Preliminary Ecological Appraisal of land located at 39 High Street, Warboys. Cambs. PE28 2TA.

February 2024

Prepared by

[redacted] MSc, ACIEEM, MRSB

Stuart Elsom Ecology
7 Parsons Drive
Ellington
Cambs. PE28 0AU
[redacted]
www.stuartelsom.co.uk

Prepared for

Mr M. England
39 High Street
Warboys
Cambs
PE28 2TA

Contents

1.	Executive Summary	3
2.	Introduction	4-5
3.	Legislation and planning policy relating to protected species in the UK	6
4	Methods	7
5	Results	7-8
6	Conclusions	8
6	Recommendations	8-9
7	Appendices	10-12
8	References	13

Executive Summary

As part of a future planning application concerning land adjacent to the rear of 39 High Street, Warboys a single site visit was conducted on 05 February 2024 to assess the Ecological value of the site.

The site is located at TL 30683 80170. It is situated in the High Street in the centre of the village. The proposal is to build a residential dwelling. The site measures 0.056ha.

The survey was conducted over the course of a single visit. The habitats on site contain limited botanical diversity and are limited to the linear features of the site edge and borders within. The site itself is mainly laid to short grass with limited botanical assemblage and therefore limited ecological features.

The area in which the new building will be erected is located is within the northern side of the site and consists of a traditional lawn measuring approximately 37 metres x 17 metres with a small range of ground dwelling shrubs amongst narrow borders. It is bordered by a mature Beech *Fagus* hedgerow and several small fruit trees. It is understood that all surrounding habitats on site are to be retained.

The survey did not produce any records of protected species and given the botanical composition it is unlikely any are present. There are no waterbodies on site or in the area immediately bordering the site. There is no suitable terrestrial habitat for reptiles or amphibians.

The survey did not produce any records, signs or tracks of birds, mammals, reptiles or amphibians. The trees do not have cavities or loose bark so no potential roost features for bats were recorded.

An aggregation of building materials including slabs, stone and shingle could provide natural refugia for amphibians such as Common Frog *Rana temporaria* especially during prolonged cold weather. Although it is not strictly classed as a protected species these areas should be checked by an ecologist prior to the construction phase to ensure no individual amphibian is injured/killed during clearance operations.

In summary, there is no reason on ecological grounds that the proposed works should not proceed as planned. Prior to clearance of the site however, it is still recommended that areas of terrestrial habitat and nesting habitat for birds are checked by a suitably qualified ecologist to ensure species which may have moved into suitable areas are not overlooked. This will prevent injury/death to any animals which may be using the site at the time of clearance.

Introduction

Stuart Elsom Ecology was instructed to carry out an Ecological Appraisal of land located adjacent to 39 High Street, Warboys, Cambs.

The identification of protected species is vital in the proposed development of a site to comply with existing legislation and also allows any work that may otherwise be detrimental to protected species to be appropriately scheduled.

Stuart Elsom MSc, a professional ecologist and ornithologist, trained and licensed in Barn Owl *Tyto alba* and Great Crested Newt *Triturus cristatus* Ecology and licensed by Natural England (Licence Nos. CL29/00365 and 2017-29035 CLS-CLS) and member of both CIEEM (Chartered Institute of Ecology and Environmental Management) and member of RSB (Royal Society of Biology) carried out the survey on 05 February 2024.

The site is located at Grid Reference TL 30683 80170.

