



Owl Homes Ltd

Land at Cherry Orchard Farm, Higham on the Hill

ECOLOGICAL APPRAISAL & PROTECTED SPECIES REPORT

June 2023

FPCR Environment and Design Ltd

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1.0 INTRODUCTION

- 1.1 Owl Homes Ltd commissioned FPCR Environment and Design Ltd. (FPCR) to undertake an ecological appraisal in relation to an area of land to the south of Wood Lane at Cherry Orchard Farm, Higham on the Hill (central OS grid reference SP 37770 95331) to inform resolution of Reserved Matters (Outline Planning Ref. 21/01147/OUT) for development of the site.
- 1.2 The site is bound to the north by Wood lane, to the east residential houses and by arable fields to the south and west.

2.0 BACKGROUND

- 2.1 An updated phase 1 walkover of the site was undertaken on the 14th of March 2023, along with a badger survey, and ground level assessment of trees for bat potential.
- 2.2 The site comprised of an area of ploughed arable land bound by a hedgerow to the west, a hedgerow and tree line to the north, a fence to the east, whilst the south continued into further arable land.
- 2.3 The approved outline planning permission is for up to 61 new dwellings, including, an ecologically designed attenuation basin, as well as informal and formal open space.

3.0 METHODOLOGY

Desk Study

- 3.1 A consultation exercise was completed with statutory and non-statutory nature conservation organisations for baseline ecological information. From the data obtained, records from the past 20 years are considered relevant and have been report in the following document.
- 3.2 In order to compile existing baseline information for the study area, relevant ecological information was requested from the Leicester and Rutland Ecological Records Centre (LRERC).
- 3.3 In addition, the following resources were interrogated for additional information and context:
 - Multi Agency Geographic Information for the Countryside (MAGIC) website¹;
 - Colour 1:25,000 OS base maps²; and
 - Aerial photographs from Google Earth³.
- 3.4 The search area for biodiversity information was related to the significance of sites and species and potential zones of influence, as follows:
 - 10km around the application area for sites of International Importance (e.g. Special Area of Conservation, Special Protection Area, Ramsar site);
 - 2km around the application area for sites of National or Regional Importance (e.g. Sites of Special Scientific Interest National or Local Nature Reserves (NNR/LNR); and
 - 1km around the application site for non-statutory designated sites of County or Local Importance (e.g. Sites of Importance for Nature Conservation (SINC), Local Wildlife Sites (LWS)) and species records (e.g. legally protected or notable species including species of

¹ [Online]. <http://www.magic.gov.uk/>

² [Online]. www.ordnancesurvey.co.uk

³ [Online]. www.maps.google.co.uk

Principal Importance under S41 of the Natural Environment and Rural Communities (NERC) Act (2006))⁴.

Field Survey

Phase 1 Habitat Survey

- 3.5 A Phase 1 Habitat survey was completed on the 14th March 2023. This survey comprised a Phase 1 Habitat Survey involved classification of the broad habitat types, present using the system published by the UK Joint Nature Conservation Committee⁵, but where considered appropriate, with additional information collected beyond that required to determine the Phase 1 Habitat type, classifying the habitat types present and marking them on a base map.
- 3.6 The Phase 1 survey involved a systematic walk over of the site mapping and broadly describing the principal habitat types and identifying the dominant plant species present within each habitat type, noting any features of interest and any invasive weeds (where present). Whilst the plant species lists obtained should not be regarded as exhaustive, sufficient information was obtained to determine broad habitat types. Botanical species recorded across the site habitat were listed and an abundance attributed to them using the DAFOR scale as follows:
- D – Dominant (75 – 100% cover)
A – Abundant (25 – 74% cover)
F – Frequent (10 – 24% cover)
O – Occasional (5 – 9% cover)
R – Rare (<5% cover)
- 3.7 The survey was also extended to assess the suitability of the habitats and other features to support protected and notable fauna.

Hedgerow Survey

- 3.8 Hedgerows were surveyed using the Hedgerow Evaluation and Grading System (HEGS)⁶. The aim of the assessment is to allow the rapid recording and ecological appraisal of any given site in the UK, and to allow the grading of the individual hedgerows present, in order to identify those which are likely to be of greatest significance for wildlife. This method of assessment includes noting down: canopy species composition, associated ground flora and climbers; structure of the hedgerow including height, width and gaps, and associated features including number and species of mature tree and the presence of banks, ditches and grass verges.
- 3.9 Using the HEGS methodology each hedgerow can then be given a grade. These grades are used to assign a nature conservation value to each hedgerow as follows:
- Grade -1, 1, 1+ High to Very High Value
 - Grade -2, 2, 2+ Moderately High to High Value
 - Grade -3, 3, 3+ Moderate Value

⁴ *The Natural Environment and Rural Communities Act 2006*. [Online]. London: HMSO Available at: <http://www.legislation.gov.uk/ukpga/2006/16/contents>

⁵ JNCC 2010. *Handbook for Phase 1 habitat survey - a technique for environmental audit*, ISBN 0 86139 636 7

⁶ Clements, D.K. & Tofts, R.J. 1992. *Hedgerow Evaluation and Grading System (HEGS): A methodology for the ecological survey, evaluation and grading of hedgerows*.

