

Holywell Farm, Ratby

PRELIMINARY

ECOLOGICAL APPRAISAL

Issue Date: 09 October 2025

Report No. 250227.PEA.V1

Site Details

Report	Preliminary Ecological Appraisal
Site Address	Holywell Farm, Desford Lane, Ratby, Leicestershire. LE6 OLE
Central OS Grid Reference	SK 50153 05629
Client	Mr Watts

Document Control

Author	Reviewed By	Comments	Report Version	Issue Date
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EXECUTIVE SUMMARY

- Croft Ecology was commissioned by Mr Watts to undertake a Preliminary Ecological Appraisal of land at Holywell Farm, Ratby, in relation to construction of a new dwelling at the Site.
- The survey involved identifying habitats and features of ecological interest within the Site, including the potential for supporting protected or notable species, to determine the key ecological constraints and opportunities associated with the proposed development. Any additional survey work and any possible mitigation requirements would also be identified.
- The survey was undertaken by appropriately qualified and experienced personnel on 28 April 2025.
- The Site comprised a derelict stable building, a shed, and the surrounding concrete pad and access track.
- There are two ponds within 250m of the Site, both 10m from the edge of the red line boundary. A spring fed the northernmost pond (P1), which in turn supplied water to the southern, downstream pond (P2). P2 then discharged into a ditch which ran west to east and crossed the access track at the south of the red line boundary assessed by this report. eDNA testing of both ponds for great crested newts *Triturus cristatus* returned negative results, and the species was therefore considered absent from the Site.
- The Site had no potential for bats and nesting birds – the walls of the derelict buildings did not offer any crevices suitable for roosting bats or nesting birds; and the lack of roof left the tops of the walls exposed to weather. The wall structures were not suitable for barn owls.
- The derelict buildings had some opportunities for sheltering and hibernating reptiles and amphibians due to the rubble and foundations present. While there were limited records of these species in the area, precautionary working methods are recommended.
- The Site was also assessed to offer potential opportunities for terrestrial mammals, and precautionary working methods are recommended with respect to these species.
- Proportionate enhancement measures are also included in Section 4, which would include provision of bat and bird boxes to provide enhanced opportunities for roosting bats and nesting birds and planting of wildlife friendly vegetation within the landscape scheme for the Site.

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1 INTRODUCTION

Croft Ecology was commissioned by Mr Watts to undertake a Preliminary Ecological Appraisal of land at Holywell Farm, Desford Lane, Ratby (central grid reference: SK 50153 05629) in relation to the construction of a new dwelling at the Site.

1.1 Aims

The aims of this report are to:

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

1.2 Site Location

The land within the red line boundary of Figure 1 below is hereafter referred to as the 'Site'. The red line boundary for the application extends south and then east from that shown in Figure 1, encompassing the access road to the Site. The access road comprised a track of packed earth and stone and has been omitted from this report as it will not be impacted by proposals.

The Site comprised a farmyard, encompassing a derelict stable block and the surrounding concrete slab and yard or packed earth. The wider red line boundary encompassed the access track of packed earth and stone. The wider landscape was a network of arable fields bordered by hedgerows with the linear features providing connectivity to pockets of woodland across the wider area.

