



Preliminary Ecological Appraisal

Report Release Sheet

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Provided no significant changes are made to the proposals or on the site (e.g. significant changes to management practices or habitats present) subsequent to the report's issue; this report can be considered valid for 12 months from the date of issue.

As part of membership of our professional body (CIEEM) we are required to provide our biological results to applicable biological record centres. As such, it is our intention to supply biological data collected as part of this assessment to the relevant centre unless directly instructed in writing not to do so by the client.

The evidence which we have prepared and provided is in accordance with the guidance of The Chartered Institute of Ecology and Environmental Management (CIEEM) Code of Professional Conduct and follows all relevant legislation. The content of this report is, at least in part, based upon information provided by others, on the assumption that all relevant information has been provided by those parties from whom it has been requested. Information obtained from any third party has not been independently verified by Midnorth Ecology Ltd unless otherwise stated in the report.

Contents

Executive Summary	4
1. Introduction	6
2. Methodology	8
3. Results	15
4. Potential Impacts and Recommendations	21
5. References	24
Appendix 1 – Site location	26
Appendix 2 – Habitat map	27
Appendix 3 – Work Proposals	28
Appendix 4 - Photographs	30
Appendix 5: Relevant legislation	31

Executive Summary

Midnorth Ecology Ltd were appointed to conduct a Preliminary Ecological Appraisal (PEA), comprising a UKHabs site survey, protected species assessment and ecological evaluation of a parcel of land as shown in appendix one.

Following the assessment, it has been concluded that:

- The site comprised of a section of a structure that is in use as livery stables.
- The current proposals include the change of existing use of the site, from livery stables to commercial use.
- The site was not subject to any statutory or non-statutory nature conservation designations. There was one statutory designated site within a 2km radius of the site.
- The habitat within the site comprises of developed land only (existing structure). However, Habitats of Principal Importance were also present within and adjacent to the site and are considered to hold conservation value nationally.
- A BNG assessment will not be required for the loss of any habitats as the proposals are like for like and the land is already developed. Therefore, the land would have a zero-habitat value. Enhancements, however, are still proposed within the recommendations.
- Recommendations to conserve existing species and enhance the biodiversity value of the site in accordance with national and local planning policies comprise the potential to include bird nesting opportunities and bat roosting features.

Habitats on site or adjacent to the site are suitable for a range of protected or notable species and/or habitats which are shown in table 1.1 below, further ecological considerations and completion times are also provided.

Table 1.1 -Further ecological considerations and completion times

Ecological Requirements	Timings
Habitats adjacent to the site – no alterations are proposed to the structure and therefore no impacts are envisaged. However, if additional lighting is required then a lighting strategy must be produced.	Before works
Bats - A Preliminary Roost Assessment (PRA) must be completed on the structure within the red line boundary.	Before works
Nesting birds – An inspection must be completed by an SQE prior to change of use to ensure no active nests are present during the proposed change of use.	Before works

1. Introduction

Midnorth Ecology Ltd were commissioned by the client to undertake a Preliminary Ecological Appraisal (PEA) of a parcel of land at Holly Lodge Farm Ltd, Sheepy Magna, Atherstone, Leicestershire (SK 32543 01857). This appraisal considers the baseline ecology conditions within the site boundary (hereafter referred to as 'the site') to support a planning application for the development plans on site.

Site Location and Surrounding Habitats

The site is located approximately 5km north of Atherstone town centre, in a rural setting, surrounded on all aspects by agricultural and semi natural habitats. Considering this, connectivity within the wider landscape is good for a range of notable and protected species.

Work Proposals

The proposals for the site are for the change of use of a section of a barn, the change of use would be from livery stables to commercial use. Only a part of the existing structure is within the red line boundary for the full planning application. For the full proposals please see Appendix 3.

Scope of Works

The report is designed to inform the client and any stakeholders as to any ecological constraints to the proposed works and to ensure that biodiversity is not impacted by the works. The report outlines recommendations to avoid, mitigate, compensate and enhance the site.

