



M 07867 725238 | E info@woodsidetrees.co.uk | W www.woodsidetrees.co.uk

Ecological Report

Site walk-over assessment

Land at:

Seagrove Farm, Seaview

Prepared by: Andrew Southcott

Date: 26th April 2021

Ref: AS/PS/0421

1. INTRODUCTION

1.1 **Background:** I am instructed to carry out an updated walk-over assessment of land at Seagrove Farm, Seaview. The land in question is subject to a proposed planning application for residential development. This updates a previous walkover assessment carried out in June 2018 (Woodside Tree Consultancy AS/PS/0618), and also a preliminary ecological appraisal (PEA) carried out in July 2020 (Eagle Eye Environmental Solutions Ltd NN1195R01). An ecological data search was not included as part of this instruction, but was included as part of the PEA.

The updated survey was carried out by Andrew Southcott *BSc (Hons) ACIEEM* on 5th November 2020. Andrew is a qualified and experienced ecologist with over 12 years experience of surveying and working with protected species and habitats, and is an Associate Member of the Chartered Institute of Ecology and Environmental Management (CIEEM).

1.2 **Site Description:** The site included in this study measures approximately 0.9ha as shown in Figure 1. It comprises a single enclosed pastoral field parcel composed of improved grassland, and surrounded on three sides (E, W & S) by hedgerow/scrub and tree lined boundaries. The northern boundary is grassed with picket fencing separating the site from the access track serving adjacent properties. In the NE corner there is a fenced off smallholding with chickens and geese, small trees and ruderal growth; although the poultry also roam within the main field parcel.

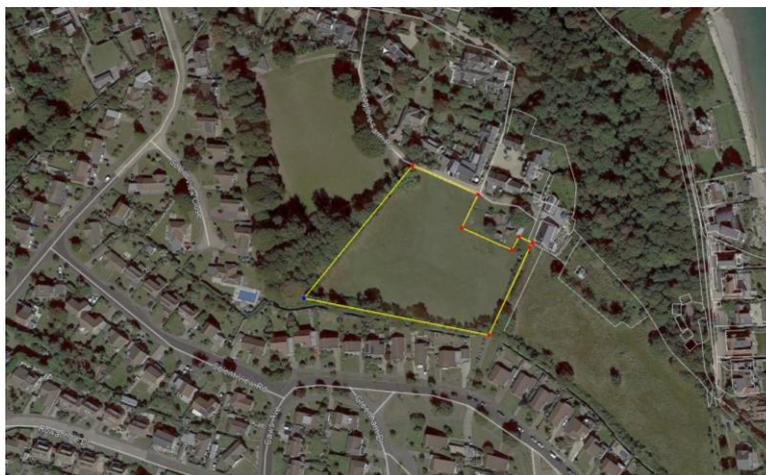


Figure 1. Section of site surveyed, as outlined in yellow (Google Earth 2021)

1.3 **Limitations:** This report provides a snapshot of the site at the time the survey was carried out. Although every effort was made to ensure that all areas were fully inspected, physical access is sometimes restricted. It should be noted that features of ecological value can alter over time, and trees are dynamic organisms whose health and condition can change rapidly. For these reasons this report is valid for a period of 12 months providing the site remains as it stands at present.

This report is intended as a walk-over summary to inform general ecological constraints posed by the site. Anyone who is not directly involved with this site shall not have any rights under or in connection with it. No part may be reproduced in any form without the written consent of Woodside Tree Consultancy.