- Grade -4, 4, 4+ Low Value

- 3.10 Hedgerows graded -2 or above are suggested as being a nature conservation priority.
- 3.11 Hedgerows were also assessed for their potential ecological value under the Hedgerow Regulations 1997⁷ (Statutory Instrument No: 1160) to determine whether they qualified as 'Important Hedgerows' under the Regulations. This was achieved using a methodology in accordance with both the Regulations and DEFRA guidance. An assessment of archaeological importance as defined under the Hedgerow Regulations 1997 was beyond the scope of this assessment.
- 3.12 All hedgerows were also assessed as to whether they qualified as Habitats of Principal Importance (Priority Habitats) under Section 41 of the NERC Act 2006, i.e. whether they consisted of 80% or more native species.

Fauna

- 3.13 During the Phase 1 Habitat Survey of the site, observations, signs of or suitable habitat for any species protected under Part I of the Wildlife and Countryside Act 1981 (*as amended*), the Conservation of Habitats & Species Regulations 2017 (*as amended*) and the Protection of Badgers Act 1992 were recorded. Consideration was also given to the existence and use of the site by other notable fauna such as Schedule 1 bird species, breeding birds, species of Principle Importance under Section 41 of the NERC Act (2006), and Local Biodiversity Action Plan (LBAP) or Red Data Book (RDB) species.

Badger *Meles meles*

- 3.14 All hedgerows and other suitable habitats within the development boundary and accessible land within 30m were searched for evidence of badger activity during the site survey on 14/03/23. The methodology employed followed that outlined by Harris and Creswell and Jefferies⁸.
- 3.15 Evidence of badger occupation and activity sought included:
- Setts: including earth mounds, evidence of bedding and runways between setts;
 - Latrines: often located close to setts, at territory boundaries or adjacent to favoured feeding areas;
 - Prints and paths or trackways;
 - Hairs caught on rough wood or fencing; and
 - Other evidence: including snuffle holes, feeding and playing areas and scratching posts.

Bats: Roost Sites

Ground Level Tree Assessment

- 3.16 The trees on site were assessed from ground level during the Phase 1 Habitat Survey for their potential to support roosting bats and to enable recommendations with respect to the proposed works. During the survey Potential Roosting Features (PRFs) for bats such as the following were sought (based on p16, British Standard BS8596:2015)⁹:

⁷ DEFRA 1997. *The Hedgerow Regulations 1997: A Guide to the Law and Good Practice*, London, HMSO

⁸ Harris, S., Cresswell, P. & Jefferies, D. 1989. *Surveying for badgers*. Occasional Publication of the Mammal Society No. 9. Mammal Society, Bristol.

⁹ British Standard 2015. BS 8596:2015 *Surveying for bats in trees and woodland – Guide*, October 2015.

Amphibians

- 3.17 The suitability of on-site habitats as potential breeding sites for amphibians, areas of shelter or rest or foraging and commuting behaviour was assessed, including terrestrial habitats such as hedgerows, scrub, rough grassland, and wetland.

Reptiles

- 3.18 Habitats were evaluated during the Phase 1 habitat survey for their potential to support reptiles following guidance set out within the Herpetofauna Workers Manual¹⁰ and the Froglife Advice Sheet 1011. This involved a review of habitats such as areas of scrub, grassland with well-developed and varied structure, south facing banks and field margins for suitability to provide shelter and/or basking opportunities for reptiles.

Other Species

- 3.19 The potential for other protected and/or notable species was assessed during the Phase 1 habitat survey. Bird species present at the time of survey were also noted.

Biodiversity Impact Assessment (BIA)

- 3.20 National Planning Policy Framework 2021 (paragraph 174) recommends that “*planning policies and decisions should.... minimise impacts on and provide net gains for biodiversity.*” However, the government is seeking to mandate biodiversity net gain across all future developments in England, with the recently passed Environment Bill to be used to make the statutory changes necessary to implement mandatory net gain.
- 3.21 An assessment of the proposals using the DEFRA metric 4.0 has been completed and is present in separate the BIA technical statement (FPCR, 2023).

¹⁰ Gent, T. and Gibson, S. 2012. *Herpetofauna Workers' Manual*. Pelagic Publishing.

¹¹ Froglife 1999. *Froglife Advice Sheet 10: Reptile survey*. Froglife, London.

4.0 RESULTS

Desk Study

Statutory Designated Sites

- 4.1 No designated sites of international or national importance were identified within the site, and no designated sites of national or regional importance for nature conservation were identified within 2km of the site.
- 4.2 One international designated site was located within 10km of the site boundary: “Ensor’s Pool” Special Area of Conservation (SAC) lies c.5.5km to the south west of the Site. This SAC comprises an abandoned clay pit designated for holding a very large and healthy population of native white-clawed crayfish *Austropotamobius pallipes*. It was one of the best lake populations of crayfish in England, however in recent years unfortunately this population has been decimated due to exposure to crayfish plague.

Non-Statutory Designated Sites

- 4.3 No LWS or Ecosites are located within or adjacent the proposed development site. There are however four non-statutory sites within 1km of the site (some had multiple designations), listed in Table 1 and represented at Figure 1.