The aim of this appraisal is to provide baseline ecological information about the site. This will be used to identify any potential ecological constraints associated with the proposed development and/or to identify the need for additional survey work to further evaluate any impact that may risk contravention of legislation or policy relating to protected species and nature conservation.

The appraisal is based on the following information sources:

- A desk study of the site and land within a 2km radius;
- A protected species assessment of the site to identify habitats and where possible features with potential to support legally protected species;
- The conservation value of the site, cion regards to site, local, regional, and national importance; and

- Information provided by the client, such as site plans, work proposals, architectural designs/drawings and any further associated documents.

The assessment was conducted by William Parkinson BSc, an ecologist with four years' experience, carrying out phase 1 habitat surveys, UK Habitat surveys (UK Habs) and protected species assessment.

Local Planning Policy

Planning policies which are relevant to this site include the Sheepy Parish Neighbourhood Plan, particularly Policy S5 covered in Chapter 2 - Rural Character

This chapter states that;

Ecology and Biodiversity Development should have appropriate regard for the network of local ecological features and habitats which include:

1. Sheepy Fields SSSI
2. River Sence and its tributaries
3. Manor Farm Meadows, Sheepy Parva
4. Tinsel Lane Roadside Verge, Wellsborough
5. Sheepy Magna Churchyard
6. Marsh near Harris Bridge, River Sence

New development which impacts on existing ecological corridors and landscape features (such as watercourses, hedgerows and tree-lines) will be expected to maintain and extend them for reasons of biodiversity thus, wherever possible, demonstrating overall net-gain.

2. Methodology

This PEA has been prepared with reference to best practice guidance published by the Chartered Institute for Ecology and Environmental Management (CIEEM, 2017), and as detailed in British Standard 42020:2013 *Biodiversity- Code of Practice for Biodiversity and Development* (BSI, 2013).

Desk Study

Data sources such as those in table 2.1 below were reviewed to provide information on the location of;

- Statutory designated sites such as - Special Areas of Conservation (SAC), Special Protection Areas (SPA), Ramsar sites, National Nature Reserves (NNR), Sites of Special Scientific Interest (SSSI) and Local Nature Reserves (LNR)
- Non-statutory designated sites – these are sites designated by local authorities such as - Sites of Importance for Nature Conservation (SNC) or Local Wildlife Sites (LWS)
- Legally protected species which include – species listed in the Wildlife and Countryside Act (WCA) 1981, Schedules 1, 5 and 8; Conservation of Habitats and Species Regulations (Hab regs) 2017, particularly Schedule 2; or in the Protection of Badgers Act (PBA) 1992 (as amended).
- Species of Principal Importance (SPI) - are species which are defined in Section 41 of the Natural Environment and Rural Communities (NERC) Act, 2006.
- Habitats of Principal Importance are habitats which are defined in Section 41 of the Natural Environment and Rural Communities (NERC) Act, 2006..
- Other notable species such as Hedgehog and notable habitats such as Ancient Woodland Inventory sites and Important Hedgerows as defined by the Hedgerow Regulations 1997

The desk study was conducted using publicly available resources as shown in table 2.1 below.

Table 2.1 – desk study resources and reason

Resource	Reasoning
Google Earth	Google Earth was used to obtain aerial imagery of the site and to measure distances to surrounding ecological receptors.
Sheepy Parish Neighbourhood Plan 2018-2036	The local plan was used to identify and inform descriptions on statutory designated sites.
Magic	MAGIC was used to locate non statutory designated sites and other information regarding important sites such as Ramsar, Site of Special Scientific Interest (SSSI), Special Area of Conservation (SAC) and Special Protection Area (SPA), as well as Locations of European Protected Species Licenses.
OS mapping	OS mapping was used to distinguish any features such as woodlands, standing water, running water and surrounding landscape.

Site Survey

A habitat survey of the site was conducted on 22/01/2025 by William Parkinson BSc, in warm, dry weather conditions with good visibility. The survey covered the entire site including the boundary features and up to 30m beyond wherever possible.

Habitats were described following the UK Habitat Classification Field Key (Carey & Butcher, 2018). Habitats were also assessed against descriptions of Habitats of Principal Importance as set out by the JNCC (BRIG, 2008).

