



**Land adjacent to 95 Elmesthorpe Lane, Earl Shilton, LE9
7PT**

Preliminary Ecological Appraisal Report

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1. Summary

Table 1: Summary

Report Purpose	With reference to the development proposals and the applicable planning policy & legislation, the scope of the present report is to: - Identify key ecological constraints associated with the project. - Identify avoidance, mitigation or compensation measures likely to be required in accordance with the mitigation hierarchy. - Identify any additional surveys that may be required to inform the above. - Identify likely opportunities to deliver ecological enhancement.
Methodology	A desk study was carried out including a study of the UK Government MAGIC¹ website for designated sites of nature conservation, Natural England licensing, and the site in the context of habitat connectivity to the surrounding landscape. The field survey included a UKHab Habitat survey of the site, extended to consider protected species.
Key Notes	The hedgerow H3 was assessed as a NERC priority habitat. The site offered suitable habitat for commuting and foraging badger <i>Meles meles</i>, European hedgehog <i>Erinaceus europaeus</i>, and nesting birds and limited suitability for reptiles and amphibians.
Conclusions	Recommendation 1 – Precautionary Methods During Works: Precautionary methods should be implemented during works to protect foraging and commuting badger and hedgehog, nesting birds, amphibians and reptiles. Recommendation 2 – Removal of INNS: Due to the presence of Himalayan cotoneaster <i>Cotoneaster simonsii</i> on site, it is recommended that a specialist contractor is appointed to remove and control the invasive species on site. Recommendation 3 – Artificial Lighting Mitigation: Where lighting is required, both during construction works and post-development, this should be sympathetic to wildlife through the design of lighting observing the principles set out in guidelines from the Bat Conservation Trust (BCT) & Institution of Lighting Professionals (BCT & ILP, 2023).

¹ Multi-agency Geographic Information for the Countryside: www.magic.gov.uk.

2. Introduction

Background

- 2.1. Elton Ecology Ltd was commissioned by Old Mill Homes Ltd to conduct a Preliminary Ecological Appraisal (PEA) of the site known as Land adjacent to 95 Elvesthorpe Lane, Earl Shilton, LE9 7PT.
- 2.2. The resulting Preliminary Ecological Appraisal Report (PEAR) has been prepared by Ecologist CBM BSc (Hons). CBM is a Qualifying member of CIEEM and is experienced in assisting and undertaking ecology surveys, GIS mapping, and report writing.

Site Description

- 2.3. The site comprises areas of modified grassland, bramble scrub, individual tree and hedgerow habitats. The site is located at Land adjacent to 95 Elvesthorpe Lane Elvesthorpe Lane, Earl Shilton, Barwell, Hinckley and Bosworth, Leicestershire, LE9 7PT (Figure 1: Site Location Plan) (central OS grid reference: SP 45754 96672).

Development Proposals

- 2.4. The development proposals include the construction of a proposed new dwelling.
- 2.5. Relevant documents used to inform the assessment include:
 - Existing Site Plan (Drawing no. 2602-002-P01) (Drum Architecture, 27/02/2026)
 - Proposed Site Plan (Drawing no. 2602-003-P02) (Drum Architecture, 01/03/2026)

Report Purpose and Scope

- 2.6. With reference to the Development Proposals, the purpose and scope of the present report is to:
 - Identify key ecological constraints associated with the project.
 - Identify avoidance, mitigation or compensation measures likely to be required in accordance with the mitigation hierarchy.
 - Identify any additional surveys that may be required to inform the above.
 - Identify likely opportunities to deliver ecological enhancement.

Planning Policy and Legislation

- 2.7. A summary of biodiversity planning policies and wildlife legislation relevant to the site is provided in Appendix 1: Planning Policy and Legislation Summary. The relevant planning policy and legislation includes:
 - National Planning Policy Framework (NPPF) 2024.
 - Government Circular ODPM 06/05 Biodiversity and Geological Conservation.
 - The Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019.
 - The Wildlife and Countryside Act 1981 (as amended).

- Natural Environment and Rural Communities (NERC) Act 2006 – Habitats and species of principal importance.
 - The Hedgerow Regulations 1997;
 - Protection of Badgers Act 1992; and
 - The Wild Mammals (Protection) Act 1996 (as amended).
- 2.8. The site is covered by the Leicestershire, Leicester and Rutland Local Nature Recovery Strategy, which includes:
- Hedgehog

3. Methodology

Assessment

- 3.1. The present assessment has been carried out with reference to best practice guidelines for Preliminary Ecological Appraisal provided by the Chartered Institute of Ecology and Environmental Management (CIEEM, 2017).

Personnel

- 3.2. The Preliminary Ecological Appraisal (PEA) was carried out by Ecologist CBM² BSc (Hons). CBM is a Qualifying member of CIEEM and is experienced in assisting and undertaking ecology surveys, GIS mapping, and report writing.
- 3.3. The quality assurance of the present report was undertaken by Senior Ecologist PMH BSc (Hons) MSc ACIEEM. PMH holds a Natural England Level 1 Bat Licence (CL17) (reference number: 2025-84657-CL17-BAT) and a Natural England Level 1 Great Crested Newt Licence (CL08) (reference number: 2025-81652-SCI-CL08), a botanical Field Identification Skills Certificate (FISC) Level 4, and a Modular River Survey River Condition Assessment Certificate level of Qualified Surveyor. PMH has attended formal training in UKHab survey, Biodiversity Net Gain, and botanical species identification. PMH is an Associate member of CIEEM and is experienced in assisting and undertaking ecology surveys, GIS mapping, and report writing.

Desk Study

- 3.4. The sources of information and study areas of the desk study data are provided in Table 2.

Table 2: Desk study sources and areas

Feature		Study Area	Data Source	Date of Search
Designated sites of nature conservation	International (e.g. Special Area of Conservation, Special Protection Area, and Ramsar)	10 km radius of the site boundary	UK Government MAGIC ³ website	17/03/26
	National (e.g. Site of Special Scientific Interest (SSSI), SSSI Impact Risk Zones (SSSI IRZ)), Local Nature Reserves, National Nature Reserves	5 km radius of the site boundary		
Granted Natural England Mitigation Licences		2 km radius of the site boundary	UK Government MAGIC website	
Natural England Ancient Woodland Inventory		Site & 1 km radius of the site boundary		
Natural England Priority Habitat Inventory		Site & 1 km radius of the site boundary		

² Full personnel names available upon request.

