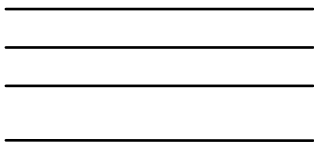


ENVIRONMENT TEAM

I N T E R



MEMO

O F F I C E



To: Nicholas Lawrence, Development Control
From: Andrew Taylor, Environment Team
Your Ref: PA/2013/1041
Date: 11 September 2013

Subject: Planning permission to demolish existing outbuildings,
renovation of existing dwellings 19, 21, 23 West Street, Scawby
and erection of 9 additional dwellings at the site
19 - 23 West Street, Scawby, DN20 9AS

Summary

- The site has importance for nesting swifts and possible historic fruit varieties
- A planning condition is proposed to minimise harm to protected and priority species and habitats and to seek biodiversity enhancement in accordance with the National Planning Policy Framework.

Thank you for consulting the Environment Team on the above application.

Protected and Priority Species

I have considered this application in accordance with Natural England's recently published standing advice for protected species- <http://www.naturalengland.org.uk/ourwork/planningtransportlocalgov/spatialplanning/standingadvice/default.aspx>.

In particular, I have focused on the advice dealing with bats. Following the Standing Advice, we would normally require at least one, and up to three, dusk/dawn emergence counts to draw firm conclusions about the presence or absence of bat roosts. However, **the submitted bat report (Scarborough 2013) draws firm conclusions about the absence of bat roosts** following a thorough search of the building for bat potential and bat field signs along with a single emergence count. The emergence count was carried out in ideal conditions, with two surveyors, for a period of over one and a half hours. Therefore, there is no need for further survey work.

Whilst there was no evidence of bat roosts, pipistrelle bats were recorded passing the site, and a small number of old brown long-eared bat droppings was found in the roof void.

Existing Biodiversity Value

Bats were recorded passing the application site.

Nesting swifts have been recorded entering the buildings to be renovated. Swifts are highlighted in the Lincolnshire Local Biodiversity Action Plan, due in part to concerns about the loss of nesting sites.

The arboricultural report highlights a number of large fruit trees that, in a historic area such as this, could be uncommon traditional varieties. Such trees are also valuable for wildlife.

Biodiversity Enhancement

The National Planning Policy Framework states that:

“The planning system should contribute to and enhance the natural and local environment by:

- protecting and enhancing valued landscapes, geological conservation interests and soils;
- recognising the wider benefits of ecosystem services;
- minimising impacts on biodiversity and providing net gains in biodiversity where possible, contributing to the Government’s commitment to halt the overall decline in biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures...”

and

“opportunities to incorporate biodiversity in and around developments should be encouraged;”

With this application, biodiversity enhancement should be secured by providing roosting opportunities for bats and nesting opportunities for swifts. Landscaping should make use of wildlife-friendly trees and shrubs, including fruit trees grafted from those on-site.

Recommended Conditions

“No development or tree removal shall take place until a Biodiversity Management Plan has been submitted to and approved in writing by the Local Planning Authority.

The plan shall include:

- a) Details of measures to avoid harm to bats and nesting birds during demolition and construction works, including details of sensitive wood treatment;
- b) Details of a bat loft with bat access features to be created in the existing roof void of houses 19-23 West Street;
- c) Details of nesting sites to be installed to support Swifts *Apus apus*;

- d) Restrictions on lighting to avoid impacts on bat roosts, bat foraging areas bird nesting sites and sensitive habitats;
- e) Prescriptions for wildlife-friendly trees and shrubs to be planted and retained, including fruit trees grafted from trees listed in the submitted Tree Report reference number 130716;
- f) Proposed timings for the above works in relation to the completion of each building;
- g) Monitoring procedures and remedial measures triggered by monitoring.

Reason: To protect features of recognised nature conservation importance in accordance with policies CS5 and CS17 of the Core Strategy. "

The Biodiversity Management Plan shall be carried out in accordance with the approved details and timings, and the approved features shall be retained thereafter, unless otherwise approved in writing by the local planning authority. The applicant or their successor in title shall submit photographs of the installed fruit trees and bat roosting and bird nesting features, within two weeks of installation, as evidence of compliance with this condition.

Reason: To protect features of recognised nature conservation importance in accordance with policies CS5 and CS17 of the Core Strategy. "

If you have any questions, please do not hesitate to contact me.

Andrew Taylor
Project Officer (Ecologist)

Reference

Scarborough, H. 2013 Ecology And Protected Species Survey Of Cottages At West Street, Scawby, North Lincolnshire. Scarborough Nixon Associates Ltd.

Annex- Ecology and Legal Protection

Bats

All species of bat are protected under Schedule 5 of the Wildlife and Countryside Act 1981 (as amended) and Schedule 2 of The Conservation of Habitats and Species Regulations 2010 making all species of bat European Protected Species. Details of the legislation can be found at:

Wildlife and Countryside Act

<http://www.legislation.gov.uk/ukpga/1981/69/contents>

The Countryside and Rights of Way Act:

http://www.opsi.gov.uk/acts/acts2000/ukpga_20000037_en_7#pt3-pb8-l1g81

The Conservation of Habitats and Species Regulations 2010

http://www.opsi.gov.uk/si/si2010/uksi_20100490_en_1

Nesting birds

It is an offence under Section 1 of the Wildlife and Countryside Act of 1981(WCA 1981) to intentionally take, damage or destroy the nest of any wild bird while it is use or being built. The WCA 1981 also provides that all wild birds and their eggs are protected and cannot be killed or taken except under licence.