

Constituent Report CR-E  
Preliminary Ecological Appraisal

# Ashgrove Connects

## Preliminary Ecological Appraisal Report

Aberdeen City Council

August 2022



# Notice

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This document does not purport to provide legal advice.

This document has 43 pages including the cover.

## Document history

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# Summary

Report purpose	<p>The aims of this report are to:</p> <ul style="list-style-type: none"> <li>Identify key ecological constraints to the proposed development;</li> <li>Identify if additional ecological surveys are required to inform an ecological impact assessment; and</li> <li>Identify avoidance, mitigation, compensation and enhancement measures.</li> </ul>
Proposed Scheme	<p>Aberdeen City Council are proposing to redesign Ashgrove Road, Ashgrove Road West and Laurelwood Avenue to create a new travel route in the area. The aim of this is to provide extra facilities for well-connected, accessible and safe transport links for people walking, cycling and wheeling in the local area.</p>
Desk studies and field surveys	<p>A desk study was completed on 07/07/2022 which included a data request from North East Scotland Biological Records Centre (NESBReC) for protected and notable species and local sites of importance. An online search was also carried out to search for nearby statutory and non-statutory designated sites of nature conservation importance, ancient woodland inventory, waterbodies and priority habitats.</p> <p>A walkover survey following UK Habitat Classification System (UKHab)<sup>1</sup> methodology was undertaken of the site between 21/07/2022 and 22/07/2022, including land up of 50 m in all directions (where accessible) to record habitats and evidence of, or the suitability for, protected and priority species.</p>
Ecological features	<p>No statutory designated sites for nature conservation were recorded within 2 km of the Site.</p> <p>Two non-statutory designated sites for nature conservation were recorded within 1 km of the Site: Aberdeen to Inverness - Kittybrewster Railway Line Local Nature Conservation Site (LNCS), and; Hilton Wood LNCS.</p> <p>The Site consisted mostly of hardstanding (roads and pavements) and houses with associated gardens. Areas of species poor modified grassland, ornamental scrub planting and broadleaved woodland were scattered throughout the length of the Proposed Scheme around community amenity areas and commercial businesses. Urban trees lined streets and boundaries.</p> <p>Habitats within the Survey Area have suitability to support bats, badger, nesting birds, common species of reptile, red squirrel, hedgehog and priority invertebrates. Possible veteran trees were also recorded within the Survey Area.</p>
Avoidance, mitigation and compensation measures	<p>Avoidance and mitigation measures include retention of habitat within the Survey Area as far as possible (including trees), avoidance of night-time working (taken to be 30 minutes prior to sunset to 30 minutes after sunrise), implementation of pollution prevention measures, and methods to prevent accidental harm to wildlife during the works.</p>
Recommendations for further survey	<p>A preliminary bat roost assessment (PBRA) of structures and ground level tree assessment (GLTA) may be required depending on the nature of the proposed works. If the suitability for roosting bats is identified, further presence/likely absence surveys may be required.</p> <p>If works are likely to impact suitable habitat for red squirrel a survey for the presence/likely absence of squirrel dreys may be required.</p>
Opportunities for biodiversity enhancements	<p>Opportunities for biodiversity enhancement include the installation of woodcrete bat and bird boxes within woodland areas, the creation of habitats through habitat piles in grassland areas, and an increase in the floristic diversity through locally-sourced green hay and woodland floristic communities.</p>

<sup>1</sup>UK Habitat Classification. 2018 - 2022. [online] Available at: <https://ukhab.org>

## Report Validity

In the event of scope or programme changes or if works do not commence within 12 months of the date of this report then updates to the surveys may be required to ensure the validity of the data, as per CIEEM guidance<sup>2</sup>.

# 1. Introduction

## Terms of Reference

- 1.1. Atkins Limited was commissioned by Aberdeen City Council to undertake a Preliminary Ecological Appraisal (PEA) in connection with the proposed Active Travel Route (hereafter referred to as the Proposed Scheme). The Proposed Scheme is located along Ashgrove Road, Ashgrove Road West and Laurelwood Avenue in Aberdeen city, as shown on Figure A-1 in Appendix A (hereafter referred to as the Site).
- 1.2. This report has been undertaken with reference to current good practice<sup>3</sup> and provides an initial appraisal of any likely ecological constraints upon designated site, protected species and other features of ecological interest.
- 1.3. Following the principles of the mitigation hierarchy and British Standard (BS) 42020:2013<sup>4</sup>, this report also identifies the need for measures to avoid, mitigate or compensate for damage and disturbance to habitats and species. Opportunities to provide biodiversity enhancements in accordance with local, regional and national biodiversity planning strategies are also identified where relevant. Furthermore, it identifies recommendations for further ecological surveys that may be required to establish the presence or likely absence of ecological features within and adjoining the Proposed Scheme.
- 1.4. This report is intended to inform design development, site layout and/or site investigations. In addition, it provides the indicative scope for further ecological surveys and/or ecological impact assessment required in connection with a planning application or to contribute to an Environmental Impact Assessment.

## The Site

- 1.5. The Site is located in Aberdeen city centre along Ashgrove Road and Ashgrove Road West, and includes Laurelwood Avenue to the south which adjoins to Ashgrove Road at the eastern end of the Proposed Scheme. The Site runs for approximately 2.25 km from Ordnance Survey National Grid Reference (OSNGR) at NJ 91036 07031 from its western-most point to NJ 93135 07751 at its eastern-most point.
- 1.6. The Site consists predominantly of road and pavement, with housing and associated gardens immediately adjacent. Several commercial businesses are located along Ashgrove Road and Ashgrove Road West with small areas of grassland, scrub and woodland. Individual trees are scattered throughout the Site along streets and within areas of grassland and scrub. The Site is bounded to the west by North Anderson Drive and to the east by the A96. It is intersected by Westburn Drive along with minor residential roads.
- 1.7. In the wider area, the urban settlement of Aberdeen spreads out from the Site in all directions. The Aberdeen to Inverness rail line lies approximately 150 m east of the Site, running perpendicular, north to south.

## The Proposed Scheme

- 1.8. Details of the Proposed Scheme, as they are currently understood, are to redesign the road and street and create a new active travel route in the area to provide extra facilities for well-connected, accessible and safe transport links for people walking, cycling and wheeling in the local area. These facilities will include segregated cycle and walking infrastructure, as well as a range of junction and crossing upgrades. An overview of the initial design can be found in the Phase 2 Report.

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<sup>2</sup> CIEEM (2019) Advice Note on the Lifespan of Ecological Reports and Surveys

<sup>3</sup> CIEEM (2017) Guidelines for preliminary ecological appraisal. 2<sup>nd</sup> Edition.

<sup>4</sup> British Standard (2013) BS 42020:2013 Biodiversity - code of practice for planning and development

## Scope of the Assessment

- 1.9. This report presents ecological information obtained during the following:
  - A desk-study undertaken on 07/07/2022; and
  - A walkover survey of accessible land within 50 m and adjacent to the Site on 21/07/2022 and 22/07/2022.
- 1.10. The walkover survey and identification of potential ecological constraints was based on the condition of the Site and its immediate surrounds encountered at the time of the walkover survey, and information about the Proposed Scheme available at the time. If information on the Proposed Scheme should change, the Site may need to be re-visited to establish if there are any further ecological constraints arising from changes to the design.
- 1.11. The report also presents a preliminary condition assessment of habitats. As preliminary designs are still being drawn up and the full extent of the Site is unknown, baseline biodiversity units have not been calculated. Instead, the condition of habitats present at the time of the walkover survey have been presented to allow for calculation of any biodiversity value in the future, should this be required.
- 1.12. Condition assessment has been made using Defra Biodiversity Metric 3.1<sup>5</sup>. This allows the current baseline biodiversity units to be assessed. The method, results and assumptions made while using this metric are outlined below.
- 1.13. Once the final detailed design has been received, the baseline habitats, habitats to be lost, and the post-development habitats can be compared and the likely change in biodiversity value resulting from the Proposed Scheme presented. This is not covered by the current scope of works.

## 2. Methods

### Desk Study

- 2.1. The geographical area for obtaining ecological data through desk studies has been determined using best practice guidance (as detailed in 2.10) and professional judgement. Baseline data has been gathered from a range of sources through data requests, consultation, and using online resources as outlined below. This included data gathering in relation to statutory and non-statutory designated sites for nature conservation and protected and priority species<sup>6</sup>. The study areas used for the data gathering are detailed in Table 2-1. The desk study was undertaken in 07/07/2022. For species records collected, only those within 10 years of the data collection date have been considered within the assessment.
- 2.2. The following online resources were accessed:
  - NatureScot's SiteLink<sup>7</sup>;
  - NatureScot's Habitat Map of Scotland<sup>8</sup>;
  - Woodland Trust's Ancient Tree Inventory<sup>9</sup>; and
  - Aberdeen City Council Protected Trees<sup>10</sup>
- 2.3. Ordnance Survey maps and the Grid Reference Finder website<sup>11</sup> was used to identify the presence of waterbodies within 500 m of the Site boundary, in order to establish if the land within and immediately surrounding the Site could be used as terrestrial habitat for great crested newts. This species typically uses suitable terrestrial habitat up to 500 m from a

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<sup>5</sup> <http://publications.naturalengland.org.uk/publication/6049804846366720>

<sup>6</sup> These are defined in CIEEM (2017) Guidelines for Preliminary Ecological Appraisal 2nd Edition

<sup>7</sup> <https://sitelink.nature.scot/home>

<sup>8</sup> <https://map.environment.gov.scot>

<sup>9</sup> <https://ati.woodlandtrust.org.uk/tree-search/?v=2115968&ml=map&z=16&nwLat=57.16062880103179&nwLng=-214764884400634&seLat=57.15063196428174&seLng=-2.10645011353759>

<sup>10</sup> <https://www.aberdeencity.gov.uk/services/environment/protected-trees>

<sup>11</sup> <https://gridreferencefinder.com/>



breeding pond<sup>12</sup>. However, there is a notable decrease in great crested newt abundance beyond a distance of 250 m from a breeding pond<sup>13</sup>.

