

Preliminary Ecological Appraisal

Proposed Development at:

23 Newells, Letchworth Garden City SG6 2PH.

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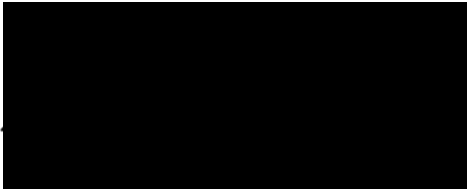
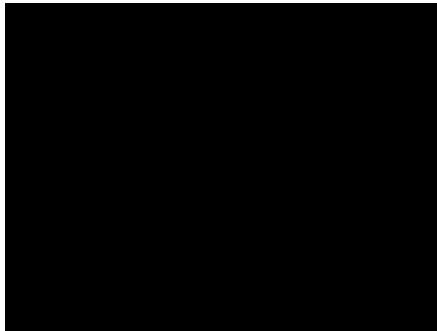
December 2023

Preliminary Ecological Appraisal

for

Proposed Development at:

23 Newells, Letchworth Garden City SG6 2PH.

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Date	21/12/2023	Date	21/12/2023

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EXECUTIVE SUMMARY

This appraisal has outlined the likely impacts and opportunities for mitigation, compensation, and enhancement to understand the site's ecology.

The site is not designated for its importance for nature conservation at an international, national, regional or county level. The site itself and the habitats found on-site are common and widespread throughout the UK,¹ and the habitats are of limited ecological value and only site value.²

Habitats for protected species were evaluated for their likelihood of providing shelter, roosting, foraging, basking and nesting habitat.³ The likelihood of protected species is negligible, and no further investigation is needed.

¹ National Planning Policy Framework, 2021, paragraph 175.

² CIEEM, 2006, Defining ecological values for component habitats.

³ National Planning Policy Framework, 2021, paragraph 180.

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1.0 INTRODUCTION

1.1 Phase 1 Brief

Open Spaces Landscape & Arboricultural Consultants Ltd (Open Spaces) were commissioned to undertake an ecological appraisal at 23 Newells, Letchworth Garden City SG6 2PH.

This report contains the Preliminary Ecological Assessment (PEA) findings. The Purpose of a PEA is to identify the potential for the presence of protected species on a site, in line with European legislation, UK law and the requirements of The National Planning Policy Framework (NPPF, 2021). The brief of the ecological survey was to assess the habitats found on site and identify the potential for the presence on site of protected species.

The site-based element is supported by a desktop study undertaken to identify the presence of Statutory/National/Local designations or protected species within the vicinity (up to a 5KM radius) of the site. The final part of the project brief was to identify and make recommendations as appropriate for any further surveys required to determine the presence/absence of protected species on site if the survey determined that the presence of a protected species on site was considered reasonably likely.

1.2 Development Proposals & Planning Context

Proposals are for the demolition of unoccupied dwellings and the construction of apartments.

The following plans has been viewed:

- MB018_100_00 Prop Sketch Design Plan
- TS21-040-1 1-100@A0 Topographical Survey

Given the availability of proposal plans and descriptions, it was possible to assess any potential impacts resulting from the proposal and recommend further works/appropriate mitigation in section 4.2 of this report.

1.3 Scope of Survey

This report aims to provide an independent opinion of the likely presence of protected species on a site to inform the client of their obligations and to assist the Local Planning Authority in determining a planning application.

It should be noted that whilst every effort has been made to provide a comprehensive description of the site, no investigation could ensure the complete characterisation and prediction of the natural environment. This PEA does not constitute a full botanical survey or a Phase 2 preconstruction survey for Japanese Knotweed. In this regard, this survey provides a preliminary view of the likelihood of protected species occurring on-site based on the suitability of the habitat and any direct evidence on site. Additional surveys may be required if it is likely that a protected species may be present.

The survey presents a snapshot in time and, therefore, assesses what was seen when the survey was undertaken. The PEA does not, therefore, make any retrospective analysis.

1.4 Copyright

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2.0 METHODOLOGY

2.1 Survey Methodology

The vegetation and habitat types were classified according to the UK Habitat Classification. The UK Habitat Classification (UKHab) is a comprehensive habitat classification system for the UK to provide outputs suitable for ecological impact assessment, habitat metrics and better data integration between organisations.⁴

The potential for the presence of protected species is assessed as part of the overall methodology, and further advice/surveys are recommended as considered appropriate based on the evidence obtained.

