



Ecological Appraisal
Garden at 36 Main Street
Stoke Golding
Leicestershire
NGR SP 39531 97273

Survey by
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Contents

Part 1: Site Details

1. Introduction
 - 1.1 Site Description and Location
 - 1.2 Objective of the report

Part 2: Survey Methodology and Results

2. Appraisal Methodology
 - 2.1 Baseline Study
 - 2.2 Habitats Assessment Methodology
 - 2.3 Protected Species Assessment Methodology
 - 2.4 Consultations
3. Survey Findings
 - 3.1 Habitat Classifications and Target Notes with Photographs
 - 3.2 Evidence of Protected Species
 - 3.3 Ecological Constraints and Opportunities

Part 3: Initial Ecological Appraisal

4. Impact of any development of the site
 - 4.1 Potential Impact on nearby LWS sites
 - 4.2 Potential impact on biodiversity at the site
 - 4.3 Potential Impact on Protected Species

Appendices

Appendix 1 – Survey Species List

Appendix 2 – Biological Records (**separate appendix**)

Figures

Figure 1 – Site Location Plan

Figure 2 – Contextual Aerial Photograph

Figure 3 – Site Habitat Plan

Figure 4 – Conceptual Development Plan

Non-Technical Summary

The site surveyed comprises part of a residential garden situated at 36 Main Street, Stoke Golding, Hinckley and Bosworth centred at NGR SP39531 97273. An initial inspection of the site was completed on 08th March 2023 with a follow up inspection on 04th June 2023.

The defined site area comprises a small part of a larger, well-maintained, residential garden situated on the north western edge of the village of Stoke Golding. The small plot of land is bounded to the south and east by residential houses with the garden boundaries defined by fencing and hedgerows. To the north is the house at 36 Main Street. To the west the garden of the property extends across the driveway and lawn to meet the fence of the adjacent residential house.

The survey has identified the following habitats within the survey area:

- Amenity Grassland and Borders
- Boundary hedgerow
- Specimen trees

An assessment of the survey area has identified the following potential for protected species to be present:

Species	Suitable habitat on site / evidence of presence	Likelihood of presence on site	Further Survey / Mitigation recommended
Nesting Birds	Ground nesting very unlikely and no evidence of ground. Nesting within the garden shrub and trees likely although no nests were seen.	Low within the site interior but likely with hedgerows and mature boundary trees.	Measures to avoid disturbance to any nests or nesting activity will need to be considered prior to any vegetation clearance
Reptiles	Open and intensively managed garden is sub-optimal habitat for reptiles and no evidence of these species was identified.	Low - may be present within the boundary hedgerows and drainage ditches.	No further surveys are recommended.
Amphibians	Open and intensively managed garden is sub-optimal habitat for reptiles and no evidence of these species was identified. The small pond in the garden is lined with vertical sides.	Low – some could be present within the boundary ditches outside of the field area.	Inspection of the construction working area immediately before work commences is recommended purely as a precaution.
Bats	No field signs of bats was noted and there are no trees with roost potential present in this garden Foraging around the garden confirmed by the activity survey	Negligible potential for roosting. Low intensity of foraging confirmed across the garden area	Design of lighting to avoid increase in light levels around the boundaries of the area surveyed is recommended.
Badger and larger mammals	An annex sett was identified with 5 entrances in the north eastern corner of the property around 60m from the garden area being assessed.	Occasional foraging considered highly likely around the development area.	Construction methods to avoid harm to badgers will be required.

Constraints:

No significant ecological constraints have been identified during the survey within the garden area being proposed for development but the following factors should be taken into consideration:

- There is a small badger sett situated in the corner of the garden to the north of the area surveyed which is probably an annex to a main badger sett in open countryside

to the north. Any badger occupying this nearby sett may occasionally forage around the garden, including the area proposed for development.

- There is potential for nesting birds to be present associated with the boundary hedgerows and shrubs within the garden.
- There is potential for hedgehogs to be present within the garden
- Bats have been confirmed to be using the garden for foraging although it does not appear to be of high significance.

Conclusion and Recommendations

There are no Statutory or Non-Statutory sites nearby that could potentially be impacted by the proposed construction of a new house within the existing residential garden footprint.

The survey area comprises an existing garden dominated by lawn with introduced shrubs and urban specimen trees present. The area where the new house is being proposed contains no significant ecological features and should be a sufficient distance from the mature and semi-mature trees within the garden to avoid any disturbance of these.

It is considered likely that development of the site area surveyed could be carried out in a manner that does not have any significant impact on local biodiversity.

The inspections completed in March and June 2023 did not identify any physical evidence or field signs of protected species within the garden area where development is being proposed. However, after inspection of the property and the larger garden area around this the following precautionary measures are advised:

Birds: The shrubs and trees within the garden have potential to support nesting birds and if any of this vegetation needs to be removed this should be completed outside of the nesting season or be preceded by an inspection by an Ecologist to ensure no nesting birds are present or determine what mitigation measures to protect nesting birds are required.

Bats: The proposed development will not impact any roost sites so there is no likelihood of any roosting bats being disturbed. The design of any external lighting associated with the new house should ensure that any increase in artificial light levels across the garden area is minimised to help maintain bat foraging around this area.

Badger: The occasional presence of this species in the garden where the new house is being proposed is quite likely and measures to protect these species from harm during construction activities will be required. There are no sett entrances within 30m that could be disturbed.

Recommendations: It is recommended that as part of the design for the new house the following measures should be included:

- Provision of one bat roost tube into the structure of the new building
- Provision of a pair of swift nest bricks / tubes into the structure of the new building.



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Part 1: Site Details

1. Introduction

1.1 Site Description and Location

The site surveyed comprises part of a residential garden situated at 36 Main Street, Stoke Golding, Hinckley and Bosworth centred at NGR SP39531 97273. The location of the site is shown on the plan within **Figure 1** and an aerial photograph has been provided within **Figure 2** to place the site in context.



Figure 1: Site location.

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The Client has requested an ecological survey of the garden to determine whether there is anything of ecological value or any evidence of protected species present. An initial inspection of the site was completed on 08th March 2023 with a follow up inspection on 04th June 2023 and details of the surveys are provided in the table below. A photographic record of key areas is included alongside target notes within the report and a list of plant species identified in the site during the survey is included within **Appendix 1**.

