

PCC – Ecology

Correspondence received 5th April 2017

Planning Application Reference	P/2017/0299
Project Name / Description	for Outline: Proposed residential development of up to 9 no. dwellings, formation of a new vehicular access and associated works (with some matters reserved) at , Land <u>adj</u> to Belin Mount , <u>Crewgreen</u> , Shrewsbury, .
Consultation Deadline	12/04/2017

Ecological Topic		Observations
EIA Screening Requirement	No	The site area is understood to be 0.76 hectares and includes up to 9 dwellings. Therefore, the development is not considered to meet or exceed the thresholds of the Town and Country Planning (Environmental Impact Assessment) (Wales) Regulations 2016 for the screening of dwelling house developments for EIA since it does not exceed five hectares; include more than 150 dwellings; or include more than one hectare of urban development that is not a dwelling house development.
Ecological Information included with application	No	No ecological information has been submitted with this application. These observations are based on an interpretation of available aerial and street imagery, plans and statements submitted with the application, and historical biodiversity records provided by the Powys Biodiversity Information Service. The application site appears to be located in the south-western corner of a large improved agricultural field which is bounded by a hedgerow to the south and the west.

Protected Species & Habitats¹	European Species	☒	<p>There is a historical record of otters and various bat species within 2km of the application site, but none within the vicinity of the proposed development itself.</p> <p>The hedgerow that borders the site to the south and west could provide suitable foraging and commuting habitat for bat species. Based on the submitted plans, I understand that a section of the southern hedge is to be removed or re-positioned to accommodate the proposed access. I recommend that the length of removal is kept to a minimum and where it needs to be moved back the existing hedge should be translocated. Also a tree/hedge protection plan in accordance with BS5837: 2012 should be implemented during the construction phase to safeguard retained vegetation.</p> <p>I recommend that a sensitive lighting scheme is implemented to avoid adverse impacts on any nocturnal wildlife, such as bats, that may use the hedgerow.</p> <p>It is not considered that the proposed site represents suitable habitat for otters.</p>
	UK Species	☒	<p>There are historic records of badgers and reptiles from within 2km of the site and several historic records of nesting bird species, although none from within the vicinity of the site.</p> <p>Nesting birds may use the hedgerows to the south and west of the proposed site. I therefore recommend that vegetation clearance works required to accommodate the proposed access are timed to avoid the bird nesting season (generally March to August inclusive). If work that could destroy bird nesting habitat is to proceed in the bird nesting season, a suitably-experienced ecologist should check for active bird nests immediately in advance of the works commencing. It is currently not envisaged that the south-eastern boundary which consists of hedgerow and trees would need to be removed as part of the proposals.</p> <p>The surrounding hedgerow could also provide suitable shelter for common reptile species. It is recommended that reasonable avoidance measures, including ecological supervision, are</p>

¹ Species records within 1km (minimum). Change distance dependant on project type, scale, etc.

		<p>employed to prevent potential harm to reptiles during creation of the new access to the proposed development. Such measures should be agreed with the LPA prior to commencement of works.</p> <p>It is not considered that the proposed site represents suitable resting or breeding habitat for badgers, though the current field may be within the foraging range of badger populations.</p>
	<p>Section 7 Species & Habitat <input checked="" type="checkbox"/></p>	<p>The applicant should be mindful that, in accordance with Powys County Council's duty under Section 7 of the Environment (Wales) Act 2016, TAN 5, UDP policies and biodiversity SPG, as part of the planning process PCC should ensure that there is no net loss of biodiversity or unacceptable damage to a biodiversity feature.</p> <p>Hedgerows and rivers are included on Section 7 of the Act as Priority Habitat. Hedgerow borders the south and west of the proposed site. Based on the submitted plans, I understand that a section of the southern hedge is to be removed or re-positioned to accommodate the proposed access. I recommend that the length of removal is kept to a minimum and where it needs to be moved back the existing hedge should be translocated. Also a tree/hedge protection plan in accordance with BS5837:2012 should be implemented during the construction phase to safeguard retained vegetation.</p> <p>An existing stream runs along the eastern boundary of the field which would accommodate the proposed development. It is recommended that a pollution control plan is developed and implemented during the construction phase to reduce the risk of affecting the water quality of this watercourse.</p> <p>As a biodiversity enhancement to the site I recommend that native, locally-occurring plant species are included in landscaping proposals associated with this application and a species list for the landscaping should therefore be provided for approval prior to commencement of development. Also enhancement of the site by installation of bat and bird boxes as part of the proposals would be welcomed.</p>

