

Mitigation and Enhancement plan for:

Four Properties, Stanford Hill, Lymington, SO41 8DE

For:

Renaissance Retirement

December 2019

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01 OF 02

01 Renaissance Retirement

02 ABBAS ECOLOGY

*This report is the responsibility of Abbas Ecology,
It should be noted, that whilst every effort is made to meet the client's brief,
no site investigation can ensure complete assessment
or prediction of the natural environment*

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Executive Summary

Survey date: Site visits and survey work in 2019 and 2020
Location: Four Properties, Stanford Hill, Lymington, SO41 8DE
Grid Reference: SZ 3182 9521

Protected species and potentially valuable habitat have been found on site and proposals for suitable mitigation and enhancement are given below.

Abbas Ecology were commissioned to undertake a Preliminary Ecological Appraisal survey of the site. High Bank was recorded as a confirmed bat roost, due to the presence of brown long-eared droppings within the roof void. The Rise was assessed as holding high potential for roosting bats, Silver Birches was assessed as holding moderate potential to support roosting bats, and Hill View was assessed as holding low potential to support roosting bats.

The arboricultural report had not been seen when the mitigation plan was first written; the mitigation plan did not recommend any precautions with regard to bat roosts in trees. Comments from the NFDC ecologist dated 12.06.2020 stated that *“The arboricultural assessment identifies the removal of a number of trees – the ecology report does not appear to consider these with respect for potential for roosting bats – It is stated that a tree removal plan was not available at the time of survey. Clarification should be sought as to whether these inspections have been made or if this is outstanding. The results of these inspections should be submitted.”*

A site visit and inspection took place on 02.07.2020. Access to all gardens was not possible due to householders shielding; good views of three gardens were possible from full access to Silver Birches and trees in the other garden at The Rise was checked by accessing the car park at the neighbouring Bucklers Mews property. All of the trees noted for felling in the Arb report I9028-AA-PB were viewed and in the opinion of the surveyor had negligible potential for roosting bats. No further survey is required.

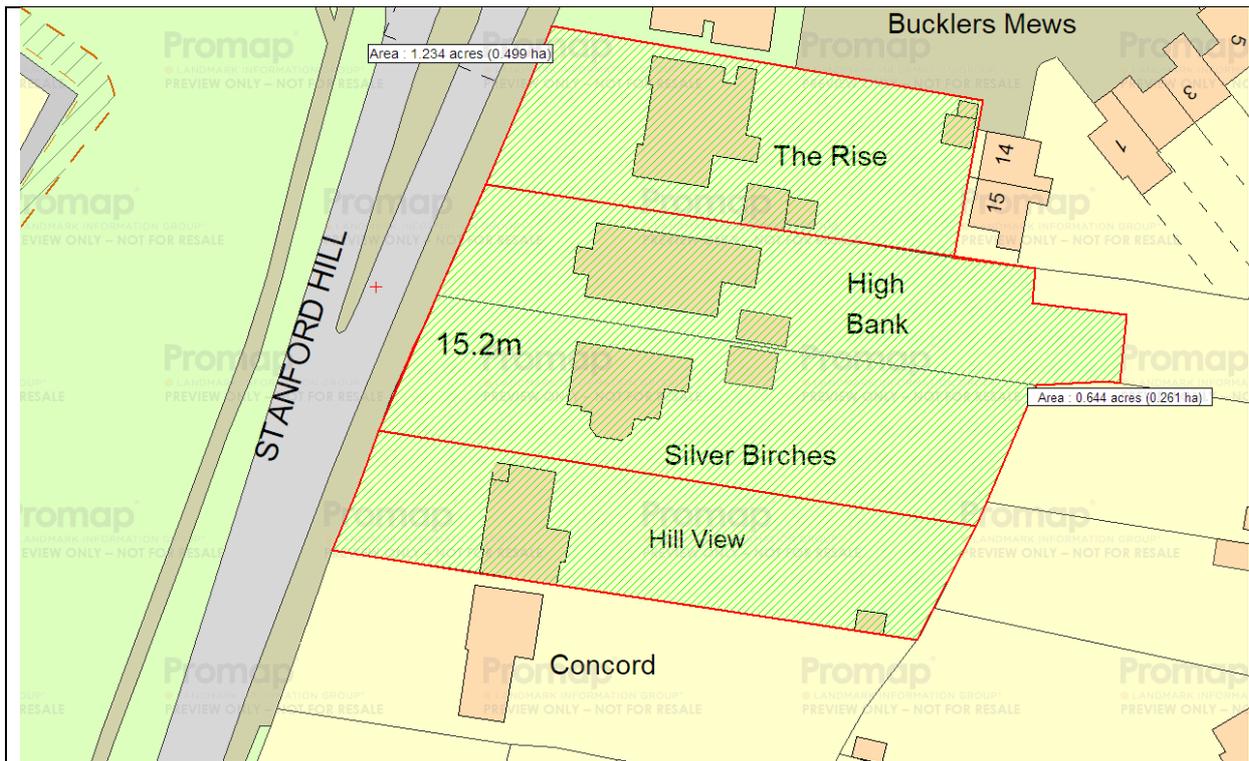
Each property consists of a house, an associated garage and a garden. The garden at The Rise is used to keep ducks and is not vegetated. The other three gardens have amenity grassland present. All four have associated ornamental planting.