Date	Time	Location	Weather
08 th March 2023	15.45 – 16.30	36 Main Street Stoke Golding CV13 6HP	Overcast. 13 degrees C, breeze 5mph from the north west. Humidity 68% at 1019hPa
04 th June 2023	20.30 – 21.00		Clear sky. 15 degrees C, breeze 11mph from the east. Humidity 52% at 1024hPa

The defined site area comprises a small part of a larger, well-maintained, residential garden situated on the north western edge of the village of Stoke Golding. The small plot of land is bounded to the south and east by residential houses with the garden boundaries defined by fencing and hedgerows. To the north is the house at 36 Main Street. To the west the garden of the property extends across the driveway and lawn to meet the fence of the adjacent residential house. A contextual aerial photograph has been provided below.



Figure 2: Site Contextual Aerial Photograph

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1.2 Objective of the Report

This report is a Preliminary Ecological Appraisal of the area identified in yellow within the aerial photograph above. The objective of the ecological appraisal is to identify the habitat(s) present on, and surrounding, the site area being assessed. Development of the site for the purpose of constructing a new residential house will require planning approval and this report has been prepared to provide information as part of any future planning application process.

To this end the report is required to comply with the recommendations and principles set out in the National Planning Policy Framework 2021 as amended (NPPF). The report contains Biological Records and has been prepared to meet the standard required by BS42020 (British Standard for Biodiversity and Development).

Chapter 11 of the National Planning Policy Framework (NPPF) describes the Government's national policies on promoting 'an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment.' NPPF is accompanied by Planning Practice Guidance on 'Biodiversity, ecosystems and green infrastructure' (2014) and ODPM Circular 06/2005.

The National Planning Policy Framework 2021 Chapter 15 sets out the Government's objectives for planning in regard to the protection of habitats and biodiversity. The planning objectives in relation to biodiversity and the natural environment are stated within paragraph 170 of the NPPF 2021 and are as follows:

“Planning policies and decisions should contribute to and enhance the natural and local environment by:

- a) 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).*
- b) 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.*
- c) maintaining the character of the undeveloped coast, while improving public access to it where appropriate.*
- d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures.*
- e) preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans; and*
- f) remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate.”*

Within the revised NPPF 2021 it is now policy that ‘*permission should be refused for major development applications within National Parks, the Broads and Areas of Outstanding Natural Beauty other than in exceptional circumstances*’. Planning policy context requires that Planning policies and decisions should be based on up-to-date information about the natural environment and other characteristics of the area including an assessment of existing and potential components of ecological networks (NPPF paragraph 43).

The above approach encapsulates the ‘mitigation hierarchy’ described in British Standard BS 42020:2013 which involves the following stepwise process:

- **Avoidance** – avoiding adverse effects through good design,
- **Mitigation** – where it is unavoidable, mitigation measures should be employed to minimise adverse effects,
- **Compensation** – where residual effects remain after mitigation it may be necessary to provide compensation to offset any harm,
- **Enhancement** – planning decisions often present the opportunity to deliver benefits for biodiversity, which can also be explored alongside the above measures to resolve potential adverse effects.

The measures for avoidance, mitigation, compensation and enhancement should be proportionate to the predicted degree of risk to biodiversity and to the nature and scale of the proposed development (BS 42020:2013, section 5.5).

This ecological appraisal provides information on the existing ecological and biodiversity value of the land on the site and also reports any evidence of protected species or significant habitats present. It has been provided to provide information to the Planning Authority in order to help meet the requirements of the NPPF and enable the Authority to

assess the site area in accordance with the Code of Practice within BS42020 and guidelines issued by CIEEM in 2012. The report also identifies any habitats or species present that require more detailed surveys prior to any improvements being undertaken.

Part 2: Survey Methodology and Results

2. Appraisal Methodology

2.1 Baseline Study

Within NPPF it states that there are three dimensions to sustainable development: “economic, social and environmental.” The environmental role includes “contributing to protecting and enhancing our natural, built and historic environment” and, as part of this, helping to improve biodiversity.

Within the NPPF 2021 it states that: *“Great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to these issues. The conservation and enhancement of wildlife and cultural heritage are also important considerations in these areas, and should be given great weight...”* Paragraph 172

Within paragraphs 174 and 175 of NPPF 2021 the principles by which the protection and enhancement of biodiversity and geodiversity within the context of proposed development are described. These principles state in Paragraph 174 that any development proposal should:

- a) **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 biodiversity; wildlife corridors and steppingstones that connect them; and areas identified by national and local partnerships for habitat management, enhancement, restoration or creation; and*
- b) **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 175: 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 reasons and a suitable compensation strategy exists; and*

- d) development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to incorporate biodiversity improvements in and around developments should be encouraged, especially where this can secure measurable net gains for biodiversity.*

The biodiversity of a site area and the potential presence of protected species are factors relevant to all developments irrespective of the size scale and will apply to any development on the site being assessed. Available information on the baseline ecology of the site and the presence of protected species within the locality has been obtained from the local biological records centre and reviewed (**Appendix 2**) and the records obtained are provided as separate appendices.

These data sources have been reviewed and the character and nature conservation value of habitats and species assessed. The aims of this appraisal of information are:

- To characterize all the existing available information regarding habitats and species that may be present at the site and provide up to date information about the environmental characteristics of the site area.
- To identify any habitats potentially present of nature conservation value in terms of local, regional and national context and within the context of local, regional and national policy; and,
- To identify any areas of ecological interest in order to either a) make recommendations to minimize the potential impact of any site works, or b) identify the need for a further survey work.

Following the appraisal of the available information, a site inspection has taken place to obtain specific site data at the site.

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Following the appraisal of the available information, a site inspection has taken place to obtain specific site data at the site.

2.2 Habitat Assessment Methodology

The site was initially inspected on the afternoon of 08th March 2023 with a follow up inspection on the early evening of 04th June 2023. The inspections used the extended Phase 1 Habitat Assessment methodology as adopted by Natural England (Joint Nature Conservation Committee 1993) and in accordance with the Guidelines for Preliminary Ecological Appraisal (2012) issued by the Institute of Ecology and Environmental Management (IEEM) and BS42020 (British Standard for Biodiversity and Development).

The survey required a systematic walkover of the site to classify the habitat types present and was completed using standard Phase 1 Habitat Survey methodology whereby the habitat types present are identified and mapped, together with an assessment of the species composition of each habitat. This technique provides an inventory of the basic

habitat types present and allows identification of areas of greater potential which require further survey. Any such areas identified can then be examined in more detail through Phase 2 surveys. This method was extended, in line with the Guidelines for Preliminary Ecological Appraisal to record details on the actual or potential presence of any notable or protected species or habitats.