Latin names will be provided on first mention of any common name for plant species, thereafter, the common name will be used.

Site Evaluation

The site's ecological value has been evaluated following guidance issued by the Chartered Institute of Ecology and Environmental Management (CIEEM, 2017) which categorises the nature conservation value of a site according to its level of value such as: international, national, regional, county, district, local only or of value at the site

scale.

To evaluate the conservation value of the site, the following factors were taken into account: nature conservation designations of the specific site and sites in the locality; how rare the species and/or habitats on site are, the fragility of the site and surrounding habitats and whether the site is isolated or has good connectivity to other habitats.

Recommendations for the contribution to green infrastructure (GI) as recommended by BS 42020:2013 Biodiversity Code of practice for planning and development, are also included.

Protected Species Assessment

The habitats and possible ecological receptors were assessed for potential to support protected species, using the assessment categories in Table 2.1 below. Although efforts will be made to ascertain presence or likely absence of protected and/or notable species within this assessment, further surveys may be required for determination of this and to gain further information such as but not limited to presence/likely absence (if not ascertained) and population estimates.

However, in some cases there may be opportunities to comply with legislation, without further survey, through precautionary measures prior to and during construction. This will require a Precautionary Working Method Statement (PWMS) document.

Table 2.1: Protected species assessment categories

Category	Description
Present	Presence confirmed from the current survey or by recent, confirmed records.
High	Habitat within the site is highly suitable for a particular or number of protected and/or notable species. Records from the desk study provide evidence of records within the site or surrounding locality. Records from the desk study provide evidence of a national or regional stronghold for protected and or notable species. There is good suitable habitat with good connectivity in the wider landscape.

Moderate	Habitat within the site is moderately suitable for a particular or number of protected and/or notable species. Records from the desk study provide evidence of several records within the site or surrounding locality. Records from the desk study provide evidence of a regional or county stronghold for protected and or notable species. There is moderate suitable habitat with some but limited connectivity in the wider landscape.
Low	Habitat within the site is considered poor for most protected and/or notable species. Records from the desk study evidence only limited records of protected species within the surrounding locality. There is a lack of suitable habitat with connectivity in the wider landscape. However, species cannot be ruled out due to records in the area or the transient nature of wildlife.
Negligible	Habitat within the site is either absent or considered very poor for most protected and/or notable species. Records from the desk study lack evidence of records within the site or surrounding locality. There is a lack of suitable habitat with connectivity in the wider landscape.

Bats – Preliminary Roost Assessment

A fully detailed PRA was not included in the scope of this assessment but wherever possible the suitability of structures for roosting bats were categorised with reference to best practice industry guidelines (BCT, 2023) as either Negligible, Low, Moderate or High potential.

Bats – Ground Level Tree Assessment

A fully detailed GLTA was not included in the scope of works but where possible the suitability of the trees for roosting bats was categorised with reference to best practice industry guidelines (BCT, 2023) (Table 2.2) as either none, PRF I or PRF M which informs the need for further survey effort to establish the presence/ likely absence of roosting bats.

Table 2.2: Guidelines for Assessing the Potential Bat Roosting Suitability of PRFs of Trees (BCT, 2023).

Table 6.2. Guidelines for categorising the potential suitability of PRFs on a proposed development site for bats, to be applied using professional judgement.

Suitability	Description
PRF-I	PRF is only suitable for individual bats or very small numbers of bats either due to size or lack of suitable surrounding habitats.
PRF-M	PRF is suitable for multiple bats and may therefore be used by a maternity colony.

Bats – Commuting and foraging

With reference to Table 2.1, an assessment of the habitats at the site to support commuting and foraging bats was made, within the context of habitat connectivity to features in the wider landscape. The site was assessed as either negligible, low, moderate, or high suitability for commuting and foraging bats.

Great Crested Newt

An assessment was made of the suitability of the habitats at the site for Great Crested Newts (GCN) *Triturus cristatus*. Optimal habitat for GCN includes wetlands, rough grassland, moorland, heathland, hedgerows, woodland edge and scrub and also sub-urban areas such as railway embankments, golf courses and allotments, and sympathetically managed farmland. Favourable features for GCN include wetlands, ecotones such as the transition between grassland and scrub, and hibernacula such as stone, log, and brash piles.

