



The Eaves, Wiswell, Lancs BB7 9BZ

Extended Phase 1 Survey

Simply Ecology

June 2011

For

**Wighton Jagger Shaw Architects Ltd
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CONTENTS	PAGE
INTRODUCTION	1
1.1 Background Information	1
1.2 Site description and Proposed Works	1
1.3 Aims.....	1
2.0 Statutory and Planning Context	2
2.1 Badgers	2
2.2 Birds	2
2.3 Protected Mammals and Protected Reptiles (includes water vole, red squirrel, slow worm, common lizard and others)	2
2.4 European Protected Species (includes, bats, great crested newts, otter and others) ..	3
2.5 Planning Considerations.....	3
3.0 SURVEY METHODOLOGY	3
3.1 Extended Phase 1 Survey	3
3.2 Invasive Alien Plants	4
3.3 Personnel	4
3.4 Timing and Constraints.....	4
4.0 Phase 1 Survey Results.....	4
4.1 Habitat Results	4
4.2 Protected Flora	8
4.3 Invasive Species.....	8
5.0 Protected Species Results.....	8
6.0 Conclusions and Recommendations.....	9
7.0 REFERENCES	10
Plans	11
Plan 1: Site Location Plan.	11
Plan 2: The site development proposals	11
Plan 3: Phase 1 Habitats at the site.	12

This report has been prepared by Simply Ecology Consultants with all reasonable skill, care and diligence, within the terms of the Contract with the Client. The actions of the surveyor on site and during the production of the report were undertaken in accordance with the Code of Professional Conduct for the Institute of Ecology and Environmental Management. (www.ieem.org.uk).

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INTRODUCTION

1.1 Background Information

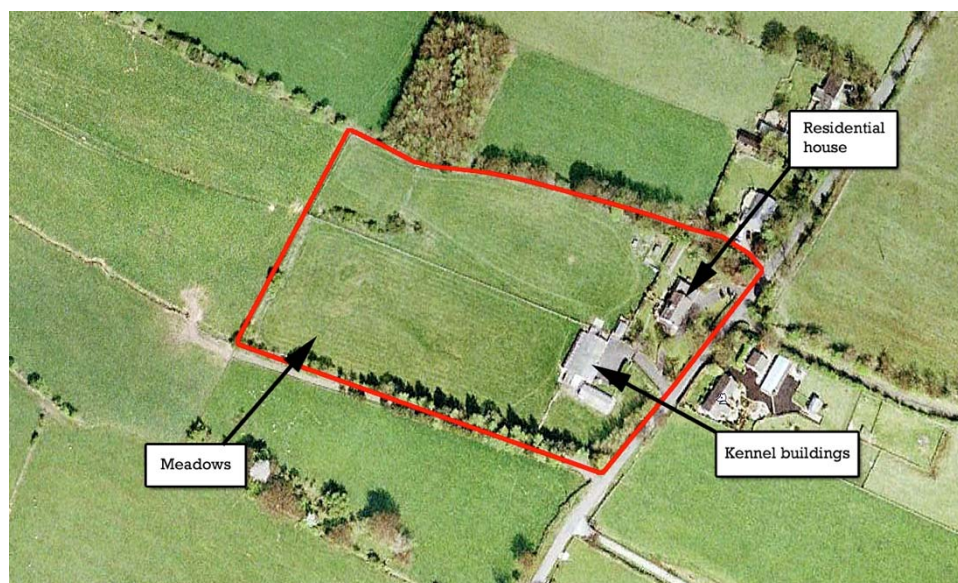
1.1.1 Simply Ecology Consultants were commissioned by Wighton Jagger Shaw Architects Ltd in May 2011 to undertake an ecological assessment of land at The Eaves, Pendleton Road, Wiswell, Lancashire BB7 9BZ (O/S Grid Reference SD751380). See Plan 1: The Site Location.

1.2 Site description and Proposed Works

1.2.1 The site is accessed via Pendleton Road on the outskirts of Wiswell village. This is a rural area approximately 1km north east of the village. The current use of the site is as a boarding kennel, with a residential house and its gardens. Behind these buildings are two fields (See Plate 1). Surrounding the site is agricultural land. The entire site is approximately 112m x 190m and covers an area of 2.13ha.