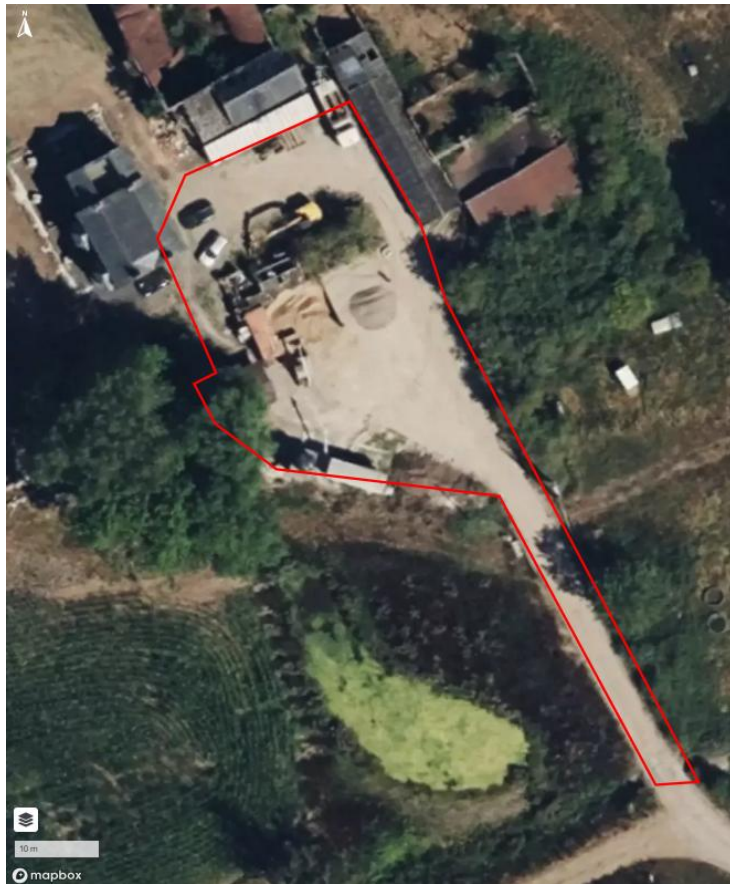


Figure 1. Site boundary (basemap source – Google Satellite Imagery)

1.3 Planning and Legislative Context

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

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

2 METHODOLOGY

2.1 Personnel

The survey and reporting were undertaken by Jeff Grant CEnv MCIEEM, Principal Ecologist at Croft Ecology. Jeff has over 12 years of experience working in ecology and has undertaken and reviewed dozens of Preliminary Ecological Appraisals, Preliminary Roost Assessments and Ecological Impact Assessments for projects of a range of scales. Jeff holds a Level 2 protected species survey licence for bats (2022-10527-CLS-CLS) and a level 2 GCN licence (2015-18770-CLS-CLS).

2.2 Data Search

The Government's website MAGIC (www.magic.gov.uk) was accessed on 1 October 2025 to conduct an initial search for the presence of designated sites, priority habitats, protected species mitigation licences issued within 1km of the Site, and to assess whether the Site was located within a SSSI impact risk zone. Leicestershire and Rutland Environmental Records Centre were also contacted for details on statutory and non-statutory sites as well as protected, notable and invasive species records within a 1km radius of the Site boundary. Additionally, aerial photography was viewed to assess habitat connectivity around the Site's locale, which may be important to ecological features present on Site and for the consideration of suitable ecological enhancements.

2.3 Survey Date and Conditions

The Site was visited on 28 April 2025 and included all land within the red line boundary (see Figure 1) together with a brief assessment of those habitats bordering the Site. Weather conditions at the time of the survey were clear with 10% cloud, a light breeze and a temperature of 20°C.

2.4 UK Hab Field Survey

A UK Hab¹ Field Survey was undertaken in accordance with the methodology described within v2.0 documentation (2023) and was used as the basis for subsequent assessment in line with the standards and methods described within the Guidelines for Ecological Impact Assessment in the UK and Ireland (CIEEM, 2018) and Guidelines for Ecological Report Writing (CIEEM, 2017).

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

The UK Hab uses primary codes whereby habitats are categorised by an increasingly detailed hierarchy until a match is discovered. Secondary codes describe environmental factors that provide additional information such as management regime, hydrology or similar. In this case, each habitat was assigned a Primary Code¹ at the Level 4 hierarchy and secondary codes were applied where these could provide greater context (UK Hab Ltd, 2023).

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

The UK Hab field survey was extended to identify any protected or priority species per CIEEM's Guidelines for Preliminary Ecological Appraisal (2017). A thorough search was conducted to detect the presence, or potential presence, of notable and protected species, including breeding birds, badger *Meles meles*, bats, reptiles and amphibians, notable mammals, invertebrates and any invasive species listed on Schedule 9 of the Wildlife and Countryside Act 1981 (as amended).

¹ The UKHab System comprises a five-level Primary Habitat Hierarchy and a list of Secondary Codes, the latter is sub-divided into Essential codes and Additional codes (UKHab Ltd, 2023).

2.5 Great Crested Newt Habitat Suitability Index (HSI) Assessment

The Habitat Suitability Index (HSI) assessment is a widely accepted method to determine if a pond is suitable for great crested newts and helps determine if additional investigation is necessary. It is calculated as the mean of ten numerical or categorical environmental variables. The methods used to measure each variable are provided within ARG advice note 5 (2010). The ten factors are scored for a pond, in the field and from map work. The HSI assessment focuses on the pond and is based on ten criteria for 'suitability', namely: geographic location, pond area, frequency of drying, water quality, perimeter shading, waterfowl presence, fish presence, pond density within 1 km, terrestrial habitat quality and macrophyte cover.