Table 1: Designated Sites

Site Name (Ref: Fig 1)	Designation	Approximate Distance & Relative Direction	Summary Description
Oddfellows Field	LWS	145m north east	Mesotrophic grassland
Dismantled railway cutting	pLWS	250m north	Disused railway cutting
Arable Pond	LWS	975m west	Standing water
MIRA Lake and Grassland	LWS	1km north	Standing water

Protected / Notable Species

- 4.4 Several protected species records were returned from consultation with LRERC. A summary of the records from the last 20 years considered to be of particular relevance to the study area is provided below and shown at Figure 1.

Mammals

- 4.5 No water vole *Arvicola amphibius* records were returned from within c.1km of the site.
- 4.6 Several hedgehog *Erinaceus europaeus* records were returned, the closest lying c.150m to the north from 2021.
- 4.7 Two records of badger *Meles meles* were identified within 1km of the site lying approximately 900m to the east (2011) and the west (2014) of the site.
- 4.8 Several common bat species records were returned, the closest being unidentified bats in flight from c.150m north of the Site (2010)

- 4.9 The closes roost record was recorded c700m east in 2016, a common pipistrelle *Pipistrellus pipistrellus* roost.

Amphibians and Reptiles

- 4.10 Two species of amphibian were identified from records, great crested newt (GCN) *Triturus cristatus* and smooth newt *Lissotriton vulgaris*. The closest GCN record (2009) lay c.200m north of the Site, the closest smooth newt record (2017) lay c.900m to the west of the Site.
- 4.11 Grass snake *Natrix helvetica* records were found within 1km of the Site, the closest lying c.200m east of the site (2018).

Birds

- 4.12 In total 23 species of birds records were returned, the closest, a barn owl *Tyto alba* record lying c.150m to the north. The majority of the records lay c.900m to the north west. Notable species records returned included swallow *Hirundo rustica*, swift *Apus apus*, curlew *Numenius arquata* and skylark *Alauda arvensis*.

Invasive species

- 4.13 No invasive species records were returned from within c.1km of the site.

Field Results

Phase 1 Habitat Survey (Figure 2 & Appendix 1)

- 4.14 Habitat descriptions are provided below, with habitat locations described in Figure 2. A list of botanical species recorded is provided in Appendix A.

Ploughed field

- 4.15 The majority of the site consisted of a recently ploughed arable field with no emerging species.



Photograph 1: Ploughed arable field with remnants of grass clumps

Grassland Margins

- 4.16 The margins at the edge of the field were at maximum c.2m in width. The dominant grass species was perennial rye grass *Lolium perenne*, with frequently occurring cocksfoot *Dactylis glomerata* and rarely occurring false oat grass *Arrhenatherum elatius*, Yorkshire fog *Holcus lanatus*, and meadow foxtail *Alopecurus pratensis*.
- 4.17 Few forb species were present; These included broadleaved dock *Rumex obtusifolius*, cleavers *Galium aparine*, common nettle *Urtica dioica*, cow parsley *Anthriscus sylvestris* and creeping thistle *Cirsium arvense* all rarely occurring. Species composition echoed the findings of the main field survey in the preliminary ecological appraisal conducted on the Site in April 2021 - *Preliminary Ecological Appraisal of Land at Cherry Orchard Farm, Higham on the Hill, Leicestershire* - Philip Irving, which found a regularly seeded modified grassland.

Mixed Scrub

- 4.18 Surrounding H1 which ran along the western Site boundary was a developing area of immature scrub with frequently occurring areas of bramble *Rubus fruticosus* agg and hawthorn *Crataegus* sp. Occasionally occurring species include blackthorn *Prunus spinosa* and dog rose *Rosa canina*.

Hedgerows

- 4.19 Two hedgerows were present on the site. Hedgerow H1 along the western boundary bordering the road was a native hedgerow with frequently occurring hawthorn with, dog rose, elm *Ulmus procera* and holly *Ilex aquifolium* also occasionally occurring. This hedgerow qualified as a habitat of Principle Importance under S41 of the NERC Act (2006) as it supported over 80% native species. It was assessed as being of high ecological value (grade -1) against the HEGS criteria and qualifies as being important under the Hedgerow Regulations Act (1997) wildlife and landscape criteria due to nine woody species present. Hedgerow H2 ran along the northern site boundary. It had connections to connected to H1 in the north west. It was a less species diverse hedgerow with hawthorn and field maple *Acer campestre* occurring occasionally and ash *Fraxinus excelsior* and dog rose occurring rarely.
- 4.20 Hedgerow H2 qualified as a habitat of Principle Importance under S41 of the NERC Act (2006) as it supported over 80% native species. It was assessed as being of moderate ecological value (grade +3) against the HEGS criteria but did not qualify as being important under the Hedgerow Regulations Act (1997) wildlife and landscape criteria due to not being sufficiently species diverse.

Table 2: Hedgerow Survey Summary

Ref.	Canopy Sp.	Height / Width (m)	Approximate Length (m)	Sp. per Av. 30m	Associated Features	HEGS Grade	Import. HR
H1	Ash, Blackthorn, elder <i>Sambucus nigra</i> , hawthorn Dog rose, English elm, Field maple, Hazel <i>Corylus avellana</i> , Holly	>4/2-3	190	5	0-10% gaps	-1	Yes
H2	Ash, dogrose, hawthorn, holly	1-2/1-2	70	4	0% gaps	+3	No

Badgers

- 4.21 No badger setts or evidence were recorded during the survey.

