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CIVIL, ENVIRONMENT & STRUCTURAL ENGINEERS



Preliminary Ecological Assessment

Midlands Distribution Centre, Markfield Road, Groby,
LE6 0FS

ATC Design and Build Ltd

September 2025

Preliminary Ecological Appraisal
Midlands Distribution Centre, Markfield Road. Groby, LE6 0FS
ATC Design and Build Ltd

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Table of Contents

1	Introduction.....	1
1.1	Overview	1
1.2	Objectives.....	2
1.3	Legislation	2
1.4	Protected Species Legislation	4
2	Methodology	7
2.1	Desktop Study.....	7
2.2	Phase 1 Habitat Site Survey.....	7
2.3	Limitations.....	8
3	Results	9
3.1	Desktop Study	9
3.1.2	Site Location	9
3.1.3	Statutory (and Non-Statutory) Sites of Nature Conservation	10
3.2	Field Survey Results	11
3.2.1	Habitats	11
3.2.2	Artificial unvegetated, unsealed surface	11
3.2.2	Buildings.....	12
3.2.2	Protected Species.....	13
4	Discussion and Recommendations	15
4.1	Proposed Development.....	15
4.2	Assessment of Ecological Impacts	15
4.3	Summary of Further Surveys Required.....	16
4.4.	Mitigation Requirements.....	16
4.5.	Opportunities for Enhancement.....	17
5	Conclusions	18
	Appendices.....	19
	Appendix A: References	20
	Appendix B: Phase 1 Habitat Map – Existing Site.....	22
	Appendix C: Proposed Site Plans.....	23
	Appendix D. Relevant Protected Species Legislation.....	24

1 Introduction

1.1 Overview

ATC Design and Build Ltd (the Client) is seeking consent for commercial development at Midland Distribution Centre, Markfield Road, Groby, LE6 0FS (hereafter referred to as the 'proposed development'), which is within the Leicestershire County Council (LCC) and Hickley and Bosworth Borough Council (HBBC).

Aval Consulting were commissioned to carry out a Preliminary Ecological Assessment of the site. A PEA was undertaken in August 2025 consisting of an extended Phase 1 Habitat Survey and desk study, following the BCT Guidelines (Collins 2023), Chartered Institute of Ecology and Environmental Management (CIEEM) Preliminary Ecological Appraisal (2017) guidelines and using UK Habitat Classification Version 2.0 codes (UK Hab, 2023).

The survey involved identifying habitats and features of ecological interest within the Site, including their potential for supporting protected or notable species, to determine the key ecological constraints and opportunities associated with the proposed development. Any additional survey work and any possible mitigation requirements were also identified.

Two non-statutory designated sites (designated as historic and candidate local wildlife sites respectively) were immediately adjacent to the south, and northeast of the red line boundary. These areas had been cleared at the time of the survey visit and now comprised an area of bare ground. Therefore, no impacts from the proposed works on these sites are anticipated.

The habitats present within the red line boundary of the Site consisted of a building and artificial unvegetated, unsealed surface in the form of packed stone and gravel. The building on Site was located at the north of the Site. A small area of artificial unvegetated unsealed surface, was located at the south, currently used for loading with containers and machinery present. The boundary to the south comprised a newly installed metal fence.

The Site offered negligible ecological potential, with the structure not offering any suitable features for bats or nesting birds, and no evidence of nesting or roosting noted during the survey. The building was considered to have negligible potential for roosting bats due to its structure. The surrounding habitats and the wider rural landscape mean that it is considered likely that some species may utilise the Site for commuting purposes, such as bats, birds and badgers.

No further surveys are required.

Avoidance, mitigation and compensation measures have been recommended in Section 4.

These measures include sensitive working practices and lighting design to ensure that no protected or notable species will be harmed during works and can continue to make use of the Site post-development.

Proportionate enhancement measures are also included in Section 4, which could include provision of bat and bird boxes to provide enhanced opportunities for these species to roost and nest.

1.2 Objectives

- To survey and determine the ecological value of the site according to the JNCC (Joint Nature Conservation Committee), (2010), Handbook for Phase 1 habitat survey;
- To identify how protected species are / may be using the site in order to assess its functionality to the local populations;
- To consider impacts to all habitats immediately adjacent to the site;
- To consider potential impacts to local statutory and non-statutory site either within 1km or for European level designations, a buffer deemed as appropriate by the relevant Planning Authority; and
- To assess the suitability of the proposed development site in terms of existing ecological factors.

1.3 Legislation

Protected species, as referred to within this report, are taken to be those protected under European Legislation (Conservation of Habitats and Species Regulations 2017, as amended, and UK legislation (Wildlife and Countryside Act 1981; Protection of Badgers Act 1992); and those of principle importance in England as listed in Section 41 of the NERC Act (2006).

The National Planning Policy Framework (NPPF) December 2024 places responsibility on Local Planning Authorities (LPAs) to aim to conserve and enhance biodiversity in and around developments. Of particular relevance are the following paragraphs:

Paragraph 174 of the NPPF states that:

“Planning policies and decisions should contribute to and enhance the natural and local environment by: /... minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures.”

