

Amendments/Additional Information

- Amended layout of buildings/outside areas
- Additional background information
- Amended design
- Revised access arrangements
- Change of description of proposed development
- Change in site boundaries
- Other (as specified below)

Scoping Survey - Ecology,

HS

Wendy Strangeway

From: Neil Duffield
Sent: 23 August 2016 13:59
To: Hilary Saunders
Cc: Wendy Strangeway; 'janice carter'
Subject: NYM/2016/0062/FL Blue Bank Garage, Sleights E10541-52 nymnp eco surveys 23_08_16
Attachments: Protected Species Scoping Survey Report Blue Bank Garage 10541.pdf; Bat Survey Report Blue Bank Garage.pdf

Hi Hilary,

Please see attached the Protected Species and Bat survey reports provided by Curtis Ecoogy for the above application.

Should you have any queries just let me know.

Kind regards
Neil



The logo for BHD Partnership, consisting of the lowercase letters "bhd" in a bold, sans-serif font.

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BHD Partnership, Airy Hill Manor, Whitby, North Yorkshire, YO21 1QB

Protected Species Scoping Survey Report

At

Blue Bank Garage
Coach Road
Sleights
North Yorkshire
YO22 5EN



For

The Estate of the Late Donald Foster

Date: 11th August 2016

Reference no CE 0216

Curtis Ecology

Nova Scotia Farm, The Valley, Rimswell, Withernsea, East Yorkshire HU19 2BZ

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Document Control Sheet

Client: The Estate of the Late Donald Foster
Project: Blue Bank Garage, Coach Road, Sleights
Title: Protected Species Scoping Survey Report

REPORT CONTROL SHEET

General Report Information	
Date of site risk assessment	24 th June 2016
Lead ecologist signature	
Date report issued	11 th August 2016
Report approved by	

Report Version Control

Version	Date	Author	Description
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EXECUTIVE SUMMARY

Curtis Ecology was commissioned by Mr D. Brown, Colin Brown & Kidson Solicitors, Wellington House, 5 Wellington Road, Whitby, North Yorkshire, YO21 1BH to undertake a Protected Species Scoping Survey on buildings and associated land located at Blue Bank Garage, Coach Road, Sleights, North Yorkshire YO22 5EN. The survey is required to inform a proposed planning application which is to be lodged with the local planning authority, in this case the North York Moors National Park Planning Authority. Both verbal and electronic briefings were given. Copies of the site plans were provided by Mr N. Duffield, BND Partnership, Airy Hill Manor, Whitby, North Yorkshire, YO21 1QB.

This Protected Species Scoping survey was undertaken on the 24th June 2016 in suitable weather conditions and at the right time of the year for this type of appraisal.

A desk study was undertaken with records being obtained from the following third party repositories the North & East Yorkshire Ecological Data Centre, North Yorkshire Bat Group with a review of Multi-Agency Geographical Information of Conservation (MAGIC) and Google Earth.

The following species were considered within this Protected Species Scoping Survey Report:

- Bats
- Nesting birds

Recommendations include:

Bats: – A dusk or dawn bat activity survey is recommended.

Nesting birds – No further survey work required

Mitigation proposed

All the results and full recommendations can be found within Sections 3.0 and 4.0 of this report

The application site as a whole was considered to be of Low Ecological Value in its present condition



1.0 INTRODUCTION

Curtis Ecology was commissioned by Mr D. Brown, Colin Brown & Kidson Solicitors, Wellington House, 5 Wellington Road, Whitby, North Yorkshire, YO21 1BH to undertake a Protected Species Scoping Survey on buildings and associated land located at Blue Bank Garage, Coach Road, Sleights, North Yorkshire YO22 5EN.

The survey is required to inform a proposed planning application which is to be lodged with the local planning authority, in this case the North York Moors Planning Authority, with both written and electronic briefings given. Copies of the site plans were provided by Mr N. Duffield BHD Partnership, Airy Hill Manor, Whitby, North Yorkshire, YO21 1QB.

This Protected Species Scoping survey was undertaken to identify the presence or potential presence of notable and or protected species or habitats within or adjacent to the application site and to highlight any ecological issues that may be a constraint on the proposed development of the application site.

1.1 Site Description

Blue Bank Garage is located on the eastern side of the busy A169 road which bisects the town of Sleights in a north south direction. The former garage is positioned just below Blue Bank towards the southern end of Sleights, with the town of Whitby located approximately 4 km to the north east. The study site is comprised of the former two story high garage with living accommodation on the first floor. Attached on the southern elevation of the two storey garage and forming part of the garage footprint are two single storey buildings. To the immediate east of the main buildings footprint is found a further detached single storey building which again formed part of the former garage/ vehicle repair business. The remainder of the site is comprised a concrete forecourt with two former fuel pumps, a further concrete area to the immediate north and a small rear overgrown former garden.

The immediate surrounding habitat to the east, south and west is mainly comprised of grassland, with mature shelterbelts and hedgerows. To the immediate south and adjoin the former garage are several terrace style residential properties with small rear gardens. Just across the main A169 road are found a Public House with a large tarmac car park and a row of residential properties with gardens.