1.2.2 The survey described in this report was commissioned to inform plans for the demolition of the current house and construction of a new house on the same site. This requires up-to-date survey data on habitats and protected wildlife present at the site (see Plan 2 for site proposal). The survey encompassed the entire property.

Plate 1: Aerial view of the site showing locations of buildings and meadows



1.3 Aims

1.3.1 The aims of this ecological assessment were to:

- Determine the nature conservation value of the site and surrounding area.
- To confirm the presence or absence of protected species, such as badgers, bats, etc) within the proposed development site.
- To enable the client to comply with legislation afforded to protected sites and species.
- To make nature conservation recommendations.

1.3.2 To achieve this, an extended phase 1 habitat survey of the site was undertaken on 24th May 2011. This submission presents the results of the ecological surveys at the site.

2.0 Statutory and Planning Context

2.0.1 The client is advised that many species of British wildlife are legally protected. The following section provides a brief overview of the protection afforded to species commonly encountered during development. The Recommendations at the end of this report will advise as necessary, but it is also useful for the client to have an understanding of the legal protection as this helps to ensure that the law is complied with.

2.1 Badgers

2.1.1 Badgers are protected under Schedule 5 of The Wildlife and Countryside Act 1981 (as amended) (WCA), and The Protection of Badgers Act 1992. It is illegal to:

- Kill, injure, take, possess or cruelly ill-treat a badger or to attempt to do so;
- Interfere with a badger sett by damaging or destroying it;
- Obstruct access to or any entrance of a badger sett;
- Disturb a badger when it is occupying a sett

2.1.2 A badger sett is “any structure or place that displays signs indicating current use by a badger. Natural England, the Government’s statutory nature conservation body, classifies a sett as active if it has been occupied within the last 12 months.

2.1.3 Operations that might cause disturbance of an active sett entrance can be carried out under licence from Natural England. If any badgers are found during the course of the survey, this will be highlighted in this report.

2.2 Birds

2.2.1 All wild birds are protected against killing or injury under The WCA 1981 (as amended). This protection extends to birds nests during the breeding season, which makes it an offence to damage or destroy nests or eggs. Birds that are listed on Schedule 1 of the Act receive additional protection against intentional or reckless disturbance during the breeding season. This makes it an offence to disturb these species at or near to their nesting site.

2.3 Protected Mammals and Protected Reptiles (includes water vole, red squirrel, slow worm, common lizard and others)

2.3.1 A variety of British mammals and reptiles also receive protection under The WCA 1981 (as amended). Schedule 5 of The WCA lists animals that are protected. The degree of protection varies. Water voles and red squirrel are examples of species with full protection. The Act makes it an offence to intentionally kill, injure, or take, possess, or trade in any wild animal listed in Schedule 5, and prohibits interference with places used for shelter or protection, or intentionally disturbing animals occupying such places.

2.3.2 All British reptiles are all protected. The commoner species such as common lizard and slow worm are protected only from unlawful killing. In practice this requires a reptile protection scheme before implementing a planning permission. No specific licence is required. The rarer reptiles, including smooth snake and sand lizard are fully protected and any works affecting them can only be carried out if a Natural England licence has been issued.

2.3.3 If any protected species are found during the course of the survey, this will be highlighted in this report.

2.4 European Protected Species (includes, bats, great crested newts, otter and others).

- 2.4.1 The client is advised that all bats, great crested newts and otter are European Protected Species (EPS). These EPS receive the full protection of the Wildlife and Countryside Act 1981 (as amended) (Section 9, Schedule 5). In addition, these EPS are also protected under European legislation which is implemented in England via The Conservation (Natural Habitats, &c.) Regulations 1994 (as amended) (Regulation 39). A full list of EPS is provided in Schedule 2 of the Regulations.
- 2.4.2 If both national and international legislation are taken together, the legislative protection afforded to the species makes it an offence to:
- Intentionally/deliberately kill, disturb, injure or capture them.
 - Intentionally or recklessly damage, destroy or obstruct access to any breeding site or resting place.
 - Possess or control any live or dead specimen or anything derived from a European Protected Species.
- 2.4.3 If an activity is likely to result in any of the above offences, derogation from the legal protection can be issued in the form of a European Protected Species licence issued by Natural England. Licences for development purposes are issued under the Habitat Regulations 1994 (as amended) and only allow what is permitted within the terms and conditions of the licence. If any EPS are found during the course of the survey, this will be highlighted in this report.

