

Ecological and Biodiversity enhancement – NYM/2023/0745 Grouse Hill Caravan Park, Blacksmith Hill, Fylingdales, Whitby, North Yorkshire

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1 INTRODUCTION

Ecology and Forestry Ltd was commissioned by Edwardson Associates Ltd to provide information relating to ecological and biodiversity enhancement for land at Grouse Hill Caravan Park, Blacksmith Hill, Fylingdales, Whitby, North Yorkshire, YO22 4QH. The information is required in connection with North York Moors National Park Authority planning application number: NYM/2023/0745 following receipt of consultee comments dated 01 December 2023:

'This development will result in the loss of habitat. Although the implementation of formal Biodiversity Net Gain is not scheduled until January 2024, within the National Park we already have policies to require that development does not cause a detrimental impact on our habitats and wildlife, in effect requiring 'no biodiversity net loss'. These policies include:

- *Strategic Policy A - Sustainable development means development which "maintains and enhances geodiversity and biodiversity through the conservation and enhancement of habitats and species";*
- *Strategic Policy E - "The quality and diversity of the natural environment will be conserved and enhanced"*
- *Strategic Policy H - All development will be expected to; "Maximise opportunities to strengthen the integrity and resilience of habitats and species within the National Park and provide a net gain in biodiversity".*

Additionally, the development is located immediately adjacent to the North York Moors SPA, SAC and SSSI. There is potential for species that the SPA/SAC/SSSI is designated for to be found on the development site, and it may constitute functionally linked land. Additionally, new tree/hedge planting may negatively impact on these species. I would recommend that further ecological information is provided to assess the use of the development site by protected and priority species, as well as mitigation measures for potential effects on these, and the adjacent designated sites. Biodiversity enhancement information, to demonstrate how the development is in line with local policy, and emerging national policy, should also be provided. This report details the methods used, describes the habitats and species found on the site, discusses the results and makes recommendations for further work. Annotated photographs are given in the text'.

The wider site was subject to a preliminary ecological appraisal, dated January 2020, undertaken by Ecology & Forestry Ltd which is referenced throughout and should be read in conjunction with this report.

2 SITE DESCRIPTION

2.1 Site communities and habitats

The proposed site forms the southern element of an improved pasture field, located at NGR: NZ 92852 00537 (approximate centre) which is located in open countryside immediately adjacent to Grouse Hill Caravan Park. The field is bordered by low, flail managed hawthorn *Crataegus monogyna* dominated hedgerows supporting post and wire livestock fencing to the north and east, post and wire stock fencing alone to the south, (site footprint) and traditional stone walling to the west. The field forms part of a wider arrangement of field boundaries likely to have been established under an Enclosures Act, (circa 1760 – 1870). The hedgerows are located on low hedge banks, are maintained at approximately 1.5 metres in height in a 'box' shape using a mechanical flail. Evidence of historic hedge laying is present. Occasionally present additional woody species present within the field boundary hedgerows include:

| | |
|------------------|-------------------------|
| dog-rose | <i>Rosa canina</i> |
| hazel | <i>Corylus avellana</i> |
| holly | <i>Ilex aquifolium</i> |
| ornamental holly | <i>Ilex sp</i> |

Hedgerow ground flora is largely comprised of:

| | |
|---------------|------------------------------|
| bracken | <i>Pteridium aquilinum</i> |
| Bramble | <i>Rubus fruticosus</i> |
| cleavers | <i>Galium aparine</i> |
| Cock's-foot | <i>Dactylis glomerata</i> |
| common nettle | <i>Urtica dioica</i> |
| cow parsley | <i>Anthriscus sylvestris</i> |
| herb-robert | <i>Geranium robertianum</i> |
| hogweed | <i>Heracleum sphondylium</i> |
| Ivy | <i>Hedera helix</i> |
| Willowherb | <i>Epilobium sp</i> |

The western boundary walling contains elements of post and wire and bracken *Pteridium aquilinum*, bramble *Rubus fruticosus* and coarse grasses are present along the base of the wall. A short section of stone bank containing holly saplings is located at the northern end of the walling. Immediately west of the western boundary wall is a large expanse of heather *Calluna vulgaris* moorland.

