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Communities

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Our Ref: WE 31/05/13
 Your Ref:
 Date:10/06/2013

ECOLOGICAL RESPONSE - Weekly list for week ending 31st May 2013.

Thank you for your consultation.

A. Either we have already received details of the following applications and will be forwarding our comments shortly or, in some cases, we may have already submitted comments or are submitting comments here.

Application no.	Location	Comments
FUL/2013/0891	Rostherne New Road	Send in current photos of the site
FUL/2013/0912	15 Bree Close	As this proposal involves impacting on an existing roofspace a pre-determinative bat survey is likely to be recommended. Please send in photos of the existing roof.
FUL/2013/0701	2 Southleigh Avenue	<p>As this proposal involves impacting on an existing roofspace a pre-determinative bat survey is likely to be recommended. Please send in photos of the existing roof especially where the development would impact.</p> <p>There is good bat foraging and commuting habitat nearby and in the surrounding area. There is a record of a bat in the surrounding area.</p> <p>Stivichall Common and Canley Ford Local Wildlife Site is to the south, east and west in the surrounding area. Ecosite 229/37 Hearsall Golf Course and ponds with Great crested & smooth newts is adjacent to the site.</p> <p>Please attach the following notes to any permission granted:</p> <p>NOTES: Reptile and amphibian note Bat note Nesting bird note</p>

FUL/2013/0897	162 Torcross Avenue	As this proposal involves a significant impact on an existing roofspace a pre-determinative bat survey is recommended. Wyken Croft potential local wildlife site and Ecosite 63/38 is to the east in the surrounding area. Ecosite 223/38 Lyng Hall School with ponds is to the north/north west in the surrounding area. These areas with trees, hedges and ponds would support species such as bats and nesting birds. There are records of bats, smooth newts, common frog, common toad in the surrounding area.
FUL/2013/0882	Westwood Athletics Track, Kirby Corner Road	Send in photos of where the extension would impact the roof

B. Please await my detailed, second level response for the following applications, as they appear to have the potential to adversely affect protected species and/or protected or significant sites and I shall therefore be investigating further. Please note that I may request plans to be emailed / sent on CD where I am unable to access them online.

A number European Protected Species (EPS) are found in Warwickshire. In considering planning applications that may affect European Protected Species, the District Council is bound by Regulation 3(4) of the Conservation (Natural Habitats, &c.) Regulations 1994 to have regard to the Habitats Directive when exercising their functions.

Therefore, in all cases affecting European Protected Species, we recommend the District Council seek information on the species prior to determination of the application to enable it to consider and balance all material matters.

Application no.	Location	Comments

We will be providing second level, more detailed responses whenever we feel (from the brief information provided on the planning list) that protected species are both likely to be present and adversely affected by the proposals, or that significant habitats may be affected.

However, the applicant should be informed that protected species could potentially be present wherever building work is proposed for houses or other buildings or may affect trees, particularly mature trees.

C. The following applications do not appear to need detailed Ecological comments:

However, we have the following brief ecological comments on them. Please attach the relevant notes (**see below**) to any planning permission granted:

NB Please note the recent change of name of non-statutory sites of nature conservation from Sites of Importance for Nature Conservation (SINCs) to Local Wildlife Sites (LWS).

*Working for
Warwickshire*

Application no.	Location	Ecological comments /condition/ notes to be attached to permission
FUL/2012/2187	Earlsdon Street launderette, 49 Earlsdon Street	Bat note Nesting bird note
FUL/2013/0907	19 Frobisher Road	Bat note Nesting bird note
FUL/2013/0732	81 Carlton Road	Reptile note Nesting bird note
FUL/2013/0690	26 Penny Park Lane	Nesting bird note
FUL/2013/0822	2-4 Carter Road	If mature trees are to be affected by the proposed works please attach a tree protection condition CONDITION: Tree protection condition NOTES: Nesting bird note
FUL/2013/0918	11 Kinlet Close	Bat note Nesting bird note
LDC/2013/0903	27 Bulwer Road	Bat note Nesting bird note
FUL/2013/0682	83 a, b and c Gulson Road	Bat note Nesting bird note Reptile note
FUL/2013/0896	12 Mantilla Drive	Bat note Nesting bird note

Bat note

Buildings of all ages and trees with suitable features (i.e. rot-holes, cracks, fissures) are frequently used by roosting bats. Bats and their 'roost' sites are fully protected under the 1981 Wildlife and Countryside Act and the Habitat Regulations 1994 (as amended 2007), making them a European Protected Species. It is a criminal offence to recklessly disturb or destroy a known or suspected bat 'roost', even if the roost is only occasionally used. Where a bat 'roost' is present a license may be necessary to carry out any works. Further information about species licensing and legislation can be obtained from the Species Licensing Service on 0845 601 4523. If evidence of bats is found during works, work should stop immediately and Natural

Nesting Bird note:

Work should avoid disturbance to nesting birds. Birds can nest in many places including buildings, trees, shrubs dense ivy, and bramble/rose scrub. Nesting birds are protected under the 1981 Wildlife and Countryside Act. The main nesting season lasts approximately from March to September, so work should ideally take place outside these dates if at all possible. N.B birds can nest at any time, and the site should ideally be checked by a suitably qualified ecologist for their presence immediately before work starts, especially if during the breeding season.

