

PRELIMINARY ECOLOGICAL APPRAISAL

Land off Nailstone Rd, Barton-in-the-Beans, Nuneaton CV13 0PU

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Report Details

Report	Preliminary Ecological Appraisal
Site Address	Land off Nailstone Rd, Barton-in-the-Beans, Nuneaton CV13 0PU
Central OS Grid Reference	SK 39985 06415
Client	David Jackson

Professional Accreditation

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Document Control

Author	Reviewer	Comments	Report Version	Issue Date
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Disclosure:

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EXECUTIVE SUMMARY

Topic	Conclusion
Scope	Croft Ecology was commissioned by David Jackson to undertake a Preliminary Ecological Appraisal (PEA) at Land off Nailstone Rd, Barton-in-the-Beans, Nuneaton CV13 0PU.
Proposed Development	The construction of a residential dwelling with associated access, parking and garden.
Methodology	The survey involved identifying habitats and features of ecological interest within the Site, including the potential for supporting protected or notable species, to determine the key ecological constraints and opportunities associated with the proposed development. Any additional survey work and any possible mitigation requirements were also identified. The Site was surveyed on 1 July 2026 under suitable weather conditions.
Habitats	There are no priority habitats within the Site. The Site comprised vegetated garden, developed land sealed surface, artificial unvegetated unsealed surface, modified grassland, individual trees and hedgerow.
Protected species	The Site provided low potential for amphibians, including great crested newt, nesting birds, foraging and commuting bats, reptiles, badger and hedgehog. PRF-I features were identified on one tree within the Site.
Further surveys	No further surveys are required or recommended.
Mitigation	• Timing of works restrictions for breeding birds. • Precautionary methods of work for bats, breeding birds, badger, hedgehog, reptiles and amphibians. • Protective measures such as a sensitive lighting scheme for bats and fencing for trees and hedgerows. • Hedgehog gaps in fencing

Compensation	• Planting of two new trees and a new section of hedgerow is proposed to compensate for the loss of T2, T3 and part of H1. • Planting in landscaping areas to include native species to compensate for lost opportunities for protected and notable species with potential to be present on the Site. • 2no. integrated bird boxes • 1no. integrated bat box
Enhancement	• 1no. integrated bat box • 1no. integrated bird box • Hedgehog box

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1 Introduction

Croft Ecology was commissioned by David Jackson to undertake a Preliminary Ecological Appraisal (PEA) of Land off Nailstone Rd, Barton-in-the-Beans, Nuneaton CV13 0PU (central grid reference: SK 39985 06415) (hereafter referred to as 'the Site').

The recommendations in this report are made on the understanding that the proposals will take place as initially advised with vegetated garden, two trees and some hedgerow to be removed to facilitate the development. If any amendments are made, the survey findings and subsequent recommendations are likely to also require review and amendment.

1.1 Aims

The aims of this report are to:

- identify key ecological features (habitats, species and ecosystems) within the Site
- identify the potential for/evidence of protected species within the Site
- identify if any further ecology surveys may be required to fully understand the likely impact on a given ecological feature
- identify any mitigation measures or protected species licensing likely required
- identify any opportunities for biodiversity enhancements

1.2 Site Location and Context

The Site is situated on the eastern edge of the village of Barton-in-the-Beans, 2.8km north of the town of Market Bosworth and 8.7km southwest of the M1. The surrounding landscape consists of small rural developments, agricultural fields, connecting hedgerows and small pockets of woodland.

1.3 Proposed Development

At the time of writing, it is understood that the proposals are for the construction of a residential dwelling (the 'Proposed Development') with associated access and parking.



Figure 1. Site Location (basemap source: Open Street Map)

1.4 Planning and Legislative Context

Both UK legislation together with national and local planning policies provide varying levels of protection to sites of ecological interest and habitats and species of conservation concern. Where relevant, this report takes into account the afforded protection for specific habitats and species likely to be found on the Site.

Further information on wildlife legislation and planning policy is provided in Appendix A.

2 Methodology

2.1 Personnel and Competence

The PEA survey was undertaken and report prepared by Imogen Holloway an Assistant Ecologist at Croft Ecology Ltd.

The technical review was undertaken by Katy Clark-Goddard a Senior Ecologist at Croft Ecology Ltd.

Table 1. Personnel Experience

Ecologist	Position	Qualifications/Licences (NE)	Experience
Katy Clark-Goddard	Senior Ecologist	BSc (Hons), MSc Level 2 bat licence Level 1 GCN licence Level 1 dormouse licence	Katy has six years' experience in ecological consultancy and regularly undertakes habitat and protected species surveys, ecological assessments and Biodiversity Net Gain evaluations. She manages projects from survey design through to reporting and has experience working on residential, commercial and infrastructure developments.
Imogen Holloway	Assistant Ecologist	BSc (Hons)	Imogen undertakes habitat surveys, ecological data collection and report preparation in support of a variety of development projects. Her experience includes Preliminary Ecological Appraisals, Biodiversity Net Gain assessments and Landscape and Ecological Management Plans, providing practical support throughout the project lifecycle.

