



**Kirkby Old Parks Farm, Kirkby Lane, Newbold Verdon,
Leicestershire, LE9 9LN**

Preliminary Ecological Appraisal Report

Document Control

Client:	Jamie Anderson
Project Title:	Kirkby Old Parks Farm, Kirkby Lane, Newbold Verdon, Leicestershire, LE9 9LN
Report Title:	Preliminary Ecological Appraisal Report
Report Ref.:	P2738_01
Version:	V0
Status:	Final
Revision Comments:	-
Principal Author:	PH BSc (Hons), MSc
Technical Review:	AC BSc (Hons) MSc MCIEEM
Issued to Client:	21 February 2025

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Contents

1.	Summary	1
2.	Introduction	3
	Background	3
	Site Description	3
	Development Proposals	3
	Report Purpose and Scope	3
	Planning Policy and Legislation	3
3.	Methodology	5
	Assessment	5
	Personnel	5
	Desk Study	5
	Field Survey	6
	UKHab Habitat Survey	6
	Amphibians (Including Great Crested Newt)	6
	Badger	7
	Bats – Ground Level Tree Assessment	7
	Bats – Commuting and Foraging	8
	Nesting Birds	9
	Hazel Dormouse	9
	Terrestrial Invertebrates	9
	Reptiles	9
	Otter	9
	Water Vole	9
	Fish	9
	Aquatic Invertebrates (including White-clawed Crayfish)	10
	Other Mammals	10
	Invasive Species	10
	Limitations	10
4.	Results	11
	Desk Study	11
	Surrounding Landscape	11
	Statutory Designated Sites	11
	Priority Habitats and Ancient Woodland	11
	Relevant Ecological Information Used to Inform Other Planning Applications	12
	Field Survey	12

UKHab Habitat Survey	12
Hedgerow Survey	14
Protected/ Notable Species	14
5. Ecological Constraints & Opportunities	17
6. Conclusions	21
Further Surveys	21
Biodiversity Enhancement	21
7. References	22
8. Figures	23
Appendix 1: Planning Policy & Legislation Summary	24
Appendix 2: Photographs	28
Appendix 3: Great Crested Newt Habitat Suitability Index	29

Tables

Table 1: Summary	1
Table 2: Desk study sources and areas	5
Table 3: Pond Suitability Scale for Habitat Suitability Index (HSI)	7
Table 4: Guidelines for Assessing the Potential Bat Roosting Suitability of Trees (Adapted from Collins, (2023))	8
Table 5: Guidelines for Assessing the Potential Bat Suitability of Structures and Habitats (Adapted from Collins, (2023))	8
Table 6: Summary of Statutory Designated Sites	11
Table 7: Summary of Priority Habitats	12
Table 8: Summary of Relevant Ecological Information	12
Table 9: UKHab Habitat Assessment Results	13
Table 10: Hedgerow Survey Results	14
Table 11: Protected/ Notable Species Assessment	15
Table 12: Summary of Habitat Suitability Index Results	16
Table 13: Ecological Constraints & Opportunities	18
Table 14: GCN Rapid Risk Assessment	20

Figures

Figure 1: Site Location & Building Plan (Overleaf)	23
Figure 2: Surrounding Landscape Plan (Overleaf)	23
Figure 3: UKHab Habitat Plan (Overleaf)	23
Figure 4: Pond Plan (Overleaf)	23

1. Summary

Table 1: Summary

Report Purpose	With reference to the development proposals and the applicable planning policy & legislation, the scope of the present report is to: - Identify key ecological constraints associated with the project. - Identify avoidance, mitigation or compensation measures likely to be required in accordance with the mitigation hierarchy. - Identify any additional surveys that may be required to inform the above. - Identify likely opportunities to deliver ecological enhancement.
Methodology	A desk study was carried out including a study of the UK Government MAGIC¹ website for designated sites of nature conservation, Natural England licensing, and the site in the context of habitat connectivity to the surrounding landscape. The field survey included a UKHab Habitat survey of the site, extended to consider protected species.
Key Notes	Hedgerows H1 was assessed as being a priority habitat. The site offered some habitat suitability for foraging and commuting European badgers <i>Meles meles</i>, bats, brown hare <i>Lepus europaeus</i> and European hedgehog <i>Erinaceus europaeus</i>. The site offered suitable habitat for a range of nesting birds, amphibians, including great crested newt <i>Triturus cristatus</i>, and reptiles.
Conclusions	Recommendation 1 Biodiversity Net Gain Assessment: With reference to Section 14 of the Environment Act 2021, developments should achieve a minimum of 10% biodiversity net gain via on-site or off-site habitat creation or enhancement. A biodiversity impact assessment to calculate the change in biodiversity units between the baseline habitats prior to any site clearance and the proposed site plans using the Statutory Biodiversity Metric has been undertaken. Refer to the corresponding Biodiversity Net Gain report (Elton Ecology, 2025). Recommendation 2 eDNA Surveys/ District Level Licencing: To further inform the impacts of the development on GCN due to the close proximity to ponds P1 and P2, it is recommended that an assessment of eDNA of the ponds be carried out to establish the presence/likely absence of GCN.

¹ Multi-agency Geographic Information for the Countryside: www.magic.gov.uk.

	Alternatively, to avoid potential offence occurring in relation to GCN, the Leicestershire District Level Licensing (DLL) Scheme could be entered into. Further details are included in Table 13. ● Recommendation 4 Precautionary Methods During Works: Precautionary methods should be implemented during works to protect foraging and commuting badger, birds, amphibians, reptiles, brown hare and hedgehog. ● Recommendation 5 Artificial Lighting Mitigation: Where lighting is required, this should be sympathetic to wildlife through the design of lighting observing the principles set out in guidelines from the Bat Conservation Trust (BCT) & Institution of Lighting Professionals (BCT & ILP, 2018).
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2. Introduction

Background

- 2.1. Elton Ecology Ltd was commissioned by Jamie Anderson to conduct a Preliminary Ecological Appraisal (PEA) of the site known as Kirkby Old Parks Farm, Kirkby Lane, Newbold Verdon, Leicestershire, LE9 9LN.
- 2.2. The resulting Preliminary Ecological Appraisal Report (PEAR) has been prepared by Senior Ecologist PH BSc (Hons), MSc. PH holds a Natural England Level 1 Bat Licence (CL17) (reference number: 2021-54491-CLS-CLS) and a Natural England Level 1 Great Crested Newt Licence (CL08) (reference number: 2022-10461-CL08-GCN) and a botanical Field Identification Skills Certificate (FISC) Level 3. PH has attended formal training in UKHab survey, Biodiversity Net Gain, and botanical species identification. PH is a Qualifying member of CIEEM and is experienced in assisting and undertaking ecology surveys, GIS mapping, and report writing.

Site Description

- 2.3. The site comprises an area of dirt and gravel access tracks, with remaining areas of grassland, a gravel menage bordered by a hedgerow, and a hardstanding driveway. The site is located at Kirkby Old Parks Farm, Kirkby Lane, Newbold Verdon, Leicestershire, LE9 9LN (Figure 1: Site Location Plan) (central OS grid reference: SK 45494 02770).

Development Proposals

- 2.4. The development proposals include the construction of a new agricultural storage building.
- 2.5. Relevant documents used to inform the assessment include:
 - Location Plan (Dwg No. 2001) (Brook House Consulting, Feb 25)
 - Plan as Proposed (Dwg No. 2003) (Brook House Consulting, Feb 25)

Report Purpose and Scope

- 2.6. With reference to the Development Proposals, the purpose and scope of the present report is to:
 - Identify key ecological constraints associated with the project.
 - Identify avoidance, mitigation or compensation measures likely to be required in accordance with the mitigation hierarchy.
 - Identify any additional surveys that may be required to inform the above.
 - Identify likely opportunities to deliver ecological enhancement.

Planning Policy and Legislation

- 2.7. A summary of biodiversity planning policies and wildlife legislation relevant to the site is provided in Appendix 1: Planning Policy and Legislation Summary. The relevant planning policy and legislation includes:
 - National Planning Policy Framework (NPPF) 2023.

- Government Circular ODPM 06/05 Biodiversity and Geological Conservation.
- The Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019.
- The Wildlife and Countryside Act 1981 (as amended).
- Natural Environment and Rural Communities (NERC) Act 2006 – Habitats and species of principal importance.
- The Hedgerow Regulations 1997;
- Protection of Badgers Act 1992; and
- The Wild Mammals (Protection) Act 1996 (as amended).

2.8. The site is covered by the Space for Wildlife Leicester, Leicestershire and Rutland Biodiversity Action Plan (BAP), which includes:

- Hedgerows
- Bats

3. Methodology

Assessment

- 3.1. The present assessment has been carried out with reference to best practice guidelines for Preliminary Ecological Appraisal provided by the Chartered Institute of Ecology and Environmental Management (CIEEM, 2017).