2.2 Survey Details

The PEA was undertaken by Consultant Ecologist Andrew May on the 14th of December, 2023. The weather was cloudy, with a moderate breeze and a temperature around 7C.

Andrew May is a fellow and a full member of the Chartered Institute of Ecology & Environmental Management (**CIEEM**) and is subject to the CIEEM Professional Code of Conduct. The surveyor is an ecologist with over 25 years of experience and has been involved in a wide range of projects, from single-dwelling developments to large strategic urban renewal schemes subject to full Environmental Impact Assessment (**EIA**).

Desktop Study & Records Search

To gain an understanding of any designations on/around the site, desktop data has been obtained from the following sources:

2.3 Biological Records

No biological records were requested at this stage.

2.4 Designations

A desktop study was undertaken through MAGIC (Multi-Agency Geographic Information System for Countryside). The search looked to identify the presence of statutory designated sites within a 5km radius (e.g. Special Areas of Conservation (**SACs**), Sites of Special Scientific Interest (**SSSI**), National Nature Reserves (**NNR**) and Local Nature Reserves (**LNR**). A wider search radius of up to 10km has also been considered where appropriate in the site's context.

⁴ Butcher, B., Carey, P., Edmonds, R., Norton, L. and Treweek, J. (2020) The UK Habitat Bank Classification User Manual Version 1.1.

2.5 Additional Information

Free online mapping information and Ordnance Survey Maps were consulted for the background assessment.

3.0 RESULTS & ANALYSIS

3.1 Description of Site and Immediate Surrounds

The site is in a semi-rural environment with surrounding dwellings and roads. The dwellings were unoccupied, with vegetated gardens at the front and rear. The gardens have become overgrown with shrubs such as bramble.

3.2 Potential for Protected Species Impact with Proposals

The site was assessed for the potential presence of protected/priority species that may have a material impact on the development proposals.

The ecological value of the site with respect to the potential presence of an impact upon protected species is considered further in the following sections:

3.3 Bats

All bat species are strictly protected under the Wildlife and Countryside Act 1981 and the Conservation Regulations (Habitat Regulations).

Buildings

No evidence of roosting potential was present.

Trees & Roosts/Hedgerows/Foraging/Commuting & Roosting

No trees with roosting potential were identified on-site.

Impact Assessment

No trees or the shed had bat roosting potential on-site, nor would they be affected by the proposal.

As a general enhancement, a low-impact lighting solution is advised during the construction and completion phases. Guidance regarding ecological enhancements is provided in section 4.2.

3.4 Badgers/Transitory Mammal

Badgers and active setts are afforded protection under the Protection of Badgers Act 1992.

No evidence of any badger activity (active or inactive setts, droppings or latrines) was identified during the proposed development site/surroundings survey.

Impact Assessment

No evidence of active/inactive setts/badgers was identified on site, and it should be noted that the proposed development of the site is considered unlikely to have any potential impact upon badger setts (active or inactive), given the lack of any evidence on site. No further surveys regarding badgers are considered necessary or appropriate in this instance.

3.5 Nesting Birds

The Wildlife & Countryside Act 1981 protects nesting birds and their eggs.

The main body of the site and existing land use provide nesting opportunities.

Impact Assessment

General guidance to vegetation should ideally be avoided during the bird breeding season from March to September. If this is not possible, a search should be undertaken to confirm the presence/absence of nesting before work is undertaken.

To enhance the nesting resource on site, it is recommended that new opportunities for nesting birds be provided through the provision of nesting boxes on/within new buildings (integral), in addition to new planting as shown on the proposal plan to provide potential nesting opportunities within site, along with specific provision for swallow. Recommendations have been provided in section 4.2.

The proposal would not adversely impact nesting birds if such actions were followed.

3.6 Reptiles

Reptiles are afforded protection under the Wildlife & Countryside Act 1981, with smooth snakes and sand lizards afforded full protection under the same act and the Conservation Regulations (Habitat Regulations).

Given on-site land use and neighbouring land uses/management and the absence of connectivity to potentially suitable habitat, it is considered unlikely that the site would provide potential reptile habitat, nor that a population has colonised the site. As such, the site does not provide a potentially suitable reptile habitat. It is not considered reasonably likely that the proposal would present or adversely affect reptile species.

Impact Assessment

Based upon the evidence above, it is considered unlikely that reptile species are present on site given the lack of suitable habitat on-site/connectivity to suitable offsite habitats. Therefore, the risk of the proposals' potential impact on reptiles' conservation status is negligible. The risk of the potential impact of the proposals upon individual reptiles is also considered low. No further surveys are necessary in respect of reptile species.

