

Farmers understand the seasons better than most. Indeed you couldn't do your jobs if you didn't. But do you appreciate the influence the seasons have on other areas of your farm business? I'm not talking about the festive season, I mean how the bat hibernation season or bird nesting season can effect the development of your farm. Whether it's a new cattle building or a barn conversion ecological seasons can have a massive influence on rural property development.

# 'Tis the season to be surveying



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## Criminal consequences

Planning applications must be accompanied by an ecological report. Yet it is not always appreciated that this is much more than just a "box ticking" exercise on the part of the Local Planning Authority. They are obliged to ensure the "favourable conservation status" of protected species. This does not have to mean stopping development but does mean making decisions based on professional advice from firms like CLM. The gravity given to ecological considerations reflects the legal status of species protected by international, European and UK law. A recent judicial review has shown that Local Planning Authorities (LPA) must take protected species into account as a "material consideration" and can no longer simply issue a consent with a

planning condition relating to further surveys. So in order to avoid costly delays or indeed a criminal record, ecology must be dealt with at the earliest opportunity and in a timely fashion; and means taking account of the seasons.

## European protected species

An application for a new livestock building requiring full planning permission will need to be accompanied by an assessment of the ecological habitats around the site and their potential to support protected species. Such species include bats, badgers, great crested newts

and dormice; in fact many species likely to be found in the South East of England. This initial assessment is often called an "Extended Phase 1 Survey" or sometimes a "Scoping Survey". These can be carried out at any time but are perhaps most useful if done in the winter. With the wealth of records held by the Wildlife Trusts and other interest groups it is not sufficient to submit a report that says "we've had a look and didn't find anything". LPA's employ their own ecologists and surveys must be prepared to recognised protocols by professional ecologists giving reference to existing biological records.

The initial report may, on the basis of recognised best practice, recommend further surveys for specific species. These secondary surveys are not always necessary but trying to avoid them can lead to costly delays later in the project or even the committing of a criminal offence.

## Get your timing right

The timing of these species specific surveys is critical. If there are ponds suitable for Great Crested Newts within 500m of the development site and there are records of the species in the area further surveys will almost certainly be needed. These can only be carried out from March to July. If signs of bats are found within a barn to be converted "emergence surveys" will be needed to establish the type of roost and how many bats are using it. These surveys can only be carried out from May to September.

As the farming community knows the seasons are not consistent and it may well be that surveys are delayed due to unfavourable weather conditions. For example inclement weather reduces bat activity.

As well as the LPA ecologist Natural England will also have an input and if a protected species needs to be disturbed they are, under certain circumstances, able to issue a licence for the project to proceed.

This may all seem rather daunting particularly if your project is small. However it needn't be and the important thing is that these surveys are taken seriously and professionally and the earlier a consultant ecologist is engaged the more likely the project is to run on schedule and on budget.

## Survey calendar

Species	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sept	Oct	Nov	Dec
Habitats/Vegetation	Phase 1 only (sub-optimal)			Phase 1 and NVC					Phase 1 only (sub-optimal)			
Badgers	Limited sett/bait surveys	Bait marking and sett surveys		Limited bait marking and sett surveys			Sett surveys		Sett surveys		Limited sett/bait surveys	
Bats	Inspection of hibernation roosts		Limited activity	Survey for summer roosts and activity surveys possible for all areas with suitable habitat				Limited activity	Inspection of hibernation roosts			
	Potential roost and internal surveys are possible all year round, trees are best surveyed in winter											
Birds	Surveys for winter species, ie. Wintering waders		Breeding bird surveys and those for migrant species		Breeding bird surveys		Low activity, surveys not recommended		Surveys for migrant species		Surveys for winter species, ie. Wintering waders	
Dormice	Gnawed hazel nut search			Nest tube survey from April to November					Gnawed hazel nut search (best from September to December)			
Great crested newts	Newts hibernating, no survey possible		Pond surveys for adults / Terrestrial survey / Egg surveys April to mid-June / Larvae surveys from mid-May			Survey for habitat suitability and the presence of larvae		Survey possible to determine habitat suitability		Newts hibernating, no survey possible		
Otters	There are no distinct seasonal constraints to otter survey, however they may be effected by vegetation cover and weather conditions											
Reptiles	Reptiles hibernating, no survey possible		Peak survey months are April and May			Reduced basking time lowers effectiveness of refugia survey		Peak survey month	Limited activity	Reptiles hibernating, no survey possible		
Water voles	Low activity	Surveys for habitat suitability		Habitat and field signs / activity surveys May be limited by vegetation cover and weather					Surveys for habitat suitability		Low activity	
White-clawed crayfish	Low activity, no survey possible			Searching Torching Trapping	Where present likely to have young, hence avoid survey		Substrate search by hand Torchlight and trapping surveys			Low activity, no survey possible		
	Surveys recommended			Sub-optimal survey period			Surveys not possible					