

**Proposed development at Akeld,  
Wooler, Northumberland**  
Ecological Assessment

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# 1 Introduction

## Site Description

- 1.1 This report sets out the results of an ecological assessment carried out at an outbuilding located at No. 1 The Square, Akeld (referred to in the report as the Site). The Site is located approximately 3.1 km to the west of Wooler, Northumberland (Figure 1, Section 6).
- 1.2 The Site consists of a small outbuilding located to the south-east of residential properties known as The Square, Akeld. The Ordnance Survey (OS) central grid reference for the outbuilding is NT9564 2965. The outbuilding is mixed concrete block and brick construction with a rendered finish and corrugated sheeting roof.

## Description of Project

- 1.3 It is proposed to demolish the building.

## Aims of Study

- 1.4 The aim of this study was to assess the ecological interest of the Site and to identify any ecological constraints that will need to be taken into account during the different phases of the proposed work. In particular, the study has focussed on the need to minimise impacts on protected species and habitats and any designated sites in the area. To achieve this, potential ecological constraints have been identified and guidance provided on the actions that might be required to mitigate ecological impacts to an acceptable level.

## Personnel

- 1.5 The survey work and reporting was completed by Steven Betts CEcol CEnv MCIEEM. He is an experienced ecologist who has worked in the ecological sector for more than 20 years. Further details of his experience and qualifications can be found at <http://www.bsg-ecology.com/project/steve-betts/>.
- 1.6 The report has been technically reviewed by Katy Stiles MCIEEM who is also a very experienced ecologist. Further details of her experience and qualifications can be found at <http://www.bsg-ecology.com/project/katy-stiles/>.

## 2 Methods

### Desk Study

- 2.1 A desk study has been undertaken using data obtained from Defra's Multi Agency Geographic Information for the Countryside internet-based database (<http://www.magic.gov.uk>, accessed 4 June 2020) to establish the location and nature of any statutory designated sites of nature conservation interest located within 1 km of the centre of the Site. This includes Sites of Special Scientific Interest (SSSIs) and Local Nature Reserves (LNRs). The desk study has also considered the location of the Site with respect to Impact Risk Zones for statutorily designed sites.
- 2.2 A 1 km search area has been adopted in accordance with guidance published by the Chartered Institute of Ecology and Environmental Management (CIEEM, 2017). This distance defines the extent of a precautionary zone of influence based on the scope and nature of the proposed development.
- 2.3 Reference has been made to species and habitats listed in accordance with the requirements of Section 41 of the Natural Environment and Rural Communities (NERC) Act 2006 and the Northumberland Biodiversity Action Plan (NBAP), which identify species and habitats that are of conservation importance at the national and county levels.
- 2.4 Aerial photography of the Site and its surroundings was examined to further assist in understanding the context of the Site and to identify and assess possible habitat linkages with other habitats or sites of ecological importance within the local area (<https://www.bing.com/mapspreview>, accessed 4 June 2020).

### Field Survey

#### *Habitat assessment for bats*

- 2.5 The outbuilding within the Site was assessed on 22 May 2020 by Steven Betts CEcol CEnv MCIEEM to determine its suitability for roosting bats. During the survey the building was inspected internally and externally and evaluated to determine its potential to provide roosting sites for bats. Any suitable features were recorded and described. Where possible any voids and gaps in walls and other building features were inspected using an endoscope and/or a powerful torch (Collins, 2016).

#### *Habitat assessment for nesting birds*

- 2.6 During the Site visit on 22 May 2020 any evidence of breeding bird activity was noted. All birds observed during the survey were recorded and a note made of their location. Any evidence of past nesting activity was noted, such as nests, broken eggs, faecal staining.

### Survey Limitations

- 2.7 All parts of the Site were accessible and consequently a thorough inspection of the Site was carried out. The results of this inspection have been used as the basis for a robust impact assessment.

### 3 Results and Interpretation

#### Desk Study

##### **Statutory Designated Sites**

3.1 The following statutory designated sites are located within 1 km of the Site (Figure 1, Section 6):

- Tweed Catchment Rivers - England: Till Catchment SSSI (580 m to the north);
- River Tweed SAC (580 m to the north).

