



BJ Collins
PROTECTED SPECIES SURVEYORS

PRELIMINARY ECOLOGICAL APPRAISAL

**LAND AT 16 EQUITY ROAD EAST
EARL SHILTON
LEICESTERSHIRE**

A report to:

Hayward Architects

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February 2026

Client:	Mr M Reynolds
Report Title:	Preliminary Ecological Appraisal of Land at 16 Equity Road East, Earl Shilton, Leicestershire

Survey Site/Job:	Land at 16 Equity Road East, Earl Shilton, Leicestershire. LE9 7FY
OS Grid Reference:	SP 4659 9715

Survey Date(s):	20 th of January 2026
Lead Surveyor:	B J Collins MSc MCIEEM

Architect/Agent:	Hayward Architects
Planning Reference:	NA

Versioning and Quality Assurance

Report Status	Date	Author(s)	Reviewed by
Final Version	17/02/2026	B J Collins MSc MCIEEM	B J Collins MSc MCIEEM

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The evidence which we have prepared and provided is true and has been prepared and provided in accordance with the guidance of The Chartered Institute of Ecology and Environmental Management's Code of Professional Conduct.

RELIANCE - The report describes the conditions and ecological features on the site (and possibly its environs) at the time of survey and that this may (is likely to) change over time. Reliance upon the findings of this report should be determined in accordance with the Chartered Institute of Ecology and Environmental Management guidance on the longevity of ecological surveys, see Advice Note (April 2019) *On the Lifespan of Ecological Reports and Surveys* CIEEM.

This specifies that after a period of 18 months from the date of the last relevant site survey, a professional ecologist will need to undertake a site visit and may also need to update desk study information (effectively updating the Preliminary Ecological Appraisal) to provide confidence that the ecological situation and status has not altered.

As a result, and given the transient nature of wildlife and habitats this report cannot be used in a formal "letter of reliance" beyond the period specified above.

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SUMMARY

BJ Collins Protected Species Surveyors Limited was commissioned by Hayward Architects to provide ecological support for a development proposal on the garden of 16 Equity Road East, Earl Shilton, Leicestershire.

The ecological support was in the form of a preliminary ecological appraisal which was undertaken on the 20th of January 2026. The proposal involves the development of two dwellings on the extended area of residential garden associated with 16 Equity Road East.

The purpose of this report is to review and assess the likely ecological impacts of the proposed development to ensure development works remain lawful.

Ecological Walkover

The development proposal will have no detrimental impact upon statutory or non-statutory wildlife sites in the local area.

The survey found there to be no habitats of principal importance on the site, the area being a residential garden with ornamental modified grassland and introduced shrubs.

No evidence of protected or notable fauna species are residing within the site habitats, but specific protected species are likely to be foraging and commuting over the area.

Great crested newt is known to reside some 400 m to the east of the eastern boundary of the garden. The area of risk under the new district licensing is 250 m from a breeding pond. Despite this, there remains some limited potential for this species to occur and as a result precautionary actions are recommended, and should be implemented throughout the construction period.

There are also a range of common amphibians and reptiles within 1 km of the proposal. The same mitigation advice provided for great crested newt will also protect these animals.

There are no trees on the site which were found to have potential roost features for bats.

The trees, hedgerows and mature shrubberies offer ideal potential for nesting birds, in the appropriate season. Any vegetation removal must be timed to avoid the main bird nesting season (March to September). If this is not achievable, then a pre-works breeding bird survey by a suitably qualified individual will be required and any active nests retained in-situ until they are no longer in use. If nesting birds are found this could lead to delays and constraints to the construction programme.

No field signs of use by badger were noted on the site, and no setts are known within the immediate vicinity. There is no potential impact upon badger from the proposal.

Hedgehog is a constituent of the gardens and school landscapes, particularly to the north of the proposal. Precautionary actions with regards to mammals during the construction phase are included in this report.

Bats are likely to forage and commute along the linear habitats associated with the eastern side of the residential garden. It is important this part of the site is kept in darkness.