Personnel

- 3.2. The Preliminary Ecological Appraisal (PEA) was carried out by Ecologist CM BSc (Hons), MSc, accredited agent on Natural England Bat Licence Reference Number: 2018-33647-CLS-CLS. CM is a Qualifying member of CIEEM and is experienced in undertaking ecology surveys, GIS mapping, and report writing.
- 3.3. The Preliminary Ecological Appraisal (PEA) was assisted by Assistant Ecologist EM BSc (Hons), MSc. EM is a Qualifying member of CIEEM and is experienced in assisting and undertaking ecology surveys, GIS mapping, and report writing.
- 3.4. Quality Assurance was undertaken by AC BSc (Hons) MSc MCIEEM. AC has twenty-years' experience in Ecological Consultancy.

Desk Study

- 3.5. The sources of information and study areas of the desk study data are provided in Table 2.

Table 2: Desk study sources and areas

Feature		Study Area	Data Source	Date of Search
Designated sites of nature conservation	International (e.g. Special Area of Conservation, Special Protection Area, and Ramsar)	10 km radius of the site boundary	UK Government MAGIC ² website	10/01/2025
	National (e.g. Site of Special Scientific Interest (SSSI), SSSI Impact Risk Zones (SSSI IRZ)), Local Nature Reserves, National Nature Reserves	5 km radius of the site boundary		
Granted Natural England Mitigation Licences		2 km radius of the site boundary	UK Government MAGIC website	
Natural England Ancient Woodland Inventory		Site & 1 km radius of the site boundary		
Natural England Priority Habitat Inventory		Site & 1 km radius of the site boundary		

² Multi-agency Geographic Information for the Countryside: www.magic.gov.uk.

Feature	Study Area	Data Source	Date of Search
The site in the context of habitat connectivity to the surrounding landscape	2 km radius of the site boundary	Satellite and OS map data	
Relevant ecological information used to inform other planning applications	Site & surrounding area	LPA planning portal – Hinkley and Bosworth Borough Council	

3.6. This assessment has been informed by the following relevant ecology reports:

- Preliminary Bat Roost Assessment and Nocturnal Bat Surveys (RammSanderson, November 2024),
- Ecology Addendum Report (Tyler Grange, October 2024)

Field Survey

UKHab Habitat Survey

- 3.7. The UKHab Habitat survey was carried out on the 13th January 2025 and was extended to include an assessment for Natural Environment and Rural Communities Act (2006) Section 41 Habitats of Principal Importance (HPI) and of the sites potential to be used by protected or notable species as described below. The study area included the site boundary and a 30m radius for evidence of mobile protected species such as badger, access permitting. Weather conditions were appropriate for field survey with temperatures of 5°C, no rain, and good visibility.
- 3.8. The site was walked over, and botanical species lists of representative and notable plant species for each habitat type were recorded. Habitats were classified and mapped with reference to best practice guidelines from UKHab Ltd (2023). The nomenclature used for botanical species lists broadly follows that of Stace (2019). Protected or notable plant species were recorded where observed.

Hedgerow Survey

- 3.9. During the UKHab Habitat Survey, the hedgerow(s) at the site were assessed for their importance under the Hedgerow Regulations 1997 and determined as either species poor (fewer than five woody species per 30m length) or species rich (greater than five woody species per 30m length). Notes were also made on other features of the hedgerow such as height and width, ground flora, standard trees, percentage gaps, structure, and connectivity.
- 3.10. A hedgerow is defined as a boundary line of shrubs, provided that at one time the shrubs were stock proof and more or less continuous. Any bank, wall, ditch, or tree within 2m of the centre of the hedgerow is considered to be part of this habitat, as is the herbaceous vegetation within 2m of the centre.

Amphibians (Including Great Crested Newt)

- 3.11. The habitats at the site were assessed for their suitability to support amphibians, including a search of the site for ponds and suitable terrestrial habitat. The desk study included a search of ponds within a 250m radius of the site.
- 3.12. The HSI was carried out with reference to Oldham *et al.* (2000), and as refined by ARG UK, (2010). The HSI provides a numerical index between 0 and 1, whereby 0 indicates unsuitable

habitat and 1 indicates optimal habitat. Ten habitat variables 'Suitability Indices (SI)' are assessed, which are known to affect the suitability of a pond for the species, as follows:

- Geographic Location (SI₁)
- Pond area (SI₂)
- Permanence (SI₃)
- Water Quality (SI₄)
- Shade (SI₅)
- Waterfowl (SI₆)
- Fish (SI₇)
- Pond Count (SI₈)
- Terrestrial habitat (SI₉)
- Macrophytes (SI₁₀)

3.13. The habitat variables are each assigned a numerical score. The HSI score is then a geometric mean of the ten suitability indices: $HSI = (SI_1 \times SI_2 \times SI_3 \times SI_4 \times SI_5 \times SI_6 \times SI_7 \times SI_8 \times SI_9 \times SI_{10})^{1/10}$

3.14. The HSI score result (i.e. the numerical index between 0 and 1) is categorised according to the pond suitability scale presented in Table 3.

Table 3: Pond Suitability Scale for Habitat Suitability Index (HSI)

HSI Score	Pond Suitability
<0.5	Poor
0.5-0.59	Below Average
0.6-0.69	Average
0.7-0.79	Good
>0.8	Excellent

3.15. There is a general positive correlation between HSI scores and GCN presence. HSI scores are useful as a guide, however this relationship is not sufficiently strong to determine GCN presence/ likely absence.

Badger

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

Bats – Ground Level Tree Assessment

3.17. The preliminary Ground Level Tree Assessment (GLTA) was carried out with reference to best practice industry guidelines (Collins, 2023). The study area included all trees within the survey area.

3.18. The survey included a surveyor assessing the tree(s) from ground level aided by binoculars, noting potential bat entry/exit points, potential roosting features (PRFs), and any evidence of bats. The trees were graded for their suitability to support roosting bats, which will inform the need for further survey effort, if required, such as a potential roost feature (PRF) inspection via rope and harness access and/or nocturnal survey.

3.19. The suitability of the trees for roosting bats was then categorised with reference to best practice industry guidelines (Collins, 2023) (Table 4) as either none, further assessment

required (FAR), potential roosting features present for individual bats (PRF-I), or potential roosting features present for multiple bats (PRF-M), which informs the need for further survey effort to establish the presence/ likely absence of roosting bats.

Table 4: Guidelines for Assessing the Potential Bat Roosting Suitability of Trees (Adapted from Collins, (2023))

Suitability	Description of Trees
None	No features likely to be used by roosting bats or highly unlikely features are present. An absence of accessible voids, cracks and crevices.
FAR	Further assessment is required to determine if features likely to be used by roosting bats are present.
PRF-I	The PRF is suitable for individual or small numbers of bats due to lack of size or suitable surrounding landscape.
PRF-M	The PRF is suitable for multiple bats and may be used by a maternity colony.

Bats – Commuting and Foraging

3.20. With reference to Table 5 below, an assessment of the habitats at the site to support commuting and foraging bats was made, within the context of habitat connectivity to features in the wider landscape. The site was assessed as either negligible, low, moderate, or high suitability for commuting and foraging bats.

Table 5: Guidelines for Assessing the Potential Bat Suitability of Structures and Habitats (Adapted from Collins, (2023))

Suitability	Description of Roosting Habitats	Commuting and Foraging Habitats
Negligible	Negligible features likely to be used by roosting bats. An absence of accessible voids, cracks and crevices.	Negligible features likely to be used by commuting or foraging bats. A lack of landscape habitat features.
Low	A structure or tree with a potential roost site which could be used by individual bats, which does not provide enough space, shelter, protection, or appropriate conditions (i.e. temperature, humidity, height above ground level, light levels, disturbance) or suitable surrounding habitat to be used on a regular basis by larger numbers of bats.	Habitat that could be used by small numbers of commuting bats such as a hedgerow with gaps or unvegetated stream, but isolated (i.e. not very well connected to the surrounding landscape by habitat). Suitable, but isolated habitat that could be used by small numbers of foraging bats such as a lone tree (not in a parkland situation) or a patch of scrub.
Moderate	A structure or tree with a potential roost site that could be used by bats due to their size, shelter, protection, conditions and surrounding habitat but is unlikely to support a roost of high conservation status (such as a maternity colony).	Continuous habitat connected to the wider landscape that could be used by commuting bats such as lines of trees and scrub or linked back gardens. Habitat that is connected to the wider landscape that could be used by bats for foraging such as trees, scrub, grassland or water.
High	A structure or tree with one or more potential roost sites that are suitable for use by larger numbers of bats on a more regular basis and potentially for	Continuous high-quality habitat that is well connected to the wider landscape likely to be used regularly by commuting bats

Suitability	Description of Roosting Habitats	Commuting and Foraging Habitats
	longer periods of time due to their size, shelter, protection, conditions, and surrounding habitat.	such as river valleys, streams, hedgerows, lines of trees, and woodland edge. Continuous high-quality habitat that is well connected to the wider landscape that is likely to be used regularly by foraging bats such as broadleaved woodland, tree-lined watercourses and grazed parkland. Sites which are close to and connected to known roosts.