The wider landscape is dominated by grassland, with watercourses, the River Esk, woodland, shelter belts, hedgerows, individual residential properties along with several farmsteads.



Figure 1 Aerial view with study site illustrated within the wider landscape (not to scale)



© Google Earth 2016

1.2 Proposed Works

It is understood that the development proposal is for the existing former garage with living accommodation and associated outbuildings to be demolished and the site redeveloped with residential dwellings

1.3 Survey Objectives

The aim of the Ecological Scoping Survey was to:

- Perform a desk study and records searches from a number of sources including third party repositories to enable the identification of any designated sites, along with existing records for any protected and notable species within and around the study site.
- Examine the potential for protected and notable species within the application site and the immediate surrounding area during the field survey and discuss the current legislation relevant to these species.
- Prepare a report on the findings from information collated from the data/records searches and the field survey to identify any potential constraints and opportunities for the site including the need for further surveys if required.

NIAMPA
23 AUG 2016

2.0 SURVEY METHODOLOGY

2.1 Desk Study

A desk study was undertaken with records being obtained from the following third party repositories the North & East Yorkshire Ecological Data Centre, North Yorkshire Bat Group with a review of MAGIC and Google Earth. The search area was a 2km radius from the centre of the application site located at Grid reference NZ 866 067

2.2 Field Survey

2.2.1 Protected Species Survey

The survey was undertaken on the 25th June 2016, with the weather conditions at the time of the survey being shown below in Table 1.

2.3 Protected/ Notable Species

During the survey observations are made for any field signs or suitable habitats for the targeted protected/notable species.

An assessment was made for the suitability of the site for the following protected/notable species:

- Bats
- Nesting birds

2.3.1 Bats

Assessments are made during the initial field survey for potential roosting features and foraging areas within the site footprint and immediate surrounding area. These will include buildings, woodland, individual trees, hedgerows and any aquatic features.

Visual assessments for trees would include the following signs:

- trunk diameter,
- rot holes,
- splits,
- loose bark,
- staining of the bark below or around a feature
- Ivy stems with a diameter in excess of 50mm with suitable roosting space behind, or where a roosting space can be seen where a mat of thinner stems has left a gap between the mat and the trunk
- Bird or bat boxes on the tree

2.3.2 Nesting Birds

Birds may use a variety of features for nesting both natural and artificial. Typical features would include buildings, hedgerows, trees, scrub and grassland. During the field survey observations are made for sightings and calls of birds, evidence of previous and active nesting and evidence of roosting places

2.4 Survey Limitations

The application site was fully accessible on the day of the scoping survey. However it should be noted that whilst the survey was appropriately intensive and we feel that no significant matters have been overlooked there is always potential for some species to be overlooked due to the time of year and mobility of these species.

2.5 Weather conditions.

Table 1.
Weather conditions at the time of the scoping survey

Survey date	24 th June 2016
Wind speed	5 mph south east
Cloud cover	60%
Rainfall	None
Temperature	20°C
Humidity	59%

Table 2 Weather conditions for the site visit on the 10th June 2016

Survey date	10 th June 2016
Wind speed	5 mph south
Cloud cover	100%
Rainfall	None
Temperature	14°C
Humidity	86%



2.6 Survey personnel.

The site survey was undertaken by the following personnel:

Roger Curtis FdSc who has 9 years survey experience and holds the follow Natural England licences; -

Bats – WML-CL18 class licence 12148

Bats - WML-CL15 class licence, 12147

Bats - Personal licence for possession licence no 20131261

Great crested newts – WML-CL08 class licence, 17362

Roger is also a committee member of the East Yorkshire Bat Group and County Bat Recorder.

3.0 SURVEY RESULTS

3.1 Desk Study

Figure 2 Pre-existing Site Designations



Our Ref: E02201
Your Ref: CE 0216



Site Data Search

Statutory Sites

The following data resources were searched:

Sites of Special Scientific Interest
Special Protection Areas
National Parks
National Nature Reserves
Special Areas of Conservation
Ramsar sites
Areas of Outstanding Natural Beauty
Local Nature Reserves

We do not hold full details of statutory sites therefore if you require further information you should contact Natural England. Their website is at:

<http://www.naturalengland.org.uk/ourwork/conservation/designatedareas/default.aspx>.

Statutory Sites

The following Statutory site was found within the search area, and is shown on the enclosed map.

Designation	Name or location of site	Grid Reference
Site of Special Scientific Interest	North York Moors	NZ 861 053
Special Area of Conservation		
Special Protection Area		
National Park	North York Moors	Most of search area except Sleights and Briggswath villages

Local Nature Reserves:

There were no Local Nature Reserves found within this search area.