	LBAP Species & Habitat <input checked="" type="checkbox"/>	See previous observations.
Protected Sites	International Sites ² <input type="checkbox"/>	None within the 2km search area.
	National Sites ³ <input type="checkbox"/>	None within the 2km search area.
	Local Sites (within 500m) <input type="checkbox"/>	None within 500m.
Invasive Non-Native Species	Unknown	No ecological information has been submitted with this application.
Cumulative Effect	Unknown / Unconfirmed	
Summary of recommendations / further assessment or work		<p>I recommend that a sensitive lighting scheme is implemented to avoid adverse impacts on any nocturnal wildlife that may use the hedgerow along the south and west field boundaries.</p> <p>It is recommended that reasonable avoidance measures, including ecological supervision, are employed to prevent potential harm to reptiles during creation of the new access to the proposed development. Such measures should be agreed with the LPA prior to commencement of works.</p> <p>I recommend that vegetation removal for the proposed access is kept to a minimum and where</p>

² Identify International designated site within 2km of the proposals. Consider International sites within 15km of proposals with bats as qualifying features, and 10km with otters as qualifying features if the proposal is likely to affect these features.

³ Any designated sites within 500m of the proposal, extending to 2km dependant on features of interest i.e. wetlands (Powys LDP)

	<p>required vegetation clearance works should be timed to avoid the bird nesting season (generally March to August inclusive). If work that could destroy bird nesting habitat is to proceed in the bird nesting season, a suitably-experienced ecologist should check for active bird nests immediately in advance of the works commencing.</p> <p>I recommend that the length of the southern hedge removed is kept to a minimum and where it needs to be moved back the existing hedge should be translocated. A tree/hedge protection plan in accordance with BS5837:2012 should be implemented during the construction phase to safeguard retained vegetation.</p> <p>As a biodiversity enhancement to the site I recommend that native, locally-occurring plant species are included in landscaping proposals associated with this application and a species list for the landscaping should therefore be provided for approval prior to commencement of development. Also enhancement of the site by installation of bat and bird boxes as part of the proposals would be welcomed.</p> <p>An existing stream runs along the eastern boundary of the field which would accommodate the proposed development. It is recommended that a pollution control plan is developed and implemented during the construction phase to reduce the risk of affecting the water quality of this watercourse.</p>
<p>Recommended Conditions</p>	<p>Should you be minded to approve this application, I recommend the inclusion of the following conditions:</p> <p><i>Prior to commencement of development, a Biodiversity Enhancement Plan shall be submitted to the Local Planning Authority and implemented as approved and maintained thereafter unless otherwise agreed in writing with the LPA.</i></p> <p><u>Reason:</u> To comply with Powys County Council’s UDP Policies SP3, ENV2, ENV3 and ENV7 in relation to The Natural Environment and to meet the requirements of TAN 5: Nature Conservation and Planning, Welsh government strategies, and the Environment (Wales) Act 2016.</p>

Prior to planning permission, a reptile Reasonable Avoidance Method Statement shall be submitted to the Local Planning Authority and implemented as approved and maintained thereafter unless otherwise agreed in writing with the LPA.

Reason: To comply with Powys County Council's UDP policies SP3, ENV2, ENV3 and ENV7 in relation to The Natural Environment and to meet the requirements of TAN 5: Nature Conservation and Planning, Welsh Government strategies, and the Environment (Wales) Act 2016.

Prior to commencement of development a lighting design scheme to take any impacts on nocturnal wildlife into consideration shall be submitted for written LPA approval.

Reason: To comply with Powys County Council's UDP Policies SP3 and ENV3 in relation to The Natural Environment and to meet the requirements of Planning Policy Wales (Edition 9, November 2016), TAN 5: Nature Conservation and Planning and the Environment (Wales) Act 2016.

Prior to commencement of development a Tree and Hedgerow Protection Plan in accordance with BS:5837:2012 shall be submitted to the Local Planning Authority and implemented as approved and maintained thereafter unless otherwise agreed in writing with the LPA.