Using the above method, the site was classified into areas of similar botanical community types, with a representative species list compiled for each habitat identified summarised within **Appendix 1**. A habitat base map and target notes have been prepared and included as **Figure 3** within section 3 of this report.

2.3 Protected Species Assessment Methodology

A methodical inspection was carried out to look for any evidence of protected species using the site and to identify any habitats with potential to provide significant shelter or foraging opportunities for these. The survey was carried out by Christopher Barker, an experienced ecological consultant and Chartered Environmentalist holding Class Licenses issued by Natural England.

The Conservation of Habitats and Species Regulations 2010 consolidates the various amendments that have been made to the Regulations. The original (1994) Regulations transposed the EC Habitats Directive on the Conservation of Natural Habitats and of Wild Fauna and Flora (Council Directive 92/43/EEC) into national law.

“European protected species” are those which are present on Schedule 2 of the Conservation of Habitats and Species Regulations 2010. They are subject to the provisions of Regulation 41 of those Regulations. All European Protected Species are also protected under the Wildlife and Countryside Act 1981 (as amended). Taken together, these pieces of legislation make it an offence to:

- a. Intentionally or deliberately capture, injure or kill any wild animal included amongst these species
- b. Possess or control any live or dead specimens or any part of, or anything derived from these species
- c. deliberately disturb wild animals of any such species
- d. deliberately take or destroy the eggs of such an animal, or
- e. intentionally, deliberately or recklessly damage or destroy a breeding site or resting place of such an animal, or obstruct access to such a place

For the purposes of paragraph (c), disturbance of animals includes in particular any disturbance which is likely—

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

Although the law provides strict protection to these species, it also allows this protection to be set aside (derogation) through the issuing of licences. The licences in England are currently determined by Natural England (NE) for development works. In accordance with the requirements of the Regulations (2010), a licence can only be issued where the following requirements are satisfied:

- i) The proposal is necessary 'to preserve public health or public safety or other imperative reasons of overriding public interest including those of a social or economic nature and beneficial consequences of primary importance for the environment'
- ii) 'There is no satisfactory alternative'
- iii) The proposals 'will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range.'

General faunal activity, such as mammals or birds observed visually or by call during the course of the surveys was recorded. Specific attention was also paid to the potential presence of any protected, rare or notable species, and specific consideration was given to bats, birds, badgers, amphibians and reptiles as described below.

Breeding Birds: All nesting birds are protected under the Wildlife and Countryside Act 1981 (as amended) which makes it an offence to intentionally kill, injure or take any wild bird or take, damage or destroy its nest whilst in use or being built, or take or destroy its eggs. The inspection of the site included a search of hedgerows, ground vegetation and tree canopies looking for evidence of active or former nests.

Bats: All species of Bat within the UK are protected under the Conservation of Habitat and Species Regulations 2010 (Habitat Regulations) that amended and incorporated the Wildlife and Countryside Act 1981. These regulations make it an offence to:

- Intentionally kill, injure or take a bat [WCA section 9(1)]
- Possess or control any live or dead specimen or anything derived from a bat [WCA section 9(2)]
- Intentionally or recklessly damage, destroy or obstruct access to any structure or place used for shelter or protection by a bat [WCA section 9(4)(a)]
- Intentionally or recklessly disturb a bat while it is occupying a structure or place which it uses for that purpose [WCA section 9(4)(a)]

Any building or significant trees present within the survey area have been assessed for their suitability to support roosting bats based on the presence of features such as holes, crevices, cracks, splits or loose bark. Potential bat roost locations in relation to buildings are described within this report (taken from Bat Survey Guidelines 2016) as:

Confirmed Roost – a structure with physical evidence confirming the presence of bats or bats visibly seen.

High – a structure with one or more potential roost features that are obviously suitable for use by a large number of bats on a regular basis and which is situated in an area of continuous high-quality foraging habitat suitable for bats.

Moderate – a structure with one or more potential roost features that could be used by bats, but which is unlikely to support a roost of high conservation status and which is in an area of connected habitat suitable for foraging by bats.

Low – a structure with one or more potential roost features that could be used by individual bats opportunistically. However, these potential roost features do not provide sufficient potential to be used by a larger number of bats or on a regular basis and the surrounding habitat is not of high value to foraging bats.

Negligible – a structure with negligible habitat features which is in a poor location making it highly unlikely roosting bats will be present.

Tree assessments were undertaken from ground level, with the aid of a torch and binoculars where required. During the survey features considered to provide suitable roost sites for bats such as the following were sought:

- Trunk / branch cavities – significant holes in the trunk caused by rot or injury.

- Trunk / branch split – split / fissure in trunk caused by rot or injury.
- Branch socket cavity – Where a fallen branch has resulted in the formation of an access point into a cavity.
- Woodpecker hole – created by nesting birds suitable for use by roosting bats.
- Lifted bark – bark which has rotted / lifted to form suitable access point/roost site for bats.
- Trunk hollows – decay in heartwood leading to internal cavity in trunk.
- Ivy cover – dense / mature ivy cover where the woody stems could create small cavities / crevices.

Common Reptiles: All species of British reptile are protected by the Wildlife and Countryside Act 1981 (as amended). The common species (adder, grass snake, slow worm and common lizard) are only protected against intentional killing and injuring (but not taking).

The survey included a search of all areas where suitable habitat for reptiles to shelter under or bask may be present, lifting logs and other suitable features to search underneath. The surveyor also maintained a careful watch whilst moving across the site to look for signs of reptiles moving to cover.

Great crested newts are afforded legal protection under European and UK law under the auspices of The Conservation (Natural Habitats &c.) (Amendment) Regulations which came into force on 21 August 2007, superseding the Habitat Regulations 1994. The 2007 amendments have increased the protection afforded to European Protected Species.

The law provides protection to adults, juveniles, efts (immature GCN) and eggs and it is an offence to intentionally or recklessly or as an incidental result of actions:

- Intentionally or deliberately capture, kill, or injure Great Crested Newts
- Intentionally or recklessly damage, destroy or obstruct access to any place used for shelter or protection (including resting or breeding places) whether occupied or not
- Deliberately, intentionally or recklessly disturb Great Crested Newts when in a place of shelter
- Possess a Great Crested Newt, or any part of it, unless acquired lawfully
- Sell, barter, exchange or transport or offer for sale Great Crested Newts or any part of them.

The survey included a search of any ponds and wetland areas within the site or immediate surrounding area nearby (where these features were accessible) and an assessment of ponds in the local area using Ordnance Survey Maps and aerial photographs to consider the potential for these species to access the site area.