2.5 Planning Considerations

- 2.5.1 For activities requiring planning permission, the presence of protected species, such as those listed above, is a material consideration which must be fully considered by the Local Authority when granting planning permission. Local Authorities have been issued with Planning Policy Statement 9 (ODPM Circular 06/2005) which provides guidance on the interpretation of the law in relation to wildlife issue and development.
- 2.5.2 Where a development is proposed which may affect a protected species, PPS9 advises that alternative sites should be considered before granting planning permission that may affect a protected species. The planning authority may require mitigation or compensatory proposals in order for an activity to be granted planning permission.

3.0 SURVEY METHODOLOGY

3.1 Extended Phase 1 Survey

- 3.1.1 The Phase 1 survey was undertaken by Jason Reynolds MSc MIEEM and Colin Barnes on 24th May 2011. The survey followed the Phase 1 habitat survey methodology (NCC, 1990, a standard technique for recording and mapping habitats. During the Phase 1 survey the presence or potential for presence of protected species was recorded and assessed.
- 3.1.2 The survey involved walking the whole site, mapping and describing different habitats (for example: woodland, grassland, scrub). Evidence of fauna and faunal habitat is also recorded (for example droppings, tracks, or habitat such as ponds for breeding amphibians). The methods used for ecological survey are in accordance with those established and generally accepted methodologies for field survey, as published by the professional body, the Institute of Ecology and Environmental Management (IEEM).

3.2 Invasive Alien Plants

3.2.1 During the Phase 1 habitat survey, observations of invasive alien plants listed under Schedule 9 of The Wildlife and Countryside Act 1981 (as amended) were made. The search was limited to giant hogweed (*Heracleum manegazzianum*), Japanese knotweed (*Fallopia japonica*) and Himalayan balsam (*Impatiens glandulifera*).

3.3 Personnel

3.3.1 All surveys were carried out by Jason Reynolds MSc MIEEM, who conducted his MSc thesis at the University of Aberdeen on the foraging preferences of the *Pipistrelle*. Jason runs his own ecological consultancy Simply Ecology and is an experienced botanist with a broad range of ecological and conservation knowledge gained over 15 years working as a Conservation Officer for both statutory and charitable conservation bodies, including English Nature, Cumbria Wildlife Trust and the Environment Agency. Jason holds protected species survey licences for white-clawed crayfish and great crested newt. Colin Barnes, who studied ecology and habitat conservation management at Myerscough College and has worked as an assistant reserves manager for Natural England, assisted him. He has been working with Simply Ecology since 2010.

3.4 Timing and Constraints

3.4.1 The Phase 1 habitat survey was undertaken on 24th May 2011. This is during the early summer, and is the ideal time to record habitats as plants can be recorded and ecological value/quality of a site determined according to the habitats encountered. Similarly, the timing posed no problems for the protected species assessment, and no constraints were encountered.

4.0 Phase 1 Survey Results

4.1 Habitat Results

4.1.1 The site covers 2.13ha. The predominant habitats were the semi-improved grassland fields to the west of the existing house and garden planting. There were scattered trees across the site and improved grassland adjacent to the buildings. The habitats at the site are very common and widespread. A Phase 1 Habitat Plan and Target Notes (hereafter referred to as TN) are included on Plan 3.

4.1.2 The following habitats were recorded at the site (In no particular order):

- Semi-improved neutral grassland
- Improved grassland and ruderals
- Garden planting
- Hedges
- Scattered trees

Semi-improved Neutral Grassland

4.1.3 The majority of the site consisted of semi-improved neutral grassland (TN1) (see Plate 2). The grassland was composed of the following species: sweet vernal grass (*Anthoxanthum odoratum*), Yorkshire fog (*Holcus lanatus*), cock's foot (*Dactylis glomerata*), meadow foxtail (*Alopecurus pratensis*) and red fescue (*Festuca rubra*) with lesser amounts of annual meadow grass (*Poa annua*) and common bent (*Agrotis capillaris*). Forbs included both creeping buttercup (*Ranunculus repens*) and meadow buttercup (*Ranunculus acris*), with white clover (*Trifolium repens*), broad-leaved dock (*Rumex obtusifolius*), common field speedwell (*Veronica persica*), common mouse-ear (*Cerastium fontanum*), common chickweed (*Stellaria media*), common sorrel (*Rumex acetosa*), dandelion (*Taraxacum agg*) and pignut (*Conopodium majus*). Occasional

