



Preliminary Ecological Appraisal

Horsepool Grange, Stanton under Bardon

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February 2026



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1 Summary

- 1.1.1 Brindle & Green Ltd were commissioned by Marrons c/o Paul Milner to undertake a Preliminary Ecological Appraisal incorporating a UK Habitat (UKHab) Classification Survey and Protected Species Assessment at Horsepool Grange, Stanton under Bardon, Hinckley and Bosworth. This report summarises the potential ecological constraints to the outline planning application for partial site clearance to facilitate the development of up to 10,500sqm of employment floorspace, including access, parking, and soft landscaping provisions. Indicative design plans are provided within Appendix 6 of this report. The survey was carried out on the 21st of November 2025.
- 1.1.2 The red line boundary is approximately 4ha in extent and comprises a single field which contains recently planted / re-stocked mixed woodland, consisting of very young saplings. A thin strip of modified grassland surrounds this recently planted woodland, with two native hedgerows present at the eastern (H1) and northern (H2) boundaries. Within the wider area, existing woodland is located offsite to the northwest, north, and northeast of the site, with arable land present to the west, south and east, separated from the site by Elliots Lane, and an unnamed road. The site was evaluated to support 'District' value on a 'Local' scale.
- 1.1.3 The habitats described within this report have the potential to support protected and/or notable species. As such, this report outlines important measures to protect species during site clearance, and recommendations to improve the biodiversity status of the site post development.
- 1.1.4 A full description of the recommendations can be found within Chapter 7. Table 1 is a summary of the ecological issues recommended for further consideration as a result of our initial investigations.

Table 1: Ecological recommendations

Ecological Consideration	Recommendations (e.g. further survey, mitigation)	Timing
Habitats	Biodiversity Impact Assessment required to inform the units required to achieve a 10% net gain, detailed in Chapter 7.	During Design Phase
	Construction and Environmental Management Plan to safeguard adjacent woodland, detailed in Chapter 7.	Secured as a condition of planning
	Retention of habitats of elevated value, namely native hedgerows at site's peripheries, secured via CEMP.	During Design Phase
Designated Sites	Consultation with Natural England required to comment on impacts to Cliffe Hill Quarry SSSI.	During Planning
Breeding Birds	Works should be sympathetic to this group of species, with vegetation clearance undertaken following Reasonable Avoidance Measures (RAMS) outlined in Chapter 7.	During Site Clearance (Optimal timing between October – February outside of breeding bird season)
Foraging and Commuting Bats	Works should be sympathetic to this group of species through sensitive lighting, detailed in Chapter 7.	During and post construction
Badgers	Reasonable Avoidance Measures are recommended during construction phase, detailed in Chapter 7.	Year Round, during development
Great Crested Newts	Ponds within 500m of the application site, should be subject to a Habitat Suitability Index (HSI) assessment, given access is granted – ponds identified as suitable should be subject to presence/absence GCN surveys, detailed in Chapter 7.	HSI assessments - Year Round Presence/likely absence surveys Mid-March to mid-June, with at least two of these visits during mid-April to mid-May
Reptiles	Reasonable Avoidance Measures are recommended during construction phase, detailed in Chapter 7.	Year Round, during development
Mammal Species of Principal Importance	Reasonable Avoidance Measures are recommended during site clearance and construction, detailed in Chapter 7.	Year Round, during development

2 Introduction

- 2.1.1 The purpose of this assessment was to provide a Preliminary Ecological Appraisal of the site incorporating a UKHab Survey and Protected Species Assessment to establish the likelihood of the site supporting protected species. The survey provides detail on the need for any additional, more detailed protected species surveys, likely mitigation, and any opportunities for enhancement.
- 2.1.2 The site is the subject of an outline planning application for site clearance to facilitate the development of up to 10,500sqm of employment floorspace, including access, parking, and soft landscaping provisions. It is understood that the application site is currently under a legal obligation pertaining to a felling licence, with existing woodland to be replaced and re-stocked offsite. Indicative design plans are provided within Appendix 6 of this report.
- 2.1.3 The legislation relevant to protected species within the United Kingdom is summarised within Appendix 4.
- 2.1.4 Results and recommendations contained within this report have been prepared by an experienced ecologist and are therefore the view of Brindle & Green Limited. The survey is based on information provided by our client, the development proposals, results of the desk study and our survey of the site. This report pertains to this information only.

3 Methodology

3.1 Desk Study

- 3.1.1 Table 2 lists organisations and/or resources used as part of the desk study process. Data regarding any known statutory or non-statutory sites, in addition to any records for protected species, were requested from the following sources:

Table 2: Ecological Data Resources

Consultant	Requested Data	Search Radius	Date Received
Leicestershire and Rutland Environmental Records Centre (LRERC)	- Protected and Notable Species Records - Local, National and International Site Designations	2km	09/12/2025
Multi Agency Geographic Information for the Countryside (MAGIC)	- National and International site Designations - Granted European Protected Species Development (EPS) Licenses - Priority Habitat Inventory	2km	12/12/2025

3.2 Surveyors

- 3.2.1 The survey was carried out by David Judson, BSc (Hons), MSc, ACIEEM, Consultant Ecologist.

3.3 Survey Conditions

- 3.3.1 The survey was undertaken at 10:45am on the 21st of November 2025. The outside temperature was recorded as 2°C, with dry conditions, and 0/8 cloud cover.

3.4 UK Habitat Classification Survey

- 3.4.1 A UK Habitat Classification survey was undertaken where habitats were categorised and mapped (Appendix 1) following the UK Habitat Classification Version 2.01 (UK Hab Ltd., 2023) to establish the presence and distribution of habitat types within the site and potential ecological constraints to development
- 3.4.2 The UKHab System is comprised of a five-level Primary Habitat Hierarchy, with each successive level providing increasingly detailed descriptions of habitat parcels present onsite. The system

encompasses all habitat types found in the UK, irrespective of scale or geographic range, including UK Biodiversity Action Plan Priority Habitats and Habitats Directive Annex I habitats.

- Level 1 includes the description of each major ecosystem present; Terrestrial, Freshwater, and Marine.
- Level 2 includes nine ecosystem types; Grassland, Woodland and Forest, Heathland and Shrub, Wetland, Cropland, Urban, Sparsely Vegetated Land, Rivers and Lakes, and Marine Inlets and Transitional Waters.
- Level 3 describes the 20 broad habitat types of the nine ecosystems outlined in Level 2. Examples include Acid Grassland, Calcareous Grassland, Neutral Grassland, Modified Grassland, Broadleaved and Mixed Woodland, Hedgerows, and Dense Scrub.
- Level 4 expands the 20 broad habitat types of Level 3 into 85 detailed habitat types, including Lowland Meadows, Other Neutral Grassland, Lowland Mixed Deciduous Woodland, and Other woodland; Mixed. This level also allows the separation of 46 UK Biodiversity Action Plan Priority habitats from other habitats of lower ecological significance.
- Level 5 provides a further detailed expansion to Level 4 habitat types. 119 habitats are described within this level including 72 habitats as listed in Annex 1 of the Habitats Directive.

3.4.3 Primary habitat types are accompanied by a list of Secondary Codes, which are further categorised into 'Essential' and 'Additional' codes. Each recorded habitat parcel is assigned a single Primary Habitat Code from Levels 2-4 and includes all Essential Secondary Code features relating to the habitat parcel. Additional Secondary Codes are also applied where relevant. No more than six Secondary Codes are recommended per parcel (UKHabs Ltd. 2023) and a list of Secondary Code definitions relevant to the site have been provided within Appendix 1. Where additional details were required, Target Notes have also been provided (Appendix 2). A plant species list (Appendix 2) summarising all plants identified on site was produced during the survey and all scientific nomenclature was produced according to Stace (2010).

- 3.4.4 This survey was extended to note the potential for habitats on site to support protected and/or notable species and for evidence of any such species. The habitats on site were assessed for their suitability to support protected species in relation to the habitat type found at the site. Any incidental sightings or field signs were noted at the time of survey. Where evidence of, or the confirmed presence of a protected species was identified, further species-specific surveys may be recommended to ensure that the presence or otherwise of a legally protected species is fully considered prior to the determination of any planning approval or to guide an EPS development licence.
- 3.4.5 Hedgerows on site were assessed following the Hedgerow Survey Handbook (DEFRA 2007) and defined as species-rich if the structural species making up a surveyed 30m section of hedgerow included at least five native woody species. Results were compiled and assessed against qualifying criteria within the Hedgerow Regulations (1997) and also the UK Biodiversity Action Plan / NERC Act 2006.
- 3.4.6 Legislation, guidance and methodology for species relevant to this site are presented in full within Appendices 4 and 5 of this report.

3.5 Site Evaluation

- 3.5.1 Following the ecological appraisal, the site was classified into one of six groups (Table 3), to indicate whether the site is considered to hold ecological value on a local, national or international scale. This evaluation is intended as a guide and only targeted survey work can establish the significance of protected species populations onsite.

Table 3: Definitions of each of the six evaluation brackets, indicating the importance of each habitat type and an example of their possible habitat status. (Table constructed following The CIEEM EclA Guidelines, Terrestrial, Freshwater and Coastal (2024) pages 16 -17)

Evaluation Value	Example of habitat or species
International	An internationally designated site or candidate site, including habitat or species included within Special Protection Areas (SPA) / Special Areas of Conservation (SAC), Ramsar Sites, listed under Annex 1 of the Habitats Directive.
National	Sites designated at UK level, e.g. Sites of Special Scientific Interest (SSSI), supporting species considered nationally threatened or rare. A regularly occurring regionally or county significant population/number of any nationally important species

Evaluation Value	Example of habitat or species
	A feature identified as of critical importance within Section 41 of the NERC Act (2006).
Regional	Key Habitat type included within BAP. A regularly occurring, locally significant number of a regionally important species.
County	Designated sites, such as Sites of Biological Importance (SBIs) or viable habitat / species populations of value at a county level (LBAP).
District	District level designated sites, such as Local Wildlife Sites (LWS) or habitats / species populations of value at a district (Which have features qualifying for LWS status). Sites/features that are scarce within the district or which appreciably enrich the district habitat resource.
Local / Site	Habitats or species populations of value in a local (i.e. within ~ 5km of the site) context. Habitats of poor to moderate biological diversity e.g. established conifer plantations, species poor hedgerows and un-intensively managed grassland which supports species which are common to the local area and whose loss can be easily mitigated.

3.6 Limitations

3.6.1 It should be noted that whilst every effort has been made to provide a comprehensive description of the site, no investigation could ensure the complete characterisation and prediction of the natural environment. The protected and notable species assessment provides a preliminary view of the likelihood of these species occurring on site, based upon the suitability of the habitats, known distribution of the species in the local area and any direct evidence on site. It should not be taken as providing a full and definitive survey of any protected species group.