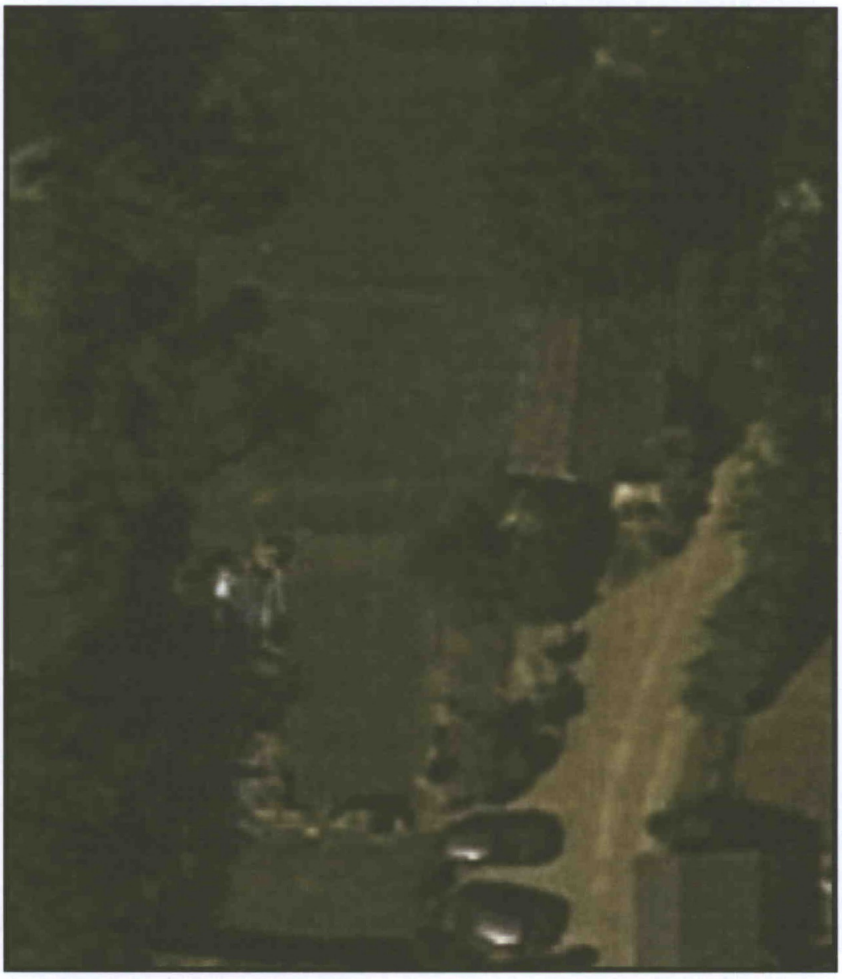


Figure 1. Image 01, showing site at 39 High Street, Warboys. The site consists of a large elongated garden with limited ecological features and low botanical species composition.



Figure 2. Map showing red line boundary of 39 High Street, Warboys, occupying an area of approx 0.056ha.

It is understood that the proposed works are confined to the existing plot with the new dwelling occupying the land currently used as a rear garden. It is further understood that the building will be erected with no removal of surrounding habitat, therefore of expected minimal ecological impact.

Legislation and planning policy relating to protected species in the UK.

European Protected Species in Britain are protected under the Wildlife and Countryside Act 1981.They are also protected under the Conservation (Natural Habitats &c.) Regulations 1994 (which were issued under the European Communities Act 1972), through inclusion on Schedule 2. On 1 April 2010, these Regulations, together with subsequent amendments, were consolidated into the Conservation of Habitats and Species Regulations 2010.

European protected animal species and their breeding sites or resting places are protected under Regulation 39. It is an offence for anyone to deliberately capture, injure or kill any such animal or to deliberately take or destroy their eggs. It is an offence to damage or destroy a breeding or resting place of such an animal. It is also an offence to have in one's possession or control, any live or dead European protected species.

The threshold above which a person will commit the offence of deliberately disturbing a wild animal of a European protected species has been raised. Now, a person will commit an offence only if he deliberately disturbs such animals in a way as to be likely significantly to affect (a) the ability of any significant groups of animals of that species to survive, breed, or rear or nurture their young, or (b) the local distribution of abundance of that species. However, please note that the existing offences under the Wildlife and Countryside Act (1981) as amended which cover obstruction of places used for shelter or protection (for example, a bat roost), disturbance and sale still apply to European protected species.