Nesting Birds

- 3.21. An assessment of the habitats on site to support nesting birds was made, and the site was searched where accessible for active or historical bird nests. Any sightings of bird nesting behaviour associated with the site was also noted.

Hazel Dormouse

- 3.22. An assessment of the suitability of the habitats at the site to support hazel dormouse *Muscardinus avellanarius* was made with reference to Bright *et al.* (2006), and any incidental sightings of dormouse evidence recorded where encountered.

Terrestrial Invertebrates

- 3.23. An assessment was made of the suitability of the habitats at the site to support notable assemblages of invertebrates, such as vegetation structure, vegetation species diversity, deadwood, and host plants/ animals.

Reptiles

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

Otter

- 3.25. An assessment of the habitats at the site to support otter *Lutra lutra* was made, and a search for evidence of otter carried out with reference to Chanin (2003a), Chanin (2003b) and Chanin (2005).

Water Vole

- 3.26. With reference to Dean *et al.* (2016), Strachan *et al.* (2011), and Natural England (2008) an initial assessment of the habitats at site was carried out for the suitability to support water vole *Arvicola amphibius* during the Extended UKHab Habitat Survey.

Fish

- 3.27. An initial assessment of the habitats at site was carried out for the suitability to support notable fish species during the Extended UKHab Habitat Survey, such as presence of suitable watercourses and waterbodies.

Aquatic Invertebrates (including White-clawed Crayfish)

- 3.28. With reference to Peay (2002), Peay (2003), and Holdich (2003) an initial assessment of the suitability of habitats present at the site to support white clawed crayfish *Austropotamobius pallipes* was undertaken during the Extended UKHab Habitat Survey

Other Mammals

- 3.29. An assessment of the site to support other mammals including brown hare *Lepus europaeus*, harvest mouse *Micromys minutus*, and hedgehog was also made.

Invasive Species

- 3.30. Invasive plant species such as those listed on Schedule 9 of the Wildlife and Countryside Act 1981 (As Amended) were recorded where encountered during the UKHab Habitat survey.

Limitations

- 3.31. It must be noted that survey effort has been made to provide detailed descriptions of the site within the context of potential usage by protected species, however a fully comprehensive assessment and prediction of natural factors cannot be made. The protected species assessment provides a professional view of the likelihood of such species being present and cannot be taken as a definitive presence or absence of the same. Systematic presence/ likely absence surveys for such species, which typically require multiple survey visits, have not been undertaken and are outside of the scope of Preliminary Ecological Appraisal. Such surveys are recommended in the present report if considered proportionate to the potential ecological impacts of the development proposals.
- 3.32. A full search of crevices and cavities on buildings typically cannot be made without specialist access equipment and in most cases intrusive works, and therefore accessible areas only have been searched for evidence of protected species and a negative result of evidence does not conclusively equate to absence of such species which may occupy inaccessible crevices on the building. However, provided any recommended nocturnal emergence/ re-entry bat survey(s) are undertaken, this is not considered a significant limitation to assessing the presence/ likely absence of roosting bats at the site.
- 3.33. Third party desk study data is not exhaustive, and an absence or a negative result of a species does not indicate the absence of protected species from the site/ search area.
- 3.34. The UKHab Habitat survey was undertaken outside of the optimal survey period of April to October. However, species identification of plants present outside of the optimal period is typically still possible based on the vegetative characteristics. Where additional surveys during the optimal period are required to assess the habitat type present, these are recommended.
- 3.35. All dimensions, locations and distances provided are approximate.

4. Results

Desk Study

Surrounding Landscape

- 4.1. The surrounding landscape is primarily rural (Figure 2: Surrounding Landscape Plan).
- 4.2. Habitat features favourable to ecology in the wider landscape include arable and pasture grazed fields, rural gardens, woodland and standing open water, connected via hedgerows and treelines.
- 4.3. Landscape features which may limit habitat quality and connectivity include artificial lighting and areas of hardstanding associated with the residential village of Newbold Verdon located north of the survey site.

Statutory Designated Sites

- 4.4. The site does not form part of an international or national designated site for nature conservation.
- 4.5. No internationally or nationally designated sites were located within the relevant study areas.
- 4.6. A summary of designated sites identified via the desk study are presented in Table 6 below.

Table 6: Summary of Statutory Designated Sites

Site Name	Designation	Description/ Reasons Designation	Main for	Distance & Direction from Site
Botcheston Bog	Site of Special Scientific Interest (SSSI)	One of the best remaining marshy grasslands in Leicestershire.		3.4km NE

- 4.7. The site lies within a Site of Special Scientific Interest Impact Risk Zone (SSSI IRZ), requiring the Local Planning Authority to consult with Natural England on any risks which may affect the SSSI sites as a result of certain development types. However, the current development type is not listed in the SSSI IRZ citation as requiring consultation.

Priority Habitats and Ancient Woodland

- 4.8. No priority habitats were noted on site via the desk study.
- 4.9. No areas of ancient woodland were identified within the search radius via the desk study.
- 4.10. A summary of priority habitats identified via the desk study are presented in Table 7 below.

Table 7: Summary of Priority Habitats

Habitat type	Distance & Direction of Closest Priority Habitat Type from Site
Deciduous woodland	0.2km W

Relevant Ecological Information Used to Inform Other Planning Applications

- 4.11. A summary of relevant ecological information identified via the desk study is presented in Table 8 below.

Table 8: Summary of Relevant Ecological Information

Ecological Information	Summary
Preliminary Bat Roost Assessment and Nocturnal Bat Surveys (RammSanderson, November 2024), used to inform planning application 24/01069/FUL	Nocturnal Bat Survey recorded commuting and foraging brown long-eared bat <i>Plecotus auritus</i> , common pipistrelle <i>Pipistrellus pipistrellus</i> , noctule <i>Nyctalus noctula</i> , soprano pipistrelle <i>Pipistrellus pygmaeus</i> , serotine and Leisler's <i>Nyctalus leisleri</i> bat between August and October 2024 at a location approximately 0.1km north.
Ecology Addendum Report (Tyler Grange, October 2024), used to inform planning application 24/01158/OUT	Five bat species or species groups were recorded during static and walked transect surveys between May and September 2024. These include brown long-eared, common pipistrelle, noctule, soprano pipistrelle and unidentified myotis species <i>Myotis sp.</i> at a location approximately 0.4km northwest.

Field Survey

UKHab Habitat Survey

- 4.12. The habitats recorded at the survey site during the UKHab Habitat survey are presented in Table 9 and mapped on Figure 3: UKHab Habitat Plan.