Bat activity surveys were undertaken on The Rise on 13th June 2019 and 27th June 2019, Silver Birches on 19th June 2019 and 3rd July 2019, Hill View on 20th June 2019 and High Bank on 26th June 2019 and 15th July 2019. Bats were recorded emerging from High Bank and Silver Birches. High Bank is a confirmed brown long-eared roost, and the garage at Silver Birches is a confirmed common pipistrelle roost.

Enhancements including a replacement bat roost, bat tubes and bird boxes will be installed on new buildings and around the site where possible.

1.1 Site

The site is at the south west of the town of Lymington. The site is comprised of four detached properties (The Rise, High Bank, Silver Birches and Hill View), and associated gardens, as shown in figure 1 below. The site is surrounded by residential buildings in an urban area.



<p>Figure 1: Existing site plan (boundary outlined in red)</p>			<p>CopyrightProMap</p>
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1.2 Plan

The proposed planning application involves demolition of the existing properties and construction of a retirement complex. The proposals are shown in figure 2 below.



Figure 2: Proposed site plan 2020 revision

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2.0 Actions proposed

2.1 Bats

High Bank was recorded as a bat roost for brown long-eared bats, with one bat emerging on the dusk survey, from the eastern gable end. The garage at Silver Birches was recorded as a bat roost for a common pipistrelle bat, which was recorded emerging from under the tiles. Moderate levels of common pipistrelle foraging and commuting were recorded, and low levels of soprano pipistrelle, noctule and brown long-eared bats were recorded foraging and commuting around the site.

Due to the presence of bat roosts within two of the buildings a European Protected Species Licence must be obtained before works can begin. The works to the roof must be completed between mid-September – April to ensure no bats utilise the building during the activity season. A bat box will be placed on a tree between 3 and 5m from the ground to act as a temporary replacement roost whilst the development is going on.

As a precaution, the site must be visited by an ecologist to check for bats prior to the work starting and to advise on the correct position of the bat box. Works will be conducted under the licence method statement and all bat crevice features will be removed by hand with care, checking for bats. A licensed ecologist will be present throughout.

A replacement bat roost space will be provided with two sets of bat access tiles will be put in place on the roof above the replacement roost space, with access holes cut into the felt. The roof will have a minimum of 5 bat access tiles. This will allow access for crevice dwelling bats to roost under tiles. Type IF bitumen felt will be used to line the roof and the access tiles will lead to this lining. Further details for mitigation and enhancement for roosting bats are outlined in section 3 below.

2.2 Nesting birds

The survey work found some potential for common garden birds to be nesting within the ornamental planting, shrubs and trees in the gardens of all properties. Birds were also recorded nesting in the climbing plant on the front of Silver Birches.