Birds

An assessment of the suitability of the site to support breeding, migrating, and wintering birds was made, and the site was searched where accessible and practical for active or previous historic bird nests.

Common Reptiles

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

Barn owl

An initial habitat assessment of the structure within the site footprint which could provide potential for nesting and/or roosting barn owl (BO) was completed. Whereby the barns were inspected for signs of moulted feathers, whitewash and/or regurgitated pellets and also suitable areas within the barns to provide potential roost sites. . Favourable habitats for BO include trees and buildings for roosting and nesting and grasslands for hunting. Trees with large cavities were also recorded wherever possible but a full GLTA is not within the scope of this assessment.

Water vole

An initial habitat assessment of any waterbodies within the site was completed to ascertain if the habitat could potentially support water vole. The banks were checked for the presence of evidence such as burrows, bank profiles, bank substrate and vegetation structure within the ditches, on the banks and in the surrounding locality.

Badger

The assessment for badger included a search for evidence of badger at the site, such as sett entrances (normally 25 to 35cm wide and shaped like a 'D' on its flat edge), large spoil heaps outside sett entrances, bedding, footprints, mammal paths, latrines, hairs, scratching posts, and signs of digging for food or 'snuffle holes' . The survey included a search of the site and 30m radius (access permitting) for badger setts.

Other mammals

An assessment of the site to support other mammals including brown hare, harvest mouse, and hedgehog was also made including any dropping inspections and other physical evidence such as hairs.

Invasive Species

Invasive plant species such as those listed on Schedule 9 of the Wildlife and Countryside Act 1981 (As Amended) were recorded if encountered during the assessment.

Limitations

Every effort has been made to provide a comprehensive description of the site; however, the following limitations apply to this assessment.

- The protected species assessment is not a full survey or suite of surveys for a particular protected species or group of species and is based on professional

judgement on whether any protected species or habitats are likely to be present at the site.

- Additional surveys may therefore be required for a particular species or habitat.
- This appraisal is preliminary and may need to be updated once further survey work has been completed for any protected species and/or habitats, if required.
- Ecological data can sometimes lack evidence of protected species, but this does not necessarily mean that protected species are absent as other factors such as lack of recorders in the area can effect results.
- Habitats are noted and described as seen on the day of survey. The UK Habitat survey does not constitute a full botanical survey.
- Mapping will be as accurate as possible, but it is to be noted that any locations stated were taken in the field and may differ slightly from actual location.
- All locations and distances provided are approximate.
- Ecological survey data is usually valid for 12 months, if no changes to plans are proposed this appraisal will therefore be valid for 12 months. After this further survey and assessments may be required.

Despite these limitations, it is considered that this report accurately reflects the habitats present, their biodiversity values and the potential of the site to support protected and notable species.

3. Results

Desk Study

Statutory designated nature conservation sites

The site is not subject to any statutory nature designations; however, the site is within 5km of two SSSI sites and within the outer Impact Risk Zone (IRZ) of one SSSI site. Further details on the designated sites are provided in table 3.1 below.

Table 3.1: Statutory designated sites

Site	Designation	Distance and location	Reason for designation
Sheepy Fields	SSSI	0.75 km NE	<i>Sheepy Fields comprise two hay meadows developed on soils derived from post-glacial river terrace deposits. It contains some of the best remaining examples of neutral grassland in Leicestershire. It is representative of hay meadow plant communities developed on neutral soils in the East Midlands.</i>
Birches Barn Meadows	SSSI	4.5 km W	<i>Birches Barn Meadows comprises two unimproved fields adjacent to the south bank of the River Anker. They have been managed as hay meadows since 1913. The meadows are on alluvium and overlie Keuper sandstone with ridge and furrow topography in part. Birches Barn Meadows are now the last remaining flood meadows in the Anker valley. The sward associated with the meadow foxtail-great burnet community characteristic of the site, is species-rich with a great diversity of herbs. Eighteen species of grass have</i>

			<i>been recorded. Two species of bird that breed in the meadows, the quail and curlew are restricted to few other localities in Warwickshire.</i>
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The site is located within the outer rings of Sheepy Field SSSI IRZ. Therefore, this will be considered further in section 4 of this report.