1. INTRODUCTION

1.1 Background to Commission

BJ Collins Protected Species Surveyors Limited was commissioned by Hayward Architects to provide ecological support for the development proposal on the residential garden of 16 Equity Road East, Earl Shilton, Leicestershire.

The ecological support was in the form of a preliminary ecological appraisal which comprised a desk study and an ecological walkover of the site. The site survey was undertaken on the 20th of January 2026.

1.2 Description of Project

The development proposal involves the change of usage from an extensive residential garden with ornamental lawns and shrubberies to a residential development of two properties.

1.3 Purpose of this Report

The purpose of this report is to review and assess the likely ecological impacts of the proposed development, and to provide recommendations for further survey works and mitigation (where appropriate), to ensure development works remain lawful. The relevant legislation with regard to protected species has been appended to this report.

1.4 Site Description

The site (indicated by the yellow boundary in Figure 1 below) is located off of Equity Road East in Earl Shilton at (central Ordnance Survey Grid Reference – SP 4659 9715). The site comprises a residential garden with lawns, shrubberies and trees.

The wider landscape comprises of residential development to the south, west and north, with a band of trees surrounding agricultural land immediately east of the site and extending further to a Local Wildlife Site.



Figure 1: The site encircled in yellow, in relation to the surrounding landscape, courtesy of Google Earth.

2. METHODOLOGY

2.1 Desktop Study

The desktop study involved a review of publicly available information including the UK Government's MAGIC¹ website and a data search by the Leicestershire and Rutland Environmental Resources Centre (LRERC)

- The MAGIC database was used to establish the presence of statutory designated sites of nature conservation interest and previously granted protected species licences within proximity of the site.
- A desktop study was commissioned by the local biological record centre for 1 km circumference of the garden in order to provide records of non-designated wildlife sites and protected species.

2.2 Ecological Walkover

An ecological walkover of the site was undertaken on the 20th of January 2026. The survey method was based on industry standard guidance and involved identifying and mapping habitats present within the site boundary using the UK Habitat Classification methodology (Butcher *et al.* 2023).

The site was also assessed for its suitability to support protected (and non-native invasive) species including mammals, herptiles and bats roosting in trees (see below).

The hedgerows were assessed against the Hedgerow regulations 1997.

2.3 Preliminary Bat Roost Assessment – trees

An assessment of the mature trees on site for the potential to support roosting bats in accordance with Collins (2023). The only mature trees is a single mature oak to the south-east corner outside of the redline area.

2.4 Survey Constraints

The surveyors did not encounter any significant constraints upon the survey effort.

2.5 Personnel

The survey took place on the 20th of January 2025 by B J Collins MSc MCIEEM (registered to use Natural England bat class licenses CL18 and CL08, RC110, B32RC002 and FISc level 3), an ecologist with over 20 years of experience; assisted by James Richers BSc (hons), an assistant ecologist with two years' experience.

¹ Multi-Agency Geographic Information for the Countryside. Available at www.magic.defra.gov.uk/magicmaps.aspx

3. RESULTS

3.1 Desktop Study

3.1.1 Statutory and Non-statutory Designations

There are no statutory designated sites within a 1km radius of the site.

There are 10 Local Wildlife Sites (LWS), comprising of designated and candidate/potential (3 sites) within 1 km of the proposal.

The nearest is The Earl Shilton Meadows, Streams and Hedges candidate LWS, which is located at its closest approximately 90 m to the north-east of the eastern boundary of the residential garden.

This site is designated for its grassland ecology. The LWS also supports great crested newt (*Triturus cristatus*) with a low population recorded in 2010, 2012 and 2016. In 2021 an eDNA survey of the pond was negative for this species. The pond within the nature reserve is located some 390 m to the east.

3.1.2 Protected species and relevant species records

The following protected species and relevant species records were provided by the desktop study for a 1 km circumference of the garden.