Table 9: UKHab Habitat Assessment Results

UKHab Primary Code	Habitat Type	UKHab Secondary Code	Description	(NERC) Act 2006 HPI*	Habitat of Local Importance	Photograph Ref No. (Appendix 2: Photographs)
g3c	Other neutral grassland		Areas of other neutral grassland were scattered throughout the more disturbed areas in the east of the site. The other neutral grassland areas included approximately 50% bare ground cover with abundant Yorkshire fog <i>Holcus lanatus</i> , unidentified oat grass, and smooth meadow grass <i>Poa pratensis</i> , frequent mugwort <i>Artemisia vulgaris</i> , scentless mayweed <i>Tripleurospermum inodorum</i> , and creeping thistle <i>Cirsium arvense</i> , occasional perennial rye grass <i>Lolium perenne</i> , ribwort plantain <i>Plantago lanceolata</i> , clover <i>Trifolium sp.</i> , broadleaved dock <i>Rumex obtusifolius</i> , and bristly oxtongue <i>Picris echioides</i> , and rarely present deadnettle <i>Lamium sp.</i> , yarrow <i>Achillea millefolium</i> , teasel <i>Dipsacus fullonum</i> , cleavers <i>Galium aparine</i> , creeping buttercup <i>Ranunculus repens</i> , cranesbill <i>Geranium sp.</i> , vetch <i>Vicia sp.</i> , bramble <i>Rubus fruticosus</i> , common nettle <i>Urtica dioica</i> , rough meadow grass <i>Poa trivialis</i> , gorse <i>Ulex europaeus</i> and cock's foot <i>Dactylis glomerata</i> . The grassland included approximately 7 species per square metre with a varied sward height.	No	No	1
g4	Modified grassland		Areas of modified grassland were present at the east and south site boundaries and along the access road in the west of the site. Species within the modified grassland at the east and south of the site was dominated by Yorkshire fog and annual meadow grass <i>Poa annua</i>, with frequent cocksfoot and broadleaved dock, occasional dandelion <i>Taraxacum officinale agg.</i>, bramble and cow parsley <i>Anthriscus sylvestris</i>, and rarely present hogweed <i>Heracleum sphondylium</i>, common nettle, creeping buttercup and rose <i>Rosa sp.</i> The grassland included approximately 4 species per square metre and had a varied sward height. The modified grassland along the access road in the west of the site was dominated by annual meadow grass, with occasional white clover <i>Trifolium repens</i>, and rarely present dandelion, creeping thistle, broadleaved dock, and daisy <i>Bellis perennis</i>. The grassland had an average of two species per square metre and was managed to a uniformly short sward.	No	No	2 & 3
h2a6	Other native hedgerow		One native hedgerow was present on site at the eastern boundary. For full details, see Table 10: Hedgerow Survey Results.	Yes	Yes	2
u1b6	Other developed land		A sealed surface access road was present in the west of the site.	No	No	3
u1c	Artificial unvegetated unsealed surface		Areas of dirt and gravel access tracks were present throughout the eastern area of the site, and a gravel menage was present at the east site boundary.	No	No	1 & 2
u1e	Built linear features	612 - fence	The gravel menage was bordered by timber post fencing, and a timber gate was present at the access road in the west of the site.	No	No	2

*Natural Environment and Rural Communities Act (2006) Section 41 Habitat of Principal Importance (HPI). As defined with reference to habitat descriptions provided in Maddock, A. (ed) (2011).

Hedgerow Survey

4.13. The results of the hedgerow survey are provided in Table 10.

Table 10: Hedgerow Survey Results

Hedgerow number**	Description	UKHab Code	Important under Hedgerow Regulations (1997)	NERC Act HPI*	Photograph Ref No. (Appendix 2: Photographs)
H1	Hedgerow H1 related to the hedgerow at the east site boundary and was approximately 43m in length, 2m in height, and 2m in width. The hedgerow was dominated by hawthorn <i>Crataegus monogyna</i> with occasional bramble, and the ground flora included abundant common nettle, with frequent Yorkshire fog and cow parsley, occasional cleavers, and rarely present broadleaved dock.	h2a6	Unlikely	Yes	2

**See Figure 3: UKHab Habitat Plan for hedgerow reference numbers.

Protected/ Notable Species

4.14. The results of the protected/ notable species assessment undertaken during the Extended UKHab Habitat Survey are provided in Table 11 overleaf.

4.15. A summary of desk study results is also provided in Table 11.

Table 11: Protected/ Notable Species Assessment

Species/ Species Group	Desk Study	Evidence Observed During Extended UKHab Habitat Survey	Suitability of Habitats Present
Amphibians (including great crested newt)	No previous granted mitigation licences relating to GCN were noted within 2km of the survey site. 6 records of Great Crested Newt Class Survey Licence Returns were noted during the desk study, recording GCN as present at a single location approximately 1.8km NW in 2014. No records of Great Crested Newt Pond Surveys 2017 - 2019 recording GCN as present were noted.	No evidence observed.	No ponds were recorded on site during the survey. Two ponds were identified via the desk study within a 250m radius of the site. Pond P1 related to an agricultural pond present approximately 10m south of the survey site (Figure 4: Pond Plan, Appendix 2: Photographs, Photo 4). The pond was assessed as having a HSI score of 0.75 (Good). See Table 12 for a summary of Habitat Suitability Index Results. Pond P2 related to a second agricultural approximately 150m northwest of the site (Figure 4: Pond Plan). Access was not available at the time of survey and therefore a HSI assessment was not undertaken. The site offered limited suitability for terrestrial amphibians, including areas of grassland and a hedgerow base.
Badger	N/A	No evidence observed.	The site offered suitability for commuting and foraging badger, including areas of other neutral grassland, modified grassland, and bare ground.
Bats – GLTA	No previous granted mitigation licences relating to bats were noted within 2km of the survey site.	No evidence observed.	No trees were recorded on site.
Bats – commuting and foraging		No evidence observed.	The site was assessed as having moderate suitability for commuting and foraging bats, with a hedgerow on site, and further suitable habitat in the immediate surrounding area, including waterbodies.
Birds	N/A	No evidence observed.	The hedgerow on site offered suitability for a range of nesting birds.
Hazel dormouse	The survey site was outside of the known distribution of this species and is therefore not considered further.		
Otter, water vole, aquatic invertebrates (including white-clawed crayfish), and fish.	Due to the lack of suitable habitats on and immediately adjacent to the site, including ponds and watercourses, these species are not considered further.		
Terrestrial invertebrates	N/A	No evidence observed.	The site offers areas of common and widespread habitats of limited botanical diversity or interest. It is therefore considered unlikely that the site would support notable invertebrate populations, and these species are not considered further.
Reptiles	N/A	No evidence observed.	The site offered limited suitability for reptiles, including areas of grassland and a hedgerow base.
Other Mammals (including brown hare, harvest mouse, and hedgehog)	N/A	No evidence observed.	The site offered suitability for commuting and foraging hedgehog and brown hare, including areas of other neutral grassland, modified grassland, and bare ground.
Invasive species	N/A	No evidence observed.	N/A

4.16. The results of the HSI assessment of ponds on site and within a 250m radius of the site are presented Table 12 below. See Appendix 3 for the full breakdown of the HSI assessment.

Table 12: Summary of Habitat Suitability Index Results

Pond Number**	Distance From Site	HSI Score	HSI Result	Description	Photo Ref
P1	10m south	0.75	Good	Agricultural pond	4

**See Figure 4: Pond Plan for pond reference numbers.

5. Ecological Constraints & Opportunities

- 5.1. The ecological constraints and opportunities, and recommendations for avoidance, mitigation, or further survey (where required) are provided in Table 13 overleaf.

Table 13: Ecological Constraints & Opportunities

Ecological Feature	Potential Ecological Impact & Level of Constraint	Potential Avoidance, Mitigation and/or Compensation Measures	Further Survey Required to Inform an Ecological Impact Assessment
Statutory Designated Sites	It is considered that the development will not adversely impact on the designated sites for nature conservation identified in the desk study, due to the distance between the designated sites and the development site, and the small scale of the works proposed.	N/A	No further surveys required.
Priority habitats	The National Planning Policy Framework 2023 sets out that: <i>'185. To protect and enhance biodiversity and geodiversity, plans should:</i> <i>[...] b) promote the conservation, restoration and enhancement of priority habitats, ecological networks and the protection and recovery of priority species [...].'</i> <i>[...]</i> <i>186. When determining planning applications, local planning authorities should apply the following principles:</i> <i>[...] c) development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists;</i> The NPPF 2023 defines Priority Habitats and Species as Species and Habitats of Principal Importance included in the England Biodiversity List published by the Secretary of State under section 41 of the Natural Environment and Rural Communities Act 2006. The hedgerow H1 was assessed as a priority habitat and will be retained under the current development proposals.	Retained hedgerows should be protected via exclusion zones during works with reference to <i>British Standard (BS 5837:2012): Trees in Relation to Design, Demolition and Construction – Recommendations</i> .	No further surveys required.
Habitats (general)	The habitats on site are considered to be common and widespread habitats of low conservation importance. However, cumulatively these habitats have local conservation value taken as the biodiversity value of the site. There will be some removal of other neutral grassland to facilitate the development.	See adjacent column.	With reference to Section 14 of the Environment Act 2021, developments should achieve a minimum of 10% biodiversity net gain via on-site or off-site habitat creation or enhancement. A biodiversity impact assessment to calculate the change in biodiversity units between the baseline habitats and the proposed site plans using the Statutory Biodiversity Metric has been undertaken. Refer to the corresponding Biodiversity Net Gain report (Elton Ecology, 2025).
Badgers	Badgers are afforded legal protection under the Protection of Badgers Act 1992. No evidence of badger was recorded during the survey, however their presence in the landscape cannot be fully discounted. There remains a residual risk of badger injury and mortality during construction should this species be mobile in the area. There will be some removal of suitable badger habitat comprising the area of other neutral grassland.	Precautionary methods should be implemented during works to protect foraging and commuting badger. Foundation ditches and other ditches, excavations, or trenches, which can be hazardous to badgers, should be closed overnight or fitted with roughened sloping boards or steps to allow animals to escape should they become trapped. Concrete should not be left unset overnight, or suitable barriers erected to prevent animals accessing the concrete. Pipework with a diameter greater than 120mm should have the ends closed off overnight to prevent entrapment.	No further surveys required.