Habitats

Habitats of Principal Importance

There were several habitats adjacent to the site that could be considered as Habitats of Principal Importance (HPI) (as defined by Natural England, 2013) present on the site; these comprised hedgerows, broadleaved woodland and ponds and will be described further below within the habitat descriptions.

Habitat description

Developed Land - Agricultural Building

The existing structure present within the site boundary which was the only habitat within the red line boundary was mainly used as a livery stables. The section of structure is constructed of steel framework and corrugated tin sheeting panels which make up the majority of the walls. The roof is pitched and again constructed of tin metal sheets which are mostly tightly joint. There are areas where the building is half built with concrete blocks which extend internally which appeared to separate stock.

Habitat summary

The habitat within the site boundary consisted solely of existing developed land. The structure described above will be modified in no way including any additional external lighting.

Areas of HPI were identified adjacent to the site which will need retaining and protecting as they are considered nationally important habitats. However, most of the habitats adjacent to the site were common and widespread and due to the heavily managed nature of the site and low species diversity most were classed as of low local value.

Habitats such as hedgerows, broadleaved woodland, ponds, wet ditches, lines of trees, modified grassland, further developed land (buildings and hardstanding and bare ground were identified within the wider landscape.

The potential for the site to support protected species has been assessed using criteria provided in Table 2.1, based on the results of the desk study and observations made during the site survey of habitats at the site. Other legally protected species are not referred to as it is considered that the site does not contain habitats that would be suitable to support them. The following species/species groups are potentially present at the site, and results of the observations are provided in table 3.2 below:

- Bats;
- Nesting birds;

The table also summarises relevant legislation and policies relating to protected and invasive species. Key statutes are summarised in Section 1 and set out in greater detail in Appendix 4.

Table 3.2: Protected and Invasive Species Assessment

Habitat/ species	Status	Likelihood of occurrence
Habitats	HPI	Confirmed present (only within the wider landscape) – several habitats adjacent to the site could qualify for HPI such as ponds, hedgerows and broadleaved woodland. The site is within the SSSI Impact Risk Zone, however, due to the nature of the proposal no impacts are envisaged on the SSSI. Adjacent habitats should be retained and protected throughout the works. Considering the above, HPIs are considered further in Section 4 of this report.
Bats	HR WCA S5	Likely present - The existing structure on site has been categorised as holding low potential to support roosting bats. The habitats adjacent to the site such as hedgerows, treelines and woodland could provide suitable foraging and commuting habitat for bats. Considering the above, it is possible that bats could occur at the site and as such they are considered further in Section 4 of this report.
Nesting Birds	WCA S1-8	Likely present: The existing structure on site has the potential to support nesting birds additionally habitats adjacent to the site such as individual trees, hedgerows, broadleaved woodland and further existing structures could potentially support nesting birds. Considering the above, it is likely that nesting birds will occur at the site and as such they are considered further in Section 4 of this report.

NATURE CONSERVATION EVALUATION

The proposed development site is not subject to any nature conservation designations. The site falls within the impact risk zone of the nearby SSSIs, however urban residential development proposed is unlikely to have a harmful effect on terrestrial SSSIs and the Special Areas of Conservation (SACs), Special Protection Areas (SPAs) or Ramsar sites that they underpin.

The closest designated site was approximately 3.5km away and therefore there will be no direct impact, furthermore the site is isolated by surrounding residential infrastructure. A sensitive lighting scheme will also protect the adjacent habitats from any indirect effects such as light spill. It is highly unlikely that any statutory or non-statutory designated sites will be impacted by the proposal.

The habitats on site were suitable for a range of noteworthy species, including species as reported in the desk study or recorded during the survey, as follows:

- HPIs;
- Bats; and
- Nesting birds;

The habitats at the site and populations of the above species are likely to be of value regionally. It is likely that the site could support rare species, or diverse assemblages or large populations of noteworthy species.