³ Multi-agency Geographic Information for the Countryside: www.magic.gov.uk.

Feature	Study Area	Data Source	Date of Search
The site in the context of habitat connectivity to the surrounding landscape	2 km radius of the site boundary	Satellite and OS map data	
Relevant ecological information used to inform other planning applications	Site & surrounding area	LPA planning portal - Hinckley and Bosworth Borough Council	

Field Survey

UKHab Habitat Survey

- 3.5. The UKHab Habitat survey was carried out on the 18th March 2026 and was extended to include an assessment for Natural Environment and Rural Communities Act (2006) Section 41 Habitats of Principal Importance (HPI) and of the sites potential to be used by protected or notable species as described below. The study area included the site boundary and a 30m radius for evidence of mobile protected species such as badger, access permitting. Weather conditions were appropriate for field survey with temperatures of 12°C, no rain, and good visibility.
- 3.6. The site was walked over, and botanical species lists of representative and notable plant species for each habitat type were recorded. Habitats were classified and mapped with reference to best practice guidelines from UKHab Ltd (2023). The nomenclature used for botanical species lists broadly follows that of Stace (2019). Protected or notable plant species were recorded where observed.
- 3.7. Species density was calculated by selecting a proportionate number of randomly distributed 1m² quadrats per habitat parcel and counting the number of vascular plant species present within. The sum of the total number of species present in each quadrat was then divided by the number of quadrats selected to obtain an average species density.

Hedgerow Survey

- 3.8. During the UKHab Habitat Survey, the hedgerow(s) at the site were assessed for their importance under the Hedgerow Regulations 1997 and determined as either species poor (fewer than five woody species per 30m length) or species rich (greater than five woody species per 30m length). Notes were also made on other features of the hedgerow such as height and width, ground flora, standard trees, percentage gaps, structure, and connectivity.
- 3.9. A hedgerow is defined as a boundary line of shrubs, provided that at one time the shrubs were stock proof and more or less continuous. Any bank, wall, ditch, or tree within 2m of the centre of the hedgerow is considered to be part of this habitat, as is the herbaceous vegetation within 2m of the centre.
- 3.10. A hedgerow with trees is defined with reference to UKHab Ltd (2023) as a hedgerow with 2 or more prominent trees that are less than 20m apart over most of the hedgerow length.

Amphibians (Including Great Crested Newt)

- 3.11. The habitats at the site were assessed for their suitability to support amphibians, including a search of the site for ponds and suitable terrestrial habitat. The desk study included a search of ponds within a 250m radius of the site.

Badger

- 3.12. The badger walkover survey included a search for evidence of badger at the site, such as sett entrances (normally 25 to 35cm wide and shaped like a 'D' on its flat edge), large spoil heaps

outside sett entrances, bedding, footprints, mammal paths, latrines, hairs, scratching posts, and signs of digging for food or 'snuffle holes'. The survey included a search of the site and 30m radius (access permitting) for badger setts.

Bats – Ground Level Tree Assessment

- 3.13. The preliminary Ground Level Tree Assessment (GLTA) was carried out with reference to best practice industry guidelines (Collins, 2023). The study area included all trees within the survey area.
- 3.14. The survey included a surveyor assessing the tree(s) from ground level aided by binoculars, noting potential bat entry/exit points, potential roosting features (PRFs), and any evidence of bats. The trees were graded for their suitability to support roosting bats, which will inform the need for further survey effort, if required, such as a potential roost feature (PRF) inspection via rope and harness access and/or nocturnal survey.
- 3.15. The suitability of the trees for roosting bats was then categorised with reference to best practice industry guidelines (Collins, 2023) (Table 3) as either none, further assessment required (FAR), potential roosting features present for individual bats (PRF-I), or potential roosting features present for multiple bats (PRF-M), which informs the need for further survey effort to establish the presence/ likely absence of roosting bats.

Table 3: Guidelines for Assessing the Potential Bat Roosting Suitability of Trees (Adapted from Collins, (2023))

Suitability	Description of Trees
None	No features likely to be used by roosting bats or highly unlikely features are present. An absence of accessible voids, cracks and crevices.
FAR	Further assessment is required to determine if features likely to be used by roosting bats are present.
PRF-I	The PRF is suitable for individual or small numbers of bats due to lack of size or suitable surrounding landscape.
PRF-M	The PRF is suitable for multiple bats and may be used by a maternity colony.

Bats – Commuting and Foraging

- 3.16. With reference to Table 4, an assessment of the habitats at the site to support commuting and foraging bats was made, within the context of habitat connectivity to features in the wider landscape. The site was assessed as either negligible, low, moderate, or high suitability for commuting and foraging bats.

Table 4: Guidelines for Assessing the Potential Bat Suitability of Structures and Habitats (Adapted from Collins, (2023))

Suitability	Description of Roosting Habitats	Commuting and Foraging Habitats
Negligible	Negligible features likely to be used by roosting bats. An absence of accessible voids, cracks and crevices.	Negligible features likely to be used by commuting or foraging bats. A lack of landscape habitat features.
Low	A structure or tree with a potential roost site which could be used by individual bats, which	Habitat that could be used by small numbers of commuting bats such as a hedgerow with gaps or unvegetated stream, but

Suitability	Description of Roosting Habitats	Commuting and Foraging Habitats
	does not provide enough space, shelter, protection, or appropriate conditions (i.e. temperature, humidity, height above ground level, light levels, disturbance) or suitable surrounding habitat to be used on a regular basis by larger numbers of bats.	isolated (i.e. not very well connected to the surrounding landscape by habitat). Suitable, but isolated habitat that could be used by small numbers of foraging bats such as a lone tree (not in a parkland situation) or a patch of scrub.
Moderate	A structure or tree with a potential roost site that could be used by bats due to their size, shelter, protection, conditions and surrounding habitat but is unlikely to support a roost of high conservation status (such as a maternity colony).	Continuous habitat connected to the wider landscape that could be used by commuting bats such as lines of trees and scrub or linked back gardens. Habitat that is connected to the wider landscape that could be used by bats for foraging such as trees, scrub, grassland or water.
High	A structure or tree with one or more potential roost sites that are suitable for use by larger numbers of bats on a more regular basis and potentially for longer periods of time due to their size, shelter, protection, conditions, and surrounding habitat.	Continuous high-quality habitat that is well connected to the wider landscape likely to be used regularly by commuting bats such as river valleys, streams, hedgerows, lines of trees, and woodland edge. Continuous high-quality habitat that is well connected to the wider landscape that is likely to be used regularly by foraging bats such as broadleaved woodland, tree-lined watercourses and grazed parkland. Sites which are close to and connected to known roosts.