3.6.2 The assessment was undertaken outside of the optimal survey period for a UKHab survey. Certain habitat types can be surveyed at any time of the year where the species that they comprise vary very little. Where habitats are more complex and support species with different growing seasons, they may be recommended for further, more detailed assessments at the appropriate time of the year. Given the habitat types recorded on site, it is not expected that notable plant species or habitats were missed during the assessment due to this limitation, and an accurate classification of the value of the site has been made.

3.7 Report Lifespan

3.7.1 Given the transient nature of the subject, we would consider the survey results contained to be accurate for up to 18 months, at the discretion as assessed by a suitably qualified ecologist.

4 Site Context

4.1 Site Description

- 4.1.1 The application site can be found at SK 47194 09999, positioned on the eastern outskirts of Stanton under Bardon, a village and civil parish in the Hinckley and Bosworth district in Leicestershire.
- 4.1.2 The site comprises a single field which contains recently planted / re-stocked woodland, consisting of very young saplings. The ground layer consists of established modified grassland, with a significant number of whips with tree guards present. A thin strip of modified grassland surrounds the recently planted woodland. Two native hedgerows are present at the eastern (H1) and northern (H2) boundaries of the site.
- 4.1.3 Within the wider landscape, existing woodland is located immediately adjacent to the northwest, north, and northeast, with Elliots Lane, and an unnamed road land present immediately to the west, south and east beyond which is arable land. Beyond Cliffe Hill Road to the north of the site, is further established woodland. Arable fields within the wider landscape are bounded by hedgerows which provide connectivity to the site for a range of species such as bats, birds, and small mammals. A relatively large pond is present approximately 100m southwest of the site, which may provide suitable breeding habitat for amphibians. A second pond is also present, approximately 45m north of the site, however, this is separated from the site by Cliffe Hill Road.



Figure 1: OS map of the project site and surrounding area. Red line boundary depicts application site.

4.2 Zone of Influence

- 4.2.1 The zone of influence describes the geographic extent of potential impacts of a proposed development. The small scale of the proposed development reduces the likelihood of impact to the surrounding area; however suitable connective vegetation could influence the presence of protected species within the application boundary. The zone of influence was considered to be 500m from the application boundary for amphibians and reptiles, 30 metres for terrestrial mammals such as badgers, and within the area of impact for breeding birds and bats.

5 Results

5.1 Desk Study

Designated Sites

- 5.1.1 The site was subjected to a search for designated sites within a 2km radius of the site using data supplied by the Local Records Centre (Leicestershire and Rutland Environmental Records Centre (LRERC)) and the online desk-based resource MAGIC.
- 5.1.2 The data supplied by LRERC was received on 09/12/2025 and is summarised within Table 4. The search revealed two statutory and 37 non-statutory sites within a 2km radius of the site. Table 4 below summarises the statutory and non-statutory sites located within 1km of the site. The location of the remaining sites within 2km of the site, can be made available upon request.
- 5.1.3 A search of the online resource MAGIC found no additional sites with Statutory designations within the 2km radius search.

Table 4: Summary of Designated Sites within a 2km radius of the application site

Site Name	Grid Ref.	Status	Reason for Designation	Distance from site
Statutory Sites				
Cliffe Hill Quarry	SK 474 107	Site of Special Scientific Interest (SSSI)	Designated due to Geological reasons. Site contains diorite and volcanic and sedimentary rocks of the Precambrian Charnian.	0.5km North
Billa Barra Hill Nature Reserve	SK 4676 1120	Local Nature Reserve (LNR)	The lower slopes have been planted with a mix of locally sourced trees typical of this type of acidic soil. The planting has been done over a period of time to give a varied age structure. The top of the hill was quarried exposing rock surfaces in the quarry hole.	1km North

Non-statutory Sites				
Markfield, Elliott's Lane hedge	SK 47329 10009	Candidate Local Wildlife Site (LWS)	Species-rich hedge, with Oak (<i>Quercus sp.</i>) / Ash (<i>Fraxinus excelsior</i>) trees and deep ditch, along busy lane.	0.01km East
Markfield, Cliffe Hill Rd verge	SK 47214 10125	Candidate LWS	Narrow but species-rich verge on busy road, backed by dense scrub and quarry.	0.02km North
Old Cliffe Hill Quarry, lagoon south of void	SK 47206 10147	Candidate LWS	Former quarry lagoon with <i>Typha latifolia</i> and a <i>Potamogeton</i> .	0.04km North
Stanton Under Bardon, Ash-1	SK 46694 09867	Candidate LWS	Ash, 1200mm stem diameter.	0.4km West
Stanton Under Bardon, Ash-2	SK 46683 09856	Candidate LWS	Ash, 1200mm stem diameter.	0.43km West
Stanton under Bardon, Fir Tree House Oaks	SK 472 093	Potential LWS	Two large mature Oaks in hedgerow, described as 'near-veteran'. Dimensions unknown.	0.47km South
Stanton under Bardon, Ash tree by 295 Main St	SK 4659 1006	Candidate LWS	Large Ash tree (T21, with TPO) of diameter 1120mm.	0.48km West
Stanton under Bardon, Main St hedgerow	SK 465 099	Potential LWS	'Hedgerow' – no further citation provided.	0.49km West
Stanton under Bardon, Thornton Lane Ash	SK 4648 0962	Candidate LWS	Large hedgerow Ash, 1100mm diameter, Ivy covered.	0.68km Southwest
Markfield, grassland by Stoney Farm	SK 480 102	Candidate LWS	Site has 16 grassland indicator species.	0.7km East
New Cliffe Hill Quarry, lagoons to south	SK 460 103	Candidate LWS	Series of 9 large ponds/lagoons, with <i>Potamogeton</i> and <i>Typha latifolia</i> swamp, in rough species-rich grassland and scrub.	0.8km Northwest

Protected Species Assessment

- 5.1.4 Data supplied by LRERC also included records of protected species. Full datasets can be released upon request. A summary of the closest or most relevant records can be seen in Table 5. Data supplied by LRERC does not separate bat field sightings from recorded roosts.

Table 5: Summary of relevant protected and priority species records

Species	Grid Ref.	Date	Description
Birds			
Barn Owl (<i>Tyto alba</i>)	SK 467 105	14/09/2021	Total of eight records of the species from within the 2km search radius. The closest record was found at 0.7km N from site. (Field observation).
Fieldfare (<i>Turdus pilaris</i>)	SK 467 105	31/10/2017	A total of 13 records of the species from within the 2km search radius. The closest record was found at 0.7km NW from site. (Field observation 60 individuals).
Redwing (<i>Turdus iliacus</i>)	SK 471 096	19/02/2021	A total of 22 records of the species recorded within the 2km search radius. The closest record was found at 0.3km SW from site. (Field observation).
Mammals			
Badger (<i>Meles meles</i>)	CONFIDENTIAL	CONFIDENTIAL	A total of 33 records of the species made from within the 2km search radius. No records made from within or immediately adjacent to the site. The closest record has been recorded recorded approximately 0.2km from the site.
Otter (<i>Lutra lutra</i>)	SK 47917 11185	28/09/2017	Two records of the species recorded from within the 2km search radius. The closest record was found at 1.3km NE of site. (Road kill).
Water Vole (<i>Arvicola amphibius</i>)	SK 466 080	11/02/2025	Single record of the species recorded from within the 2km search radius. The closest record was found 2km S of site. (Seen running across bridge, Thornton reservoir).

Bats			
Brandt's Bat (<i>Myotis brandtii</i>)	SK 473 101	23/07/2020 to 29/07/2020	Single record of the species recorded from within the 2km search radius. The closest record was found at 0.2km NE of site. (Sonogram/StaticBD).
Brown Long-eared Bat (<i>Plecotus auritus</i>)	SK 472 093	23/06/2017	41 records of the species recorded from within the 2km search radius. The closest record was found at 0.6km N from site. (Bat detector).
Common Pipistrelle (<i>Pipistrellus pipistrellus</i>)	SK 47073 10191	07/07/2023	65 records of the species recorded from within the 2km search radius. The closest record was found at 0.2km N from site. (Transect).
Daubenton's Bat (<i>Myotis daubentonii</i>)	SK 478 101	04/08/2019 to 09/08/2019	9 records of the species recorded from within the 2km search radius. The closest record was found at 0.6km E of site. (Sonogram/StaticBD).
Leisler's Bat (<i>Nyctalus leisleri</i>)	SK 473 101	25/08/2020 to 31/08/2020	19 records of the species recorded from within the 2km search radius. The closest record was found at 0.2km NE from site. (Sonogram/StaticBD).
Nathusius's Pipistrelle (<i>Pipistrellus nathusii</i>)	SK 475 101	23/07/2020 to 29/07/2020	8 records of the species recorded from within the 2km search radius. The closest record was found at 0.3km E from site. (Sonogram/StaticBD).
Natterer's Bat (<i>Myotis nattereri</i>)	SK 473 101	23/07/2020 to 29/07/2020	2 records of the species recorded from within the 2km search radius. The closest record was found at 0.2km NE from site. (Sonogram/StaticBD).
Noctule (<i>Nyctalus noctule</i>)	SK 475 101	23/07/2020 to 29/07/2020	41 records of the species recorded from within the 2km search radius. The closest record was found at 0.3km E from site. (Sonogram/StaticBD).
Serotine (<i>Eptesicus serotinus</i>)	SK 475 101	01/09/2020 to 15/09/2020	5 records of the species recorded from within the 2km search radius. The closest record was found at 0.3km E from site. (Sonogram/StaticBD).
Soprano Pipistrelle (<i>Pipistrellus pygmaeus</i>)	SK 475 101	01/09/2020 to 15/09/2020	49 records of the species recorded from within the 2km search radius. The closest record was found at 0.37km E from site. (Sonogram/StaticBD).

Whiskered Bat (<i>Myotis mystacinus</i>)	SK 473 101	23/07/2020 to 29/07/2020	3 records of the species recorded from within the 2km search radius. The closest record was found at 0.21km NE from site. (Sonogram/StaticBD).
Herpetofauna			
Common Lizard (<i>Zootoca vivipara</i>)	SK 485 108	29/08/2024	6 records of the species recorded from within the 2km search radius. The closest record was found at 1.59km NE from site.
Common Toad (<i>Bufo bufo</i>)	SK 462 101	April 2019 to June 2019	12 records of the species recorded from within the 2km search radius. The closest record was found at 0.96km W from site.
Grass Snake (<i>Natrix Helvetica</i>)	SK 470 099	06/07/2019	Single record of the species recorded from within the 2km search radius. The closest record was found at 0.16km NW from site. (unhatched and hatched eggs)
Great Crested Newt (<i>Triturus cristatus</i>)	SK 46424 10519	19/06/2019	21 records of the species recorded from within the 2km search radius. The closest record was found at 0.94km NW from site. (eggs/spawn sampling method)
Smooth Newt (<i>Lissotriton vulgaris</i>)	SK 461 103	April 2019 to June 2019	13 records of the species recorded from within the 2km search radius. The closest record was found at 1.1km NW from site. (two ponds)

5.1.5 Magic Maps revealed a single granted European Protected Species (EPS) licence within 2km of the site:

- For the destruction of a known breeding common pipistrelle roost, which expired in 2024, located approximately 0.5km south from the site (licence reference 2019-42919-EPS-MIT).