Badger: Badgers are protected under the Protection of Badgers Act 1992. This makes it an offence to wilfully kill, injure, take, possess or cruelly ill-treat a badger, or to attempt to do so; or to intentionally or recklessly interfere with a sett. Sett interference includes disturbing badgers whilst they are occupying a sett, as well as damaging or destroying a sett or obstructing access to it. A badger sett is defined in the legislation as “*a structure or place, which displays signs indicating current use by a badger*”.

The survey searching for evidence of badger activity comprised two main elements. The first element involved searching for evidence of Badger setts. For any setts that were encountered, each sett entrance was noted and mapped. The following information was recorded:

- Number and location of well used / active entrances; these are clear from any debris or vegetation and are obviously in regular use and may, or may not, have been excavated recently.

- Number and location of inactive entrances; these are not in regular use and have debris such as leaves and twigs in the entrance or have plants growing in or around the edge of the entrance.
- Number of disused entrances; these have not been in use for some time, are partly or completely blocked and cannot be used without considerable clearance. If the
- entrance has been disused for some time all that may be visible is a depression in the ground where the hole used to be and the remains of the spoil heap.

The second element of the survey involved searching for signs of Badger activity such as well-worn paths and push-throughs, snagged hair, footprints, latrines and foraging signs, so as to build up a picture of any use of the site by Badger.

Invasive Species: Attention was paid to the presence of any invasive species listed under Schedule 9 of the Wildlife and Countryside Act 1981 (as amended). However, the detectability of such species varies due to a number of factors, e.g. time of year, site management, etc., and hence the absence of invasive species should not be assumed even if no such species were detected during the Phase 1 survey.

A range of invasive non-native plant species are listed in Schedule 9 (Part 2) of the Wildlife and Countryside Act 1981, which makes it an offence to plant or cause these introduced invasive plants to grow in the wild, effectively making it illegal to spread the plants during development operations.

2.4 Consultations

The evaluation of ecological features and resources is based on professional judgement whilst also drawing on the latest available industry guidance and research. The approach taken in this report is based on that described by the Chartered Institute of Ecology and Environmental Management (CIEEM, 2016). In evaluating ecological features. The *Geographic Frame of Reference* is a key factor taken into account when assessing the potential ecological value of a site being surveyed. The value of an ecological feature or resource is determined within a defined geographical context using the following frame of reference:

- International.
- National.
- Regional.
- County (or Metropolitan).
- District (or Unitary Authority, City or Borough).
- Local (or Parish).
- Site level only.

Within this frame of reference, certain sites may carry a statutory ecological designation, e.g. Special Area of Conservation (SAC) for internationally important sites or Site of Special Scientific Interest (SSSI) for sites of national importance. Sites of more localised nature conservation importance do not receive statutory protection but may be designated by Local Planning Authorities or other bodies, e.g. Wildlife Trusts. Such non-statutory designations or 'Local Sites' include Local Wildlife Sites (LWSs) and Sites of Nature Conservation Interest (SNCIs), for example.

A review of the available data confirms that the site is not a Statutory or Non-Statutory site of ecological significance. There is one site of national importance and a number of LWS and potential LWS sites within 1km and these are summarised within the table below.

Site Name and Reference	Designation	Distance from survey site
Kendall's Meadow	National	784
Stoke Golding, Basin Bridge Farm hedges - 91373	LWS	878

Stoke Golding, mature trees north of Wykin Road - 91915	LWS	895
Ashby Canal, Bridge 23 to Stoke Golding Moorings – 91288	LWS	276
Crown Hill Grassland – 91279	LWS	212
Mature Ash – 92107	LWS	276
Hedgerow E of Higham Lane & 4 Mature Trees – 91280	LWS	684
Ashby Canal – 90113	LWS	783
Wykin Lane Oak – 91274	LWS	499
Meadow and Pond, Brook Farm – 58178	LWS	560
Wykin Lane Hedgerow and Ash – 91277	LWS	865
Hinckley Road Oak – 91278	LWS	589
Upton Lane Ash – 90122	LWS	522
Stoke Golding Old Cemetery – 91266	LWS	462
Stoke Golding New Cemetery – 91275	LWS	652
Higham Lane Ash -91289	LWS	207
Playing Field Oak – 91267	LWS	789
Ashby Canal & Sutton Wharf Grassland – 11241	LWS	665
Stoke Lane Hedgerow - 91492	LWS	563

The botanically rich grassland at Kendall's Meadow is over 750m distance for the area being considered for development which is an existing residential garden with no connections to or common characteristic to the Meadow site.

The majority of the LWS site are over 250m from the garden being assessed, however, there is a small grassland identified at Crown Hill on the edge of the village just over 200m from the garden and an individual Ash tree also just over 200m from the garden. Neither of these areas / features has any links to the garden area being assessed.

A review of the data for protected species has identified a small number of significant records relating to the immediate vicinity of the site which are summarised within the table below.

Scientific Name	Common Name	Latest Record	Number of Records
Bufo bufo	Common Toad	2009	2
Lissotriton vulgaris	Smooth Newt	2009	2
Rana temporaria	Common Frog	2009	2
Triturus cristatus	Great Crested Newt	2020	9
Alcedo atthis	Kingfisher	2010	10
Falco peregrinus	Peregrine	2010	5
Falco subbuteo	Hobby	2021	7
Fringilla montifringilla	Brambling	2010	4
Milvus milvus	Red Kite	2013	4
Turdus iliacus	Redwing	2010	8
Turdus pilaris	Fieldfare	2010	18
Tyto alba	Barn Owl	2010	30
Hyacinthoides non-scripta	Bluebell	2017	1
Arvicola amphibius	Water Vole	2022	7
Chiroptera	Bat	2017	11
Lutra lutra	Otter	2020	4
Meles meles	Badger	2021	12
Myotis	Myotis Bat species	2009	1
Myotis daubentonii	Daubenton's Bat	2022	2
Myotis nattereri	Natterer's Bat	2022	2
Nyctalus noctula	Noctule Bat	2022	3
Pipistrellus	Pipistrelle Bat species	2002	2
Pipistrellus pipistrellus	Common Pipistrelle	2022	9
Pipistrellus pygmaeus	Soprano Pipistrelle	2022	2
Plecotus auritus	Brown Long-eared Bat	2022	4

There are records of **great crested newt (GCN)** and other amphibians within 1km of the site. The nearest GCN record is for a small pond situated 313m to the south east on the edge of the village and this particular pond has connectivity to other ponds to the south and east of the village. There are roads and houses providing a partial barrier to commuting GCN between the nearest pond population and the garden area being assessed which will be sub-optimal habitat for these species. The likelihood of GCN being present is considered to be very low.