common ragwort (*Senecio jacobaea*), betony (*Stachys officinalis*), field horsetail (*Equisetum arvense*) and cow parsley (*Anthriscus sylvestris*) were also present. Around the margins of the site were areas of hogweed (*Heracleum sphondylium*), cleavers (*Gallium aparine*), common nettle (*Urtica dioica*), red campion (*Silene dioica*) and scattered cuckoo flower (*Cardamine pratensis*). Along the southern edge of the field (TN2) the vegetation had become rank and scrubby and included extensive Himalayan balsam (*Impatiens glandulifera*). Another patch of Himalayan balsam was growing in the southwest corner (TN3).

Plate 2: The semi-improved grasslands which was present in both fields (looking west).



4.1.4 Within the grassland were a few scattered mature hawthorns (*Crataegus monogyna*) (TN4) (See plate 3), elder (*Sambucus nigra*) and laurel (*Prunus laurocerasus*) which probably marked the line of a now defunct hedgerow (TN5). These were growing by a post and wire fence which now divides the fields.

Plate 3: The scattered hawthorns in the west of the field.



4.1.5 Along the southern boundary of the grassland (TN2) were some small bay (*Laurus nobilis*) and hawthorns. Just outside the survey site boundary there was a mature tree line consisting largely of sycamore (*Acer pseudoplatanus*) and included Scots pine (*Pinus sylvestris*), larch (*Larix decidua*), rowan (*Sorbus aucuparia*), alder (*Alnus glutinosa*) silver birch (*Betula pubescens*) and cypress (See plate 4).

- 4.1.6 In the south east of the grassland was a small area of young planted Norway spruce (*Picea abies*). (TN6). The ground cover in this area consisted of cleavers, creeping buttercup and meadow foxtail. There was also some Himalayan balsam growing in this area. (See plate 4)

Plate 4: The southern boundary with young spruce in foreground.



Improved grassland and Ruderals

- 4.1.7 In the south east corner of the survey site was an area of improved grassland and ruderals (TN7). The species found here are predominantly perennial rye-grass (*Lolium perenne*), common couch (*Elymus repens*), meadow foxtail, cock's foot, broad-leaved dock, dandelion, ribwort plantain (*Plantago lanceolata*) and red clover (*Trifolium pratense*). There were also some stands of dense common nettle ear to the kennels (See plate 5). Again Himalayan balsam was present around the perimeter of the area.

Plate 5: The stand of nettles near the kennels.



Garden planting

- 4.1.8 Surrounding the residential property at the eastern edge of the site was an area of formal garden planting (TN8). This consisted of lawn sown with white clover, common bent (*Agrostis capillaris*), perennial rye-grass and chewings fescue (*Festuca rubra*

commutata). These are all common lawn species. Throughout the garden were numerous ornamental plant species. (See plate 6)

Plate 6: The lawn showing the front of property hedgerow, scattered mature trees and copper beech hedgerow.



Scattered trees

- 4.1.9 Throughout the garden and around the site perimeter were a number of scattered trees. To the front and south side of the house were mature large-leaved lime (*Tilia platyphyllos*) (TN9), ash (*Fraxinus excelsior*) and sycamore. (See plate 6) To the rear was a group of fruit trees and some ornamental cypresses.

Hedgerows

- 4.1.10 There was a mature hedge across the front of the property consisting of hawthorn, laurel and hazel (*Corylus avellana*) (TN11) (See plate 6). In the garden was a copper beech (*Fagus sylvatica* 'Purpurea') hedge (TN12) and by the driveway leading to the kennels was a hedge of hawthorn and ash (TN13). There were also ornamental cypress hedges throughout the garden.

4.2 Protected Flora

- 4.2.1 Of the plants present on the site, no notable, rare or legally protected species were recorded during the site survey.

4.3 Invasive Species

- 4.3.1 Extensive stands of Himalayan balsam were present, predominantly along the southern area of the survey site.