Priority Habitats

5.1.6 Data supplied by MAGIC includes a UKBAP priority habitat inventory. MAGIC returned no priority habitat on or adjacent to the application site. However, the site itself has been recorded as being deciduous woodland, which extends offsite, within the online resource MAGIC.

5.2 Habitats

- 5.2.1 The habitat types recorded on site are summarised below, and the frequency and distribution of habitat types is displayed within a UKHab Survey Map (Appendix 1 and 2).
- 5.2.2 Table 6 provides a list of habitat types present on site along with their inclusion (or otherwise) as a National and / or Local Habitat of Principal Importance (HPI) (Previously referred to as Biodiversity Action Plan (BAP)) (It should be noted that additional information is included within the text where a classification under UKHab survey methodology does not mirror habitat types considered to be conservation priorities).

Table 6: UKHab Habitat Types found on site and inclusion within UK BAP/HPI habitats

Habitat Type	N HPI	L HPI	N/A
Other woodland; Mixed (w1h - 29)			✓
Modified Grassland (g4 - 10)			✓
Hedgerows (h2a5 and h2a6)	✓		

Other woodland; Mixed (w1h – 29)

- 5.2.3 The application site consists of a recently re-stocked plantation woodland (W1) comprised of a range of evergreen and deciduous species (Figure 2). This area has been classified as such in line with the UKHab definition that states that re-planted clear-felled forestry plantations should be classified as woodland. While at face value this area does not represent a typical woodland, it is considered that it does meet the UKHab definition due to having been re-planted (secured under a Forestry Commission felling licence (Application ref: 017/3578/2023)).
- 5.2.4 It should be noted that all trees are young whips having appeared to have been planted very recently (post-2023). The vast majority of the trees recorded were in poor condition, with some having failed entirely. All trees were still protected with rabbit guards. As a result, identification of these whips was not always possible. All planted whips were the same age. Tree species recorded include cypress (*Cupressus sp.*), pine (*Pinus sp.*), and broadleaved species including oak (*Quercus sp.*), and cherry (*Prunus sp.*). A total of six scattered semi-mature trees were also present within the site. These consist of five small pedunculate oak (*Quercus robur*), and a single field maple (*Acer campestre*). Due to the difficulty identifying tree species, this habitat has not been separated into abundance (DAFOR scale).

- 5.2.5 The ground layer present is a modified grassland field, described in more detail within Section 5.2.7.
- 5.2.6 The secondary code '29 – Plantation' has been applied to this habitat parcel due to the site being under Forestry Commission licence (Application ref: 017/3578/2023) and having been recently re-stocked.



Figure 2: Newly re-stocked woodland within the site

Modified Grassland (g4 - 10)

- 5.2.7 A thin strip (approximately 5m) of species-poor modified grassland surrounds the woodland within the site (Figure 3). The grassland is present as a uniform, relatively short sward (<30cm) with some areas of bare ground present. Grass species recorded include abundant creeping bent (*Agrostis stolonifera*), frequent annual meadow grass (*Poa annua*), cocksfoot (*Dactylis glomerata*), perennial ryegrass (*Lolium perenne*), and occasional false oat grass (*Arrhenatherum elatius*). Herbaceous species recorded within this area include rare occurrences of common ragwort (*Jacobaea vulgaris*), common nettle (*Urtica dioica*), ribwort

plantain (*Plantago lanceolata*), prickly sow-thistle (*Sonchus asper*), meadow cranesbill (*Geranium pratense*), curled dock (*Rumex crispus*), and rosebay willowherb (*Chamaenerion angustifolium*). The grassland is considered to be species-poor, containing fewer than six species per m².

- 5.2.8 The secondary code '10 – Scattered Scrub' has been applied to this habitat parcel due to the presence of a small area of bramble (*Rubus fruticosus agg.*), and hawthorn (*Crataegus monogyna*) being present along the access road at the southeastern extent of the site.



Figure 3: Modified grassland margin surrounding W1

Hedgerows (h2a5 and h2a6)

- 5.2.9 Two hedgerows are located at the peripheries of the site. Hedgerow H1 is located along the eastern boundary of the site and is species-rich (containing >5 woody native species per any 30m of length). This hedgerow is managed at its southern extent and becomes less managed towards its northern extent. The hedgerow is relatively densely packed, with few gaps at its base or its canopy. Hedgerow H2 is less managed and not as densely packed as H1. Hedgerow H2 is

separated from adjacent woodland by wooden post and rail fence. The ground flora recorded at both hedgerows is consistent with the adjacent grassland described within Section 5.2.7. More information is provided within Table 7 below.

Table 7: Description of hedgerows on site

Hedge Number	Type	Dimensions (Approx.) H x W x L	Description	Likely to Qualify *
H1	Species-rich Native Hedgerow with trees (h2a5)	4m x 2m x 140m	Partially managed native hedgerow dominated by blackthorn (<i>Prunus spinosa</i>), with occasional dogrose (<i>Rosa canina</i>), elder (<i>Sambucus nigra</i>), hazel (<i>Corylus avellana</i>), field maple, and pedunculate oak.	Yes
H2	Other Native Hedgerow with trees (h2a6)	5m x 2m x 130m	Unmanaged hedgerow separately from adjacent offsite woodland by a barbed wire fence. Dominated by hawthorn, with pedunculate oak, dogrose and blackthorn.	No

*Likely to qualify as important under Hedgerow Regulations (1997)



Figure 4: Hedgerow H1 located along the eastern boundary



Figure 5: Hedgerow H2 located along the northern boundary

Invasive Weeds Assessment

- 5.2.10 An assessment of the site was made to establish the presence of invasive weeds included on schedule 9 of the Wildlife and Countryside Act 1981 (as amended).
- 5.2.11 No Schedule 9 invasive species, or any pernicious weeds, were recorded within the site.

5.3 Fauna

Breeding Birds

- 5.3.1 The assessment was undertaken outside of the breeding bird season. Six species of bird were recorded on site during the survey including goldfinch (*Carduelis carduelis*), carrion crow (*Corvus corone*), wood pigeon (*Columba palumbus*), robin (*Erithacus rubecula*), great tit (*Parus major*), and blue tit (*Cyanistes caeruleus*).
- 5.3.2 While the woodland within the site has not become mature enough to support nesting birds, the grassland surrounding the woodland, and at the woodland's ground layer, in addition to the boundary hedgerows and scattered mature trees are suitable to support breeding and foraging birds such as those recorded during the initial survey including blue tit and great tit.
- 5.3.3 Based on a review of the habitat types on site and the list of bird species recorded within the data search, the site is considered to support an assemblage of bird species including some species considered to be of high conservation concern that are either legally protected or UK BAP species, such as wren (*Troglodytes troglodytes*), house sparrow (*Passer domesticus*), and dunnoek (*Prunella modularis*).

Bats

- 5.3.4 The data search returned 242 records of bat foraging and commuting activity, with the closest record located approximately 200m north of the site, along the Cliffe Hill Road, pertaining to common pipistrelle. The data search undertaken by LRERC does not specifically include records of bat roosts.

Roosting Bats

- 5.3.5 The woodland which comprises the site is not mature enough to support roosting bats. While several older trees are scattered throughout the site, these are only semi-mature, and do not

support features such as cracks, crevices or fissures which would potentially support bat species. Further, no buildings are located within the site. Therefore, all trees within the site have been assessed to have 'Negligible' suitability to support roosting bats, and the site as a whole is considered unsuitable to support bat roosts.

Foraging and Commuting Bats

- 5.3.6 The lack of diversity of the vertical structure across the site limits the site's potential to support foraging and commuting bats. However, the hedgerows at the eastern (H1) and northern (H2) boundaries, which connect to woodland and hedgerow networks offsite, do have the potential to support foraging and commuting bats. Given the limited features within the site to support bats, the site is considered to have 'Low' suitability to support foraging and commuting bats.

Badgers (*Meles meles*)

- 5.3.7 The data search contained a total of 33 records of badger from within the 2km search radius. No evidence of badger setts, or activity such as mammal runs, snuffle holes or latrines were found during the ecological appraisal of the site. However, the site supported habitat features such as hedgerow bases which were considered conducive to supporting badger populations. The extent of the site, and the location within an agricultural dominated landscape with woodland parcels located immediately north of the site, suggest that this transient species could forage or commute within the surrounding environment, but are not likely dependant on habitats within the redline boundary.

Great Crested Newts (*Triturus cristatus*)

- 5.3.8 The data search returned 21 records within 2km of the site, with the nearest record located approximately 0.9km northwest of the site.
- 5.3.9 The site supports newly planted mixed woodland, with a well-established modified grassland ground layer, in addition to modified grassland margins, and hedgerows at the northern and eastern boundaries. These habitats are considered to be suitable for GCN during their terrestrial phase. Eleven waterbodies are located within 500m of the site, the closest of which (P1) was located approximately 0.05km north of the site, separated from the site by Cliffe Hill Road. P2 is located approximately 0.1km west of the site and was assessed and assigned a GCN Habitat Suitability Index (HSI) score (Oldham et al, 2000), displayed within Table 8 below.



Figure 6: Satellite map showing pond locations within a 500m radius of the site. Grid references and further detail on their suitability for GCN are evaluated in Table 8.

Table 8: Pond Locations and Suitability for Great Crested Newts

Pond Number	Grid Ref.	HSI Score	Distance from site
P1	SK 47207 10152	Not assessed as separated from the site by busy kerbed road.	50m North
P2	SK 46994 09826	0.48 – ‘Poor’	150m West
P3	SK 46966 10181	Not assessed due to being located within private land.	190m Northwest
P4	SK 46931 10133	Not assessed due to being located within private land.	200m Northwest
P5	SK 46943 10107	Not assessed due to being located within private land.	170m Northwest
P6	SK 46858 10264	Not assessed due to being located within private land.	300m Northwest

Pond Number	Grid Ref.	HSI Score	Distance from site
P7	SK 46809 10401	Not assessed due to being located within private land.	420m Northwest
P8	SK 46811 10046	Not assessed due to being located within private land.	280m West
P9	SK 46826 10063	Not assessed due to being located within private land.	270m West
P10	SK 47513 09614	Not assessed due to being located within private land.	360m South
P11	SK 47471 09670	Not assessed due to being located within private land.	300m South

Table 9: Images and Pond Descriptions

Image	Pond description
Pond P2	
	Large pond (4000m²) located approximately 100m west of the site. Bordered by modified grassland and pasture surrounding. Very little emergent vegetation present.

Reptiles

- 5.3.10 The data search returned seven records of reptiles within 2km of the site, with the nearest pertaining to a grass snake (*Natrix helvetica*) positioned approximately 150m to the west.
- 5.3.11 The site supported a suitable habitat matrix to support reptiles such as grass snake, common lizard (*Viviparous lizard*) and slow worm (*Anguis fragilis*). The extensive modified grassland on site provided opportunities for foraging, albeit the grassland is not optimal. The hedgerows and scattered trees on site offered dappled shade and suitable reptile refugia such as deadwood suitable for hibernation.