Paragraph 179 of the NPPF states that:

“To protect and enhance biodiversity and geodiversity, plans should: /... promote the conservation, restoration and enhancement of priority habitats, ecological networks and the protection and recovery of priority species; and identify and pursue opportunities for securing measurable net gains for biodiversity.”

Paragraph 180 of the NPPF states that:

“When determining planning applications, local planning authorities should apply the following principles:

a) if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused;

b) development on land within or outside a Site of Special Scientific Interest, and which is likely to have an adverse effect on it (either individually or in combination with other developments), should not normally be permitted. The only exception is where the benefits of the development in the location proposed clearly outweigh both its likely impact on the features of the site that make it of special scientific interest, and any broader impacts on the national network of Sites of Special Scientific Interest;

c) development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons¹ and a suitable compensation strategy exists; and

d) development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to improve biodiversity in and around developments should be integrated as part of their design, especially where this can secure measurable net gains for biodiversity or enhance public access to nature where this is appropriate.

Paragraph 181 of the NPPF also states that potential Special Protection Areas, possible Special Areas of Conservation and proposed Ramsar sites are to be afforded the same protection as designated Special Protection Areas, Special Areas of Conservation and Ramsar sites.

The NPPF is also complemented by the Circular 06/2005: Biodiversity and Geographical Conservation – Statutory Obligations and Their Impacts Within The Planning System (Office of the Deputy Prime Minister, 2005). Paragraph 99 states that *“It is essential that the presence or otherwise of protected species, and the extent that they may be affected by the proposed development, is established before the planning permission is granted, otherwise all relevant material considerations may not have been addressed in making the decision.”*

Section 40 of the NERC Act requires every public body to “have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity”. Biodiversity, as covered by the Section 40 duty, is not confined to habitats and species of principal importance but refers to all species and habitats. However, the expectation is that public bodies would refer to the Section 41 list (of species and habitats) through compliance with the Section 40 duty. Appendix V details legislation which protects species and groups relevant to the site.

The Environment Act 2021 includes a target to halt the decline of nature by 2030, and mandates Biodiversity Net Gain for developments. BNG is an approach to development whereby biodiversity is left in a measurably better state post-development than it was before the development occurred. Schedule 14 of The Act

makes provision for grants of planning permission in England subject to the attainment of a biodiversity gain of at least 10%. The Act also states that references to the biodiversity value of any habitat or habitat enhancement are calculated in accordance with the biodiversity metric, as published by the Secretary of State (Defra).

1.4 Protected Species Legislation

Bats

All European species of bats are listed on Annex IV of the EC Habitats Directive as being in need of “strict protection”. This is implemented in Britain under The Conservation of Habitats and Species Regulations 2017 (as amended). All British bats are included on Schedule 5 of the WCA 1981 (as amended) and the whole of Section 9 of The Act applies to European bat species.

In England, licences are issued by Natural England for any actions that may compromise the protection of a European protected species, including bats, under the Habitats Regulations 2010 (as amended). This includes all developments, regardless of whether they require planning permission.

In summary, the above legislation collectively prohibits the following:

- Deliberately or recklessly capturing, injuring, taking or killing of a bat;
- Deliberately or recklessly harassing a bat;
- Intentionally or recklessly disturbing a bat in its place of rest (roost), or which is used for protection or rearing young;
- Deliberately or recklessly damaging, destroying or obstructing access to any resting place or breeding area used by bats;
- Deliberately or recklessly disturbing a bat in any way which is likely to significantly affect the local population of the species, either through affecting their distribution or abundance, or affect any individual's ability to survive, reproduce or rear young; and
- Possession or advertisement/sale/exchange of a bat (dead or alive) or any part of a bat.

Great Crested Newts

Great crested newts are protected under European and British law, having the same level of protection as bats. Licences are issued by Natural England for any action that may compromise the protection of these species, under The Conservation of Habitats and Species Regulations 2010 (as amended). This includes all developments, regardless of whether or not they require planning permission.

Badger

The species is protected under the Protection of Badgers Act 1992, which makes it an offence to:

- Knowingly kill, capture, injure or disturb any individual;

- Intentionally damage or destroy a badger sett, or any part thereof;
- Obstruct access to an area which is used for breeding, resting or shelter; and
- Disturb a badger while it is using any place used for breeding, resting or shelter.

Water Vole

Water voles are protected under the Wild Mammals (Protection) Act 1996 and Schedule 5 of the WCA 1981 (as amended). This makes it an offence to:

- Intentionally kill, injure or take water voles;
- Possess or control the species;
- Damage or destroy any place used by water vole for shelter or protection;
- Disturb water vole while they occupy such places of shelter;
- Sell, possess or transport water vole for the purpose of sale; and
- Advertise the buying or selling of water vole.

Otter

Otter are protected under European and British law. The species is listed under Annex and IV of the Habitats Directive, which is implemented in Britain under The Conservation of Habitats and Species Regulations 2010 (as amended). Otters are also protected under Schedules 5 and 6 of the WCA 1981 (as amended), The Wild Mammals (Protection) Act 1996 and are listed as a priority species in Appendix II of the Bern Convention.

Reptiles

Common reptiles (grass snake, adder, common lizard and slow worm) receive partial protection under the WCA 1981 (as amended), which makes it an offence to:

- Intentionally or recklessly kill or injure these species; and
- Sell, offer or advertise for sale, possess or transport for the purposes of sale these animals, whether alive or dead, or any part thereof.

