

PRELIMINARY ECOLOGICAL APPRAISAL

Fenn Lanes, Fenny Drayton

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Site Details

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Site Address	Fenn Lanes, Fenny Drayton CV13 6BP
Central OS Grid Reference	SP 36409 96860
Client	Shaan Chaudry

Document Control

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Disclosure:

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EXECUTIVE SUMMARY

Croft Ecology was commissioned by Shaan Chaudry to undertake a Preliminary Ecological Appraisal (PEA) at Fenn Lanes, Fenny Drayton CV13 6BP in relation to the creation of a storage container site and caravan self-storage; removal of one set of entrance gates and replacement of other entrance gates; provision of soft landscaping and sustainable drainage infrastructure.

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.

Topic	Conclusion
Proposal	Creation of a storage container site and caravan self-storage; removal of one set of entrance gates and replacement of other entrance gates; provision of soft landscaping and sustainable drainage infrastructure
Habitats	There are no priority habitats within the Site. The Site comprised predominantly artificial unvegetated, unsealed surface with small areas of ruderal vegetation colonising the hardstanding, together with a small area of sealed surface at the Site entrance.
Protected species	The Site provided low potential for great crested newt, bats, badger and other mammals, with records present within the surrounding landscape but limited suitable habitat within the Site boundary.
Further surveys	No further surveys are required or recommended.
Mitigation	• Sensitive methods of working for amphibians and mammals • Timings of works restrictions for nesting birds • Protective measures for amphibians and mammals

	• Sensitive lighting measures for bats • Pollution control measures via a CEMP
Compensation	• No ecological compensation is required due to the negligible habitat loss associated with the proposals
Enhancement	• 2no. bat boxes on poles or off-site building • Native planting along the western boundary • Inclusion of sustainable drainage feature (e.g. swales)

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1 Introduction

Croft Ecology was commissioned by Shaan Chaudry to undertake a Preliminary Ecological Appraisal (PEA) of Fenn Lanes, Fenny Drayton CV13 6BP (central grid reference: SP 36409 96860) (hereafter referred to as 'the Site').

The recommendations in this report are made on the understanding that no existing buildings will be impacted and that the proposals will take place as initially advised. 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 located off Fenn Lanes, Fenny Drayton, Warwickshire. The Site comprised previously cleared land which was used as hardstanding consisting predominantly of compacted stone and gravel, together with a small area of concrete surfacing at the entrance from Fenn Lanes.

The surrounding landscape is predominantly rural in character, comprising agricultural fields, hedgerows and areas of deciduous woodland. Woodland blocks are located immediately north, west and south of the Site, while agricultural land extends across the wider landscape. A number of ponds and woodland habitats are present within the surrounding area, providing ecological connectivity within the wider landscape.

1.3 Proposed Development

At the time of writing, it is understood that the proposals are for the creation of a storage container site and caravan self-storage; removal of one set of entrance gates and replacement of other entrance gates; provision of soft landscaping and sustainable drainage infrastructure, (the 'Proposed Development').



Figure 1. Site Location (basemap source: Mapbox)

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 Preliminary Ecological Appraisal survey and report preparation was undertaken by Dom Riley ACIEEM, Consultant Ecologist at Croft Ecology. Dom has 4 years of experience working in the field of ecology and has undertaken and reviewed dozens of walkover surveys/baseline habitat surveys and has been using UK Hab survey methodology for the last 3 years. Dom has prepared many reports during this time including protected species survey reports, method statements, and Preliminary Ecological Appraisal reports (PEA reports).

The technical review was undertaken by Anna Scott-Swift MCIEEM, Director of Ecology at Croft Ecology. Anna has over 20 years of experience working in ecology and has undertaken and reviewed dozens of Preliminary Ecological Appraisals and Ecological Impact Assessments for projects of a range of scales. Anna holds a Level 2 survey licence for bats (2025-82204-CL18-BAT), a Level 1 survey licence for GCN (2025-82200-SCI-CL08) and a survey licence for barn owl (2026-88081-CL29-OWL).

2.2 Desk Study / Data Search

The Government's website MAGIC (www.magic.gov.uk) was accessed on 10 March 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 SSSI Impact Risk Zone (IRZ).

Leicestershire and Rutland Environmental Records Centre (LRERC) 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 10 March 2026.

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 20 August 2025 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 overcast 30% cloud cover with no rain, a light breeze and a temperature of 18 °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).

A fine-scale minimum mapping unit (of 25m² or 5m) was deemed appropriate for use at the Site given its relatively small scale, consequently, only habitats with an area of 25m² 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).

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

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* 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.