3.7 Great Crested Newt

Great crested newts are strictly protected under the Wildlife and Countryside Act 1981 and the Conservation Regulations (European Habitat Regulations).

No suitable water bodies are within the proposed development site, nor would they be affected by the proposal. Given the land use and composition of the site as described, the site does not provide a potentially suitable terrestrial habitat, nor is it likely to form part of a wider terrestrial dispersal habitat.

It is acknowledged that there is no way of identifying whether small ponds may be hidden within any nearby field margins/private gardens. None were immediately visible from the site/analysis of mapping data. Identification of ponds on private property cannot be reasonably expected as part of this survey/desk study.

Impact Assessment

Based upon the evidence above, it is considered unlikely that great crested newts would be affected by or at risk from the development proposals. The risk of harm to the species is not considered a reasonable likelihood.

Consequently, it is considered that the risk of the potential impact of the proposals on the conservation status of great crested newts is negligible. The risk of the potential impact of the proposals upon great crested newts is also negligible. No further surveys are considered necessary or appropriate for this species at this site.

3.8 Hazel Dormouse

Hazel dormouse is strictly protected under the European Habitats Regulations and the Wildlife and Countryside Act 1981.

The site does not contain nor have connectivity to potentially suitable habitats. The site does not have connectivity to locations where the species has been previously recorded.

Impact Assessment

No further surveys are necessary or appropriate, and the proposal would not impact the species.

3.9 Invertebrates/Plant-life

Given the site's existing condition/land use and surrounding land uses, the site is unlikely to be of interest to invertebrate or plant life. Furthermore, the presence of notable or rare species is also unlikely.

Impact Assessment

Considering the above, no further consideration regarding invertebrates is necessary or appropriate. The site could be significantly improved for invertebrates by providing appropriate planting.

Including nectar-rich plants in the landscaping design, coupled with the installation of 'insect hotels/bugs boxes,' would provide a suitable invertebrate habitat on the site post-development. Night-scented plant species such as evening primrose, honeysuckle and jasmine would also attract moths in the evening.

3.10 Priority Species & Wider Biodiversity

It is acknowledged that a range of wildlife species may utilise the wider site and development area.

Impact Assessment

As part of appropriate due diligence, it is advised that the full range of recommendations identified in section 4.2 be fully implemented and all reasonable enhancements incorporated into a development proposal such that biodiversity is maximised as part of the development.

In addition, to enable wildlife to use the development area post-development, garden boundaries are advised to remain relatively open so that all wildlife can continue to radiate. This includes using permeable boundaries like tree lines and hedgerows and leaving hedgehog gaps in new fencing proposals.

3.11 Desk Study Results

The Coppice is within 5 km of the proposed site.

3.12 Biological Records

No biological records were requested.

3.13 Designations

Designations-Statutory

The site is within 5 km of a statutorily designated location.

Impact Assessment

The site is situated within 5km of a statutorily designated location. Given the proximity, re-constructing one dwelling will not adversely impact statutorily designated features.

Designations-Non-Statutory

Non-statutory designations are used in the planning system to locally protect areas with substantive nature conservation value. The site would not fulfil the criteria of a local wildlife site or SINC.

Impact Assessment

It is not likely that proposals would have any adverse impact on non-statutory designated locations. The full scope of advisable ecological enhancements identified within section 4.2 should be installed in the development proposal.

4.0 CONCLUSION & RECOMMENDATIONS

4.1 Conclusion

The site is not designated for its importance for nature conservation at an international, national, regional or county level. The site itself and the habitats found on-site are common and widespread throughout the UK,⁵ and the habitats are of limited ecological value and only site value.⁶

Habitats for protected species were evaluated for their likelihood of providing shelter, roosting, foraging, basking and nesting habitat.⁷ The likelihood of protected species is negligible, and no further investigation is needed.

4.2 Recommendations and Further Action

Following the survey, the following recommendations have been made to ensure obligations regarding protected species are met/the site is enhanced to benefit biodiversity if developed. The recommendations are appropriate and in context with the size of the proposals and based upon the findings of the impact assessment section of the report.

Construction Phase

- To protect any radiating mammals, it is recommended that any trenches be covered over with wooden sheeting at night and fencing off construction compounds would be advisable during the construction phase.