There were two ponds and a small stream (referred to as Ditch 1) within 250m of the Site (Figure 2). All three were subject to a HSI assessment in accordance with the methodology listed in ARG advice note 5 (2010) with the suitability of the waterbody classified as per Table 2 below.

Table 1: Scale of Pond Suitability

HSI Score	Pond Suitability
< 0.50	Poor
0.50 – 0.59	Below Average
0.60 – 0.69	Average*
0.70 – 0.79	Good*
> 0.80	Excellent*

**Pond typically requires further survey*



Figure 2. Ponds P1 and P2, and Ditch 1, within 250m of the Site

2.6 Environmental DNA (eDNA)

Environmental DNA (eDNA) is a technique that can detect great crested newt DNA in a waterbody from excreta and shed skin cells. Twenty water samples were taken from around a pond following the methodology described by Natural England advice note WC1067 (Biggs *et al.*, 2014); and then sent to a laboratory for testing.

A positive eDNA result concludes that GCN DNA is present in the water sample, whilst a negative result indicates that the presence of GCN within that waterbody is unlikely.

The survey window for this technique is cited as being mid-April to the end of June.

2.7 Survey Limitations

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

2.8 Evaluation of Constraints and Opportunities

All potential ecological constraints to the development were identified. In the context of the Mitigation Hierarchy², consideration was then given as to how any significant effects could be avoided, minimised or mitigated. Following this, appropriate compensation and enhancement measures were outlined. Where additional surveys are required to better understand the likely presence of, and hence impact of the proposed development on, a given ecological feature, these are detailed in Section 4. Lastly, opportunities for enhancements and biodiversity net gain have been provided.

² “The overarching aims of ecological work used to inform the planning process are to minimize harm and to maximize benefits for biodiversity resulting from development. The generally accepted way of doing this, now embedded within the planning system, is to follow the “mitigation hierarchy”. This seeks as a preference to avoid impacts then to mitigate unavoidable impacts, and, as a last resort, to compensate for unavoidable residual impacts that remain after avoidance and mitigation measures.” Biodiversity: Code of practice for planning and development (BS 42020:2013)

3 RESULTS

3.1 Designated Sites

The data search revealed nine Local Wildlife Sites (LWS) and six LWS (historic) within 1km of the Site. These LWS are detailed in Table 2 below. Historic sites were last surveyed between 1980 and 1990, and as such it is not known if the site still have value. Due to the proximity of these sites to the red line boundary they are included below.

Table 2. Designated Sites within 1km of the Site

Site name	Status	Distance and Direction from Site	Reason for designation
Marsh	LWS (historic)	140m southwest	None given, presumed to be marsh.
Grassland – the old bury camp	LWS (historic)	190m northwest	None given, presumed to be grassland.
Hedgerow	LWS (historic)	300m southwest	None given, presumed to be hedgerow.
Hedgerow	LWS (historic)	300m southwest	None given, presumed to be hedgerow.
Ratby, tributaries of Rothley Brook	LWS	390m east	Small river or stream.
Change Spinney	LWS	500m west	Mixed ash, sycamore and Scots pine plantation, noted for its ancient woodland indicator flora.
Ratby Burroughs (S)	LWS	630m northwest	Large woodland, possibly ancient semi-natural. Carpets of bluebells and wood anemones.
Ratby Burroughs meadows	LWS	700m northwest	Grasslands within recent plantation next to Ratby Burroughs woodland. Moderately species rich and well-used by visitors to the wood.
Burroughs Wood	LWS	800m northwest	Ancient semi-natural woodland, with community value.
Rough grassland	LWS (historic)	825m south	None given, presumed to be rough grassland.
Desford Road Ash tree	LWS	825m south	Large ash tree in hedge, 1.02m diameter.
Grassland	LWS (historic)	850m north	None given, presumed to be grassland.
Ratby, grassland and woodland edge west of Burroughs Wood (S)	LWS	930m northwest	Woodland (probably ancient) along well-used public footpath adjacent to Ratby Burroughs.
Burroughs Verge/Bank	LWS	950m northwest	Mesotrophic grassland.
Martinshaw wood	LWS	990m north	Ancient semi-natural woodland, with community value.