BatsBat Tree Assessment

- 4.22 The limited numbers of trees within the site were largely in good health with no potential for roosting bats recorded.

Bat Foraging / Commuting Habitats

- 4.23 The hedgerows within the site provided potential foraging and commuting opportunities for the local bat population. The majority of the site, comprising ploughed land offered only negligible foraging/commuting opportunities for the local bat population.

Amphibians

- 4.24 The site is dominated by ploughed land, which does not provide suitable foraging habitat or areas of shelter for amphibians such as great crested newt (GCN), though the boundary habitats, comprising hedgerow and scrub would provide terrestrial opportunities amphibians around the edge of the site if locally present.
- 4.25 No ponds or wet ditches occurred within the site and as such no suitable breeding habitat for amphibian species was identified within the site.

Reptiles

- 4.26 The majority of the site comprised ploughed arable land, and as such provided negligible opportunities for reptile species.
- 4.27 The boundary habitats, comprising hedgerow and scrub provided limited suitable opportunities for reptiles around the edge of the site.

Birds

- 4.28 The hedgerows at the site boundaries provided suitable nesting habitat for a wide range of common farmland and urban edge bird species.

5.0 DISCUSSION & CONCLUSIONS**Statutory Designated Sites**

- 5.1 No designated sites of international, national or regional importance for nature conservation were identified within the site boundary.
- 5.2 Ensor's Pool SAC the only designated site within 10 km, comprises an abandoned clay pit fed with ground water with public footpath access surrounding.
- 5.3 No watercourses link the Site to the SAC and given the intervening distance (c.5.5km) and the amount of locally accessible open space it is not anticipated that the proposed development will result in increased recreational pressure in the designated site.

- 5.4 It is concluded that the development of the site will not result in likely significant affects to the conservation objective of the SAC.

Non-Statutory Designated Sites

- 5.5 A number of non-statutory ecological designations were identified within 1km of the site, of these the closest to the site is Oddfellows Field LWS located approximately 145m north east at its closest point. At this distance the LWS will not be subject to land take or any direct effects as a result of the proposed development such noise or dust pollution.
- 5.6 Local LWS sites including Oddfellows Field, and the pLWS Dismantled railway cutting could receive increased recreational use from new residents following completion of the development. The proposed development is however modest in scale (c.61 houses) and local footpaths such as the Kings Georges Field grounds to the north will offer recreational opportunities for new residents, including dog walking. As such, the proposed development is not anticipated to significantly increase recreational pressure on these non-statutory designations. As such no direct or indirect impacts on non-statutory designated site as a result of the proposed development are anticipated.
- 5.7 Overall, non-statutory designations are not considered to pose a constraint to the proposed development.

Habitats

- 5.8 The degree to which habitats receive consideration within the planning system relies on a number of mechanisms, including:
- Inclusion within specific policy (e.g. veteran trees, ancient woodland and linear habitats in the National Planning Policy Framework (NPPF), or non-statutory site designation),
 - Identification as a habitat of principal importance for biodiversity under the NERC Act (2006) and consequently identification as a Priority Habitat within the LBAP.
- 5.9 Under the NPPF, development should, where possible, seek to contribute a net gain in biodiversity with an emphasis on improving ecological networks and linkages.
- 5.10 The only onsite habitats identified during the survey which falls within any of the above listed categories is hedgerow H1 which is to be retained in the proposals.
- 5.11 The site is dominated by habitats of low ecological value or botanical interest, ploughed arable land. Loss of this habitat will be mitigated for within the area of grassland provided in open space around the site to the south and west and through the provision of additional diversity in garden habitats and an ecologically managed SuDs area of wet grassland.
- 5.12 Hedgerow H2 will also be retained, whilst a small number of field maple trees will be lost to facilitate site access. This is to be mitigated by onsite tree planting which will include 61 trees of which all located in the open green space are native, including field maple which will compensate the losses.
- 5.13 Retained hedgerow habitats will be suitably protected during construction activities i.e. working methods should adhere to standard best practice guidance. This would include BS5837¹². All trees to be retained will be protected from damage and soil compaction during works by maintaining protected Root Protection Areas (RPAs) as determined in accordance with BS 5837. No vehicular

¹² BS 5837:2012 Trees in relation to design, demolition and construction. Recommendations.

access will be permitted within the RPAs unless suitable soil protection layers are used, and no storage of materials, installations of services, excessive cultivation for landscape installations or fires will be permitted.

- 5.14 With the creation of a variety of habitats of value onsite (neutral grassland, wet grassland, hedgerows, scrub and trees) and retention of habitats of most value, it is considered that the proposed development will enhance the biodiversity value of the site.