Nesting Birds

- As a general point, it should be noted that the main bird breeding season is between March to September inclusive. Vegetation clearance/tree operations should be avoided during the bird breeding season. If this is not possible, a search should be undertaken to confirm the presence/absence of nesting before work is undertaken.

Lighting

- To minimise the risk of disturbance to potential features that may provide bat commuting and foraging habitat during the construction phase and as part of the completed development, a low-impact lighting scheme is advised:
 - a) Brightness of lights should be as low as possible and follow British Standard Institute (BSI) and Bat Conservation Trust (BCT) guidance. Where possible, low-pressure sodium lights are advised.
 - b) Lighting should not be directed at features that bats may utilise, such as tree lines, hedgerows, and water bodies/water courses.

⁵ National Planning Policy Framework, 2021, paragraph 175.

⁶ CIEEM, 2006, Defining ecological values for component habitats.

⁷ National Planning Policy Framework, 2021, paragraph 180.

- c) Directional lighting and/or fittings with hoods and cowls should be utilised.
- d) Where possible, security lighting should be motion sensitive and timers to minimise the time that lights are on.
- e) directional low-impact solar bollard lighting should be used to illuminate roads, paths and parking areas.

Enhancements

- The following ecological enhancements will be provided within the development as a minimum:
 - Four total integral bat box;
 - Eight total external swallow nesting cups;
 - Installation of four total invertebrate box;
 - Low impact lighting solution - no lighting of boundary tree lines;
 - Inclusion of native/wildlife-friendly planting in landscape scheme; and
 - Enhancements defined and secured by way of a BMP (By condition)
- It is advised that garden boundaries remain relatively open so that all wildlife can continue to radiate. This includes using permeable boundaries such as tree lines and hedgerows and leaving hedgehog gaps in new fencing proposals.

Appendix 1 – Legislation & Planning Policy

Habitat Regulations

The Conservation of Habitats and Species Regulations transpose Council Directive 92/43/EEC on the Conservation of Natural Habitats and Wild Flora and Fauna (Habitats Directive) into English law, making it an offence to deliberately capture, kill or disturb wild animals listed under Schedule 2 of the Regulations. It is also an offence to damage or destroy a breeding site or resting place of such an animal (even if the animal is not present at the time).

Wildlife & Countryside Act

The Wildlife and Countryside Act 1981, as amended by the Countryside and Rights of Way Act (CROW) 2000 and the Natural Environment and Rural Communities Act (NERC) 2006, consolidates and amends existing national legislation to implement the Convention on the Conservation of European Wildlife and Natural Habitats (Bern Convention) and Council Directive 79/409/EEC on the Conservation of Wild Birds (Birds Directive), making it an offence to:

- Intentionally kill, injure or take any wild bird or their eggs or nests (with certain exceptions) and disturb any bird species listed under Schedule 1 to the Act, (which includes Cirl Bunting) or its dependent young while it is nesting;
- Intentionally kill, injure or take any wild animal listed under Schedule 5 to the Act; intentionally or recklessly damage, destroy or obstruct any place used for shelter or protection by any wild animal listed under Schedule 5 to the Act; intentionally or recklessly disturb certain Schedule 5 animal species while they occupy a place used for shelter or protection;
- Pick or uproot any wild plant listed under Schedule 8 of the Act.

Sites of Special Scientific Interest (SSSI) are designated under this Act.

Special Protection Areas (SPA) are strictly protected sites, designated under the Birds Directive, for rare and vulnerable birds and for regularly occurring migratory species.

Natural Environment & Rural Communities Act

The NERC 2006 places a duty on authorities to have due regard for biodiversity and nature conservation during the course of their operations.

National Planning Policy Framework (NPPF)

The NPPF February 2019 (Paragraphs 170-183) is specific regarding conservation and biodiversity. ODPM 06/2005 remains in place. NPPF places a duty on planners to consider the effect of a development on legally protected species when considering planning applications, focusing on sustainable development and biodiversity net gain.

Biodiversity Action Plans

The UK Biodiversity Action Plan (UKBAP) (Anon, 1995) was organised to fulfil the Rio Convention on Biological Diversity in 1992, to which the UK is a signatory. A list of national priority species and habitats has been

produced, with all listed species/habitats having specific action plans defining the measures required to ensure their conservation. Regional and local BAPs have also been organised to develop plans for species/habitats of nature conservation importance at regional and local levels.