There are no records of any reptiles within 1km of the garden area. The surrounding landscape is predominantly sub-optimal for reptiles but it is likely there are a small number of individual species such as Grass Snake and Slow Worm in this area. The likelihood of a significant reptile population being present in the garden is very low.

The majority of the garden is open mown lawn with negligible cover for ground nesting birds and the predatory cat population makes ground nesting unlikely in this location. There is ***potential for nesting and foraging within the boundary shrubs / hedgerows and trees around the margins of the garden.***

There are records of roosting and foraging **bats** in this area with two species of Pipistrelle, Brown Long-eared, Noctule and Myotis bats being recorded within the local area. There are Pipistrelle roosts located in suitable buildings approximately 200m to the east within the village and significant bat activity around the village margins. There are mature trees around the boundaries of the garden so the use of this area ***for foraging and commuting purposes is highly likely and if there are any trees with suitable features present within the garden these could provide roosting opportunities.***

There are records of **badger** activity in this area with an active sett located in land to the north of the property with open agricultural land in between. There are also records of badger activity along the village margin to the south. Given the records of activity and the good accessibility of the site area from surrounding agricultural grazing land, ***the potential use of this land for foraging purposes by badger is possible.***

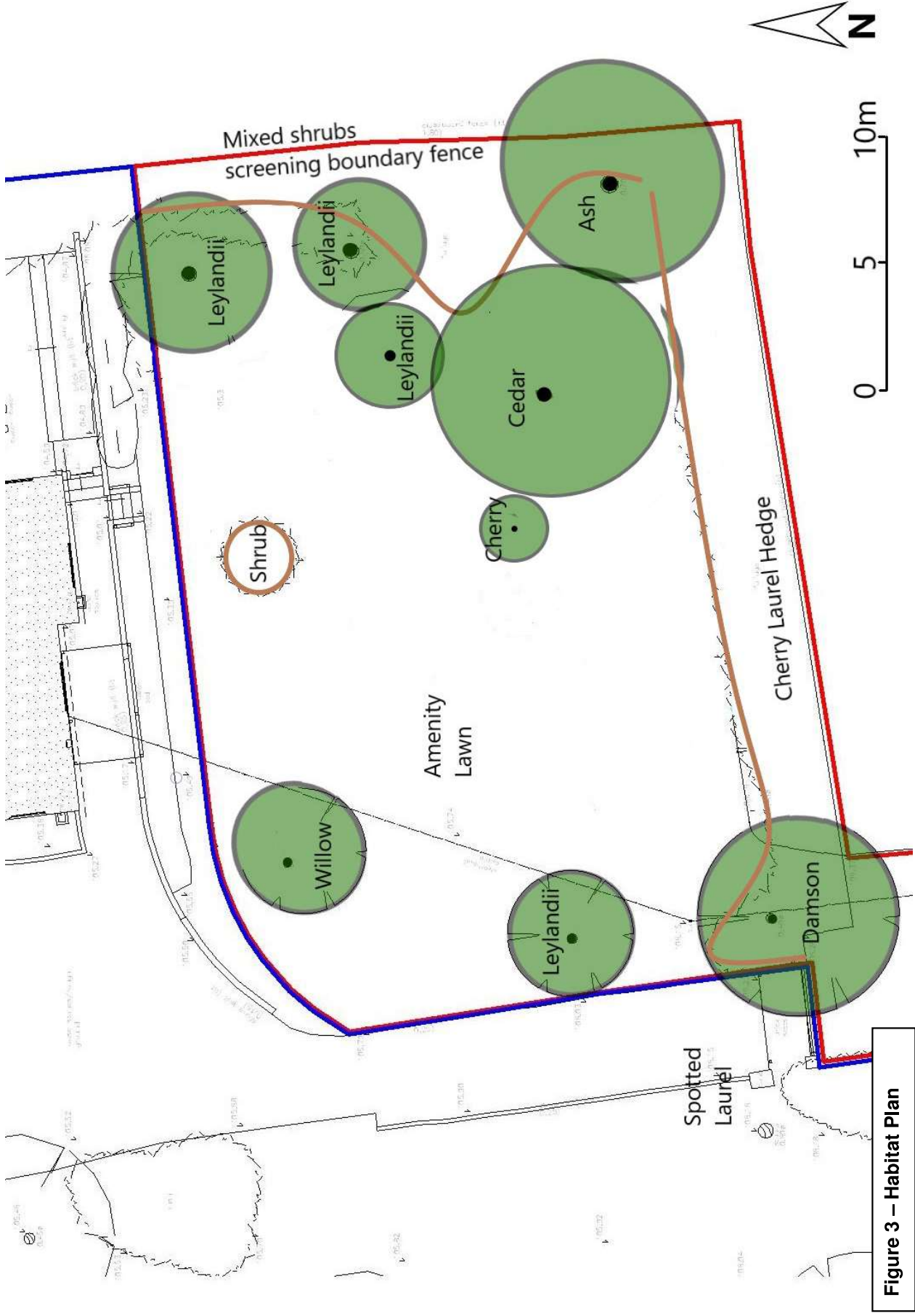


Figure 3 – Habitat Plan

3. Survey Findings

3.1 Habitat Classifications and Target Notes

The survey has identified the following habitats within the proposed development:

- Amenity Grassland and Borders
- Boundary hedgerow
- Specimen trees

Target Note: Amenity Grass (Lawns) and Borders

The majority of the site area surveyed comprises intensively managed mown lawn which is not species rich and this lawn area extends from the existing driveway across the site to the existing house on the northern edge and the boundary garden hedgerows along the east and southern edges.

This is a dense, well-maintained sward dominated by common amenity grasses such as dwarf perennial ryegrass *Lolium perenne* Cul and fescue *Festuca sp* on fairly fertile soil and species diversity is limited as a result. Occasional common forbs such as clover *Trifolium repens*, daisy *Bellis perennis*, dandelion *Taraxacum officinale*, plantain *Plantago lanceolata*, pearlwort *Sagina procumbens* and mosses have established.



View of garden lawn area



View of garden lawn area

Target Note: Boundary Hedgerows and Shrubs

There is a dense Cherry Laurel *Prunus laurocerasus* hedge along the southern boundary of the garden that is in need of some significant trimming. Behind this is a garden fence. There is a Spotted Laurel *Aucuba japonica* and Damson *Prunus domestica* anchoring the western end of this hedge adjacent to the property access. At the eastern end there is a large Cedar *Cedrus atlantica* and Ash *Fraxinus excelsior* anchoring the hedge at the corner of the property with some sparse Holly *Ilex aquifolium* and Privet *Legustrum vulgare* underneath this.