Ecological Feature	Potential Ecological Impact & Level of Constraint	Potential Avoidance, Mitigation and/or Compensation Measures	Further Survey Required to Inform an Ecological Impact Assessment
Birds	Nesting birds are afforded legal protection under the Wildlife and Countryside Act 1981 (as amended). The hedgerow H1 offered suitable habitat for nesting birds and will be retained under the proposed development.	Should works to hedgerow H1 be required, where works affecting nesting bird habitat at the site cannot avoid the nesting bird season of March to August (inclusive) and September in mild years, the habitat to be subject to works should be surveyed for nesting birds immediately prior to removal by a suitably qualified ecologist. If nesting birds are recorded, a suitable buffer zone should be defined by the ecologist and implemented until the ecologist confirms the chicks have fledged. If species identification is possible, this can be used to inform the typical egg incubation and fledging period, giving an indication of an appropriate time for re-survey to confirm fledging. In the unlikely event that nesting birds are encountered during works, works should cease immediately, and the advice of a suitably qualified ecologist sought.	No further surveys required.
Bats	Bats are a fully protected European Protected Species (EPS) under The Conservation of Habitats and Species Regulations 2017 and the Wildlife and Countryside Act 1981 (as amended). The development may lead to an increase in artificial light and disturbance on site.	Due to the suitability of the surrounding habitats for commuting and foraging bats the impacts from external artificial lighting at the site on adjacent habitats should be avoided. Where lighting is required, this should be sympathetic to wildlife through the design of lighting observing the principles set out in guidelines from the Bat Conservation Trust (BCT) & Institution of Lighting Professionals (BCT & ILP, 2018). In the event that roosting bats are encountered during works, works should cease immediately, and the advice of a suitably qualified ecologist sought.	No further surveys required.
Amphibians (including GCN) and Reptiles	GCN are fully protected as a European Protected Species (EPS) under The Conservation of Habitats and Species Regulations 2017 and the Wildlife and Countryside Act 1981 (as amended). Reptiles are partially protected under the Wildlife and Countryside Act 1981 (as amended), protecting them from killing or injury. Under the current development proposals, suitable habitat for amphibians and reptiles will be removed, including areas of other neutral grassland and modified grassland. Using the Risk Assessment Tool provided within the Natural England Method Statement Template (Table 14 below), on a precautionary basis that pond P1 10m south of the survey site is a GCN breeding site and the basis that 0.2ha of land will be affected by the development, the calculator generated a risk of 'Orange: Offence Likely'	Due to the close proximity of the pond P1 to the development site, further surveys are required to inform the appropriate avoidance, mitigation and/or compensation measures relating to amphibians. See adjacent column. To prevent the killing and injury of other terrestrial amphibians and reptiles during the works, it is recommended that vegetation clearance on site is carried out under precautionary working methods for amphibians and reptiles, to include a staged and directional vegetation removal encouraging the safe displacement of amphibians and reptiles into adjacent habitats. In the highly event that amphibians or reptiles are encountered during works, works should cease immediately, and the advice of an ecologist sought.	To further inform the impacts of the development on GCN due to the close proximity to ponds P1 and P2, it is recommended that an assessment of eDNA of the ponds be carried out to establish the presence/likely absence of GCN. A single visit to each pond by a suitably experienced ecologist should be made between mid-April and June to collect water samples for eDNA analysis within the laboratory. Alternatively, to avoid potential offence occurring in relation to GCN, the Leicestershire District Level Licensing (DLL) Scheme³ could be entered into. Guidance states that by joining the scheme and making a 'conservation payment', the applicant would not need to carry out GCN surveys⁴.
Other Mammals	Some mammals, such as hedgehog and brown hare, are listed as Species of Principal Importance in England under section 41 of the Natural Environment and Rural Communities Act 2006. These species are termed 'Priority' species and receive special considerations in the planning process. There will be some removal of suitable hedgehog and brown hare habitat comprising areas of other neutral grassland and modified grassland.	The precautionary working methods implemented for badger will also protect other mammals such as hedgehog and brown hare.	No further surveys required.

³ <https://www.leicestershire.gov.uk/sites/default/files/field/pdf/2021/12/10/LRERC-Great-Crested-Newt-survey-protocol.pdf>

⁴ <https://www.gov.uk/government/publications/great-crested-newts-district-level-licensing-schemes-for-developers/developers-how-to-join-the-great-crested-newt-district-level-licensing-scheme>

Table 14: GCN Rapid Risk Assessment

Component	Likely effect (select one for each component; select the most harmful option if more than one is likely; lists are in order of harm, top to bottom)	Notional offence probability score
Great crested newt breeding pond(s)	No effect	0
Land within 100m of any breeding pond(s)	0.1 - 0.5 ha lost or damaged	0.5
Land 100-250m from any breeding pond(s)	No effect	0
Land >250m from any breeding pond(s)	No effect	0
Individual great crested newts	No effect	0
	Maximum:	0.5
Rapid risk assessment result:	AMBER: OFFENCE LIKELY	

6. Conclusions

Further Surveys

- 6.1. The following further ecological surveys are required to inform the impact of the proposed development:
- With reference to Section 14 of the Environment Act 2021, developments should achieve a minimum of 10% biodiversity net gain via on-site or off-site habitat creation or enhancement. A biodiversity impact assessment to calculate the change in biodiversity units between the baseline habitats and the proposed site plans using the Statutory Biodiversity Metric has been undertaken. Refer to the corresponding Biodiversity Net Gain report (Elton Ecology, 2025).
 - To further inform the impacts of the development on GCN due to the close proximity to ponds P1 and P2, it is recommended that an assessment of eDNA of the ponds be carried out to establish the presence/likely absence of GCN. A single visit to each pond by a suitably experienced ecologist should be made between mid-April and June to collect water samples for eDNA analysis within the laboratory.

Biodiversity Enhancement

- 6.2. Suitable methods of biodiversity enhancement for the site would include:
- The installation of two generic bird boxes, either mounted on a retained tree, pole mounted or sited on a building. A suitable model is the *1B Schwegler Nest Box*, one with a 32mm hole, and one with a 26mm hole. The use of woodcrete nest boxes will ensure a longer box lifespan of 20-25 years. Boxes will be hung at a height of 1.5m or higher, and angled so they face away from prevailing wind, the chances of occupation are higher if there is a good tree or hedge cover nearby.
 - The installation of two external bat boxes, either mounted on a retained tree, pole mounted or sited on a building. A suitable model includes the '*2F Schwegler Bat Box*' or '*Vivara Pro WoodStone Bat Box*'. The bat boxes will be sited at a height of at least 3m, and clustered in small groups to allow bats to change between roosts of varying ambient temperatures.

7. References

- Bat Conservation Trust (BCT) & Institution of Lighting Professionals (ILP), (2018). Bats and artificial lighting in the UK. Bats and the Built Environment series. Guidance Note 08/18.
- Barn Owl Trust (2012). Barn Owl Conservation Handbook. Pelagic Publishing.
- British Standards Institute (BSI)SI (2013). BS 42020:2013 Biodiversity. Code of practice for planning and development. British Standards Institute, London.
- Bright, P., Morris, P. & Mitchell-Jones, T. (2006) *The Dormouse Conservation Handbook*. English Nature, Peterborough.
- Chanin P (2003a). Ecology of the European Otter. Conserving Natura 2000 Rivers Ecology Series No. 10. English Nature, Peterborough.
- Chanin P (2003b). Monitoring the Otter *Lutra lutra*. Conserving Natura 2000 Rivers Monitoring Series No. 10, English Nature, Peterborough.
- Chanin P (2005). Otter Surveillance in SACS: Testing the Protocol. English Nature Research Reports - Number 664, English Nature, Peterborough.
- CIEEM (2017) Guidelines on Ecological Report Writing. Chartered Institute of Ecology and Environmental Management, Winchester.
- CIEEM (2017). *Guidelines for Preliminary Ecological Appraisal, Second Edition*. Technical Guidance Series. Chartered Institute of Ecology and Environmental Management, Winchester.
- Collins, J (ed.) (2023) Bat Surveys for Professional Ecologists: Good Practice Guidelines (4th edition). The Bat Conservation Trust, London.
- Dean, M., Strachan, R., Gow, D. and Andrews, R. (2016). The Water Vole Mitigation Handbook (The Mammal Society Mitigation Guidance Series). Eds Fiona Mathews and Paul Chanin. The Mammal Society, London.
- Holdich D (2003). Ecology of the White-clawed Crayfish. Conserving Natura 2000 Rivers Ecology Series No. 1. English Nature, Peterborough.
- Maddock, A. (ed) (2011). UK Biodiversity Action Plan Priority Habitat Descriptions (updated Dec. 2011). Joint Nature Conservation Committee, Peterborough.
- Natural England (2008). Water voles – the law in practice. Guidance for planners and developers (NE 86). Natural England, Peterborough.
- Peay, S. (2003) Monitoring the White-clawed Crayfish *Austropotamobius pallipes*. Conserving Natura 2000 Rivers Monitoring Series No. 1. English Nature, Peterborough.
- Peay, S. (2002) Guidance on habitat for white-clawed crayfish and how to restore it. R&D Technical Report W1-067/TR. Environment Agency, Bristol.
- Stace, C A (2019). New Flora of the British Isles. 4th ed. Cambridge: C&M Floristics.
- Stanbury, A. *et al.* (2021) The status of our bird populations: the fifth Birds of Conservation Concern in the United Kingdom, Channel Islands, and Isle of Man and second IUCN Red List assessment of extinction risk for Great Britain. British Birds.
- Strachan, R., Moorhouse, T. and Gedling, M. (2011). Water Vole Conservation Handbook. Third Edition. Wildlife Conservation Research Unit, Oxford.
- UKHab Ltd (2023). *UK Habitat Classification Version 2.0* (at <https://www.ukhab.org>)