3.2 Habitats

The Site comprised a farmyard, encompassing a derelict stable block and the surrounding concrete slab and yard or packed earth. The wider red line boundary encompassed the access track of packed earth and stone.

A UK Hab Baseline Habitats Map of the Site can be found in Appendix B.

3.2.1 Buildings, Developed land; sealed surface and Artificial unvegetated, unsealed surface.

Two buildings were present within the red line boundary: A derelict stable block (Photos 1 and 2) and a shed (Photo 3).

The stable block comprised solid stone and brick walls, with timber purlins supporting what remained of the corrugated asbestos roof panels. The building appeared to have been disused for some time, with a number of elder *Sambucus nigra* growing in the eastern sections. All were under 7.5cm in diameter at breast height and therefore too small to be included within Biodiversity Net Gain Metric calculations. Common nettle *Urtica dioica* was recorded growing in the rubble and debris within the rooms, with a narrow strip of perennial rye grass colonising the land immediately north of the built structure. The vegetated areas of the stable block covered <25m²

The shed was a wooden framed structure with a felted shallow pitched roof (Photo 3).



Photo 1. Former stable block in dilapidated condition with scrub colonising the eastern sections



Photo 2. Western cell of the former stable block, with roof still partly intact.



Photo 3. Garden shed in the west of the red line boundary

The remainder of the red line boundary comprised a concrete slab (Photo 4,) and the packed stone and gravel of the access track and farmyard (Photos 1 and 4).



Photo 4. Concrete slab and packed stone and gravel typical of the Site. The encroaching vegetation on the left of the photo is outside of the red line boundary.

3.3 Species

3.3.1 Amphibians

The data search returned no records of great crested newt *Triturus cristatus* (GCN) within 1km of the Site.

Other amphibian records within the data search included two records of common frog *Rana temporaria*, two records of common toad *Bufo bufo*, and one record of smooth newt *Lissotriton vulgaris*. The data record for the smooth newt was located in a pond in Burroughs Wood 800m north of the Site in 2018.

A search of the MAGIC website within a 1km radius of the Site identified no European Protected Species (EPS) licence for great crested newts. The GCN pond surveys 2017-2019 layer also did not identify GCN presence within 1km.

There were two ponds and a small stream located within 250m of the Site (as shown in Figure 2 below).

Table 3: Details of ponds within 250m of the Site

Pond Number	Location	Description
1	10m west of Site	Pond in wooded pocket. Surroundings supported weeping willow <i>Salix babylonica</i> , ash <i>Fraxinus excelsior</i> , with ground floral of bramble <i>Rubus fruticosus</i> , nettle and emergent vegetation including water cress <i>Nasturtium officinale</i> and water mint <i>Mentha aquatica</i> .
2	10m southwest of Site	Pond filled by running water from Pond 1 and flowing into ditch at the south. Pond skaters noted and water clear, though scum at the southern end. Mallards noted. Emergent vegetation included water cress, great willowherb <i>Epilobium hirsutum</i> , iris <i>Iris sp.</i> and soft rush <i>Juncus effusus</i> .
Ditch 1	Adjacent to access track red line boundary 50m south of main works area.	Stream south of pond. Water flows east and is up to 20cm deep in places