Non-Statutory Sites

Local Wildlife Sites:

Local Wildlife Sites are known in North Yorkshire as SINC (Sites of Importance for Nature Conservation). A leaflet explaining about SINC is available to download from the NEYEDC web site: <http://www.neyedc.org.uk/wp-content/uploads/2015/01/SINC-leaflet.pdf>

The following sites were found to be within (or partly within) your search area and their locations are shown on the enclosed map:

Site Code	Site Name	Grid Reference	SINC status
NZ80-01	Sleights Ponds	NZ 864 073	Deleted SINC
NZ80-04	River Esk	NZ 872 082	SINC
NZ80-05	Featherbed Lane, Aislaby	NZ 865 086	Deleted SINC

SINC status – SINC that have been deleted by the North Yorkshire SINC panel have been surveyed and assessed against the SINC selection guidelines and found not to qualify as a SINC. We still report these sites in this report as some district planning authorities may still

The relevant 2km designation maps are shown in Appendix 1

3.1.1 Species records

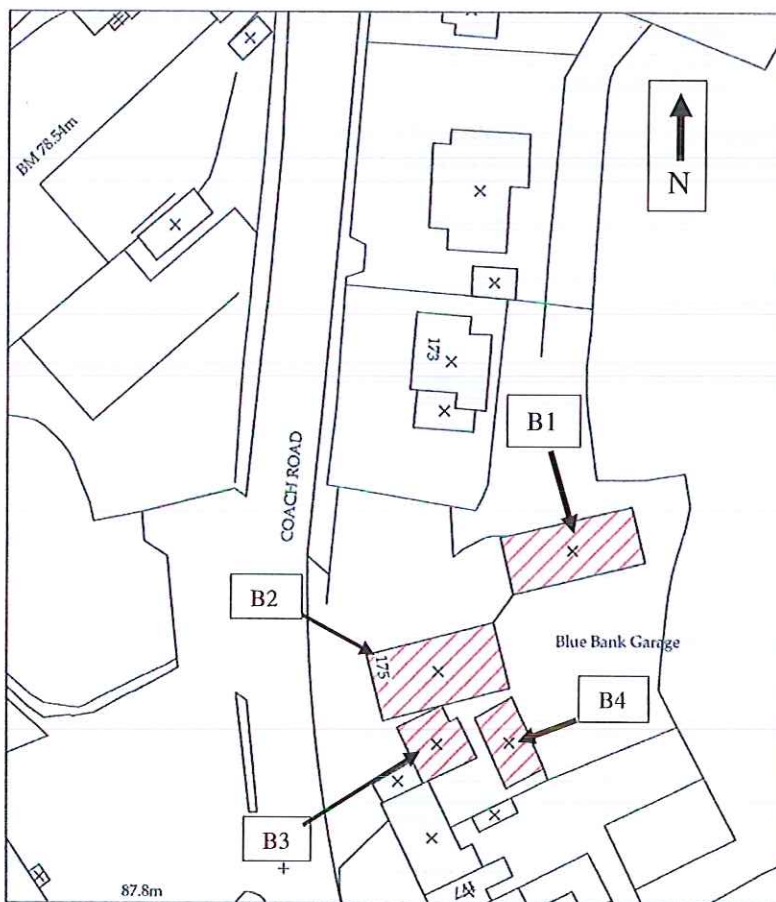
Species records were obtained from the North & East Yorkshire Ecological Data Centre and the North Yorkshire Bat Group

In total 172 historical records for protected or notable species were obtained from the third party repositories, with no historical records relating to the application site itself.

Where relevant they are mentioned in section 3.3 of this report and the full list can also be obtained from ourselves upon request.

3.2 Buildings Assessment

Figure 3 Site block plan with the individual buildings identified



Site Block Plan



Building 1 (B1)

A detached single storey building, with solid red brick walls with an unlined single skin standard asbestos roof.

Plate 1 Building 1 viewed from the south looking north



The external walls were generally in a reasonable condition, mortar decay was present in occasional places but was only superficial with no deep holes or gaps present. The roof structure was supported upon angel iron roof trusses with timber purling to which is fixed the standard asbestos sheeting and crack crown ridge sheeting. The majority of the roof cover was in reasonable condition, however in the centre of the northern roof aspect a vertical row of the asbestos sheeting were missing, along with a single broken sheet towards the western gable, possibly caused from previous storm damage.

Plate 2 internal view of the roof structure



The windows were glazed and the metal frames were a good fit to the surrounding brickwork. In the western gable is a large set of timber sliding doors, which were in a reasonable condition, however as with most doors of this type there was a slight gap around the door and the brick work at the top and along the sides.

Plate 3 western gable



Internally the building was light and draughty due to the missing roofing sheets. The internal brick walls were in good condition with no holes or large cracks noted. There is a small room towards the eastern part of this building which forms a low mezzanine level above, which is used for storage of items used in a garage, as was the lower floor area.

There was no evidence of historical habitation with this building for bats and nesting birds. Therefore from all the observations made this building has been assessed as having negligible potential for bats. There was no historical evidence or active bird nesting within the building at the time of the scoping survey.

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Building 2

A two storey high building which forms the majority of the former automotive garage, with most of the associated automotive machinery still present. On the first floor level is the former living accommodation of the deceased owner, with a large roof void found above.

Plate 4 Building 2 and 3 viewed from the south west.