In addition, smooth snake and sand lizard are listed on both the WCA 1981 and the Conservation (Natural Habitats, & c.) Regulations 2017 (as amended), which makes it an offence to:

- Intentionally or recklessly kill or injure these species;
- Intentionally or recklessly damage or destroy any place used by these species for shelter, protection, resting or breeding; and
- Intentionally or recklessly obstruct access to any place used for shelter, protection, resting or breeding by these species

Dormouse

Hazel Dormice receive protection under the Conservation of Habitats and Species Regulations 2017 (as amended) Wildlife and Countryside Act 1981 which makes it an offence to:

- Deliberately capture, injure or kill a dormouse;
- Deliberately disturb dormice;

Preliminary Ecological Appraisal
Midlands Distribution Centre, Markfield Road. Groby, LE6 0FS
ATC Design and Build Ltd

94170

- Damage or destroy a breeding site or resting place of a dormouse
- Obstruct access to any structure or place which a dormouse uses for shelter or protection; or
- Disturb a dormouse while occupying a structure or place which it uses for shelter or protection

2 Methodology

To achieve the objectives outlined in Section 1.2, a desktop study was completed followed by a site visit.

2.1 Desktop Study

The Multi Agency Geographic Information for the Countryside (MAGIC) website and Ancient Woodland Inventory website (online) was accessed on the 8th August 2025 and used to obtain information regarding the:

- Presence of statutory designated Sites of international importance within 10km (Sites of Special Scientific Interest, Special Protection Areas, Special Areas of Conservation or Ramsar Sites)
- Presence of statutory designated Site of national importance within 1km. (Local Nature Reserves, Areas of Outstanding Natural Beauty, Sites of Special Scientific Interest, National Nature Reserves, or biosphere reserves)
- Presence of Impact Risk Zones (IRZs) within 1km associated with Sites of Special Scientific Interest.
- Presence of Ancient Woodland and Priority Habitats within 1km.
- Presence of waterbodies within 500m of the Site boundary in respect of great crested newts (*Triturus cristatus*) and other amphibian species.
- Previously granted European Protected Species (EPS) mitigation licenses within 1km; and
- Great crested newt (GCN) class survey license returns (England only) and pond survey data within 500m.
- Online aerial imagery was analysed to provide an indication of the overall land use patterns and connectivity within the immediate and wider landscape.
- Presence of ancient or veteran trees within 50m of the site

2.2 Phase 1 Habitat Site Survey

A UK Hab1 Field Survey was undertaken in accordance with the methodology described within v2.0 documentation (2023) and was used as the basis for subsequent assessment in line with the standards and methods described within the Guidelines for Ecological Impact Assessment in the UK and Ireland (CIEEM, 2018) and Guidelines for Ecological Report Writing (CIEEM, 2017).

A fine-scale minimum mapping unit (of 25m² or 5m) was deemed appropriate for use at the Site given its relatively small scale, consequently, only habitats with an area of 25m² or greater, or linear features 5m in length or greater, were mapped. The UK Hab uses primary codes whereby habitats are categorised by an increasingly detailed hierarchy until a match is discovered. Secondary codes describe environmental

factors that provide additional information such as management regime, hydrology or similar. In this case, each habitat was assigned a Primary Code¹ at the Level 4 hierarchy and secondary codes were applied where these could provide greater context. During the field survey, all habitats within the Site were thoroughly observed, described, and mapped. A DAFOR abundance (D = dominant, A = abundant, F = frequent, O = occasional, R = rare) was assigned to each botanical species identified in each habitat and nomenclature followed Stace (Stace, 2019).

This assessment formed the basis of a subsequent Biodiversity Net Gain Assessment.

The UK Hab field survey was extended to identify any protected or priority species per CIEEM's Guidelines for Preliminary Ecological Appraisal (2017). A thorough search was conducted to detect the presence, or potential presence, of notable and protected species, such as breeding birds, badger *Meles meles*, bats, reptiles and amphibians, notable mammals, invertebrates and any invasive species listed on Schedule 9 of the Wildlife and Countryside Act 1981 (as amended).

Riparian mammals were not considered further there were no habitats present within or adjacent to the Site suitable for these species.

2.3 Limitations

The results of the survey and assessment work undertaken by Aval Consulting Group are representative at the time of surveying.

This document does not contain a comprehensive list of botanical species on site. Only plant species characteristics of each habitat and incidental observations of notable plant species were recorded. In addition, many plant species are only evident at certain times of year and so some plant species may have gone undetected.

Any third party and external data sources used may vary due to the quality and scale, the supporting information used to define locations/boundaries and sensitivity of the data itself. Aval Consulting Group cannot take responsibility for the accuracy of external data sources and as such discrepancies and inaccuracies may occur.

3 Results

3.1 Desktop Study

The following section sets out the existing conditions in relation to ecology for the proposed re-development. Relevant ecological information is available from several sources including local, regional, and national ecological reports and websites. For the purpose of this assessment, some data has been obtained from Defra provided geographical sources.