Fauna

- 5.15 Principal pieces of legislation protecting wild species are Part 1 of the Wildlife and Countryside Act 1981 (*as amended*) (WCA) and the Conservation of Habitats and Species Regulations 2017 (*as amended*). Some species, for example badgers, also have their own protective legislation (Protection of Badger Act 1992). The impact that this legislation has on the Planning system is outlined in ODPM 06/2005 Government Circular: Biodiversity and Geological Conservation – Statutory Obligations and their Impact within the Planning System.
- 5.16 The presence of protected species is a material consideration in any planning decision. It is essential that the presence or otherwise of protected species, and the extent to which they are impacted by proposals is established prior to planning permission being granted. Furthermore, where protected species are present and proposals may result in harm to the species or its habitat, steps should be taken to ensure the long-term protection of the species, such as through attaching appropriate planning conditions.
- 5.17 In addition to protected species, there are those that are otherwise of conservation merit, such as Species of Principal Importance for the purpose of conserving biodiversity under the NERC Act 2006. These are recognised in the NPPF, which advises that when determining planning applications, local planning authorities should aim to conserve and enhance biodiversity by applying a set of principles including:
- If significant harm to biodiversity resulting from a development cannot be avoided, adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused.
 - Development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to incorporate biodiversity improvements in and around developments should be encouraged, especially where this can secure measurable net gains for biodiversity.
- 5.18 The implications for the proposed development are outlined below:

Badgers

- 5.19 No evidence of badgers was found during the phase one survey however record data suggests they are present in the wider area. Given that badgers are a mobile species which can create and abandon setts frequently, it is recommended appropriate precautionary working measures are recommended throughout works to ensure that badgers (and other wildlife) are not harmed. This includes the following:
- The site manager completing weekly inspections of any soil mounds for evidence of new badger activity and if any potential new setts are identified works in that area will be stopped and further advice sought from a suitability qualified ecologist.

- During construction, any pipes greater than 250mm in diameter should be capped if they are left open overnight, thereby preventing badgers or other wildlife from becoming trapped.
- Any pits or trenches should be similarly covered overnight, or left with a suitable means of escape, e.g. stout timber plank as a ramp.

Bats

Roosts – Trees

- 5.20 There were no mature trees on or adjacent to the site with features suitable to support a bat roost. Consequently, the presence of a bat roost has not been identified as a statutory ecological constraint to development of the site.
- 5.21 Through development design, it is recommended that consideration is given to the provision of bat boxes within new dwellings of the site to provide enhanced roosting opportunities for bats within the site as described in the associated Landscape Ecological and Management Plan (LEMP) FPCR - May 2023.

Foraging / Commuting Habitats

- 5.22 The habitats of greatest value to the local bat assemblage, the hedgerows, are to be retained and increased within the proposed development. A small area of the northern treeline will be lost for site access, however, the other boundary habitats will be retained, and new hedgerow planting is to occur around the edges of the development, to provide a buffer to the green open space to the south and west of the site.
- 5.23 The commuting and foraging habitat is expected to be retained and can be enhanced through native hedgerow / tree / scrub planting which will increase commuting routes around the site particularly along the southern boundary, providing a new east to west corridor of scrub. It is not anticipated that the temporary small losses will significantly impact the local bat population.
- 5.24 To minimise potential disturbance to both retained and newly planted habitats the lighting scheme should be designed to ensure that light spill onto vegetated areas is avoided where possible. Where lighting is absolutely necessary this should be low wattage, directional, low level and/or shaded to minimise light spill. The overall lighting scheme should be designed with reference to industry guidance¹³ and meet the current environmental standards of good practice in order to minimise potential disturbance caused through the lighting of bat foraging/commuting corridors and potential roost sites.
- 5.25 With the implementation of the above, no significant negative effects on the local bat population are anticipated as a result of the proposed development.

¹³ Gazaryan, S. & Meyer-Cords, T. 2018. *Guidelines for consideration of bats in lighting projects*. EUROBATs Publication Series No. 8. Bonn: UNEP/EUROBATs Secretariat.
Bat Conservation Trust. 2011. *Statement on the Impact and Design of Artificial Light on Bats*.
Bat Conservation Trust and the Institute of Lighting Professionals 2018. *Bats and Artificial Lighting in the UK*. Bats and the Built Environment Series. Guidance Note 08/18
Institute of Lighting Professionals. 2011. *Guidance notes for the reduction of Obtrusive Light*.

GCN

- 5.26 The majority of the terrestrial habitats affected by the development do not provide suitable resting places for GCN. The hedgerows do provide some limited suitability for GCN but these are isolated in the wider landscape.
- 5.27 The previous ecological appraisal (April 2021 – Andrew Irving) highlighted Wood Lane and the northern developments as a significant barrier to dispersal from the ponds to the north of the Site. No new records of GCN have been returned in close proximity to the site since this report and the majority of the Site has since become less suitable for GCN as it is now ploughed land.
- 5.28 Given the habitat type effected by the development proposals and isolated or distant records of GCN in the surrounding area, the presence of GCN has not been identified as a statutory ecological constraint to development of the site.
- 5.29 A newt identification sheet will be provided to the site manager. In the extremely unlikely event GCN are discovered during any stage of the development works the Ecologist should be informed immediately. Precautionary working methods outlined below for reptiles will ensure other amphibian species that may be present are protected from harm.