3.2 The reasons for the notification of each designated site are summarised below.

##### **Tweed Catchment Rivers- England: Till Catchment SSSI**

3.3 The citation for the Tweed Catchment Rivers - England: Till Catchment SSSI describes the site in the following terms: '*As part of the whole River Tweed system, the Till Catchment Rivers are clean rivers of high conservation and ecological value. The vegetation types show a natural succession from mineral-poor upland streams through to communities which are typical of mineral-rich lowland rivers. Floating beds of water crowfoot, Ranunculus, are of international significance and the blooming of a diatom Didymosphenia in the headwaters draining the Cheviot is unique in England. The fish fauna is particularly significant, the area supports one of the most important game fisheries in England, with large migrations of salmon and also supports the three British species of Lamprey. The Till catchment also contains important habitat for otters.*'

##### **River Tweed SAC**

3.4 The River Tweed qualifies as an SAC as it supports the following Annex I habitat that is a primary reason for selection of this site:

- Water courses of plain to montane levels with the *Ranunculion fluitantis* and *Callitriche-Batrachion* vegetation.

3.5 The River Tweed also supports populations of the following Annex II species that are a primary reason for selection of this site:

- Atlantic salmon *Salmo salar*;
- Otter *Lutra lutra*.

3.6 The River Tweed also supports the following Annex II species, which are qualifying features but are not a primary reason for site selection:

- Sea lamprey *Petromyzon marinus*;
- Brook lamprey *Lampetra planeri*;
- River lamprey *Lampetra fluviatilis*.

3.7 The Site falls within the Impact Risk Zone for the above SSSI and SAC; however, the proposed development is not of a type that requires further consultation with Natural England.

##### **Protected Species**

3.8 Examination of the MAGIC internet-based database (<http://www.magic.gov.uk>, accessed 4 June 2020) revealed that there are no European protected species licences for bats within 1 km of the Site.

## Field Survey

### **Habitat description**

- 3.9 The Site comprises a small outbuilding located immediately to the east of a formal garden area associated with a residential property. To the north-east is an area of mown amenity grassland.
- 3.10 The outbuilding is disused and the immediate area is overgrown with tall ruderal vegetation and shrubs. Species present include cow parsley *Anthriscus sylvestris*, bramble *Rubus fruticosus* agg. and elder *Sambucus nigra*. A semi-mature sycamore *Acer pseudoplatanus* tree is present close to the south-west corner of the outbuilding.
- 3.11 The outbuilding is a single storey concrete block and brick structure with a shallow pitch roof covered with corrugated sheeting. The roof is unlined and there is no loft area. A door opening is present on the eastern side of the building, there is a window on the western elevation and double doors on the northern elevation. On the southern side there is an extension that is made of concrete blocks with a collapsed roof (corrugated sheeting).

### **Building assessment for bats**

- 3.12 Photographs of the building are provided in Section 7. Whilst the interior of the building is accessible to bats, the construction style and materials used mean that there are few features that would be suitable for roosting bats. In particular the corrugated sheeting roof and the doorway opening to the east are collectively likely to result in widely fluctuating conditions inside the building.
- 3.13 No signs of bat presence were found and overall the building is considered to have negligible / low potential to support roosting bats. In addition the sycamore tree next to the building is also considered to have negligible potential to support roosting bats

### **Building assessment for birds**

- 3.14 No evidence of current bird nesting activity was recorded in the building. During the survey a swallow nest was found inside the building attached to a roof beam.
- 3.15 The extension on the southern side of the building is overgrown with elder and could potentially be used by nesting wren *Troglodytes troglodytes* or robin *Erithacus rubecula*. The presence of nesting birds in this location could not be discounted.

### **Constraints on Study Information**

- 3.16 The survey work has been carried out by a competent experienced ecologist and with reference to published guidance. A thorough assessment was possible as all parts of the building were accessible.



## 4 Impacts and Recommendations

### Impact assessment

#### *Designated Sites*

- 4.1 The Site is located 580 m to the south of the Tweed Catchment Rivers - England: Till Catchment SSSI and the River Tweed SAC, but is separated from these sites by the A697. It is therefore concluded that the proposed work is unlikely to impact on these designated sites if best practice pollution prevention measures are adopted.

#### *Impact Risk Zones*

- 4.2 The Site is located within the Impact Risk Zone for the Tweed Catchment Rivers - England: Till Catchment SSSI and River Tweed SAC. The IRZ does not identify the proposed building demolition as an activity that has the potential to have a significant effect on the integrity of either site.

