people's trust for endangered species

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Following the submission from Evolution Ecology regarding the ground flora, I feel there are some further relevant points that need to be taken into consideration.

> • Evolution Ecology has surveyed the site & building, no protected species were identified on site so therefore no special measures or licences are required

The statement above is deceptive in that, so far as the evidence submitted to this application goes, a bat survey was conducted only on the cottage and a flora survey only on the orchard floor. **There remains no bat survey of the traditional orchard.**

The European Protected Species hazel dormouse *Muscardinus avellanarius* are present at a site 5 km to the north west of Alton which is very well-connected to the Ivy Cottage site via the Churnet Valley comprised of mostly woodland and also hedgerows throughout. However, there has been no dormouse survey. Should dormice be present, special measures and a licence would be required. Traditional orchards provide excellent dormice habitat due to the abundance of food from year-long ground flora, fruit, hazel nuts, abundant insects, and many natural nesting sites. Presence cannot be known without a survey.

> • No bats were recorded in the building & although suggestion is made regarding tree roosts these will not be affected as any work will involving trees will be carried out during the period when tree roosting will not occur. The developers will incorporate bat boxes throughout any development – One per garden or more if required

The law does not only protect inhabited roosts, it covers roosts *per se*, otherwise it would be valid to wait until bats leave at dusk and destroy them in their absence, which would of course be absurd. A bat roost does not cease to be a bat roost when it is unoccupied (see Conservation of Habitats and Species Regulations: Regulation 41 prohibits damaging or destroying a bat roost and the deliberate capture, injury, disturbance, or death of a bat).

The incorporation of bat boxes into a development is a minor sop. No amount of bat boxes can replace valuable foraging resources and natural roosting sites in living trees. Bat boxes do not last more than a few years. Bat box occupancy rates post-development are extremely low (13%) and evidence of mitigation success is vague and unsubstantiated (Stone *et al.* 2013). There will be nothing to stop home-owners removing them or blocking access. Bat boxes are designed to enhance existing sites with a paucity of roosts, they are not appropriate as replacement for Priority Habitat.

The tree already removed was not surveyed for bat presence before works commenced. This one, and the other that had work done, were both ideal roost trees as it can be clearly seen that hollowed out portions of the branches were available and accessible (Figs. 1 & 2). Contrary to received wisdom, these hollows *do not* weaken the trees, indeed they have evolved in this way in order to remain standing for *longer* as the physical properties of a tube imparts greater strength and flexibility under stress than a solid cylinder and reduces the weight of the framework boughs. The motivation for conducting this work is highly questionable: the owners

have no regard for the trees so it wasn't in the interests of tree health. As regards to safety, the site has now been secured so no members of the public would be able to gain access to them. It would also have been far cheaper to prop or strap the branches up or cordon the trees off if there was any real concern.

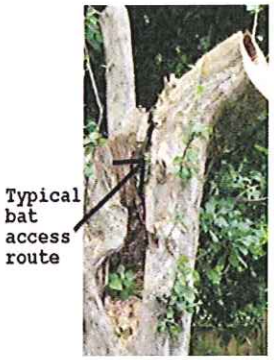

Fig 1.

Fig 2.

• All work which may cause disruption to birds will be done outside of the bird nesting season. No ground nesting birds will use the site due to the presence of cats from the adjoining residential areas. The Developers will install bird boxes. Additional hedgerow & tree planting will enhance nesting Opportunities

Temporary disruption to birds during habitat destruction is not what is at stake. The destruction of Priority Habitat will remove foraging and nesting potential in perpetuity. As with bat boxes, the installation of bird boxes will provide a very limited range of species with nesting opportunities for a very limited timescale. This is not habitat replacement and does not mitigate for habitat loss. Use of the term 'additional' is specious since there cannot feasibly be more trees and hedgerows on a fully developed site than there currently are in the orchard and grounds.

• There are hedges to the perimeter only of the site which will be protected with Heras or similar type fencing for the duration of the works. No works will affect the hedge which will remain undisturbed & any additional planting can be agreed with the Authority by condition.

Proximity of gardens and dwellings and the associated light pollution will indubitably affect the wildlife using the hedgerows. The character of a hedgerow bordering a dwelling or garden is categorically different to that of a hedgerow margin in a field or orchard.

• Evolution Ecology undertook 2 separate visits to survey the flora & fauna, an extract of their findings is shown as an appendix (No 1) to this statement which shows what is on site & the second appendix, from the Natural England website lists the Protected species. None of these are found on Ivy Cottage site as is confirmed by appendix 2 – Evolution survey findings The developer proposes that all topsoil will be retained on site & reused in garden & other planting areas to ensure all the common flora already on site remains

Why is only an extract of the survey report available? Why has the flora survey only just been published and why are there no faunal surveys at all apart from the bat survey on the cottage?

Use and modification of gardens will not be conducive to the same range of floral and faunal diversity being sustained post-development and to suggest it would is highly misleading.

The Evolution Ecology 'list' of Protected Species is of vascular plants only. There are 1150 UK BAP species; Section 41 of the NERC Act lists 943 species in England; the Birds Directive 184 species in England. The list goes on. No surveys for invertebrates, herps, lichens, mosses, fungi, or birds have been published. As this is a Priority Habitat, the potential for all of these taxa is substantially higher than the vast majority of other sites, including greenfield, and higher than all other alternative sites in Alton.

> • Trees – The trees on site are protected by TPO's & it will be the developers task to put forward the case for removal of those affected by this application supported by considerable mitigation & additional planting which has already been detailed elsewhere as part of the submission. Many of the trees are unaffected by the proposals – over two thirds & these can be protected during any working in a manner to be agreed by condition

I have seen no evidence of 'considerable mitigation'. The use of the term 'enhancements' to describe planting a few trees in gardens and installation of bat and bird boxes following the destruction of a Priority Habitat is nothing less than an abuse of the English language.

I would also take this opportunity to point out that the Supplimentary Planning Statement conclusion that the orchard Condition Assessment is 'poor' is in line with the fact that no new planting in the orchard has occurred in recent years, however, there are no details of the proposed 'new orchard' and newly planted trees do not reach the stage of high biodiversity (veteran features present) for 40 or 50 years. The proposal that 'new and improved' hedgerows will be planted is similarly obtuse as these also develop high biodiversity over many years.

Protection of the remaining trees during development will not, as with hedgerows, preserve the post-development context, character and use by wildlife.

In summary, there can be no doubt remaining in the board's mind that the development of the orchard and Ivy Cottage will result in significant and irreplaceable loss of biodiversity. That alternative sites were not sought before this application was proposed is, among other things, in direct contravention of the National Planning Policy Framework.

Stone, E.L., G. Jones & S. Harris. 2013. Mitigating the Effect of Development on Bats in England with Derogation Licensing. *Conservation Biology* 27:1324-1334.