2. SITE ASSESSMENT

2.1 Habitat Survey:

The bulk of the site is of well maintained (mown) improved grassland pasture, consisting of common coarse grasses and a low diversity of herbs, including creeping buttercup, dock, ribwort plantain and red clover. Both the N and W boundaries are fenced, with the grassland extending up to the fence lines. The W boundary abuts a heavily tree-lined and partially wooded habitat on the other side of the fence line, with some trees overhanging this site. The S and E boundaries were lined with scrub and ruderal vegetation, predominantly of nettle, bramble, elm, willowherb, dock and cow parsley. The S boundary has recently been cut back to clear encroaching ruderal and bramble scrub encroaching into the pasture. The E boundary had no tree cover and was dense to c.1.5m height, although the S boundary also supported frequent scrubby tree growth to c.10m height of predominantly ash and elm, as well as some oak and willow. Both the S & E boundaries backed onto public footpaths with the scrub habitat forming a natural barrier to the site. Figure 2 gives typical views of the site, showing the limited range of habitats present.



Figure 2 (clockwise from top left) - central grassland looking to S boundary tree line; NE corner with fenced off smallholding; E boundary elm/bramble/nettle scrub; W boundary fenced to off-site tree/woodland cover

2.2 **Species survey:**

No protected or priority species were observed during the site assessment, although some limited evidence was recorded. A summary assessment of general suitability to protected species is provided below:

2.2.1 **Badgers:**

There was no evidence of a sett either within the site or around the scrub lined boundaries; and the wooded habitat on the W side of the site was also inspected without any such evidence being present. Within the site there were a small cluster of snuffle holes noted during the original survey. These were within the grassland adjacent to the S boundary vegetation, which was indicative of some limited badger foraging. When this boundary was inspected from the adjacent footpath a single faint mammal access path was noted crossing from the footpath into the site. On the follow-up survey the access path was still visible but no evidence of foraging was seen at that time. Given this limited evidence it is concluded that badgers may occasionally enter the site to forage around the edges of the pasture, using the adjacent footpath to move further afield within their territory.

The development proposal would not impact on legal protection of badgers as there will be no loss of, or interference/obstruction of access to any sett. Notwithstanding this, any proposal would need to take account of the National Planning Policy Framework (NPPF) which requires developments to maximise opportunities for biodiversity by mitigating impacts and building in enhancement. In this instance it would need to take account of any potential impact on the foraging habitat or commuting routes of this protected species. As such it is recommended that the scheme ensures that garden boundaries are designed to allow wildlife to flow through; preventing barriers being created that could impact on commuting and/or foraging ground within the development.

2.2.2 **Reptiles & amphibians:**

The habitats were inspected during the survey, but no reptiles or evidence was found. The site is considered to be of low value as it is dominated by uniformly mown improved grassland, lacking bare ground for basking and with an absence of features that could act as potential refugia such as rubble/compost heaps. The boundary scrub and ruderal vegetation along the S and E boundaries provide some habitat for cover and movement, however this vegetation is likely to be retained and unaffected by any development. Overall it is concluded that the conservation status of reptiles would not be adversely affected by a development within this site.

There are no ponds or water courses in or adjacent the site. It is therefore considered that the site is highly unsuitable for great crested newts, but the dense boundary scrub and shaded tree cover of the W boundary may attract common amphibians. Again the vegetation that may support these species is likely to be retained intact. However if any vegetation removal or topsoil stripping is required it is recommended that a precautionary approach is taken. Any such species disturbed or uncovered should either be caught by hand and relocated to a safe area of retained habitat, or left to vacate the work site in their own time.

2.2.3 **Bats:**

There are no buildings or mature trees within the site, and the pasture is considered to be of negligible value for foraging due to its improved nature which lacks a diverse flora for supporting a good invertebrate food source. Notwithstanding this, there are mature trees adjacent to and partially overhanging the site, with a small area of tree cover extending to the SW corner and part way along the W boundary. None of the mature boundary or adjacent off-site trees would be impacted by any development, although the close proximity of such features should be given due consideration. They may act as a commuting or foraging route due to the tree lined connectivity with the wider landscape, which includes a nearby area of ancient woodland.

It is therefore recommended that a precautionary approach is taken in respect of possible impacts on bats, with all trees and hedgerows being retained, and any new lighting kept to a minimum, avoiding illumination of the boundary trees. Enhancements can be built into the scheme such as the inclusion of bat boxes/tubes, as well as beneficial landscaping. Furthermore, the PEA has recommended a season of bat activity surveys to clarify the current value of the site.