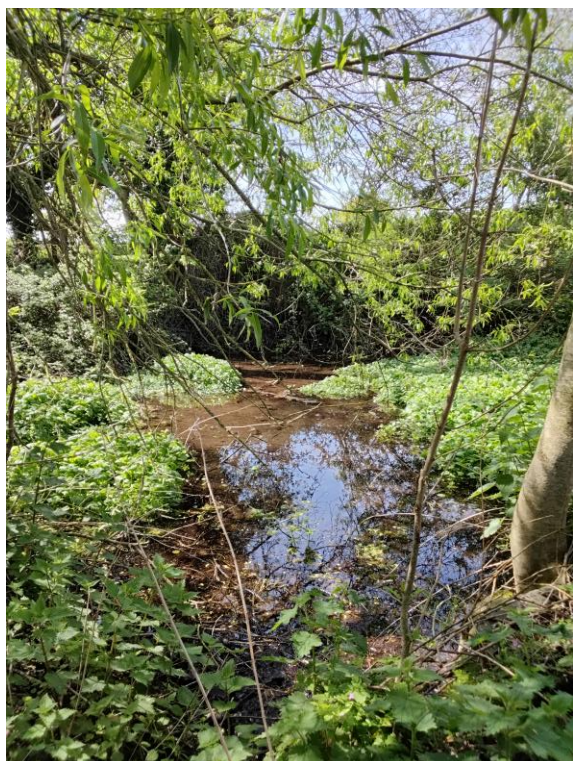


Photo 5: Pond 1, a mill pond adjacent to the Site



Photo 6: Pond 2 southwest of the red line boundary



Photo 7: Ditch 1, a small watercourse running west to east outside the red line boundary.

Habitat Suitability Index Assessments were conducted on P1, P2 and Ditch 1 to assess their suitability for supporting great crested newts, and in turn, to assess the likelihood of newts being present within the Site. The results are provided in Table 4 below.

Table 4. HSI results from P1, P3 and P4

Pond Number	P1	P1	P2	P2	Ditch 1	Ditch1
Location	Area A	1	Area A	1	Area A	1
Pond Area	50sqm	0.1	300sqm	0.7	100sqm	0.2
Pond Permanence	Never dries	0.9	Never dries	0.9	Never dries	0.9
Water Quality	Moderate	0.67	Moderate	0.67	Moderate	0.67
Shade	86-90%	0.4	0-60%	1	0-60%	1
Waterfowl Effect	Absent	1	Absent	1	Absent	1
Fish Presence	Absent	1	Absent	1	Possible	0.67
Pond Density	2	0.6	2 ponds	0.6	2	0.6
Terrestrial Habitat	Moderate	0.67	Moderate	0.67	Poor	0.33
Macrophyte Cover	41-50%	0.75	0-10%	0.5	11-20%	0.4
HSI Score	P1	0.61	P2	0.78	Ditch 1	0.60
Pond Suitability	P1	Average	P2	Good	Ditch 1	Average

The rubble and foundations of the buildings had gaps suitable for use by sheltering and hibernating amphibians. The surroundings, with the ponds, woodlands and scrub habitats, offered foraging, shelter and connectivity to the wider landscape for amphibians.

Overall, given the suitability of the Site for great crested newts and ponds within 250m of the Site it was recommended that eDNA surveys of these Ponds 1 and 2 were undertaken.

The results of the eDNA testing were 'Negative' in Ponds 1 and 2. Ditch 1 was not surveyed due to the rate of flow of the water. Due to the proximity of the ditch to the ponds, had any of the surveys returned a positive result it would have been assumed that GCN were present in each of them. Due to the negative results of the eDNA surveys GCN were assumed to be likely absent from the tested waterbodies at the time of survey, which reduces the likelihood of such species using the Site. The lab report can be seen below in Appendix C.

It is possible that common amphibians, such as common frog, common toad, and smooth newt could be present on Site, as the rubble, building foundations and habitats present within the vicinity of the red line boundary offers suitable foraging, shelter and hibernacula for these species. However, with larger areas of suitable habitat off site, the Site itself is considered to have **low potential for amphibians**.

3.3.2 Badger

The data search returned 11 records for badger within 1km of the Site. The closest records were from a survey in 2020, identifying a latrine and snuffle hole 450m north of the Site. Sett records were identified, but all over 800m from the Site. No badger setts, hairs, paths or foraging signs were recorded on the Site. The Site offered little in the way of foraging and commuting opportunities for badgers on the Site, though the surrounding countryside provides optimal habitat for the species. The Site is therefore considered to have **low potential for foraging and commuting badgers**, though no potential for sett building.

3.3.3 Bats

The desk study returned 19 records of bats within 1km of the Site. These were dated between 2014 and 2023 and were for common pipistrelle *Pipistrellus pipistrellus*, soprano pipistrelle *Pipistrellus pygmaeus*, pipistrelle bat species *Pipistrellus* sp., *Myotis* bat species *Myotis* sp., brown Long-eared bat *Plecotus auritus*, noctule *Nyctalus noctula* and several unidentified bat records.

The closest records were from Holywell Farm from 2014 and 2019 with a brown long-eared bat roost and a day roost of common pipistrelle roost identified within the outbuilding immediately

to the north of the red line boundary. There were no European Protected Species licences for bats on the MAGIC website within 1km of the Site.