Mammal Species of Principal Importance

5.3.12 The NERC Act 2006, Section 41 highlights 17 species of principal importance within England.

Western European Hedgehog (*Erinaceus europaeus*)

5.3.13 The habitats on site were considered conducive to supporting Western European hedgehog. Habitats including the hedgerows, grassland, and scattered scrub provide suitable foraging, refuge and commuting habitats for this species, and may also be suitable for hibernating hedgehogs.

Brown Hare (*Lepus europaeus*)

5.3.14 No evidence of this species was recorded on site during the preliminary assessment. However, the modified grassland habitat on site was considered suitable for foraging brown hare.

6 Evaluation

6.1 Development Proposals

- 6.1.1 The site is the subject of an outline planning application for partial site clearance to facilitate the development of up to 10,500sqm of employment floorspace, including access, parking, and soft landscaping provisions. Indicative design plans are provided within Appendix 6 of this report.

6.2 Desk Study Impacts

- 6.2.1 Direct impacts on nearby designated sites as a result of the proposed development are considered unlikely. The site supports habitats of low value, namely recently re-planted mixed woodland, and poor-quality modified grassland, with hedgerows which are of higher value at the peripheries of the site. Two Statutory Designated sites are located within 2km of the site. These are Cliffe Hill Quarry SSSI, and Billa Barra Hill Nature Reserve LNR. Cliffe Hill Quarry SSSI is designated for geological reasons while Billa Barra Hill Nature Reserve is recorded as having a variety of trees within an acidic habitat. Habitats and features within the site do not mirror these sites, and they are not considered to be functionally linked.
- 6.2.2 The initial proposals set out for the site (Appendix 6) show that the extent of the development proposals are contained within the site boundary, as such, impacts on locally designated sites are considered unlikely.
- 6.2.3 The site lies within an Impact Risk Zone (IRZ) for Cliffe Hill Quarry SSSI and does meet the criteria for Natural England to be consulted due to the proposals being for a large non-residential development which is outside of an existing settlement.

6.3 Habitats

- 6.3.1 The habitats on site have been evaluated as having 'District' value in relation to the immediate surroundings and a 'Local' context.
- 6.3.2 The site is dominated by a recently re-planted mixed woodland, which has an established modified grassland ground layer. In addition, there is a modified grassland margin surrounding this re-planted area. Of elevated value within the context of the site are two native hedgerows which are listed as Habitats of Principal Importance (HPI) on a National level.

- 6.3.3 It is understood that the majority of the habitats within the site will be lost to facilitate the proposals. This will see the loss of a significant amount of the recently planted mixed woodland, and the surrounding modified grassland margin. It is anticipated that the two hedgerows which bound the site (H1 and H2) will be retained under the proposals. In order to protect the retained hedgerows and the adjacent offsite woodland parcels, a Construction Environmental Management Plan (CEMP) should be produced, as detailed within Chapter 7.
- 6.3.4 In England, Biodiversity Net Gain (BNG) is mandatory from February 2024 under Schedule 7A of the Town and Country Planning Act 1990, as inserted by Schedule 14 of the Environment Act. Therefore, the site must undergo a Biodiversity Net Gain assessment, further details of which are provided in Chapter 7.
- 6.3.5 It must be noted, that within the terms and conditions of the granted felling license (Application ref: 017/3578/2023) it states:

"If, after felling trees authorised to be cut down in this Licence, you seek planning permission for any form of development on the felled area, you should be aware that the granting of planning permission will not override the conditions of this Licence or any subsequent Enforcement Notice issued under section 24 of the Forestry Act 1967.

Failure to comply with the conditions of this Licence may result in an Enforcement Notice being served upon you or any successive owner of the land. Subsequently, failure to comply with an Enforcement Notice may constitute an offence under section 24(4) of the Forestry Act 1967, involving a summary conviction and an unlimited fine".

6.4 Breeding Birds

- 6.4.1 All wild birds, their eggs and nests 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 whilst nesting, or take, damage or destroy the nest of any such bird while in use or being built. In addition, species listed on Schedule 1 of the Wildlife and Countryside Act 1981 or their dependant young are afforded additional protection from disturbance whilst they are at their nests.
- 6.4.2 The vegetation on site was considered to provide suitable nesting and foraging habitat for common bird species. The habitats on site are of low value and locally frequent, as such the

impact of the loss of these habitats is anticipated to be short term and can be offset through post-construction landscaping. However, in the absence of mitigation direct or indirect impacts on individual birds, their young, eggs and habitats could occur during site clearance. Chapter 7 provides recommendations relating to the need for precautionary working methods to safeguard this species group during vegetation clearance.

6.5 Bats

- 6.5.1 All bats in the United Kingdom and their habitats are fully protected under the Wildlife and Countryside Act 1981 (as amended), and the Conservation of Habitats and Species Regulations 2017 (as amended). It is an offence to damage or destroy any bat roost, intentionally or recklessly obstruct a bat roost, deliberately, intentionally or recklessly disturb a bat or intentionally kill, injure or take any bat.

Foraging and Commuting Bats

- 6.5.2 The linear features provided by boundary hedgerows which are in close proximity to mature woodland could act as important commuting lines for bat species and are considered to 'Low' suitability. However, it is understood that these features will be retained as part of the development proposals, and as a result, will continue to function as a commuting and foraging corridor for this species group. While the grassland is considered to be sub-optimal for foraging and commuting bats, the loss of this habitat may have a potential minor negative impact on local bats.
- 6.5.3 Given the small scale loss of suitable habitat, and that the features of highest value are to be retained, it is considered that a full suite of bat activity surveys are disproportionate to the scheme. Chapter 7 sets out important guidance on measures to avoid impacts on this species group and measures to support its conservation status during and post construction.

6.6 Badgers

- 6.6.1 Under the Protection of Badgers Act 1992, in England and Wales it is an offence to wilfully kill, injure, disturb or take any badger, or intentionally or recklessly damage, destroy, or obstruct access to any part of a badger sett.

- 6.6.2 There was no evidence of badger activity within zone of influence, however the rural location of the site and data records suggest that badgers may be present in the wider environment and could forage and commute through application site on an intermittent basis.
- 6.6.3 Chapter 7 sets out important guidance on measures to avoid impacts on this species and measures to support its conservation status.

6.7 Great Crested Newts

- 6.7.1 Great crested newts and their eggs, breeding sites and resting places are fully protected under the Wildlife and Countryside Act 1981 (as amended), and the Conservation of Habitats and Species Regulations 2017 (as amended).
- 6.7.2 Ponds within the zone of influence have the potential to provide suitable breeding habitat for local GCN populations. No records of the species have been made from within the zone of influence of the site; however, the data search does highlight that GCN populations are present within the wider landscape with connectivity between known breeding sites and ponds within the zone of influence. While no ponds are located within the site itself, the site contains habitat, namely grassland and hedgerow bases, which may provide GCN with suitable habitat during their terrestrial phase.
- 6.7.3 Chapter 7 sets out the need for further survey work to determine the presence / absence of GCN from within ponds within the zone of influence of the site and, if present, inform mitigation/compensation to avoid impacts on this group and support their conservation status.

6.8 Reptiles

- 6.8.1 Reptiles are protected under the Wildlife and Countryside Act 1981 (as amended) making it illegal to intentionally kill or injure reptiles.
- 6.8.2 No evidence of reptiles was recorded during the survey. Suitable habitat for reptiles is limited to the boundary scrub and native hedgerow features which are to be retained under the proposed development. The modified grassland ground layer of the woodland that comprises the majority of the site, due to its uniform nature, is suboptimal for supporting resident reptile populations. Any impact on reptile as a result of the proposed development will therefore likely be limited to occurrences of individual reptile utilising the site incidentally during the construction phase.

- 6.8.3 Chapter 7 provides important guidance on measures to avoid impacts to this species and measures to support its conservation status.

6.9 Mammal Species of Principal Importance

- 6.9.1 The NERC Act 2006, Section 41 highlights 17 species of principal importance within England. This includes several species of bat, however these have been addressed in section 6.5.

Western European Hedgehog

- 6.9.2 The habitats on site were considered conducive to supporting Western European hedgehog. Habitats including the hedgerows, grassland, and scattered scrub provide suitable foraging, refuge and commuting habitats for this species. Chapter 7 provides recommendations aimed at safeguarding this species during construction, and measures to facilitate their use of the site post-development.

Brown Hare

- 6.9.3 The habitats on site were considered conducive to brown hare including hedgerows, scattered scrub and grassland provide suitable foraging, refuge and commuting habitats for this species. Chapter 7 provides recommendations aimed at safeguarding this species during construction, and measures to facilitate their use of the site post-development.

7 Recommendations

- 7.1.1 The site should be the subject of further ecological survey works and/or consideration to produce an Ecological Impact Assessment, where the following indices will be assessed and evaluated further to establish the extent of impact to the ecological receptors recorded within the zone of influence of the site.
- 7.1.2 This survey can be used to guide the Master Plan layout to ensure that mitigation is employed to retain and enhance local biodiversity where possible. Efforts should be made to support National and Local Biodiversity Action Plans, achieve a 10% Biodiversity Net Gain Post development and seek opportunities to incorporate ecological enhancements within the proposed development as detailed within the National Planning Policy Framework (2023), which seeks biodiversity enhancements through the planning process, and the Environment Act 2021.