Reason: To comply with Powys County Council's UDP policies SP3, ENV2, ENV3 and ENV6 in relation to The Natural Environment and to meet the requirements of TAN 5: Nature Conservation and Planning, Welsh Government strategies, and the Environment (Wales) Act 2016.

Prior to commencement of development, a Species List for the Landscape Planting shall be submitted to the Local Planning Authority and implemented as approved and maintained thereafter unless otherwise agreed in writing with the LPA.

Reason: To comply with Powys County Council's UDP Policies SP3 and ENV3 in relation to The Natural Environment and to meet the requirements of Planning Policy Wales (Edition 9, November 2016), TAN 5: Nature Conservation and Planning and the Environment (Wales) Act 2016.

Prior to commencement of development a Pollution Prevention Plan shall be submitted to the Local Planning Authority and implemented as approved and maintained thereafter unless otherwise agreed in writing with the LPA.

Reason: To comply with Powys County Council's UDP Policies ENV3 and ENV6 in relation to The Natural Environment and to meet the requirements of Planning Policy Wales (Edition 9, November 2016), TAN 5: Nature Conservation and Planning and the Environment (Wales) Act 2016.

Informatives

Birds - Wildlife and Countryside Act 1981 (as amended)

All nesting birds, their nests, eggs and young are protected by law and it is an offence to:

- intentionally kill, injure or take any wild bird
- intentionally take, damage or destroy the nest of any wild bird whilst it is in use or being built
- intentionally take or destroy the egg of any wild bird
- intentionally (or recklessly in England and Wales) disturb any wild bird listed on Schedule 1 while it is nest building, or at a nest containing eggs or young, or disturb the dependent young of such a bird.

The maximum penalty that can be imposed - in respect of a single bird, nest or egg - is a fine of up to 5,000 pounds, six months imprisonment or both.

The applicant is therefore reminded that it is an offence under the Wildlife and Countryside Act 1981 (as amended) to remove or work on any hedge, tree or building where that work involves

	<p>the taking, damaging or destruction of any nest of any wild bird while the nest is in use or being built, (usually between late February and late August or late September in the case of swifts, swallows or house martins). If a nest is discovered while work is being undertaken, all work must stop and advice sought from Natural Resources Wales and the Council's Ecologist.</p> <p>Reptiles - Wildlife & Countryside Act 1981 (as amended) All UK native reptile species are protected by law. The Wildlife & Countryside Act 1981 (and later amendments) provides the legal framework for this protection.</p> <p>The more widespread and common reptile species, namely common lizard, slow-worm, grass snake, and adder are protected against deliberate or reckless killing and injury</p> <p>All species of reptile are priority species in the UK BAP and have been adopted on the Section 7 list of the living organisms of principal importance for the purpose of maintaining and enhancing biodiversity in relation to Wales, under the Environment (Wales) Act 2016.</p>
<p>Relevant UDP Policies</p>	<p>SP3 Natural, Historic and Built Heritage ENV 2: Safeguard the Landscape ENV 3: Safeguard Biodiversity and Natural Habitats ENV 6: Sites of Regional and Local Importance ENV 7: Protected Species</p>
<p>Comments on Additional Information</p>	<p>N/A</p>

Document Author	Rhydian Roberts	Approved by	Chris Jones
Version	1	Approved Date	05/04/2017

Officer Appraisal

Education

Officers have consulted the Powys Education Service officer regarding the capacity of the schools that would serve this site. The officer has confirmed that the school is not at full capacity and therefore no contributions are sought for this development.

Planning (Wales) Act 2015 (Welsh language)

Section 31 of the Act clarifies that impacts on the Welsh language may be a consideration when taking decisions on applications for planning permission so far as it is material to the application. This duty has been given due consideration in the determination of this application. It is considered that there would be no material unacceptable effect upon the use of the Welsh language in Powys as a result of the proposed decision.

In the 2011 census the Llandrinio Ward reported 10.7% of the population spoke Welsh. This is an increase from the 2001 census which stated that 2.1% of the population of Llandrinio spoke Welsh. Officers consider that the development of nine dwellings in this settlement will not have an unacceptable detrimental impact on the cultural or linguistic vitality of the area.

Recommendation – Conditional Consent

Inline with conditions as set out in the Original officers Report.

Case Officer: Bryn Pryce- Planning Officer
Tel: 01597 82 7126 E-mail:bryn.pryce@powys.gov.uk