The improved pasture associated with site receives applications of artificial fertiliser and herbicide annually (Mr A Butterfield pers. comm), and number of gateway display evidence of vehicular and livestock 'poaching'. The grassland composition contains:

| | |
|--------------------|-----------------------------|
| broad-leaved dock | <i>Rumex sp</i> |
| cock's-foot | <i>Dactylis glomerata</i> |
| common chickweed | <i>Stellaria media</i> |
| common nettle | <i>Urtica dioica</i> |
| common ragwort | <i>Senecio jacobaea</i> |
| common vetch | <i>Vicia sativa</i> |
| creeping bent | <i>Agrostis stolonifera</i> |
| creeping buttercup | <i>Ranunculus repens</i> |

| | |
|---------------------|---------------------------|
| creeping thistle | Cirsium arvense |
| daisy | Bellis perennis |
| dandelion | Taraxacum sp |
| false oat-grass | Arrhenatherum elatius |
| herb-robert | Geranium robertianum |
| hogweed | Heracleum sphondylium |
| prickly sow-thistle | Sonchus asper |
| red clover | Trifolium pratense |
| red fescue | Festuca rubra |
| ribwort plantain | Plantago lanceolata |
| rough meadow-grass | Poa trivialis |
| rye grasses | Lolium sp |
| scentless mayweed | Tripleurospermum inodorum |
| timothy | Phleum pratense |
| white clover | Trifolium repens |
| Yorkshire-fog | Holcus lanatus |

The development site is to be accessed by an existing tarmac vehicular access road leading to Grouse Hill Caravan Site. This is bordered to the east by a close mown, narrow verge adjacent to a 'gappy; blackthorn dominated hedgerow, further containing hawthorn, semi-mature sycamore, ash *Fraxinus excelsior* and rowan *Sorbus aucuparia*; often planted in the verge offset from the hedgerow. Adjacent to the western side of the road is an expanse of post and wire stock fence containing elements of hawthorn dominated hedgerow. Further existing site infrastructure provides additional access and land containing young and semi-mature, predominantly sycamore *Acer pseudoplatanus* trees and amenity grass utilised as a playing field and landscaped lawns is also included.

Site location is shown below in Figure 1. A site location layout for the site is given in Appendix 1 as Figure 2.

Figure 1:



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2.2 Surrounding habitats

The site footprint is immediately bordered to the south by Grouse Hill Caravan Park and associated infrastructure. To the east and north by further improved pasture. Fylingdales Moor and permanent sheep grazed pasture, (often rush pasture), is located immediately west. Further north is Blacksmith Hill road and adjacent hamlet. Beyond and surrounding, is open moorland, livestock grazed pasture and steep wooded valleys.

2.3 Associated buildings

There are no directly associated buildings.

2.4 Proposed work

The change of use of land to provide an additional 12 no. touring caravan pitches at Grouse Hill Caravan Park, Blacksmith Hill, Fylingdales, Whitby, YO22 4QH under North York Moors National Park Authority planning application number NYM/2023/0745.

3 ECOLOGICAL INFORMATION

3.1 Preliminary Ecological Appraisal

The wider site was previously surveyed on 09 January 2020 by Rod Strawson (Natural England bat licence number 2016-11496-CLS-CLS and great crested newt licence number 2016-19648-CLS-CLS). All habitats and plant communities within and adjacent to the site were surveyed and the protected species considered likely to occur on site were identified as:

- Bats
- Badgers
- Water voles
- Amphibians
- Reptiles
- Common and moorland species of birds

Online Ordnance survey maps and satellite imagery were utilised to gain further insight into adjacent habitat types and land use, and the presence/location of any water bodies within 500 metres of site. A data search of 1km radius of approximate site centre was also purchased from the North and East Yorkshire Ecological Data Centre (NEYEDC).

3.2 Results

3.2.1 Data search

The entire data search area is located within the North York Moors National Park (NYMNP). No Sites of Importance for Nature Conservation (SINC) are located within the NYMNP. The following designated habitat types were recorded within the data search. See table 1 below:

Table 1.

| <i>Designation</i> | <i>Name or location of site</i> | <i>Grid Reference</i> |
|-------------------------------|---------------------------------|-----------------------|
| Special Areas of Conservation | North York Moors | SE924998 |
| Special Protection Areas | | |

| <i>Designation</i> | <i>Name or location of site</i> | <i>Grid Reference</i> |
|--------------------------------------|---------------------------------|-----------------------|
| Sites of Special Scientific Interest | North York Moors | SE924998 |
| | Billar Howe Dale | NZ923004 |

(See below). No Local Nature Reserves (LNR) or Yorkshire Wildlife Trust Reserves (YWT Reserves) are located within the search area.