This includes the following:

- Great crested newt (*Triturus cristatus*), multiple records in the vicinity
- Reptiles - one species, grass snake (*Natrix helvetica*)
- Common amphibians, common frog, common toad, palmate newt, smooth newt.
- Badger (*Meles meles*), records from the countryside surrounding the town but no records associated or within the vicinity of the development
- Hedgehog (*Erinaceus europaeus*), there are no records on the desktop study book multiple records in the vicinity on the bighedgehogmap.org.uk

The following bat species recorded from a kilometre of the site:

- Common pipistrelle (*Pipistrellus pipistrellus*)
- Myotis bat species
- Leisler's bat (*Nyctalus leisleri*)
- Noctule bat (*Nyctalus noctula*)
- Nathusius pipistrelle (*Pipistrellus nathusii*)
- soprano Pipistrelle (*Pipistrellus pygmaeus*)
- Brown long eared bat (*Plecotus auritus*)
- Serotine (*Eptesicus serotinus*)

Most of these records are from static bat detectors but four are associated with roosts, two of those being the parish church and two being a property on the opposite side of the town from the proposal.

3.1.2 EPS Licensing

The search did not identify any previously granted European Protected Species Licences, or previous Great Crested Newt Pond Surveys within a 1km radius of the site

No European Protected Species Licences are recorded within a kilometre of the site.

3.2 Ecological Walkover

Four habitats were identified on site, including modified grassland, non-native and native hedgerows, wet ditch, non-native ornamental shrubs and ornamental and native trees.

3.2.1 Modified grassland field g4 - secondary codes 109 and 128

The site comprises an ornamental lawn, with the lawn edges in a relaxed mowing regime in certain areas. This resulted in a diverse range of species, but with the diversity coming from the lawn edges. Overall the grassland is dominated by perennial rye-grass (*Lolium perenne*) and Yorkshire-fog (*Holcus lanatus*), with Cock's-foot (*Dactylis glomerata*), white clover (*Trifolium repens*) and creeping buttercup (*Ranunculus repens*). Other herbs included for ragwort (*Senecio jacobaea*), common cat's-ear (*Hypochaeris radicata*), dandelion (*Taraxacum officinale* agg), Daisy (*Bellis perennis*), Green alkanet (*Pentaglottis sempervirens*), cleavers (*Galium aparine*), dog violet (*Viola riviniana*), cowslip (*Primula veris*), evening primrose (*Oenothera biennis*), common knapweed (*Centaurea nigra*), Black horehound (*Ballota nigra*), Nipplewort (*Lapsana communis*), ornamental Geranium, Nettle (*Urtica dioica*) and Ivy (*Hedera helix*).



Photograph 1: View of the garden looking west from the eastern end of the garden



Photograph 2: the western end of the garden

3.2.2 Native and non-native Hedgerow h2a and h2b

The northern boundary of the garden area is formed by a non-native hedgerow to the western half and native hedgerow to the eastern half of the boundary. Planted to the front of the hedgerow of varying widths and assemblages are ornamental shrubs.

The species present included for native hawthorn (*Crataegus monogyna*), with occasional Blackthorn (*Prunus spinosa*), laurel (*Prunus laurocerasus*), beech (*Fagus sylvatica*), Leyland cypress (x *Cupressocyparis leylandii*), bamboo, Holly (*Ilex aquifolium*).

The ground flora and the mixed shrubberies to the frontage contained a mixture of nettle, comfrey (*Symphytum officinale*), Daisy, cleavers, bramble (*Rubus fruticosus agg*), false oat-grass (*Arrhenatherum elatius*), Wood sorrel (ornamental?) (*Oxalis sp.*), broadleaved dock (*Rumex obtusifolius*), periwinkle (*Vinca major*), Ivy and red fescue (*Festuca rubra*).



Photograph 3: Northern boundary hedgerow

3.2.3 Southern Boundary, Wet Ditch and Tall Ruderal

The southern boundary comprised of a wet ditch with an area of woodland/overgrown hedgerow/band of trees behind, and outside of the landholding.

The frontage of the wooded area and boundary of the garden is dominated by overgrown Hawthorn with Field maple (*Acer campestre*) and oak (*Quercus robur*). The area also includes bramble scrub and some areas of tall grassland dominated by false oat-grass.

There is a ditch immediately behind this that was filled with water at the time of the survey.