The Site offered **no potential for roosting bats**. There was no roosting potential within the derelict building, with no suitable gaps for roosting bats in the solid walls of the building and the tops of the walls exposed to the elements. Due to the nearby roosting records and suitable habitats for bats in the wider landscape the Site was considered to have **moderate potential for foraging and commuting bats**.

3.3.4 Birds

The desk study returned 11 records of protected and notable bird species, including one barn owl *Tyto alba* from Newtown 800m away. The majority of records came from Burroughs Wood, just over 900m away. The closest record was for a redwing *Turdus iliacus* 120m from the Site. Two records for fieldfare *Turdus pilaris* and one record of a red kite *Milvus milvus* were also returned. The buildings and habitats within the Site offer **no nesting opportunities for bird species** due to a lack of gaps in the walls, exposure to the elements and a lack of a suitable ledges to support nesting barn owl. There is little foraging habitat within the remainder of the red line boundary. No evidence of nesting birds was noted at the time of the survey.

3.3.5 Invasive species

No invasive species were returned by the data search. As a result, they are not considered further within this report.

3.3.6 Other species

Three records of white-letter hairstreak *Satyrrium w-album* were returned by the data search; however, the Site is developed land with no vegetation and is not considered suitable for white-letter hairstreak or notable invertebrate assemblages. While no records of hedgehog *Erinaceus europaeus* were returned within the data search, due to the rural location there is potential for them to commute across the Site and as such a precautionary recommendation relating to safe egress from excavations is made in Section 4.

3.3.7 Reptiles

The data search returned no records of reptiles within 1km of the Site. The rubble and foundations of the buildings had gaps suitable for use by sheltering and hibernating reptiles.

However, the wider landscape, with the ponds, woodlands and scrub habitats present, offered much more suitable foraging, shelter and connectivity to the wider landscape for reptiles away from the disturbance of the farmyard. The likelihood of them leaving the optimal surrounding habitat to use the Site was therefore considered to be low. In addition, there were no records of reptiles within the area, and therefore the Site is considered to have **low potential for reptiles**.

4 DISCUSSION AND RECOMMENDATIONS

4.1 Proposed Development

The proposal is for the construction of a new residential dwelling and associated garden within the red line boundary. The derelict building will be demolished, with part of the hardstanding converted to the gardens. Figure 2 shows the proposed layout for the Site.



Figure 2: Proposed development, taken from R3 Design Developments Ltd Drawing 25.335.BP_1:500.

4.2 Habitats

The Site was predominantly a derelict building and hardstanding, with negligible ecological value. The rubble, foundations and colonising elder and nettle within the derelict building offered some limited potential for reptiles and amphibians but due to more extensive and optimal habitats in the wider landscape the potential for them to be encountered during works was considered to be low. These are discussed further in the Species section, below.

4.3 Species

4.3.1 *Amphibians and reptiles*

The eDNA tests of the ponds adjacent to the Site were negative for great crested newts, and as such the species are not considered to be breeding in the vicinity of the Site and a district level licence for the works is not required. The rubble of the derelict building offered some limited potential for sheltering and hibernating amphibians and reptiles and there is a low risk of encountering amphibians and reptiles during the works. Therefore, it is recommended that works proceed outside of the hibernation period of amphibians and reptiles (hibernation period typically December to February in weather under 6°C).

4.3.2 *Other species*

The Site is considered to have low potential for badgers, bats and hedgehog commuting and foraging across the Site. However, due to the localised nature of the works any impacts to these species are considered to be manageable with sensitive timing and methods of works during site clearance, and a sensitive lighting strategy. Continued opportunities for these species to pass through and forage at the Site will be available on completion of the development.

4.4 Summary of Further Surveys Required

- No further surveys are required.

4.5 Mitigation Requirements

- No night-time work is anticipated. Any lighting to be installed as part of the scheme should use warm white LEDs to reduce the blue light component, and avoid lighting the adjacent vegetated habitats and pond surroundings.
- Precautionary methods of material removal from within and around the derelict building will be implemented in respect of amphibians and reptiles. The rubble should be removed in temperatures suitable for GCN activity (typically outside of December to February, above 6°C and with no frost in the days prior to works commencing). Should common amphibians be found they should be allowed to move away on their own accord or safely moved to an undisturbed area of the Site. In the unlikely event a great

crested newt is found during the works, works must cease and the advice of a suitably qualified ecologist sought regarding a suitable working methodology going forwards.

