

**34 KEATS LANE,
EARL SHILTON,
LEICESTER,
LE9 7DR**

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PRELIMINARY ECOLOGICAL APPRAISAL (PEA)

Ref: WCL/PEA/ES/11923/3



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Wildlife Consultants Limited

11th SEPTEMBER 2023

A CONTENTS

B SUMMARY

C INTRODUCTION

D RESULTS

Di: Badgers

Dii: Birds and active avian nest sites

Diii: Bats and Roosts Sites

Div: Great Crested Newt

Dv: Otter

Dvi: Reptile

Dvii: Water Vole

Dviii: Dormouse

Dvix: Flora identified on site

E DISCUSSION

F CONCLUSION

G RECOMMENDATIONS

H APPENDIX

1: Wildlife Consultants Limited Biodiversity Checklist – Protected Species

I PICTURES

1) RESTRICTED INFORMATION APPENDIX

J REFERENCES

B SUMMARY

Wildlife Consultants Limited were commissioned by Mr. Mark Geraghty, HSSP Architects Ltd. on behalf of clients, to undertake the appropriate Preliminary Ecological Assessment with regard to New Residential Development - 34 Keats Lane, Earl Shilton LE9 7DR and the submission of a Planning Application.



Fig. 1: Site location

A Preliminary Ecological Appraisal (PEA) was undertaken 31st August 2023 in good weather conditions.

Ecological surveyor: R. S. Davies: GCN registration number 2015-19095-CLS-CLS

Summary of findings:

- **The Application site** is some 2 acres / 0.8 Hectare.
- A Stable Block and a Field Stable with significant area of hard standing being present.
- **The site** is permanent grassland with overgrown / unmanaged hedgerows to three sides with residential properties to the other.
- **Grassland** is used for grazing of horses and sub-divided by electric fencing into paddocks and grazed in rotation.
- **No water courses** are present in the site.
- **No water bodies** were identified within the site – 1 pond is present adjacent to the site; is considered ephemeral and is not accessible.
- **No** badger activity of any kind was identified on site – information confirms the presence of badgers within the immediate area (*see Restricted Information Appendix*)
- **No** protected species or UK BAP species were identified as using the site for any purpose.
- **No** mature trees are present within the site.
- **Boundary** hedgerows are all be retained and will remain following the development.
- **Low Ecological** value is considered as offer by the site.
- **No** evidence of any protected species ever having used the site for any activity.
- **No** evidence of the site currently being used or ever having been either as a roost site or nest site by any species of owl.
- **No** evidence of the site currently being used as an active nest site.
- **Evidence** of old avian nest sites were identified within the boundary hedgerows.
- **No** evidence of use of the site by bats and the site offers Negligible Potential for roosting bats including stable blocks, potential bat foraging and flight lines will be retained.
- **Biodiversity Enhancement** can be achieved with the provision of bat, bird bricks lighting and planting native tree species.
- **No further surveys** are considered as being required at this time.

C INTRODUCTION

Wildlife Consultants Limited were commissioned by Mr. Mark Geraghty, HSSP Architects Ltd. on behalf of clients, to undertake the appropriate Preliminary Ecological Assessment (PEA) of the site subject to a Planning Application for Residential Development.

The proposed site is 0.8 ha Permanent Grassland and used for Horsiculture (*Equine Activities*).

Two adjacent areas have been granted Planning Permission for Residential Development