The Site is surrounded by woodland which may provide suitable habitat for hazel dormouse *Muscardinus avellanarius*; however, the Site itself comprises predominantly open, unvegetated habitat and is considered unsuitable, as dormice are unlikely to cross such open areas. No records were returned from the desk study, and the nearest known population (a reintroduction at Bradgate Park) is located approximately 22km from the Site, well beyond typical dispersal distances. Dormice are therefore scoped out of further assessment.

2.6 Survey Limitations

All areas of the Site were readily accessed, with no limitations to the survey. Access beyond the Site boundary was not available, and therefore a full inspection of land within 30m for badger setts (as typically undertaken) was not possible where this fell within private ownership.

However, the Site boundary was assessed for evidence of badger activity, including mammal paths leading into adjacent woodland. The potential for setts within neighbouring habitats has been considered, and the likely impacts of the Proposed Development have been assessed accordingly.

2.7 Evaluation Approach

All potential ecological constraints to the Proposed Development were identified. In the context of the Mitigation Hierarchy², 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.

² *"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 lies within a Site of Special Scientific Interest (SSSI) Impact Risk Zone for Kendall's Meadow 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 18 locally designated sites were identified within 1km of the Site, comprising Candidate and Potential Local Wildlife Sites (LWS).

These designations primarily relate to mature trees, hedgerows, ponds and small woodland features within the surrounding agricultural landscape. The closest designated site is Fenn Lanes/A444 verges Candidate LWS, located approximately 120m from the Site. Other locally designated sites within the search area are associated with linear hedgerows, woodland spinneys and ponds in the wider countryside.

A number of parcels of priority habitat were identified within 1km of the Site, using the MAGIC layer. These primarily related to deciduous woodland, with one parcel of traditional orchard. The wooded areas immediately north, west and south of the Site are priority deciduous woodland habitat. A priority habitat pond was also present situated 140m east of the Site.

No significant impacts to priority habitats or designated sites are anticipated by the proposal due to its small scale and localised nature, however precautionary measures will be recommended to ensure the adjacent woodlands are not adversely affected by works.

3.2 Habitats

3.2.1 Artificial Unvegetated, Unsealed Surface

The main area within the red line boundary consisted of compacted loose stone and gravel which had previously been laid as a hardstanding surface following clearance works associated with an earlier planning permission. The surface remained largely unvegetated, with only small areas of colonising vegetation present.

Vegetation cover across the Site was sparse and patchy, comprising less than 10% of the total area. The few colonising species recorded included rare teasel *Dipsacus fullonum*, great willowherb *Epilobium hirsutum*, silverweed *Potentilla anserina*, prickly sow-thistle *Sonchus asper*, bristly oxtongue *Helminthotheca echinoides*, and young field maple *Acer campestre* saplings.

The access track leading to the Site from Fenn Lanes similarly comprised predominantly unsealed compacted stone. Little to no vegetation was recorded colonising this access route.



Figure 2 Southern extent of the Site consisting of unsealed surface



Figure 3 Northern extent of the Site



Figure 4 Unsealed access road leading to Fenn Lanes

3.2.2 Developed Land; Sealed Surface

A small area of sealed surface was present at the northern extent of the Site where the access road meets Fenn Lanes. This consisted of concrete surfacing forming the entrance to the Site. The sealed surface was largely devoid of vegetation, with little to no colonisation observed at the time of survey.



Figure 5 Concrete sealed surface at the end of the access road leading to Fenn lanes

3.3 Species

3.3.1 Amphibians

The data search returned 31 records for great crested newt *Triturus cristatus* (GCN), and 64 for other amphibians within 1km of the Site. The closest of which was a GCN record within the Site boundary from 2016, likely within the old woodland prior to its clearance. Seven records came from the same pond 140m to the east of the Site from 2016-2019. There were two European Protected Species licences for great crested newt on the MAGIC website within 1km of the Site and the Class Survey Licence Returns and Pond Surveys 2017-2019 datasets also returned three records for great crested newt. The two licences were from 2018 and 2019 and were located between 350-400m southeast and east of the Site.

The Site lies within an amber risk zone for GCN under Natural England's mapping. However, no ponds are present within the Site boundary and the habitats present consist predominantly of artificial unvegetated, unsealed surface with very limited vegetation.

As such, the Site itself provided very limited opportunities for sheltering, foraging or dispersal for amphibians, and is considered to have low suitability for GCN. Nevertheless, given the presence of multiple ponds and records within the wider landscape, it is possible that amphibians may occasionally pass through the Site.

3.3.2 Badgers

The desk study returned 16 records for badger within 1km of the Site. The closest record was for a sett recorded in 2009, 40m from the Site to the north within the woodland, with another sett record returned in the western adjacent woodland from 2011.