2.2 Desk Study / Data Search

The Government's website MAGIC (www.magic.gov.uk) was accessed on 14 July 2026 to conduct an initial search for designated nature conservation sites, priority habitats and Natural England European Protected Species (EPS) mitigation licences issued within 1km of the Site, and to determine whether the Site was located within a Site of Special Scientific Interest (SSSI) Impact Risk Zone (IRZ).

Leicestershire and Rutland Ecological Record Centre also provided details on statutory and non-statutory sites, as well as protected and notable species records, within a 1km radius of the Site boundary on 26 June 2026. Records pre-dating the year 2000 were considered to be historical and not included in the assessment.

Additionally, aerial photography was viewed to assess habitat connectivity around the Site's locale, which may be important to ecological features present on-Site and for the consideration of suitable ecological enhancements.

2.3 Site Survey Date and Conditions

The Site was visited on 1 July 2026 and included all land within the red line boundary (see Figure 1) together with a brief assessment of those habitats bordering the Site.

Weather conditions at the time of survey were dry, with 95% cloud cover and a gentle breeze with a temperature of 20°C.

2.4 Habitat Survey Method (UKHab)

A UK Habitat (UKHab) ¹ Field Survey was undertaken in accordance with the methodology described within v2.0 documentation (2023) and was used as the basis for subsequent assessment in line with the standards and methods described within the Guidelines for Ecological Impact Assessment in the UK and Ireland (Chartered Institute of Ecology and Environmental Management (CIEEM), 2018) and Guidelines for Ecological Report Writing (CIEEM, 2017).

¹ UKHab Ltd (2023). *UK Habitat Classification Version 2.0* (at <https://www.ukhab.org/>)

A fine-scale minimum mapping unit (of 10m² or 5m) was deemed appropriate for use at the Site given its relatively small scale, consequently, only habitats with an area of 10m² or greater, or linear features 5m in length or greater, were mapped.

The UKHab uses primary codes whereby habitats are categorised by an increasingly detailed hierarchy until a match is discovered. Secondary codes describe environmental factors that provide additional information such as management regime, hydrology or similar. In this case, each habitat was assigned a Primary Code at the Level 4 hierarchy and secondary codes were applied where these could provide greater context¹.

During the field survey, all habitats within the Site were thoroughly observed, described, and mapped. A DAFOR abundance (D = dominant, A = abundant, F = frequent, O = occasional, R = rare) was assigned to each botanical species identified in each habitat and nomenclature followed Stace (Stace, 2019).

2.5 Protected / Notable Species Assessment Method

The UKHab field survey was extended to identify any protected or notable species as per CIEEM's Guidelines for Preliminary Ecological Appraisal (2017). Where relevant, specific industry standard sub-surveys were completed under the remit of this overarching PEA, as detailed below.

A thorough search was also conducted to detect the presence, or potential presence of other notable and protected species, such as badger *Meles meles*, breeding birds, reptiles, amphibians, notable mammals, invertebrates and any invasive species listed on Schedule 9 of the Wildlife and Countryside Act 1981 (as amended).

Otter *Lutra lutra*, water vole *Arvicola amphibius* and dormouse *Muscardinus avellanarius* were all scoped out due to a lack of records and suitable habitat within or adjacent to the Site and are therefore not considered further within the report.

2.5.1 Bats: Ground Level Tree Assessment

Where trees have the potential to be impacted by works, as per best practice guidelines (Collins, 2023), these trees should be subject to survey to identify their potential to support roosting bats to ensure that impacts to this mammal group can be appropriately considered within development proposals.

A Ground Level Tree Assessment (GLTA) therefore consists of a suitably qualified ecologist standing at the base of trees examining their entirety with binoculars and a high-powered torch to identify any potential roost features (PRFs) such as lifted bark, woodpecker holes, knot holes and cracked limbs/branches.

Should any tree have PRFs, it is assigned one of the categories as detailed below in Table 2.

Table 2. Assessment of bat roosting potential in trees²

Roosting Potential Category	Description
None	No PRFs identified.
PRF-I	PRF is only suitable for individual bats or very small numbers of bats either due to their size or lack of suitable surrounding habitats.
PRF-M	PRF is suitable for multiple bats and may therefore be used by a maternity colony.

2.6 Survey Limitations

All areas of the Site were readily accessed, with no limitations to the survey.

² Based on Table 6.2 in the *BCT Bat Surveys for Professional Ecologists: Good Practice Guidelines* (Collins, J. 2023).

2.7 Evaluation Approach

All potential ecological constraints to the Proposed Development were identified. In the context of the Mitigation Hierarchy³, consideration was given as to how any significant effects could be avoided, minimised or mitigated. Following this, appropriate compensation and enhancement measures are outlined within this report.

Where additional surveys are required to better understand the likely presence of a protected species, or the value of a habitat and the impact of the proposals on this ecological feature, these are detailed in Section 4 of this report. Opportunities for ecological enhancements are also provided in Section 4 of this report.

³ *“The overarching aims of ecological work used to inform the planning process are to minimize harm and to maximize benefits for biodiversity resulting from development. The generally accepted way of doing this, now embedded within the planning system, is to follow the “mitigation hierarchy”. This seeks as a preference to avoid impacts then to mitigate unavoidable impacts, and, as a last resort, to compensate for unavoidable residual impacts that remain after avoidance and mitigation measures.” Biodiversity: Code of practice for planning and development (BS 42020:2013)*

3 Results

3.1 Desk Study Summary

3.1.1 Statutory Sites

No statutory designated sites were present within 1km of the Site.