Nesting Birds

- 3.17. An assessment of the habitats on site to support nesting birds was made, and the site was searched where accessible for active or historical bird nests. Any sightings of bird nesting behaviour associated with the site was also noted.

Hazel Dormouse

- 3.18. An assessment of the suitability of the habitats at the site to support hazel dormouse *Muscardinus avellanarius* was made with reference to Bullion *et al.* (2025), and any incidental sightings of dormouse evidence recorded where encountered.

Terrestrial Invertebrates

- 3.19. An assessment was made of the suitability of the habitats at the site to support notable assemblages of invertebrates, such as vegetation structure, vegetation species diversity, deadwood, and host plants/ animals.

Reptiles

- 3.20. An assessment was made of the suitability of the habitats at the site for reptiles. Optimal habitat for reptiles includes rough grassland, moorland, heathland, woodland and scrub, sub-urban areas such as railway embankments, golf courses and allotments, and sympathetically managed farmland. Favourable features for reptiles include sunny south facing banks for basking, ecotones such as the transition between grassland and scrub, and hibernacula such as stone, log, and brash piles.

Otter

- 3.21. An assessment of the habitats at the site to support otter *Lutra lutra* was made, and a search for evidence of otter carried out with reference to Chanin (2003a), Chanin (2003b) and Chanin (2005).

Water Vole

- 3.22. With reference to Dean *et al.* (2016), Strachan *et al.* (2011), and Natural England (2008) an initial assessment of the habitats at site was carried out for the suitability to support water vole *Arvicola amphibius* during the Extended UKHab Habitat Survey.

Fish

- 3.23. An initial assessment of the habitats at site was carried out for the suitability to support notable fish species during the Extended UKHab Habitat Survey, such as presence of suitable watercourses and waterbodies.

Aquatic Invertebrates (including White-clawed Crayfish)

- 3.24. With reference to Peay (2002), Peay (2003), and Holdich (2003) an initial assessment of the suitability of habitats present at the site to support white clawed crayfish *Austropotamobius pallipes* was undertaken during the Extended UKHab Habitat Survey.

Other Mammals

- 3.25. An assessment of the site to support other mammals including brown hare *Lepus europaeus*, harvest mouse *Micromys minutus*, and hedgehog was also made.

Invasive Species

- 3.26. Invasive plant species such as those listed on Schedule 9 of the Wildlife and Countryside Act 1981 (As Amended) were recorded where encountered during the UKHab Habitat survey.

Limitations

- 3.27. It must be noted that survey effort has been made to provide detailed descriptions of the site within the context of potential usage by protected species, however a fully comprehensive assessment and prediction of natural factors cannot be made. The protected species assessment provides a professional view of the likelihood of such species being present and cannot be taken as a definitive presence or absence of the same. Systematic presence/ likely absence surveys for such species, which typically require multiple survey visits, have not been undertaken and are outside of the scope of Preliminary Ecological Appraisal. Such surveys are recommended in the present report if considered proportionate to the potential ecological impacts of the development proposals.
- 3.28. A full search of crevices and cavities on trees typically cannot be made without specialist access equipment and in most cases intrusive works, and therefore accessible areas only have been searched for evidence of protected species and a negative result of evidence does not conclusively equate to absence of such species which may occupy inaccessible crevices on the tree. However, provided any recommended further survey(s) are undertaken, this is not considered a significant limitation to assessing the presence/ likely absence of roosting bats at the site.
- 3.29. A proportionate effort was applied to the desk study when identifying ponds within a 250m radius of the site. However, ponds which do not appear on ordnance survey maps, or those under tree cover, may not have been recorded via the desk study search. This includes small ornamental garden ponds. It is considered that this limitation would not significantly impact the assessment of habitat suitability for GCN within the wider landscape, and that the majority of significant and permanent water bodies are likely to have been recorded.
- 3.30. Third party desk study data is not exhaustive, and an absence or a negative result of a species does not indicate the absence of protected species from the site/ search area.
- 3.31. The UKHab Habitat survey was undertaken outside of the optimal survey period of April to October. However, species identification of plants present outside of the optimal period is

typically still possible based on the vegetative characteristics. Where additional surveys during the optimal period are required to assess the habitat type present, these are recommended.

3.32. All dimensions, locations and distances provided are approximate.

4. Results

Desk Study

Surrounding Landscape

- 4.1. The surrounding landscape is primarily sub-urban (Figure 2: Surrounding Landscape Plan).
- 4.2. Habitat features favourable to ecology in the wider landscape include nearby tree lined watercourses, woodland blocks, arable and pasture grazed fields linked to further favourable habitat in the surrounding landscape via hedgerows and treelines.
- 4.3. Landscape features which may limit habitat quality and connectivity include areas of hardstanding and artificial lighting associated with the residential setting of Earl Shilton.

Statutory Designated Sites

- 4.4. The site does not form part of an international or national designated site for nature conservation.
- 4.5. No internationally designated sites were located within the relevant study areas.
- 4.6. A summary of designated sites identified via the desk study are presented in Table 5 below.

Table 5: Summary of Statutory Designated Sites

Site Name	Designation	Description/ Reasons Designation	Main for	Distance & Direction from Site
Burbage Common & Woods	LNR	Woodland, grassland and open water habitats supporting a range of flora and fauna.		1.4km SW
Burbage Wood & Aston Firs	SSSI	One of the best remaining examples of ash-oak-maple woodland in Leicestershire.		2.3km SW

- 4.7. The site lies within a Site of Special Scientific Interest Impact Risk Zone (SSSI IRZ), requiring the Local Planning Authority to consult with Natural England on any risks which may affect the SSSI sites as a result of certain development types. However, the current development type is not listed in the SSSI IRZ citation as requiring consultation.