Local Development Plans

County, District and Local Councils have Development Plans and other policy documents, including targets and policies that aim to maintain and enhance biodiversity. These are used by Planning Authorities to inform planning decisions.

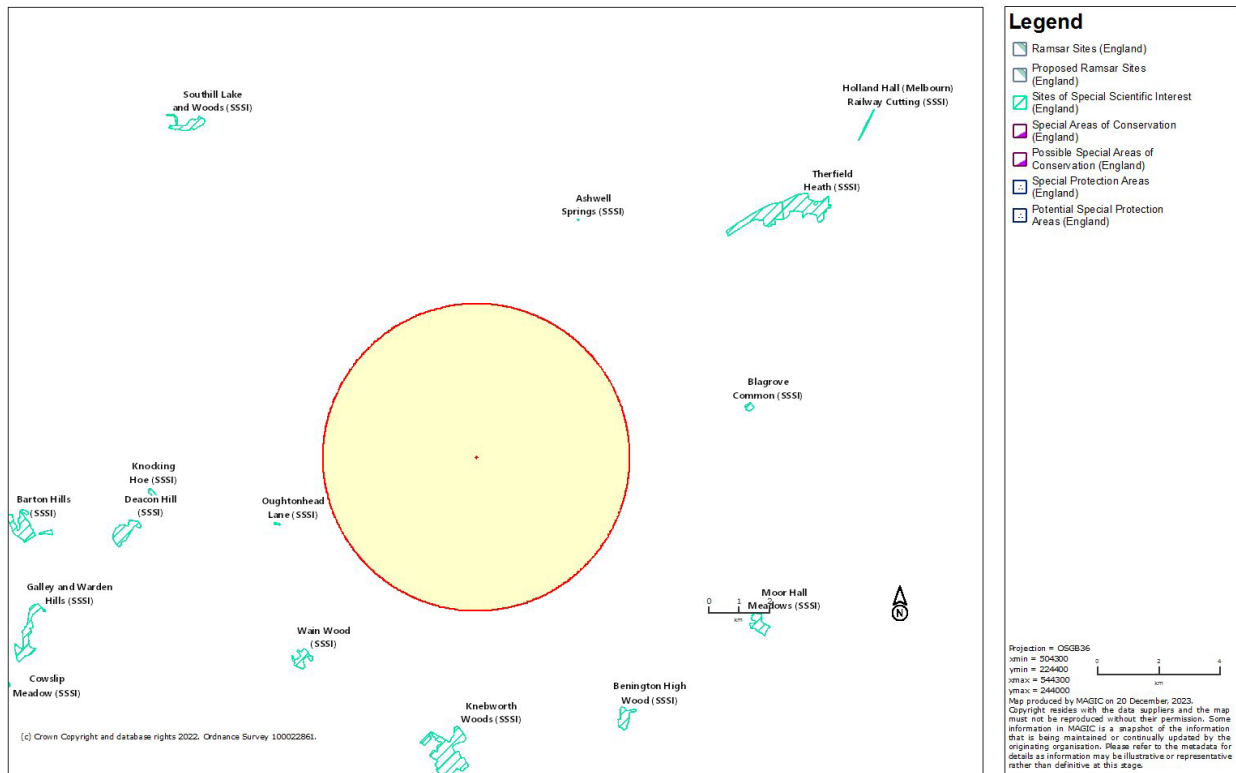
Natural England Standing Advice

Natural England has adopted national standing advice for protected species. It provides a consistent level of basic advice which can be applied to any planning application that could affect protected species. It replaces some of the individual comments that Natural England has provided in the past to local authorities.

Appendix 2 – Desk Study Map

MAGiC

Magic Map



Appendix 3 – Photographs

Dwelling



Rear view of the roof



Front view of the dwellings



Internal room



Internal room



Loft



Internal room



Internal room



Rear gardens



Appendix 4 - Enhancement Recommendations

The following hedgerows/shrub and smaller tree species could be utilised accordingly:

- Hawthorn *Crataegus monogyna*

- Ash *Fraxinus excelsior*
- English Elm *Ulmus procera*
- Field Maple *Acer campestre*
- Hazel *Corylus avellana*
- Dog Rose *Rosa canina*
- Elderberry *Sambucus nigra*
- Holly *Illex aquifolium*
- Blackthorn *Prunus spinosa*
- Rowan Sorbus *aucuparia*
- Guelder Rose *Viburnum opulus*
- Silver Birch *Betula pendula*
- Alder *Alnus glutinosa*
- Cotoneaster *spp.*
- Spindle *Euonymous europaeus*