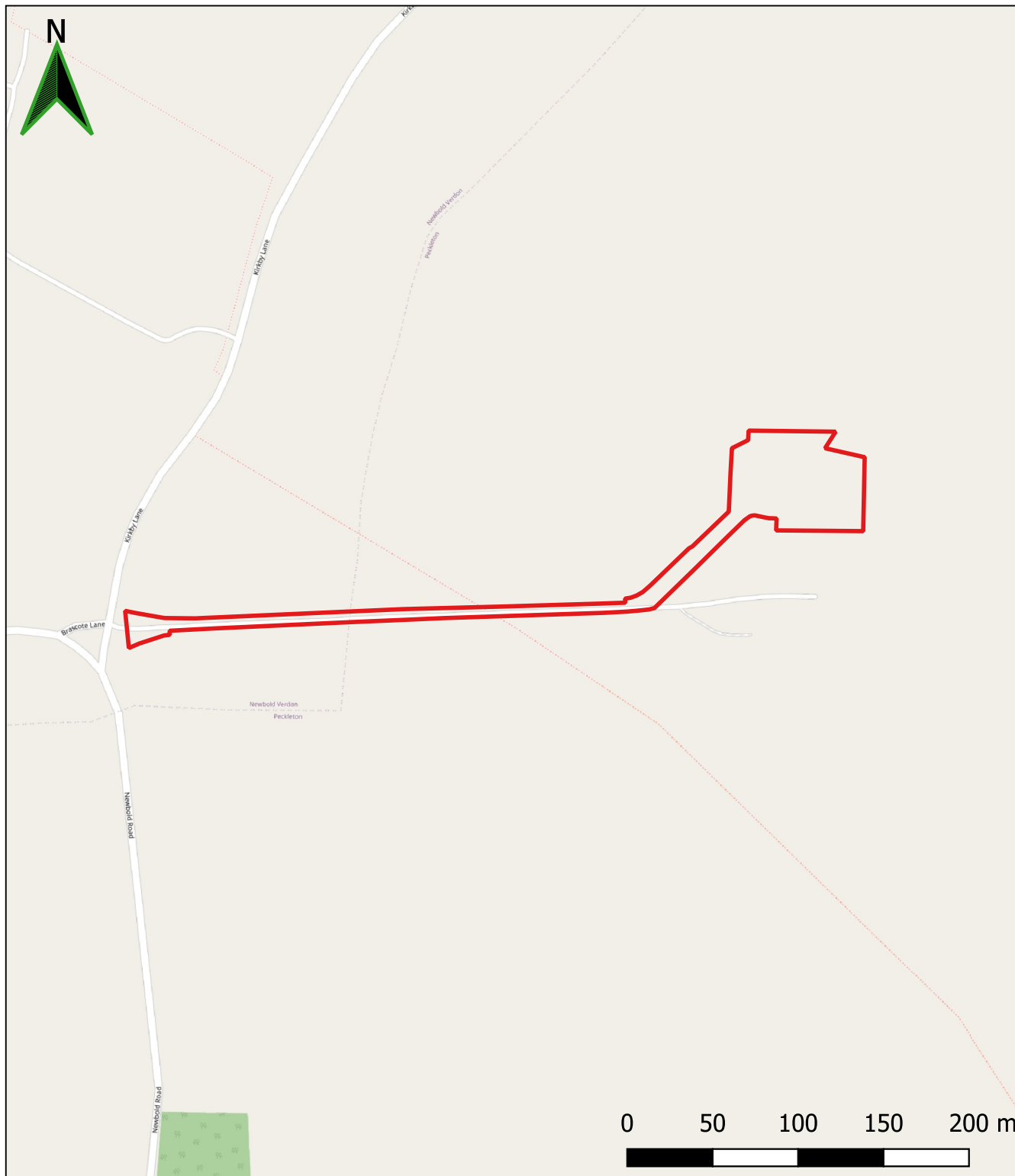
8. Figures

Figure 1: Site Location & Building Plan (Overleaf)

Figure 2: Surrounding Landscape Plan (Overleaf)

Figure 3: UKHab Habitat Plan (Overleaf)

Figure 4: Pond Plan (Overleaf)



Legend

 Site boundary

Project:
**Kirkby Old Parks Farm, Kirkby Lane,
Newbold Verdon, Leicestershire, LE9 9LN**

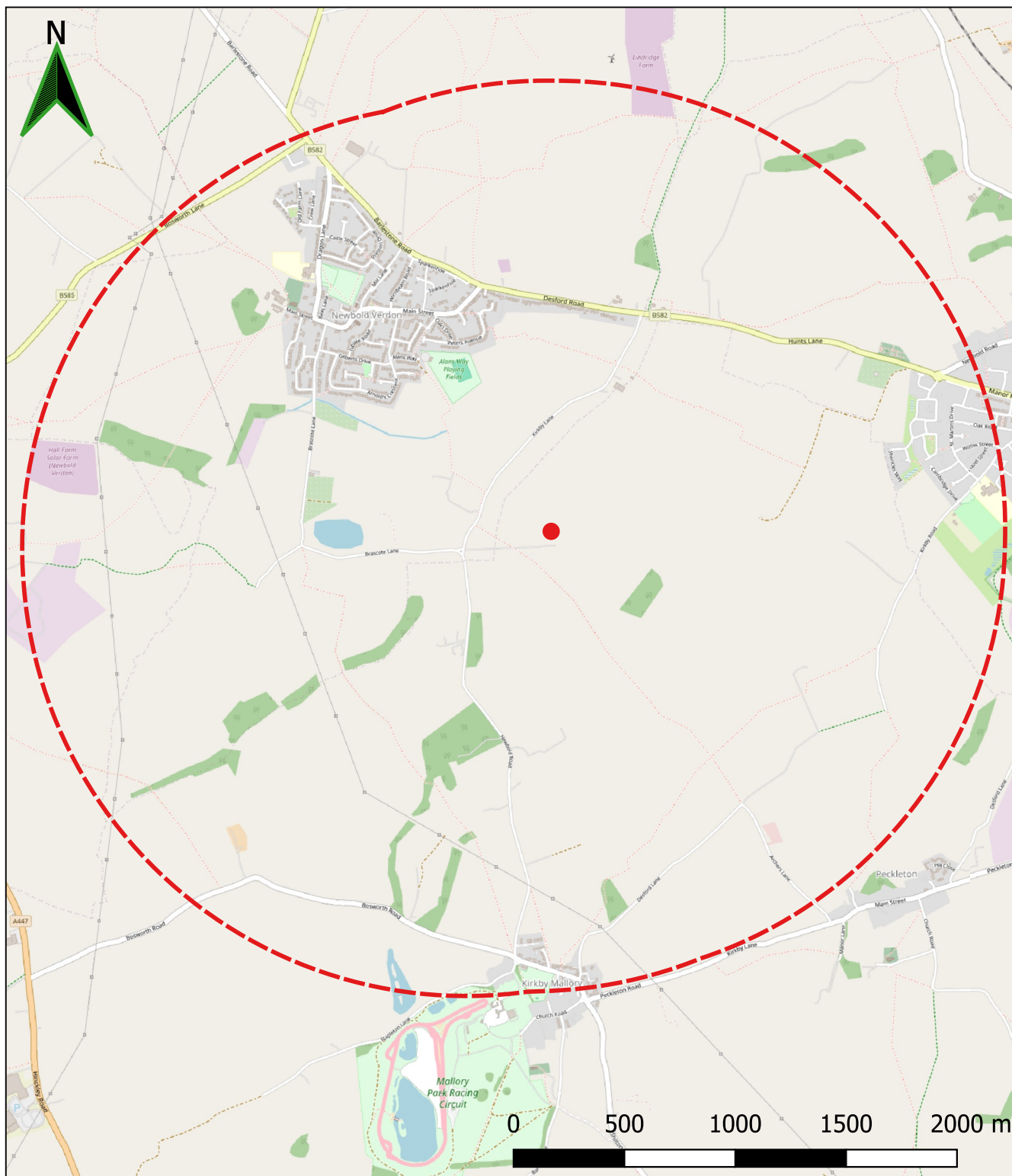
Drawing:
Figure 1: Site Location Plan

Date: 31-01-2025 Version: FINAL
Author: PH Job No: P2738



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Legend

- Site location
- 2km buffer

Project:
**Kirkby Old Parks Farm, Kirkby Lane,
Newbold Verdon, Leicestershire, LE9 9LN**