7.2 Habitats

Habitats	Timing
Recommendations	
The site should be subjected to a Biodiversity impact Assessment to ascertain habitat value and number of post development units to achieve a minimum 10% net gain.	During design stage
A Construction Environmental Management Plan (CEMP) should be produced in order to safeguard the adjacent deciduous woodland running to the north of the application site.	Secured as a condition of planning
Habitats of elevated value, namely the boundary hedgerows (H1 and H2) should be retained in their entirety, and protected under a CEMP.	At design phase
Enhancement Prescriptions	
Soft landscaping proposals should seek to include areas of open space to be enhanced with native planting for the benefit of biodiversity, guided by a biodiversity impact assessment to achieve a minimum 10% net gain.	During design stage

7.3 Breeding Birds

Breeding Birds	Timing
Recommendations	
Trees, grassland, and hedgerows on site provide suitable habitat for breeding birds. Given their protection, development must be sympathetic to the value of this habitat and potential impacts on breeding birds, their eggs, nests and young. The breeding bird season is generally accepted as being between March and September inclusive. Consideration and implementation must be given to the following options most appropriate to the scheme. a) Undertake vegetation clearance between the months of October and February where possible. b) Clearance between the months of March and September should be subjected to a search for active birds' nests 24 hours prior to commencement of works.	Works outside of the breeding season (Oct-Feb) If unachievable, follow steps in recommendation.
Enhancement Prescriptions	
Soft landscaping proposals should seek to include areas of open space to be enhanced with native planting for the benefit of biodiversity, guided by a biodiversity impact assessment. 2x Schwegler No.24 Brick Boxes (or similar approved) should be incorporated into the design of the new buildings in order to provide increased nesting opportunities for a range of birds.	During design stage

7.4 Foraging and Commuting Bats

Foraging and Commuting Bats	Timing
Recommendations	
The extent of disturbance to foraging and commuting bats within the area should be reduced where possible by employing a sensitive lighting scheme during construction works, and artificial security lighting should not be installed post construction in a way which directs lighting towards the hedge boundaries and mature trees. If lighting is required, a scheme should be devised and positioned to have minimal disturbance following the guidance of an ecologist. Any lighting used during the development should be directed away from the offsite adjacent woodland with overspill less than 1lux (ideally 0) onto suitable habitats.	During and post development
Enhancement Prescriptions	
Soft landscaping proposals should seek to incorporate native tree and shrub species wherever possible, which are beneficial to native invertebrate species, the primary component of UK bat species' diets. Planting should consider species that attract night-flying insects such as night-scented stock (<i>Matthiola longipetala</i>) and evening primrose (<i>Oenothera biennis</i>).	During design stage

7.5 Badgers

Badgers	Timing
Recommendations	
Appropriate precautions should be employed before and during construction works to prevent harm to this protected species. a) A Pre-works check of the site should be undertaken within three months prior to the onset of construction related activities. b) Any exposed excavations to be left overnight are to be covered at the end of each working day or include a means of escape for any fallen animals (e.g. a scaffolding plank). Any temporarily exposed open pipes are to be capped to prevent badgers gaining access. c) Should badgers or any evidence of badgers be encountered during the construction phase, all works should cease, and the advice of a suitably qualified ecologist should be sought	Pre and during development
Enhancement Prescriptions	
Incorporating a range of native shrub and tree species into the soft landscaping plan should increase the foraging resources available for badger within the site.	During design stage

7.6 Great Crested Newts

Great Crested Newts	Timing
Recommendations	
Ponds within 500m of the application site with connectivity should be subject to a Habitat Suitability Index (HSI) assessment. If the ponds are considered suitable to support GCN and access is granted, they should be subjected to a full GCN presence / absence survey at the appropriate time of the year.	Four visits (per pond) in suitable weather conditions. Should GCN be identified then this should be increased to 6 visits for population size class assessment. Timing: mid-March to mid-June, with at least two of these visits during mid-April to mid-May
Enhancement Prescriptions	
Design proposals may require amendment following the results of further survey work. Enhancements can be better advised and directed once the extent of local GCN populations has been established.	During design stage

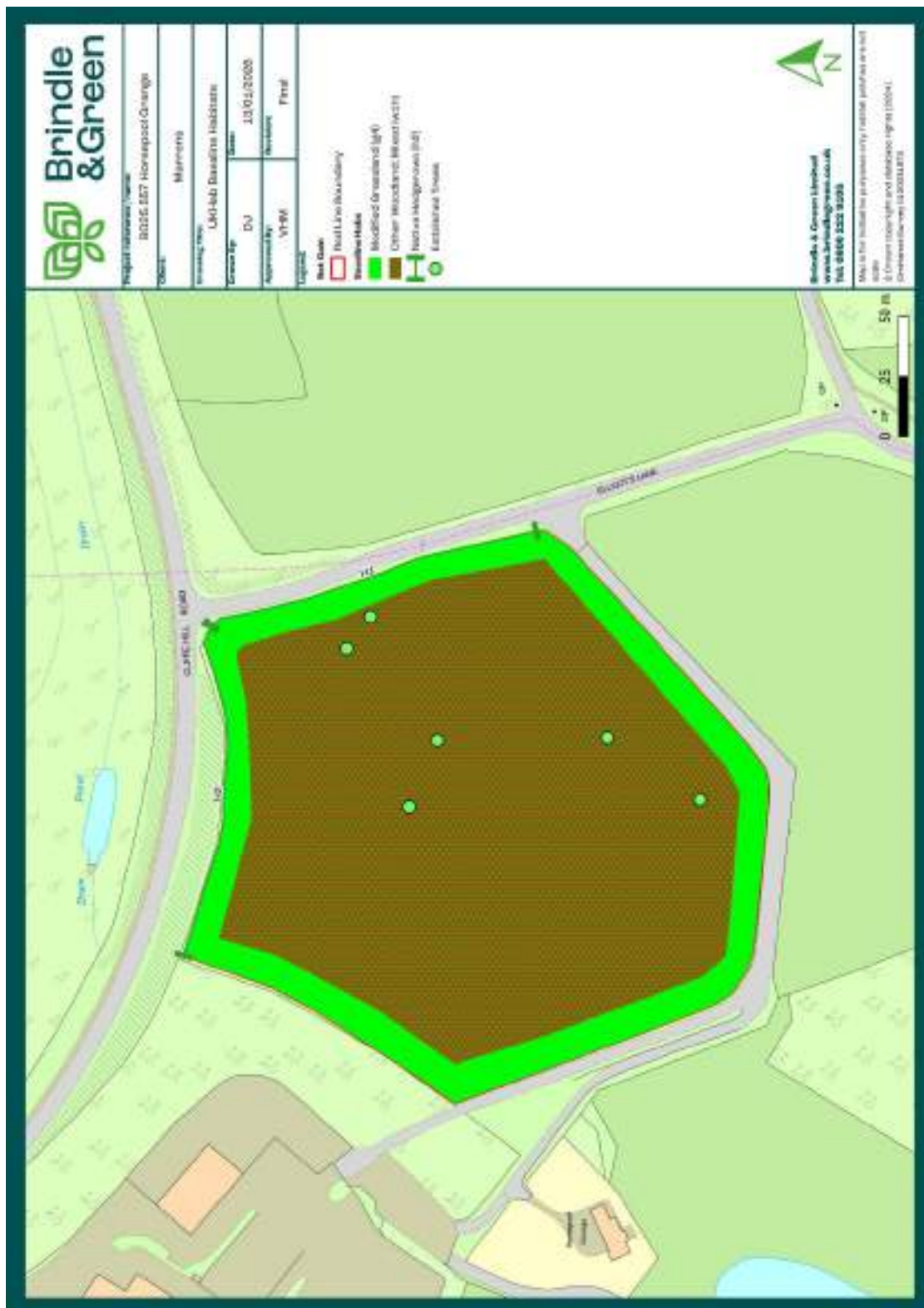
7.7 Reptiles

Reptiles	Timing
Recommendations	
The following reasonable avoidance measures should be followed during the construction phase to prevent reptiles colonising any potential habitat incidentally created by spoil, open trenches or arisings. – Any tall grass/ruderal vegetation to be directionally strimmed in a two phase process during the active season (March – October) to allow for any potential herptiles to disperse, the first cut to reduce the height to 30cm, then the second cut to 10-15cm. – All materials to be stored off the ground (for example on pallets) to minimise the likelihood of herptiles accessing them for refugia. – All spoil/waste materials to be removed from site at the end of each working day (or stored in a skip). If any evidence of reptiles is uncovered during development works, then works should cease and the advice of an ecologist sought.	During active reptile season between March – September in conditions where reptiles are most active.
Enhancement Prescriptions	
Use of native shrubs in soft landscaping proposals will provide benefits on site for native fauna post-development.	During design stage

7.8 Mammal Species of Principal Importance

Mammal Species of Principal Importance	Timing
Recommendations	
Hedgehogs and brown hare may use the site for foraging or commuting purposes. The recommended reasonable avoidance measures should be followed: - Any temporarily exposed open pipes are to be capped to prevent hedgehogs or brown hare gaining access. - Undertake works during daylight hours. - The vegetation should be checked prior to removal. - Search areas of deadwood, brash, and discarded items by hand before removing. - If burning any cleared vegetation, carry out immediately after piling to prevent hedgehogs moving in prior to burning. - Any exposed excavations to be left overnight are to be covered at the end of each working day, or include a means of escape for any fallen animals (e.g., a scaffolding plank).	During clearance and development

Appendix 1 – UK Habitat Classification Plan



Appendix 2 - UKHab and Species List

Table 10: Plant Species List with DAFOR Scale

Scientific nomenclature follows Stace (2010) for vascular plant species and common names follow BSBI List of British & Irish Vascular Plants and Stoneworts.

Please note that this plant species list was generated as part of a UKHab survey and does not constitute a full botanical survey.

Abundance was estimated using the DAFOR scale as follows:

D = dominant, A = abundant, F = frequent, O = occasional, R = rare, LF = locally frequent

Common Name	Scientific Name	Estimated Abundance (DAFOR)
Annual meadow grass	<i>Poa annua</i>	F
Blackthorn	<i>Prunus spinosa</i>	R
Bramble	<i>Rubus fruticosus</i>	R
Cherry	<i>Prunus sp</i>	-
Cocksfoot	<i>Dactylis glomerata</i>	F
Common nettle	<i>Urtica dioica</i>	R
Common ragwort	<i>Jacobaea vulgaris</i>	R
Creeping bent	<i>Agrostis stolonifera</i>	A
Curled dock	<i>Rumex crispus</i>	R
Cypress	<i>Cupressus sp</i>	-
Dogrose	<i>Rosa canina</i>	R
Elder	<i>Sambucus nigra</i>	R
False oat grass	<i>Arrhenatherum elatius</i>	O
Field maple	<i>Acer campestre</i>	-
Hawthorn	<i>Crataegus monogyna</i>	R
Hazel	<i>Corylus avellana</i>	R
Meadow cranesbill	<i>Geranium pratense</i>	R
Oak	<i>Quercus sp</i>	-
Pedunculate oak	<i>Quercus robur</i>	-
Perennial ryegrass	<i>Lolium perenne</i>	F
Pine	<i>Pinus sp</i>	-
Prickly sow-thistle	<i>Sonchus asper</i>	R
Ribwort plantain	<i>Plantago lanceolata</i>	R
Rosebay willowherb	<i>Chamaenerion angustifolium</i>	R
Creeping bent	<i>Agrostis stolonifera</i>	A

Appendix 3 – General References

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Appendix 4 – Legislation, Policy and Guidance

Articles of British wildlife and countryside legislation, policy guidance and both Local and National Biodiversity Action Plans (BAPs) are referred to. The articles of legislation are:

- The Wildlife and Countryside Act 1981 (as amended)
- The Conservation of Habitats and Species Regulations 2017 (as amended)
- Department for Communities and Local Government. National Planning Policy Framework. (2024)
- EC Council Directive on the Conservation of Wild Birds 79/409/EEC
- The Protection of Badgers Act 1992
- The Natural Environment and Rural Communities Act 2006 (Including National and Local Biodiversity Action Plan (LBAP / HPI))
- Hedgerow Regulations 1997
- The Environment Act 2021
- Town and Country Planning Act 1990

Appendix 5 – Legislation, Guidance and Methodology

Breeding Birds

All nesting birds are protected under the Wildlife and Countryside Act 1981, 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. In addition, for species listed on Schedule 1 of the Wildlife and Countryside Act 1981 it is an offence to intentionally or recklessly cause disturbance at, on or near an 'active' nest.