Photograph 4: Eastern boundary habitats

3.2.4 Southern boundary - fence line, individual trees and overgrown shrubs

The southern boundary is formed by a wire fence with shrubs to both adjacent gardens. This includes for broom (*Cytisus scoparius*), male fern (*Dryopteris felix-max*), Cleavers, cow parsley (*Anthriscus sylvestris*), Bramble, Lords and ladies (*Arum maculatum*), Ivy, Holly, snowdrop (*Galanthus nivalis*), Geranium, Azaleas, Parthenocissus and Forsythia.



Photograph 4: southern boundary habitats

3.2.5 Tree and Shrubs

The centre of the garden then contains a range of ornamental trees with shrubberies. The principal of these is the mature trees and shrubs that divide the western end of the garden from the eastern end. This comprises of birch (*Betula pendula*), Apple (*Malus domestica*), Privet (*Ligustrum* sp.), ornamental shrubs un-identified, Hebe, Choisya, Ivy, Geranium and Bramble.



Photograph 5: the shrubbery bed divides the garden

3.2.6 Protected or non-native invasive flora species

No protected flora species were identified during the survey. No invasive species were recorded.

There are no invasive species records on the 1 km data search.

3.3 Protected or notable fauna

Of all of the protected species and notable species only two were recorded within 500 metres of the site and therefore discussed in further detail within the results section of this document.

3.3.1 Great crested newt

There are multiple records of this species largely centred on a wildlife pond in the local wildlife site some 390 m east of the site. There is then a second peak of activity associated with the site north of the town. There are no great crested newt records within 250 m of the garden boundary and there are no other records of great crested newts, beyond those in the LWS, within 500 m of the site.

Precautionary actions are recommended within this document.



Figure 4 - showing the distribution of great crested newt records in the local area and the circumference of 250 m from the eastern edge of the garden and 500 m from the eastern edge of the garden.

3.3.2 Hedgehog

Whilst there are no records of hedgehog from the desktop study and no evidence of the species on the site, hedgehogs are reported in the garden and school landscapes to the north and to the south-west of Equity Road East.

It is therefore possible that this species is a constituent of the gardens adjacent to and including the proposed development site, and therefore precautionary actions are required.

3.3.3 Nesting birds

The wide range of trees and shrubs in the area will support common garden bird species. A raven alighted on the house of the dwelling adjacent but there was no nests obvious in the tall trees east of the site.

In all instances, any site clearance works will need to avoid the breeding bird season which runs from March to September annually. If works are required within this period, then they must only be undertaken after being given the 'all clear' from a breeding bird survey.

3.3.4 Common Reptiles and Amphibians

There are no records, on or near the site, of the four species of common amphibians and reptiles within a kilometre of the proposal. Whilst there is no evidence of breeding habitat beyond the wildlife pond some 390m away, precautionary actions should be implemented in case these species are encountered at the time of works commencing.

3.3.5 Badger

There is a mammal track crossing the site but this is almost certainly either Fox or Muntjac deer. There is no evidence of badger on site and there are no records within close proximity to the proposal.

Precautionary actions proposed for hedgehog will protect against other mammals which may venture across the site and encounter issues such as construction excavations.

3.3.6 Bats

Whilst there are multiple records of bats within 1 km of the proposal, and bats will almost certainly forage and commute associated with the eastern boundary of the gardens of Equity Road East, there is no bat roosting habitat affected.

There are no records of bat roosts within the vicinity but it is considered likely that bat roosting will occur within the residential properties surrounding the site.

The most important aspect with regards to the proposal is to avoid light pollution to the wooded boundary to the east of the garden.

3.3.7 Other terrestrial mammals

There are rat burrows in the shrub beds of the residential garden, with droppings evident within one of the outbuildings.