The Site was located within the SSSI IRZ for Ashby Canal SSSI and Newton Burgoland Marshes SSSI. However, the proposals do not meet any of the risk criteria that require further investigation.

3.1.2 Non-statutory Sites

A total of 15 locally designated sites were identified within 1km of the Site, comprising ten Notified, Candidate or Potential Local Wildlife Sites (LWS) and five Potential/Historic LWS. A notified LWS is a non-statutory designation identifying areas of significant biodiversity value. A candidate LWS is a parcel of land that has been identified as having potential nature conservation value but has not been formally designated. A potential LWS is likely to meet the criteria for a LWS but needs further survey work to confirm.

These designations primarily relate to species-rich grassland, hedgerows, mature trees and ponds. The closest designated site is Barton crossroads Ash LWS, located approximately 110m northwest of the Site. Other LWS within 1km include Barton Baptist Chapel Bistort Marsh LWS, 350m to the northwest of the Site, Barton-in-the-Beans Ash located 360m southwest of the Site, Nailstone Pond LWS is located 490m east of the Site. The remaining LWS are located over 500m from the Site. The Potential/Historic LWS have not been surveyed since at least 1990 and their current status is unknown.

Three parcels of priority habitat were identified within 1km of the Site, using the MAGIC layer. These related to two parcels of deciduous woodland and a traditional orchard, with the closest being deciduous woodland located approximately 340m northwest of the Site. The other record for deciduous woodland was located approximately 600m northeast of the Site. The traditional orchard record was located 650m northwest of the Site.

No impacts to priority habitats or designated sites are anticipated by the proposals due to its small scale and localised nature.

3.2 Habitats

3.2.1 Site Description

The Site predominantly consisted of vegetated garden comprising well managed lawn with shrubs and also contained a number of native trees and a native hedgerow. Areas of hardstanding, unsealed surface and a small area of modified grassland were also present on Site.

3.2.2 Vegetated Garden

The majority of the Site comprised vegetated garden, dominated by lawn, that was well managed by regular mowing, interspersed with individual shrubs. The species composition of the vegetated garden consisted of dominant perennial rye grass *Lolium perenne*, occasional white clover *Trifolium repens* and rarely occurring creeping buttercup *Ranunculus repens*, *Rosa* sp., *Paeonia* sp., *Magnolia* sp., *Acer* sp., hazel *Corylus avellana*, and kohuhu *Pittosporum tenuifolium* 'variegatum'.

Several trees and a hedgerow were also present within the vegetated garden. The trees which had a diameter at breast height (DBH) of less than 7.5cm were not recorded separately; these consisted of Siberian crab apple *Malus baccata*, *Magnolia* sp., *Acer* sp., hazel. Four trees with a DBH greater than 7.5cm and the hedgerow have been separately recorded.



Figure 2 Vegetated Garden in the south of the Site (facing southeast)

3.2.3 Developed Land; Sealed Surface

A brick driveway was present in the northeast of the Site, providing access to the Site as well as the adjacent property within the client's wider ownership. Gaps were present between the bricks where grasses were growing through, although these covered <10% of the area.



Figure 3 Sealed surface brick driveway in the northeast of the Site (facing southwest)

3.2.4 Artificial Unvegetated, Unsealed Surface

In the northeast of the Site the brick driveway led to a parking area consisting of gravel unsealed surface. Around the edges of the unsealed surface vegetation was growing through the gravel consisting of rarely occurring perennial rye grass, wood avens *Geum urbanum*, gardens lady's-mantle *Alchemilla mollis* and scarlet pimpernel *Lysimachia arvensis*, although these covered less than 10% of the area.



Figure 4 Unsealed surface gravel parking area (facing southwest)

3.2.5 Modified Grassland

A small area of modified grassland was present in the north of the Site. The grassland consisted of a grass verge between the hedgerow and road that was used for parking cars on. Due to the level of use, the grassland was over 50% bare ground and in poor condition. The species composition comprised dominant perennial rye grass and rarely occurring daisy *Bellis perennis*.

3.2.6 Individual Trees

A total of four trees over 7.5cm DBH were recorded within the Site, of which two met the Biodiversity Net Gain definition of a small sized tree and two of a medium sized tree. In the north of the Site a cherry tree *Prunus avium* (T1) with a DBH of 20cm was present adjacent to the Site boundary. The tree was in good condition being a mature tree of native species, with a canopy oversailing vegetation, no damage from human activity and small ecological niches suitable for invertebrates provided by ivy growing up the trunk of the tree.

In the northeast of the Site a crab apple *Malus sylvestris* tree (T2) was present with a DBH of 50cm. The tree was in good condition being a native species and mature in age, the tree had no damage from human activity and several rot holes and cavities providing ecological niches.



Figure 5 T1 a cherry tree in the north of the Site (facing north)



Figure 6 T2 a crab apple tree in the north of the Site (facing north)

In the south of the Site were a wellingtonia *Sequoiadendron giganteum* (T3) and an ash *Fraxinus excelsior* tree (T4). The wellingtonia tree had a DBH of 60cm and was in moderate condition. The tree failed the criteria for good condition only due to being a non-native species. The ash tree had a DBH of 15cm and was in moderate condition, being a native species that is not mature, having no damage from human activity and having no ecological niches and not being a mature tree.