Recommendations to ensure nesting birds are not disturbed during the development including clearance of any suitable nesting bird habitat between September and the end of February. If clearance work takes place at other times of the year, sections to be cut must be checked by an ecologist immediately before work begins. If active birds' nests are found these must be left in place until the young have fledged; a three-metre exclusion zone must be established around the nest and the area must not be used for any purpose while the birds are present. Mitigation and enhancement measures for nesting birds are outlined in section 3 below.

3.0 Recommendations for mitigation and enhancement.

3.1 Bats

Roosting bat mitigation:

- Works to the bat roosts must be undertaken between mid-September – April, under a European Protected Species Licence.
- A replacement bat roost will be provided with two sets of bat access tiles providing access into the void and an additional 5 bat access tiles providing access under the tiles for crevice dwelling species. The location of the replacement bat roost and access tiles is illustrated in figure 3 below.

- The dimensions of the replacement roost will be length 10200mm, width 5000mm, height to pitch 2285mm. No cross beams or trusses will be present in the void space, to allow maximum flying area for void dwelling bats.
- Type IF bitumen felt will be used to line the replacement roost area.
- The bat roost requirements will be drawn into architects plans for construction to ensure they are implemented during the construction phase.

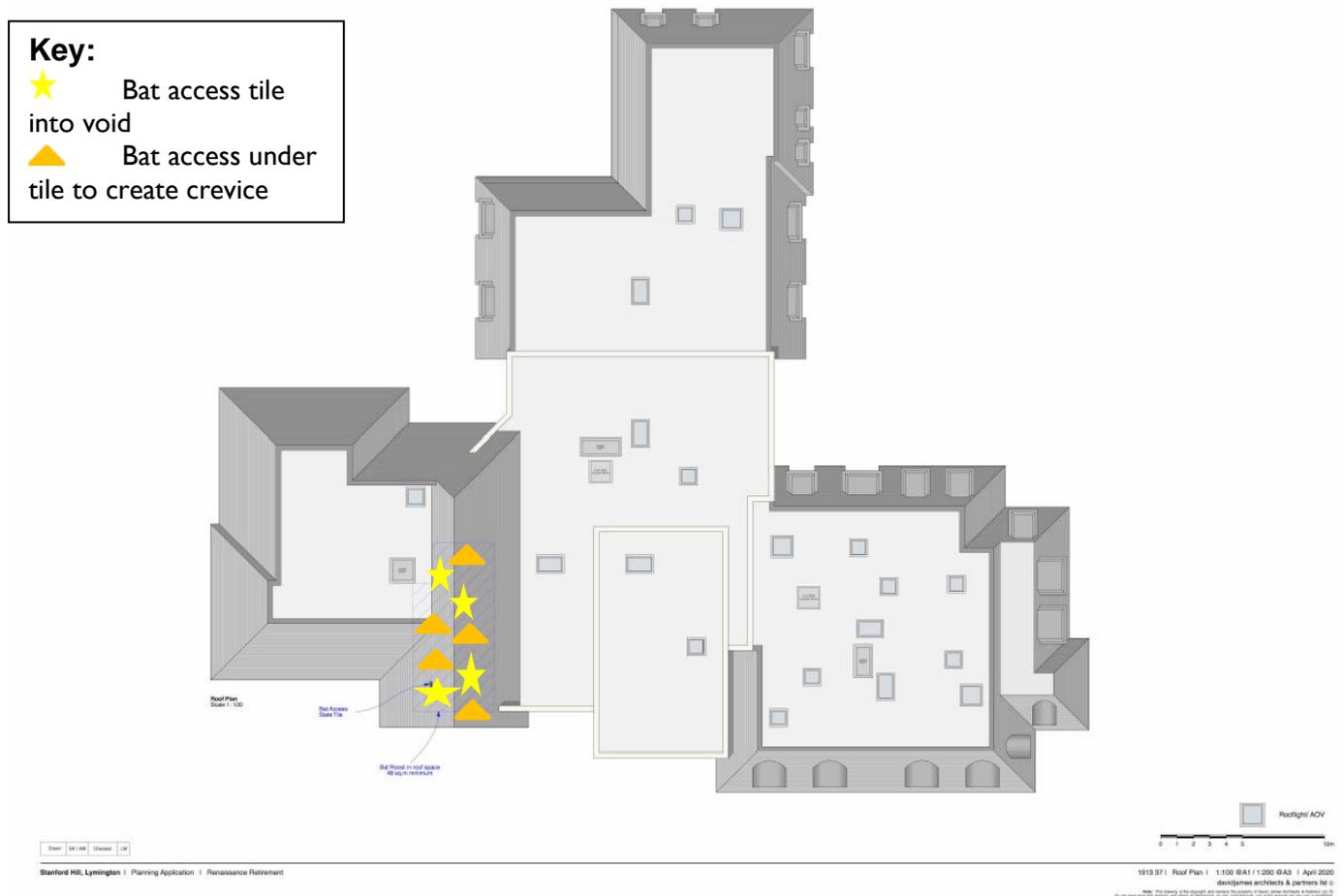


Figure 3: Location and specifications for replacement bat roost

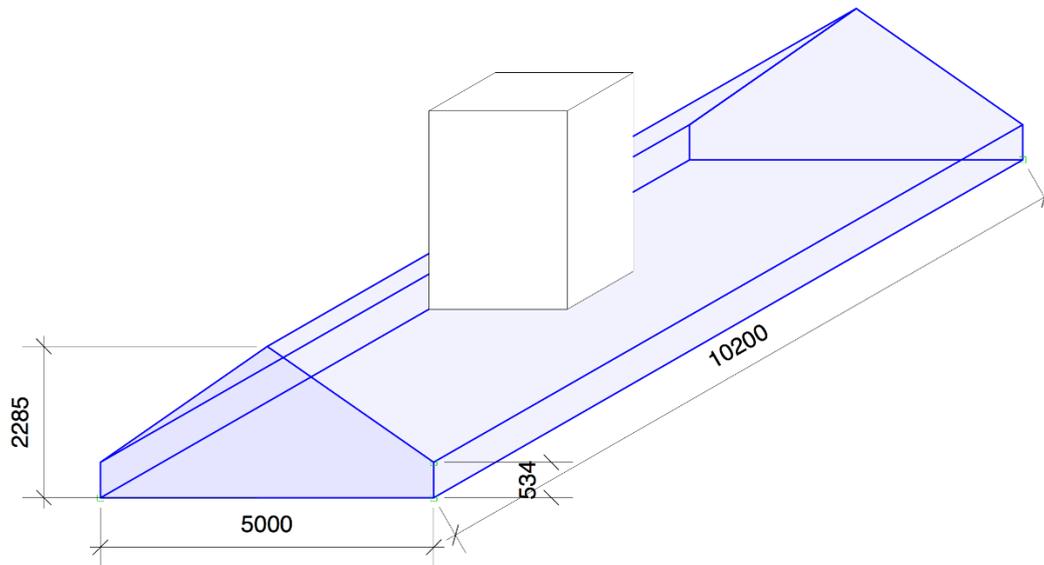


Figure 4: Proposed dimensions of the roof void. White box is location of smoke shaft.

Foraging bat mitigation:

- During the proposed works, and following completion of the works steps must be taken to avoid negative impacts on bats due to light spill:

Lighting

- Lighting must be kept to a minimum. No lighting must be directed at any of the hedgerows, wooded areas off site or bat tubes fitted in buildings.
- To minimise light spill there should be no bare bulbs and no upward pointing light. The spread of light must be kept near to or below the horizontal.
- Narrow spectrum bulbs avoiding white and blue wavelengths must be used to avoid attracting lots of insects.
- The lighting scheme must meet the requirements of the ILP/BCT guidance document 08/18, **Bats and artificial lighting in the UK.**

Nesting birds

- The removal of any trees and scrub areas must be undertaken between September to the end of February, unless an ecologist is present to supervise and look for nests. This will ensure that no nesting birds are disturbed.
- Six nest boxes suitable for common garden birds must be fitted to the eastern elevation of the building.

- Three adjacent swift bricks must be built into the north elevation at eaves level, in two separate locations – providing a total of 6 swift bricks. Two 3 nest hole sparrow terrace must be fitted under the eaves on the west facing elevation.

