevation of the house. Outside lights x2 South East elevation which lights up the Garden a lot. Very bright light on North West elevation. ***A static detector was used but the high level of regular road noise interfered with the recordings.***

4. Pond & Data search results & Ecological Assessment

4.1POND SEARCH

A pond search was carried out, using the MAGIC map service from Natural England, to within a radius of 500m of 76 Breinton road. The results of the map-based pond search show there are two ponds within 500m, however all of these ponds are separated from the site by main roads which form a physical barrier to movement and the site itself has very limited cover for wildlife making the likelihood of any Great Crested Newts on site considered to be negligible.

4.2 THE DATA SEARCH

The data search was carried out using the MAGIC Map service from Natural England. The search results identified the nearest designated site is the River Wye Site of Special Scientific Interest (SSSI) & Special Area of Conservation (SAC) which is 580m from the building, as shown in appendix four.

Within the 2km search radius, results showed several Priority Habitats within the wider area including:-Traditional Orchard, Wood Pasture and Parkland and Deciduous Woodland.

Of the Deciduous Woodland recorded within the search radius, two sites was noted as Ancient Semi-natural Woodland, Hunderton Wood and Rough Coppice. It should be noted that no Priority Habitats were observed or recorded within the proposed development Boundary or directly adjacent to it as the site is surrounded by roads & residential properties see maps in appendix three & four.

The following species were also recorded within the 2km search radius, Lapwing, Grey Partridge, Tree Sparrow and Curlew. There are also Black Backed Gulls nesting sites recorded. Common Pipistrelle is also recorded, but no other records of European Protected Species were found.

4.3 Ecological Assessment

The habitats within the buildings themselves and the adjacent areas of hard standing have low suitability for use by any European protected species (including bats & newts). The house is lived in and has light within the building. The dormer windows allow high levels of light into the third storey and there is a considerable lack of attic space. There is internal electric lighting throughout. The building externally has a lack of available cracks and crevices within the building bar the very occasional small gaps where two tiles have slipped recently and make the building of low suitability for bats. The evening survey found no evidence of any bats using the house or garage (previous historic bat surveys found the same result) but there was evidence of foraging bats & nesting birds within the house chimney by Jackdaws & potential for birds to nest in the boundary habitats & shrubs by the garage.

The garden has several large trees along the southern roadside boundaries, however having examined all the trees for bat roosting features there is only one tree with medium bat roosting potential, which is a large pollarded Sycamore in boundary 4. The Silver Birch, Conifers, Yew trees & Ash trees are of low potential as they have naturally no gaps or suitable crevices in their bark. During the evening activity survey, no bats were seen to emerge from the trees.

The garden is normally close mown amenity grass and is a habitat of low suitability for wildlife due to the lack of cover. However, the boundary trees provide cover as does the flower boarders & it was alongside this that a single hedgehog was recorded during the evening survey & therefore mitigation will be required. There is a large area of bare ground to the east of the site and hard standing driveway which are also considered to be of poor-quality habitat.

Due to the importance of the designated River Wye SAC all potential adverse effects must be considered however minimal to make sure that no harm can possibly occur to the River Wye SAC.

As a result of the separation from the proposed works from the SSSI and SAC by the main roads & dense properties, the distance from the site and the the lack of ditches on site that could connect to any tributaries of the River Wye ensure there should be no direct adverse impacts upon the SSSI or the SAC.

However due to the proximity of the River Wye SAC a Construction Environmental Management Plan will be required to ensure all potential dust & noise & accidental spill pollution during construction is fully covered to prevent harm.

The River Wye Special Area of Conservation is located 580m away from the site, however as the site is within the catchment of the IRZ a suitable dirty water system & soak away to remove phosphates after the PTP process will have to be considered so that there is no potential for phosphate to leach into the catchment area that could potentially adversely affect the River Wye.
As such the buildings will connect to the existing main sewage system in use by the current property as this will ensure that there is no potential for phosphates to leach into the catchment area.