Priority Habitats and Ancient Woodland

- 4.8. No priority habitats were noted on site via the desk study.
- 4.9. No areas of ancient woodland were identified within the search radius via the desk study.

Relevant Ecological Information Used to Inform Other Planning Applications

- 4.10. No relevant ecological information used to inform other planning applications was identified via the desk study.

Field Survey

UKHab Habitat Survey

- 4.11. The habitats recorded at the survey site during the UKHab Habitat survey are presented in Table 6 and mapped on Figure 3: UKHab Habitat Plan.

Table 6: UKHab Habitat Assessment Results

UKHab Primary Code	Habitat Type	UKHab Secondary Code	Description	(NERC) Act 2006 HPI*	Habitat of Local Importance	Photograph Ref No. (Appendix 2: Photographs)
g4	Modified grassland	200 - Tree	Areas of modified grassland were present in the north and south of the site with a varied sward height and an average of 4 species per m ² . Species present included dominant red fescue <i>Festuca rubra</i> , abundant Yorkshire fog <i>Holcus lanatus</i> , frequent hairy bitter-cress <i>Cardamine hirsuta</i> , occasional dandelion <i>Taraxacum officinale</i> agg., spear thistle <i>Cirsium vulgare</i> , Ivy-leaved speedwell <i>Veronica hederifolia</i> ., ragwort <i>Jacobaea vulgaris</i> , Ivy <i>Hedera</i> sp. cleavers <i>Galium aparine</i> and bramble <i>Rubus fruticosus</i> agg. with rarely present Himalayan cotoneaster, daffodil <i>Narcissus</i> sp. and grape hyacinth <i>Muscari</i> sp. Tree species present within the grassland included one apple <i>Malus</i> sp. tree T1.	No	No	1, 2
h3d	Bramble scrub		An area of bramble scrub dominated by bramble with occasional <i>Prunus</i> sp. was present in the centre and north of the site.	No	No	3
h2a6	Other native hedgerow		One other native hedgerow was present at the southwest site boundary. For full details, see Table 7: Hedgerow Survey Results.	Yes	Yes	6
h2b	Non-native and ornamental hedgerow		Two non-native and ornamental hedgerows were present at the northeast and northwest site boundaries. For full details, see Table 7: Hedgerow Survey Results.	No	No	4, 5
u1e	Fence	612 - Fence	Timber close board fencing was present at the southeast site boundary.	No	No	10

*Natural Environment and Rural Communities Act (2006) Section 41 Habitat of Principal Importance (HPI). As defined with reference to habitat descriptions provided in Maddock, A. (ed) (2011).

Hedgerow Survey

4.12. The results of the hedgerow survey are provided in Table 7.

Table 7: Hedgerow Survey Results

Hedgerow number**	Description	UKHab Code	NERC Act HPI*	Photograph Ref No. (Appendix 2: Photographs)
H1	Hedgerow H1 related to the non-native and ornamental hedgerow present at the northeast site boundary and was approximately 2m in height, 8m in length and 1.5m in width. Species present included dominant garden privet <i>Ligustrum ovalifolium</i> with occasional holly <i>Ilex aquifolium</i> . Ground flora species present included dominant bramble.	h2b	No	4
H2	Hedgerow H2 related to the non-native and ornamental hedgerow present at the northwest site boundary and was approximately 2.5m in height, 54m in length and 1.5m in width. Species present included dominant garden privet with occasional holly, and willow <i>Salix spp.</i> Ground flora species present included frequent ivy, occasional bramble and bare ground.	h2b	No	5
H3	Hedgerow H3 related to the other native hedgerow present at the southwest site boundary and was approximately 3m in height, 15m in length and 2.5m in width. Species present included dominant field maple <i>Acer campestre</i> , with frequent sycamore <i>Acer pseudoplatanus</i> , occasional garden privet, and holly. Ground flora species present included abundant ivy, occasional bramble and bare ground.	h2a6	Yes – hedgerow is at least 80% one or more woody species	6

**See Figure 3: UKHab Habitat Plan for hedgerow reference numbers.

Protected/ Notable Species

4.13. The results of the protected/ notable species assessment undertaken during the Extended UKHab Habitat Survey are provided in Table 8 overleaf.

4.14. A summary of desk study results is also provided in Table 8.

Table 8: Protected/ Notable Species Assessment

Species/ Species Group	Desk Study	Evidence Observed During Extended UKHab Habitat Survey	Suitability of Habitats Present
Amphibians (including great crested newt)	3 previous Granted Mitigation Licence records were identified within 2km of the survey site via the desk study. The 3 licences allowed for the damage and destruction of a non-breeding resting place for great crested newt (GCN) between 2018-2022 at a location approximately 1.3km north of the site. 7 GCN Class Survey Licence Returns were noted during the desk study between 2014- 2016, at locations between 1.1-1.7km northeast of the site. 2 Great Crested Newt Pond Surveys 2017 – 2019 were noted during the desk study in 2019, at locations between 0.9-1.6km southwest of the site.	No evidence observed.	No ponds were identified as present within the boundary of the survey site during the site walkover. No ponds were identified as present within a 250m radius of the survey site during the desk study. The modified grassland, bramble scrub and tree and hedgerow bases on site offered limited suitable terrestrial habitat for amphibians.
Badger			
Bats – GLTA	No previous Granted Mitigation Licence records were identified within 2km of the survey site via the desk study.	No evidence observed.	No trees with suitable bat roosting features were observed on site during the GLTA.
Bats – commuting and foraging			The site offered low suitability for commuting and foraging bats, comprising limited suitable habitat on site with connectivity to suitable habitat such as tree lined watercourses connected via hedgerows in the wider landscape.
Birds	N/A	No evidence observed.	The hedgerows and trees on site offered suitable habitat for a range of nesting birds.
Hazel dormouse	The site is outside of the known distribution area for hazel dormouse. This species is not considered further.		
Fish, otter, water vole and aquatic invertebrates (including white clawed crayfish)	Due to the lack of suitable watercourses and waterbodies present on site and immediately adjacent to the site, these species are not considered further.		
Terrestrial invertebrates	N/A	No evidence observed.	The majority of the site offered areas of common and widespread habitats of limited botanical diversity or interest, providing limited suitable habitat. The deadwood associated with tree T1 offered suitable habitat for notable invertebrates.
Reptiles	N/A	No evidence observed.	The modified grassland, bramble scrub and tree and hedgerow bases on site offered limited suitable habitat for reptiles.
Other Mammals (including brown hare, harvest mouse, and hedgehog)	N/A	One commuting fox was observed on site at the time of survey. Small mammal holes were observed in the grassland, located at TN1 (Figure 3: UKHab Habitat Plan, Appendix 2: Photographs, Photos 7).	The modified grassland, bramble scrub and tree and hedgerow bases on site offered suitable habitat for other mammals and hedgehog.
Invasive species	N/A	Himalayan cotoneaster was observed within the grassland on site at target note TN2 (Figure 3: UKHab Habitat Plan, Appendix 2: Photographs, Photo 8).	N/A