5.0 Protected Species Results.

Bats

- 5.0.1 There was no need to carry out a building inspection for bats during this survey as bat surveys had been previously undertaken by Earthworks and Environmental Design (May 2011). The EED survey found no evidence of bats in the buildings on the site.
- 5.0.2 As part of the survey carried out by Simply Ecology the potential for bats to roost in the trees was also assessed. It was found that the mature ash, sycamore and large-leaved lime trees at the front of the property were mature enough to provide roosting opportunities for bats and had features such as holes and crevices. A brief examination

from ground-level did not find evidence of bat use, however this was not an exhaustive bat survey and so it is possible that bats are using some of the trees.

6.0 Conclusions and Recommendations

- 6.0.1 The main habitats present on the site comprised a large areas of semi-improved grassland with further smaller areas of improved and amenity garden grassland. All of these are very widespread and common habitats with limited ecological value. As shown on Plan 2, the majority of these habitats will not be affected by the development proposals. Under these proposals the loss of small areas of garden planting will be compensated by the reversion of areas which are currently kennels and hardstanding into garden. There were some mature trees that have potential for bat roosts, and recommendations for these follow. No additional evidence for the presence of protected, rare or notable species was found during the ecological survey undertaken.

Bats

- 6.0.2 The accompanying building survey and emergence surveys for bats which were undertaken by Earthworks and Environmental Design (May 2011), did not find any evidence of roosting bats. During this survey three mature trees to the front of the house were identified as all having some potential to support roosting bats. It is noted from the site proposals that it is intended to retain these trees (See Plan 2) and that the EED bat survey found few signs of bat activity in the area. It is therefore advised that no impacts upon bats are predicted. However, should these proposals subsequently be modified to include the felling or pruning of these trees, that the Appointed Ecologist should be contacted in order that a thorough tree survey be carried out to establish whether bats are present. No tree work should be carried out prior to such a survey. **Reason:** To ensure that no offences are committed under The Wildlife and Countryside Act 1981 (as amended) and The Conservation of Species and Habitats Regulations 2010.

Invasive species

- 6.0.3 The non-native invasive species Himalayan balsam (*Impatiens glandulifera*) was present within very close proximity to the proposed development area. It is quite possible that these areas may be affected by vehicular movements during the demolition process. The balsam will require temporary fencing for the duration of the construction period to ensure no disturbance. Alternatively any balsam within the construction area will require removal and appropriate disposal to ensure construction and operational activities (for example earth works and vehicular movements) do not cause the spread of this invasive species. Possible control measures include chemical treatment using glyphosate or 2,4-D amine, cutting, mowing, strimming or pulling (if plants are shallow-rooted). Chemical treatment should be applied in early spring when the plant is actively growing. Plants that are to be controlled by cutting, mowing or strimming should be removed to ground level before the flowering stage in June. Cutting earlier than this may promote greater seed production and should therefore be avoided. Cutting should be repeated annually until no further growth occurs. All arisings should be disposed of by burning or composting in a self contained area (N.B. resultant compost should not be used elsewhere). **Reason:** The client is advised that The Wildlife and Countryside Act 1981 (as amended) makes it an offence to plant or otherwise cause Himalayan balsam to grow in the wild.

Breeding birds

- 6.0.4 It is recommended that if any tree or hedge removal is required, all clearance should be undertaken outside of the bird nesting season. If this is not possible, a suitably qualified ecologist must be present to oversee all vegetation removal. **Reason:** To ensure that no offences are committed under The Wildlife and Countryside Act 1981 (as amended). The

bird-nesting season is generally regarded to extend between March and August inclusive.