However, there is the potential for secondary impacts such as light spill from the new dwellings so this must be considered. Currently there are five external flood lights on the house and garage as well as roadside lampposts adjacent to the eastern & southern boundaries of the site which causes light spill around the building and along the eastern & southern boundaries of the site. The flood lights are needed for security so that the building is already brightly lit. The roadside lampposts provide a lot of light spill around the site and these are all sited so that they illuminate the boundary trees & the garden.

In order to avoid any additional light spill into the boundary habitats on site there will be no additional external lights on the dwellings other than downlighters & once the works have been completed there will be limited light spill from the glazed windows once the new dwellings are built as there will be curtains & or blinds used at night.

The most important habitats on site are the boundary habitats along the southern & part of the western boundaries as the evening bat survey showed that these were well used by foraging bats, particularly common pipistrelle bats which flew from across the Westfaling street in regular numbers throughout the survey on to the site. It is therefore important that as many as possible boundary trees and hedgerow shrubs are retained by this proposal & their foraging habitat if retained unlit will remain intact. This is also important for nesting birds & the recorded hedgehog on site.

5. Conclusion, Mitigation & Enhancements

The proposal will affect the whole site & include the demolition of the existing buildings. The buildings and their adjacent areas are predominately of close mown amenity grassland & hard standing and are of limited value to wildlife (apart from Jackdaws nesting in the chimney). However, the flower beds & ornamental shrubs & the broadleaved boundary trees & shrubs provide cover for hedgehogs, nesting habitats for birds & foraging areas for common species of bats such as Common & Soprano Pipistrelles which are clearly roosting off site on the other side of Westfaling street.

In order to ensure that the proposal will not have any adverse effects on the River Wye SAC or SSSI or priority habitats or species in the wider area the proposed works including clearance of the site will have to be carried out as per a Construction Environmental Management plan. This will detail how the boundary trees will be protected during construction & how all the demolition of the buildings & vegetation (shrubs & young trees) removal will be carried out to avoid harm to nesting birds & hedgehogs & avoid harm to the River Wye SAC.

The foul water system will connect to the mains sewage to avoid any potential leaching of phosphate into the catchment area that could potentially adversely affect the River Wye & confirmation that the current mains system has capacity will need to be submitted to the LPA due to the location of the site within the River Wye SAC catchment.

The lack of evidence of Bat activity within the building suggests that there are no bats currently using the building for roosting (& this was the case in other historic bat surveys) but as there are birds nesting in the chimney & the roof will either have to be dismantled outside of the main nesting period or the birds excluded before the works begin.

Even though no evidence of bats was found within the buildings, a careful precautionary approach to dismantling of the roof should be taken so these impacts can be avoided all together as detailed in section 5.1 Mitigation (a precautionary approach) & to be included in the CEMP to be submitted to the LPA for approval before works begin on site.

In addition, all building material storage& any mixing of materials will be confined to the Hard surface area so that no runoff can occur into road drains outside of the site and therefore cause any potential leaching into any of the catchment areas of the River Wye but this will be further detailed in the CEMP before works begin on site.

5.1. Mitigation (a precautionary approach to be included in the CEMP)

All persons involved in the works to the building & dismantling the roof of the buildings shall receive a detailed 'Toolbox Talk' on Nesting birds, Bats & Hedgehogs & from Ros Willder of Willder Ecology, or a similarly qualified ecologist.

The toolbox talk will cover the following: -

- the full legal protection of Nesting birds, Bats & Hedgehogs
- the root protection of the existing hedge & boundary trees to be retained on site (including the mature sycamore).
- Importance of storing & mixing building materials on the areas of hard standing & the importance of the River Wye SAC
- the lifecycle of Bats and their potential roosting areas
- the lifecycle of hedgehogs & their potential use of areas of the site especially any brash piles (all dismantled by hand under supervision of an ecologist)
- What to do if evidence of either Bats, birds or hedgehogs are found during works

Before any works begin the buildings & garden borders shall have a pre-commencement check to see if birds have begun nesting or that there is any evidence of use by bats or hedgehogs are present.