5. Ecological Constraints & Opportunities

- 5.1. The ecological constraints and opportunities, and recommendations for avoidance, mitigation, or further survey (where required) are provided in Table 9 overleaf.

Table 9: Ecological Constraints & Opportunities

Ecological Feature	Potential Ecological Impact & Level of Constraint	Potential Avoidance, Mitigation and/or Compensation Measures	Further Survey Required to Inform an Ecological Impact Assessment
Designated Sites	It is considered that the development will not adversely impact on the designated sites for nature conservation identified in the desk study, due the distance between the designated sites and the development site, and the small scale of the works proposed.	N/A	No further surveys required
Priority habitats	The National Planning Policy Framework 2024 sets out that: <i>'192. To protect and enhance biodiversity and geodiversity, plans should:</i> <i>[...] b) promote the conservation, restoration and enhancement of priority habitats, ecological networks and the protection and recovery of priority species [...].'</i> The NPPF 2024 defines Priority Habitats and Habitats of Principal Importance included in the England Biodiversity List published by the Secretary of State under section 41 of the Natural Environment and Rural Communities Act 2006. The hedgerow H3 at the southwest site boundary meets the criteria as a NERC Act (2006) Priority habitat. Under the current development proposals, a section of hedgerow H3 will be lost.	Retained hedgerows should be protected with reference to the British Standard BS 5837:2012 <i>Trees in relation to design, demolition, and construction – Recommendations</i> .	No further surveys required
Habitats (general)	The remaining habitats on site are considered to be common and widespread habitats of low conservation importance. However, cumulatively these habitats have local conservation value taken as the biodiversity value of the site. The development will result in the partial loss or degradation of existing habitats including the modified grassland, bramble scrub and trees.	It is recommended that impacts on the modified grassland, bramble scrub, trees and hedgerows through vegetation clearance are avoided where possible to limit impacts to these habitat types and the species that utilise them. Vegetation clearance should be kept to the minimum area required. Any removed trees should be replaced with native species of value to wildlife on a 1:2 basis to those lost.	No further surveys required.
Badgers			No further surveys required.
Birds			No further surveys required.

		In the event that nesting birds are encountered during works, works should cease immediately and the advice of a suitably qualified ecologist sought.	
Bats	Bats are a fully protected European Protected Species (EPS) under The Conservation of Habitats and Species Regulations 2017 and the Wildlife and Countryside Act 1981 (as amended). <u>Commuting & Foraging Bats</u> Under the current development proposals, a section of hedgerow H3 at the southwest site boundary will be lost, however the hedgerows H1 and H2 at the northeast and northwest site boundaries will be retained, providing continued commuting and foraging resources. The construction of a new residential dwelling will likely result in an increase in artificial lighting and disturbance on site.	<u>Commuting & Foraging Bats</u> Due to the suitability of the habitat for commuting and foraging bats, the impacts from external artificial lighting on the site and on adjacent habitats should be avoided. Where lighting is required, both during construction works and post-development, this should be sympathetic to wildlife through the design of lighting observing the principles set out in guidelines from the Bat Conservation Trust (BCT) & Institution of Lighting Professionals (BCT & ILP, 2023). In the unlikely event that a bat is encountered during works, works should cease immediately, and the advice of a suitably experienced ecologist sought.	No further surveys required.
Amphibians (including great crested newt) and Reptiles	Great crested newts (GCN) are fully protected as a European Protected Species (EPS) under The Conservation of Habitats and Species Regulations 2017 and the Wildlife and Countryside Act 1981 (as amended). Reptiles are partially protected under the Wildlife and Countryside Act 1981 (as amended), protecting them from killing or injury. There will be some removal of suitable GCN, amphibian, and reptile habitat on site to facilitate the proposed works, including the removal of modified grassland, bramble scrub and tree and hedgerow bases.	To prevent the killing and injury of amphibians and reptiles during the works, it is recommended that vegetation clearance on site is carried out under precautionary working methods for amphibians and reptiles, to include a fingertip search of vegetation and suitable hibernacula prior to works, as well as staged and directional vegetation removal encouraging the safe displacement of amphibians and reptiles into adjacent habitats. In the event that amphibians (including GCN) or reptiles are encountered during works, works should cease immediately, and the advice of an ecologist sought.	No further surveys required.
Invertebrates	Some terrestrial invertebrates, including stag beetle, are listed as Species of Principal Importance in England under section 41 of the Natural Environment and Rural Communities Act 2006. These species are termed 'Priority' species and receive special considerations in the planning process. Under the current development proposals, there will be some removal of suitable invertebrate habitat on site, including the removal of deadwood associated with tree T1.	The deadwood associated with tree T1 should be retained on site where possible, in the form of a loggery, to maintain a continued habitat resource for invertebrates. If the deadwood associated with tree T1 cannot be retained post development, it is recommended that habitat compensation for invertebrates, such as an insect box, is incorporated within the landscaping scheme for the site.	No further surveys required.
Other Mammals	Some mammals, such as hedgehog and brown hare, are listed as Species of Principal Importance in England under section 41 of the Natural Environment and Rural Communities Act 2006. These species are termed 'Priority' species and receive special considerations in the planning process. The site may support hedgehog, a species sensitive to impacts from habitat fragmentation. The Wild Mammals (Protection) Act 1996 makes it an offence to inflict unnecessary suffering. Under the current development proposals, there will be some removal of suitable hedgehog habitat on site to facilitate the proposed works, including the removal of modified grassland, bramble scrub and tree and hedgerow bases.	The precautionary working methods implemented for badger will also protect other mammals such as hedgehog. Any new fencing which may fragment the landscape for hedgehog should include a 13cm square hole at the base to allow for hedgehog migration through the site. Any construction work that may cause damage to other mammals present on site should be done so in a sensitive manner to not cause any unnecessary harm.	No further surveys required.
Invasive Non-Native Species (INNS)	Schedule 9 of The Wildlife and Countryside Act 1981 (as amended by the Countryside and Rights of Way Act 2000) makes it an offence to cause any plant listed to grow in the wild unless all reasonable steps were taken to prevent an offence and due diligence was exercised. One schedule 9 INNS was observed on site: Himalayan cotoneaster. It is recommended that this is removed to enhance the associated habitats.	Due to the presence of Himalayan cotoneaster on site, it is recommended that the removal of vegetation at this area is carried out under the supervision of an Ecological Clerk of Works (ECoW) via inclusion in a Precautionary Working Method Statement for the site. Soils containing the plant are classified as controlled waste and should be disposed of at licensed landfill.	N/A