2.2.4 **Nesting birds:**

No evidence of nesting was found, however given the presence of boundary scrub/hedgerow, and overhanging tree cover, it is likely that some species will breed around the edges of the site during the nesting season. Therefore any such vegetation clearance or cutting back should either be avoided or supervised by a qualified ecologist during the period 1st March - 31st August inclusive.

2.2.5 **Dormice:**

The boundary scrub was inspected for evidence of dormice, however no nests or other evidence was found. Overall the vegetation bordering this site lacked good structure to provide an optimal habitat, however given the proximity to a block of ancient woodland and linear connectivity away from this site it is possible that this species may move through the area, with the S & E boundaries being the only potentially valuable part of that habitat mosaic. As long as the proposal does not result in the loss, fragmentation or degradation of this boundary vegetation there is unlikely to be any adverse impact upon this species.

2.2.6 **Other species:**

No other protected or priority species were observed during the site visit and no habitats of high value exist within this site. It is possible that red squirrel and hedgehog use the boundary scrub and adjacent tree and woodland cover. However, as discussed above, these features should be unaffected by any proposal and the interior of the site is of negligible value to such species. In contrast a sensitively designed development of the interior could provide new habitat features of value to these species in the longer term. Although this is a grassland site, it is considered unlikely to be of any value to brown hare, as the site is rather enclosed and lacks direct connectivity to the wider countryside S & W of Seaview and Nettlestone.

3. CONCLUSIONS

Following the two walkover surveys, the site itself was considered to be of limited ecological value. The surrounding boundary scrub and off-site but overhanging tree cover is of slightly higher potential value to several protected species, although this should not be adversely impacted by the proposal. The only evidence of protected species was the single mammal path and nearby snuffle holes, indicating some limited badger activity, but with no sett being present on or adjacent to the site.

It is considered that a sensitively designed development of this site would avoid significant impacts to protected species, as long as recommendations above are followed. A suitable landscaping scheme could include planting of additional native trees, hedgerows and shrubs to enhance connectivity around and through the site, as well as including additional features such as bird and bat boxes. Additional construction-related recommendations within the aforementioned PEA should also be followed.

Andrew Southcott *BSc (Hons) ACIEEM*
26th April 2021

Appendix 1 - Selected Species Legislation

Amphibians:

All British amphibian species receive a degree of protection under the 1981 Wildlife and Countryside Act (as amended). The level of protection varies from protection from sale or trade only, as is the case with species such as smooth newt and common toad, to the more rigorous protection afforded to the great crested newt.

The UK holds a large percentage of the world population of great crested newt, and as such has an international obligation to conserve the species. It therefore receives full protection under national and European legislation. As a European Protected Species it receives protection under the Conservation of Habitats and Species Regulations 2010 (as amended), making it an offence to:

- *Deliberately kill, injure or capture a great crested newt;*
- *Deliberately disturb, including in particular any disturbance which is likely to impair their ability to survive, to reproduce or to hibernate, or migrate, or which is likely to affect significantly their local distribution or abundance;*
- *Deliberately take or destroy their eggs;*
- *Damage or destroy a breeding site or resting place.*

Badgers:

Badgers are protected in Britain by the Protection of Badgers Act 1992. The purpose of this Act is to protect the animals from deliberate cruelty and from the incidental effects of lawful activities which could cause them harm. Under this legislation it is an offence to:

- *Wilfully kill, injure, take, possess or cruelly ill-treat a Badger, or attempt to do so;*
- *Interfere with a sett by damaging or destroying it;*
- *Obstruct access to, or any entrance of, a Badger sett;*
- *Disturb a Badger when it is occupying a sett.*

Note that if any of the above resulted from a person being *reckless*, even if they had no intention of committing the offence, their action would still be considered an offence. A person is not guilty of an offence if it can be shown that the act was *'the incidental result of a lawful operation and could not have been reasonably avoided'*; only a court can decide what is 'reasonable' in any set of circumstances.