The external solid brick walls are all cement rendered, occasional superficial decay to the render found in occasional places, otherwise all were in good condition. The glazed timber framed windows found on the first floor were all a good fit to the walls as were all the ground floor metal framed windows. The main garage timber doors were again in a reasonable condition with only a slight narrow gap found down each side between the door and external wall. The roof covering of red pantiles and ridge tiles were in good condition and a good fit with only a couple of slipped tiles observed on the southern roof aspect in the south western corner. Along, mainly the northern roof eaves, it was noted that some of the mortar fill on the last row of pan tiles was missing and again in only one or two places along the southern eaves level. All the ridge tiles were well bedded as were both gable verges with not holes or large cracks observed. The chimney stacks were again all cement rendered and in good condition as were the surrounding lead flashings. The timber fascia and soffit boards found on the north and southern elevations were all in good condition and a good fit to the external walls, with not holes/ rot noted.

Plate 5 Eastern gable of building 2



Internally the large roof void was relatively light due to the glazed window within the eastern gable. The floor area is insulated with Fibreglass and is also part boarded out and has been used for storage of the former businesses' documentation and lightweight garage equipment. The roof structure is supported upon two King post trusses, which support the timber purlings, rafters and ridge board, with traditional bitumastic roofing felt present over the whole of the roof line which again was in good condition.

Plate 6 Roof void above the living accommodation within building 2



There was no historical evidence of internal bat habitation and the only external potential was found within the south west corner on the southern roof aspect and possibly the missing eaves fill cement which was minimal. As a result of these findings this building has been assessed as having Negligible to Low potential for bat habitation. However there is a small Swift *Apus apus* colony nesting in the northern roof aspect using several of the holes found along the eaves

where there is missing fill mortar within the bottom row of pan tiles. There was no further historical or active evidence of Swallows *Hirundo rustica* or House Martins nesting within this building.

Plate7 Northern elevation of building 2



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Building 3 (B 3)

This building forms part of the main garage and has been re-roofed at some time in the more recent past.

The external walls on the western elevation are breeze block with an external stone facing course which is in good condition, whereas the eastern and southern gables are both constructed from breeze blocks all of which are in a good condition with no holes/cracks or gaps apparent.

Plate 8 western elevation of building 3 with the stone facing



The roof structure is supported upon two steel box section A framed truss, with timber purlings fixed into the gable walls and rafters which are fixed to the wall pan and a central timber ridge board. Breathable Roofing Membrane which is in good condition is found throughout the roof structure. Internally the floor was concrete and the walls were again in good condition with no holes/ gaps or cracks observed.

Plate 9 Internal view of the roof structure.



The eastern roof covering is of new pantiles in good condition and a tight fit as are the ridge tiles and associated lead flashings and valley. However the western roof covering appears to be the reclaimed original handmade pantiles which on the whole are a good fit, but occasional slightly lifted tiles are noted on this roof aspect, especially just below the ridge and along the eave where a single tile was missing. The lead flashings on the western roof aspect are a good fit as are the gable capping stone.

Plate 10 The new roof covering found on the eastern aspect of building 3, viewed from the upper floor of building 2



There was no historical evidence of bat or nesting bird habitation within this part of the former garage. However due to the several lifted tiles on the western roof aspect, this building has been assessed as having Low potential for bat habitation. There was no evidence of historical or active nesting birds within this building.

Building 4 (B4)

Again this single storey building is accessed via the southern elevation of the main garage (B2). Building 4 is built with single brick thick external walls with lightweight steel roof trusses, timber purlins and a standard asbestos roof covering with crack crown asbestos ridge tiles.

Plate 11 building 4 viewed from the east looking west



The external wall on the eastern elevation was part covered by vegetation, however the majority of this wall was assessed and was in reasonable condition with superficial spoiling but no deep gaps or holes noted, as were the remaining external walls. The asbestos roofing sheets, clear roofing light sheets along with the crack crown ridge covering were in good condition with no broken sheets or ridge tiles observed. The verge on the southern gable did have a slight gap where the asbestos roof sheet had curled up slightly over the brick work but not sufficiently to provide a roosting location.

Internally this building had been used for storage of items associated with a working automotive garage. The interior was extremely light due to the number of roof lights present. The walls were in good condition and the eave timber pan was sealed internally with a modicum of cobwebbing present throughout this building. There was no historical evidence of bat habitation nor has evidence of nesting birds within, therefore this building been assessed as having Negligible potential for roosting bats. There was no evidence of historical or active nesting birds within this building.

Plate 12 Internal view of building 4



3.3 Protected and Notable Species

3.3.1 Bats

There are 23 historical records within the 2 km search area with none of the historical records relating to the study site itself. The nearest roost record is located approximately 640 m to the north east of the study site, with the record being for an Unknown species with a count of 12 in 2001.

As part of this Protected Species Scoping survey a Preliminary Roost Assessment was undertaken on the application buildings for their suitability and for any historic evidence of previous bat habitation. Descriptions and assessment of the individual buildings are presented within Section 3.2 of this report.

3.3.2 Nesting birds

There was no evidence of the site supporting bird species listed on Schedule 1 of the Wildlife and Countryside Act 1981 (as amended).

There were 11 historical bird records within the 2km search area, none of which related to the study site itself.

On the morning of the 6th June 2016 observations were made for approximately 1.5 hours to identify if a colony of Swifts *Apus apus* were nesting within any of the buildings associated with Blue Bank Garage. This survey was undertaken as Mr Roger Curtis of Curtis Ecology who was already working within a short distance of the study site. The client was on holiday at this particular time, so the Protected Species Scoping survey could not be undertaken as there was no internal access available. However as the Swift *Apus apus* nesting season tends to peak between May – June and the client was not back from holiday until the end of June it was felt appropriate that observations should be made within the peak nesting season for this species.