- 2.4. The following organisations were contacted to request records of protected and priority species and habitats and details of non-statutory designated sites for nature conservation:
- North East Scotland Biological Records Centre (NESBReC)

**Table 2-1 - Data search areas**

Data Type	Search area – distance from Proposed Scheme boundary
Statutory designated sites for nature conservation	2 km
Non-statutory designated sites for nature conservation	1 km
Ancient woodland	1 km
Priority habitats (including veteran and protected trees) and species	1 km (reduced to 50 m for protected trees and extending to 2 km for bats)

- 1.1. A review of national and local planning policy relevant to the Proposed Scheme was undertaken as part of the data gathering. The following policy documents were subject to review. A summary of which is provided in Appendix B:
- Ministry of Housing, Communities and Local Government (2021) National Planning Policy Framework<sup>14</sup>;
  - Aberdeen City and Shire Strategic Development Plan (2020)<sup>15</sup>;
  - Aberdeen Local Development Plan (2017)<sup>16</sup>;
  - Supplementary Guidance to the Aberdeen Local Development Plan (2017)<sup>17</sup>; and
  - North East Scotland Biodiversity Partnership website<sup>18</sup>.

## Field Surveys

- 2.5. The geographical area for undertaking ecological field surveys has been determined using the current survey guidance (as detailed in section 2.7), professional judgement and the zones of influence, which have been determined based on likely effects arising from the Proposed Scheme.

## Surveyor Competencies

- 2.6. All the surveys were led by surveyors who have been assessed to be at least of capable experience and knowledge following the Chartered Institute of Ecology and Environmental Management (CIEEM) competency framework<sup>19</sup>.

<sup>12</sup> English Nature (2004). Great Crested Newt Mitigation Licences

<sup>13</sup> English Nature (2004). An assessment of the efficiency of capture techniques and the value of different habitats for the great crested newt (ENRR576) <http://publications.naturalengland.org.uk/publication/134002>

<sup>14</sup> National Planning framework 3. Available online at: <https://www.gov.scot/publications/national-planning-framework-3/> [Accessed 15/08/2022]

<sup>15</sup> Aberdeen City and Shire Strategic Development Planning Authority. Available online at: <http://www.aberdeencityandshire-sdpa.gov.uk/> [Accessed on 31/08/2022]

<sup>16</sup> Aberdeen City Council. Available online at: [https://www.aberdeencity.gov.uk/sites/default/files/LDP\\_WS\\_20170328.pdf](https://www.aberdeencity.gov.uk/sites/default/files/LDP_WS_20170328.pdf) [Accessed on 31/01/2020]

<sup>17</sup> Aberdeen City Council Supplementary Guidance: Natural Heritage. Available online at: <https://www.aberdeencity.gov.uk/sites/default/files/6.1.PolicySG.NaturalHeritage.pdf> [Accessed on 13/01/2020]

<sup>18</sup> North East Scotland Biodiversity Partnership (not dated) The Big 5. Available online at : <https://www.nesbiodiversity.org.uk/our-biodiversity-in-the-north-east-of-scotland/the-north-east-scotland-big-5/> [Accessed 13/01/20]

<sup>19</sup> <https://www.cieem.net/competency-framework>

## Ecological Walkover Survey

- 2.7. An ecological walkover survey of areas within and adjacent to the Site, including land up to 50 m from the Site boundary where access was allowed (the Survey Area), was undertaken on 21/07/2022 and 22/07/2022. The walkover survey recorded information within the Survey Area using UK Habitat Classification System (UKHab)<sup>1</sup> survey methodology and also included a search for evidence of, and the potential of each habitat to support, protected and priority species as recommended by CIEEM<sup>20</sup>.
- 2.8. This survey method comprised mapping habitats present according to the UKHab<sup>1</sup>. A list of plant species was recorded to aid in the identification and evaluation of habitats. Information on the environment, management and origin of mapped features was recorded using UKHab Secondary Codes and is provided in Appendix D. Features of ecological importance (e.g. ponds, complex habitat mosaics) were also recorded and provided as Target Notes (TNs) in Appendix D. In addition, the survey comprised assessing the suitability of the habitats present for, and recording any activity of the following species (in line with current guidance):
- amphibians (terrestrial and aquatic habitats), including an assessment of aquatic habitat for its suitability to support great crested newts using the Habitat Suitability Index (HSI) assessment<sup>21</sup>
  - bats<sup>22</sup>;
  - badger<sup>23</sup>;
  - breeding and wintering birds<sup>24</sup>;
  - red squirrel<sup>25</sup>;
  - pine marten<sup>26</sup>;
  - water vole<sup>27</sup>;
  - otter<sup>28</sup>;
  - reptiles<sup>29</sup>;
  - hedgehog<sup>30</sup>; and
  - priority invertebrates<sup>31</sup>;
- 2.9. Evidence of the following invasive species was recorded where seen:
- Evidence of animal species as listed on the Invasive Alien Species (Enforcement and Permitting) Order 2019; muntjac deer and grey squirrel.
  - Evidence of the presence of the following invasive species: Japanese knotweed, giant knotweed, hybrid knotweed, giant hogweed, Himalayan balsam, rhododendron, New Zealand pigmy weed, Virginia creeper, variegated yellow archangel, and cotoneaster. These are listed on Schedule 14 of the Wildlife and Countryside Act 1981 (as amended in Scotland) and subject to strict legal control.

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<sup>20</sup> CIEEM (2017) Guidelines for preliminary ecological appraisal. 2<sup>nd</sup> Edition.

<sup>21</sup> Oldham R.S., Keeble J., Swan M.J.S. & Jeffcote M. (2000) Evaluating the suitability of habitat for the Great Crested Newt (*Triturus cristatus*) Herpetological Journal 10 (4), 143-155 (2000).

<sup>22</sup> Collins, J. (ed.) (2016) Bat Surveys for Professional Ecologists: Good Practice Guidelines (3rd edition). The Bat Conservation Trust, London

<sup>23</sup> Harris, S., Cresswell, P. & Jefferies, D. (1989) Surveying Badgers. *Occasional Publication No.9*. The Mammal Society, London

<sup>24</sup> Gilbert, G., Gibbons, D.W. and Evans, J. (1998) Bird monitoring methods: A manual of techniques for key UK species. RSPB: Sandy.

<sup>25</sup> SNH. (2019) Standing Advice for Planning Consultation Protected Mammals: Red Squirrels. Scottish Natural Heritage. Available online at: <https://www.nature.scot/sites/default/files/2019-10/Species%20Planning%20Advice%20-%20red%20squirrel.pdf> [Accessed on 31/01/2020].

<sup>26</sup> SNH. (2019) Standing Advice for Planning Consultation Protected Mammals: Pine Marten. Scottish Natural Heritage. Accessed online at: <https://www.nature.scot/sites/default/files/2019-10/Species%20Planning%20Advice%20-%20pine%20marten.pdf> [Accessed on 31/01/2020].

<sup>27</sup> Dean, M. et al (2016) The Water Vole Mitigation Handbook. Mammal Society, London

<sup>28</sup> SNH (2019) Standing Advice for Planning Consultation Protected Mammals: Otter. Scottish Natural Heritage. Available online at: <https://www.nature.scot/sites/default/files/2019-10/Species%20Planning%20Advice%20-%20otter.pdf> [Accessed on 31/01/2020].

<sup>29</sup> Froglife (1999) Reptile Survey: an introduction to planning, conducting and interpreting surveys for snake and lizard conservation. Froglife advice sheet 10

<sup>30</sup> Cresswell, W.J., Birks, J.D.S., Dean, M., Pacheco, M., Trehwella, W.J., and Wray, S. (eds). (2012) UK BAP Mammals: Interim Guidance for survey methodologies, impact assessment and mitigation. Mammal Society, Southampton

<sup>31</sup> As relevant to the location, identified through the desk study

## Data Collection for Baseline Habitats Condition

- 2.10. Habitats were identified following the UKHab classification system and assigned a condition (where required, as not all habitat types require a condition to be assigned, e.g. built linear features) according to the methodology and criteria outlined within the Defra Biodiversity Metric 3.1 technical supplement<sup>32</sup>. It relies on professional opinion and was based on the data collected during the walkover survey. This involves checking features against the technical supplement list of criteria for habitat in 'good', 'moderate' and 'poor' condition.
- 2.11. Quantum GIS (QGIS) was used to digitise the onsite habitats, to the standard minimum mapping units<sup>33</sup>. The GIS habitat used the Ordnance Survey Topography Master Map. GIS was then used to calculate the area of each habitat present within the Survey Area and was further broken down by condition to give the overall area of each habitat type of each condition level.