Figure 7 T3 a wellingtonia in the south of the Site (facing southwest)



Figure 8 T4 an ash tree in the southeast of the Site (facing southeast)

3.2.7 Hedgerow

One native hedgerow was present within the Site. H1 was located on the northern Site boundary, and was less than 1.5m in both height and width along its length. With its height and width, lack of age diversity and disturbed ground within 1m, the hedgerow returned a moderate condition score. The hedgerow showed signs of regular maintenance. Species included abundant holly *Ilex aquifolium*, and elm sp. *Ulmus sp.*.



Figure 9 Native hedgerow along the northern Site boundary (facing northeast)

3.2.8 Fence

Along the southern Site boundary, a split rail fence was present separating the Site from the agricultural fields to the south. At the western end there was a 2m gap present where the fence ends before the next property begins.

The western Site boundary consisted of a closed boarded fence to the north of the fence line and a split rail fence to the south of the fenceline (both fences are visible in Figure 4). The split rail fence was overgrown with ivy and vegetation from the neighbouring hedgerow.

The eastern boundary of the Site was open and has no physical boundary between the Site and the client's wider ownership.



Figure 10 Split rail fence along the south boundary of the Site (facing south)

3.3 Species

3.3.1 Amphibians

The data search returned three records for great crested newt *Triturus cristatus* (GCN) and no records for other amphibians within 1km of the Site. All three records were returned from a GCN pond 476m east of the Site within Nailstone Pond LWS, the most recent record was from 2010 with the remaining two records being returned in 2005. There were no EPS licences for GCN on the MAGIC website within 1km of the Site and the Class Survey Licence Returns and Pond Surveys 2017-2019 datasets also returned no records for GCN.

A search of MAGIC identified that two ponds were present within 250m of the Site (Figure 11). The closest pond was located 180m southwest of the Site, and the second pond was located 185m northeast of the Site. Within 500m there were a further 3 ponds, all located over 400m away from the Site to the east and northwest. Both ponds to the northwest of the Site were

separated from the Site by the village of Barton in the Beans, which provides a barrier to dispersal should these ponds provide habitat for GCN (Figure 11).

The Site is located within an amber District Level License (DLL) risk zone. An amber DLL risk zone is a mapped area that contains main population centres and important connecting habitats that aid natural dispersal of GCN.

The Site provided limited potential for common amphibians or GCN. The majority of the Site is not suitable for GCN given the well managed nature of the garden and developed land. There is a possibility that amphibians could use the hedgerow for shelter and to commute along, and could therefore pass through the Site. However, the hedgerow is fragmented by driveways and roads. Therefore, it is likely that they would favour the surrounding more suitable habitat of woodland pockets and connecting hedgerows that border the arable fields within the wider landscape, compared to the Site which is surrounded by development to the north and west. Overall, the Site is considered to have low potential for common amphibians and GCN.

While the Site is within an amber risk zone, given the small, localised nature of the development and the more suitable habitat surrounding the Site, a DLL was deemed disproportionate with precautionary methods of works considered a more appropriate approach.



Figure 11 Ponds within 500m of the Site

3.3.2 Badgers

The desk study returned ten records for badger within 1km of the Site. The closest five records were all for a similar location within the village, 150m west of the Site, with an active sett and at least two individuals recorded in 2013 to 2019,. However, it was noted that the sett was filled in in 2019. The second closest record was for a partially active sett, recorded in 2016, 178m west from the Site. Given the proximity of the two sett records, they could be the same location. The remaining four records were over 600m away from the Site, with individuals and latrines identified.

There were no badger setts or latrines found on Site. The habitats present on Site provide limited opportunities for foraging and commuting badger with the hedgerow and vegetated garden providing foraging opportunities and the opening in the southwest of the Site providing access to the agricultural fields. However, it is likely they would favour the surrounding landscape of woodland and agricultural fields over the Site due to its setting within the village of Barton-in-the-Beans.

The Site offers low value to badger with no evidence of badgers present at the Site, however due to the nearby records for badger setts it cannot be ruled out that badgers could pass through the Site on occasion.

3.3.3 Bats

The desk study returned 15 bat records for common pipistrelle *Pipistrellus pipistrellus*, soprano pipistrelle *Pipistrellus pygmaeus*, pipistrelle bat species *Pipistrellus* sp., Myotis bat species *Myotis* sp., noctule *Nyctalus noctula* and Nathusius's pipistrelle *Pipistrelle nathusii*. These are all species that would be expected in the county and in a rural area. All are fairly widespread and relatively common. The closest records were from 2022 for a common pipistrelle roost for a location 101m to the southwest of the Site. The second closest record was for a common pipistrelle roost 127m southwest of the Site. Ten records were returned from 150m southwest of the Site for activity records for *Myotis* bat species, noctule, pipistrelle bat species, Nathusius's pipistrelle, common pipistrelle and soprano pipistrelle from 2022. The last record was for a common pipistrelle roost located 240m southwest of the Site from 2014.