3.2.2 Habitats and plant species

The habitats and plant species recorded on the site are common and widespread in the local area and in the country. None of the plant species recorded on the site are listed on Schedule 8 of the Wildlife and Countryside Act 1981 (as amended), there are no species that are listed in the Vascular Plant Red Data List for Great Britain and no invasive plant species listed on Schedule 9 were recorded. The site does not qualify as a Local Wildlife Sites. No invasive species designated under Schedule 9 of the Wildlife and Countryside Act, 1981 were recorded on site. No records of invasive plant species were provided by the data search.

3.2.3 Bats

Bat tree survey

No trees are contained within the site footprint and trees immediately adjacent were considered to offer a ‘negligible probability’ of bat interest (BCT 2023).

Boundary hedgerows and woodland within the locality were thought to offer potential as bat flight and foraging corridors.

3.2.4 Badger

No evidence of badgers occupation or activity was recorded on or adjacent to site.

Rabbit *Oryctolagus cuniculus*, brown hare *Lepus europaeus*, fox *Vulpes vulpes*, roe deer *Capreolus capreolus*, field vole *Microtus agrestis*, brown rat *Rattus norvegicus* and mole *Talpa europaea* activity was noted on or adjacent to site.

3.2.5 Water voles

No water voles or water vole activity was recorded on or adjacent to site. No suitable habitat is present.

3.2.6 Amphibians

No water bodies or ponds are present on site. OS maps indicate that only one pond is located

within 500 metres of site. A large pond located at NGR: SE 92907 99961 is situated approximately 350 metres south/south east of the southern element of the site. It is separated from site by Wragby Wood and Grouse Hill Caravan Park.

Whilst potentially suitable potential terrestrial habitat for amphibians is present on site, in particular, site boundary hedgerows; overall the site is considered sub-optimal. .

No amphibians were recorded on site. No records for great crested newt or any amphibian species is recorded in the locality.

3.2.7 Reptiles

The site was considered largely suboptimal reptile habitat due to a lack of any open sheltered glades/ basking areas. No records for any reptile species is recorded in the locality.

3.3 Birds

A typical assemblage of common British birds was recorded on the site and the data search provided a number of avian records.

Mature hedgerows, semi-mature trees and rough grassland are found within site. Woodland, moorland and rush pasture are located immediately adjacent to the site, providing suitable nesting and foraging habitat for a potentially broad range of breeding birds.

No disused nests were found on the site footprints.

No schedule 1 birds or associated field signs were recorded on site.

3.4 Other statutorily protected species

The potential for other statutorily protected species was considered to be very low and no further work was historically recommended.

4 DISCUSSION AND RECOMMENDATIONS

4.1 Value of historical data

It is acknowledged that historical survey and environmental records data was collated approximately four years previously, the site remains physically unaltered. Given the definitive western boundary stone wall acting as a physical barrier wildlife, the southern land parcel boundary being post and wire fencing only, the land use being improved pasture and the immediately adjacent caravan park being comprised of sub-optimal close mown amenity grass and providing a deterrent to wildlife occupation through associated human disturbance; it is considered that the likelihood of wildlife legislation being broken is negligible.

4.1.1 Recommendation

It is recommended that a suitably experienced ecologist undertakes a site inspection for any change in protected species status immediately in advance of works.

4.2 Delivery of relevant Strategic Policy

North York Moors National Park Authority Local Plan July 2020 relevant policies include:

- Strategic Policy A: Sustainable development means development which “maintains and enhances geodiversity and biodiversity through the conservation and enhancement of habitats and species.

c) Protects or enhances natural capital and the ecosystem services they provide;

d) Maintains and enhances geodiversity and biodiversity through the conservation and enhancement of habitats and species

- Strategic Policy E: The quality and diversity of the natural environment of the North York Moors National Park will be conserved and enhanced:

‘2. Demonstrate, where appropriate, how it makes a positive contribution to natural capital and its ability to provide ecosystem services’.