All dismantling of roof works & vegetation removal will be overseen by Ros Willder of Willder Ecology or a similar licensed ecologist.

If any bats are found all works will cease until Natural England has been contacted and way forward agreed which may include a license application to permit the works to continue. Similarly, if any nesting birds or hedgehogs are found then works will also cease.

No new external lighting will be allowed on the walls of the new buildings apart from low level down lighters which will not cause light spill into the surrounding garden areas especially the retained boundary trees and ideally the existing flood lights will be removed when the house is dismantled.

5.2 ENHANCEMENTS

Due to a bird's nest being found in the chimney of the house to be dismantled integral bird boxes will incorporated into the new dwelling walls on the front elevations as shown in appendix five.

As an enhancement for bats two Habitats slate bat access tiles will be included in the roof of the building proposed on the corner plot and the roof will be lined with bitumastic roofing felt to encourage future use of the roof area under the tiles by bats in addition two bat tubes will be included in the elevation of the end walls of the buildings either side of the footpath as shown in Appendix five.

A hedgehog house will also be incorporated into the retained trees area along the southern boundary as shown in appendix five.

If all the recommendations are followed no harm will occur to either the River Wye SAC, bats, birds or hedgehogs and enhanced provision will be made for future use by both bats, birds & hedgehogs as an overall enhancement for biodiversity to the site.

Whilst it is currently planned to retain the trees & hedges on site & plant up the old access with new trees ideally these should be with a native trees & shrubs comprised of Hazel, Field Maple, Dog wood, crab apple & Oaks which provides a much more attractive habitat for wildlife (both cover & food).

APPENDIX ONE LEGAL STATUS OF BATS & BIRDS

LEGAL PROTECTION OF BATS

The Wildlife and Countryside Act 1981 (WCA) transposes into UK law the Convention on the Conservation of European Wildlife and Natural Habitats (commonly referred to as the 'Bern Convention'. The 1981 Act has been amended several times, most recently by the Countryside and Rights of Way [Crow] Act 2000, which added 'or recklessly' to S 9 (4)(a) and (b).
All species of bats are listed on Schedule 5 of the 1981 Act, and are therefore subject to the provisions of section 9, which make it an offence to:

- Intentionally kill, injure or take a bat
- Possess or control any live or dead specimen or anything derived from a bat Intentionally or recklessly damage, destroy or obstruct access to any structure or place used for shelter or protection by a bat
- Intentionally or recklessly disturb a bat while it is occupying a structure or place which it uses for that purpose

The Conservation of Habitats and Species Regulations 2017 which consolidate the Conservation of Habitats and Species Regulations 2010 with subsequent amendments. The Regulations transpose Council Directive 92/43/EEC, on the conservation of natural habitats and of wild fauna and flora (EC Habitats Directive), into national law and came into force on 30th November 2017.

All bats listed on Annex IV of the Directive and some are also listed on the Annex II. The latter Annex relates to the designation of Special Areas of Conservation (SACs) and covers **Greater** and **Lesser Horseshoe bats**, **barbastelle** and **Bechstein's** bat.

Inclusion on Annex IV ('European protected species) means that member states are required to put in place a system of strict protection as outlined in Article 12; this is done through inclusion on Schedule 2 of the Regulations. Regulation 53 makes it an offence to;

- Deliberately capture or kill a bat Deliberately disturb a bat
- Damage or destroy a breeding site or resting place of a bat
- Keep, transport, sell or exchange, or offer for sale or exchange alive or dead bat or any part of a bat

LEGAL PROTECTION OF BIRDS

The Wildlife and Countryside Act 1981 is the main instrument for the protection of wild birds in the law of England, Wales and Scotland.

It protects all wild birds of whatever species (certain exceptions apply within the act).

Barn Owls are listed on Schedule 1 which gives them special protection.