## Limitations

- 2.12. This section identifies any limitations to the surveys or assessment and provides an explanation as to the effect of these on the appraisal.
- 2.13. The search for waterbodies within 500 m of the Site was undertaken by using Ordnance Survey plans and aerial photographs only. These sources may not show all waterbodies within 500 m of the Site boundary and therefore some waterbodies may not have been identified.
- 2.14. The list of invasive plant species included on Schedule 14 of the Wildlife and Countryside Act 1981 (as amended in Scotland) is extensive and these plants are found in a range of different habitats, including aquatic habitats. The ecological walkover survey checked for the presence of Japanese knotweed, giant knotweed, hybrid knotweed, giant hogweed, Himalayan balsam, rhododendron, New Zealand pigmyweed, Virginia creeper, variegated yellow archangel, and cotoneaster species.
- 2.15. The desk study reviewed the Woodland Trust Veteran Trees inventory. This provides records of veteran trees, but is not an exhaustive list and other veteran trees may be present in the area. The walkover survey aimed to identify such features and as such this is not considered a constraint.
- 2.16. NESBRE records are not exhaustive, and the absence of records does not demonstrate the absence of species.
- 2.17. Ecological surveys are limited by factors which affect the presence of plants and animals such as the time of year, migration patterns and behaviour. The ecological surveys undertaken to support this PEA have not therefore produced a complete list of plants and animals and the absence of evidence of any particular species should not be taken as conclusive proof that the species is not present or that it will not be present in the future.

# 3. Results

- 3.1. Statutory and non-Statutory Designated Sites Table 3-1 details the statutory and non-statutory designated sites for nature conservation identified through the desk study. These are shown on Figure C-1 in Appendix C. No statutory designated sites for nature conservation were present within 2 km of the Site.

**Table 3-1 - Non-statutory designated sites for nature conservation within 1 km<sup>34</sup> of the Site**

Site name	Designation	Location of designated site <sup>35</sup>	Features of interest <sup>36</sup>
Aberdeen – Inverness –	Local Nature Conservation Site (LNCS)	0.2 km east	A live railway line providing a green

<sup>32</sup> Panks, S., White, N., Newsome, A., Nash, M., Potter, T., Heydon, M., Mayhew, E., Alvarez, M., Russell, T., Cashon, C., Goddard, F., Scott, S., Heaver, M., Scott, S. H., Treweek, J., Butcher, B. and Stone, D. (2002) Biodiversity metric 3.1: Auditing and accounting for biodiversity – User Guide. Natural England.

<sup>33</sup> Minimum mapping units taken to be 400m<sup>2</sup> for area features, 20m length for linear features and 5m maximum width of linear features

<sup>34</sup> This is the zone of influence for designated sites.

<sup>35</sup> Where designated sites are situated outside of the Site boundary, the distance and direction is given to the closest point that the designated site is from the Site.

<sup>36</sup> including qualifying features of internationally designated sites and reasons for designation for SSSIs

Site name	Designation	Location of designated site <sup>35</sup>	Features of interest <sup>36</sup>
Kittybrewster Railway Line			wildlife corridor through lengths of the city of Aberdeen. Mainly comprising neutral grassland, tall ruderal, scrub and pockets of woodland.
Hilton Wood	LNCS	0.7 km north	A relatively small site of managed broadleaved woodland comprising predominantly sycamore, beech, wych elm, horse chestnut and Norway maple. A disused quarry is also present within the site. There has been some recent tree planting to improve the site.

## Ancient woodland, veteran and protected trees

- 3.2. No ancient woodland was recorded within 1 km of the Site.
- 3.3. Seven notable trees listed on the Woodland Trust's Ancient Tree Inventory were recorded south of the Site in Westburn Park and Victoria Park. The closest of these was a wych elm located 0.3 km south of the Site. Full details are provided in Table 3-2, below.

**Table 3-2 - Veteran trees within 1 km<sup>37</sup> of the Application Site**

Location of veteran trees	Description of tree/s	Distance from Site (km)
Westburn Park	Five wych elm trees of 'notable tree' veteran status.	0.3
Victoria Park	Two wych elm trees of 'notable tree' veteran status.	0.6

- 3.1. Additionally, trees within the Survey Area Aberdeen City Council have several Conservation Areas or trees under Tree Protection Orders (TPOs). Several of these lie within the Survey Area. Full details are provided in Table 3-3 below and the locations of these trees are shown on Figure C-1.

**Table 3-3 - Details of Protected Trees**

TPO Reference Number / Conservation Area Name	Distance from Site
Rosemount Conservation Area	Adjacent from Site
TPO Ref. No. 92	Adjacent from Site

## Habitats

- 3.2. The Survey Area predominantly comprised of sealed surfaces of roads and pavements (classified as Urban – Developed land; sealed surface), and a mosaic of developed and natural surface formed of vegetated gardens (classified as Urban – Suburban mosaic of

<sup>37</sup> This is the zone of influence for veteran trees.

developed/natural surface) associated with the residential housing which bordered the majority of the Site to the north and south. Commercial buildings were sporadic throughout the length of the Site.

- 3.3. Urban trees (classified as Perimeter Block or Linear Blocks) lined many streets and areas of broadleaved woodland (classified as Woodland; other broadleaved) were present to the south of the Site adjacent to Shaw Crescent and in the grounds of Elmhill Apartments (TN 1) and the University of Aberdeen (TN 2). Ground layers in woodland included bluebell, ground elder, bramble and blue wood grass.
- 3.4. Tree species recorded included alder, beech, elm, hawthorn, London plane, Norway maple, oak, plum, rowan, Scot's pine, cherry, whitebeam and sycamore. Additionally, conifer species and ornamental tree species were also recorded.
- 3.5. Seven mature, potential veteran tree specimens, were recorded adjacent to Shaw Crescent (TN 3). These consisted of two oaks, two horse chestnuts, two sycamore and a standing dead tree. These trees are located within the Rosemount Conservation Area and are subject to TPO Ref 92 from Aberdeen City Council.
- 3.6. Modified grassland (TN 4 and 5) dominated non-built areas within the Survey Area, including verges and parks. Modified grassland were characterised by Yorkshire fog and *Agrostis* species, with herbs including white clover, lesser trefoil, selfheal, ribwort plantain, dandelion agg., great willowherb, *Epilobium* species, and common mouse ear. Several parcels of grassland contained scattered trees (TN 6 and 7).
- 3.7. At the eastern end of the Survey Area, an area of scrub with scattered trees was recorded (classified as Heathland and scrub; Mixed scrub), dominated by bramble with species of creeping thistle, nettle, and dock also recorded. Adjacent to this area of scrub was an area of modified grassland; both areas were recorded to have ephemeral species along the eastern perimeter, including but not limited to rosebay willowherb, common ragwort, sow thistle and poplar.
- 3.8. A number of intact, species poor hedgerows (classified as Other hedgerow) including managed privet and yew were recorded adjacent to private vegetated gardens and commercial spaces and areas of ornamental planting (classified as Introduced shrub) throughout.
- 3.9. Table 3-4 lists all of the habitats present within the zone of influence, identifies those habitats which are listed on Annex 1<sup>38</sup> and/or listed as priority habitats<sup>39</sup>. The table also provides details of the area<sup>40</sup> of each habitat within the Survey Area, the proportion of the Survey Area this makes up and the condition of each habitat type. Habitats are mapped on the extended UKHab survey plan on Figure D-1 in Appendix D.
- 3.10. The condition of each habitat was assessed using the appropriate Condition Sheet<sup>32</sup>, details are provided in Table 3-4.

**Table 3-4 - Habitat types within the Survey Area**

Habitat Type	Condition	Condition Sheet	Location of habitat	Area of habitat/ distance of linear feature Ha/M	Annex 1 habitat y/n	Priority habitat y/n
Other woodland; broadleaved	Poor	Woodland	Within Survey Area	0.86	N	N
Other woodland; broadleaved	Moderate	Woodland	Within Survey Area	0.87	N	N

<sup>38</sup> <http://jncc.defra.gov.uk/page-1523>

<sup>39</sup> <http://jncc.defra.gov.uk/page-5706>

<sup>40</sup> Measurements made using ArcGIS. Urban Tree area calculated using the Defra Metric 3.1 Urban Tree Calculator

Habitat Type	Condition	Condition Sheet	Location of habitat	Area of habitat/ distance of linear feature Ha/M	Annex 1 habitat y/n	Priority habitat y/n
Other woodland; mixed	Moderate	Woodland	Within Survey Area	0.01	N	N
Modified grassland	Moderate	Low Distinctiveness Grassland	Within Survey Area	4.54	N	N
Mixed scrub	Poor	Scrub	Within Survey Area	0.04	N	N
Introduced shrub	N/A	N/A	Within Survey Area	0.3	N	N
Suburban/ mosaic of developed/ natural surface	N/A	N/A	Within Survey Area	6.6	N	N
Developed land; sealed surface	N/A	N/A	Within Survey Area	8.66	N	N
Artificial unvegetated unsealed surface	N/A	N/A	Within Survey Area	0.05	N	N
Buildings	N/A	N/A	Within Survey Area	3.56	N	N
Urban Trees	Poor	Urban trees	Within Survey Area	3.89	N	N
Urban Trees	Moderate	Urban trees	Within Survey Area	4.39	N	N
Urban Trees	Good	Urban trees	Within Survey Area	3.30	N	N

## Protected and Priority Species

- 3.11. Evidence of protected and priority species, or habitats with the potential to support protected and priority species are indicated on the extended UKHab Survey Plan (Figure D-1 in Appendix D). Details of legislation relating to protected species is provided in Appendix E.

### Amphibians

- 3.12. NESBReC returned no records of amphibians, including great crested newts within 1 km of the Site. The desk study identified no suitable waterbodies for great crested newts within 500 m of the Site.
- 3.13. No evidence of amphibians, including great crested newts, was recorded within the Survey Area during the walkover survey.

- 3.14. Habitats within the Survey Area (including grassland and scrub) may provide suitable terrestrial habitat for great crested newts. However, due to the absence of suitable breeding habitat within 500 m, absence of desk study records, and urban situation of the Site (creating barriers to movement in the form of roads, buildings and hardstanding areas), amphibians are not considered to pose a constraint to the Proposed Scheme and are not discussed further.