The eastern boundary is screened effectively by the trees but underneath these is some sparse Privet *Legustrum vulgare*, Firethorn *Pyracantha spp*, Spotted Laurel *Aucuba japonica* and Cotoneaster *Cotoneaster spp* screening the boundary fence where there is space.

For assessment purposes hedgerows are graded using HEGS with the suffixes '+' and '-', representing the upper and lower limits of each grade respectively. These grades represent a continuum on a scale from 1+ (the highest score and denoting hedges of the greatest nature conservation priority) to 4- (representing the lowest score and hedges of the least nature conservation priority) as follows:

- Grade 1 – High to very high value
- Grade 2 – Moderately high to high value
- Grade 3 – Moderate value
- Grade 4 – Low value

Hedgerows graded 1 or 2 are considered to be a priority for nature conservation. The Cherry Laurel hedge along the southern boundary of the garden is non-native and would be classed as HEGS 4.



Cherry Laurel hedge on south boundary

Target Note: Garden Specimen Trees

Within the garden are scattered a number of specimen trees which have all been fully assessed using BS5837:2012 and a separate report has been prepared for these. There are no large mature trees in the western half of the garden area surveyed of high landscape value.

The larger trees present in the garden are concentrated along the eastern boundary and these comprise a large Atlantic Cedar *Cedrus atlantica* and Ash *Fraxinus excelsior*, both positioned in the southern eastern corner of the garden area. Both are large dominant trees of significant landscape value and they are highly visible from adjacent residential properties. The other trees screening the eastern boundary of the garden are columnar Leylandii *X Cupressocyparis Leylandii*. These are providing effective screening to the garden area but they are non-native and may become a nuisance once they mature unless they are topped and trimmed.



Leylandii near driveway



Cultivated Willow near driveway



Damson near property entrance



Large Cedar in garden



Leylandii along eastern boundary

3.2 Evidence of Protected Species

During the inspection of the site notes were made on the suitability of habitats for protected species and any sightings or signs of protected species were recorded:

- The suitability of habitats for badger (*Meles meles*) was recorded and any evidence of badgers including setts, dung pits, badger paths, hairs, bedding, footprints and scratching trees was noted.
- Trees with features suitable for roosting bats were noted, such as hollows (e.g. old woodpecker holes), cracks and cavities within trunks and branches, crevices behind loose bark and ivy growth on trunks.
- The suitability of habitats was assessed for reptiles such as Grass snake (*Natrix natrix*) and amphibians (including great crested newts - *Triturus cristatus*).
- The suitability of site was assessed for nesting birds.

Surveying in March and June are optimal time periods for protected species. An experienced surveyor can make reliable judgements about the quality and composition of habitats and their potential suitability for protected species. Only an initial assessment of

the site was made and no stage 2 surveys were carried out. As such, a lack of evidence of a protected species does not necessarily indicate an absence of these species. The table below provides a summary of the potential for protected species to be present within the site.

Species	Present within 1km	Connectivity	Suitable habitat on site / evidence of presence	Likelihood of presence on site
Nesting Birds	Yes	Good via hedgerows and surrounding agricultural land.	Ground nesting very unlikely and no evidence of ground. Nesting within the garden shrub and trees likely although no nests were seen.	Low within the site interior but likely with hedgerows and mature boundary trees.
Reptiles	No	Poor due to management of use of the surrounding agricultural grazing land and lack of optimal habitat.	Open and intensively managed garden is sub-optimal habitat for reptiles and no evidence of these species was identified.	Low - may be present within the boundary hedgerows and drainage ditches.
Amphibians	Yes	Limited due to management of use of surrounding agricultural grazing land and lack of optimal habitat	Open and intensively managed garden is sub-optimal habitat for reptiles and no evidence of these species was identified. The small pond in the garden is lined with vertical sides.	Low – some could be present within the boundary ditches outside of the field area.
Bats	Yes	Reasonable due to the presence of mature in local gardens and along the village margin.	No field signs of bats was noted and there are no trees with roost potential present in this garden Foraging around the garden confirmed by the activity survey	Negligible potential for roosting. Low intensity of foraging confirmed across the garden area
Badger and larger mammals	Yes	Good accessibility from open agricultural land to the north and west.	An annex sett was identified with 5 entrances in the north eastern corner of the property around 60m from the garden area being assessed.	Occasional foraging considered highly likely around the development area.

Birds: The local area supports a range of bird species which includes some Schedule 1 and Red list species. No evidence of any ground nesting was found during the inspection and no nests were seen within the boundary shrubs, hedging and within the tree canopies although the vegetation was very dense in places. The presence of nests within the boundary trees and hedgerows is considered highly likely in the future. ***Measures to avoid disturbance to any nests or nesting activity will need to be considered within any development.***

Reptiles: The walkover survey of the garden was completed on a grid pattern looking for evidence or indication of reptiles. No sightings or physical evidence of reptiles was seen during the inspections completed in March and June which are within the optimum survey period for these species. Further surveys for reptiles are not recommended.

Amphibians: There are no obvious links of commuting routes between the existing garden and the nearest GCN population which is to the south east on the opposite side of the village. The small pond within the garden has vertical sides and is sub-optimal for species such as GCN. No evidence of amphibians was found during the inspection of the garden

and this area is sub-optimal for amphibians species. Further surveys are not recommended but purely as a precaution the development area should be inspected and searched for amphibians immediately ahead of any approved works starting.

Chiroptera: The garden contains no trees with features of potential interest to roosting bats. The existing house to the north has been surveyed and an activity survey for this building was completed in June 2023 which confirmed a low intensity of foraging across the surrounding garden by Pipistrellus, Plecotus, Nyctalus and Myotis species is taking place. It would therefore be prudent to design any external lighting associated with any potential property in the garden to minimise any significant increase in artificial light.

Invertebrates: The garden area assessed does not appear to support a diverse range of flora. It is not a location with a high density of nectar producing plants present in the surrounding landscape that will support a significant range of invertebrates. The potential for a significant assemblage of invertebrates to be present within the survey area is quite low at the present time and further invertebrate surveys are not recommended.

Mammals: During the inspection of the survey area a thorough search for evidence of badger was completed. No significant established tracks or trails indicative of badger activity were found within the survey area where development is being proposed. However, approximately 60m to the north in the north eastern corner of the property (the opposite side of the existing house) there is an active badger sett located on the garden boundary immediately adjacent to open agricultural grazing land. There is no evidence of any badger activity in the area surveyed where development is being proposed, but given the activity in the area by badger identified in the northern part of the property, occasional foraging by badger across the specific area surveyed is assumed to be likely and measures will be required to protect this species.