Roosting and Foraging Bat Mitigation

Foraging

- Landscaping will include the planting of trees along the southern and eastern boundaries of the development, which will link the site in with the wider area. This will encourage insects and provide food for bats, as well as connections to the wider landscape.

All mitigation measures outlined above are outlined on the illustration in figure 5 below.

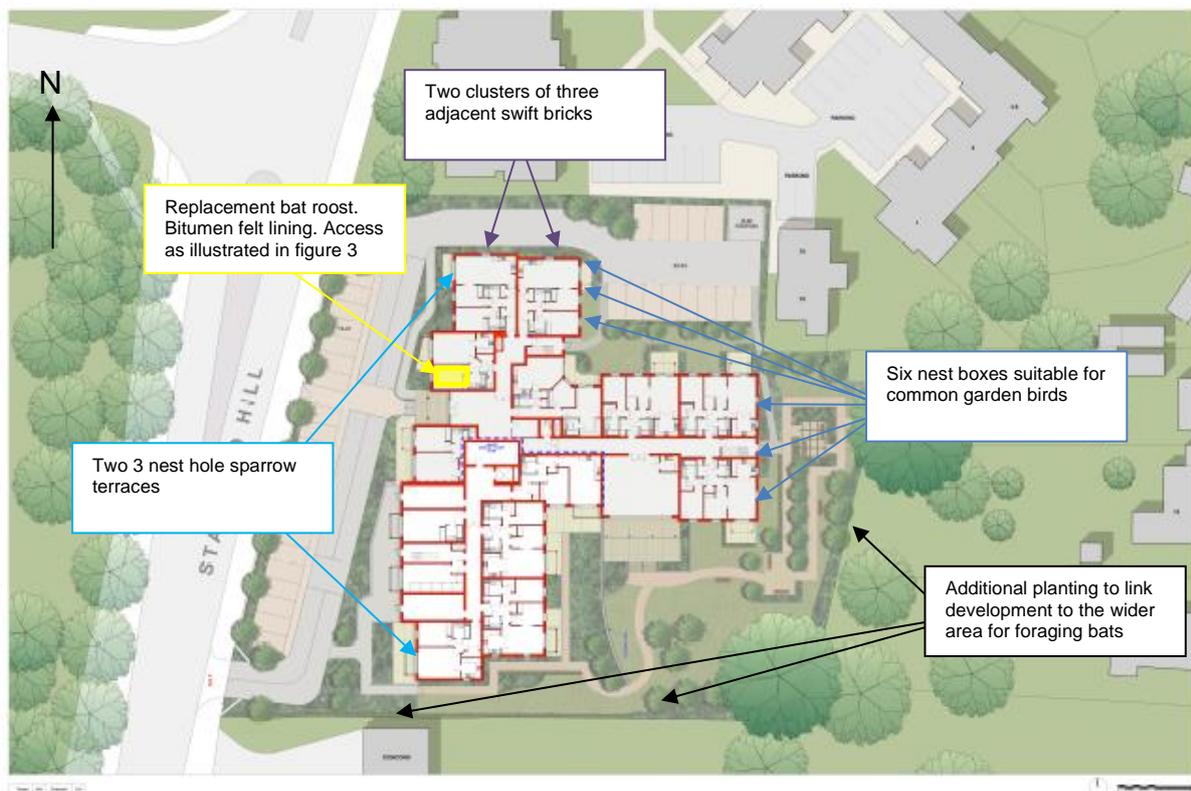


Figure 5: Mitigation and enhancement illustration.

(2019 site plan – does not affect mitigation layout as the bird box will fit on the ground floor flat.)

Habitat and planting.

- The Natural England 2.0 metric has been completed for this site, showing 1% gain on habitat and 12% gain on hedgerows. The calculator operates at the scale of 1 hectare and limits habitat areas to 2 decimal places, meaning that the provision of 45 square metres of wildflower grass planting and 40 of 140 metres of native hedgerow cannot be included. It is argued that the net gain would be close to 10% if this rounding did not apply.

