

### Summary

The only significant ecological issues appears to be biodiversity net gain.

### Protected Species

Whilst a number of trees were assessed as having low bat roosting potential all are off-site and will not be directly or indirectly impacted upon by the development. No evidence of any other protected species was found or regarded as likely. I have no reason to doubt the findings of the report. No further information or measures are required.

### Nesting Birds

Bramble scrub 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 1<sup>st</sup> March and 31<sup>st</sup> August in any year unless a precautionary working method statement for nesting birds by a suitably experienced ecologist has been supplied to and agreed in writing by the LPA.*

### Other Wildlife

Whilst the vegetation on site could provide cover for small mammals and amphibians, the scale of the habitat is such that the risk are low. I am satisfied that all that is required is an informative along the following lines.

*The applicant is reminded that, under the Wild Mammal (Protection) Act 1996 it is an offence to inflict unnecessary suffering to wild mammals. Planning consent does not provide a defence against prosecution under this act.*

### Invasive Species

Himalayan balsam was recorded off-site. I am satisfied that it is sufficiently distant that the risk of an offence is very low. I recommend as a precaution an informative along the following lines is applied to any permission.

*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 Himalayan balsam are included within this schedule. If any such species will be disturbed 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 (BNG)

Section 180 of the NPPF 2023 states that the planning policies and decisions should contribute to and enhance the natural and local environment. 10% BNG is mandatory under Schedule 7A of the Town & Country Planning Act 1990 (as inserted by schedule 14 of the Environment Act 2021). The development will result in the loss of a small area of widespread low and medium value habitats to development and garden. Adverse effects on wildlife appear restricted to loss of bird nesting opportunities.

The development is subject to mandatory biodiversity net gain. A loss on site is predicted with a shortfall of 0.23 biodiversity units to achieve 10% net gain. The ecological consultant correctly notes that it is not possible to achieve 10% net gain on site as whilst the percentage of the site that could be

vegetated garden could be increased, this is a low value habitat automatically in poor condition. ie of lower or equal value habitats to what is lost.

Whilst I am satisfied that the shortfall could be purchased as off-site credits, there are some minor issues with the baseline and BNG assessment to clarify. These include:

- The landscape proposals include two retained trees, these are not in the baseline value for the site;
- The preliminary ecological appraisal indicates that there is a hedge on-site that has not been included in the baseline assessment, with new hedges proposed in the landscape plans, also not included in the metric;
- The BNG assessment states there is no additional land under the control of the developer that could be utilised for off-site compensation, this is incorrect with the blue edge and ecological appraisal including land to the east that could be utilised instead of purchasing off-site compensation.

*I recommended the above are clarified/amended prior to determination.*

I recommend provision of one swift brick on the new dwelling if permitted. The details can be provided via condition.