The act makes it an offence “if any person intentionally- Kills, injures or

takes (handle)any wild bird;

Takes, damages or destroys the nest of any bird while that nest is in use or being built; (barn owls do not ‘build’ a nest but may make a nest scrape) or

Takes or destroys an egg of any wild bird”

It is also an offence “if any persons have in his possession or control-

any live or dead wild bird or any part of, or anything derived from, such a bird; or An egg of a wild bird or any part of such an egg” (s 1 (2)).

APPENDIX TWO PHASE ONE HABITAT MAP & EXISTING BLOCK PLAN

BLOCK PLAN 1:500

0m 10 20 40

SCALE: 1:500

Key

- Amenity Grass
- Bare ground
- Semi improved Grass
- Garden boarders
- hedge
- line of trees
- hedge + trees
- Bank

LOCATION PLAN 1:1250

DATE	MARCH 2020	DRAWN BY	C.E.
SCALE @ A3	1:500, 1:1250	CHECKED BY	P.B.
DO NOT SCALE FROM THIS DRAWING			
DRAWING NO.	7568-01	REVISIONS	

ST NICHOLAS RECTORY
HEREFORD

LOCATION AND BLOCK PLAN

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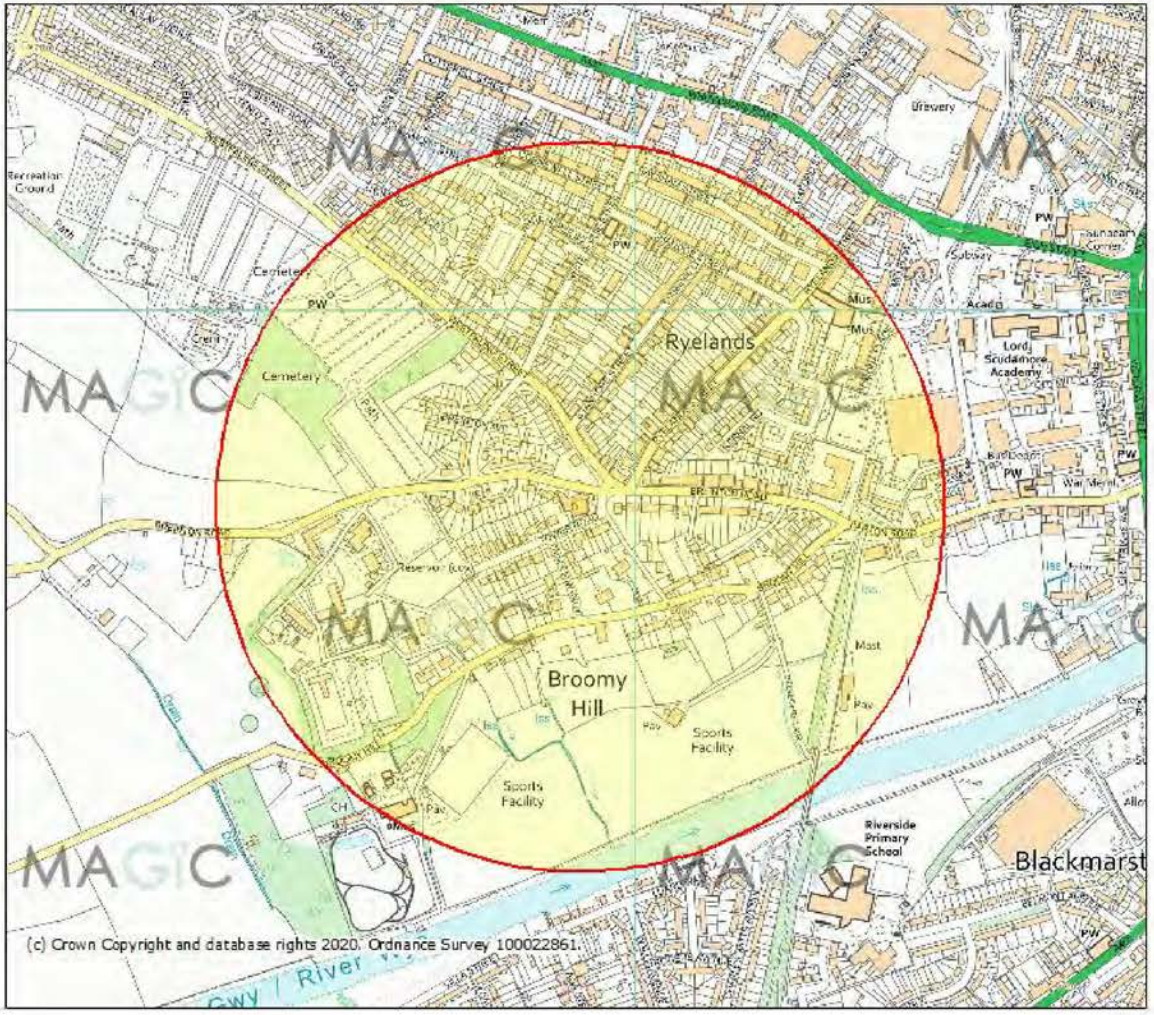
MAGIC