- Strategic Policy H:

2. All development and activities will be expected to:

a) Maintain and where appropriate enhance features of ecological value and recognised geodiversity assets;

b) Maximise opportunities to strengthen the integrity and resilience of habitats and species within the National Park and provide a net gain in biodiversity; including those species for which the National Park supports a significant proportion of the regional or national populations and those found at the edge of their range. Examples would include nightjar, honey buzzard, goshawk and turtle dove; and

c) Maintain and where appropriate enhance existing wildlife connections and landscape features such as water courses, disused railway lines, hedgerows and tree lines for biodiversity as well as for other green infrastructure and recreational uses.

It is considered that the proposed development, giving consideration to habitat type, scale and location is unlikely to result in a loss of biodiversity and satisfies the aforementioned Strategic Policies.

The improved pasture site footprint is lacking in botanical and structural diversity. Existing boundary hedgerows are of historic and biodiversity value as they provide structural diversity and potential habitat to a broad range of species. Enhancement of the historic field network through the planting of additional species rich native hedgerow and locally appropriate native trees and the establishment of species rich grassland will help deliver biodiversity gains. *‘Between 2000 and 2017, the North York Moors National Park saw the planting of over 150 ha of low density wood pasture/parkland and over 560 ha of new native woodland; that*

equates to the planting of over 622,400 native trees. This will increase woodland cover from 23% to 25% of the National Park'. (NYMNP 2024).

It is acknowledged that bordering land types support both important moorland species and generally higher levels of biodiversity and as such require protection. The proposed development is physically separated from more valuable and protected habitat by boundary features.

4.2.1 Recommendations

The opportunity exists to provide a biodiversity gain should the proposal be granted planning permission.

1. High Biodiversity Grassland

Open grass areas created/retained within the proposed site footprints should be enhanced where appropriate with a ground flora seed mix of high biodiversity value. An improvement in specification for the mown landscaped areas around the caravans e.g. to a floral lawn mix e.g. Emorsgate EL1 Flowering Lawn Mixture (or equivalent), would help mitigate the loss of grassland.

2. Native Hedgerow and Trees

New hedgerow and tree planting is proposed. This will, (within a 5 year period), largely screen the property due north of the proposal without interrupting existing panoramic views. Additional tree planting could be undertaken on additional areas of amenity grass within the existing caravan site, which is under the ownership/control of the applicant.

The hedgerow planting should follow specific prescription and be comprised of locally appropriate native species sourced from local provenance sourced seed stock/material. Suppliers specialising in transplants complying as such can be found online within Yorkshire.

Careful planning is required in order to establish a healthy hedge. Consideration should be given to existing ground vegetation and the general condition of the ground along the proposed hedge line. It is recommended that mechanical cutting of existing vegetation and the removal of any arisings if necessary, followed by an application of an approved herbicide such as Glyphosate, will improve planting conditions and help suppress weed competition for the following growing season.

Hawthorn (*Crataegus monogyna*) 70%, with the 30% balance of species coming from three of the following species: Blackthorn (*Prunus spinosa*), Dog Rose (*Rosa canina*), Hazel (*Corylus avellana*), Holly (*Ilex aquifolium*), Guelder Rose (*Viburnum opulus*), Spindleberry (*Euonymus europaeus*) or Dogwood (*Cornus sanguinea*) and include tree species such as Pedunculate oak *Quercus robur*, Silver Birch *Betula pendula*, Beech

Fagus sylvatica, Rowan *Sorbus aucuparia*, Hornbeam *Carpinus betulus* and Field Maple (*Acer campestre*).

The size of plants should be 40-60cm in height but can be one or two year old transplants. It is recommended that 60cm 'spiral' plant guards and 7cm supporting bamboo canes are utilised for protection from rabbit and vole damage. Pot grown shrub species such as Holly will require protection provided by 60cm tree tube and 75cm supporting stake. New hedgerows should be planted in two staggered rows 30cm apart. Between four and six plants per metre should be planted. Minor species can be planted in small single species groups or randomly within larger blocks of Hawthorn. Notch plant bare-rooted stock, insert the supporting cane approx 25cm into the ground, alongside the plant, and wrap the clear spiral guard around both the plant and the cane. Pot grown transplants such as Holly will require pit planting. An ongoing suggested maintenance schedule can be found in Table 1 below:

Table 1.