- The shrub planting proposed has been amended so that native species comprise 60% of the total. These native plants are grouped together and are considered as mixed scrub within the calculator categories.

Appendix I

Legislation (summary)

I. Wildlife Protection legislation

Mammals:

Otters, dormice, water voles, and all bat species are fully protected under section 9 (5) of the Wildlife and Countryside Act 1981 (as amended). According to this act it is an offence to:

- Intentionally capture, kill or injure one of these animals
- Intentionally or recklessly damage, destroy or obstruct access to any structure or place used by one of these animals for shelter or protection
- Intentionally or recklessly disturb an animal whilst it is using this place
- sell, offer for sale or advertise for one of these animals live or dead

Designated as European Protected Species' **otters, dormice and all bat species** receive additional protection from the Conservation of Habitats and Species Regulations 2010, under Schedule 2 which implements the EC Directive 92/43/EEC in the United Kingdom. In accordance with this act, it is an offence to:

- Deliberately capture or kill a European Protected Species
- Deliberately disturb a European Protected Species
- Damage or destroy the breeding site or resting place of a European Protected Species

The **greater and lesser horseshoe bats, barbastelle and bechstein's bats**, are also listed under Schedule 2 of the Conservation of Habitats and Species Regulations. Areas which support populations of these species can therefore be considered for designation as a Special Areas of Conservation (**SACs**).

Badgers receive protection from the Protection of Badgers Act 1992. According to this act, it is an offence to:

- to willfully kill, injure, take, possess or cruelly ill-treat a badger;
- to attempt to do so; or

- to intentionally or recklessly interfere with a sett.

Reptiles and Amphibians:

Slow worms, adders, grass snake, viviparous lizard, are protected against intentional killing, injuring or sale under section 9 (1) of the Wildlife and Countryside Act 1981 (as amended).

Great crested newt, natterjack toad, sand lizard and smooth snake are fully protected under section 9 (5) of the Wildlife and Countryside Act 1981 (as amended). These species also receive additional protection as **European Protected Species** under schedule 2 of the Conservation of Habitats and Species Regulations 2010, which implements the EC Directive 92/43/EEC in the United Kingdom.

Birds:

Please Note: All breeding birds and their nests are protected under the general protection of Section 1 of the Wildlife and Countryside Act, 1981 as amended. This makes it an offence to disturb breeding birds.

2. Conserving and enhancing the Natural Environment. Section 15, NPPF July 2018.

The National Planning Framework has been updated and re-issued in July 2018. Key points relevant to the Natural Environment are given below.

8. Re: Sustainable development. The NPPF recognizes “that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives).

These are the **economic objective**, the **social objective**, and the **environmental objective**; the full text of paragraph c) relating to this third objective reads as follows:

“to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.”

175. When determining planning applications, local planning authorities should apply the following principles:

a) if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused;

b) development on land within or outside a Site of Special Scientific Interest, and which is likely to have an adverse effect on it (either individually or in combination with other developments), should not normally be permitted. The only exception is where the benefits of the development in the location proposed clearly outweigh both its likely impact on the features of the site that make it of

special scientific interest, and any broader impacts on the national network of Sites of Special Scientific Interest;

c) development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists; and

d) development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to incorporate biodiversity improvements in and around developments should be encouraged, especially where this can secure measurable net gains for biodiversity.

176. The following should be given the same protection as habitats sites:

- a) potential Special Protection Areas and possible Special Areas of Conservation;
- b) listed or proposed Ramsar sites; and
- c) sites identified, or required, as compensatory measures for adverse effects on habitats sites, potential Special Protection Areas, possible Special Areas of Conservation, and listed or proposed Ramsar sites.

177. The presumption in favour of sustainable development does not apply where development requiring appropriate assessment because of its potential impact on a habitats site is being planned or determined.

Footnote 56 also notes that Circular 06/2005 (**Biodiversity and Geological Conservation - statutory obligations and their impact within the planning system, Part IV Conservation of Species Protected by Law**) provides further guidance in respect of statutory obligations for biodiversity and geological conservation and their impact within the planning system.