The grassland, hedgerow and trees offered some but limited foraging and commuting opportunities for bats. The hedgerow within the Site was well connected to other suitable habitat of pockets of woodland in the surrounding landscape. The Site was however largely surrounded by open arable landscape and residential development which reduces its opportunities. Therefore, the Site is considered to have low potential for foraging and commuting bats.

3.3.3.1 Ground level tree assessment

The four trees large enough to potentially support roosting bats were inspected from the ground. Trees T1, T3 and T4 supported no PRFs and were graded 'none' for the roosting suitability. T2 contained several features that had potential for roosting bats. All of the features consisted of rot holes with two present on the northern aspect and two present on the southern aspects. On the northern aspect of the tree two features were present. These were situated lower on the tree at approximately 1.5m above ground level, both features were too shallow to be used by roosting bats. A small knot hole on the southeast aspect of the tree was situated on a branch, 2m above ground level, and another was on the southwestern aspect, situated slightly higher at around 2.3m from the ground. Both knot holes were upwards facing and did not lead further up into the branch. However, due to the heights of both features it

could not be ascertained if they progressed further down onto the branch, although this did appear unlikely. As the features were upwards facing this also reduced the suitability of them both, however their suitability could not be ruled out. Overall, the tree was rated PRF-I due to the two features on the southern aspect that have low potential to be used by an individual roosting bat.



Figure 12 Feature present on the southeast aspect of T2 (facing northeast)



Figure 13 Feature present on the southwest aspect of T2 (facing east)



Figure 14 Feature present on the north aspect of T2



Figure 15 Feature present on the north aspect of T2

3.3.4 Birds

The desk study returned 22 records for birds within 1km of the Site, relating to brambling *Fringilla montifringilla*, fieldfare *Turdus pilaris*, red kite *Milvus milvus*, and redwing *Turdus iliacus*. The closest records were for flocks of brambling and sightings of redwing and fieldfare from several dates in 2021 and 2022, 337m northwest of the Site. The remaining two records were for brambling from 470m southeast of the Site from 2022 and red kite recorded in 2009, 589m south of the Site. Although the Site provides some suitable habitat for the three smaller species identified, it is considered unlikely that they would utilise the Site for nesting as these are migratory species to the UK.

The Site provided limited suitability for nesting birds with the individual trees and hedgerow providing nesting opportunities. The surrounding farmland, hedgerows and woodland blocks provide more suitable habitat for a range of bird species.

At the time of the survey no evidence of nesting birds was recorded. Robins *Erithacus europaeus* were observed foraging on Site and using the neighbouring hedgerow along the western Site boundary. The Site did provide potential for nesting robins from the individual trees and hedgerow present.

Overall, it is possible birds may occasionally use the Site for nesting, foraging or commuting, although more favourable habitat is present in the wider landscape. Overall, the Site is considered to have low value for nesting birds.

3.3.5 Invertebrates

The desk study returned no records for invertebrates within 1km of the Site. The habitats present on Site provide limited opportunities for notable invertebrates due to the predominance of artificial hardstanding and well managed vegetated garden.

Small patches of flowering shrubs may provide minor opportunities for common invertebrate species, although they are unlikely to support a significant population of invertebrates as these are common and widespread habitats of low species diversity. Overall, the Site is considered to have low ecological value for this species group.

3.3.6 Reptiles

The data search revealed no records for reptiles within 1km of the Site, though this could be due to under recording. The habitats on Site were not considered to be suitable for reptiles due to the lack of habitat mosaic present. Due to the well managed nature of the grassland this provided no cover for sheltering or foraging reptiles. The driveway did provide potential for basking reptiles with connectivity from the hedgerow along the northern Site boundary, however this was fragmented by the driveways and roads. The adjacent field margins to the south of the Site also likely provide opportunities for reptiles.

While the Site largely consisted of well managed garden, with some, albeit limited, connectivity to the Site, it cannot be ruled out that reptiles will pass through the Site peripheries on occasion. Overall, the Site is considered to have low value for reptiles.

3.3.7 Other Mammals

The desk study returned no records for hedgehog *Erinaceus europaeus* or other mammals within 1km of the Site. The habitats present within the Site boundary consist predominantly of artificial unsealed surface and vegetated garden, which provides some limited opportunities for sheltering or foraging hedgehogs. The hedgerow in the north of the Site does provide opportunities for sheltering and foraging hedgehogs, though no evidence of presence was recorded. While hedgehogs may occasionally pass through the Site, it is considered to provide low suitability for this species.

3.4 Invasive Species

The desk study revealed no records for invasive species within 1km of the Site and no invasive species were identified on Site during the survey. Therefore, they are not considered further within this report.

4 Discussion and Recommendations

4.1 Summary of Proposed Development

The proposed development is for the construction of a residential dwelling at the Site, with associated access, parking and landscaping (Appendix C).

The proposals will result in the loss of the unsealed surface, some of the vegetated garden and some of the hedgerow in the north of the Site to create a new driveway access, the modified grassland and the individual trees T2 and T3.

4.2 Designated Sites Assessment

It is not considered likely that the non-statutory designated nature conservation sites or priority habitats within 1km of the Site will be impacted by the Proposed Development due to its small footprint and scale. As a result, no specific mitigation is required.