3.1.2 Site Location

The land within the red line boundary of Figure 1 below comprised the survey area and is hereafter referred to as the 'Site'. The Site was located on the outskirts of Groby, a village in Leicestershire located around 8km northwest from central Leicester. The Site was an existing industrial site located directly off the A50. The wider landscape comprised of the urban village of Groby (east of the Site), numerous woodlands (south and north of the Site) and open fields of arable and pastoral farmland.



Figure 1. Site Boundary (basemap source – Bing Maps Satellite Imagery)

3.1.3 Statutory (and Non-Statutory) Sites of Nature Conservation

One statutory site was returned within 1km of the Site. Groby Pool and Woods Site of Special Scientific Interest (SSSI) is located 100m north of the Site, separated by the A50. Groby pool and woods has large areas of wet woodland and open water, providing diverse habitat for a range of flora and fauna. The Site boundary lies within the SSSI impact risk zone for Groby Pool and Woods. However, the nature of the proposals did not meet any of the criteria that would warrant further consultation with Natural England.

Non-statutory sites within 1km of the Site include four notified Local Wildlife Sites (LWS), two candidate LWS and one potential LWS. The closest site was a candidate LWS – Land off Markfield Road, Groby - mesotrophic grassland situated 10m northeast of the Site. Table 1 below shows further details.

In addition, four sites with status LWS (Potential: historic) were noted within 1km of the Site. These have not been surveyed since between 1980 and 1990, and it is not known if they still retain ecological value. Habitats previously recorded include woodland, grassland, mesotrophic grassland and disused quarry habitats. The closest of these was a neutral grassland situated 15m south of the Site.

While two non-statutory designated sites (designated as LWS historic and candidate) are

immediately adjacent to the south, and northeast of the Site boundary respectively, these had been cleared at the time of the survey visit and now comprised an area of bare ground. Therefore, no impacts from the proposed works on these sites are anticipated.

Table 1. Non-statutory designated Sites within 1km of the Site

Site Name	Status	Distance from the Site	Reason for Designation
Land off Markfield Rd Groby	LWS (candidate)	10m northeast of the Site	Mesotrophic grassland
Lawn Wood and Old Wood	LWS (Candidate: ASNW/Historic)	150m north of the Site	No recent survey information (1980-1990)
Martinshaw Wood	LWS (notified)	250m south of the Site	Ancient Semi-natural woodland
Toothills, Martinshaw Wood	LWS (notified)	430m southwest of the Site	Woodland adjacent to PAWS, with carpets of Bluebells.

Preliminary Ecological Appraisal
Midlands Distribution Centre, Markfield Road. Groby, LE6 0FS
ATC Design and Build Ltd

94170

Home farm, Groby	LWS (notified)	510m northwest of the Site	Species-rich hedgerow and two mature oak Quercus robur.
Groby Nature Area and Gun Club	LWS (notified)	850m east of the Site	Mesotrophic grassland
Bradgate House, Groby	LWS (Potential: LRWT/PAWS)	940m northwest of the Site	Parkland, meadow and lawn with mesotrophic, wet and acid grassland indicator species

3.2 Field Survey Results

3.2.1 Habitats

The habitats present within the red line boundary of the Site consisted of artificial unvegetated, unsealed surface. The building on Site was located at the north of the Site and comprised a warehouse with single skin brick walls and profiled metal roof. The northern edge of the building within the red line boundary adjoined further warehouse units to the north. A small area of artificial unvegetated unsealed surface, was located at the south, currently used for loading with containers and machinery present. This area comprised packed stone and gravel with no flora colonising this area. The boundary fence forming the southern boundary of the site was a newly installed metal fence.

A UK Hab Baseline Habitats Map of the Site can be found at Appendix B.

3.2.2 Artificial unvegetated, unsealed surface

The southern extent of the Site consists of artificial unvegetated unsealed surface. The area was seemingly used mainly for storage, loading and parking. The surface consisted of a mixture of hardstanding and compacted aggregate but did not seem sealed. No vegetation was present within the habitat.



Photograph 1. Southern extent of the Site

3.2.2 Buildings

One building was present within the Site boundary. The existing Westernmans building, a large warehouse with single skin brick walls and a roof of profiled metal sheets with skylights, comprised most of the Site.



Photograph 2. Existing Westernmans building

3.2.2 Protected Species

The data search returned various species records within 1km of the Site, the majority of which were within the SSSI to the north, and the LWS woodland to the south of the Site. The Site comprised of an industrial building and loading area which offered no suitable habitat for protected species other than some limited potential for birds to nest on the building. The nature of the surrounding habitats and landscapes mean that some species may utilise the Site for commuting purposes, such as bats and badgers.

Badgers

The data search returned 33 badger *Meles meles* records, mainly located in the surrounding woodland. The closest record was located 350m northwest of the Site from 2021. The closest record for a badger sett was within the LWS woodland to the south, situated 440m southwest of the Site. The Site itself offered no potential for badgers, however due to records returned and suitable habitat in the adjacent landscapes, badgers could use the site for commuting. No evidence of badger setts were identified within the Site boundary.

Bats

The data search returned 180 records for bats within 1km of the Site, with the following species recorded; common pipistrelle *Pipistrellus pipistrellus*, brown long-eared bat *Plecotus auritus*, soprano pipistrelle *Pipistrellus pygmaeus*, noctule *Nyctalus noctula*, leisler *Nyctalus leisleri*, daubentons *Myotis daubentonii*, and myotis bat *Myotis*. The closest record was situated 80m north of the Site for a common pipistrelle recorded in flight from 2018 during a driving transect.