During the survey period 4 locations were identified within Building 2 on the northern roof aspect with the bird entering the nesting sites via the missing cement on the last row of pantiles at eaves level, found along the northern elevation of this building. Swifts *Apus apus* were generally active within the area throughout the length of the site visit, also Swallows were present, again within the general area all of which appeared to be foraging. During the site visit of the 26th June 2016, Swift *Apus apus* activity was greatly reduced, with only 1 nesting site being identified within Building 2 and no further nesting sites observed within any of the remaining buildings. However there were no historical or active Swallow *Hirundo rustica* or House Martin *Delichon urbica* nests found within any of the study buildings during the site visit of the 6th June 2016 and again during the Scoping survey site visit of the 24th June 2016.

Plate 13 Swift nest location illustrated.





4.0 ASSESSMENT AND RECOMMENDATIONS

4.1 Designated sites

Given the nature of the development proposal and its location, it is not anticipated that there will be any short or long term impacts that are likely to occur upon any of the Statutory Site or Non statutory sites found within the 2km search area, due to the distance between the development site and conservation site designations, as illustrated in Figure 2 of Section 3.1 and Appendix 1 of this report.

4.2 Habitats

The application site is dominated by the study buildings, with large area of concrete to the immediate west and north. A stone drive is found running from the concrete area to the immediate north along the east of building 2 into the neighbouring residential property to the south. The remainder of the study site is comprised of the former garden to the east of the drive, which has now become over grown and is reverting to Tall ruderal vegetative cover.

There was no evidence non-native invasive species listed as Schedule 9 plant species within the application site.

4.3 Protected and Notable Species.

4.3.1 Bats

At the time of the Scoping survey there was no internal evidence of historical bat habitation within the study buildings. However there are several features within western roof aspect of Building 3 and again the southerly roof aspect on the south west corner of Building 2 that have the potential to provide both roosting and possibly hibernation opportunities especially for crevice dwelling bat species.

There are no historical bat records for the study site itself and 23 historical records found within the 2km search area.

Any potential impacts on bat species, which could result from the proposed development cannot be fully assessed from the findings of this Scoping survey. Therefore to assess any possible impacts and to determine the level of mitigation which may be required along with any possible requirements for a European Protected Species Mitigation Licence, the following recommendation has been made below.

Recommendations:

A further nocturnal dusk or dawn surveys should be undertaken during the bat survey season May – mid September

4.3.2 Nesting birds

A small colony of Swifts *Apus apus* was identified within the northern roof aspect, along the eaves level on Building 2 on the morning of the 6th June 2016 and again during the scoping survey of the 24th June 2016.

Without suitable mitigation the demolition phase of the proposed development associated with Blue Bank Garage would result in the destruction of the existing nesting site found within Building 2 for a small colony of Swifts *Apus apus* which are a rapidly declines birds species. Also an opportunity exist within the new development for installations for nesting features for two further bird species which are in rapid decline, the Swallow *Hirundo rustica* and House Martin *Delichon urbica*. Therefore to address this situation and to enable both the Continued Ecological Functionality and to maintain the Favourable Conservation Status of these bird species the following recommendations have been made.

Recommendations.

Site clearance works and demolition of the buildings should be undertaken outside the bird nesting period 1st March – 31st August inclusive. However if works to clear the site are undertaken during the bird nesting season then the development footprint and immediate surrounding area should be checked by a suitably qualified ecologist prior to any work taking place. If any active nests are found they will be identified they should be left untouched until either the young have fledged or the nest is naturally abandoned.

During the redevelopment phase of the following nesting features are to installed;

1. 2 x Schweglar Swift box no17 triple cavity as illustrated within Appendix 2 & Appendix 3 Figure 4.
2. 2 x Swallow Nesting bowls as illustrated within Appendix 2 & Appendix 3 Figure 5
3. 2 x Schweglar House Martin Terrace no 11 as illustrated within Appendix 2 & Appendix 3 Figure 6



5.0 LEGISLATION

5.1 Bats

All species of UK bats are statutorily protected under regulation 41 of The Conservation of Habitats and Species Regulations 2010 (formerly The Conservation (Natural Habitats, Etc.) Regulations 1994 (as amended), which implements the requirements of the EC Habitats Directive, plus under UK legislation through Schedule 5 (Section 9) of the Wildlife and Countryside Act 1981. This combined legislation makes it an offence to: -

- Deliberately kill, injure or capture bats
- Deliberately disturb bats in such a way as to significantly effect:
 - a) the ability of that species to survive, breed, rear or nurture their young
 - b) the local distribution on the species
- Intentionally or recklessly disturb or obstruct access to the resting place of bats
- Damage or destroy breeding sites and resting places of bats even if bats are not occupying the roost at the time.
- Possess, transport, sell, barter or exchange any part of, or derived from a bat whether dead or alive.