Penalties for offences under this legislation can be up to six months in prison and a fine of up to £5,000 for each offence.

A Badger sett is defined in the Act as *'any structure or place which displays signs indicating current use by a Badger'*. This can include culverts, pipes and holes under sheds, piles of boulders, old mines and quarries, etc.

'Current use' does not simply mean 'current occupation' and for licensing purposes it is defined as *'any sett within an occupied Badger territory regardless of when it may have last been used'*. A sett therefore, in an occupied territory, is classified as in current use even if it is only used seasonally or occasionally by Badgers, and is afforded the same protection in law.

Bats:

In England, Scotland and Wales, all bat species are fully protected under the Wildlife and Countryside Act 1981 (WCA) (as amended), through inclusion in Schedule 5. In England and Wales this Act has been amended by the Countryside and Rights of Way Act 2000 (CROW), which adds an extra offence, makes species offences arrestable, increases the time limits for some prosecutions, and increases penalties.

All bats are also included in Schedule 2 of the Conservation (Natural Habitats, & c.) Regulations 1994, (or Northern Ireland 1995) (the Habitats Regulations), which defines 'European protected species of animals'. The above legislation can be summarised thus:

It is an offence to:

- *Intentionally or deliberately kill, injure or capture (or take) bats;*
- *Deliberately disturb bats (whether in a roost or not);*
- *Recklessly disturb roosting bats or obstruct access to their roosts;*
- *Damage or destroy roosts;*
- *Possess or transport a bat or any part of a part of a bat, unless acquired legally;*
- *Sell (or offer for sale) or exchange bats, or parts of bats.*

The word 'roost' is not used in the legislation, but is used here for simplicity. The actual wording is 'any structure or place which any wild animal...uses for shelter or protection' (WCA), or 'breeding site or resting place' (Habitats Regulations). As bats generally have both a winter and a summer roost, the legislation is clear that all roosts are protected whether bats are in residence at the time or not.

Birds:

In Britain, all wild birds, their nests and eggs are protected under the Wildlife & Countryside Act 1981. There are penalties for:

- *Killing, injuring or capturing them, or attempting any of these;*
- *Taking or damaging the nest whilst in use;*
- *Taking or destroying the eggs.*

Dormice:

Dormice are afforded protection under the Wildlife and Countryside Act 1981 and the Conservation of Habitats and Species Regulations 2010 (as amended). Under this legislation, it is an offence to:

- *deliberately capture, injure or kill hazel dormice;*
- *damage or destroy a dormouse resting place or breeding site;*
- *deliberately or recklessly disturb a hazel dormouse while it's in a structure or place of shelter or protection;*
- *block access to structures or places of shelter or protection;*

- *possess, sell, control or transport live or dead hazel dormice, or parts of hazel dormice.*

Red squirrels:

The red squirrel is a protected species in the UK and is included in Schedules 5 and 6 of the Wildlife and Countryside Act 1981 (amended by the Countryside & Rights of Way Act 2000). It is an offence to:

- *intentionally kill, injure or take (capture) a red squirrel;*
- *intentionally or recklessly damage or destroy any structure or place a red squirrel uses for shelter or protection, or disturb a red squirrel while it occupies such a place;*
- *Possess a dead or live wild red squirrel, or any part of a red squirrel, unless you can show that the animal was taken legally;*

Sell, or offer for sale, a wild red squirrel or any part of a wild red squirrel.

Reptiles:

All six species of British reptile are listed under Schedule 5 of the Wildlife and Countryside Act 1981 (as amended). The adder, common lizard, grass snake and slow worm are fully protected under this legislation from deliberate killing and injury. Sale and related commercial activities are also proscribed. In addition, the sand lizard and smooth snake also receive a higher level of protection under Schedule 2 of The Conservation of Habitats and Species Regulations 2010 (as amended) making them European Protected Species.