The closest record for a roost was from 2009, 450m northeast of the Site, which was an unidentified roost. There were two European Protected Species licences for bats on the MAGIC website within 1km of the Site. These were situated 600m north of the Site, ranging from 2013 2015 for common and soprano pipistrelle, and for brown long eared bats.

The building on the Site was tightly sealed and the single-skin brickwork provided no cavity suitable for bats. No suitable roosting features were identified during the survey and the building on Site is assessed as having negligible potential for roosting bats.

Reptiles

The data search returned 5 records for reptiles within 1km of the Site, with records for grass

snake *Natrix Helvetica*, and slow worm *Anguis fragilis* returned. The closest record was situated 381m southeast of the Site from 2020 for a slow worm. The habitats on Site were not considered suitable for reptiles due to the lack of vegetation, which provided negligible opportunities for reptiles.

Amphibians

The data search returned 34 records for amphibians, with records returned for common frog

Rana temporaria, common toad *Bufo bufo*, smooth newt *Lissotriton vulgaris* and great crested newt *Triturus cristatus*. The closest record was for a GCN situated 350m north of the Site from 2014.

No ponds were identified within 250m of the Site, with the nearest waterbody being Slate Brook 120m north, which was considered unsuitable for breeding amphibians due to its size.

The existing building is tightly sealed with metal cladding and single-skin brickwork, offering negligible potential for amphibian refuge, and the bare ground surrounding the building presented negligible potential for the species. The risk of amphibians to be present at the Site is therefore considered to be negligible.

Birds

The data search returned 1,322 records for birds. The closest records were situated 320m southeast of the Site from 2023 and were barn owl *Tyto alba*, brambling *Fringilla montifringilla*, crossbill *Loxia curvirostra*, hobby *Falco subbuteo*, kingfisher *Alcedo atthis*, little ringed plover *Charadrius dubius*, and redwing *Turdus iliacus*.

Records were provided for the following notable species that could potentially use the Site for nesting and foraging: species recorded include barn owl *Tyto alba*, which are Schedule 1 species; little gull *Hydrocoloeus minutus*, and Mediterranean gull *Ichthyaeetus melanocephalus*, which are red-listed BoCC species; and woodpigeon *Columba palumbus*, which are green-listed BoCC species.

The Site offered negligible nesting and foraging opportunities for birds, with a lack of suitable features which could be exploited by nesting birds. The structure of the building did not present any suitable roosting opportunities for barn owl.

Invasive species

No records for invasive species were returned by the data search. No evidence of invasive species – flora or fauna - was recorded during the site visit. As a result, invasive species are not considered further within this report.

4 Discussion and Recommendations

4.1 Proposed Development

The proposed development is for the construction of an extension to the existing Westernmans building. The existing building will be retained, with a new access to the extension removing part of the brick wall of the building. The roof of the existing building will not be impacted. The following recommendations are based on drawing no ATC 1120.24.04(c) dated February 2025.

The proposed works are localised and will only impact the curtilage of the Site.