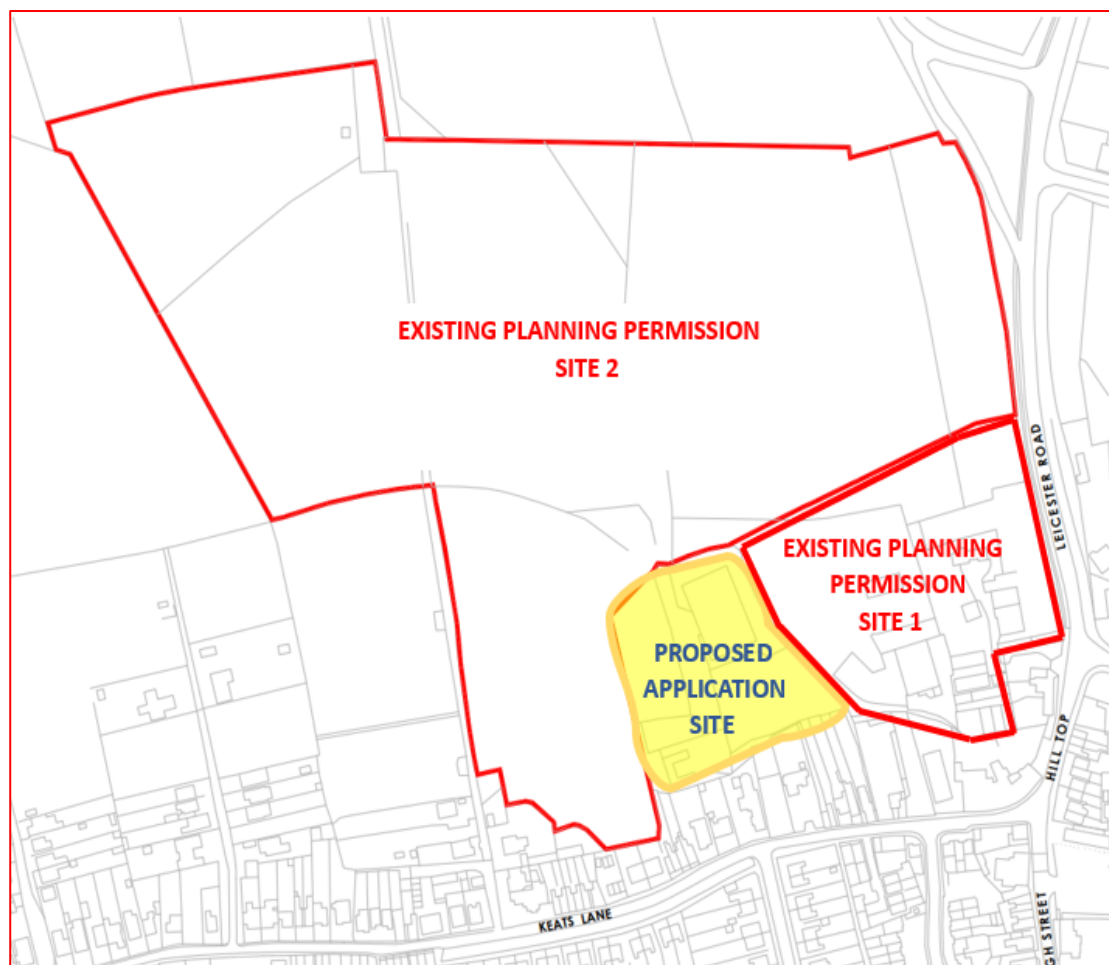


Fig. 2: Existing & Proposed Application sites

The survey was undertaken to identify / assess the habitats within the site for presence or possible presence of Protected Species within the site or using the site for any purpose.

The survey was undertaken in one day – 31st August 2023 in good weather conditions.

Ecological surveyor: R. S. Davies: GCN registration number 2015-19095-CLS-CLS Level 2

All the survey works undertaken were conducted by qualified and experienced ecologists employed by Wildlife Consultants Limited, to the standards expected and required by Natural England and in line with industry best practice as cited by CIEEM (the Institute of Ecology and Environmental Management).

D RESULTS

Di: Badgers:

Protected under the Protection of Badgers Act 1992 and the Wildlife and Countryside Act 1981

There was no evidence of badgers discovered within any part of the site or the immediate surrounding area. An in-depth survey was undertaken of the site including boundary vegetation looking for: Badger hairs caught on the vegetation or the underside of fence and other structures, snuffle holes, evidence of badger foraging, latrines or evidence that badgers have established a territory, badger paths, evidence of access and transit of the site.