## Bats

- 3.15. NESBReC provided 41 recent records of bats within 2 km of the Site which included general records of bats not described to species level, pipistrelle species, common pipistrelle, soprano pipistrelle and Daubenton's bat. Records were generally of bat passes and foraging activity. A single roost was recorded at St Machar's Cathedral, approximately 1.4 km north-east of the Site. However, a dead specimen was also recorded within the communal staircase of a building near MacRobert Memorial Garden, close to University of Aberdeen buildings, approximately 1 km north-east of the Site. The closest record was 0.1 km south of the western-most extent of the Site and comprised a record for common pipistrelle and soprano pipistrelle.
- 3.16. The walkover survey identified areas of woodland and scattered trees that may provide suitable commuting corridors and foraging habitats for bats, which also acts to connect bats to further, more extensive foraging and roosting habitat in the wider area.
- 3.17. No specific preliminary bat roost assessment (PBRA) was undertaken of any structures or trees within the Survey Area. The walkover survey identified a number of buildings, predominantly residential buildings, within the Survey Area that may have suitability for roosting bats. Due to the urban nature of the Site, disturbance from human activity such as noise and light pollution reduces the suitability of residential properties adjacent to the route option for bats to roost. Additionally, warming effects from heating reduces the suitability for hibernating bats. However, as the extent of internal space or crevices across buildings within the Survey Area is not known, it is possible that these buildings offer limited opportunities for common species of bat to roost and hibernate.
- 3.18. The walkover survey identified a number of trees within the Survey Area with suitability to support roosting bats given their age and size, as well as presence of potential roost features (PRFs) for bats; however as this was a preliminary walkover no specific survey for bats was undertaken and recommendations are provided below. Woodland and parkland habitats provide opportunity for bats to forage and commute, however, this is reduced by background levels of human disturbance and light pollution
- 3.19. Due to the presence of suitable roosting, foraging and commuting habitat within the Survey Area, bats may pose a constraint to the Proposed Scheme and recommendations are provided in Section 4 below.

## Badgers

- 3.20. NESBReC provided one record of badger sighted 0.6 km north-east of the eastern extent of the Site.
- 3.21. Habitats within the Survey Area (including the grassland, scrub and woodland) provide suitable habitat for badger to commute and forage. However, as the Survey Area is predominantly uniform in topography, and in an urban area, habitats are not considered suitable for badger to build setts.
- 3.22. As no badger evidence has been recorded within the study area, they are not considered to pose a significant risk to the Proposed Scheme and, therefore, there are no further mitigation measures made in this assessment specific to badger, however, general mitigation measures are provided in Section 4 below and it is considered that these will prevent any potential impacts to badger as a result of the Proposed Scheme.

## Birds

- 3.23. NESBReC provided 228 records of birds within 1 km of the Site. This included the Schedule 1 species black-tailed godwit and redwing. The closest record was a house sparrow within the Site on Ashgrove Road. Details are provided in Relevant Scottish Biodiversity List (SBL) species returned within 2 km included brambling and siskin.

- 3.24. Habitats within the Survey Area (including trees, scrub, and grassland) provide suitable habitat for common species of nesting birds. As such, breeding birds may pose a constraint to the Proposed Scheme and recommendations are provided in Section 4 below.

### Reptiles

- 3.25. NESBReC provided no records of widespread reptile species (i.e. adders, common lizards and slow worms) within 1 km of the Site.
- 3.26. Habitats within the Survey Area have the potential to support widespread reptile species. The grassland and scrub, particularly at the eastern end of the Survey Area, offer suitable habitat for reptiles to commute, forage, bask and shelter. However, no suitable features for reptiles to hibernate (such as log piles) were identified within the Survey Area.
- 3.27. Therefore, taking a precautionary approach and due to the presence of suitable habitat for widespread reptile species within the Survey Area, reptiles may pose a constraint to the Proposed Scheme and recommendations are provided in Section 4 below.

### Hedgehogs

- 3.28. NESBReC provided eight records of hedgehogs within 1 km of the Site. The closest records was approximately 20 m from the Site in gardens on Belmont Gardens.
- 3.29. No nests or evidence of hedgehog activity was recorded within the Site during the extended UKHab survey. Trees, woodland and areas of tall ruderals within the Site provide material and cover to establish summer or winter nests. Linear features, including hedgerows provide commuting and foraging habitat. Most linear features are connected to suitable habitat within the wider landscape, including residential gardens.
- 3.30. As suitable habitat for hedgehog was recorded within the Survey Area this species may pose a constraint to the Proposed Scheme and recommendations are provided in Section 4 below.

### Red Squirrels

- 3.31. NESBReC returned 17 records of red squirrel within 1 km of the Site. The closest record was on Carnie Drive approximately 105 m from the Site.
- 3.32. Residential gardens and woodland, including broadleaved woodland within the Survey Area provide suitable foraging and nesting habitat for red squirrel. No dreys or other evidence of their presence was recorded.
- 3.33. As suitable habitat for red squirrel was recorded within the Survey Area this species may pose a constraint to the Proposed Scheme and recommendations are provided in Section 4 below.

### Otter

- 3.34. NESBReC provided a single record of otter; a road traffic accident approximately 0.9 km south-east of the Site.
- 3.35. No watercourses or waterbodies were recorded within the Survey Area. As no suitable aquatic habitat is recorded within the Site or within the immediate proximity, otters are not considered a constraint to the Proposed Scheme and are not discussed further.

### Priority Invertebrates

- 3.36. NESBReC provided 13 records of six distinct priority moth species within 1 km of the Site. This included dusky brocade, grey dagger, rosy minor, rustic minor, small phoenix and small square spot. All records were located approximately 960 m south of the Site in residential gardens. The larval food plants of these moths included a variety of herbaceous species recorded within the site including *Epilobium* sp., numerous grasses such as cock's foot and a range of broadleaved trees such as hawthorn, lime and rowan. No other priority invertebrates were recorded. Details of records and the designations of the species are provided in
- 3.37. Areas of scrub, grassland, individual trees and woodland habitats within the Survey Area may provide suitable habitat for priority and common species of invertebrates. As such, invertebrates may pose a constraint to the Proposed Scheme and recommendations are provided in Section 4 below.



## Invasive Non-native Species

- 3.38. NESBReC provided 28 records of invasive non-native plant species (INNPS) within 1 km of the Site. This included Japanese knotweed, giant hogweed, and rhododendron. The closest record was for Japanese knotweed located approximately 75 m south easternmost extent of the Site.
- 3.39. The walkover survey identified areas of *Buddleia* sp. throughout the Survey Area, including in the vegetated gardens of private properties. Stands of cotoneaster were also recorded to the east of the Survey Area. In Scotland, it is illegal to release, plant or allow to spread any non-native species into the wild. A specialist contractor should be contacted to provide advice on how to control the spread of non-native species if these are being impacted by the Proposed Scheme.

# 4. Constraints and Recommendations

## Key Constraints

- 4.1. The key ecological constraints associated with the Proposed Scheme are detailed below:
- Aberdeen to Inverness – Kittybrewster Railway Line LNCS;
  - Hilton Wood LNCS;
  - Bats;
  - Birds;
  - Reptiles;
  - Hedgehog;
  - Red squirrel;
  - Priority Invertebrates; and
  - INNPS

## Further Survey Requirements

- 4.2. Once details of the Proposed Scheme are confirmed, it is recommended that the following ecological surveys are undertaken:
- Depending on the nature of the works, a preliminary bat roost assessment (PBRA) of structures and ground level tree assessment (GLTA) may be required to determine the suitability for roosting bats in structures/trees likely to be directly or indirectly (through noise and vibration) affected. Once the full extent of works are known an ecologist should be consulted to determine an appropriate buffer zone around works. Any trees that are due to be felled/cut to facilitate the works will require a GLTA to determine the suitability for roosting bats. If the suitability for roosting bats is identified, further presence/likely absence surveys may be required.
  - Where trees that are suitable to support red squirrel (generally considered to be trees 15 years or older and can be coniferous or broadleaf species) require felling, a survey for the presence/likely absence of red squirrel dreys should be undertaken. If dreys are found to be present further surveys may be required to determine the status of the drey.
- 4.3. Where works are likely to impact a bat roost or red squirrel drey, a licence from NatureScot should be obtained before works proceed.

## Mitigation

- 4.4. The following general mitigation measures have been recommended with respect to the Proposed Scheme, based on the current proposals. Once details of the Proposed Scheme are confirmed, it is recommended that an ecologist is consulted to ensure the mitigation is appropriate and sufficient to ensure that impacts on ecological receptors are minimised.
- Existing habitats (such as woodland, trees, and scrub) should be retained as far as practicable to avoid and reduce potential loss and severance of habitats. Where possible, access routes and compounds should be restricted to areas of hardstanding or amenity grassland;
  - Any tree felling and vegetation clearance that is required should be minimised as far as practicable and undertaken outside the core bird nesting season (the core bird nesting season is 1 March to 31 August) to avoid damage or destruction of occupied nests or harm to breeding birds. If this cannot be achieved, an inspection of vegetation to be cleared for nesting birds should be undertaken by a suitably qualified ecologist no more than 24 hours prior to any works being undertaken. If any nesting birds are identified during the survey, they should be left in situ for their entire nesting period until the young birds have fledged;
  - Works likely to impact suitable habitat for red squirrel should avoid the red squirrel breeding season (the red squirrel breeding season is 1 February to 30<sup>th</sup> September) to avoid disturbance to squirrels using any breeding dreys present. Where dreys are

present an exclusion zone should be implemented (likely to be 5 m or to the nearest neighbouring tree, whichever is less, in the non-breeding season only). Where it is not possible to avoid the breeding season a larger exclusion zone, up to 50 m, may be required where breeding dreys are present.