Reptiles

- 5.30 All common reptiles are protected from killing or injury under the Wildlife & Countryside Act 1981 (*as amended*) and are Species of Principal Importance under Section 41 of the NERC Act 2006.
- 5.31 Grass snake records were returned from within 1km of the site from within the last 20 years, however the majority of the Site has negligible value to reptiles with resting and foraging habitat restricted to the site boundaries, which are to be largely retained.
- 5.32 As such, the site is not considered to provide a significant resource for reptile species, and it is considered unlikely that a breeding population reptiles would be present onsite.
- 5.33 However, a precautionary approach is to be followed with the clearance of any field perimeter habitats to be undertaken as follows:
- Clearance of suitable habitats will be preceded by directional strimming towards retained/offsite habitats to avoid accidental killing or injury of reptiles;
 - The vegetation will be given two cuts in the direction of retained or off-site habitats. The first cut will be to c.200mm and the second 1-2 hours later to c.50mm;
 - All arisings will be removed from the working area to prevent potential areas of refugia from being used by reptiles moving across the area;
 - The above works should be undertaken during suitable weather conditions (when the daytime temperature is above 10°C) between mid-March and October, inclusive; and
 - Upon completion of the above the on-site habitats should be maintained as unsuitable (i.e. with a short sward or without vegetation cover) throughout the construction works to discourage reptiles from colonising previously cleared areas.

Birds

- 5.34 All wild bird species are protected while nesting by the Wildlife and Countryside Act 1981 (*as amended*). This legislation protects wild birds and their eggs from intentional harm, and makes it illegal to intentionally take, damage, or destroy a wild bird nest while it is in use or being built.
- 5.35 The on-site biodiversity potential is expected to improve for birds post-development as the majority of habitats of most importance such as trees and hedgerows are to be retained, and the creation of new mixed habitat such as vegetated gardens, neutral grassland and wet grassland, will increase foraging opportunities.
- 5.36 Any removal of suitable nesting habitat should therefore occur outside of the bird breeding season (March to August/September inclusive) to minimise the risk of disturbance to breeding birds. If this is not possible, such vegetation must be checked prior to removal by a suitably experienced ecologist to confirm the absence of active nests. If active nests are found, vegetation must be left undisturbed and suitably buffered from works until all birds have fledged. Specific advice should be sought prior to undertaking the clearance.
- 5.37 Further enhancements should be considered for inclusion within the development of a variety of nest boxes including a mix of small hole (26mm and 32mm) designs and open fronted boxes to provide enhanced nesting opportunities for a range of common farmland and urban edge bird species present in the local area as detailed in the associated LEMP - FPCR - May 2023.

Other FaunaHedgehog

- 5.38 Records of hedgehog were returned from the desk study. This is a Species of Principal Importance under Section 41 of the NERC Act 2006. Habitat within site was considered to be suitable for this species in terms of shelter provided by hedgerows, with arable land providing foraging opportunities.
- 5.39 Given the wide availability of similar habitat in the surrounding countryside, it is not anticipated the proposed development will significantly affect the local population of hedgehog, and habitat provisions such as the creation of hedgerows will adequately mitigate for habitat losses within the Site for this species. The incorporation of log piles and provision of hedgehog access points within garden fences to allow movement of hedgehogs between adjacent plots should be employed as described in the associated LEMP - FPCR - May 2023..

Water Vole

- 5.40 No suitable habitat for water vole was situated within or near the proposed development site. As such water vole are not a material consideration with regard to the proposed development.

Biodiversity Net Gain

- 5.41 With the habitat retention and the additional habitat creation, the limited ecological value of the habitats lost within the Site to facilitate the allocated development will result in a small gain in biodiversity units 0.12 in accordance with the local planning requirement.

APPENDIX A: BOTANICAL SPECIES LIST

Abundance is described on the DAFOR scale.

D = Dominant, A = Abundant, F = Frequent, O = Occasional, R = Rare. (LF = Locally Frequent)

Field Margins (c.2m max)

Common Name	Scientific Name	DAFOR
Broadleaved dock	<i>Rumex obtusifolius</i>	R
Cleavers	<i>Galium aparine</i>	R
Cock's-foot	<i>Dactylus glomerata</i>	LF
Common chickweed	<i>Stellaria media</i>	R
Common nettle	<i>Urtica dioica</i>	R
Cow parsley	<i>Anthriscus sylvestris</i>	R
Crane's-bill species	<i>Geranium sp.</i>	R
Creeping buttercup	<i>Ranunculus repens</i>	R
Creeping thistle	<i>Cirsium arvense</i>	R
Dandelion sp.	<i>Taraxacum officinale agg.</i>	R
False oat-grass	<i>Arrhenatherum elatius</i>	R
Meadow foxtail	<i>Alopecurus pratensis</i>	R
Perennial rye-grass	<i>Lolium prene</i>	D
Red dead-nettle	<i>Lamium purpureum</i>	R
Spear thistle	<i>Cirsium vulgare</i>	R
White dead-nettle	<i>Lamium album</i>	R
Yorkshire-fog	<i>Holcus lanatus</i>	R