Drawing:
Figure 2: Surrounding Landscape Plan

Date: 31-01-2025

Version: FINAL

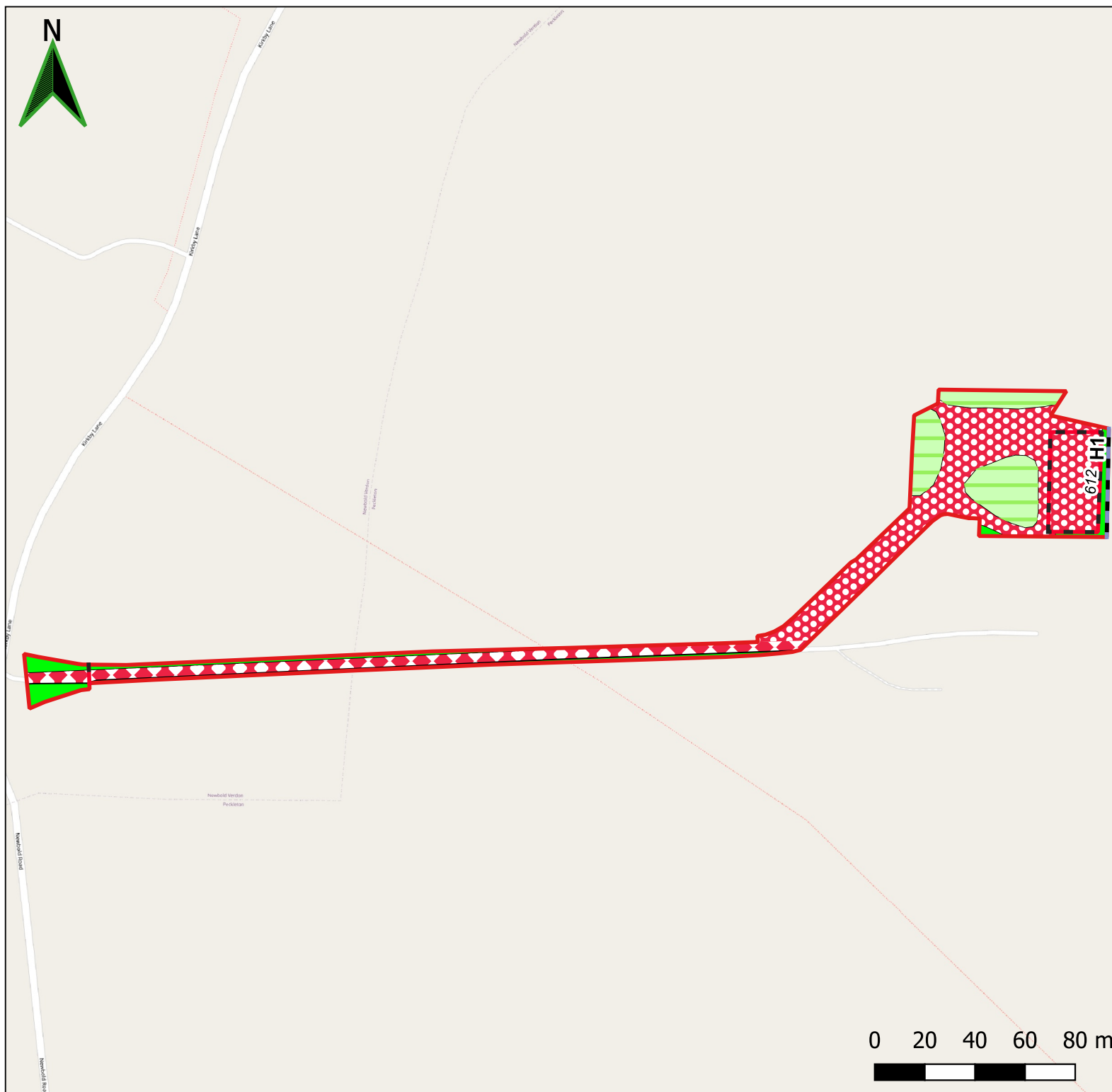
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Legend

- Site boundary
- g3c - other neutral grassland
- g4 - modified grassland
- u1b6 - other developed land
- u1c - artificial unvegetated unsealed surface
- u1e - built linear feature
- h2a6 - other native hedgerow

Project:
**Kirkby Old Parks Farm, Kirkby Lane,
 Newbold Verdon, Leicestershire, LE9 9LN**

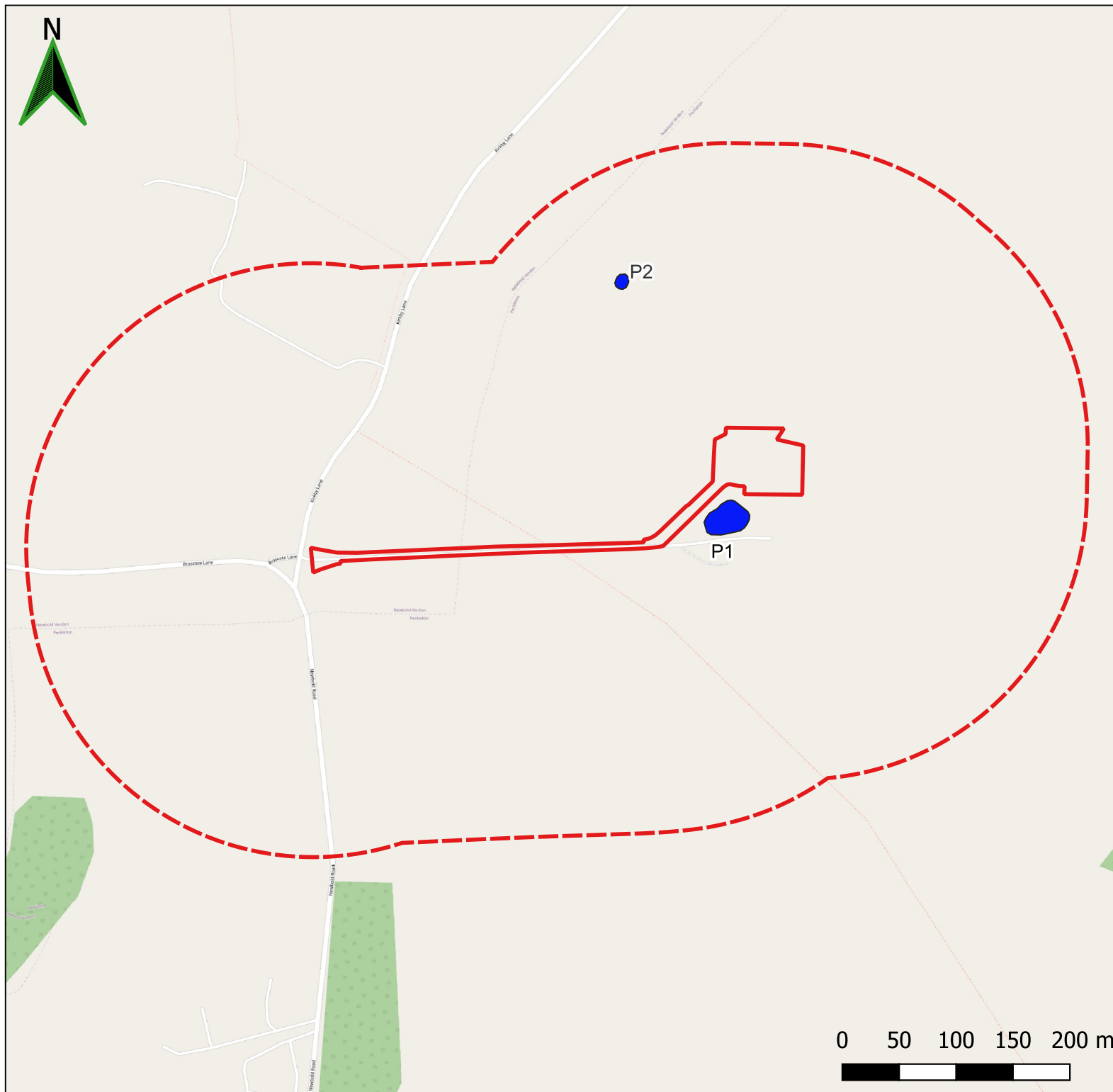
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Figure 3: UKHab Habitat Plan

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Legend

- Site boundary
- 250m pond buffer
- Ponds with reference number

Project:
**Kirkby Old Parks Farm, Kirkby Lane,
Newbold Verdon, Leicestershire, LE9 9LN**

Drawing:
Figure 4: Pond Plan

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Appendix 1: Planning Policy & Legislation Summary

This appendix serves as a summary of relevant policy and legislation. It is not intended to supersede the policy or legislation documents to which it refers, and the relevant full documents should always be consulted prior to decision making.