- Night works (i.e. 30 minutes before sunset to 30 minutes after sunrise) should be avoided where possible. Where night works cannot be avoided, light spill onto surrounding habitats should be avoided or minimised to reduce potential impacts of the works on any species commuting or foraging (such as bats, badgers and great crested newts);
- Works should be carried out under a Precautionary Method of Working (PMW) with regard to reptiles. This should include undertaking vegetation clearance using a two-stage cut method where vegetation suitable to support reptiles is first cut to 150 mm to encourage reptiles to move away and then is hand searched by an ecologist before being cut to ground level where it should be maintained for the duration of works. Works within the core hibernation period for reptiles (the core hibernation period is November to March) should be avoided;
- Retained trees will be protected in line with guidelines provided in BS 5837 Trees in relation to construction<sup>41</sup>;
- General measures should be implemented to avoid potential impacts on any wildlife that may be present within the Site. Storage areas should be kept tidy and free from hazards, and any excavations should be filled or covered, or a means of escape should be provided to prevent animals from entering them and becoming trapped;
- If vegetation clearance is required, a specialist INNPS contractor should be contacted for advice to provide advice on the type and extent of mitigation required to avoid the spread of INNPS; and
- If any protected species including red squirrel or hedgehog, or evidence of legally protected species, or any additional INNPS, are unexpectedly encountered at any point during the works, all works should cease, and an ecologist should be contacted for further advice on how to proceed.

## Biodiversity Opportunities for Ecological Enhancements

4.5. The following opportunities for biodiversity enhancement have been identified:

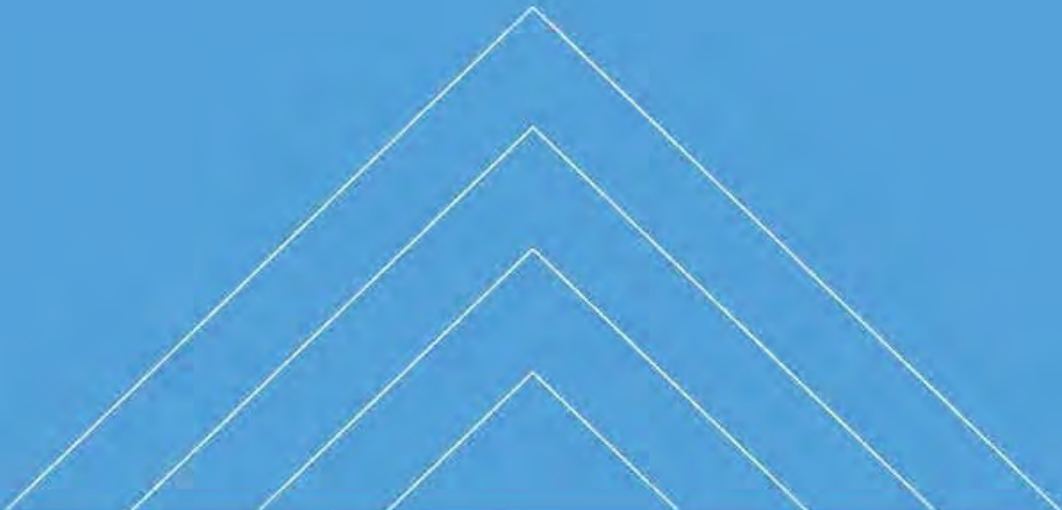
- The provision of woodcrete bat and bird boxes within woodland across the Site;
- The creation of habitat piles within the grasslands and woodlands across the Site, comprising materials such as deadwood, brash and stone, to provide habitat for small mammals, reptiles, amphibians and invertebrates;
- The introduction of native and locally-sourced woodland ground flora community to the woodlands on Site, with species that are appropriate to the woodland type and soil conditions<sup>42</sup>; and
- Alterations to the management of the other grassland within the Site, including the collection of arisings following cutting, and increasing floristic diversity through overseeding with locally-sourced green hay, or if this is not possible overseeding using a seed mix appropriate to the location.

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<sup>41</sup> British Standards (2012) BS5837:2012 – Trees in relation to design, demolition and construction. Recommendations.

<sup>42</sup> Worrell, R., Holl, K., Long, D., Laverack, G., Edwards, C., Fuentes-Montemayor, E. and Crawford, C.L. 2021. Establishing woodland plants in broadleaved woods - interim best practice guidance for conservation translocations. Nature Scot Research Report 1211.

# Appendices



# Appendix A. Site Location and Scheme Drawings

Figure A-1 - Site Plan



# Appendix B. Planning Policy Review

**Table B-1 - Summary of Relevant Biodiversity Planning Policy**

Plan	Policy Statement	Description
National Planning Framework 3	Respect, enhance and make responsible use of our natural and cultural assets.	<p><b>Scotland now</b></p> <p>Biodiversity in Scotland is rich and varied. We have numerous internationally and nationally important habitats and species with a diverse network of protected sites, concentrated particularly in the north and west of Scotland, along our coasts and estuaries and in our upland areas. However, biodiversity is not just confined to our rural areas – our built environment, key infrastructure corridors and the greenspaces within our cities and towns also provide important habitats and can together contribute to a wider national ecological network. Our marine wildlife is rich and varied. Geodiversity underpins our landscapes and provides important ecosystem services.</p> <p><b>Scotland tomorrow</b></p> <p>The 2020 Challenge for Scotland’s Biodiversity aims to promote and enhance Scotland’s nature, and to better connect people with the natural world. Maintaining our natural capacity to provide services makes economic sense – to help achieve this, biodiversity in Scotland needs to be viewed at a landscape scale.</p>
Aberdeen City and Shire Strategic Development Plan	To make sure new development maintains and improves the region’s important built, natural and cultural assets.	<p><b>Spatial priorities for change</b></p> <p>Well-designed green infrastructure can support regeneration efforts within our towns and cities, and improved attractiveness and environmental performance can act as a catalyst for economic investment. Temporary uses for vacant and derelict land, for example for community growing or supporting biodiversity, can also help to attract investment in specific sites or wider areas. Whilst re-use of vacant land remains a priority, in some cases greening initiatives could be the best permanent solutions for sites where built development is unrealistic for cost or other reasons.</p> <p>Local development plans (and supplementary guidance) will make sure the North East’s natural environment and historic sites and buildings continue to be protected and improved.</p> <p>Aberdeen City Council will take a proactive approach towards development that ensures the sustainable use of natural resources, the ability to live within the area’s environmental capacity, can deal with climate change, and creates a more open, inclusive society.</p> <p>Both councils will take part in the River Basin Management Planning process, particularly as it relates to new development.</p>

Plan	Policy Statement	Description
Aberdeen Local Development Plan	Policy NE8 - Natural Heritage	<p>Both Councils will protect and enhance biodiversity, wildlife habitats, landscape, green and water networks and other sensitive areas, and prevent habitat fragmentation, in identifying land for development, preparing masterplans and assessing development proposals.</p> <p><b>Designated Sites</b></p> <p>Direct and indirect effects on sites protected by natural heritage designations, be they international, national or local, are important considerations in the planning process.</p> <p>In all cases, a development that is likely to have a significant effect on a Natura site, either alone or in combination with other plans or projects, will require an appropriate assessment (under the Habitats Regulations) to demonstrate that it will not adversely affect the integrity of the site. Development that would have an adverse effect will only be permitted where there are no alternative solutions and there are imperative reasons of overriding public interest, including those of a social or economic nature, and compensatory measures are provided to ensure that the overall coherence of the Natura network is protected.</p> <p>Development that affects a site designated at a national level, including Sites of Special Scientific Interest, will only be permitted where it will not adversely affect the integrity of the area or the qualities for which it has been designated. Where adverse effects are unavoidable, they must be clearly outweighed by social, environmental or economic benefits of national importance.</p> <p>Development that is likely to impact a locally designated site should seek to address this through careful design and mitigation measures. Development that, taking into account any proposed mitigation measures, has an adverse effect on a locally designated site will be permitted only where the adverse effects are clearly outweighed by social, environmental or economic benefits of city-wide importance.</p> <p><b>Protected Species</b></p> <p>Some of the species found in Aberdeen are protected under international and national law (including European Protected Species, and species protected under the Wildlife and Countryside Act 1981) while others are identified as being of local importance (North East Scotland Local Biodiversity Action Plan species<sup>43</sup>).</p> <p>Development should seek to avoid any detrimental impact on protected species through the carrying out of surveys and submission of protection plans describing appropriate mitigation where necessary. Development likely to have a detrimental impact on protected species will not be approved unless: for European protected species, a thorough assessment of the site has demonstrated that the development is required for imperative reasons of overriding public interest and the population is</p>

<sup>43</sup> Superseded by the North East Scotland Biodiversity Partnership.