Hedgerow 1

Common Name	Scientific Name	DAFOR
Ash	<i>Fraxinus excelsior</i>	R
Blackthorn	<i>Prunus spinosa</i>	O
Bramble	<i>Rubus fruticosus agg.</i>	LF
Common elder	<i>Sambucus nigra</i>	R
Common hawthorn	<i>Crataegus monogyna</i>	F
Dog rose	<i>Rosa canina</i>	O
English elm	<i>Ulmus procera</i>	O
Field maple	<i>Acer campestre</i>	LO
Hazel	<i>Corylus avellana</i>	R
Holly	<i>Ilex aquifolium</i>	O

Hedgerow 2

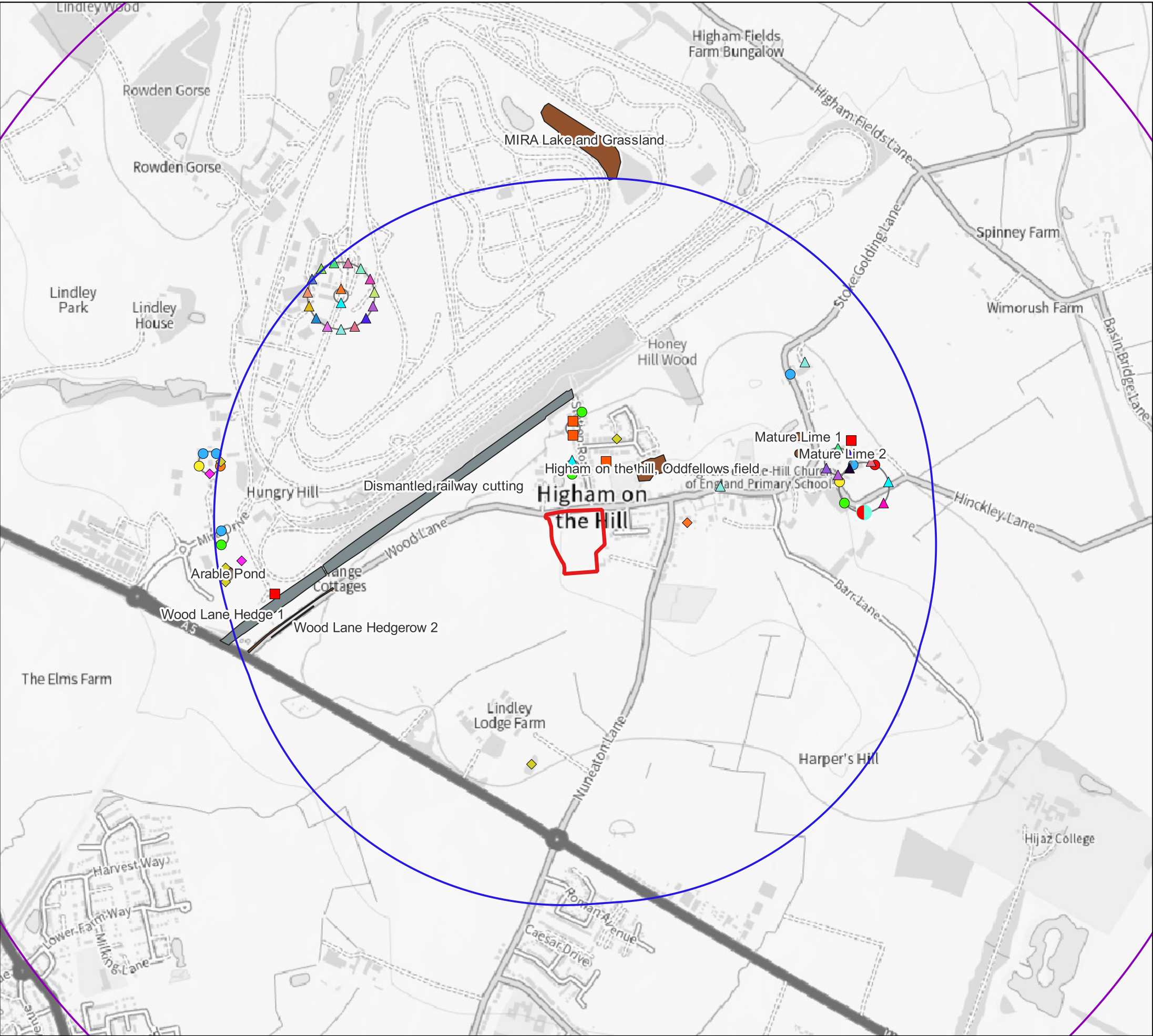
Common Name	Scientific Name	DAFOR
Ash	<i>Fraxinus excelsior</i>	R
Common hawthorn	<i>Crataegus monogyna</i>	O
Dog rose	<i>Rosa canina</i>	R
Field maple	<i>Acer campestre</i>	O

Dense Continuous Scrub

Common Name	Scientific Name	DAFOR
Blackthorn	<i>Prunus spinosa</i>	O
Bramble	<i>Rubus fruticosus agg.</i>	O
Common hawthorn	<i>Crataegus monogyna</i>	F
Dog rose	<i>Rosa canina</i>	O