#### *Habitats*

- 4.3 The proposed development will not impact on any habitats of conservation importance. The only habitats present are areas of tall ruderal vegetation and bramble and elder shrubs adjacent to the building. These habitats do not conform to any priority habitat descriptions (Maddocks [Ed], 2011) and are considered to be of low conservation importance. The single semi-mature sycamore tree located adjacent to the south-western corner of the building does not conform to any priority habitat description (Maddocks [Ed], 2011); it is possible that this tree will need to be removed.

#### *Protected Species*

##### *Bats*

- 4.4 Information relating to the legal protection of bats and their roosts is presented in Appendix 1.
- 4.5 No bats and no signs of bat activity were found during the building assessment. No features suitable for roosting bats are present, and so the presence of bats is considered to be unlikely.

##### *Breeding Birds*

- 4.6 Information relating to the legal protection of nesting birds is presented in Appendix 1.
- 4.7 No signs of current breeding bird presence were noted during the survey, but evidence of past nesting was found. In the absence of mitigation, the proposed work has the potential to impact on nesting birds, their eggs and young if the work is carried out during the breeding bird season (which runs from mid-March to August).

#### **Mitigation Measures**

##### *Designated Sites*

- 4.8 No impacts are predicted on designated sites and consequently no mitigation measures have been proposed for such sites. It is expected that construction will adhere to best practice to prevent pollution.

##### *Protected Species*

##### *Bats*

- 4.9 No impacts on bats are likely and so no mitigation measures are proposed.

**Breeding Birds**

- 4.10 All works involving the disturbance or destruction of any areas capable of supporting breeding birds should ideally take place outside of the breeding season, which generally extends from mid-March to August. However, it should be noted that some species can commence breeding earlier or continue breeding efforts beyond this period.
- 4.11 Activities taking place during the bird breeding season should not commence until the area has been checked for nesting birds by a suitably qualified ecologist. If nesting birds are detected then a suitable stand-off should be marked out around the area and work in that area should be delayed until the birds and their young have dispersed.

## 5 References

CIEEM (2017). Guidelines for Preliminary Ecological Appraisal: Technical Guidance Series. Second Edition. Published December 2017.

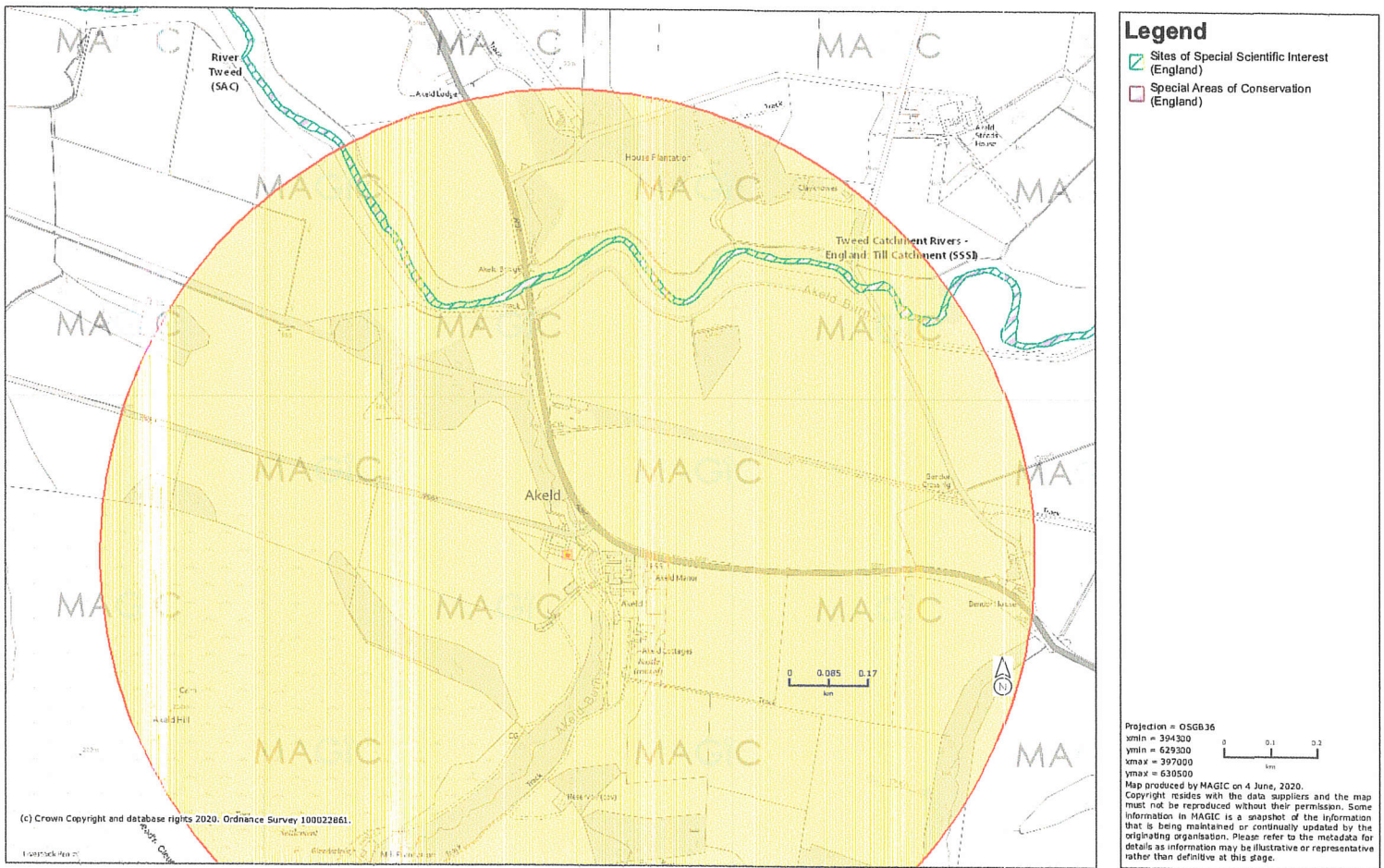
Collins [Ed] (2016). Bat Surveys for Professional Ecologists: Good Practice Guidelines, 3rd Edition. Bat Conservation Trust, London.