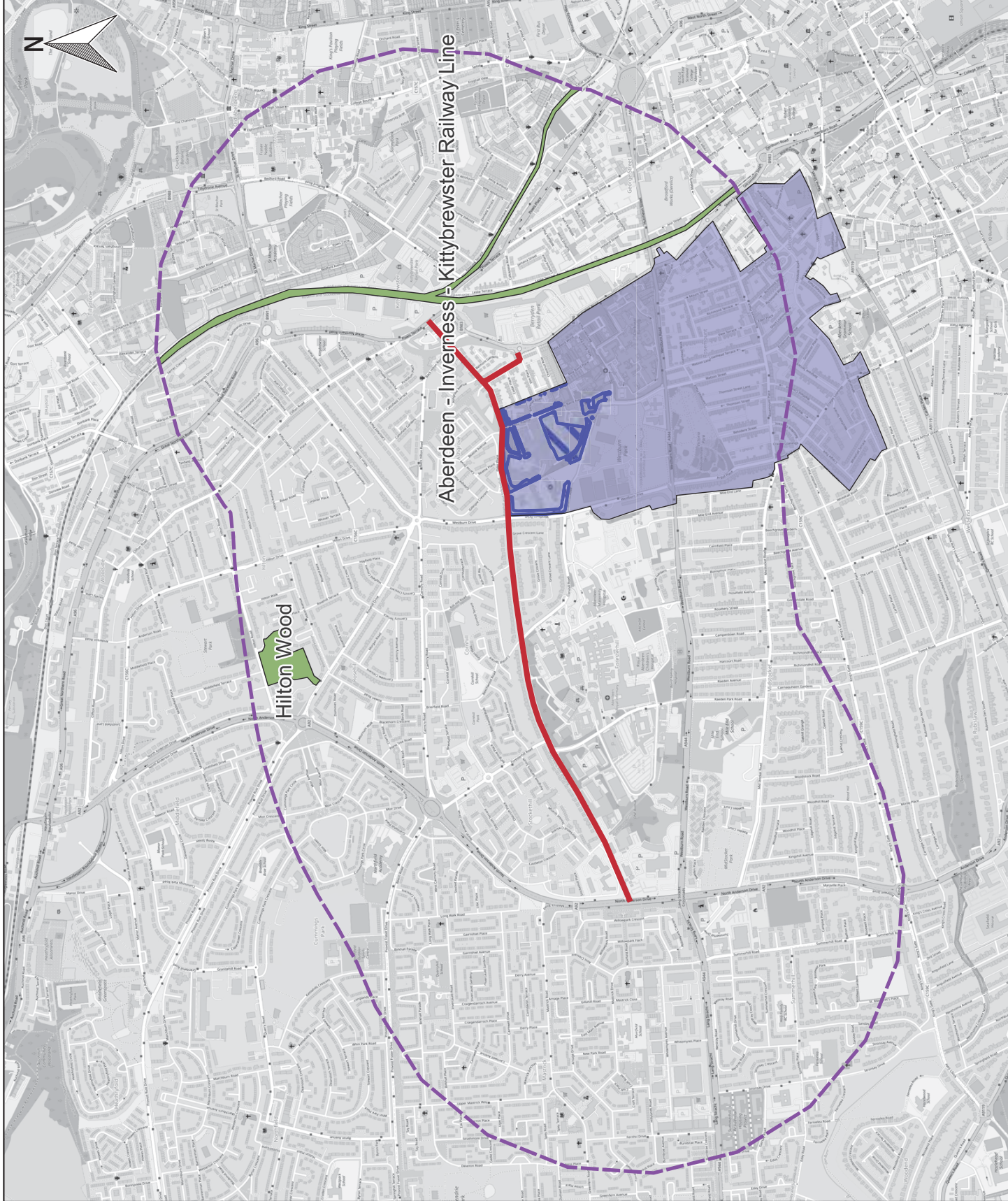
Plan	Policy Statement	Description
		<p>maintained at a favourable conservation status in its natural range; or, for non-bird species protected under the Wildlife and Countryside Act 1981 (as amended) or the Protection of Badgers Act 1992, there will be significant social, economic or environmental benefits. In either case there must also be no other satisfactory solution. Please see relevant Supplementary Guidance for more information regarding protected species and licensing.</p> <p>Licenses will only be granted if certain tests are met. Please see relevant Supplementary Guidance for more information on European Protected Species and licensing.</p> <p><b>Carbon-rich soils</b></p> <p>New development should avoid areas of peatland or carbon-rich soil. There will be a presumption against development which would involve significant draining or disturbing of peatland or carbon-rich soil. In all cases of development at any location:</p> <ol style="list-style-type: none"> <li>1. No development will be permitted unless steps are taken to mitigate negative development impacts.</li> <li>2. An ecological assessment will be required for a development proposal on or likely to affect a nearby designated site, or where there is evidence to suggest that a habitat or species of international, national and local importance exist on the site.</li> <li>3. A Construction Environmental Management Plan may be required to address any potential negative impacts on designated sites, protected species, peatlands or carbon-rich soils, waterbodies or local biodiversity during the construction phase of a development.</li> <li>4. Natural Heritage beyond the confines of designated sites should be protected and enhanced. Measures will be taken, in proportion to the opportunities available, to enhance biodiversity through the creation and restoration of habitats and, where possible, incorporating existing habitats.</li> <li>5. Where feasible, steps to prevent further fragmentation or isolation of habitats must be sought and opportunities to restore links which have been broken will be taken.</li> <li>6. Natural Riparian Buffer Strips should be created for the protection and enhancement of water bodies and local biodiversity, including lochs, ponds, wetlands, rivers, tributaries, estuaries and the sea.</li> </ol> <p>For further information please see relevant Supplementary Guidance.</p>



# Appendix C. Designated Sites of Nature Conservation

**Figure C-1 - Designated Sites of Nature Conservation**

- Proposed Active Travel Route (Site)
- 1 km Search Area
- Local Nature Conservation Sites (LNCS)
- Rosemount Conservation Area
- TPO Ref. No. 92



Title: Designated Sites of Nature Conservation

Figure No: C-1

Version: 1.0

Project: Aberdeen Ashgrove Active Travel

Base Mapping: © OpenStreetMap and its contributors  
Atkins Limited © 2 Atlantic Square, York Street, Glasgow, G2 8JQ

Original Scale: 1:25,000


Drawn by: EM  
Date: 15/09/22

Checked by: LG  
Date: 19/09/22








Reviewed by: LG  
Date: 19/09/22

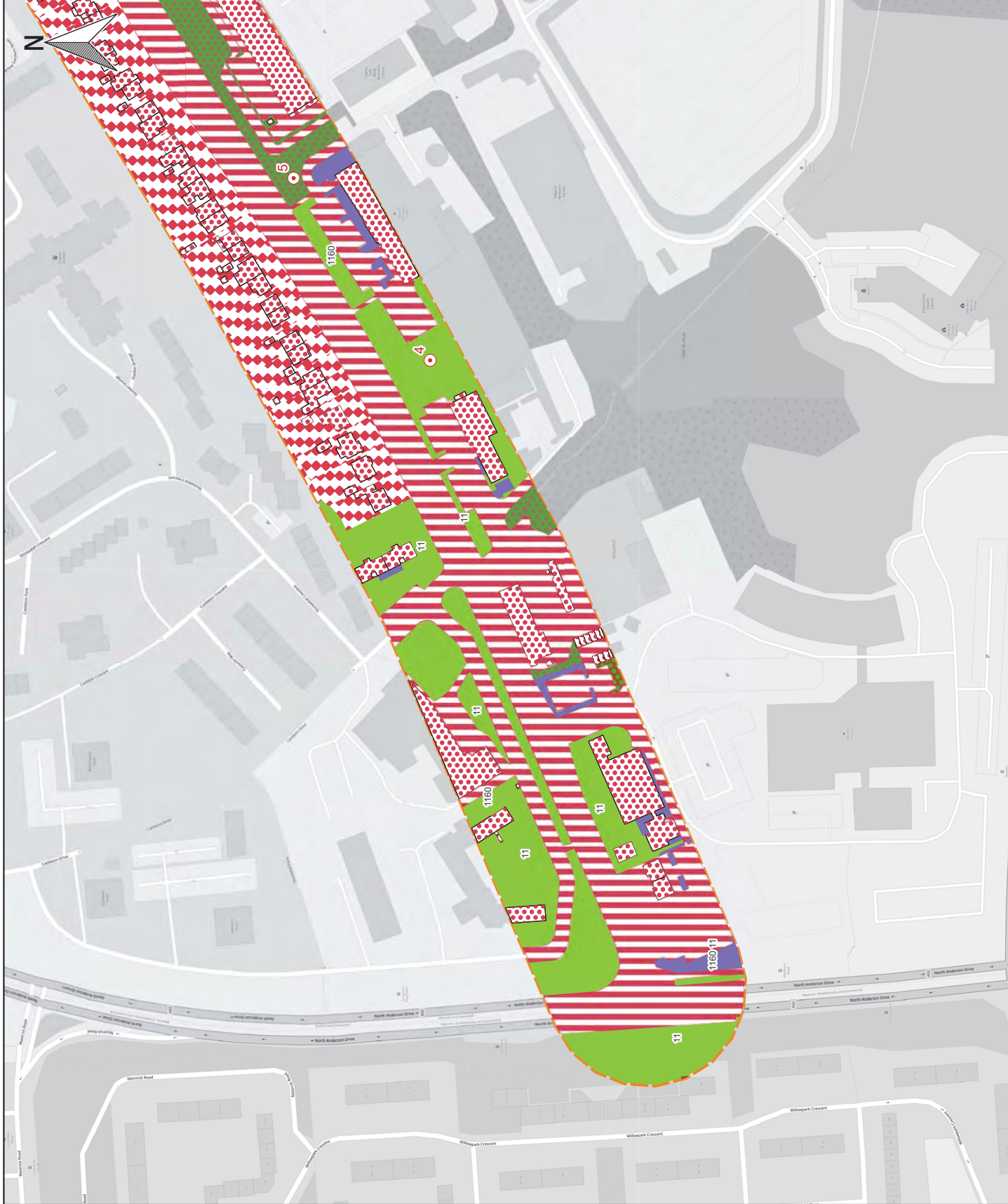
# Appendix D. Extended UKHab Survey

**Figure D-1 - Extended UKHab Survey Plan**

-  Survey Area
-  Target Notes (ID)

**UKHab Classification (Secondary Codes)**

-  g4 - modified grassland
-  w1g - other woodland-broadleaved
-  w1h - other woodland mixed
-  h - heathland and shrub
-  u1b - developed land, sealed surface
-  u1b5 - buildings
-  u1d - suburban mosaic of developed/natural surface