No evidence of badger activity, including setts, paths, hairs or latrines, was recorded within the Site during the survey. The Site itself provided limited opportunities for sett creation or foraging due to the predominance of artificial hardstanding.

However, the woodland habitats surrounding the Site provided suitable habitat for badgers and it is likely that the species occurs locally. Badgers may therefore occasionally pass through the Site, although the Site itself is considered to provide low value for this species.

3.3.3 Bats

The desk study returned 17 bat records for 'bat' Chiroptera, common pipistrelle *Pipistrellus pipistrellus*, soprano pipistrelle *Pipistrellus pygmaeus*, pipistrelle bat species *Pipistrellus* spp., noctule *Nyctalus noctula*, Leisler's bat *Nyctalus leisleri*, Myotis bat species *Myotis* spp., and brown long-eared (BLE) bat *Plecotus auritus*. 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 record was from 2016, for a BLE roost in the building located approximately 10m north of the Site boundary.

The Site itself comprised predominantly artificial unsealed surface and did not contain buildings or mature trees that could support roosting bats. As such, the Site is considered to have negligible potential for roosting bats.

The woodland and hedgerow habitats surrounding the Site provided suitable commuting and foraging habitat for bats, and the nearby roost record indicates that bats are active within the local area. Bats may therefore occasionally commute or forage over the Site, although the Site itself provided limited foraging opportunities.

3.3.4 Birds

The desk study returned 14 records for birds within 1km of the Site, relating to barn owl *Tyto alba*, fieldfare *Turdus pilaris*, little ringed plover *Charadrius dubius*, peregrine *Falco peregrinus* and redwing *Turdus iliacus*.

The Site provides very limited opportunities for nesting birds, including those recorded nearby, due to the absence of vegetation, trees or structures suitable for nesting. The surrounding farmland, hedgerows and woodland blocks provided more suitable habitat for a range of bird species. Birds may occasionally use the Site for foraging or commuting, although it does not provide suitable nesting habitat. Overall, the Site is considered to have negligible 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 provided limited opportunities for notable invertebrates due to the predominance of artificial hardstanding and lack of vegetation.

Small patches of ruderal vegetation may provide minor opportunities for common invertebrate species, although overall the Site is considered to have low ecological value for this species group.

3.3.6 Reptiles

The data search revealed three records for reptiles within 1km of the Site, all of which being grass snake *Natrix helvetica*. The closest record was situated 770m east of the Site. The habitats on Site were not considered to be suitable for reptiles due to the lack of habitat mosaic present and predominance of hardstanding with minimal structural vegetation.

More suitable reptile habitat was present within the surrounding landscape, including woodland edges, hedgerows and unmanaged field margins. Overall, the Site is considered to have low suitability for reptiles, although individuals may occasionally pass through the Site from surrounding habitats.

3.3.7 Other Notable Mammals

The desk study returned no records for hedgehog *Erinaceus europaeus* or other notable mammals within 1km of the Site. The habitats present within the Site boundary consisted predominantly of artificial unsealed surface with very limited vegetation, which provided limited opportunities for sheltering or foraging hedgehogs. More suitable habitat for this species was present within the surrounding landscape, including hedgerows, woodland edges and scrub habitats. 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. No schedule 9 invasive species were identified on Site at the time of the survey.

4 Discussion and Recommendations

4.1 Summary of Proposed Development

The proposed development is for the creation of a storage container site and caravan self-storage; removal of one set of entrance gates and replacement of other entrance gates; provision of soft landscaping and sustainable drainage infrastructure at the Site (Appendix C).

The proposals will result in the loss of negligible habitat with only existing urban features affected. The woodland at the north, south, and west, will not be directly impacted.

4.2 Designated Sites Assessment

It is not considered likely that the statutory or non-statutory designated nature conservation sites, or priority habitats, within 1km of the Site will be significantly impacted by the Proposed Development due to its small footprint and scale. However, due to the vicinity of deciduous woodland priority habitat in close proximity of the Site, precautionary measures during construction and post-development will be recommended to ensure no indirect impacts occur as a result of dust, runoff, pollution risk or disturbance.

4.3 Habitat Impacts and Measures

The Site comprises predominantly artificial unvegetated, unsealed surface, with only small areas of ruderal vegetation colonising the hardstanding. The Proposed Development will largely utilise this existing hardstanding surface, with the addition of soft landscaping and sustainable drainage infrastructure.