| | |
|-----------------------|---|
| YEAR 1 | |
| March | Check shelters |
| April | Apply contact herbicide |
| July | Assess plant losses |
| September | Check shelters. Remove (cut or pull) tall weeds |
| November | Replace failed plants |
| | |
| YEAR 2 | |
| March | Check shelters |
| April | Apply contact herbicide |
| July | Assess plant losses |
| September | Check shelters. Remove (cut or pull) tall weeds |
| November | Replace failed plants |
| | |
| YEAR 3 | |
| January | Consider residual herbicide application |
| March | Check shelters |
| April | Apply contact herbicide |
| July | Assess plant losses |
| September | Check shelters. Remove (cut or pull) tall weeds |
| November | Replace failed plants |
| | |
| YEAR 4 | |
| March | Check shelters |
| April | Apply contact herbicide |
| | |
| YEAR 5 ONWARDS | |
| | Gradual removal of guards and canes Continued spot treatment with contact herbicide as required |

4.3 Bats

4.3.1 Legal protection

In England, Scotland and Wales, all bats are strictly protected under the Wildlife and Countryside Act 1981 (and as amended); in England and Wales this legislation has been amended and strengthened by the Countryside and Rights of Way (CRoW) Act 2000.

Bats are also protected by European legislation; the EC Habitats Directive is transposed into UK law by The Conservation of Habitats and Species Regulations 2010 – often referred to as 'The Habitat Regs'. Taken together, all this legislation makes it an offence to:

- Deliberately capture (or take), injure or kill a bat
- Intentionally or recklessly disturb a group of bats where the disturbance is likely to significantly affect the ability of the animals to survive, breed, or nurture their young or likely to significantly affect the local distribution or abundance of the species whether in a roost or not
- Damage or destroy the breeding or resting place of a bat
- Possess a bat (alive or dead) or any part of a bat
- Intentionally or recklessly obstruct access to a bat roost
- Sell (or offer for sale) or exchange bats (alive or dead) or parts of bats

A roost is defined as being 'any structure or place that is used for shelter or protection', and since bats regularly move roost site throughout the year, a roost retains such designation whether or not bats are present at the time.

Biodiversity and Government Policy

In addition to the legislation described above, which is in place to safeguard species such as bats (and their roosts) and barn owls, there is also legislation and policy which imposes duties to take account of statutorily protected species such as bats and also to undertake action to prevent loss of biodiversity and species/habitats which have been identified as priorities for the UK. In England and Wales, the Natural Environment and Rural Communities (NERC) Act 2006, imposes a duty on all public bodies (including Local Authorities and statutory bodies) to conserving biodiversity – including the restoration and/or enhancement of a population or habitat. In addition, government planning policy guidance throughout the UK, provided in OPDM Circular 06/2005, states that Protected Species are a 'material consideration' when assessing development proposals and requires that local planning authorities must take account of protected species issues prior to determining planning applications. Section 15 of the NPPF further supports this by stating 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, 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'.

4.3.2 Recommendations

The proposed works will not affect any buildings or mature and over-mature boundary trees.

Historic survey results indicate that the site is unlikely to be key to the overall conservation status of bats in the local area and the enhancement of the site would not alter the ability of bats to survive and reproduce; therefore there is no constraint on the enhancement of the site and no requirements for any mitigation or further survey work. The 'ecological functionality' of bats in the local area will not be adversely affected by the proposed development.

4.3.3 Recommended conservation measures

Ten species of bat are currently known to occur in the North York Moors National Park and all are covered by this plan. UK BAP species present include the soprano pipistrelle, the noctule and the brown long-eared. The other species recorded are the common pipistrelle, Nathusius' pipistrelle, whiskered, Brandt's, Daubenton's and Natterer's bats. Alcahoie bat is a recent addition to the UK bat species list and was discovered at the windy pits in 2010.

(North York Moors Biodiversity Action Plan – Bat Species Action Plan 2013-2017)

The site is believed to offer good foraging potential for a number of bat species, particularly along existing hedgerows on the wider site. Retention and enhancement of site boundaries is to be encouraged. Their retention could be further enhanced by the erection of 6 x Schwegler 1FD bat boxes or similar in suitable locations on surrounding trees. One hibernation bat box (Schwegler 1FW) could also be installed on a mature tree or erected telegraph pole, to provide a potential hibernation sites.