Maddock, A. [Editor] (2008). UK Biodiversity Action Plan: Priority Habitat Descriptions. UK Biodiversity Action Plan; Priority Habitat Descriptions. BRIG. (Updated 2011).

## **6 Figures**

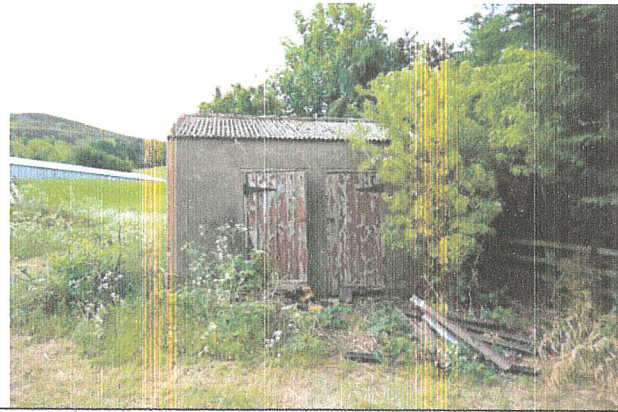
Figure 1: Location plan showing statutory designated sites.

Figure 1: Location map showing designated sites



## 7 Photographs

Photograph 1: Northern side of outbuilding



Photograph 2: Eastern gable end



Photograph 3: Southern elevation of outbuilding



Photograph 4: Interior of outbuilding



## Appendix 1: Summaries of Relevant Legislation, Policy and Other Instruments

- 7.1 This section briefly summarises the relevant legislation, policy and related issues that are mentioned in the main text of the report. The following text does not constitute legal advice.

### National Planning Policy Framework

- 7.1 The government published the National Planning Policy Framework (NPPF) on 27<sup>th</sup> March 2012. The NPPF states that, *“the planning system should contribute to and enhance the natural and local environment by:*
- a. *Protecting and enhancing valued landscapes, geological conservation interests and soils;*
  - b. *Recognising the wider benefits of ecosystem services;*
  - c. *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;*
  - d. *Preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of soil, air, water or noise pollution or land instability; and*
  - e. *Remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate.”*