3.4 Habitat Map

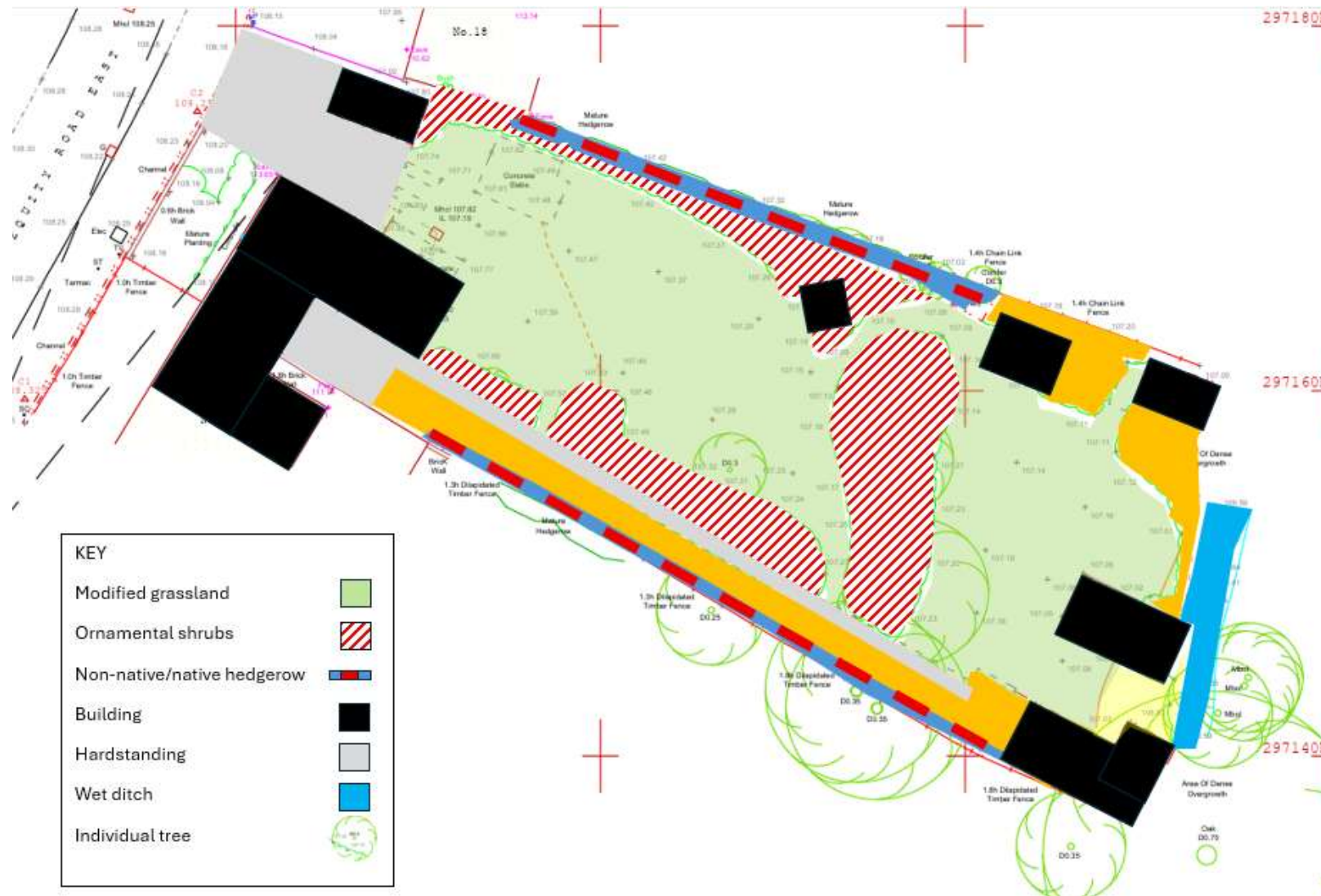


Figure 2: UK Hab – Habitat Map of the habitats present on site during the preliminary ecological appraisal.

4. EVALUATIONS AND RECOMMENDATIONS

4.1 Habitats

There are no habitats on site of principal importance. The area comprises of a residential garden with introduced trees and shrubs and a modified grassland lawn. There are a range of outbuildings dotted across the area, none of which provide bat roost potential.

There is a single mature oak to the south-east corner of the garden, on adjacent land, and any development should avoid any detrimental impact upon this tree.

No statutory or non-statutory designations were found to be within proximity to the site enough to be potentially impacted by the development works.

There will be a loss of modified grassland and introduced shrub by the proposed residential development.

4.2 Protected and Notable Species

No evidence of invasive non-native flora species was identified, and no further consideration is required.