6. Conclusions

Further Surveys

- 6.1. No further surveys required.

Biodiversity Enhancement

- 6.2. Suitable methods of biodiversity enhancement for the site would include:

- An appropriate method of site enhancement for roosting bats would include the installation of one integrated bat box on the new building, for example the '*Ibstock Free Access Bat Box (A)*', or the '*Ibstock Enclosed Bat Box 'B' or 'C'*'. Bat boxes should be sited at a height of between 3m and 7m, on a southwest or southeast aspect, away from artificial light sources, and in proximity to suitable bat commuting habitat such as linked back gardens or trees. Potential perches (such as aerials) for predators should not be fitted in close proximity to the roosting brick entrance hole.
- The installation of two generic bird boxes. A suitable model is the '*1B Schwegler Nest Box*', one with a 32mm hole, and one with a 26mm hole. The use of woodcrete nest boxes will ensure a longer box lifespan of 20-25 years. Boxes will be hung at a height of 1.5m or higher, and angled so they face away from prevailing wind, the chances of occupation are higher if there is a good tree or hedge cover nearby.
- A landscaping scheme could incorporate native shrubs and trees of value to wildlife. Once matured, these habitats would offer a nesting and foraging resource for birds.

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8. Figures

Figure 1: Site Location Plan (Overleaf)

Figure 2: Surrounding Landscape Plan (Overleaf)

Figure 3: UKHab Habitat Plan (Overleaf)



Legend

 Site Boundary

Project:
**Land adjacent to 95 Elmesthorpe Lane,
Earl Shilton, LE9 7PT**
Drawing:

Figure 1: Site Location Plan

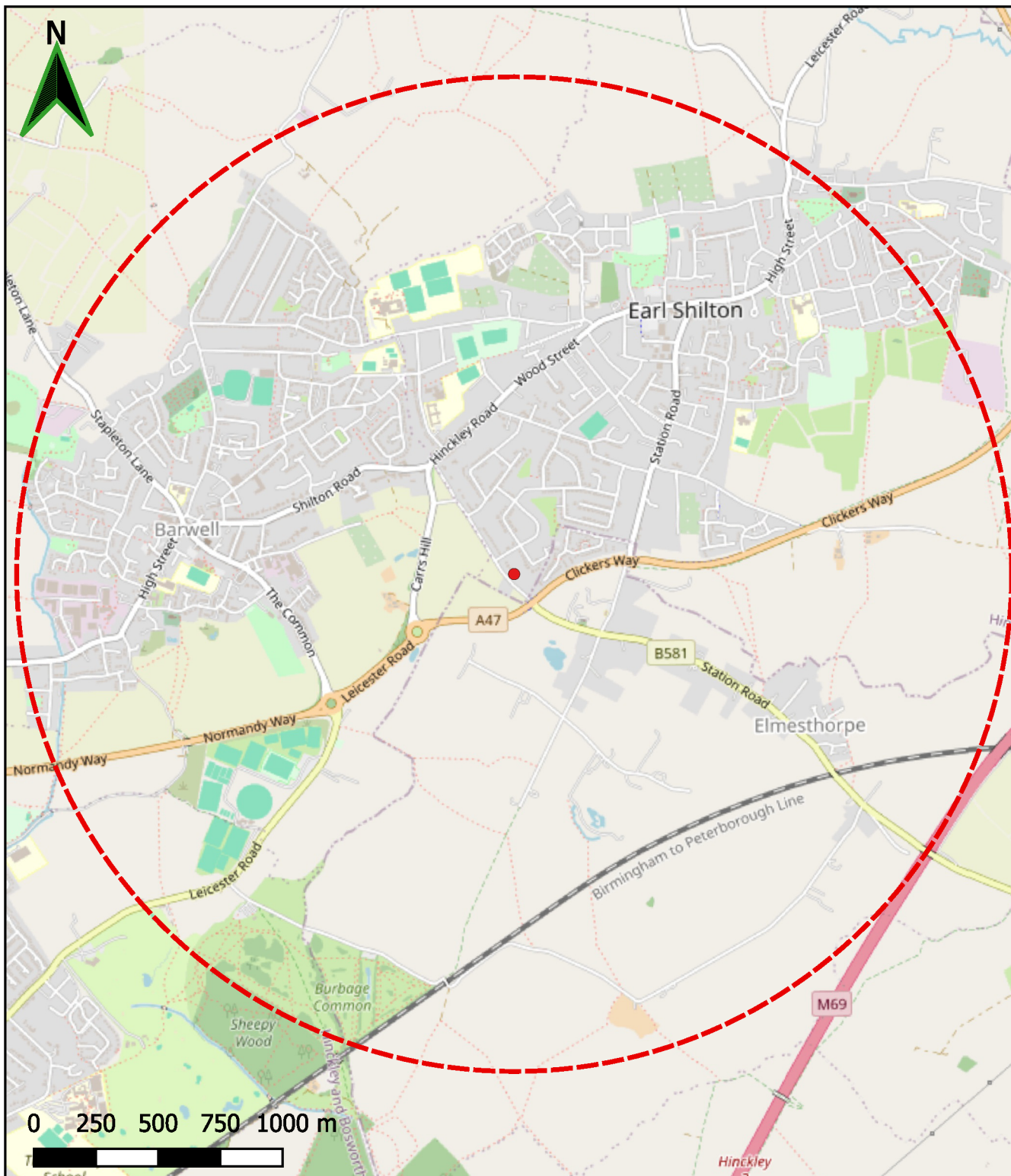
Date: 23-03-2026 Version: FINAL

Author: CBM Job No: P3023



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Legend

- Site Location
- 2km Buffer

Project:
**Land adjacent to 95 Elvesthorpe Lane,
Earl Shilton, LE9 7PT**
Drawing:

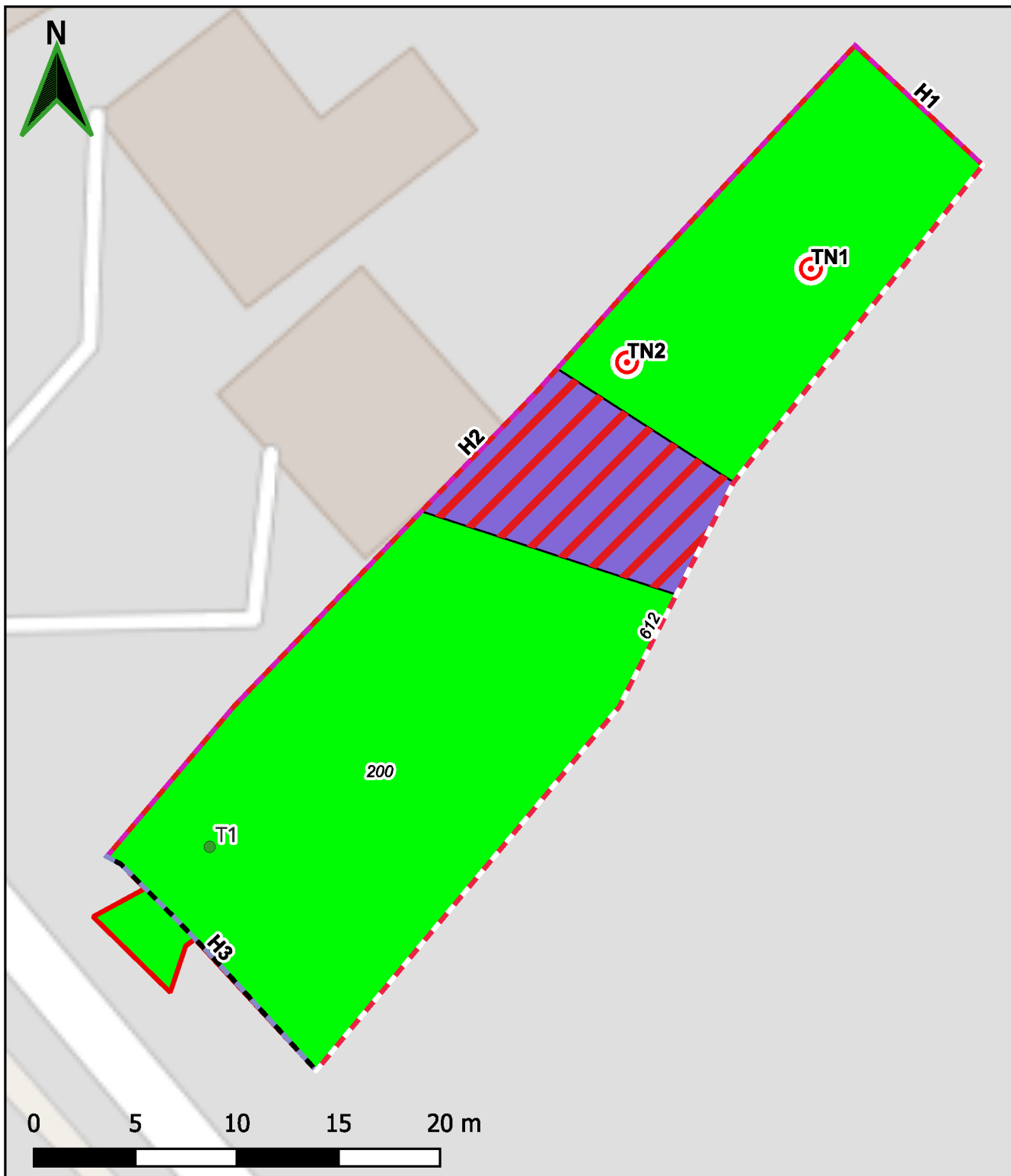
Figure 2: Surrounding Landscape Plan

Date: 23-03-2026 Version: FINAL
Author: CBM Job No: P3023



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Legend

- Site Boundary
- g4 - Modified Grassland
- h3d - Bramble Scrub
- h2a6 - Other Native Hedgerow
- h2b - Non-native and Ornamental Hedgerow
- u1e - Built Linear Features
- Individual Tree
- ⊙ Target Note with Reference Number

Secondary Codes:

200 - Tree

612 - Fence

Project:
Land adjacent to 95 Elvesthorpe Lane,
Earl Shilton, LE9 7PT
Drawing:

Figure 3: UKHab Habitat Plan

Date: 23-03-2026

Version: FINAL

Author: CBM

Job No: P3023



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Appendix 1: Planning Policy & Legislation Summary

This appendix serves as a summary of relevant policy and legislation. It is not intended to supersede the policy or legislation documents to which it refers, and the relevant full documents should always be consulted prior to decision making.

National Planning Policy Framework 2024

Biodiversity is a material consideration under the National Planning Policy Framework (2024). Relevant text to biodiversity from the NPPF is described below.

In Section 2 of the NPPF 'Achieving sustainable development', paragraph 8(c), the NPPF sets an environmental objective:

- "to protect and enhance our natural, built and historic environment; including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy."

In Section 15 'Conserving and enhancing the natural environment', the NPPF states that:

"187. Planning policies and decisions should contribute to and enhance the natural and local environment by:

- protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan);
- recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland; [...]
- minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures. [...]"