- **No** active or in-active badger sett or potential sett exists on any part of the site.
- **No** badger latrines identified.
- **No** badger paths were identified at any point on the site, either radiating to the site, away from the site or across the site.
- **No** badger hairs on any of the vegetation around the perimeter of the site – or on the underside of any internal fences, rails, etc.
- **No** evidence on boundary vegetation and fencing of badger hairs caught on the vegetation or the underside of fence and other structures, snuffle holes (evidence of badger foraging), latrines (evidence that badgers have established a territory) and badger paths (evidence of access and transit of the site).
- Evidence of possible badger activity was identified within the dense hedgerow to the eastern boundary - (*see Restricted Information Appendix*).

Dii: Birds and active avian nest sites *All species*

Wildlife and Countryside Act 1981

Bird species were identified as feeding on the hedgerow fruits to all boundaries to the site.

It is not possible to predict how many birds actually use the site as there is significant opportunity within the site.

No active bird nesting sites being identified.

Old / inactive nest sites were identified within Stable Block – Swallow (*Hirundinidae*).

All boundary hedges are advised as to be retained following the proposed development.

Hedgerow management (*See Fig. R2 below*) to be undertaken outside the bird nesting season (February – September).

Diii: Bats and Roosts Sites:

Protected: Wildlife and Countryside Act 1981, Conservation of Habitats and Species Regulations 2010.

The Stable Block and Field Stable are considered to be sub-optimal for roosting bats – Negligible Potential.

Mature trees within the overall site boundaries are present offer roosting potential.

The hedgerows within the boundaries are considered as mature and offering foraging and flight lines / corridors.

All boundaries are to be retained and to remain unaffected as a result of the proposed development.

An artificial lighting scheme is recommended for the proposed for the site.



Fig. 1: View of Stable Block

Div: Great crested newts:

Protected: Wildlife and Countryside Act 1981, Conservation of Habitats and Species Regulations 2010

Great Crested newts were surveyed for within the site by the means of searching the sites terrestrial habitats and assessing its GCN terrestrial habitat potential for hibernacula as stipulated in the Great Crested Newt Conservation Handbook.

One Pond was identified on adjacent land, three records of amphibians were identified within 2km of the site.



Fig. 2: GCNs.

Guidance on risk assessment result categories

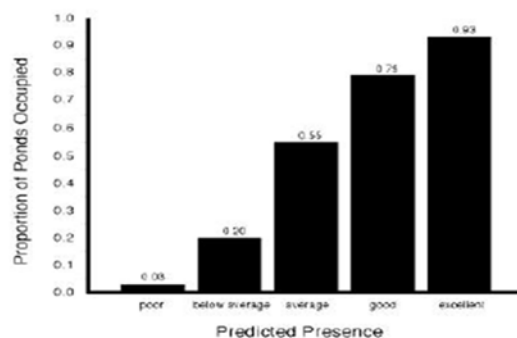
"Green: offence highly unlikely" indicates that the development activities are of such a type, scale and location that it is highly unlikely any offence would be committed should the development proceed. Therefore, no licence would be required. However, bearing in mind that this is a generic assessment, you should carefully examine your specific plans to ensure this is a sound conclusion, and take precautions (see **Non-licensed avoidance measures** tool) to avoid offences if appropriate. It is likely that any residual offences would have negligible impact on conservation status, and enforcement of such breaches is unlikely.

Component	Likely effect (select one for each component; select the most harmful option if more than one is likely; lists are in order of harm, top to bottom)	Notional offence probability score
Great crested newt breeding pond(s)	No effect	0
Land within 100m of any breeding	No effect	0
Land 100-250m from any breeding	No effect	0
Land >250m from any breeding pond(s)	No effect	0
Individual great crested newts	No effect	0
		Maximum: 0
Rapid risk assessment result:	GREEN: OFFENCE HIGHLY UNLIKELY	

Categorisation of HSI scores

Lee Brady has developed a system for using HSI scores to define pond suitability for great crested newts on a categorical scale:

HSI	Pond suitability
<0.5	= poor
0.5 – 0.59	= below average
0.6 – 0.69	= average
0.7 – 0.79	= good
> 0.8	= excellent



Pond ref	1
SI1 - Location	1
SI2 - Pond area	0.05
SI3 - Pond drying	0.9
SI4 - Water quality	0.01
SI4 - Shade	0.2
SI6 - Fowl	1
SI7 - Fish	1
SI8 - Ponds	0.1
SI9 - Terr'l habitat	1
SI10 - Macrophytes	0.3
HSI	0.28

The site is considered to offer Negative Potential for Great Crested Newts and with the small scale of the proposed development site (0.8) ha it is considered that there will be no impact on GCNs in the immediate or wider area.