The bird breeding season is typically accepted to start in February/March and continue through until September/October, however breeding birds can be found all year round depending on the given species and climatic conditions.

A site's habitat composition, locality, association to designated sites as well as current usage and management are all considered in the decision as to whether further bird related surveys are required. In addition, surveys may be recommended based on incidental bird records collected during a Preliminary Ecological Appraisal, species identified within an ecological data search or target species listed within a local biodiversity action plan.

Bird surveys are carried out in accordance with:

- Gilbert G, Gibbons DW, Evans J. (1998) Bird Monitoring Methods. RSPB.

Bats

Roosting Bats

All bats in the United Kingdom and their habitats are fully protected under the Wildlife and Countryside Act 1981 (as amended), and the Conservation of Habitats and Species Regulations 2017 (as amended). It is an offence to damage or destroy any bat roost, intentionally or recklessly obstruct a bat roost, deliberately, intentionally or recklessly disturb a bat or intentionally kill, injure or take any bat.

Areas of concern; can be encountered in many types of structure and care should therefore be taken when undertaking maintenance or demolition of suitable structures and trees.

Site assessments of buildings, commuting and foraging habitat and trees are undertaken in accordance with:

- Collins, J. (ed.) (2023) Bat Surveys for Professional Ecologists: Good Practice Guidelines, (4th edition). Bat Conservation Trust, London. ISBN-978-1-7395126-0-6 (Table 11, Table 12 and Table 13).

Preliminary Ecological Surveys look for evidence of bat presence such as feeding remains, bat droppings, roosting individuals and staining around potential access points. The suitability of site features are also assessed because absence of bat evidence, is not confirmation of a negative result.

Within trees, features searched for include; natural holes, woodpecker holes, cracks/splits in major limbs, loose bark, hollows, and dense cover of ivy over the tree. If evidence is found, or a building supports features conducive to supporting roosting bats then further presence / absence bat surveys and/or roost characterisation surveys will be recommended.

Foraging and Commuting bats

Habitat features on site are assessed for their suitability to support foraging and commuting bat populations. This assessment is independent from the suitability of the site to support roosting bats, and provides information on the likeliness of bat foraging activity within the local environment, and the dependence of individuals on these features for commuting to alternative roosting sites, foraging and migration.

Table 11: Guideline for assessing the suitability of a structure to support roosting habitat amended from Collins, J (2023)

Category	Description of Roosting Habitat	Number of additional presence / absence surveys required
None	No habitat features on site likely to be used by roosting bats at any time of year (complete absence of potential roosting features).	None
Negligible Suitability	Suitable cavities may exist, but these are less than ideal. Uncertainty remains as bats can use these features on occasion.	None

Category	Description of Roosting Habitat	Number of additional presence / absence surveys required
Low Suitability	A structure with one or more potential roost sites that could be used by individual bats opportunistically. The feature and surrounding habitat do not provide enough shelter, conditions* space for larger roost types such as a maternity or hibernation roost.	One survey between May and August
Moderate Suitability	A structure considered to have one or more potential roost sites that could be used by bats due to their size, shelter, protection, conditions* and surrounding habitat but are unlikely to support a roost of high conservation status (With regard to roost type only – assessments are made irrespective of species conservation status, which is established after presence is confirmed).	Two surveys between May and September (with at least one survey undertaken between May and August). Surveys should be spaced at least 3 weeks apart.
High Suitability	A structure with one or more potential roost sites that are obviously 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.	Three surveys between May and September (with at least two surveys undertaken between May and August). Surveys should be spaced at least 3 weeks apart.
Confirmed	This category is where positive evidence of bats has been recorded. For example, bats are found; bat droppings may be present at a suitable location for roosting bats; existing bat records may be associated with the structure.	

* In this context conditions refers to the level of disturbance, light, height above ground, temperature, and humidity etc

Table 12: Guideline for assessing the suitability of a tree to support roosting habitat amended from Collins, J (2023)

INITIAL STAGE (Site scoping/PEA/PRA)		
Category	Description	Survey effort to establish the presence/absence of bats
NONE	Either no PRFS in the tree or unlikely to be any	None
FAR	Further assessment required to establish if PRFs are present in the tree	Ground Level Tree Assessment (GLTA) to further assess suitability
PRF	A tree with at least one PRF present	Ground Level Tree Assessment (GLTA) to further assess suitability
DETAILED STAGE (PEA/PRA/GLTA)		

INITIAL STAGE (Site scoping/PEA/PRA)		
Category	Description	Survey effort to establish the presence/absence of bats
PRF - I	PRF only suitable for individual bats or small numbers of bats due to size or lack of suitable surrounding habitats	None – precautionary method of works for removal and provision of roosting compensation
PRF - M	PRF suitable for multiple bats and may therefore be used by a maternity colony	Three Climbing inspection surveys for features to be undertaken May to September with at least 2 May to August. Surveys should be 3 weeks apart. If climbing and inspection not possible, 3 dusk emergence surveys with NVAs (Night Vision Aids) to be undertaken May to to September with at least 2 May to August. Surveys should be 3 weeks apart. Should a maternity colony be confirmed less invasive methods, such as dusk emergence survey with NVAs should employed.
Known roost	Known roost present through local records, evidence, sightings, etc	Three Climbing inspection surveys for features to be undertaken May to September with at least 2 May to August. Surveys should be 3 weeks apart. If climbing and inspection not possible, 3 dusk emergence surveys with NVAs (Night Vision Aids) to be undertaken May to to September with at least 2 May to August. Surveys should be 3 weeks apart. Should a maternity colony be confirmed less invasive methods, such as dusk emergence survey with NVAs should employed.

Table 13: Potential suitability of foraging and commuting habitat within an application boundary. Features should be assessed following this guide and professional judgement. Adapted from Collins, J (2023)

Category	Description of commuting and foraging habitat	Survey effort to establish the value of commuting and foraging habitat**
Negligible Suitability	Negligible habitat features on site likely to be used by commuting or foraging bats.	None
Low Suitability	Habitat which could be used by low numbers of commuting bats such as an isolated gappy hedgerow, or an unvegetated stream unconnected to suitable habitat in the wider environment. Suitable, yet isolated habitat that could be used by foraging bats such as individual trees, or a patch of scrub.	Nighttime bat walk (NBW) survey: One survey visit per active season (Spring – April/May, Summer (June/July/August) – autumn – September/October). AND Static automated surveys: Data to be collected over a five-night period, per season. (Spring – April/May, Summer (June/July/August) – autumn – September/October).
Moderate Suitability	Continuous habitat connected to the wider landscape that could be used by commuting bats, notably tree lines, hedgerows or linked back gardens. Habitat that is connected to the wider landscape which could be used by bats for foraging such as trees, open water, scrub or grassland.	Nighttime bat walk (NBW) survey: One survey visit per active season (Spring – April/May, Summer (June/July/August) – autumn – September/October). AND Static automated surveys: Data to be collected over a five-night period, per month (April to October)
High Suitability	Continuous, High-quality habitat that is well connected to the wider landscape which is considered to be highly conducive to commuting bats including river valleys, stream, hedgerows, and woodland edge. 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. Site is close to and connected to known roosts.	Nighttime bat walk (NBW) survey: One survey visit per active season (Spring – April/May, Summer (June/July/August) – autumn – September/October). AND Static automated surveys: Data to be collected over a five-night period, per month (April to October)

** This is only a guide for survey effort required, the complexity of the site and the proposed disturbance / loss of features will determine the extent of works required on a site by site basis

Badgers (*Meles meles*)

Badgers are protected under the Protection of Badgers Act 1992. It is illegal to wilfully kill, injure, disturb or take any badger, or attempt to do so and it is an offence to intentionally or recklessly damage, destroy, or obstruct access to any part of a badger sett.

Site assessments are undertaken in accordance with:

- Harris S, Cresswell P and Jefferies D (1989). Surveying Badgers.

During the PEA, the site and the 30-metre zone of Influence considered for this species are searched for evidence of badger activity. The surveyor will identify evidence of activity, or habitat suitability for this protected species. Even if no evidence of badger activity is found, if local conditions suggest that the habitat may be suitable for badger, further surveys will be recommended.

Amphibians

The great crested newt and natterjack toad are fully protected under Schedule 5 of the Wildlife and Countryside Act 1981. The legislation protects these amphibians and their place of shelter or protection which may extend 500m from the breeding pond.

Great Crested Newt (*Triturus cristatus*)

The great crested newt, is fully protected under the Conservation of Habitat Regulations 2017 (as amended), making it an offence to intentionally or recklessly kill, injure, disturb or take great crested newts, intentionally or recklessly damage destroy or obstruct access to any place used by the animal for shelter or protection.

The legislation protects these amphibians and their place of shelter or protection which may extend 500m from the breeding pond. Sites should be considered suitable to support great crested newts if distribution and historical records suggest newts may be present, there is a pond within 500m of the development or the development site includes suitable terrestrial habitat refuges.

Great crested newt site assessments are undertaken in accordance with:

- English Nature. (2001) Great Crested Newt Mitigation Guidelines. English Nature, Peterborough. and
- Langton T, Beckett C and Foster J (2001) Great Crested Newt Conservation Handbook. Froglife, Halesworth.

Prior to a site visit, a desk study pond search is undertaken. When searching for ponds, Brindle & Green apply a total of 4 sources to establish their location. The following online sources are used:

- OS MAPPING VIA EMAPSITE
- GOOGLE EARTH PRO,

- GOOGLE MAPS and
- MAGIC MAPS

Each identified pond (Access permitting) is subjected to a Habitat Suitability Index (HSI) assessment providing a score for each pond. This survey should be undertaken during the summer period to be fully accurate, however assumptions can be made out of season to guide survey recommendations.

Reptiles

Two species of reptile, the sand lizard and smooth snake, and their habitats are fully protected under Schedule 5 of the Wildlife and Countryside Act 1981. All other native British reptiles are protected against intentional killing and injury.

British reptiles are found in exposed, undisturbed areas, such as areas without cultivation with differing areas of grassland sward length. Suitable areas include abandoned sand quarries, fallow farmland land, heathland, post-industrial land, railway corridors etc. If these types of suitable features are found then further reptile surveys are recommended.

- Edgar P, Foster J and Baker J (2010) Reptile Habitat Management Handbook. Amphibian and Reptile Conservation, Bournemouth.
- Gent T and Gibson S (2003) Herpetofauna Workers Manual. JNCC, Peterborough.

Ecological Enhancement

In December 2024 the Department for Communities and Local Government published the National Planning Policy Framework. This sets out planning policies on protection of biodiversity through the planning system. The document states - opportunities to incorporate biodiversity in and around developments should be encouraged.

For new buildings guidance such as in the following will be used:

- Williams, C. (2010) Biodiversity for Low and Zero Carbon Buildings, A Technical Guide for New Build. Riba Publishing.