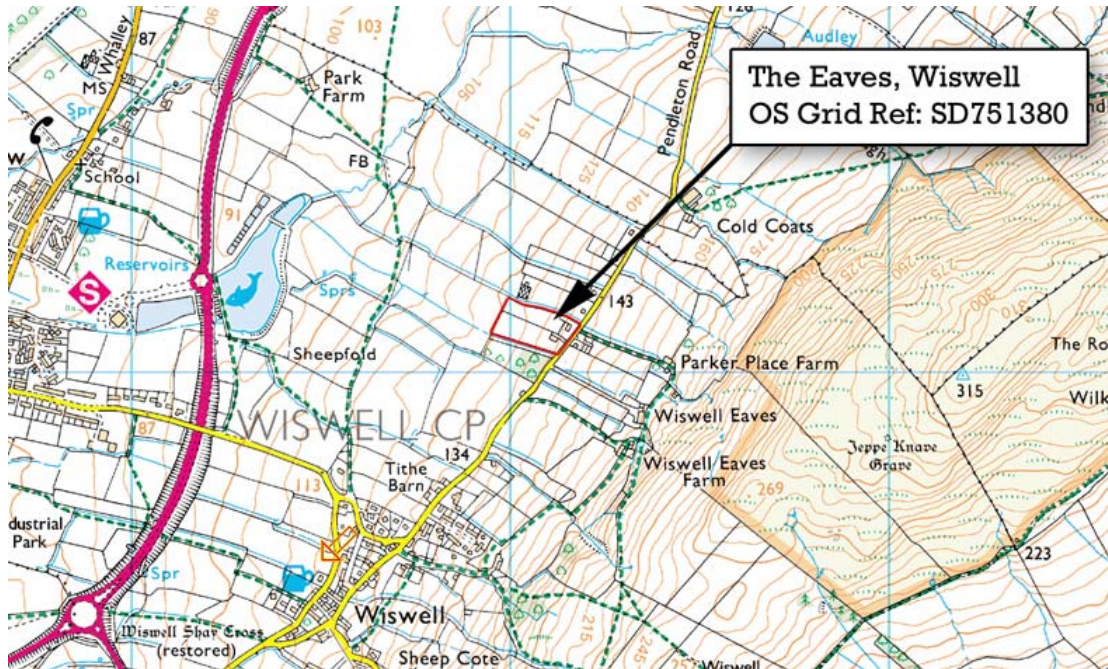
7.0 REFERENCES

BAT CONSERVATION TRUST (2007). *Bat Surveys – Good Practice Guidelines*. Bat Conservation Trust, London.

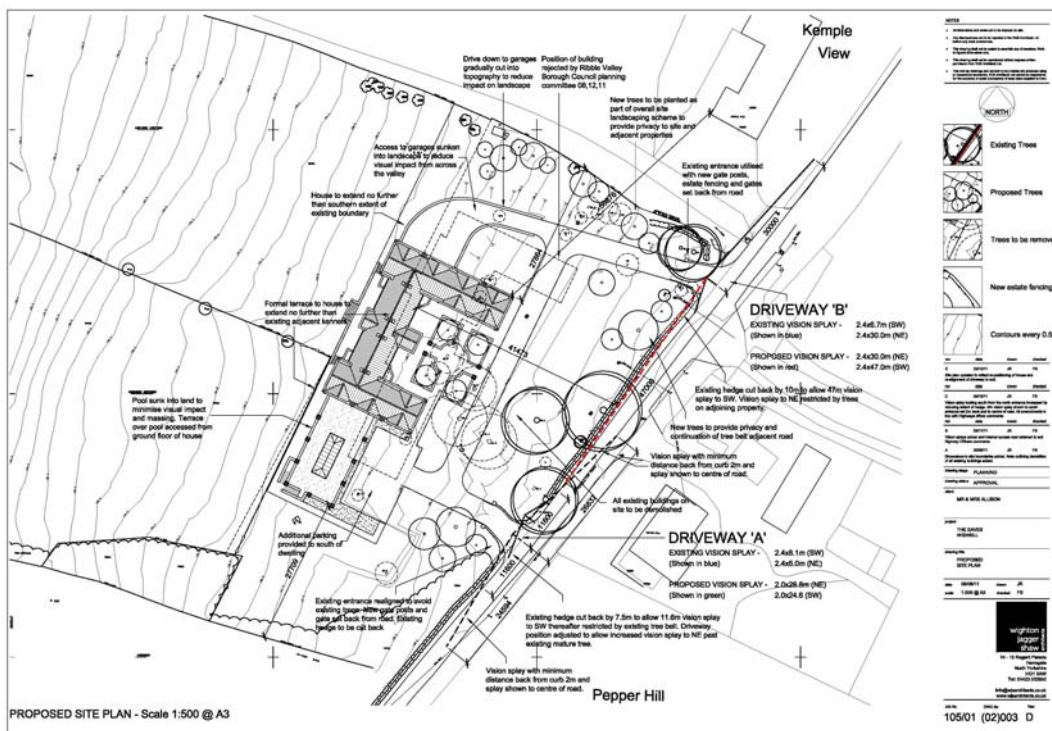
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Plans

Plan 1: Site Location Plan.



Plan 2: The site development proposals



Plan 3: Phase 1 Habitats at the site.