4.3 Habitat Impacts and Measures

The on Site trees T1 and T4 and the hedgerow (excluding a small part that is being removed to provide access to the Site) will be retained and should be protected within the proposals. Tree protection fencing should be installed on the Site prior to clearance, in line with BS 5837:2012: Trees in Relation to Design, Demolition and Construction – Recommendations, and left in place for the duration of construction activities. To compensate for the loss of T2, T3 and part of the hedgerow, new trees and hedgerow should be planted within the Site consisting of native tree species that are suitable for the area. At least two new trees and a new species rich hedgerow of at least the same length as the section removed should be planted to compensate for the loss.

The habitats on Site do not classify as irreplaceable habitats, being common and widespread habitats of relatively low species diversity. Therefore, these habitats can be appropriately compensated for with replacement planting.

Replacement landscape planting and management of the boundary features would also be likely to provide compensation for any lost opportunities for protected or notable species with

some potential to be present on the Site, namely amphibians, reptiles, badger, foraging and commuting bats, nesting birds, invertebrates and hedgehog.

4.4 Species Impacts and Measures

Given the relatively limited scale and nature of the proposals, together with the generally low suitability and size of the Site, precautionary measures and sensitive timing and methods of works should provide sufficient mitigation to potential impacts to species passing through the Site.

Sensitive timing and methods of works, or pre-works check by a suitably qualified ecologist, would ensure that potential impacts to nesting birds would be avoided during the removal of trees T2, T3 and part of H1. Replacement nesting opportunities should be provided to compensate for the loss of the opportunities within the trees and hedgerow.

Due to T2 having a rating of PRF-I, soft felling of the tree must be carried out to ensure no potential roosting bats are harmed during the removal of the tree. As the features are of low value to roosting bats and at most only suitable for individual bats, soft-felling provides a proportionate method of mitigation without the need for further surveys. Replacement roosting opportunities should be provided to compensate for the loss of the features within T2.

There is potential for increased lighting on the Site, as a result of the proposals, to cause disturbance to foraging and commuting bats passing over the Site or using adjacent habitats. As a result, a sensitive lighting strategy should be designed and implemented in order to keep lighting to the minimum levels required and away from habitat features of greatest potential, namely the existing trees, hedgerow, proposed bat boxes and proposed hedgerow. No lighting is anticipated during construction activities, as a result, potential impacts during the construction phase of the Proposed Development are unlikely.

The grass on Site should be maintained in its current condition to ensure it does not develop and become more advantageous for foraging and sheltering amphibians and reptiles.

Precautionary methods should be installed during the development to ensure no harm comes to terrestrial mammals that could pass through the Site such as badgers and hedgehogs.

Continual access should be maintained throughout the Site for hedgehogs by ensuring gaps are created in any potential closed boarded fencing to be installed.

4.5 Further Surveys Required

No further survey works are required provided works take place within 18 months of the date of this report. In this instance, an ecologist should be contacted for further advice as to whether any of the survey work may need updating.

4.6 Mitigation Requirements

- Retained trees and hedgerow within and adjacent to the Site should be protected from accidental damage and compaction within their root protection areas in accordance with BS 5837: 2012.
- To ensure no harm to animals (such as badgers and hedgehogs) moving through the Site, any trenches left open overnight should have a scaffold plank or similar placed in them to provide a means of escape for any trapped animal. Likewise, any open pipes with a diameter of 300mm or greater should be temporarily sealed overnight to prevent any trapped animals.
- Should any new closed boarded fencing be proposed, gaps (approx. 13cm square) should be created at the bottom to allow continued access for hedgehog across the Site.
- The grassland and vegetated garden should be maintained in its current short sward condition prior to works commencing to prevent it becoming suitable for amphibians or reptiles. If it is allowed to become more established, precautionary vegetation clearance measures may be required, such as careful timing and a phased clearance.
- As the northern hedgerow provides the only terrestrial sheltering opportunity within the Site boundary, this needs to be removed when GCN are least likely to be using it and when they are active. The removal of the vegetation should therefore take place during February to October inclusive, under the supervision of an ecologist. The temperature must be above 5°C, though the works should be avoided during extended periods of hot, dry weather also when newts may seek shelter in the hedgerow. Should temperatures be forecast to be over 27°C for a period of 5 days, works should be delayed until after this heatwave has passed and newts are likely to be more active.
- If a common amphibian or reptile is recorded during the works, they should be allowed to move away on their own accord or safely moved to an undisturbed area of the Site. In

the unlikely event that a GCN is encountered on Site, works must stop immediately, the GCN left untouched, and advice sought from a qualified ecologist and Natural England.

- Felling of T2, T3 and removal of a section of H1 should ideally be undertaken outside the typical bird nesting season of March-September. If this is not possible, such works during March-September must be preceded by a nesting bird check (within 24 hours) by a competent person to ensure no nesting is taking place. If there is evidence of nesting birds, work cannot proceed until nest-building and chick-rearing is complete or until an ecologist is able to advise on a suitable buffer distance to allow work in other areas of the Site.
- Tree T2 must be soft-felled, whereby it should be cut into sections, with cuts made at least 30cm from the features identified, and gently lowered to the ground. The sections containing the features should then be left on the Site, with the opening facing upwards, for at least 48 hours (this is so that in the very unlikely chance a bat is present, it will be able to exit the roost unharmed).
- No night-time work is anticipated. Any lighting to be installed as part of the scheme should use warm white LEDs to reduce the blue light component. Lighting should avoid roost entrances, if present, and avoid light spill towards any retained or planted trees, hedgerows within or adjacent to the Site, and the proposed bat enhancement feature (see below). Further advice concerning light-spill, column height and glare should be discussed and agreed with an ecologist.

