

From: David Dutton
Sent: Friday, December 15, 2023 8:41 PM
To: Booth, Claire
Subject: Planning application 70188 406 Tottington Rd

Hi Claire

Thank you for consulting the GMEU

Summary

Ecological issues include nesting birds and biodiversity net gain.

Protected Species

The site was surveyed for protected species. No evidence of any such species was found (all trees too small to provide bat roosting features) and all reasonably discounted. I have no reason to disagree with the findings of the report. No further information or measures are required.

Nesting Birds

Trees and shrubs will be lost 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.

Other Wildlife

Given the scale of the site, I am satisfied that the risks with regards species such as hedgehog and common toad is very low. *No further information or measures are required*

Invasive Species

Trees and shrubs on the site are described as primarily non-native and ornamental, which could include species such as rhododendron and Cotoneaster. As they are not mentioned, I assume they are not present and in any event, the site is not in the wild, therefore it is not an offence to spread or plant such species in this location. I recommend however an informative along the following lines, given the residual risks.

It is an offence under the Wildlife & Countryside Act 1981, as amended to introduce, plant or cause to grow wild any plant listed in Schedule 9 part 2 of the Act. Species such as Rhododendron and certain species of Cotoneaster are included within this schedule. If any such species will be disturbed and transported off site as a result of this development a suitably experienced consultant should be employed to advise on how to avoid an offence.

Contributing to and Enhancing the Natural Environment & Biodiversity Net Gain

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 result in the loss of part of a garden

to building and hardstanding. There will therefore be a loss of vegetated habitats at the site level. Wildlife issues are restricted to nesting birds with mitigation and enhancement feasible on the site. The consultant has also recommended enhancement measures for bats.

With regards biodiversity net gain it is worth noting that once mandatory this site would not be exempt based on the recently released guidance, with exemption restricted to householder applications and application under 25 sqm. Given the whole site would be classed as vegetated garden (trees would not count as separate features in this location) you are looking at an approximate loss of 0.05 biodiversity units.

Given mitigation cannot be achieved on the site, the LPA could determine given Biodiversity net gain is not as yet mandatory to accept extra mitigation for wildlife. ie additional bird and bat boxes. Alternatively a small financial contribution (around £800) or donation of 5 standard native trees for planting in a local park/school would achieve the required compensation. Given the very minor nature of the loss I am happy for the LPA to determine how to deal with this issue.

David Dutton

Ecologist

Planning

Planning and Transportation

Place

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