National Planning Policy Framework 2023

Biodiversity is a material consideration under the National Planning Policy Framework (2023). Relevant text to biodiversity from the NPPF is described below.

In Section 2 of the NPPF 'Achieving sustainable development', paragraph 8(c), the NPPF sets an environmental objective:

- "to protect and enhance our natural, built and historic environment; including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy."

In Section 15 'Conserving and enhancing the natural environment', the NPPF states that:

"180. Planning policies and decisions should contribute to and enhance the natural and local environment by:

- protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan);
- recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland; [...]
- minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures. [...]"

The NPPF, in paragraph 185 sets out that to protect and enhance biodiversity, plans should:

- "Identify, map and safeguard components of local wildlife-rich habitats and wider ecological networks, including the hierarchy of international, national and locally designated sites of importance for biodiversity⁶⁵; wildlife corridors and stepping stones that connect them; and areas identified by national and local partnerships for habitat management, enhancement, restoration or creation; and
- promote the conservation, restoration and enhancement of priority habitats, ecological networks and the protection and recovery of priority species; and identify and pursue opportunities for securing measurable net gains for biodiversity."

In determining planning applications, the NPPF paragraph 186 sets guidance that local planning authorities should apply the following principles:

- "if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused;

- development on land within or outside a Site of Special Scientific Interest, and which is likely to have an adverse effect on it (either individually or in combination with other developments), should not normally be permitted. The only exception is where the benefits of the development in the location proposed clearly outweigh both its likely impact on the features of the site that make it of special scientific interest, and any broader impacts on the national network of Sites of Special Scientific Interest [...];
- development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists; and
- development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to improve biodiversity in and around developments should be integrated as part of their design, especially where this can secure measurable net gains for biodiversity or enhance public access to nature where this is appropriate.”

Paragraph 187 states that the following sites should be given the same protection as habitats sites:

- “potential Special Protection Areas and possible Special Areas of Conservation;
- listed or proposed Ramsar sites; and
- sites identified, or required, as compensatory measures for adverse effects on habitats sites, potential Special Protection Areas, possible Special Areas of Conservation, and listed or proposed Ramsar sites.”

Paragraph 188 states that “The presumption in favour of sustainable development does not apply where the plan or project is likely to have a significant effect on a habitats site (either alone or in combination with other plans or projects), unless an appropriate assessment has concluded that the plan or projects will not adversely affect the integrity of the habitats site.”

Paragraph 191 states that planning policies and decisions should ensure new development is appropriate to its location and take into account likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should:

- “Mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development [...]; [...] and
- limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation.”

Government Circular ODPM 06/05 Biodiversity and Geological Conservation

The government circular provides administrative guidance on the application of statutory obligation and legislation relating to planning and nature conservation in England. It complements the National Planning Policy Framework. The document includes guidance on designated sites (international and national), habitats, and protected species.

Relating to protected species and the requirement for their consideration in planning applications, the government circular, in paragraph 98 details that:

“The presence of a protected species is a material consideration when a planning authority is considering a development proposal that, if carried out, would be likely to result in harm

to the species or its habitat. Local authorities should consult English Nature [now Natural England] before granting planning permission. They should consider attaching appropriate planning conditions or entering into planning obligations under which the developer would take steps to secure the long-term protection of the species. They should also advise developers that they must comply with any statutory species' protection provisions affecting the site concerned."

Paragraph 99, relating to the requirement and timing of protected species survey and mitigation, the government circular states that:

"It is essential that the presence or otherwise of protected species, and the extent that they may be affected by the proposed development, is established before the planning permission is granted, otherwise all relevant material considerations may not have been addressed in making the decision. The need to ensure ecological surveys are carried out should therefore only be left to coverage under planning conditions in exceptional circumstances, with the result that the surveys are carried out after planning permission has been granted. However, bearing in mind the delay and cost that may be involved, developers should not be required to undertake surveys for protected species unless there is a reasonable likelihood of the species being present and affected by the development. Where this is the case, the survey should be completed and any necessary measures to protect the species should be in place, through conditions and/or planning obligations, before the permission is granted. In appropriate circumstances the permission may also impose a condition preventing the development from proceeding without the prior acquisition of a [Natural England] licence."

The Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019

The term 'European Protected Species' (EPS) is used to describe species listed on Schedule 2 of the Conservation of Habitats and Species Regulations 2017 (as amended). Regarding these species, Regulation 43 of the Regulations make guilty of an offence a person who:

- "Deliberately captures, injures or kills any wild animal of a European protected species;
- Deliberately disturbs wild animals of any such species;
- Deliberately takes or destroys the eggs of such an animal, or;
- Damages or destroys a breeding site or resting place of such an animal [...]"

Regulation 43 defines that the disturbance of animals includes any disturbance which is likely to:

- Impair their ability:
 - to survive, to breed or reproduce, or to rear or nurture their young; or
 - in the case of animals of a hibernating or migratory species, to hibernate or migrate; or
 - to affect significantly the local distribution or abundance of the species to which they belong.

A person guilty of an offence under Regulation 43 is liable on summary conviction to imprisonment for a term not exceeding six months or to a fine, or to both.

Wildlife and Countryside Act 1981 (As Amended)

The Wildlife and Countryside Act 1981 (as amended by the Countryside and Rights of Way Act 2000) lists species on Schedule 5 for which the Act make it an offence to:

- Intentionally kill, injure or take;
- Recklessly or intentionally damage or destroy, or obstruct access to any structure or place which any wild animal included uses for shelter or protection;
- Recklessly or intentionally disturb any such animal while it is occupying a structure or place which it uses for shelter or protection.

Some species receive partial protection under the Act, which limits their protection under the Act to intentional killing or injury.

All wild nesting birds are protected under the Act, making it an offence to:

- Intentionally kill, injure or take any wild bird; and
- Take, damage or destroy the nest (whilst being built or in use) or eggs of any wild bird.

Some bird species are afforded special protection via their inclusion in Schedule 1 of the Act, which makes an offence to intentionally or recklessly disturb any schedule 1 bird building a nest or which is in, on or near a nest containing eggs or young; or to disturb dependent young of such a bird, or whilst such a bird 'leaks' (i.e. congregates for community courtship behaviour).

Schedule 9 of the Act makes it an offence to cause any plant listed to grown in the wild, unless all reasonable steps were taken to prevent an offence and due diligence was exercised.

The Act sets out provisions to protect Sites of Special Scientific Interest (SSSI).

Natural Environment and Rural Communities Act 2006

Section 40 of the Act places a legal duty on public authorities (including planning authorities) to have regard to biodiversity conservation in their normal functions (including planning applications).

Under Section 41 of the Act, lists of Habitats of Principal Importance (HPI) and Species of Principal Importance (SPI), of principal importance for the purpose of conserving biodiversity, are produced which serve to guide public authorities in carrying out their functions with consideration for biodiversity conservation.

Wild Mammals (Protection) Act 1996 (as amended)

The Act protects wild mammals against certain cruel acts, including intentional crushing, downing or asphyxiation.

Appendix 2: Photographs



Photo 1: Areas of other neutral grassland and bare ground on site.



Photo 2: Modified grassland, gravel surfacing with timber post fencing, and hedgerow H1 in the east of the site.



Photo 3: Modified grassland and sealed surface in the west of the site.



Photo 4: Pond P1.

Appendix 3: Great Crested Newt Habitat Suitability Index

Pond	HSI Factor										HSI Score	HSI Result
	Geographic Location	Pond Area	Perma-nence	Water Quality	Shade	Waterfowl	Fish	Pond Count	Terrestrial Habitat	Macrophytes		
P1	1.00	0.97	1.00	0.67	1.00	0.67	0.67	0.65	0.67	0.45	0.75	Good