Title: Extended UKHab Survey Plan

Figure No: D-1

Version: 1.0

Project: Aberdeen Ashgrove Active Travel

Base Mapping: © OpenStreetMap and its contributors  
Atkins Limited © 2 Atlantic Square, York Street, Glasgow, G2 8JQ

Original Scale: 1:3,500

Drawn by: EM  
Date: 18/09/22

Checked by: LG  
Date: 19/09/22

Reviewed by: LG  
Date: 19/09/22

Survey Area  
Target Notes (ID)

UKHab Classification (Secondary Codes)

g4 - modified grassland

w1g - other woodland-broadleaved

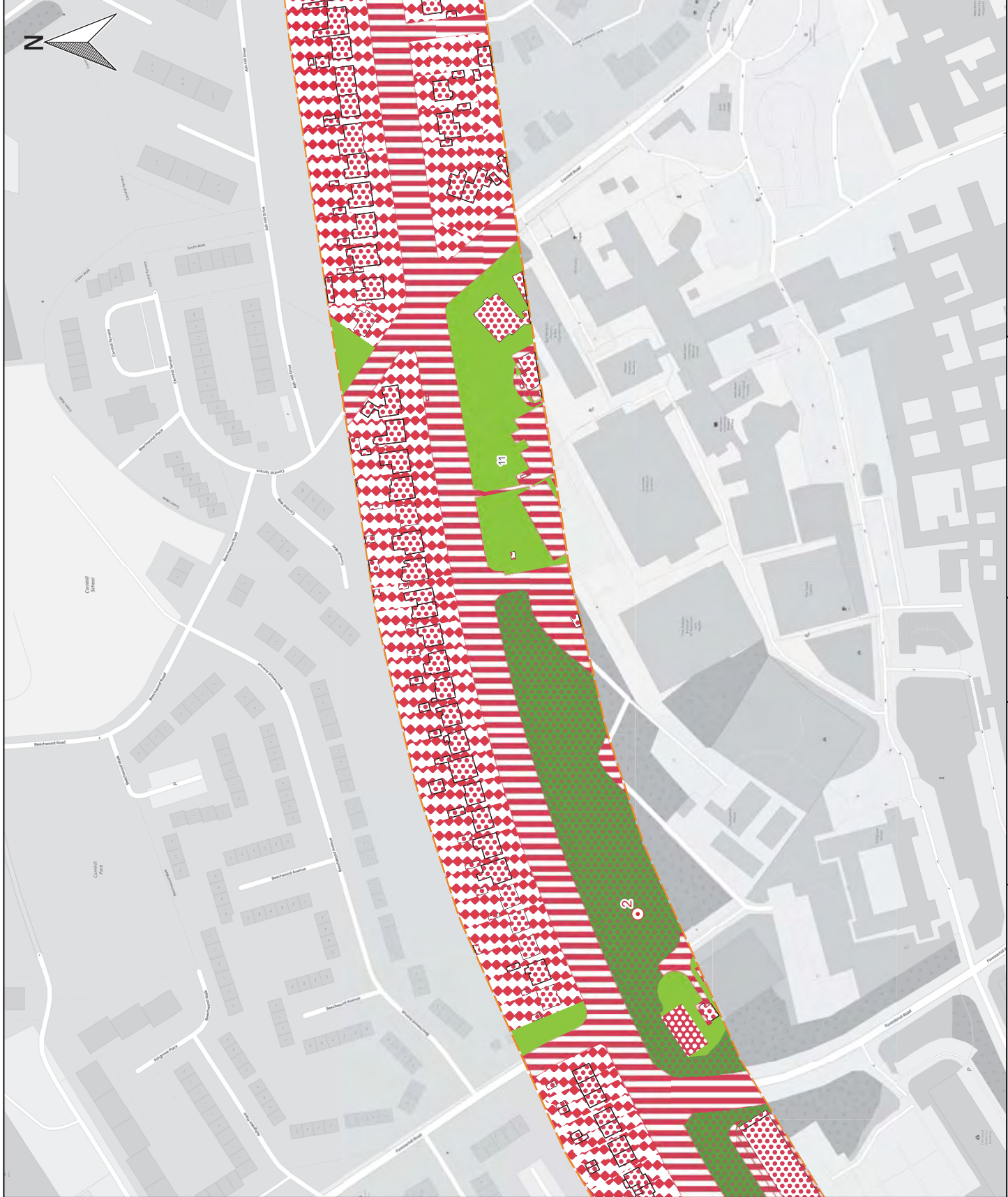
u1b - developed land, sealed surface

u1b5 - buildings

u1c - artificial unvegetated unsealed surface

u1d - suburban mosaic of developed/natural surface

u1d - suburban mosaic of developed/natural surface



Title: Extended UKHab Survey Plan

Figure No: D-1

Version: 1.0

Project: Aberdeen Ashgrove Active Travel

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Original Scale: 1:3,500

Drawn by: EW  
Date: 18/09/22

Checked by: LG  
Date: 19/09/22

Reviewed by: LG  
Date: 19/09/22






**Table D-1 - Secondary Codes**

Secondary Code	Description	Secondary Code Group
10	Scattered scrub	Habitat Mosaic
11	Scattered trees	Habitat Mosaic
20	Wood-pasture and parkland	Habitat Complex
48	Non-native	Origin
75	Active management	Management
210	Urban park	Green Infrastructure
610	Children's play space	Green Infrastructure
1140	Ground level planters	Green Infrastructure
1160	Introduced shrub	Green Infrastructure



**Table D-2 – Summary of Target Notes**

Target note	Description	Photograph
1	Broadleaved woodland recorded adjacent to Westburn Drive in the middle of the Site, on the south aspect of Ashgrove Road. Suitability for breeding birds, roosting bats, priority invertebrates and red squirrel.	

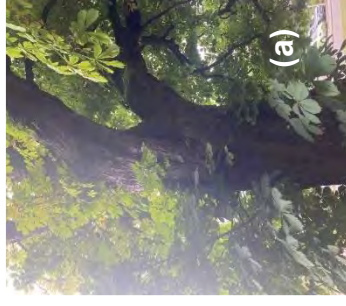
2

Broadleaved woodland recorded adjacent to Foresterhill on the western side of the Site, on the south aspect of Ashgrove Road West. Suitability for breeding birds, roosting bats, priority invertebrates and red squirrel.



3

Seven mature, possibly veteran, trees recorded adjacent to Shaw Crescent. These trees are protected under Tree Preservation Order Reference Number 92 with Aberdeen City Council. Tree tags were present on each: (a) horse chestnut, 0938; (b) pedunculate oak, 0939; (c) pedunculate oak, 0940; (d) horse chestnut, 0941; (e) sycamore, 0943; (f) standing dead tree 0943; and (g) sycamore, 0946. Suitability for breeding birds, roosting bats and priority invertebrates.





4

Modified grassland adjacent to Foresterhill and the Scottish Ambulance Service on the western end of the Site, on the south aspect of Ashgrove Road West.



5

Modified grassland adjacent to the Scottish Ambulance Service on western end of the Site, on the south aspect of Ashgrove Road West.



6

Modified grassland with scattered trees to the eastern end of the Site, on the south aspect of Ashgrove Road. Suitability for breeding birds, roosting bats, priority invertebrates and red squirrel.



7

Modified grassland with scattered trees adjacent to Westburn Drive to the eastern end of the Site, on the north aspect of Ashgrove Road. Suitability for breeding birds, roosting bats and priority invertebrates.



# Appendix E. Legislation table

Species	Legislation	Offences	Licensing procedures and guidance
<b>Bats</b> <i>European Protected Species</i>	Conservation (Natural Habitats, & c.) Regulations 1994 (as amended) Regulation 39	<p>To deliberately or recklessly:</p> <ul style="list-style-type: none"> <li>capture, injure or kill bats;</li> <li>disturb a bat while it is occupying a structure or place used for shelter or protection;</li> <li>disturb a bat while it is rearing or otherwise caring for its young;</li> <li>obstruct access to a breeding site or resting place, or otherwise deny use of the breeding site or resting place;</li> <li>disturb a bat in a manner or in circumstances likely to (i) significantly affect the local distribution or abundance of the species; or (ii) impair its ability to survive, breed or reproduce, or rear or otherwise care for its young.</li> </ul> <p>Damage or destroy a breeding site or resting place of such an animal [note that this does not need to be deliberate or reckless to constitute an offence].</p>	<p>Licences for development are issued by NatureScot.</p> <p>Licence from NatureScot is required for surveys (scientific purposes) that would involve disturbance of bats or entering a known or suspected roost site.</p> <p>Guidance documents:            NatureScot Standing Advice: <a href="https://www.nature.scot/professional-advice/protected-areas-and-species/licensing/species-licensing-z-guide/bats-and-licensing">https://www.nature.scot/professional-advice/protected-areas-and-species/licensing/species-licensing-z-guide/bats-and-licensing</a>            Bat Workers Manual (JNCC 2004)            Bat Surveys: Good Practice Guidelines (BCT 2016)</p>
<b>Birds</b>	Wildlife and Countryside Act 1981 (as amended) Section 1	<p>To intentionally or recklessly:</p> <ul style="list-style-type: none"> <li>kill, injure or take a wild bird;</li> <li>take, damage, destroy or interfere with a nest of any wild bird whilst that nest is in use or being built;</li> <li>at any other time takes, damages, destroys or otherwise interferes with any nest habitually used by any wild bird included in Schedule A1;</li> </ul>	<p>No licences are available to disturb any birds in regard to development.</p> <p>Licences are available in certain circumstances to damage or destroy nests, but these only apply to the list of licensable activities in the Act and do not cover development.</p> <p>General licences are available in respect of 'pest species' but only for certain very specific purposes (e.g. public health, public safety, air safety).</p> <p>The nests of Schedules 1A and A1 bird species are protected all year round.</p> <p>Guidance document:</p>