The NPPF, in paragraph 192 sets out that to protect and enhance biodiversity, plans should:

- "Identify, map and safeguard components of local wildlife-rich habitats and wider ecological networks, including the hierarchy of international, national and locally designated sites of importance for biodiversity⁶⁵; wildlife corridors and stepping stones that connect them; and areas identified by national and local partnerships for habitat management, enhancement, restoration or creation; and
- 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."

In determining planning applications, the NPPF paragraph 193 sets guidance that local planning authorities should apply the following principles:

- "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;
- 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 [...];

- 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 reasons and a suitable compensation strategy exists; and
- 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 194 states that the following sites should be given the same protection as habitats sites:

- “potential Special Protection Areas and possible Special Areas of Conservation;
- listed or proposed Ramsar sites; and
- sites identified, or required, as compensatory measures for adverse effects on habitats sites, potential Special Protection Areas, possible Special Areas of Conservation, and listed or proposed Ramsar sites.”

Paragraph 195 states that “The presumption in favour of sustainable development does not apply where the plan or project is likely to have a significant effect on a habitats site (either alone or in combination with other plans or projects), unless an appropriate assessment has concluded that the plan or projects will not adversely affect the integrity of the habitats site.”

Paragraph 198 states that planning policies and decisions should ensure new development is appropriate to its location and take into account likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should:

- “Mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development [...]; [...] and
- limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation.”

Government Circular ODPM 06/05 Biodiversity and Geological Conservation

The government circular provides administrative guidance on the application of statutory obligation and legislation relating to planning and nature conservation in England. It complements the National Planning Policy Framework. The document includes guidance on designated sites (international and national), habitats, and protected species.

Relating to protected species and the requirement for their consideration in planning applications, the government circular, in paragraph 98 details that:

“The presence of a protected species is a material consideration when a planning authority is considering a development proposal that, if carried out, would be likely to result in harm to the species or its habitat. Local authorities should consult English Nature [now Natural England] before granting planning permission. They should consider attaching appropriate planning conditions or entering into planning obligations under which the developer would

take steps to secure the long-term protection of the species. They should also advise developers that they must comply with any statutory species' protection provisions affecting the site concerned."

Paragraph 99, relating to the requirement and timing of protected species survey and mitigation, the government circular 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. The need to ensure ecological surveys are carried out should therefore only be left to coverage under planning conditions in exceptional circumstances, with the result that the surveys are carried out after planning permission has been granted. However, bearing in mind the delay and cost that may be involved, developers should not be required to undertake surveys for protected species unless there is a reasonable likelihood of the species being present and affected by the development. Where this is the case, the survey should be completed and any necessary measures to protect the species should be in place, through conditions and/or planning obligations, before the permission is granted. In appropriate circumstances the permission may also impose a condition preventing the development from proceeding without the prior acquisition of a [Natural England] licence."

The Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019

The term 'European Protected Species' (EPS) is used to describe species listed on Schedule 2 of the The Conservation of Habitats and Species Regulations 2017 (as amended). Regarding these species, Regulation 43 of the Regulations make guilty of an offence a person who:

- "Deliberately captures, injures or kills any wild animal of a European protected species;
- Deliberately disturbs wild animals of any such species;
- Deliberately takes or destroys the eggs of such an animal, or;
- Damages or destroys a breeding site or resting place of such an animal [...]"

Regulation 43 defines that the disturbance of animals includes any disturbance which is likely to:

- Impair their ability:
 - to survive, to breed or reproduce, or to rear or nurture their young; or
 - in the case of animals of a hibernating or migratory species, to hibernate or migrate; or
 - to affect significantly the local distribution or abundance of the species to which they belong.

A person guilty of an offence under Regulation 43 is liable on summary conviction to imprisonment for a term not exceeding six months or to a fine, or to both.

Wildlife and Countryside Act 1981 (As Amended)

The Wildlife and Countryside Act 1981 (as amended by the Countryside and Rights of Way Act 2000) lists species on Schedule 5 for which the Act make it an offence to:

- Intentionally kill, injure or take;

- Recklessly or intentionally damage or destroy, or obstruct access to any structure or place which any wild animal included uses for shelter or protection;
- Recklessly or intentionally disturb any such animal while it is occupying a structure or place which it uses for shelter or protection.

Some species receive partial protection under the Act, which limits their protection under the Act to intentional killing or injury.

All wild nesting birds are protected under the Act, making it an offence to:

- Intentionally kill, injure or take any wild bird; and
- Take, damage or destroy the nest (whilst being built or in use) or eggs of any wild bird.

Some bird species are afforded special protection via their inclusion in Schedule 1 of the Act, which makes an offence to intentionally or recklessly disturb any schedule 1 bird building a nest or which is in, on or near a nest containing eggs or young; or to disturb dependent young of such a bird, or whilst such a bird 'leks' (i.e. congregates for community courtship behaviour).

Schedule 9 of the Act makes it an offence to cause any plant listed to grow in the wild, unless all reasonable steps were taken to prevent an offence and due diligence was exercised.

The Act sets out provisions to protect Sites of Special Scientific Interest (SSSI).

Natural Environment and Rural Communities Act 2006

Section 40 of the Act places a legal duty on public authorities (including planning authorities) to have regard to biodiversity conservation in their normal functions (including planning applications).

Under Section 41 of the Act, lists of Habitats of Principal Importance (HPI) and Species of Principal Importance (SPI), of principal importance for the purpose of conserving biodiversity, are produced which serve to guide public authorities in carrying out their functions with consideration for biodiversity conservation.

Wild Mammals (Protection) Act 1996 (as amended)

The Act protects wild mammals against certain cruel acts, including intentional crushing, downing or asphyxiation.

Appendix 2: Photographs



Photo 1: Modified grassland present in the centre of the site.



Photo 2: Tree T1 present in the south of the site.



Photo 3: Bramble scrub present in the centre of the site.



Photo 4: Hedgerow H1 present at the north site boundary.



Photo 5: Hedgerow H2 present at the west site boundary.



Photo 6: Hedgerow H3 present at the south site boundary.



Photo 7: Small mammal hole present in the grassland on site.



Photo 8: Himalayan cotoneaster present in the grassland on site.



Photo 9: Deadwood observed on tree T1.



Photo 10: Close board fencing at the southeast site boundary