### Planning applications and biodiversity

- 7.2 “When determining planning applications, local planning authorities should aim to conserve and enhance biodiversity by applying the following principles:
- a. *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;*
  - b. *Proposed development on land within or outside a Site of Special Scientific Interest likely to have an adverse effect on a Site of Special Scientific Interest (either individually or in combination with other developments) should not normally be permitted. Where an adverse effect on the site’s notified special interest features is likely, an exception should only be made where the benefits of the development, at this site clearly outweigh both the impacts that it is likely to have on the features of the site that make it of special scientific interest and any broader impacts on the national network of Sites of Special Scientific Interest;*
  - c. *Development proposals where the primary objective is to conserve or enhance biodiversity should be permitted;*
  - d. *Opportunities to incorporate biodiversity in and around developments should be encouraged;*
  - e. *Planning permission should be refused for development resulting in the loss or deterioration of irreplaceable habitats, including ancient woodland and the loss of aged or veteran trees found outside ancient woodland, unless the need for, and benefits of, the development in that location clearly outweigh the loss; and*
  - f. *The following wildlife sites should be given the same protection as European sites:*
    - i. *potential Special Protection Areas and possible Special Areas of Conservation*
    - ii. *listed or proposed Ramsar sites; and*
    - iii. *sites identified, or required, as compensatory measures for adverse effects on European sites, potential Special Protection Areas, possible Special Areas of Conservation, and listed or proposed Ramsar sites.”*

7.3 *"The presumption in favour of sustainable development (paragraph 14 [of NPPF]) does not apply where development requiring appropriate assessment under the Birds and Habitats Directives is being considered, planned or determined."*

7.4 In paragraph 125 the NPPF stipulates that *'by encouraging good design, planning policies and decisions should limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation.'*

### **Species and Habitats of Principal Importance**

7.1 The NPPF (paragraph 117) indicates that local authorities should take measures to *"promote the preservation, restoration and re-creation of priority habitats, ecological networks and the protection and recovery of priority species"* linking to national and local targets through local planning policies. Priority species are those species shown on the England Biodiversity List published by the Secretary of State under Section 41 of the Natural Environment and Rural Communities (NERC) Act 2006. Planning authorities have a duty under Section 40 of the NERC Act to have regard to priority species and habitats in exercising their functions including development control and planning.

### **Bats**

7.2 Bats are protected under the Wildlife and Countryside Act 1981 (as amended by the Countryside and Rights of Way Act 2000) and under the Conservation of Habitats and Species Regulations 2017. Taken together, these make it an offence to:

- Deliberately capture or intentionally take a bat.
- Deliberately or intentionally kill or injure a bat.
- To be in possession or control of any live or dead wild bat or any part of, or anything derived from a wild bat.
- Damage or destroy a breeding site or resting place of such an animal or intentionally or recklessly damage, destroy or obstruct access to any place that a wild bat uses for shelter or protection.
- Intentionally or recklessly disturb any wild bat while it is occupying a structure or place that it uses for shelter or protection.
- Deliberately disturb any bat in such a way as to be likely significantly to affect;
  - the ability of any significant group of animals of that species to survive, breed or rear or nurture their young; or
  - the local distribution or abundance of that species.

7.3 A bat roost may be any structure a bat uses for breeding, resting, shelter or protection. It is important to note that since bats tend to re-use the same roost sites, legal opinion is that a bat roost is protected whether or not the bats are present at the time. However, this has yet to be tested in law.

7.4 Although the law provides strict protection to bats, it also allows this protection to be set aside (derogation) under the Conservation of Habitats and Species Regulations 2017 through the issuing of licences. In England these licences are currently determined by Natural England (NE) for development works.

### **Breeding Birds**

7.5 All birds are protected under Section 1 of the Wildlife and Countryside Act 1981 (as amended), which makes it an offence to intentionally kill, injure or take any wild bird or take any wild bird or take damage or destroy the nest while in use or being built or take or destroy an egg. Certain species of bird that are listed in Schedule 1 of the Act receive additional protection. For these species it is an offence to recklessly disturb the bird while it is on its nest or to disturb the dependant young of such a species.



- 7.6 In addition, the EU Birds Directive, Countryside and Rights of Way Act 2000 and the Natural Environment and Rural Communities Act 2006 all provide protection to certain bird species and their habitats in the UK.
- 7.7 A number of birds of particular conservation concern have also been assigned priority status under the UK BAP. These are generally species which occur on the Birds of Conservation Concern Red List (Gregory et al, 2002) and usually belong to groups that are particularly influenced by unfavourable land management. Some species are also given priority within the local BAP, and these require action at the local level.