5.2 Nesting birds

All wild birds are protected under Section 1 of the Wildlife and Countryside Act 1981 (as amended), it is an offence to:-

- Deliberately kill, injure or take any wild bird
- Take, damage or destroy the nest of any wild bird whilst in use or being built
- Take or destroy an egg or eggs of any such wild bird.

Certain bird species which are listed under Schedule 1 of the Wildlife and Countryside Act receive special protection and it is an offence to intentionally or recklessly disturb them when nesting or rearing young.

5.4 Plant species

Certain plant species in the UK are protected under the following legislation:

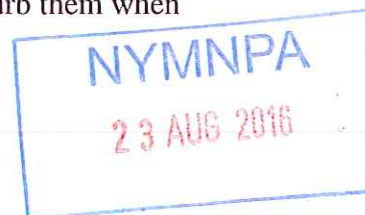
- Wildlife and Countryside Act 1981 (as amended) under Section 8
- Conservation of Habitats and Species Regulations 2010 and are listed under Schedule 4

Both pieces of legislation make it an offence to.

- Intentionally pick, uproot or destroy certain plants
- Possess, sell or exchange them.

Certain plant species UK Biodiversity Action Plan Priority Species and are listed under The Natural Environment and Rural Communities (NERC) Act 2006.

In addition to the above legislation there are injurious weeds and invasive species which are subject to the following legislation:



The Weed Act 1959 covers injurious weeds

The five species listed under this legislation are; Common Ragwort (*Senecio jacobea*), Creeping or field thistle (*Cirsium arvense*), Spear thistle (*Cirsium vulgare*), Broad-leaved dock (*Rumex obtusifolius*) and Curled dock (*Rumex crispus*).

It is not an offence to have these plant species on your land but it is an offence to allow them to spread to agricultural land.

Invasive species are under Schedule 9 of the Wildlife and Countryside Act 1981 (as amended)

The following are possibly the most common invasive species encountered:

- Japanese knotweed (*Fallopia japonica*), Giant hogweed (*Heracleum mantegazzianum*), Himalayan balsam (*Impatiens glandulifera*), Rhododendron spp, New Zealand Pigmyweed (*Crassula helmsii*),

It is not an offence to have these plants growing on your land, but it is an offence to allow them to spread into the wild.



6.0 PLANNING POLICY

6.1 National Planning Policy Framework (March 2012) states:

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

- Minimising impacts on biodiversity and provide 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.

118. When determining planning applications, local authorities should aim to conserve and enhance biodiversity by applying the following principles:

- If significant harm 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.
- Opportunities to incorporate biodiversity in and around developments should be encouraged.

6.2 The Natural Environment and Rural Communities Act (2006) states:

Section 40 (1) Every public authority must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity.

Section 41 lists habitats and species of principal importance to the conservation of biodiversity making these habitats and species a material consideration in the planning process

6.3 UK Biodiversity Action Plan

This action plan is a government initiative and contains a list of priority habitats and species of conservation concern in the UK which are the same as those listed within Section 41 of The Natural Environment and Rural Communities (NERC) Act 2006. The plan also outlines biodiversity initiatives designed to enhance their conservation status.

The UKBAP requires conservation of biodiversity to be addressed at a county level via a Local BAP and are usually targeted towards species of conservation concern within each separate area.



7.0 REFERENCES AND BIBLIOGRAPHY

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North & East Yorkshire Ecological Data Centre