<p><b>Red squirrel</b></p>	<p>Wildlife and Countryside Act 1981 (as amended) Section 9</p>	<ul style="list-style-type: none"> <li>obstruct or prevent any wild bird from using its nest;</li> <li>take or destroy an egg of any wild bird;</li> <li>disturbs any wild bird included in Schedule 1 while it is building a nest or is in, on or near a nest containing eggs or young (including those that lek while doing so);</li> <li>disturbs any wild bird included in Schedule 1 (including dependent young of the species);</li> <li>harasses any wild bird included in Schedule 1A.</li> </ul> <p>To intentionally or recklessly:</p> <ul style="list-style-type: none"> <li>kill, injure or take a red squirrel;</li> <li>damage, destroy or obstruct access to any structure or place red squirrel uses for shelter or protection (a drey);</li> </ul> <p>disturb a red squirrel while it is occupying a structure or place for that purpose.</p>	<p>NatureScot Standing Advice: <a href="https://www.nature.scot/professional-advice/protected-areas-and-species/licensing/species/licensing-z-guide/birds-and-licensing">https://www.nature.scot/professional-advice/protected-areas-and-species/licensing/species/licensing-z-guide/birds-and-licensing</a></p> <p>Licenses for development are issued by NatureScot.</p> <p>Guidance documents:</p> <p>NatureScot Standing Advice: <a href="https://www.nature.scot/doc/standing-advice-planning-consultations-red-squirrels">https://www.nature.scot/doc/standing-advice-planning-consultations-red-squirrels</a></p> <p>Cresswell, W.J., Birks, J.D.S., Dean, M., Pacheco, M., Trewella, W.J., Wells, D., and Wray, S. (eds.) (2012) <i>UK BAP Mammals: Interim Guidance for Survey Methodologies, Impact Assessment and Mitigation</i>. Southampton: Mammal Society.</p> <p>Forestry Commission. (2009) Practical techniques for surveying and monitoring squirrels: Practical Note FCPN011 [online]. Available from <a href="https://www.forestresearch.gov.uk/">https://www.forestresearch.gov.uk/</a></p>
<p><b>Reptiles</b> <i>With specific reference to widespread reptile species including adder, common lizard and slow worm.</i></p>	<p>Wildlife and Countryside Act 1981 (as amended) Section 9</p>	<p>To intentionally kill or injure any widespread species of reptile.</p>	<p>There are no licensing provisions to allow the killing or injuring of reptiles and so measures must be put in place to minimise the risk of this happening and avoid an offence being committed.</p> <p>Guidance document:</p> <p>NatureScot Standing Advice: <a href="https://www.nature.scot/standing-advice-planning-consultations-reptiles-adder-slow-worm-common-lizard">https://www.nature.scot/standing-advice-planning-consultations-reptiles-adder-slow-worm-common-lizard</a></p>

<p><b>Invasive species</b> <i>With specific reference to Japanese knotweed, hybrid knotweed, giant knotweed, giant hogweed, rhododendron and Himalayan balsam</i></p>	<p>Wildlife and Countryside Act 1981 (as amended) Section 14</p>	<p>To plant a plant in the wild at a place out with its native range, or otherwise cause a plant to grow in the wild at a place out with its native range.</p>	<p>Any contaminated soil or plant material that is intended to be discarded is classified as controlled waste under the Environmental Protection Act 1990; and must be disposed of by a SEPA licensed haulier to a licensed or permitted landfill site. The waste must be accompanied by appropriate waste transfer documentation prepared by the haulier.</p> <p>Guidance documents: NatureScot Standing Advice: <a href="https://www.nature.scot/professional-advice/protected-areas-and-species/protected-species/invasive-non-native-species">https://www.nature.scot/professional-advice/protected-areas-and-species/protected-species/invasive-non-native-species</a> The Knotweed Code of Practice (Environment Agency, 2013 version 3) Managing Invasive Non-native Plants (Environment Agency 2010)</p>
<p><b>Rabbits, foxes and other wild mammals</b></p>	<p>Wild Mammals (Protection) Act 1996</p>	<p>To intentionally inflict unnecessary suffering to any wild mammal.</p>	<p>Lawful and humane pest control of these species is permitted.</p>

**Designated Sites**

Site Designation	Legislation	Protection	Guidance
<p><b>Local Sites</b> With specific reference to County Parks, Regional</p>	<p>Countryside (Scotland) Act 1967 (as amended)</p>	<p>Enables the designation of Country Parks and Regional Parks that are considered to be locally important. The relevant local authority can make by-laws to safeguard habitats and species within Country Parks and Regional Parks.</p>	<p>Development proposals that would potentially affect a local site would need to provide a detailed justification for the work, an assessment of likely impacts, together with proposals for mitigation and restoration of habitats lost or damaged. Guidance documents:</p>



Site Designation	Legislation	Protection	Guidance
Parks and Local Nature Conservation Sites		Local Nature Conservation Sites are identified to local authorities and protected by planning policy as areas that contain natural heritage features of some merit.	NatureScot Standing Advice: <a href="https://www.nature.scot/professional-advice/protected-areas-and-species/protected-areas/local-designations">https://www.nature.scot/professional-advice/protected-areas-and-species/protected-areas/local-designations</a>

### Priority Habitats and Species

Habitats & Species	Legislation	Protection	Guidance
Habitats and species	Nature Conservation (Scotland) Act 2004	A duty to further the conservation of biodiversity was placed on all public sector bodies in Scotland in 2004. This biodiversity duty is about connecting people with the environment and managing biodiversity in the wider environment, not just in specific protected sites. Duty on every public body to further the conservation of biodiversity. Scottish Ministers to designate one or more strategies for the conservation of biodiversity as the Scottish Biodiversity Strategy, and to publish lists of species of flora and fauna and habitats of principal importance.	The Scottish Biodiversity List (SBL) is a list of animals, plants and habitats that Scottish Ministers consider to be of principal importance for biodiversity conservation in Scotland. The purpose of the list is to help public bodies carry out their Biodiversity Duty by identifying the species and habitats which are the highest priority for biodiversity conservation in Scotland. The SBL was published in 2005 and revised in 2013 to satisfy the requirement under Section 2(4) of The Nature Conservation (Scotland) Act 2004. Full SBL list: <a href="http://www.scotland.gov.uk/Topics/Environment/Wildlife-Habitats/16118/Biodiversitylist/SBL">http://www.scotland.gov.uk/Topics/Environment/Wildlife-Habitats/16118/Biodiversitylist/SBL</a> NatureScot Standing Advice: <a href="https://www.nature.scot/scotlands-biodiversity/scottish-biodiversity-strategy/scottish-biodiversity-list">https://www.nature.scot/scotlands-biodiversity/scottish-biodiversity-strategy/scottish-biodiversity-list</a>
	Wildlife and Natural Environment (Scotland) Act 2011	The Wildlife and Natural Environment (Scotland) Act 2011 introduced a requirement for all public bodies to make publicly available a report on their compliance with the biodiversity duty.	

# Appendix F. Desk Study Records

**Table F-1 - Protected and priority bird species records provided by NESBReC**

Feature	Annex I <sup>45</sup>	Schedule 1 <sup>46</sup>	SBL Priority <sup>47</sup>	BoCC Red <sup>48</sup>	BoCC Amber <sup>48</sup>
Black Headed Gull			Yes		Yes
Bullfinch			Yes		Yes
Black-tailed Godwit		Yes	Yes	Ye	
Cuckoo			Yes	Yes	
Duncock			Yes		Yes
Goldeneye					Yes
Herring Gull			Yes	Yes	
House Sparrow			Yes	Yes	
Kestrel			Yes		Yes
Linnet			Yes	Yes	
Pink-footed Goose					Yes
Redwing		Yes	Yes	Yes	
Siskin			Yes		
Song Thrush			Yes	Yes	
Starling			Yes	Yes	
Swift			Yes		Yes

<sup>45</sup> European Directive 2009/147/EC on the conservation of wild birds.

<sup>46</sup> Wildlife and Countryside Act 1981 (as amended in Scotland).

<sup>47</sup> Scottish Biodiversity List.

<sup>48</sup> Eaton MA, Aebischer NJ, Brown AF, Hearn RD, Lock L, Musgrove AJ, Noble DG, Stroud DA and Gregory RD (2015) 'Birds of Conservation Concern 4: the population status of birds in the United Kingdom, Channel Islands and Isle of Man'. *British Birds* 108, pp708–746.

Table F-2 – Protected and priority invertebrate species records provided by NESBReC

Common Name	Latin Name	Taxon	Annex II <sup>49</sup>	Schedule 5 <sup>50</sup>	SBL Priority <sup>51</sup>	NESBIP <sup>52</sup>
Dusk Brocade	<i>Apamea remissa</i>	Moth	No	No	Yes	No
Grey Dagger	<i>Acronicta psi</i>	Moth	No	No	Yes	No
Rosy Minor	<i>Litologia literosa</i>	Moth	No	No	Yes	No
Rosy Rustic	<i>Hydraecia micacea</i>	Moth	No	No	Yes	No
Small Phoenix	<i>Ecliptopera silaceata</i>	Moth	No	No	Yes	No
Small Square-spot	<i>Diarsia rubi</i>	Moth	No	No	Yes	No

<sup>49</sup> European Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora.

<sup>50</sup> Wildlife and Countryside Act 1981 (as amended in Scotland).

<sup>51</sup> Scottish Biodiversity List.

<sup>52</sup> North East Scotland Biodiversity Partnership.

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