4. Potential Impacts and Recommendations

This section summarises the potential impacts on habitats and notable species that may be present at this site. The impact assessment is preliminary and further detailed assessment and surveys may be required to assess impacts and design suitable mitigation, where appropriate.

The following key ecological issues have been identified:

- Habitats adjacent to the site could qualify as HPI, these habitats must be retained and protected during the change of use.
- Habitat suitable for roosting, commuting and foraging bats were present – measures must be taken to avoid disturbing, injuring and killing bats and/or destroying their roosts;
- Habitat suitable for nesting birds was present – measures must be taken to avoid killing birds and/or destroying their nests;

CONSTRAINTS AND MITIGATION/COMPENSATION

Designated Nature Conservation Sites

No impacts are envisaged on statutory designated sites due to the low-impact nature of the proposals. Therefore, there are no constraints to the proposed development in this regard.

Habitats

The site comprises a section of an existing structure, the habitat was therefore classified as developed land which has zero value when considering Biodiversity Net Gain (BNG). The BNG is not triggered in this instance due to no internal or external alterations being proposed and would therefore fall under the de minimis exemption.

Bats

The existing structure had low potential to support roosting bats, therefore a full Preliminary Roost Assessment (PRA) will need to be conducted, and any subsequent nocturnal bat surveys should be completed to ascertain if bats are currently using the buildings for roosting. This must be completed in the bats active season May – Sept inclusive. If bats are found to be present, then further survey and licensing may be required.

There are no current proposals for additional lighting but if this is required a lighting

strategy is recommended whereby existing internal or external lighting will be regulated to have off-periods and use wildlife friendly lighting in accordance with the lighting guidance note (BCT, 2018).

Nesting birds

All birds and their nests are protected under the Wildlife and Countryside Act 1981 (as amended) Several species of bird use structures for nesting. The existing structure on site has the potential to support nesting birds.

There are no current proposals for additional lighting but if this is required a lighting strategy is recommended whereby existing internal or external lighting will be regulated to have off-periods and use wildlife friendly lighting in accordance with the lighting guidance note (BCT, 2018).

Environmental best practice

Retained trees and adjacent habitats identified on site should be protected in accordance with British Standards Institution (2012) guidelines, BS 5837:2012.

FURTHER SURVEY REQUIREMENTS

Table 4.1 lists further requirements as recommended in the constraints section.

Table 4.1: Further requirements/recommendations

Species/ Habitat	Ecological Requirements	Construction phase/seasonal considerations and recommendations
Habitats	Protection of adjacent habitats	A lighting strategy will ensure the favourable conservation status of habitats surrounding the site (if required).
Bats	PRA and subsequent nocturnal surveys	A PRA and subsequent nocturnal surveys (if required) must be completed between the months of May-Sept. This will ascertain if bats are currently using the structure for roosting.
Nesting birds	Precautionary nesting bird inspection Lighting strategy	A precautionary nesting bird check must be completed if the change of use is to occur within the nesting bird season. A lighting strategy will ensure the favourable conservation status of nesting birds within and adjacent to the structure.

OPPORTUNITIES FOR ECOLOGICAL ENHANCEMENT

Planning policy at the national and local level and strategic biodiversity partnerships encourages inclusion of ecological enhancements in development projects. Due to

the nature of the proposals and the works involved enhancement measures are considered necessary.

If the client would like to offer biodiversity enhancements as part of the project, the following would be suitable:

Provision of bat roosting opportunities

The installation of bat boxes on trees adjacent to the site be used to enhance opportunities for roosting bats. All access to bat boxes should be situated as far away from disturbance such as noise and light. Woodcrete bat boxes (Schwegler, 2011) are recommended as they are long lasting compared to wooden boxes, insulate occupants from extremes of temperature and condensation and are available in a range of designs.

Provision of bird nesting opportunities

The provision of bird boxes would be appropriate at this site. Many different designs are available including boxes to support species such as house sparrow, blue tit, long tailed tit, sparrow, swift and many more. Woodcrete bird boxes (Schwegler, 2011) are recommended as they are long lasting compared to wooden boxes, insulate occupants from extremes of temperature and condensation and are available in a broad range of designs.