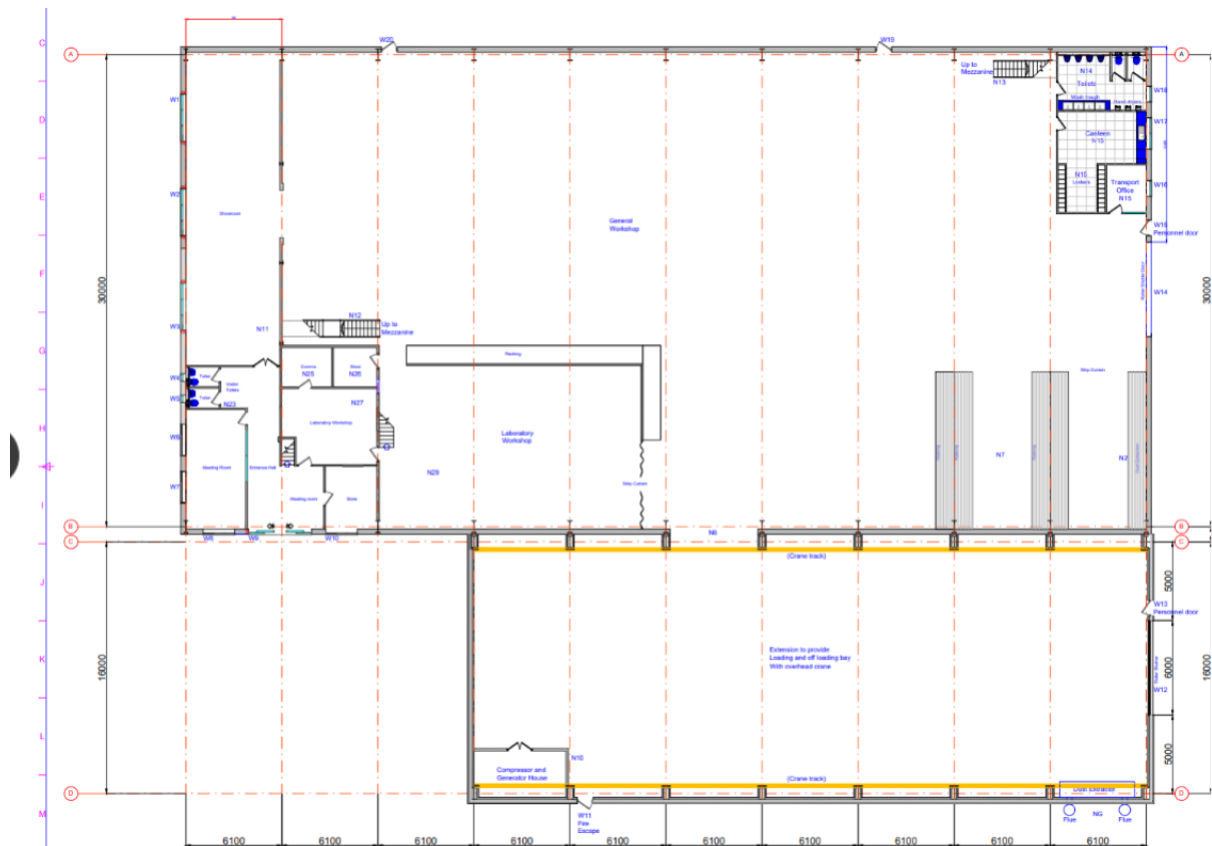


Figure 2: Proposed extension to the south of the existing building, taken from ATC 1120.24.04(c) dated February 2025

4.2 Assessment of Ecological Impacts

4.2.1 Habitats

None of the habitats within the Site are irreplaceable habitat. The building and artificial surface was considered to have negligible ecological value.

4.2.2 Species

The Site comprised an industrial building and loading area which offered no suitable habitat for protected species. However, surrounding habitats and landscapes means that some species may utilise the Site for commuting purposes such as bats, birds and badgers.

Bats

The building on Site was considered to have negligible potential for roosting bats, however due to the local records and suitable habitat in the wider landscape, bats may use the Site for commuting. No impacts to bats are anticipated from the proposed works and no further survey effort is required. Mitigation measures surrounding lighting is recommended in section 4.4 to minimise the impacts on foraging and commuting bats utilising the immediate surroundings of the Site.

Terrestrial mammals

There was potential for badgers to pass through the Site on occasion and sensitive working

practices will be required to ensure such animals don't get trapped in excavations during

construction. These are set out in section 4.4 below.

Birds

The Site offers negligible potential for nesting birds, and limited foraging opportunities for

birds. The localised extension works are not anticipated to have any impacts on birds.

4.3 Summary of Further Surveys Required

No further surveys are required.

4.4. Mitigation Requirements

- No night-time work is anticipated. Any lighting to be installed as part of the scheme should use warm white LEDs to reduce the blue light component. Lighting will avoid light spill towards the habitats present in the wider site and beyond, to maintain dark corridors around the Site. Further advice concerning light-spill, should be discussed and agreed with an ecologist.
- To ensure no harm to animals (such as badgers and hedgehogs) moving through the Site, any trenches left open overnight should have a scaffold plank or similar placed in them to provide a means of escape for any trapped animal. Likewise, any open pipes with a diameter of 300mm or greater should be temporarily sealed overnight to prevent any trapped animals.

4.5. Opportunities for Enhancement

A bat and/or bird box should be incorporated in the Site as part of the proposals, to provide enhanced roosting opportunities for bats and nesting opportunities for birds. A suitable pole or mature tree at the Site would be suitable as the building itself would not be suitable for integrated boxes. The box should be installed between the southwest and southeast aspect, at least at two metres height, away from artificial light sources.

Further details on box type and location should be discussed and agreed with the architect and ecologist.

Where soft landscaping is proposed, it is encouraged that native trees, shrubs, climbing or herbaceous plants are used that are nectar-rich or fruit-bearing as this would benefit notable invertebrates, birds and mammals.

5 Conclusions

Based on the current proposal the existing Westermans building will be extended over artificial unvegetated unsealed surface. The proposals will impact upon the existing building, with the construction adding a new access point and extension to the southern elevation. Construction may impact terrestrial mammals commuting across the Site but isn't anticipated to impact on any other species.

As further compensation it is encouraged that native trees, shrubs, climbing or herbaceous plants that are nectar-rich or fruit-bearing are used if planted on site as this would benefit notable invertebrates, birds and mammals. Additionally, a bat and bird box should be incorporated at the site to provide enhanced roosting opportunities for bats and bird. These could be installed on a suitable pole or mature tree at the Site.

Precautionary checks, and sensitive working practices will be adopted in respect of badgers and hedgehog, to avoid harm or injury, whilst a sensitive lighting scheme will also reduce any potential impacts adjacent habitats and species utilising the Site at night.