This legislation provides defences so that necessary operations may be carried out in places used by bats, provided the appropriate Statutory Nature Conservation Organisation (in England this is Natural England) is notified and allowed a reasonable time to advise on whether the proposed operation should be carried out and, if so, the approach to be used. The UK is a signatory to the Agreement on the Conservation of Birds in Europe, set up under the Bonn Convention. The Fundamental Obligations of Article III of this Agreement require the protection of all birds and their habitats when breeding/nesting.

Paragraph 98 of Circular 06/2005 states that 'the presence of a protected species is a material consideration when a planning authority is considering a development proposal that, if carried out, would be likely to result in harm to the species or its habitat'. Section 9 of the National Planning Policy Framework 2012 (NPPF) states that 'the planning system should contribute to and enhance the natural and local environment by ....minimising impacts on biodiversity and providing net gains in biodiversity where possible.'

Methods

The site was surveyed using standard JNCC/Natural England Methodology. This method is used for determining whether habitat has suitable ecological features which may be utilised by one or more protected species.

A site walkover was conducted on 05 February 2024 and the conditions are shown in Table 1.

Survey Conditions

The site survey was carried out in fine weather conditions, detailed in Table 1, below

Table 1. Survey conditions.

Date	Surveyor	Time	Temperature	Wind	Cloud	Rain
05.02.2024	SME	0900h	11.0	WNW 0-1	8/8	0

Results

Site specific

The site, mainly laid to short grass with some areas of shingle, bare earth and hard-standing is located north of the High Street. It is surrounded by a mature Beech *Fagus* hedge in the North East corner with large patches of Hawthorn *Cretaegus monogyna* running along the Western side. The remainder of the site largely consists of narrow bare earth borders which contain a range of annual and perennial vascular plants.

Botanical Diversity

Although the majority of the site is laid to lawn there are some botanical features of note. Using the DAFOR scale, species recorded as dominant (D) included Common Nettle *Urtica dioica*, Snowdrop *Galanthus sp* and Daffodil *Narcissus sp*,

Other species noted as abundant (A) or frequent (F) included the following:

Beech *Fagus sp*
Bramble *Rubus sp*
Cleavers *Galium aparine*
Common Nettle *Urtica dioica*
Cow Parsley *Anthriscus sylvestris*
Forget-me-not *Myosotis sylvaticus*
Ground Ivy *Glechoma sp*
Hawthorn *Crataegus monogyna*
Ivy *Hedera helix*
Spear Thistle *Cirsium vulgare*
White Dead Nettle *Lamium album*
Crab Apple *Malus sp*
Cherry/Plum Tree *Prunus sp*

Other species and European Protected Species

The findings were restricted to vascular plants. Although wintering birds are known to frequent the site, none were noted on survey, with the survey finding no evidence on site of protected mammals, reptiles, amphibians or notable invertebrates. This also means that there were no sign or evidence of European Protected Species.

The various aggregations of building materials such as slabs, stone and shingle could provide natural refugia for amphibians such as Common Frog *Rana temporaria* especially during prolonged cold weather. Although it is not strictly classed as a protected species these areas should be checked by an ecologist prior to the construction phase to ensure no individual amphibian is injured/killed during clearance operations. See P12-13. Figures 6, 7 and 8 for location and description of this habitat.

Bats

No potential roost features (PRF's) or loose bark was located within the fruiting trees on site and based on this evidence the presence of bats seems unlikely.

Birds

Although s small number of common bird species are known to frequent the site, none were noted on survey. Suitable habitat for nesting birds on the edge of the site should be surveyed prior to the construction phase to ensure disturbance is minimised.

Conclusion

On completion of the site assessment it can be concluded that habitats on site are limited with poor floral diversity, as to be expected with the area laid mainly to short grass with planted borders and where there is regular disturbance.

The survey found no evidence of European Protected Species.

With regard to the proposed development, on the condition that works can be undertaken without removal of suitable bird nesting habitat, there should be no reason why this work cannot proceed as planned.