A further survey for badger is not recommended as there is no evidence of a sett being present in the area surveyed or within 30m of the proposed development area. However, it is recommended that a construction methodology to protect badgers from accidental harm is applied to any development work that may be approved within this site as a precautionary measure. The methodology should incorporate the following measures:

- The covering of excavations overnight to prevent animals falling in, or the provision of an escape ramp (e.g. secured scaffold boards) allowing animals to climb out.
- Secure storage of all materials, fuels, wire fencing etc, that may harm badgers and other animals.
- Restricting access by site personnel to any adjoining buffer zones of trees and scrub to the west of the development area.
- The eastern boundary hedge should be fenced with heras fencing on the side of the construction zone.
- Keeping works at night-time to a minimum will minimise disturbance to commuting and foraging badgers at the site. Where works after dark are necessary, lighting should be as low as possible and directed away from boundary features such as hedgerows and trees.
- A toolbox talk from a suitably experienced ecologist to all site workers will be given prior to construction works detailing the procedures to be followed if a badger is found within the construction zone during works.
- If a badger is found within the construction zone during works, all works must stop and a suitably experienced ecologist be contacted immediately. Their advice should be followed precisely.

The potential presence of Hedgehog (*Erinaceus europaeus*) is considered quite likely as there are local records of this species being seen within the surrounding 1km area. Measures to protect hedgehogs should be taken and this should include an inspection of any vegetation by an ecologist ahead of clearance work being carried out. Any found should be moved to a temporary refugia located in a suitable position within hedgerow on the western boundary outside of the area of disturbance. Measures to protect badger will also be effective in protecting hedgehog.

3.3 Ecological Constraints and Opportunities

Constraints:

No significant ecological constraints have been identified during the survey within the garden area being proposed for development but the following factors should be taken into consideration:

- There is a small badger sett situated in the corner of the garden to the north of the area surveyed which is probably an annex to a main badger sett in open countryside to the north. Any badger occupying this nearby sett may occasionally forage around the garden, including the area proposed for development.
- There is potential for nesting birds to be present associated with the boundary hedgerows and shrubs within the garden.
- There is potential for hedgehogs to be present within the garden
- Bats have been confirmed to be using the garden for foraging although it does not appear to be of high significance.

Part 3: Initial Ecological Appraisal

4. Impact of Proposed Site Development

The level of biodiversity within the site being assessed must be a consideration in determining the impact on biodiversity that may arise from any development on the site. Within the NPPF 2021 it states that any development proposal should seek to “*contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change.....*”

Within the Guidance it specifically states that “*Planning.... 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.....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.*”

Based on the conceptual development plan the proposal is for the existing garden area to be divided and used as a plot for a new detached residential house. Using the same access form Main Street. The new house will be positioned close to the centre of the plot slightly to the west. **Figure 4** below is a copy of the conceptual development plan provided by the Architect for assessment. This report is not intended to be a suitable alternative to an Ecological Impact Assessment (EclA) in accordance with the CIEEM Guidelines on Ecological Impact Assessment, 2016.

As noted within this report, the ‘mitigation hierarchy’ described in British Standard BS 42020:2013 should be applied in regard to biodiversity within sites being considered for development which is a stepwise process:

- **Avoidance** – avoiding adverse effects through good design.
- **Mitigation** – where it is unavoidable, mitigation measures should be employed to minimise adverse effects.
- **Compensation** – where residual effects remain after mitigation it may be necessary to provide compensation to offset any harm.
- **Enhancement** – planning decisions often present the opportunity to deliver benefits for biodiversity, which can also be explored alongside the above measures to resolve potential adverse effects.

The measures for avoidance, mitigation, compensation and enhancement should be proportionate to the predicted degree of risk to biodiversity and to the nature and scale of the proposed development (BS 42020:2013, section 5.5).