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Appendix 1 – Site boundary

MNE_3476_Holly Lodge Farm_PRA_Red Line Boundary



25 0 25 50 75 100 m



Legend

 MNE_3476_RLB

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Date 15/04/2025

Description: Section of the structure to have change of use planning application applied. No internal or external alterations are being proposed.

Appendix 2 – Baseline Habitat map

MNE_3476.1_Habitat Map



Legend

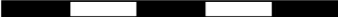
-  Building
-  MNE_3476.1_RLB

Author: Ashley
Martin ACIEEM

Date: 22/04/2025

Description:
Existing habitats
within the site
boundary.

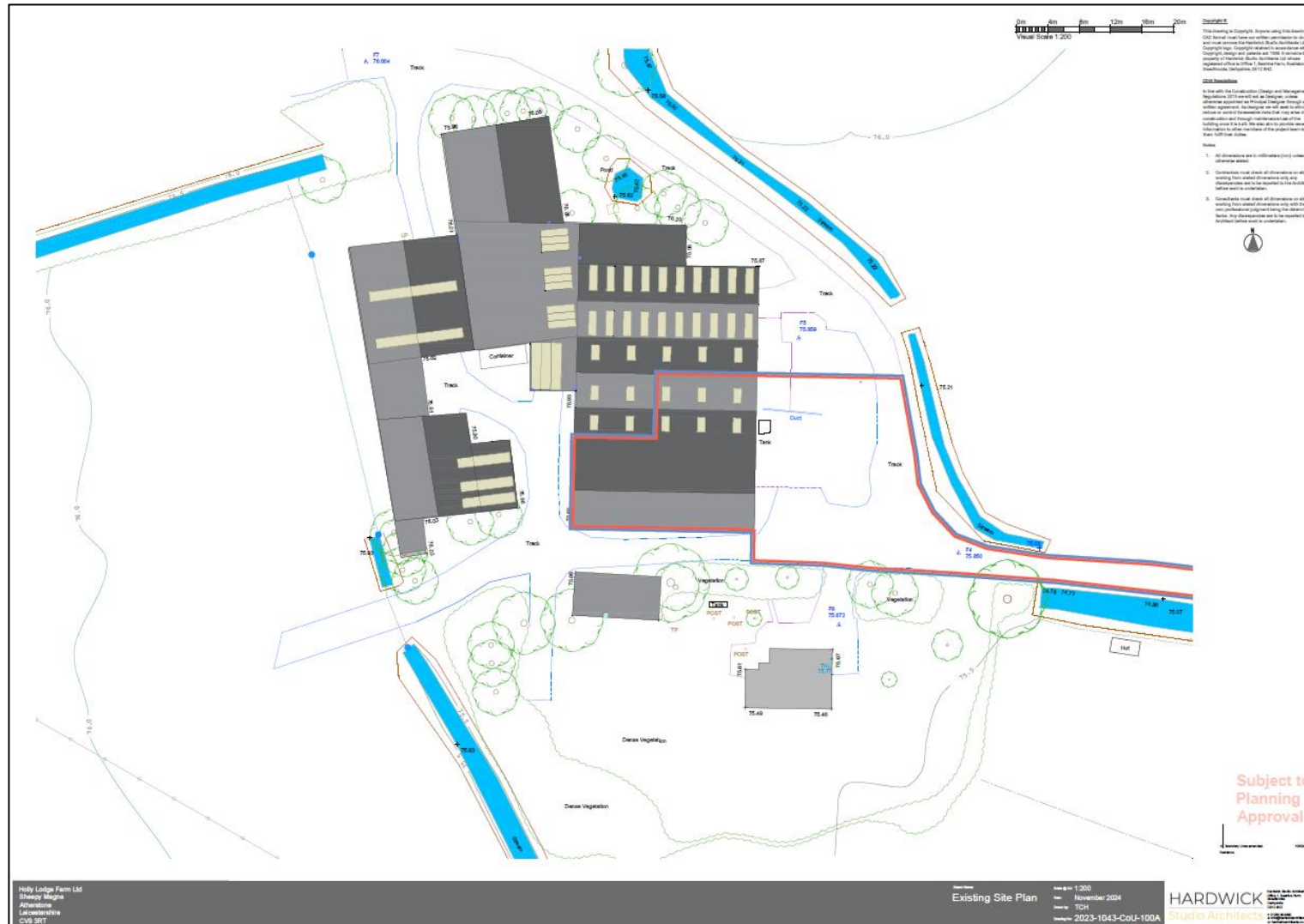
10 0 10 20 30 40 m

A scale bar with alternating black and white segments, representing distances of 10, 0, 10, 20, 30, and 40 meters.

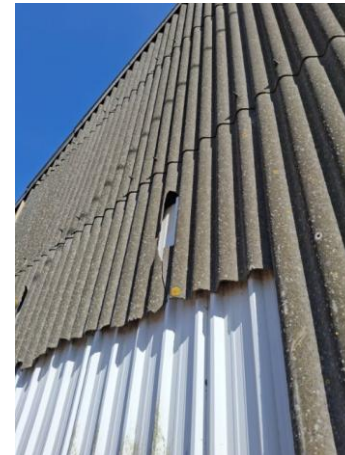
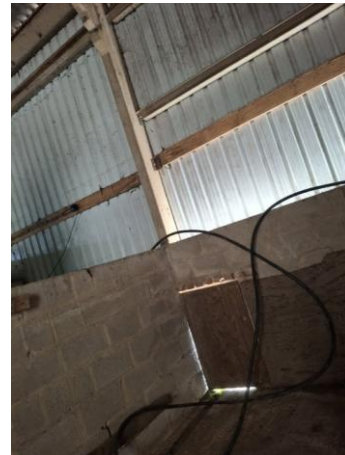
Appendix 3 – Work Proposals



Appendix 3: Work Proposals Continued



Appendix 4 - Photographs



Appendix 5: Legislation

Important notice: The following information is only to be used as a guide and should not be used as a reference as a statement of legislation. The information is provided to give guidance on the legislation in the UK only and may not be applicable to certain areas outside of UK.

Bats

In the UK bats are fully protected by a number of laws and regulations which are defined in the following key legislative acts and regulations;

The Conservation of Species and Habitats Regulations 2017, protects all bat species in the UK as European protected species.

The Wildlife and Countryside Act 1981, protects all bat species and their roosts in the UK.

The Countryside and Rights of Way Act 2000, amends parts of the Wildlife and Countryside Act 1981 for England and Wales.