North Yorkshire Bat Group

Swift Conservation Organisation. www.swiftconservation.org

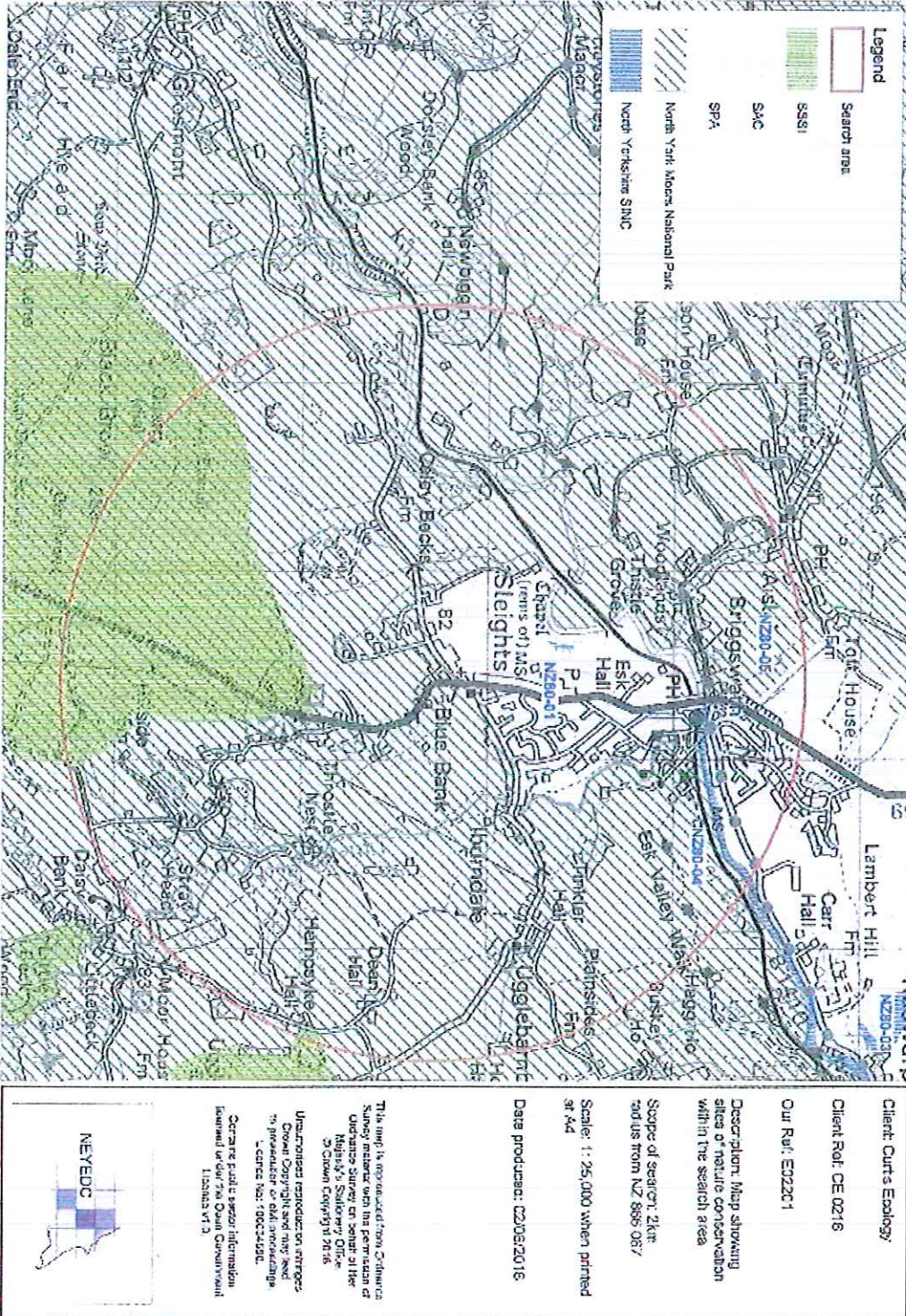
UK Post -2010 Biodiversity Framework (2012) <http://www.jncc.defra.gov.uk/page6189> accessed July2016

Wildlife and Countryside Act 1981 –HMS



8.0 APPENDICES

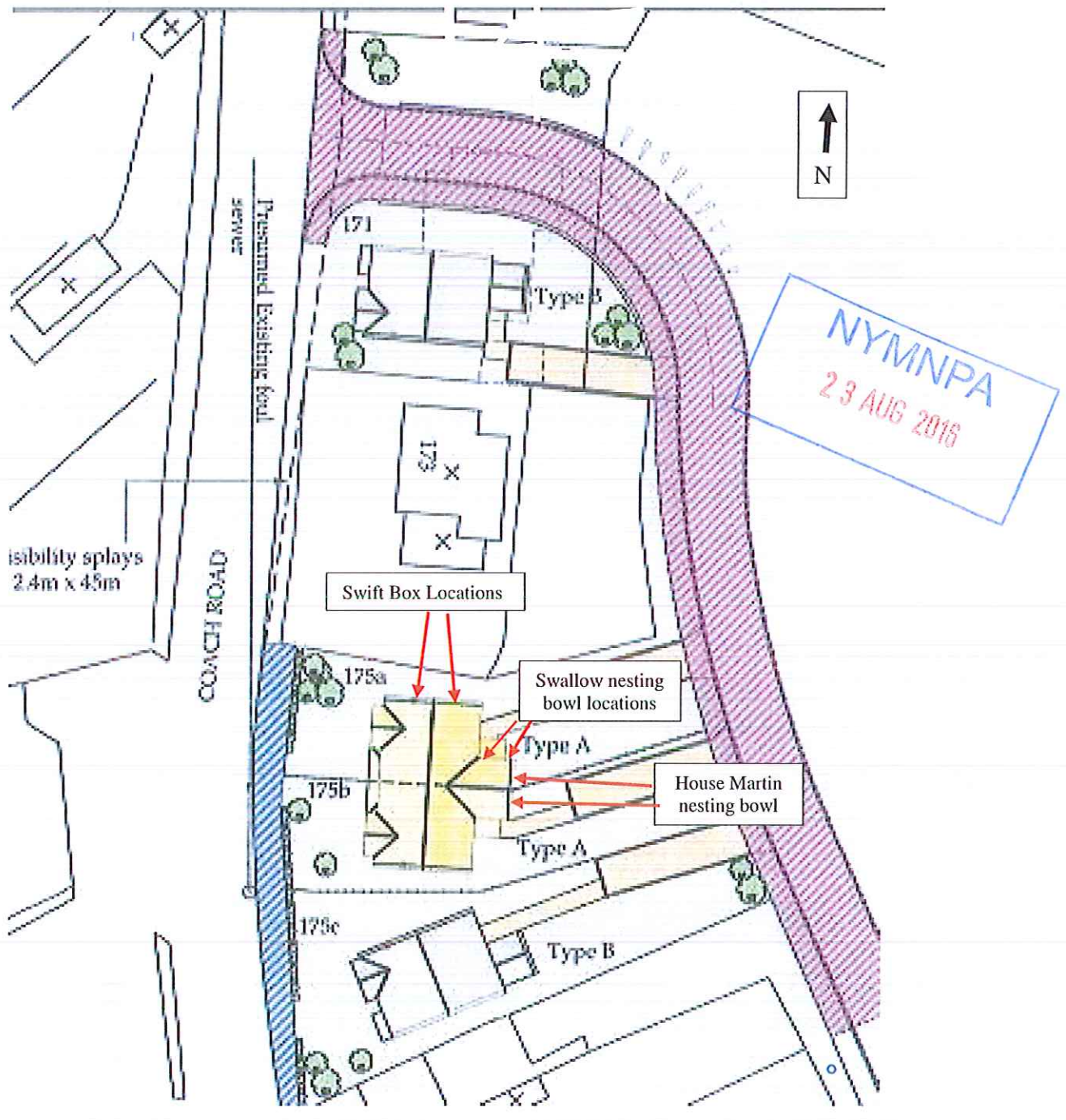
Appendix 1 - 2km search area map for designated sites