No evidence of reptiles or amphibians was identified during the survey, though all these species may utilise the eastern boundary habitat and an absence of evidence does not mean an absence of species. Precautionary actions are therefore recommended.

No field signs of badger and hedgehog were noted during the survey; however hedgehog is present in the local area and likely to be using the garden area for foraging and potential refuge, precautionary actions are required.

Considerations and careful practice should be undertaken during the stage of development to prevent harm to any of the above species. These are outlined in the section below.

Though no direct impact upon the boundary trees is planned, indirect impact from artificial lighting could have negative implications for foraging and commuting bats. Impacts of light upon commuting pathways has been shown to lead to a complete avoidance by some species (ILP 2023). Further advice will be required in order to ensure legal compliance.

5. MITIGATION

5.1 Amphibian and Reptile Mitigation Strategy

Great crested newt is recorded within 400 m of the site, but importantly over 250 m away, the current distance used within the district licensing scheme to assess potential risk. The desktop study also included records for common amphibians and one common reptile.

These species could occur within the shrubberies on site and underneath the various storage sheds and therefore the following good practices must be adhered to at all times during the construction period.

- The storage sheds on site should be removed by hand and checked underneath for amphibians or reptiles. If any reptiles are located then they should be left to disperse under their own volition, unimpeded. If any amphibians are found, the advice in the bullet points below should be followed.
- All building materials and equipment will be stored away on areas of intensively mown amenity grassland at the western end of the garden, close to the existing residential development.
- At the beginning of each working day any excavations should be inspected for the potential for amphibians or reptiles to occur.
- In the unlikely event that an amphibian is encountered it should be placed with a gloved hand into a clean receptacle, such as a bucket, and transferred to the tall vegetation to the east of the residential garden. As above, any reptile (specifically grass snake) should be left to disperse under its own volition.
- In the event that any newt species is discovered, then it should be photographed before being released immediately, with the photograph being sent to the ecologist without delay. This allows a reaction in case a special protected newt is recorded during the work. This may escalate the risk to protected species from the development activities, and facilitate derogation licensing.

The requirements of this good practice guidance should be briefed to the construction contractors via a toolbox talk at the commencement of construction. A copy of this section of the report should be available within the site office at all times.

5.2 Hedgehog and other terrestrial mammals

There will be a potential risk to hedgehog from the construction of the new houses, the risk principally during the construction phase.

To protect this species during the construction phase, and once development commences, any trenches or excavations dug during work activities, that are to be left open overnight, must be left with a sloping end or ramp to allow any animal that may fall in a route to escape.

Any pipes over 100mm in diameter must be capped off at night to prevent animals entering.

If any hedgehog is located in excavations at the beginning of the working day, should be carefully placed into a clean receptacle, such as a bucket, and translocated to a safe environment outside of the area of works. This is the hedge bottom to the south-east corner of the garden. If any hedgehogs are found, they should be handled with gloved hands.

Any new fences constructed associated with the new dwellings must have gaps positioned in suitable locations to allow hedgehog to continue to commute and forage across the garden landscapes in the local area.

5.3 Breeding birds

Under the Wildlife and Countryside Act 1981 (as amended), all native birds and their nests, whilst in use, are protected from harm, disturbance or destruction during the breeding season. Note that a

nest is protected from the beginning of its construction until the young have fledged and have left the nest.

The hedgerows and shrubberies provide optimum habitat for nesting birds.

As previously specified, if any works extend into the nesting bird season of March to September (inclusive), then in advance of any hedge or shrub clearance works, a breeding bird survey must be carried out before any work commences. Note that locating a bird's nest would lead to a delay in the construction activities until the eggs have hatched and the chicks fledged and left the nest.

In order to provide for urban breeding birds in decline, integrated nest boxes should be installed into the new dwellings to provide for house sparrow, starling and swift.

5.4 Bats and Artificial Lighting

Once the new dwellings are constructed, spill of artificial lighting onto the boundary features/fence lines, in particular that to the east of the garden, must avoid illuminating the eastern boundary completely. Any lighting scheme should follow the guidance specified within best practice guidelines, Bats and Artificial Lighting at Night (ILP 2023).