These habitats are common and widespread and do not classify as priority or irreplaceable habitats. Vegetation present within the Site covered less than 10% of the surface and was limited to small patches of early successional species. The Proposed Development will therefore result in negligible habitat loss. Due to the limited ecological value of the habitats present, no specific habitat mitigation measures are required for on-site habitats. The inclusion of soft landscaping and sustainable drainage features (e.g. swales) will provide enhanced habitat and improved connectivity through the Site.

4.4 Species Impacts and Measures

The Site lies within an amber risk zone for GCN and numerous records occur within the surrounding landscape, including ponds within close proximity to the Site. However, no ponds were present within the Site boundary and the habitats present consisted almost entirely of hardstanding with sparse ruderal vegetation. The Site therefore provided very limited opportunities for sheltering, foraging or dispersal for amphibians and was considered to have low suitability for GCN. Nevertheless, given the presence of suitable habitat within the wider landscape, precautionary working practices should be adopted during construction to minimise the risk of harm to amphibians that may occasionally pass through the Site. The inclusion of sustainable drainage features and soft landscaping (e.g. swales) within the Proposed Development is likely to provide enhanced opportunities for amphibians, including great crested newt, and would improve habitat connectivity through the Site.

Records of badger setts occur within woodland adjacent to the Site, although no evidence of badger activity was recorded during the survey. The Site itself provided limited opportunities for sett creation or foraging due to the predominance of artificial surfaces. Badgers may occasionally pass through the Site from surrounding woodland habitats and therefore sensitive working practices should be adopted during construction, including covering any excavations overnight or providing a means of escape.

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 such as surrounding woodland or the building to the north for roosting. As a result, a sensitive lighting strategy will be designed and implemented in order to keep lighting to the minimum levels required and away from habitat features of greatest potential, namely woodland edges and the building to the north. No lighting is anticipated during construction activities, as a result, potential impacts during the construction phase of the Proposed Development are unlikely.

4.5 Further Surveys Required

No further surveys are required at this stage.

4.6 Mitigation Requirements

- Materials brought onto Site will be stored at least 20m from the off-Site pond and on a sealed surface or on raised pallets. This will prevent amphibians, including GCN, taking refuge beneath/within them.
- To ensure no harm to animals (such as badgers, GCN and hedgehogs) moving through the Site, should the Proposed Development require the digging of any trenches, any such trenches left open overnight will 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.
- No night-time work is anticipated. However, in the event lighting is required, any lighting to be installed should use warm white LEDs to reduce the blue light component. Lighting will avoid roost entrances, if present, and avoid light spill towards the woodland edges, and retained building north of the Site that has a previously recorded bat roost. Further advice concerning light-spill, column height and glare should be discussed and agreed with an ecologist.
- Retained trees adjacent to the Site will be protected from accidental damage and compaction within their root protection areas in accordance with BS 5837: 2012.
- A Construction Environmental Management Plan (CEMP) should be implemented, including dust suppression, surface water management, pollution prevention measures (e.g. interceptors), a buffer to adjacent woodland, and sensitive lighting design, to ensure no indirect impacts to nearby priority habitats; the proposed SUDS features (e.g. swales) will assist in managing runoff.
- Any proposed works within 10m of the woodland edges 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.

4.7 Compensation and Enhancement

- Proposed planting along the western boundary will come as a welcome enhancement. Conifer species are proposed in the plans, however the inclusion of native species or those with a known value to wildlife will enhance opportunities for a wider range of species that could potentially use the Site. 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, GCN, nesting birds and hedgehog.
- Bat boxes, suitable for Myotis, brown long-eared and common pipistrelle bats, such as the Vincent bat box (or similar approved) will provide a welcome enhancement during and after the construction works. These could be sited on poles placed within the red line boundary and close to the adjacent woodland edges or potentially mounted externally on the building to the north of the Site (e.g. Schwegler 1FR or similar, suitable for brown long-eared bat could also be installed) at eaves height. These boxes should be installed in advance of works, facing between southwest and southeast and located over 3m above the ground.

5 References

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6 Appendices

6.1 APPENDIX A – Legislation and Planning Policy

6.1.1 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.

6.1.2 UK Legislation

In Britain, the Wildlife and Countryside Act 1981³ 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

³ 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 2017⁴ 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.

6.1.3 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.

6.1.4 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.

⁴ *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.

6.1.5 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.

6.1.6 Protected Species

6.1.6.1 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.

6.1.6.2 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.

6.1.6.3 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).

6.1.6.4 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.

6.1.6.5 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.

6.1.6.6 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.

6.1.6.7 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).

6.2 APPENDIX B – Baseline Habitats Map



Figure 6. Baseline Habitats Map

6.3 APPENDIX C – Post-Development Proposals



Figure 7 Proposed Development