Nature Conservation Act 2004, amends parts of the Wildlife and Countryside Act 1981 for Scotland.

In the UK it is illegal to;

- *deliberately capture, injure or kill bats*
- *damage or destroy a breeding or resting place*
- *obstruct access to their resting or sheltering places*
- *possess, sell, control or transport live or dead bats, or parts of them*
- *intentionally or recklessly disturb a bat while it's in a structure or place of shelter or protection*

Nesting birds

In the UK birds are fully protected by 2 main laws and regulations which are defined in the following key legislative acts and regulations;

In the UK it is illegal to;

- *intentionally kill, injure or take wild birds*

- *intentionally take, damage or destroy a wild bird's nest while it's being used or built*
- *intentionally take or destroy a wild bird's egg*
- *possess, control or transport live or dead wild birds, or parts of them, or their eggs*
- *sell wild birds or put them on display for sale*
- *use prohibited methods to kill or take wild birds*

Some birds which have seen dramatic declines also have extra protection under Schedule 1 which makes it illegal to;

- *disturb them while they're nesting, building a nest, in or near a nest that contains their young*
- *disturb their dependent young*

Therefore, ecological surveys may be required to ascertain further information on what species are present on site and to provide data to give population estimates if present.

Ecological surveys can only be conducted in the target species optimal active periods, which vary between species and methodologies used.

If protected species are found throughout the survey's mitigation strategies and a licence from the statutory nature conservation body such as NE may be required.