As a positive enhancement measure, integral roost units for bats should be included within the designs for the new residential dwellings on the site.

6. REFERENCES

Butcher, B., Carey, P., Edmonds, R., Norton, L. and Treweek, J. (2020). *The UK Habitat Classification User Manual* at <http://www.ukhab.org/>

Collins, J. (ed) (2023) *Bat Surveys for Professional Ecologists: Good Practice Guidelines, 4th Edition*, Bat Conservation Trust, London.

Chartered Institute of Ecology and Environmental Management, 2013. *Guidelines for Preliminary Ecological Appraisal*. CIEEM.

LERC (2025) *a data search for records of protected species and non-designated wildlife sites within 1 km of Equity Rd, East, Earl Shilton*. A report under instruction by the Leicestershire and Rutland Environmental Resources Centre

APPENDIX 1 – LEGISLATION

Plants

All wild plants are protected against unauthorised removal or uprooting under Section 13 of the Wildlife and Countryside Act 1981 (as amended). Plants listed on Schedule 8 of the Act (e.g. triangular club rush and Deptford Pink) are afforded additional protection against picking, uprooting, destruction and sale. Bluebell is protected against sale only.

Great crested newt

Great crested newts and their breeding sites or resting places are protected under the Conservation of Habitats and Species Regulations (Amendment) (EU Exit) Regulations (2019) which continue the same provision for European protected species, licensing requirements, and protected areas after Brexit. This makes it an offence to intentionally to kill, injure or disturb a great crested newt. It is also an offence to damage, destroy or obstruct access to any place used by great crested newt for shelter. The legislation extends to both breeding ponds as well as terrestrial habitat.

Common Amphibians and Reptiles

Common amphibian and reptile species (i.e. common frog, common toad, smooth newt and palmate newt) are afforded partial legal protection under UK legislation, i.e. Schedule 5, Section 9 (5) of the Wildlife and Countryside Act 1981 (as amended) and the Countryside and Rights of Way Act 2000. This legislation prohibits sale, transportation and advertising for sale.

European Hedgehog

Hedgehogs are protected under Schedule 6 of the Wildlife and Countryside Act 1981 (as amended) which prohibits killing or taking of individuals.

The hedgehog is also listed as a Priority Species for conservation action under the UK Biodiversity Action Plan. Under the NERC Act 2006, the hedgehog is categorised as a 'Species of Principal Importance' for biodiversity. Listing as a Biodiversity Action Plan priority and 'Principal Importance' species reflects concerns that hedgehog numbers are in decline and that some protection should be afforded to hedgehog habitat through the planning system.

Bats

All species of British bat and their roosts are protected under British law by the Wildlife and Countryside Act 1981 (as amended), and bats are classified as European Protected Species under the Conservation of Habitats and Species Regulations 2017 ('the 2017 Regulations'). This has recently been amended by the Conservation of Habitats and Species Regulations (Amendment) (EU Exit) Regulations (2019) which continue the same provision for European protected species, licensing requirements, and protected areas after Brexit.

The legislation makes it an offence to kill, injure or disturb a bat and/or to damage or destroy a breeding site or resting place for a bat.

With regard to artificial illumination of foraging and commuting habitats, it is also an offence to disturb the animals such that it impairs their ability to survive, or such that it impairs their ability to hibernate or migrate.

Birds

The bird breeding season generally lasts from early March to September for most species. All birds are protected under the Wildlife and Countryside Act (1981) (as amended) and the Countryside & Rights of Way Act 2000. This legislation makes it illegal, both intentionally and recklessly to:

- Kill, injure or take any wild bird;
- Take, damage or destroy the nest of any wild bird while it is being built or in use;
- Take or destroy the eggs of any wild bird; and
- Possess or control any wild bird or egg unless obtained legally.

Birds listed under Schedule 1 of the Wildlife and Countryside Act (1981) (as amended) (e.g. barn owl) are afforded additional protection, which additionally makes it an offence to disturb a bird while it is nest building, or at a nest containing eggs or young, or disturb the dependent young of such a bird.