4.7 Compensation and Enhancement

- Proposed planting within landscaped areas will compensate for lost opportunities for protected and notable species with potential to be present on the Site. Inclusion of native species or those with a known value to wildlife will enhance opportunities for such species. This should include species to attract pollinators and other invertebrates, which in turn would provide increased foraging opportunities for other species such as badger, bats, nesting birds and hedgehog.
- At least two trees should be planted within the Site or the wider to site to compensate for the loss of the two felled trees. The trees planted should be of native species. Some species to be considered could be rowan *Sorbus aucuparia* or an apple tree.

- Planting of a species rich native hedgerow should be carried out to replace the loss of the section of hedgerow removed as part of the proposal. The hedgerow should be at least the same length as what was removed and should contain at least five or more native woody species, such as hawthorn *Crataegus monogyna*, blackthorn *Prunus spinosa*, common hazel, dog rose *Rosa canina* or field maple *Acer campestre*.
- One bat box should be installed integrated within the proposed dwelling, to provide compensation roosting opportunities for bats from the removal of T2. This should be installed between the southwest and southeast aspect, at least 4m above the ground, away from artificial light sources. A Build-in Vivaro Pro Box would be appropriate. Further details on type and location of the box should be discussed and agreed with the architect and ecologist.
- Two bird boxes should be included within the proposed dwelling to provide compensation nesting opportunities for common bird species likely to be in the area. These should be sited between the north and east elevations situated at least at eaves height and away from artificial light sources and obstructions. Two Schwegler 1SP Sparrow Terrace's would be appropriate; these boxes must be sited side by side within the proposed dwelling. Further details on suitable box types and locations should be discussed and agreed with the architect and ecologist.
- The provision of a hedgehog box at the base of hedgerow H1, furthest from disturbance, would provide a welcome enhancement for this priority species. Further details on box type and location should be discussed with an ecologist.
- One bat box should be installed integrated into the proposed dwelling to provide enhanced roosting opportunities for bats. This should be installed between the southwest and southeast aspect, at least 4m above the ground, away from artificial light sources. A Manthorpe Ridge Roost would be appropriate. Further details on type and location of these boxes should be discussed and agreed with the architect and ecologist.
- One bird box should be included within the proposed dwellings to provide enhancement nesting opportunities for common bird species likely to be in the area. This should be sited between the north and east elevations situated at least at eaves height and away from artificial light sources and obstructions. A Build-In Half Open Woodstone Bird Nest Box would be appropriate. Further details on suitable box types and locations should be discussed and agreed with the architect and ecologist.

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5 Appendices

5.1 APPENDIX A – Legislation and Planning Policy

5.1.1 Summary

Habitats and species receive various levels of protection under UK legislation and national and local planning policies. Those that are potentially relevant to the Region are listed below.

- The Wildlife and Countryside Act 1981 (as amended)
- The Environmental Protection Act 1990
- The Protection of Badgers Act 1992
- The Hedgerow Regulations 1997
- The Countryside and Rights of Way (CROW) Act 2000
- The Natural Environment and Rural Communities (NERC) Act 2006
- The Conservation of Habitats and Species Regulations 2017 (as amended)
- The Environment Act 2021
- National Planning Policy Framework (NPPF) revised in 2024
- Hinckley and Bosworth Local Plan 2020-2041; Local Plan Policy SP25

Note: Although summaries are provided, it is recommended to seek the full legal or policy wording separately for more information.

5.1.2 UK Legislation

In Britain, the Wildlife and Countryside Act 1981⁴ serves as the main tool for safeguarding wildlife. Part 1 of the Wildlife and Countryside Act (WCA) deals with the protection of wildlife, including birds, animals, and plants. The Schedules that hold the most significance in terms of

⁴ Wildlife and Countryside Act 1981

planning are Schedule 1, which protects bird species, Schedule 5, which protects other animal species, and Schedule 8, which protects plant species. Schedule 9 lists species of plants and animals that are not native to Great Britain but have established themselves in the wild, posing a threat to the natural fauna and flora.

Additionally, the Conservation of Habitats and Species Regulations 2017⁵ incorporates the EEC Council Directive 92/43/EEC, also known as the Habitats Directive, into UK legislation. This directive safeguards habitats and species of conservation concern throughout Europe, including those found in the UK.

5.1.3 Planning Policy

The National Planning Policy Framework (NPPF) outlines the Government's planning policies for England and how local planning authorities should incorporate them into their own policies and plans. Chapter 15 of the NPPF contains several policies aimed at enhancing the natural environment. The updated NPPF 2024 has a policy on biodiversity net gain that mandates development to improve biodiversity by achieving measurable gains.

Under the Environment Act 2021, all planning permissions granted in England (with a few exemptions) have to deliver at least 10% biodiversity net gain post-development.