Appendices

Appendix A: References

Appendix B: Phase 1 Habitat Map - Existing Site

Appendix C: Proposed Site Plan

Appendix D: Relevant Legislation

Appendix A: References

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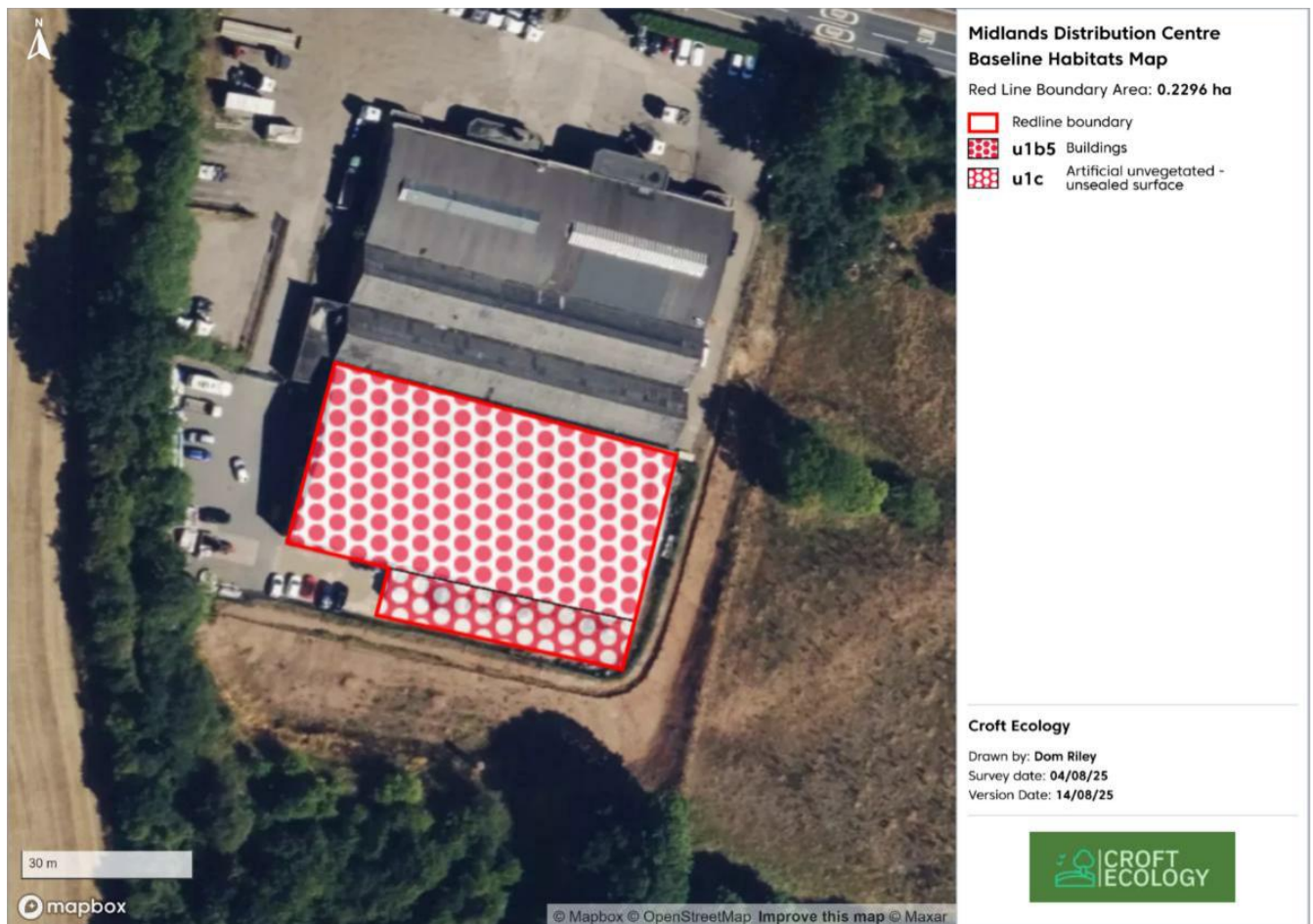
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Preliminary Ecological Appraisal
Midlands Distribution Centre, Markfield Road. Groby, LE6 0FS
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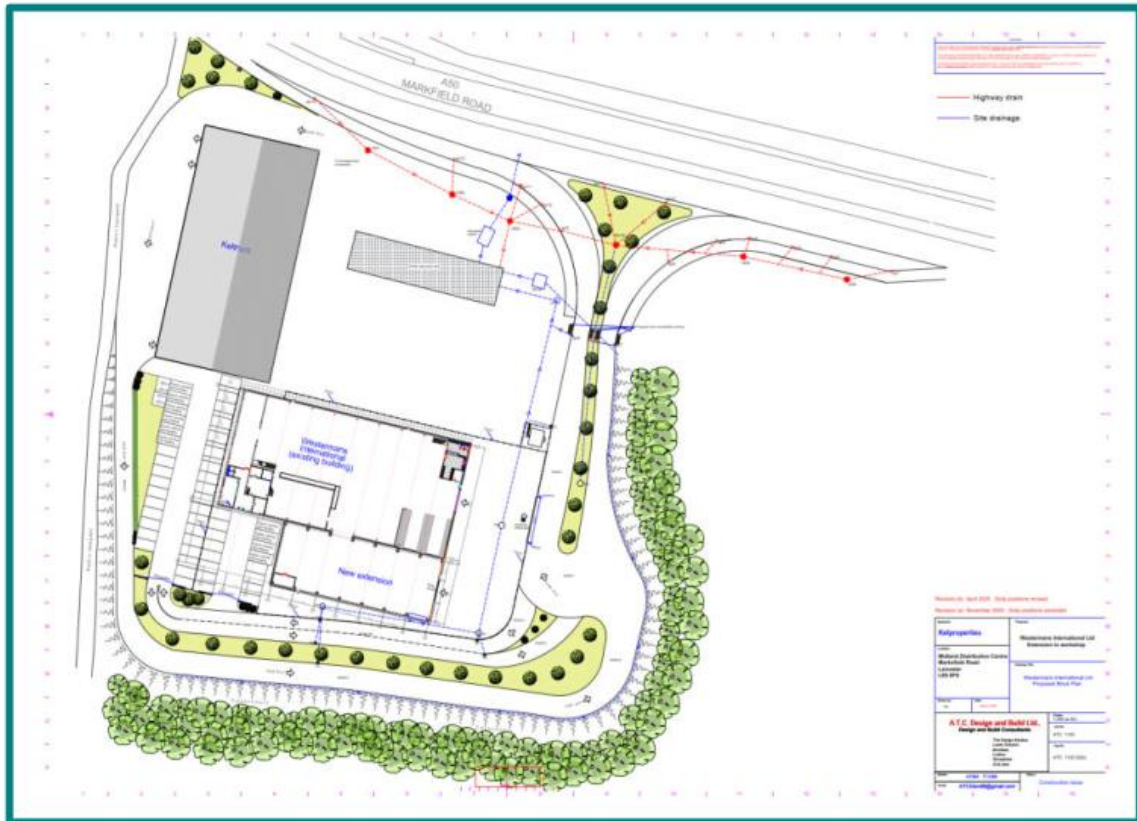
Appendix B: Phase 1 Habitat Map – Existing Site