Designated Sites

Designated areas are Sites of Special Scientific Interest (SSSI) while others have been designated as having European protection status. Local authorities can also designate areas for nature conservation and in doing so may impose local authority byelaws to support local nature conservation objectives.

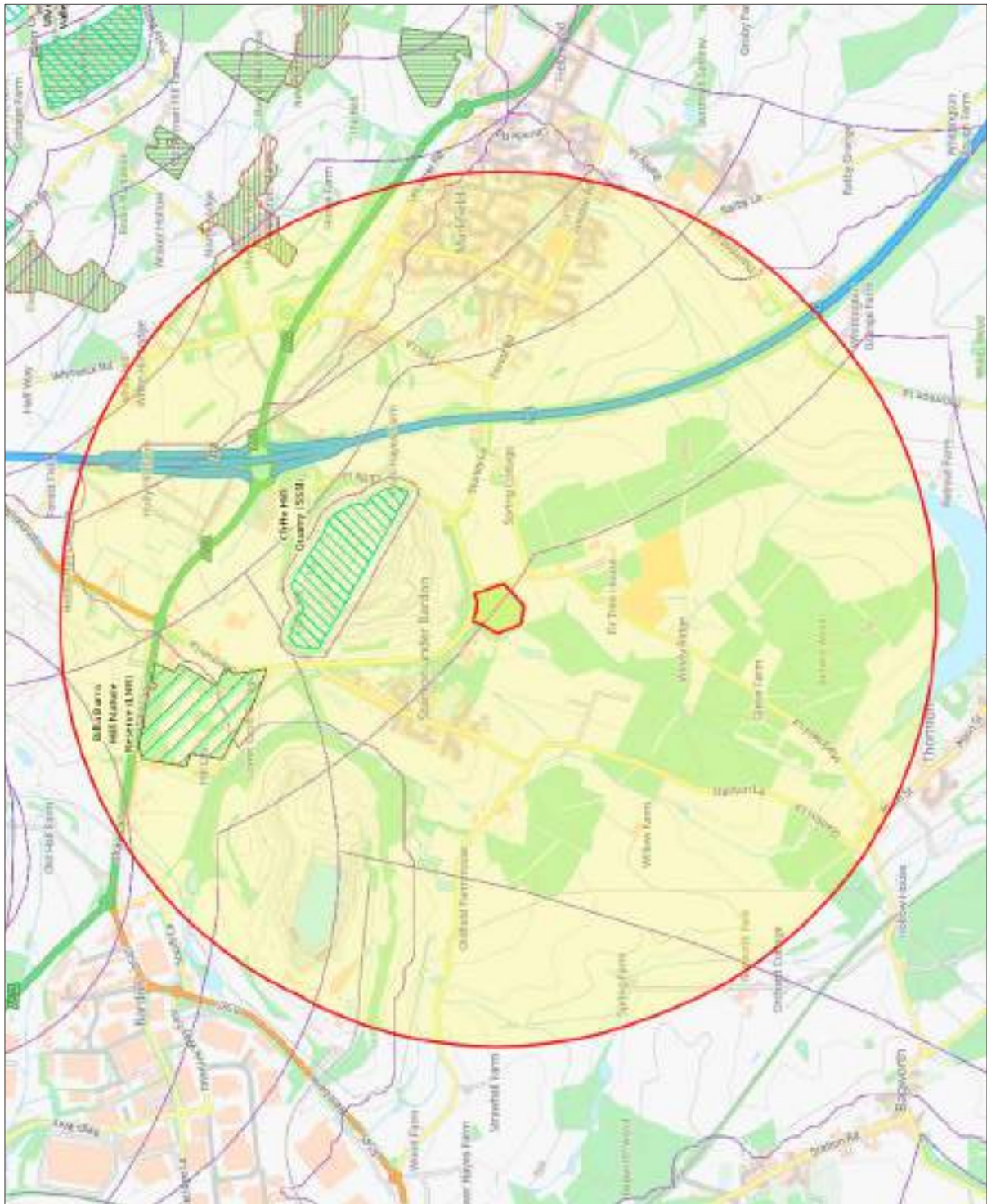
European designated status includes Special Protection Areas (SPAs) that preserve areas for birds and Special Areas of Conservation (SACs) which provides protection for habitats and the species which these habitats support.

Information of Designated Protected Areas is received through Ecological Data Searches and Magic Map searches.

Appendix 6 – Indicative Layout



Appendix 7 – MAGIC data



Designations

Land-Based Designations

Statutory

Areas of Outstanding Natural Beauty (England)



Local Nature Reserves (England)

Local Nature Reserves (England)



National Nature Reserves (England)

National Nature Reserves (England)



National Parks (England)



Ramsar Sites (England)

Ramsar Sites (England)



Sites of Special Scientific Interest (England)

Sites of Special Scientific Interest (England)



Special Areas of Conservation (England)

Special Areas of Conservation (England)



Special Protection Areas (England)

Special Protection Areas (England)



Ancient Woodland (England)



Ancient and Semi-Natural Woodland



Ancient Replanted Woodland

Impact Risk Zones for Sites of Special Scientific Interest

for local planning authorities to determine if a proposed development is likely to affect a terrestrial Site of Special Scientific Interest and when to consult Natural England.

Have Your Say on Natural England's Impact Risk Zones Tool

Natural England has launched a [survey](#) to gather feedback on the revamped SSSI Impact Risk Zones tool one year on from its launch.

Does the proposed development match any of the descriptions below?

- **Infrastructure:** Pipelines and underground cables, pylons and overhead cables (excluding upgrades and refurbishment of existing networks). Any transport proposal including new or extended footways, cycleways, roads/car parks, railways and waterways (excluding routine maintenance). Airports, helipads and other aviation proposals.
- **Minerals, Oil and Gas:** Planning applications for quarries, including: new proposals, Review of Minerals Permissions (ROMPs), extensions, variations to conditions etc. Oil & gas exploration/extraction.
- **Rural Non-Residential:** Large non-residential developments outside of existing settlements/urban areas where the net additional gross internal floorpace is > 1,000m² or the footprint exceeds 0.2ha.
- **Residential:** Residential development of 50 units or more.
- **Rural Residential:** Any residential development of 10 or more units outside of existing settlements/urban areas.
- **Air Pollution:** Any development that could cause AIR POLLUTION or DUST either in its construction or operation (including: industrial/commercial processes, livestock & poultry units, slurry lagoons/manure stores).
- **Combustion:** All general combustion processes, inc: energy from waste incineration, other incinerators, landfill gas generation plant, pyrolysis/gasification, anaerobic digestion, sewage treatment works, other incineration/combustion.
- **Waste:** Mechanical and biological waste treatment, inert landfill, non-hazardous landfill, hazardous landfill, household civic amenity recycling facilities construction, demolition and excavation waste, other waste management.
- **Compost:** Any composting proposal, inc: open windrow composting, in-vessel composting, anaerobic digestion, other waste management.
- **Discharges:** Any discharge of water or liquid waste that is discharged to ground (ie to seep away) or to surface water, such as a beck or stream.
- **Water Supply:** Any development needing its own water supply eg remote rural housing that is not connected to a mains water supply. Oil large infrastructure such as warehousing/industry where the total net additional gross internal floorpace following development is > 1,000m².

Impact Risk Zones for Sites of Special Scientific Interest

for local planning authorities to determine if a proposed development is likely to affect a terrestrial Site of Special Scientific Interest and when to consult Natural England.

You should consult Natural England on the proposed development at this location.

Send your consultation to: consultation@naturalengland.org.uk

The Impact Risk Zones for Sites of Special Scientific Interest (SSSI IRZs) indicate that at the location selected, there is potential for the proposed development to have a harmful effect on terrestrial Sites of Special Scientific Interest (SSSIs) and those Special Areas of Conservation (SACs), Special Protection Areas (SPAs) or Ramsar sites that they underpin.

Therefore, you should consult Natural England for advice on the nature of the potential impacts and how these might be avoided or mitigated.

Discretionary Advice

Natural England may provide pre-application advice on the nature of the potential impacts and how these might be avoided or mitigated. [Developers Get Environmental Advice - GOV.UK \(www.gov.uk\)](#) provides information on Natural England's pre-application discretionary advice service (DAS).

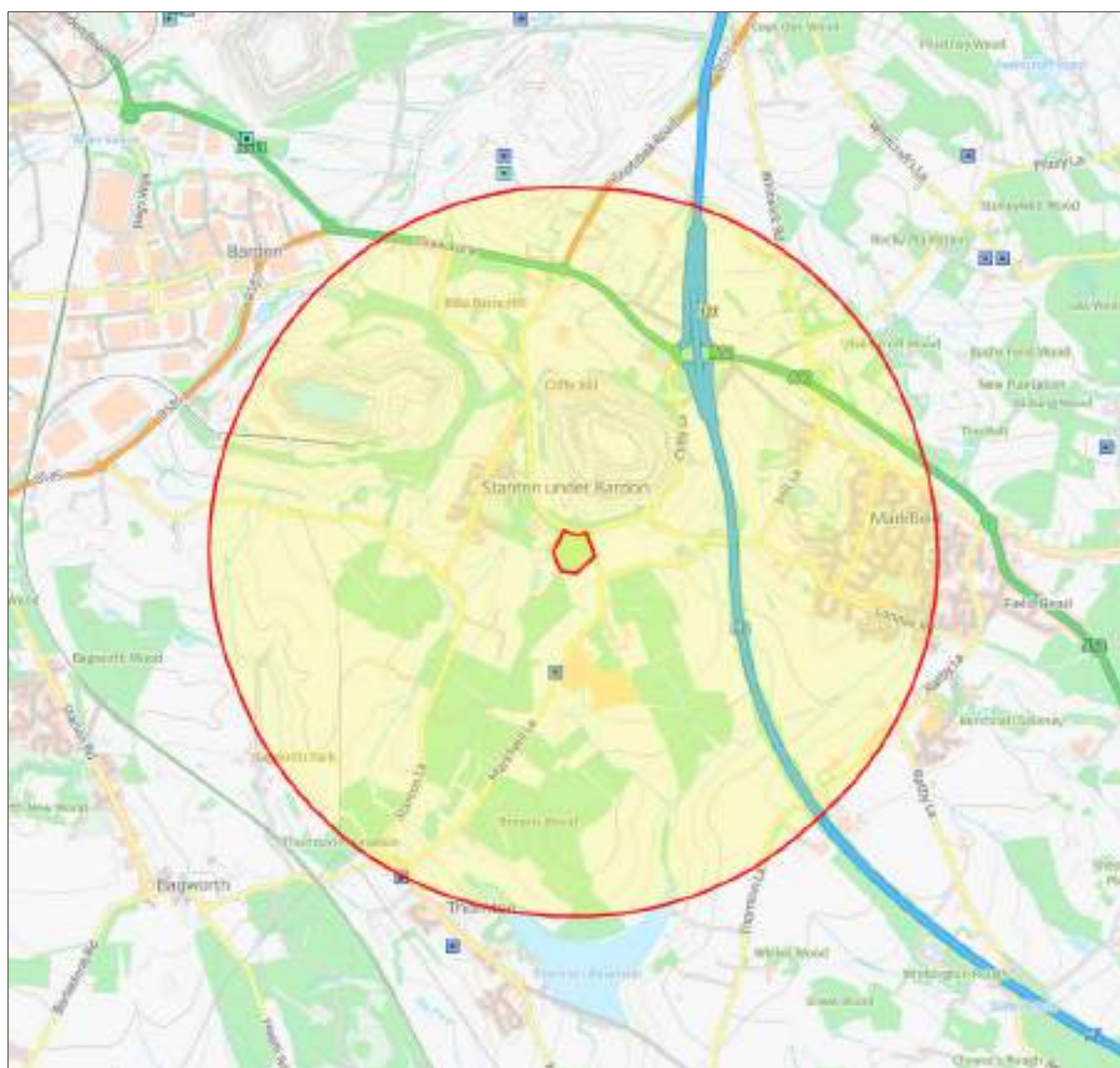
Please Note

The SSSI IRZs seek to guide consultations relating to the likely impacts of development on terrestrial SSSIs under Schedule 4 (iv) of The Town and Country Planning (Development Management Procedure) (England) Order 2015 and section 281 of The Wildlife and Countryside Act 1981. They do not alter or remove any other statutory requirements to consult Natural England.