A eDNA survey of the pond had previously been conducted for adjacent development with a Negative result being obtained.

Dv: Otter

- Regulation 41 of the Habitats Regulations 2017, states that a person commits an offence if they:
 - deliberately capture, injure or kill an otter;
 - deliberately disturb otters; or
 - damage or destroy a breeding site or resting place.

No evidence of any potential for Otters was identified and the site is considered to offer Sub-Optimal Habitat.

Dvi: Reptiles

NO records were identified of the presence of any reptile species within 2km of the site. Surveys of adjacent land had not identify the presence of any reptile species.

Dvii: Water Vole

- Water voles receive protection under the Wildlife and Countryside Act 1981 (as amended), which makes it an offence to:
 - Intentionally kill, injure or take (capture) a water vole.
 - Possess or control live or dead water voles or any derivatives.
 - Intentionally or recklessly* damage, destroy or obstruct access to any structure or place which water voles use for shelter or protection.
 - Intentionally or recklessly* disturb water voles whilst occupying a structure or place used for that purpose.
 - Sell, offer for sale or advertise for live or dead water voles.

*Reckless offences were added by the Countryside and Rights of Way (CROW) Act 2000.

No evidence of the presence of Water Vole and the site is considered as sub-optimal.

Dviii: Dormouse

No suitable habitat identified and considered as out of range.

Dix: Flora identified within site include:

Fat Hen	<i>Chenopodium album</i>	Dandelion	<i>Taraxacum officinale</i>
Creeping Buttercup	<i>Ranunculus repens</i>	Common nettle	<i>Urtica dioica</i>
Creeping Thistle	<i>Cirsium arvense</i>	Ragwort	<i>Jacobaea vulgaris</i>
Cow Parsley	<i>Anthriscus Sylvestris</i>	Perennial Ryegrass	<i>Lolium perenne</i>
Meadow Grass	<i>Poa annua</i>	Dock spp.	<i>Rumex</i>
Couch grass	<i>Elymus repens</i>	Yorkshire Fog	<i>Holcus lanatus</i>
Plantains	<i>Plantago spp</i>	Cleavers	<i>Galium aparine</i>
Common Thistle	<i>Cirsium vulgare</i>	Red Clover	<i>Trifolium pratense</i>

Hedgerows include:

Hawthorn	<i>Crataegus</i>	Blackthorn	<i>Prunus spinos</i>
Ash	<i>Fraxinus</i>	Bramble	<i>Rubus fruticosus</i>
Elder	<i>Sambucus</i>	Hazel	<i>Corylus avellana</i>
Crack Willow	<i>Salix fragilis</i>	Holly	<i>Ilex aquifolium</i>
Honeysuckle	<i>Lonicera periclymenum</i>		

E DISCUSSION

A five-point evaluation scale has been applied to assist with the identification of key ecological features and their significance in relation to the proposed development. This arbitrary scale is effective at this level of assessment and follows guidance as outlined from CIEEM (2006).

The five-point scale is:

- **Low Value**
- **Moderate Value**
- **High Value** - Local/District importance e.g. Local Wildlife Site
- **Very High Value** - County importance e.g. Local Nature Reserve
- **Exceptional Value** - National Importance e.g. Site of Special Scientific Interest (SSSI)

No Protected Species or Priority Species were identified as being present within the site and is currently considered to offer **Low Value**.

Protected Species have been identified within the adjacent development site – see

1) RESTRICTED INFORMATION APPENDIX

Biodiversity Enhancement:

To include:

Erection of Bird Nesting boxes.