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23 AUG 2016

Appendix 2 Site Block Plan with bird box locations illustrated

Site Block Plan - proposed location of the Swift, Swallow & House Martin box installation



Appendix 3 Proposed elevations with suggested bird box locations illustrated.

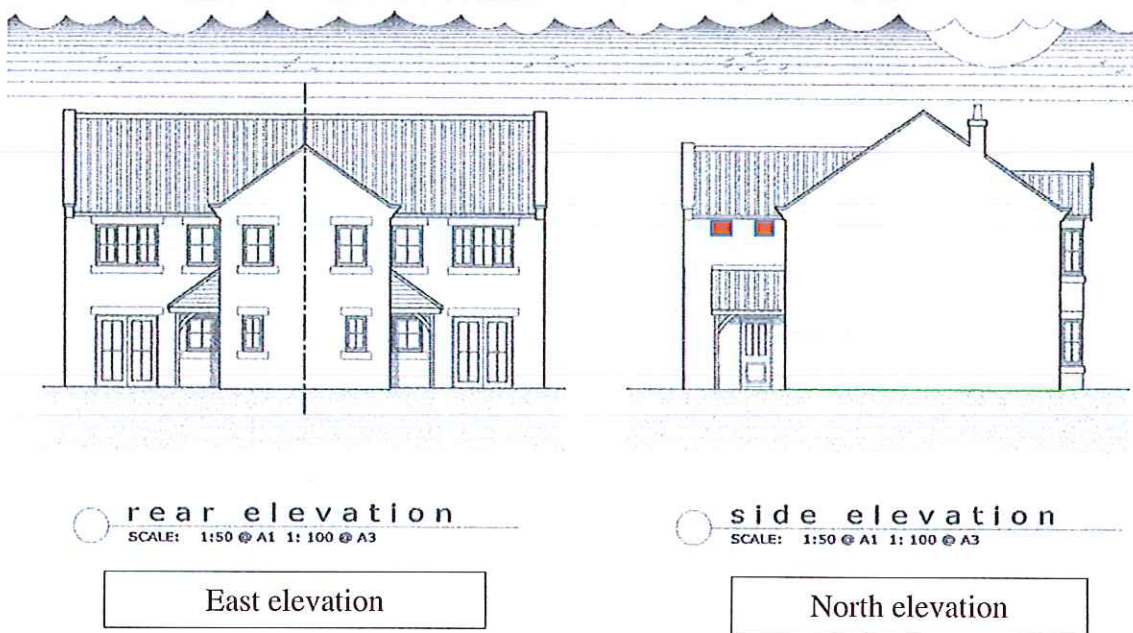
Proposed elevations of the new dwellings with the Swift box proposed location illustrated by the red lines within the north elevation

Figure 4



Proposed elevations of the new dwellings with the Swallow nest bowls proposed location illustrated by the red rectangle within the north elevation

Figure 5



Proposed elevations of the new dwellings with the House Martin nest bowls proposed location illustrated by the red rectangle within the eastern elevation.

Figure 6.



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23 AUG 2016

Appendix 4 Bird box information

Schweglar Swift box no17 triple cavity information



Build from a plant fibre and wood-concrete mix, these triple nest boxes are design specifically for Swifts.

The nest boxes are to be located at least 5 metres above ground level with a clear flight path to the box.

The boxes are designed to be either built into the new development within the external walls or alternatively can be fixed to the external wall by means of two galvanised bracket.

External dimensions 15 cm H x 15 cm W x 90 cm L

Swallow nesting bowls



This nesting bowl should be fitted on an north facing external wall at a minimum of 6 cm below the eaves level to allow for adequate entry by the birds into the nest bowl.

These nesting bowls should be placed approximately 1 m apart

Dimensions: Height: 11 cm, length: 25 cm and depth: 14 cm

Schweglar House Martin Terrace No 11



The pair of nesting bowls have been specifically designed to incorporate an artificial eave above the bowls and can therefore be installed on an east facing gable wall without an overhanging soffit board.

Dimensions 11.5 cm H x 3.8 cm W x 1.6 cm D