All boxes are available from various natural history supply companies, including <http://www.nhbs.com/>

Schwegler bat roosting boxes are made from 'Woodcrete', a long lasting material and a specification suitable for use on trees.

4.3.4 Recommendations - lighting

The ecological effect of artificial lighting in the countryside is a topic of increasing concern. Recent estimates have shown a 24% increase in light pollution in the UK between 1993 and 2000. Lighting schemes can damage bat foraging habitat directly through loss of land and fragmentation, or indirectly by severing commuting routes from roosts.

It is recommended that any proposed security lighting on site is placed as far from the site

boundaries as possible, that light spillage on hedgerows is avoided by using shields to direct light to the target area only. The impact on bats can be minimised by the use of low pressure sodium lamps or high pressure sodium instead of mercury or metal halide lamps. The height of lighting columns in general should be as short as is possible as light at a low level reduces the ecological impact. The possibility of using a sensor should also be considered, to provide some dark periods on site.

4.4 Badger

4.4.1 Legal protection

Badgers are legally protected under The Protection of Badgers Act 1992.

Under this piece of legislation it is an offence:

- To wilfully kill, injure, take, possess or cruelly ill-treat a badger, or attempt to do so;
- To recklessly or deliberately interfere with a sett by damaging or destroying it;
- To recklessly or deliberately obstruct access to, or any entrance of, a badger sett;
- To disturb a badger when it is occupying its sett.

A badger sett is defined in the legislation as ‘any structure or place which displays signs of current use by a badger’. If a sett is clearly unused and has been so for a period of 12 months or more then it can be considered disused and it falls outside the Protection of Badgers Act 1992.

Any sett disturbance/destruction must only be carried out under licence from Natural England, the Statutory Nature Conservation Organisation.

No evidence of occupation by badgers was recorded. No further action is considered necessary.

It is considered that it is possible to undertake the proposed work without the risk of a breach in the legislation protecting badgers.

4.4.2 Recommendations

It is considered that badgers are likely to be present within the vicinity of the survey site, with the potential to be attracted to forage over the grassland on site for earthworms, their primary food source. Therefore good working practices should be adhered to during any future work, with any trenches covered overnight and any pipes over 200mm in diameter capped off at night.

4.5 Birds

4.5.1 Legal protection

All common wild birds are protected under The Wildlife and Countryside Act 1981 (and as amended). Under this legislation it is an offence to:

- Kill, injure or take any wild bird
- Take, damage or destroy the nest of any wild bird while it is in use or being built
- Take or destroy the egg of any wild bird

Certain rare breeding birds are listed on Schedule 1 of The Wildlife and Countryside Act 1981 (and as amended). Under this legislation they are afforded the same protection as common wild birds and are also protected against disturbance whilst building a nest or on or near a nest containing eggs/unfledged young.

4.5.2 Recommendations

To minimise any potential impact or disturbance to protected breeding birds, any site clearance or works likely to cause disturbance should be undertaken outside the bird breeding season, i.e. from late-August and be completed by late February.

If work is to be carried out in the breeding season then a nesting bird search should be undertaken immediately in advance of works. An ecologist should be consulted, and it is likely that work will have to stop, if breeding birds are found in the vegetation present. It may then be necessary to undertake further more detailed breeding bird surveys immediately prior to the work to search for nests.

Given the current agricultural land use and the physical nature of site a breeding bird survey is thought unlikely to produce any additional species above those provided in the data search or provide further valid information as to the potential utilisation of site by birds.

The following habitat enhancement measures to benefit bird species on site are recommended for the southern element of site given the proximity to a SSSI and SAC:

1. The retention and enhancement of all site boundaries
2. The provision of extensive rough grassland margins adjacent to site boundaries, in particular the western boundary.
3. Planting wild bird seed or nectar mixes, or other cover crops could benefit birds and other wildlife. For example, pollen and nectar strips provide food for pollinating insects through the summer period, and wild bird seed mixes provide food for wild birds through the winter.

4.6 Additional species

4.6.1 Legal protection

Proposed works do not require licencing due to the species likely to be impacted upon not being protected by law, but that avoidance measures are necessary in relation to other species under the Animal Welfare Act 2006 which requires land owners to have a duty of care.

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APPENDIX 1
Figure 2: Site plan



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