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Midlands Distribution Centre, Markfield Road. Groby, LE6 0FS
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Appendix C: Proposed Site Plans



Appendix D. Relevant Protected Species Legislation

EC Habitats Directive

In 1992 the then European Community, adopted Council Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora, known as the Habitats Directive. The main aim of the Habitats Directive is to promote the maintenance of biodiversity by requiring member states to introduce protection for these habitats and species of European importance. The mechanism for protection is through the designation of Special Areas of Conservation (SACs), both for habitats and for certain species listed within Annex II. There are several species listed within Annex II of the Habitats Directive that are present within the UK; these include four lower plant species, nine higher plant species, six species of molluscs, six species of arthropods, eight species of fish, two species of amphibian, and nine species of mammal.

The Bern Convention

The Convention on the Conservation of European Wildlife and Natural Habitats (the Bern Convention) came into force in 1982. The principal aims of the Convention are to ensure the conservation and protection of wild plant and animal species and their natural habitats (listed in Appendices I and II of the Convention), to increase cooperation between contracting parties, and to regulate the exploitation of those species (including migratory species) listed in Appendix 3. To this end the Convention imposes legal obligations on contracting parties, protecting over 500 wild plant species and more than 1000 wild animal species.

Bonn Convention

The Convention on the Conservation of Migratory Species of Wild Animals (Bonn Convention or CMS) was adopted in Bonn, Germany in 1979 and came into force in 1985. Contracting Parties work together to conserve migratory species and their habitats by providing strict protection for endangered migratory species (listed in Appendix 1 of the Convention), concluding multilateral agreements for the conservation and management of migratory species which require or would benefit from international cooperation (listed in Appendix 2 of the Convention), and by undertaking cooperative research activities.

Convention on Biological Diversity

The Convention on Biological Diversity (Biodiversity Convention or CBD) was adopted at the Earth Summit in Rio de Janeiro and entered into force in December 1993. It was the first treaty to provide a legal framework for biodiversity conservation. Contracting Parties are required to create and enforce national strategies and action plans to conserve, protect and enhance biological diversity.

Wildlife and Countryside Act 1981 (as amended)

The Wildlife and Countryside Act 1981 (as amended) is the principal mechanism for the legislative protection of wildlife in Great Britain. However, it does not extend to Northern Ireland, the Channel Islands, or the Isle of Man. This legislation is how the Convention on the Conservation of European Wildlife and Natural Habitats (the 'Bern Convention') and the

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Midlands Distribution Centre, Markfield Road. Groby, LE6 0FS
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European Union Directives on the Conservation of Wild Birds (79/409/EEC) and Natural Habitats and Wild Fauna and Flora (92/43/FFC) are implemented in Great Britain.

Conservation of Habitats and Species Regulations 2017 (as amended)

In the UK the Council Directive 92/43/EEC has been transposed into national laws by means of the Conservation (Natural Habitats, & c.) Regulations 1994 (as amended), and the Regulations (Northern Ireland) 1995 (as amended). The Regulations came into force on 30 October 1994 and have been amended several times. Subsequently the Conservation of Habitats and Species Regulations 2010 was created which consolidates all the various amendments made to the 1994 Regulations in respect of England and Wales and is commonly known as the 'the Habitats Regulations'. In Scotland the Habitats Directive is transposed through a combination of the Habitats Regulations 2010 (in relation to reserved matters) and the 1994 Regulations. The Conservation (Natural Habitats, &c) Regulations (Northern Ireland) 1995 (as amended) transpose the Habitats Directive in relation to Northern Ireland. The Regulations contain five Parts and four Schedules and provide for the designation and protection of 'European sites', the protection of 'European protected species', and the adaptation of planning and other controls for the protection of European Sites.