

GMEU response

Summary

Ecological issues include mitigation for loss of trees and scrub and nesting birds.

Protected Species

I am satisfied that the nature of the development (change of use of to garden) , nature of the site (succesional vegetation) and scale of the development is such that the likelihood of protected species being present is very low. We also have no record of any protected species other than bats from this locality. There is however a pond located just under 100m to the east. Whilst previous surveys have found no evidence of great crested newts and the pond separeated from the next nearest field bond by approximately 450m and a major A road, the nearest pond does have records for great crested newts. I therefore recommend an informative along the following lines is applied to any permission.

Whilst there is only a low risk of great crested newts being present, the applicant is reminded that under the 2019 Regulations it is an offence to disturb, harm or kill great crested newts. If a great crested newt is found during the development all work should cease immediately and a suitably licensed amphibian ecologist employed to assess how best to safeguard the newt(s). Natural England should also be informed.

Nesting Birds

The development will result in the loss of trees and shrubs, potential bird nesting habitat. All British birds nests and eggs (with certain limited exceptions) are protected by Section 1 of the Wildlife & Countryside Act 1981, as amended. I recommend a condition along the following lines be applied to any permission.

No works to trees or shrubs shall occur between the 1st March and 31st August in any year unless a detailed bird nest survey by a suitably experienced ecologist has been carried out immediately prior to clearance and written confirmation provided that no active bird nests are present which has been agreed in writing by the LPA.

Contributing to and Enhancing the Natural Environment

Section 174 of the NPPF 2021 states that the planning policies and decisions should contribute to and enhance the natural and local environment. The development will involve the loss of a small area of low and moderate habitats to domestic garden a low ecological value habitat as well as a section of hedge. Boundary hedge planting is proposed. The main wildlife issue is loss of bird nesting habitat. If biodiversity net gain metrics were applied there would be a loss of biodiversity of around 0.1 biodiversity units. It is however possible that developments such at this would be exempt based on size and planning application type, with developments smaller than 0.25ha and change of use applications both discussed as exemptions at consultation stage. Given net gain is also not as yet mandatory (though a material consideration), I would be minded to recommend as mitigation a native hedge along the entire rear boundary (75% hawthorn), two native trees and bird boxes on retained trees. *If these were agreed then I would be satisfied that adequate mitigation was being achieve and the details could be conditioned.*

Ecologist

Planning

Planning and Transportation

Place