POND MAP



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km
Map produced by MAGIC on 11 June, 2020.
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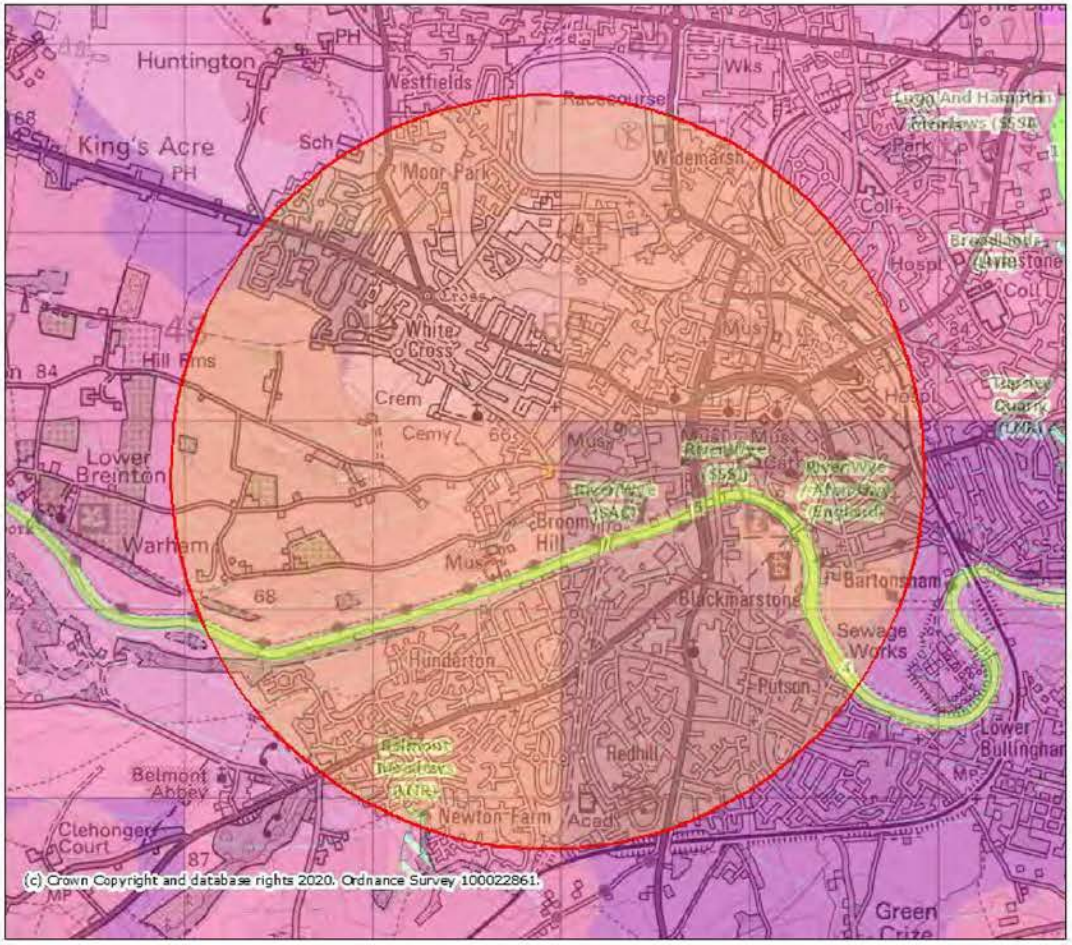
MAGiC