Erection of bat bricks.

Hedgehog gravel boards to be used on internal fencing panels.

Landscaping Scheme to use Native Tree Species – *Twigged: Woodland Trust*

F CONCLUSION

During the survey no protected species or priority species were identified as using the site for any purpose.

Birds and active avian nests are protected under the Wildlife and Countryside Act 1981 (as amended) and the Conservation of Habitats and Species Regulations 2010.

No active bird nesting sites were identified within the site or would be affected by the development.

Guidance for Bird nesting season: February – September, therefore if works are to be undertaken during the bird nesting season a further survey is required prior to works commencing.

The hedgerows to the site are advised as being retained following the proposed development and any potential for bird nesting sites will remain, as will any possible foraging / flight lines for bats remain unaffected by the proposal.

Mitigation measures to be implemented as per RESTRICTED INFORMATION APPENDIX.

No further surveys are considered to be required at this time.

No breaches of current Legislation or Guidance are considered as to have occurred or to occur as a result of the proposed development.

G RECOMMENDATIONS

It is recommended: Biodiversity enhancement:
Wildlife Consultants Limited recommends the enhancement of development sites in favour of the possible wildlife conservation gain.

1) Lighting

Lighting both during works and permanent lighting following completion of the development should be designed to minimise light spill onto areas likely to be used by foraging bats such as linear features. The lighting scheme should be designed with regard to guidance, such as the Bat Conservation Trust (BCT) and Institution of Lighting Professionals (ILP) 2018 Guidance Note 08/18: Bats and Artificial Lighting in the UK. The following has been extracted from this document:

Lighting units should use LED which emit a warm white light (less than 2700K) to reduce the blue light component known to attract insects.

Lighting units should feature peak wavelengths 550nm to avoid the component of light that is most disturbing to bats.

Lighting units should be mounted horizontally as such there is no upward tilt.

External security lighting should be motion sensitive on a short timer (1 min)

Lighting should be directed to where it is needed, and efforts made to reduce light spill, if necessary, by using accessories such as hoods and louvres.



2) Swift Bricks

Bird bricks are erected on the property (eaves) – Swift Brick



Eg. Ibstock Eco-habitat for Swifts

3) Bat Bricks

Bat Bricks are Incorporated Into each new build – gable ends.

eg. Ibstock Enclosed Bat Box 'B' or Ibstock Enclosed Bat Box 'C'



- 4) Hedgehog Gravel Board
To be installed in all close boarded fencing.



H APPENDIX

1) WILDLIFE CONSULTANTS LIMITED Biodiversity Checklist – Protected Species

34 KEATS LANE, EARL SHILTON LE9 7DR.		
BATS		
Has the site been surveyed for bats?	YES	
Are there any structures on site which have the potential to support roosting bats?		NO
Are there any trees on the site which have the potential to support roosting bats?		NO
BARN OWLS		
Has the site been surveyed for barn owls?	YES	
Is there any evidence of barn owls nesting on or near the site or are there suitable nesting areas on the development site?		NO
BREEDING BIRDS		
Has the site been surveyed for breeding birds?	YES	
Will areas of hedgerow/scrub/woodland/trees or other features likely to be used by nesting birds be affected by the proposal?		NO
BADGERS		
Has the site been surveyed for badgers	YES	
Is there any evidence of badgers on or near the application site?	YES	
Are badgers commuting through the site to foraging areas?		NO
DORMICE		
Has the site been surveyed for dormice?	YES	
Is there suitable habitat for dormice on, or close to the application site?		NO
GREAT CRESTED NEWTS		
Has the site been surveyed for great crested newts?	YES	
Is there suitable habitat for great crested newts on, or close to the application site?		NO
REPTILES		
Has the site been surveyed for reptiles?	YES	
Is there suitable habitat on the site for reptiles?		NO
OTHER PROTECTED SPECIES (E.G. OTTERS, WATER VOLES, WHITE-CLAWED CRAYFISH)		
Has the site been surveyed for (Species Name): all the above	YES	
Is there suitable habitat on the site for (Species Name): all above		NO
IF 'YES' then the survey report should include details of the species concerned, the population level		
OTHER FEATURES OF NATURE CONSERVATION INTEREST		
Does the application site support Habitats of Principal Importance or Local Biodiversity Action Plan Priority Habitats?		NO
Does the application site support Species of Principal Importance or Local Biodiversity Action Plan Species?		NO