Bat and Nesting Bird tree note:

If it is **essential** to fell or lop any trees or part of the hedgerows, it should be ensured that this work does not disturb nesting birds, with work ideally being conducted outside the main breeding season (March-September). All nesting birds are protected from disturbance or injury under the 1981 Wildlife and Countryside Act. In addition, if mature trees are likely to be affected by the development, (e.g. by felling or lopping work), it is important to survey these trees for the presence of bats, **prior to work commencing**. Bats and their roost sites are protected under the 1981 Wildlife and Countryside Act and the Countryside and Rights of Way Act, and are also deemed a European Protected Species. Local Authorities are bound by the Conservation of Habitats and Species Regulations 2010 to have regard to the Habitats Directive when exercising their functions.

For LBC roof works:

Many listed buildings are likely to support features commonly used by bats (such as warped or lifted tiles or lead flashing and gaps around eaves or soffits). Bats and their 'roost' sites are fully protected under the 1981 Wildlife and Countryside Act and the Conservation of Habitats and Species Regulations 2010, making them a European Protected Species. It is a criminal offence to recklessly disturb or destroy a known or suspected bat 'roost', even if the roost is only occasionally used. The consent given by this notice does not override the protection afforded to these species and their habitats. You must take steps to ensure that the work you are carrying out will not harm any protected species. Where a bat 'roost' is present a licence may be necessary to carry out any works. Further information about species licensing and legislation can be obtained from the Species Licensing Service on 0845 601 4523. If evidence of bats is found during works, work should stop immediately and Natural England must be contacted on 01453 764450 for advice on the best way to proceed.

Bat lighting note

Lighting can have a harmful effect on bats impacting on their use of a roost and also their commuting routes and foraging areas. Light falling on a roost access point is likely to delay bats from emerging, which can be especially damaging around dusk as that is when there is a peak in the number of insects. In the worst case scenario, it can cause the bats to desert the roost. Bats and their 'roost' sites are fully protected under the 1981 Wildlife and Countryside Act and the Conservation of Habitats and Species Regulations 2010, the latter of which deems them a European Protected Species. Bats should always be taken into account when lighting is being considered. It is respectfully advised that lighting is kept to a minimum around the roof area and is limited to illuminating the ground and not any possible access points or foraging corridor. For further advice on this please contact the Ecology Unit on 01926 418060.

TPO/Tree works note:

Many trees contain wildlife such as bats and nesting birds that are protected by law. The consent given by this notice does not override the protection afforded to these species and their habitats. You must take steps to ensure that the work you are carrying out will not harm any protected species, and if it may do so you must also obtain permission from Natural England prior to carrying out the work. For more information on protected species please see <http://www.naturalengland.gov.uk>".

Protection of Watercourse

It should be ensured that there is no contamination of the watercourse either during or after development. All watercourses are of significant nature conservation value. Therefore, we would recommend that suitable measures are taken to minimise detrimental run-off and ensure no net biodiversity loss in accordance with PPS9 and to comply with guidance within the Water Framework Directive.

Reptile and Amphibian note:

In view of the nearby records, care should be taken when clearing the ground prior to development, and if evidence of specially protected species such as reptiles or amphibians is found (newts, snakes, lizard, frogs toads), work should stop while Warwickshire Museum Ecology Unit or Natural England is contacted. Reptiles and amphibians are protected to varying degrees under the 1981 Wildlife and Countryside Act and the Countryside and Rights of Way Act 2000 and great crested newts are additionally deemed European Protected Species.

D - All other applications on the weekly list dated week ending 31st May 2013 – have no known ecological concerns.

We do not know of any ecological concerns regarding these developments provided any hedgerows and mature trees present are protected and preserved, and provided protected species such as badgers, great crested newts, nesting birds, etc., are not affected.

However, all sites have *some* value for wildlife. Therefore we would be happy to carry out further investigations of any site on request.

If you need any further information, please do not hesitate to contact me.

Yours faithfully,

Barbara Golding
Ecologist