DSS MAP



Legend

- Limestone Pavement Orders (England)
- Local Nature Reserves (England)
- Moorland Line (England)
- National Nature Reserves (England)
- National Nature Reserves (Scotland)
- National Nature Reserves (Wales)
- National Parks (England)
- Ramsar Sites (England)
- Proposed Ramsar Sites (England)
- Ramsar Sites (Scotland)
- Ramsar Sites (Wales)

Sites of Special Scientific Interest Units (England)

- Favourable Condition
- Unfavourable Recovering
- Unfavourable no change
- Unfavourable Declining
- Part Destroyed
- Destroyed
- Not Assessed

- Sites of Special Scientific Interest (England)
- SSSI Impact Risk Zones - to assess planning applications for likely impacts on SSSIs/SACs/SPAs & Ramsar sites (England)
- Sites of Special Scientific Interest (Scotland)
- Sites of Special Scientific Interest (Wales)
- Special Areas of Conservation (England)
- Possible Special Areas of Conservation (England)
- Special Areas of Conservation (Scotland)
- Special Areas of Conservation (Wales)
- Special Protection Areas (England)
- Potential Special Protection Areas (England)
- Special Protection Areas (Scotland)
- Special Protection Areas (Wales)
- Biosphere Reserves (England)
- Biosphere Reserves (Scotland)

Projection = OSGB36
xmin = 344600
ymin = 237300
xmax = 355100
ymax = 242100

0 0.55 1.1
km

Map produced by MAGIC on 11 June, 2020.

APPENDIX FIVE PROPOSED ENHANCEMENTS

See retained trees & shrubs & tree planting

Hedgehog house

See Bat Access slate tile, bat tubes x2 and bird box details below △

Habibat Bat Access Slate - Standard

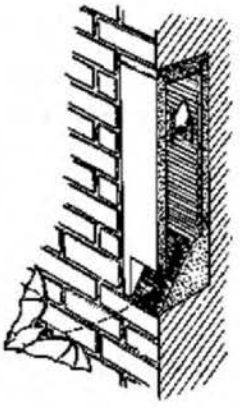
Dimensions: 418Hx375Wx80Dmm, entrance hole dimensions: 20Hx100Wmm, weight: 1.3kg. The Habibat Bat Access Standard Slate is designed to provide access to roof space for our protected bat species. The Bat Access Slate consists of a standard sized slate, with a capped vent which allows access to roof felt (for roosting Pipistrelles) or roof space.

WoodStone Build-in Open Nest Box

WoodStone Build-in Open Nest Box is designed for use in new build or renovations. The nest box is intended to be built into walls to provide nesting cavities. This provides much needed nesting cavities for species such as Robins, Wagtails and Black Redstarts. Constructed from FSC certified WoodStone this nest box will not deteriorate like a traditional wooden nest box. NHBS Price: £17.95 including VAT.

Integrated Bat Boxes ▢

1FR Schwegler Bat Tube



Installed on the external walls of buildings, either flush or beneath a rendered surface, the box to be discrete as only the entrance hole will is visible. It can be painted with an air permeable paint if desired. Designed to meet the characteristic behavioural requirements of bats that inhabit buildings. Integrated wooden panel and ridged entrance slope for bats to safely enter and leave the box. Design maintains excellent climatic conditions inside providing a safe, stable bat roost environment. Requires no maintenance; droppings fall out of the entrance ramp. NHBS Price: £77.95 including VAT.

Hedgehog house to be positioned in the south eastern corner of the site within the boundary