Recommendations

A dialogue must be maintained with the ecologist as the project progresses and areas of habitat require clearance/removal. In these instances it is recommended that the works are supervised by a suitably qualified ecologist by way of deploying a watching brief to oversee operations.

Recommendations above for amphibians and breeding birds must be followed through to ensure disturbance is minimised, and the risk of accidental cases of injury/death are eliminated/considerably reduced.

Implementation of a programme for monitoring disturbance can be explored if the project brief changes in a way which could affect biodiversity beyond the areas identified on site.

If considered necessary this monitoring could be appropriately scheduled dependent on schedule and progress of clearance works and dates of deployment. The ecologist will advise further on pre-construction walkovers or post-construction enhancements, if required, in due course.

Appendices

Appendix A: Site images © Stuart Elsom Ecology.



Figure 3. Image 2. Site looking south viewed from NW corner.



Figure 4. Image 3. Site looking south from NE corner.



Figure 5. Image 4. Site looking north and viewed from SE corner.



Figure 6. Image 5. Site viewed from south and looking north. It is understood that the aggregation of building materials will be moved prior to construction phase but see note on Page 8 regarding amphibians and use of artificial refugia.



Figure 7. Image 6. Site viewed from south and looking north. As with Figure 6 the aggregation of building material could provide amphibians with suitable refugia. It must therefore be checked thoroughly prior to removal. See Page 8 for further details.



Figure 8. Image 7. Site looking SE viewed from NW corner. As with Figure 6 and 7 the aggregation of building material could provide amphibians with suitable refugia. It must therefore be checked thoroughly prior to removal. See Page 8 for further details.

References

Bibby, C J et al. (2000). *"Bird Census Techniques"*. Ed 2 Academic Press, London.
Hill D et al (2005). "Handbook of Biodiversity Methods. Survey, Evaluation, Monitoring". Cambridge University Press, Cambridge.

CIEEM. (2017). Guidelines for Preliminary Ecological Appraisal, 2nd Edition. Winchester: Chartered Institute of Ecology and Environmental Management.

CIEEM. (2018). Guidelines for Ecological Impact Assessment in the UK and Ireland: Terrestrial, Freshwater and Coastal, 2nd Edition. Winchester: Chartered Institute of Ecology and Environmental Management.

Collins, J. (2016). Bat Surveys for Professional Ecologists: Good Practice Guidelines (3rd ed.). London: The Bat Conservation Trust.

DEFRA. (2018). Multi Agency Geographic Information for the Countryside. Retrieved from MAGIC Interactive Map: http://magic.defra.gov.uk/MagicMap.aspx

Department for Communities and Local Government. (2018). National Planning Policy Framework. London: Department for Communities and Local Government.

Eycott, A. Watts, K, Mosley, D et al. (2007) *Evaluating Biodiversity in Fragmented Landscapes: The Use of Focal Species.* Forestry Commission.

Joint Nature Conservation Committee (2010). *Handbook for Phase 1 Habitat Survey - a Technique for Environmental Audit.* Reprinted by JNCC, Peterborough.

Stanbury, A., Eaton, M., Aebischer, N., Balmer, D., Brown, A., Douse, A., Lindley, P., McCulloch, N., Noble, D., and Win I. 2021. The status of our bird populations: the fifth Birds of Conservation Concern in the United Kingdom, Channel Islands and Isle of Man and second IUCN Red List assessment of extinction risk for Great Britain. British Birds 114: 723-747.

Stebbings R, Mansfield H and Fasham M (2005). Bats in: Hill D, Fasham M, Tucker P, Shewry M and Shaw P (eds) *Handbook of Biodiversity Methods: Survey, Evaluation and Monitoring, 433-449*. Cambridge University Press, Cambridge.

Sutherland W J (Ed) (2006). *"Ecological Census Techniques"*. Ed 2 Cambridge University Press, Cambridge.