The SSSI IRZs only indicate Natural England's assessment of likely risk to the notified features of terrestrial SSSIs and those SACs, SPAs or Ramsar sites that they underpin. There are other sites designated for nature conservation in the coastal and marine environment that are not underpinned by terrestrial SSSIs. This includes SPAs, SACs, Ramsar sites and Marine Conservation Zones (MCZs). You should consult Natural England on any coastal or marine proposal that might impact those sites.

Where the SSSI IRZs indicate a risk is unlikely, this does not mean that there are no potential impacts on biodiversity or the wider natural environment and there may be a requirement to consult Natural England as a statutory consultee on other matters.

[Local Planning Authorities Get Environmental Advice - GOV.UK \(www.gov.uk\)](#) provides more information on when you must consult Natural England when considering development proposals including [Nationally Significant Infrastructure Projects - GOV.UK \(www.gov.uk\)](#) (NSIPs).

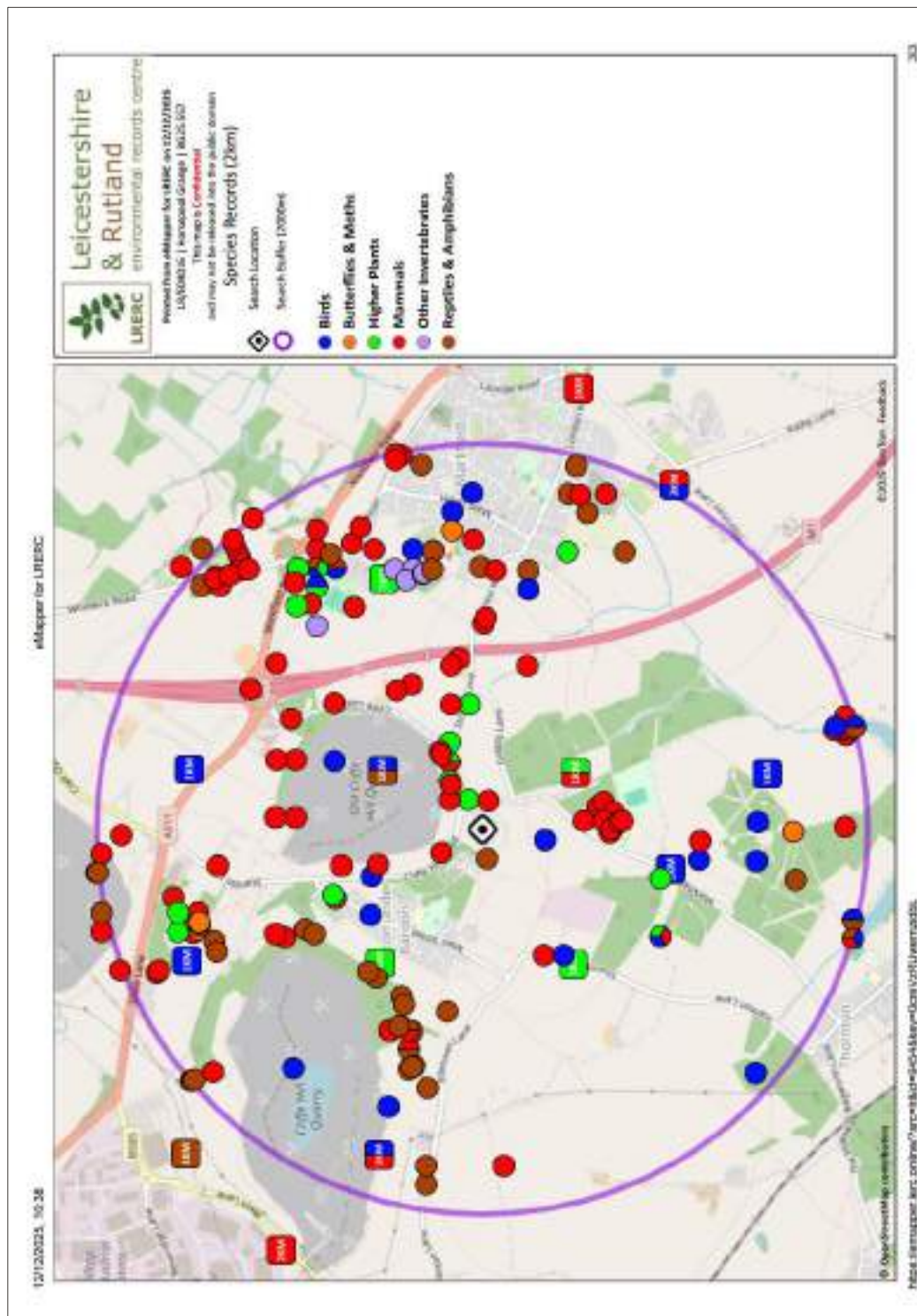


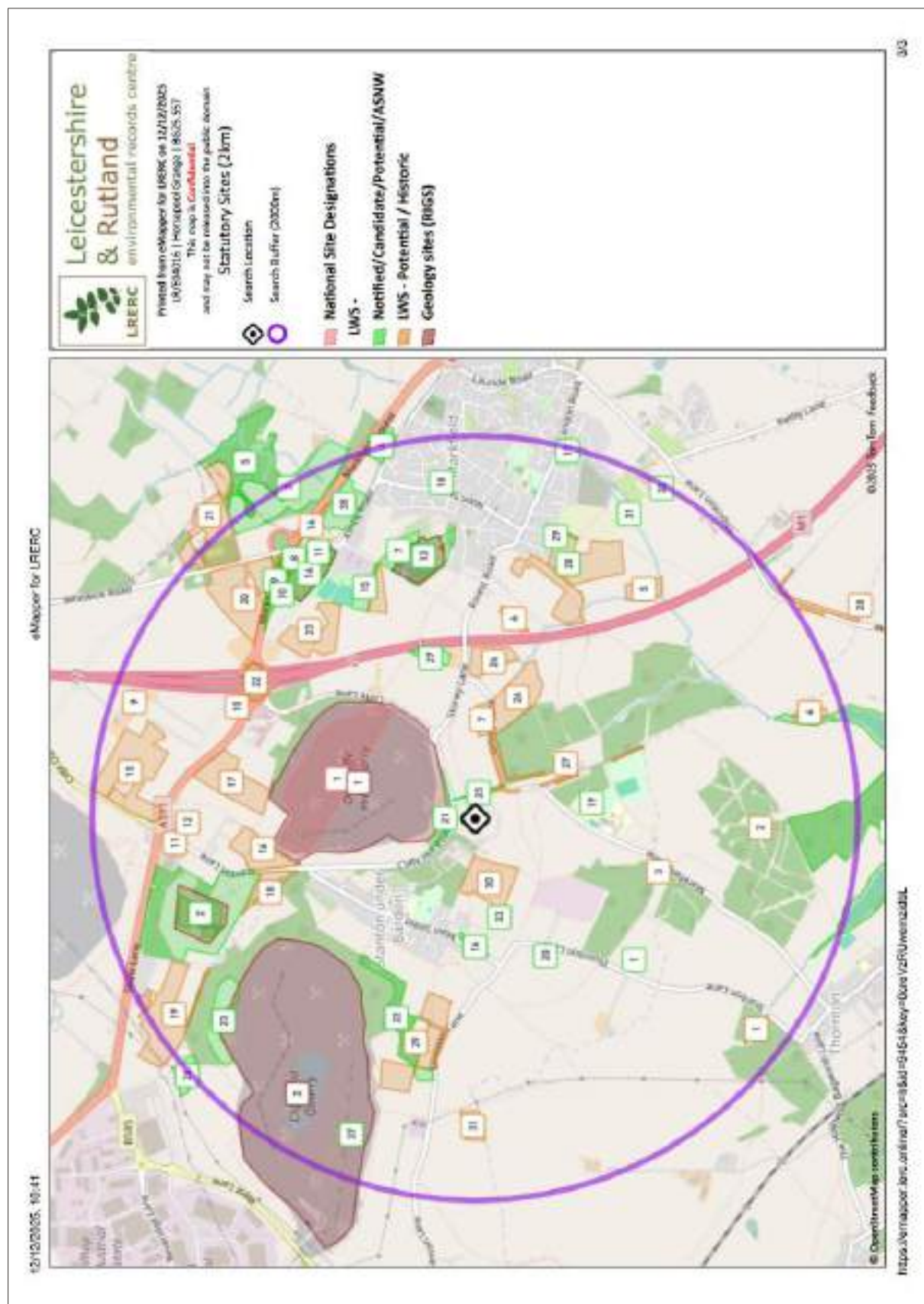
European Protected Species Licensing

Granted European Protected Species Applications (England)

- Amphibian
- Bat
- Cetacean
- Invertebrate
- Other Mammal
- Plant
- Reptile

Appendix 8 – Ecological Data Search Information





Appendix 9 – Habitat Suitability

Table 14 Habitat Suitability Index assessment for great crested newts

Key:

W = Waterbody S1 = Location S2 = Pond Area S3 = Pond Permanence S4 = Water Quality S5 = Shade S6 = Water Fowl
S7 = Fish S8 = Pond Numbers S9 = Terrestrial Habitat Quality S10 = Macrophyte Coverage T = Total HSI Score

W	S1	S2	S3	S4	S5	S6	S7	S8	S9	S10	T
P2	1.00	0.80	0.90	0.67	1.00	0.67	0.67	1.00	0.33	0.01	0.48

Total HSI Score = (S1 x S2 x S3 x S4 x S5 x S6 x S7 x S8 x S9 x S10) ^{1/10}