I PICTURES



View of site



View of site



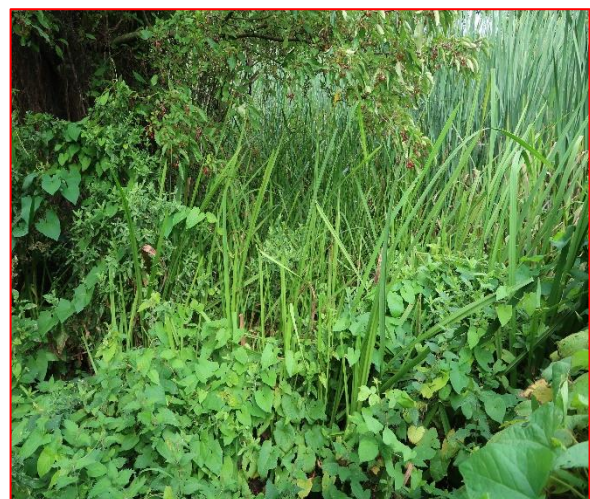
View of site



View of site boundary and pond area beyond



View of pond area beyond site



View of pond area



View of boundary hedge



View of boundary hedge



View of sward



View of sward



View of stable block



Internal view of stable block



View of site, stable block & field stable



View of site & restricted area beyond



View of site



View of associated hedgerow



View from site towards residential properties



View of nest sites within field stable.

1) RESTRICTED INFORMATION APPENDIX

The information contained in this Appendix Restricted

CONFIDENTIAL BADGER INFORMATION.

No evidence of the use of the site by badgers for any purpose was identified during the PEA survey.

The eastern site boundary hedge is dense and extensively overgrown with detailed survey of the hedge bottom severely restricted.

Results from the adjacent application site confirmed the presence of a 12-entrance badger sett which was considered to be a Main Sett along with 3 outlier holes along with 2 further inactive outlier entrances.



Fig. R1: Location of badger sett and entrances as identified on adjacent application (Hilltop Farm)

A Mitigation Strategy has been prepared for the adjacent site (Hilltop Farm) which includes Monitoring of the sett and entrances, applying for the appropriate licence from Natural England (Licensing Authority) if required and the establishment of a 15 mt buffer zone.

The clients Agent (34 Keats Lane) has been advised of the presence of the badger sett and entrances and has prepared the layout for the site accordingly and has incorporated the buffer zone.

The buffer zone to be created, with the erection of Herace fencing to the eastern boundary and to be retained until 1st Occupation of the associated new developments.

A Tool-box briefing to be given to the developer and associated contractors of the presence of the badger sett and the restricted access between the fencing and hedgerow.



Fig. R2: Location of buffer zone in relationship to the proposed development.

J REFERENCES

Bat surveys Good Practice Guidelines	<i>Bat Conservation Trust</i>	2007
Habitat Management for Bats	<i>Joint Nature Conservation Committee</i>	2001
Bird Survey Techniques	<i>British Trust for Ornithology</i>	2001
Herpetofauna Workers' Manual	<i>Joint Nature Conservation Committee</i>	2003
Reptile Habitat Management Handbook	<i>Edgar, Foster & Baker</i>	2010
Great Crested Newt Mitigation Guidelines	<i>English Nature</i>	2001
Great Crested Newt Conservation handbook	<i>Froglife</i>	2001
The British Herpetological Society:	http://www.bhs.org.uk	2009
Handbook for Phase 1 habitat survey	<i>Joint Nature Conservation Committee</i>	1990
RSPB		
Surveying Badgers	Mammal Society	1989
MAGIC	WWW.MAGIC.GOV.UK	
Badgers and Development	English Nature	2002

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