The following species could also be considered within the landscaping scheme as appropriate, given their wildlife friendly/native characteristics:

- Viburnum *sp.*
- Californian Lilac *Ceanothus sp.*
- Lavander *Lavandula angustifolia*
- Hebe *Sp.*
- Privet *Ligustrum vulgare*
- Dogwood *Cornus sanguinea*

In addition, vertical areas on sides of buildings and/or boundary fences could be utilised to provide additional habitat. Suitable species to grow on vertical habitats could include:

- Ivy *Hedera helix*
- Clematis *vetalba*
- Honeysuckle *Lonicera periclymenum*

Bulbs and small, wildlife friendly annuals and biennials can also be utilised within wildlife friendly and garden planting where considered appropriate by the landscape architect. Suitable species could include:

- Hypericum *perforatum*
- Wood Anemone *nemorosa*
- Tustan *Hypericum androsaemum*
- Foxglove *Digitalis grandiflora*
- Bluebell *Hyacinthoides non-scripta*

Dependant on soil condition, British Seed House RE1 mix (or similar product) is recommended for installation of the species rich grass areas where required. Alternatively, turf already seeded with wild flower seed could be utilised.

Recommend species are likely to include:

- Slender Creeping Red Fescue *Festuca rubra ssp litoralis*
- Crested Dogs Tail *Cynosurus cristatus*
- Common Bent *Agrostis capillaris*
- Cocksfoot *Dactylis glomerata*
- Meadow Fescue *Festuca pratensis*
- Golden Oat Grass *Trisetum Flavascence*
- Sweet Vernal Grass *Anthoxanthum odoratum*
- Ribwort Plantain *Plantago lanceolata*
- Yarrow *Achillea millefolium*
- Common Knapweed *Centaurea nigra*
- Meadow Sweet *Filipendula ulmaria*
- Lady's Bedstraw *Galium verum*
- Ox eye daisy *Leucanthemum vulgare*
- Self Heal *Prunella vulgaris*
- Meadow Buttercup *Ranunculus acris*
- Bulbous Buttercup *Ranunculus bulbosus*
- Agrimony *Agrimonia eupatorium*
- Rough Hawkbit *Leontodon hispidus*
- Yellow Rattle *Rhinanthus minor*
- Common Birdsfoot Trefoil *Lotus corniculatus*
- Salad Burnett *Sanguisorba minor*
- Harebell *Campanula rotundifolia*
- Cowslip *Primula deorum*
- Field Poppy *Papaver Rhoeas*
- Wild Thyme *Thymus Serpyllum*
- Quaking Grass *Brizia Media*
- Pignut *Conopodium majus*

Using Seeds

Seed Bed Preparation

Whilst seeds can be sown at any time, the best time to prepare the meadow bed is summer. The top grass, and top inch of top soil should be removed if possible. The most important factor is to ensure that the seed bed is weed free, and level using roller/rake. Also, remove stones in areas of seedbed, Wildflower meadows from seed are most successful when soil fertility is low and weeds can be less vigorous.

Sowing Seed

The best time to sow the seeds is in spring or early autumn. Spread seeds in a sand mix using a spreader for even distribution at a density of approx. 4 grams per sq. metre.

Using Plugs

Use of wildflower plugs is generally more reliable, and gives quicker results than using seed. However, over large areas, density of plugs can be reduced, with 1 or 2 plugs per square metre. Generally, plugs can be installed at any time but spring/autumn are optimum months.

Using Turf Impregnated with seeds

Use of turf less dependent on soil conditions as the seed are already in place. This enables more variety of species. However, to be successful, it should be installed in free draining areas that do not become water logged. Wildflower Plugs and seeds are available from a number of online suppliers:

www.wigglywiggles.co.uk

www.bostonseeds.co.uk

www.wildflowershop.co.uk

www.reallywildflowers.co.uk

www.wildflower.org.uk

www.meadowmania.co.uk

Sections of turf already seeded are also available from the following suppliers:

www.meadowmat.co.uk

www.wildflowerturf.co.uk

www.wigglywiggles.co.uk

Habitat Boxes

The use of bird and bat boxes has been recommended. Suitable products include:



Standard Bird Box-Suitable for a wide variety of species.
Can be installed in trees and buildings.



Schwegler 2F Bat box. Suitable for attachment to trees.



Terracotta swallow nesting bowl – RSPB Shop