Treeline

Common Name	Scientific Name	DAFOR
Field maple	<i>Acer campestre</i>	D

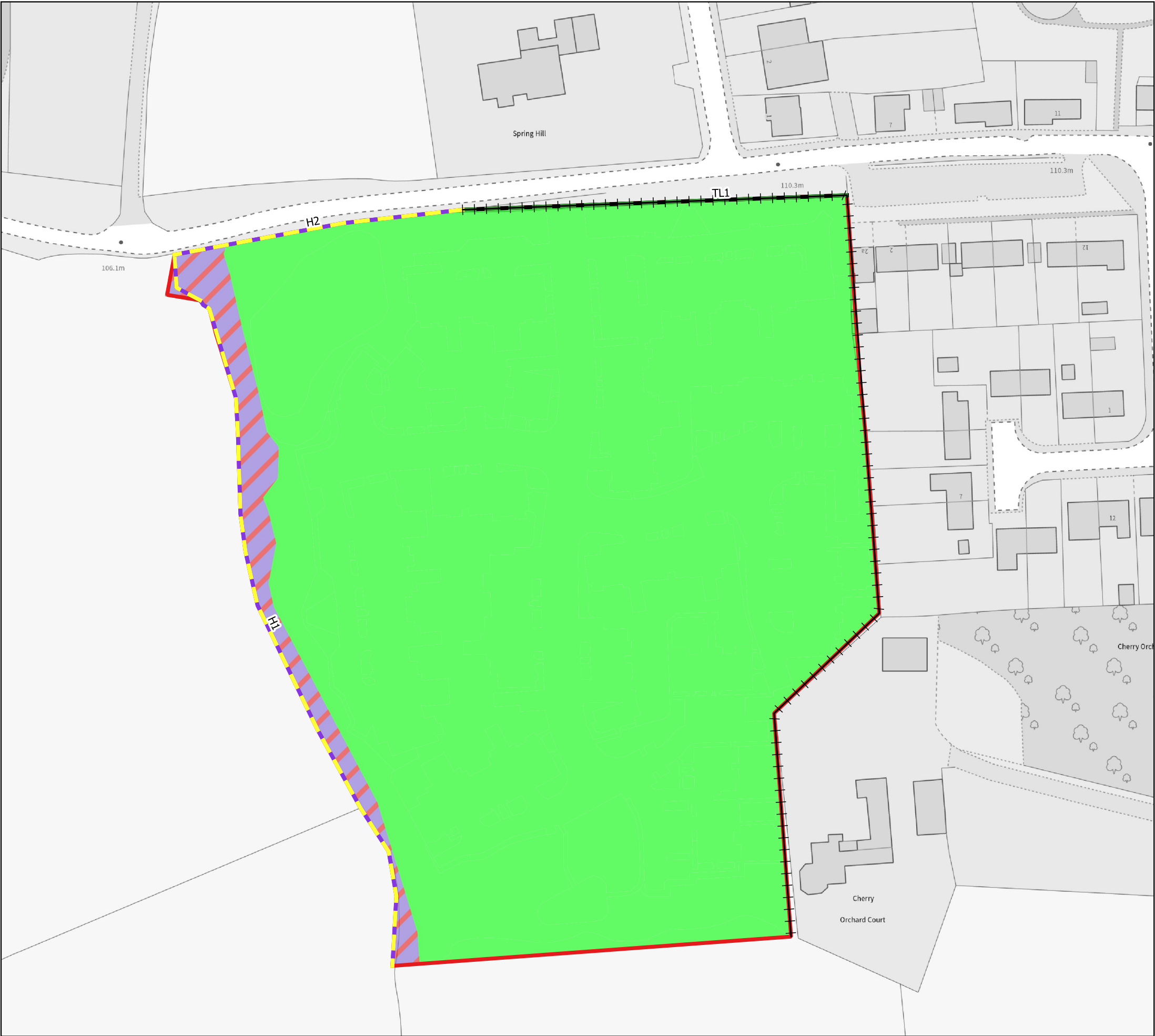


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Key

- | | | | |
|--|---------------------------|--|----------------------|
| | Red Line Boundary | | Swallow |
| | 1km | | Swift |
| | 2km | | Wren |
| | LWS | | Yellowhammer |
| | Historic | | Badger |
| | Bullfinch | | Barn Owl |
| | Canada Goose | | Bat |
| | Cuckoo | | Brown Long-eared Bat |
| | Curlew | | Common Pipistrelle |
| | Dunnoch | | Common Toad |
| | Grey Partridge | | Daubenton's Bat |
| | Hedgehog | | Fieldfare |
| | House Martin | | Grass Snake |
| | House Sparrow | | Great Crested Newt |
| | Lapwing | | Lesser Noctule |
| | Lesser Spotted Woodpecker | | Little Ringed Plover |
| | Linnet | | Merlin |
| | Reed Bunting | | Myotis Bat species |
| | Signal Crayfish | | Noctule Bat |
| | Skylark | | Otter |
| | Song Thrush | | Smooth Newt |
| | Spotted Flycatcher | | Soprano Pipistrelle |
| | Starling | | |



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Key

 Red Line Boundary

Baseline Habitats

 Mixed scrub

 Ploughed arable

 Line of trees

 Native hedgerow



client
Owl Homes Ltd
project
Land at Cherry Orchard Farm,
Higham on the Hill
drawing title
PHASE ONE HABITATS PLAN

scale @ A3
1:1,000

drawn
JR

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drawing / figure number
Figure 2