5.1.4 Designated Sites

In the UK, there are different types of statutory sites which are classified under various categories. These categories include Sites of Special Scientific Interest (SSSI) and National Nature Reserves (NNR) which are established under national legislation. Special Areas of Conservation (SAC) and Special Protection Areas (SPA) (for birds) are designated protected areas under the Conservation of Habitats and Species Regulations 2017 (as amended). Ramsar sites should be treated within the planning system in the same way as SACs and SPAs. Meanwhile, Local Nature Reserves (LNR) are sites that are protected, and designated, only at the local level.

⁵ [The Conservation of Habitats and Species Regulations 2017](#)

The NPPF refers to non-statutory sites as Local Wildlife Sites (LWS). Although they do not have a formal level of protection, they are commonly included in local planning policies and therefore receive some level of protection at the local level.

5.1.5 Priority Habitats and Species

Section 41 (s41) of the Natural Environment and Rural Communities Act 2006 requires the Secretary of State to publish a list of habitats and species of principal importance in England. These are known as Section 41 priority habitats and species and are considered to be most under threat or declining in the UK. The list is reviewed every six years.

There are currently 56 habitats on the list and 943 species from plants and fungi to invertebrates and mammals.

5.1.6 Protected Species

5.1.6.1 Bats, Great Crested Newts, Otter and Dormice

All British bat species (Rhinolophidae and Vespertilionidae), great crested newts *Triturus cristatus*, otter *Lutra lutra* and dormice *Muscardinus avellanarius* are legally protected in the UK under Schedule 5 of the Wildlife and Countryside Act 1981 (as amended) and are fully protected under Schedule 2 of The Conservation of Habitats and Species Regulations 2017 (as amended). The latter piece of legislation resulted in them being known as “European protected species”.

This means that it is illegal to deliberately take, injure, or kill the animal; to intentionally or recklessly disturb the animal whilst they are in a 'place used for shelter or protection' or damage or destroy a breeding or resting place (even when the animal is not present).

It is also illegal to intentionally or recklessly obstruct access to a place of shelter or protection; or to possess, control, sell, or transport live or dead individuals or their body parts.

If you cannot avoid disturbing these species or damaging their habitats, you may apply to Natural England for a licence to carry out such works under the close supervision of a licensed ecologist.

5.1.6.2 Water Vole

Water vole *Arvicola amphibius* are legally protected in the UK under Schedule 5 of the Wildlife and Countryside Act 1981 (as amended) (All parts of Section 9 apply). This means that it is against the law to intentionally kill, injure, take or possess the animal. It is also illegal to intentionally or recklessly disturb the animal whilst they are in a 'place used for shelter or protection', or to damage or destroy or obstruct access to these places.

Additionally, the sale and exchange of these animals is prohibited.

If you cannot avoid disturbing water voles or damaging their habitats, you may apply to Natural England for a licence to carry out such works under the close supervision of a licensed ecologist.

5.1.6.3 Common Amphibians

Common frog *Rana temporaria*, common toad *Bufo bufo*, smooth *Lissotriton vulgaris* and palmate newts *Lissotriton helveticus* are protected from sale only under Section 9(5) of the Wildlife and Countryside Act 1981 (as amended).

5.1.6.4 Common Reptiles

Grass snake *Natrix helvetica*, common lizard *Zootoca vivipara*, adder *Vipera berus* and slow-worm *Anguis fragilis* are listed under Schedule 5 of the Wildlife and Countryside Act 1981 (as amended) but only part of sub-section 9(1) and all of sub-section 9(5) apply. These species are protected against killing, injury and sale.

5.1.6.5 Birds

In the UK, the law protects all wild bird species, as well as their eggs and nests, under the Wildlife and Countryside Act 1981 (as amended). Intentionally harming or taking wild birds, damaging or destroying their nests while in use or under construction, taking or destroying their eggs, or possessing, controlling, or transporting live or dead wild birds is considered an offence. Some birds (such as barn owl *Tyto alba*, kingfisher *Alcedo atthis*, and peregrine falcon *Falco peregrinus* amongst others) receive additional protection under Schedule 1, Part 1 of this Act and are protected by special penalties at all times. For these bird species, it is also an offence to disturb them while they are nesting, building a nest, near a nest with their young, or disturbing their dependent young.

5.1.6.6 Badger

The Protection of Badgers Act 1992 safeguards badgers *Meles meles* and their setts. It is illegal to deliberately harm badgers by capturing, killing, or injuring them, or by damaging, destroying, or blocking access to their setts. Disturbing badgers in their setts, treating them cruelly, intentionally sending a dog into a sett, and baiting or digging for badgers are also prohibited.

5.1.6.7 Invasive Species

The Wildlife and Countryside Act 1981 (as amended) Schedule 9 Part 2 provides controls on the release of non-native species into the environment, i.e., those considered to be invasive if they survive, thrive and spread rapidly within the environment. This prohibits the planting of such species or causing them to grow in the wild (plants), or the release/allowing to escape into the wild (animals).

5.2 APPENDIX B – Baseline Habitats Map



Figure 16. Baseline Habitats Map

5.3 APPENDIX C – Post-Development Proposals



Figure 17 Proposed Site Layout