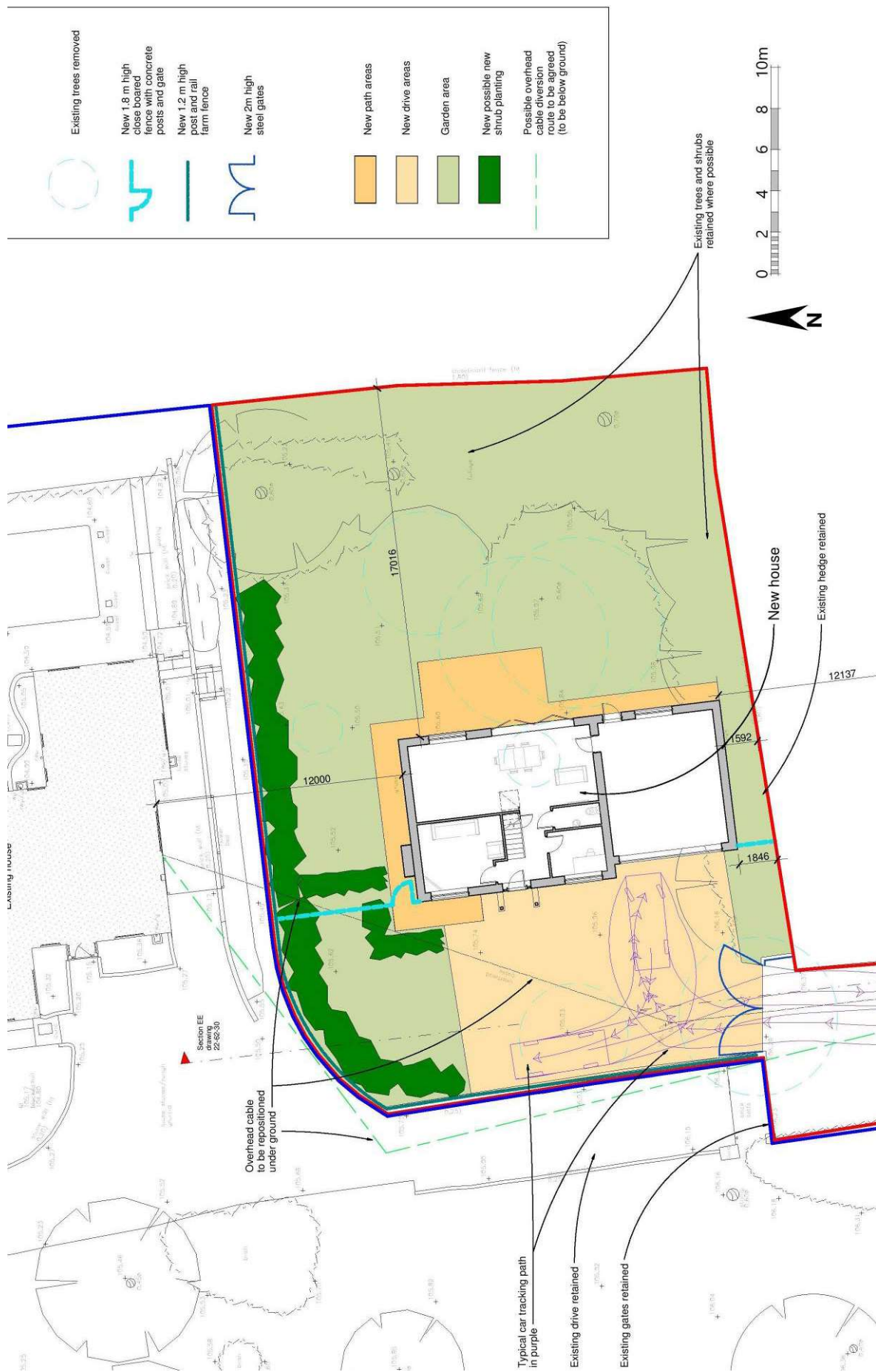


Figure 4 – Conceptual Development Plan

The table below considers the features present on the site in the context of the hierarchy.

Feature	Ecological Significance	Hierarchy application	Impact of proposed development
Amenity residential garden	Low	Mitigation	New landscaping within the garden will be provided to enhance the benefit of this and replace some of the open lawn that will be lost.
Introduced shrubs	Low	Mitigation	Some trimming back of the existing shrubs will be required and replacement planting will be provided within the garden area
Urban trees	Moderate	Avoidance	The key trees of landscape value will be retained within the garden.

4.1 Potential Impact on nearby Statutory and Non-statutory sites

There are no Statutory or Non-Statutory sites nearby that could potentially be impacted by the proposed construction of a new house within the existing residential garden footprint.

4.2 Impact of the Proposals on Site Biodiversity

The level of biodiversity within the site being assessed must be a consideration in determining the impact on biodiversity that may arise from any development on the site. Within the NPPF 2019 it states that any development proposal should seek to “*contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change.....*”

Within the Guidance it specifically states that “*Planning.... 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.....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.*”

The survey area comprises an existing garden dominated by lawn with introduced shrubs and urban specimen trees present. The area where the new house is being proposed contains no significant ecological features and should be a sufficient distance from the mature and semi-mature trees within the garden to avoid any disturbance of these.

It is considered likely that development of the site area surveyed could be carried out in a manner that does not have any significant impact on local biodiversity.

4.3 Impact of the Proposals on Protected Species

The requirements of Part IV of ODPM / Defra Circular 06/2005 in regard to the protection of certain species are still applicable under NPPF. The presence of protected species at the site must be taken into consideration. Under the requirements of the NPPF provision in relation to the presence of protected species on, or making use of, a site proposed for any development must be taken into account. The presumption in favour of sustainable development does not apply where development requiring appropriate assessment under the Birds or Habitats Directives is being considered, planned or determined or where the impact on protected species is considered to outweigh the benefit of development.

The inspections completed in March and June 2023⁴ did not identify any physical evidence or field signs of protected species within the garden area where development is being proposed. However, after inspection of the property and the larger garden area around this the following precautionary measures are advised:

Birds: The shrubs and trees within the garden have potential to support nesting birds and if any of this vegetation needs to be removed this should be completed outside of the nesting season or be preceded by an inspection by an Ecologist to ensure no nesting birds are present or determine what mitigation measures to protect nesting birds are required.

Bats: The proposed development will not impact any roost sites so there is no likelihood of any roosting bats being disturbed. The design of any external lighting associated with the new house should ensure that any increase in artificial light levels across the garden area is minimised to help maintain bat foraging around this area.

Badger: The occasional presence of this species in the garden where the new house is being proposed is quite likely and measures to protect these species from harm during construction activities will be required. There are no sett entrances within 30m that could be disturbed.

Recommendations: It is recommended that as part of the design for the new house the following measures should be included:

- Provision of one bat roost tube into the structure of the new building
- Provision of a pair of swift nest bricks / tubes into the structure of the new building.

A handwritten signature in blue ink, appearing to read 'Christopher Barker', is written over a horizontal line.

Christopher Barker CEnv ACIEEM

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Guidelines for Ecological Impact Assessment (EcIA) in the UK and Ireland (2018). Institute of Ecology and Environmental Management (CIEEM)

Web references

MAGIC: Designated area data downloaded from URL <http://www.magic.gov.uk.html>

National Biodiversity Network: Protected species data downloaded from URL <http://data.nbn.org/interactive/map>

Appendix 1 – Plant Species List

Tree and Shrub Species	Ground Flora and Perennial Species
Ash <i>Fraxinus excelsior</i> Cedar <i>Cedrus atlantica</i> Cherry <i>Prunus avium</i> Cherry Laurel <i>Prunus laurocerasus</i> Cotoneaster <i>Cotoneaster spp</i> Damson <i>Prunus domestica</i> Elder <i>Sambucus nigra</i> Firethorn <i>Pyracantha spp</i> Hawthorn (<i>Crataegus monogyna</i>) Holly <i>Ilex aquifolium</i> Leylandii <i>XCupressocyparis leylandii</i> Privet <i>Legustrum vulgare</i> Spotted Laurel <i>Aucuba japonica</i> Willow (Cul) <i>Salix cul</i>	Bindweed <i>Calystegia sepium</i> Black medick <i>Medicago lupulina</i> Bramble <i>Rubus fruticosus</i> Chickweed <i>Stellaria media</i> Clover <i>Trifolium repens</i> Creeping Buttercup <i>Ranunculus repens</i> Daisy <i>Bellis perennis</i> Dandelion <i>Taraxacum sp</i> Fescue <i>Festuca rubra</i> Lesser Willowherb <i>Epilobium hirsutum</i> Pearlwort <i>Sagina procumbens</i> Perennial Ryegrass <i>Lolium perenne</i> Plantain <i>Plantago lanceolata</i> Yorkshire Fog <i>Holcus lanatus</i>

This species list records the species seen during the site inspection and is not presented as a detailed botanical survey of the site.

Appendix 2 – Biological Records from LRBRC

Public Records – Separate Appendix