- Sensitive working methods, including the covering of excavations or provision of a ramp to provide a means of escape, will be adopted to avoid the potential for killing or injury of badgers, hedgehog or other notable mammals that may pass through the Site, should they be present foraging or commuting.

4.6 Opportunities for Enhancement

- It is recommended that landscape proposals should include the provision of native species or those with a known value to wildlife, as far as possible. This could include species that bear fruit and nuts or are prolific at flowering to attract pollinators and other invertebrates, which in turn would provide increased foraging opportunities for bats or badgers using the Site as well as protected or notable species with the potential to be present on the Site, such as birds, amphibians or reptiles.
- Integrated bat boxes should be included within the proposed house to provide roosting opportunities for bats. These should be installed between the southwest and southeast aspect, at least 3m above the ground, away from artificial light sources. Further details on type and location of these boxes should be discussed and agreed with the architect and ecologist.
- Bird boxes should be incorporated within or attached to the proposed dwelling, to provide nesting opportunities for birds. The boxes should be installed between the north and east aspect, at least at eaves height. Further details on box type and location should be discussed and agreed with the architect and ecologist.

5 CONCLUSION

The proposed building works will result in the loss of habitats with limited ecological potential though the rubble within the derelict buildings has some limited suitability for sheltering and hibernating amphibians and reptiles.

No further surveys are required. Sensitive timing and appropriate methods of works during site clearance are set out in Section 4 to provide suitable consideration for reptiles, amphibians and terrestrial mammals using the Site. A sensitive lighting scheme will also reduce impacts on foraging, commuting, and roosting bats.

In addition, recommendations for the inclusion of bat and bird boxes within the proposed design as well as native landscaping will provide on-site biodiversity enhancements in line with the National Planning Policy Framework³ (NPPF, 2024).

³ Paragraph 174 (d) of the National Planning Policy Framework (NPPF) states: “*Planning policies and decisions should contribute to and enhance the natural and local environment by: ... (d) minimising impacts on and providing net gains for biodiversity...*”.

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7 APPENDICES

APPENDIX A – Legislation and Planning Policy

Summary

Habitats and species receive various levels of protection under UK legislation and national and local planning policies. Those that are potentially relevant to the Site are listed below NB: Although summaries are provided, it is recommended to seek the full legal or policy wording separately for more information.

- The Wildlife and Countryside Act 1981 (as amended)
- The Environmental Protection Act 1990
- The Protection of Badgers Act 1992
- The Hedgerow Regulations 1997
- The Countryside and Rights of Way (CROW) Act 2000
- The Natural Environment and Rural Communities (NERC) Act 2006
- The Conservation of Habitats and Species Regulations 2017 (as amended)
- The Environment Act 2021
- National Planning Policy Framework (NPPF) revised in 2024
- Hinckley and Bosworth Local Plan 2006-2026 Policies 19 to 22
- Leicestershire Local Nature Recovery Strategy

UK Legislation

In Britain, the Wildlife and Countryside Act 1981⁴ serves as the main tool for safeguarding wildlife. Part 1 of the Wildlife and Countryside Act (WCA) deals with the protection of wildlife, including birds, animals, and plants. The Schedules that hold the most significance in terms of planning are Schedule 1, which protects bird species, Schedule 5, which protects other animal

⁴ Wildlife and Countryside Act 1981

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

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

Planning Policy

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

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

Designated Sites

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

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

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

Priority Habitats and Species

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

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

Protected Species

Bats and Great Crested Newt

All British bat species (*Rhinolophidae* and *Vespertilionidae*) and great crested newts *Triturus cristatus*, are legally protected in the UK under Schedule 5 of the Wildlife and Countryside Act 1981 (as amended) and are fully protected under Schedule 2 of The Conservation of Habitats and Species Regulations 2017 (as amended). The latter piece of legislation resulted in them being known as “European protected species”. This means that it is illegal to deliberately take, injure, or kill the animal; to intentionally or recklessly disturb the animal whilst they are in a 'place used for shelter or protection' or damage or destroy a breeding or resting place (even when the animal is not present). It is also illegal to intentionally or recklessly obstruct access to a place of shelter or protection; or to possess, control, sell, or transport live or dead individuals or their body parts. If you cannot avoid disturbing these species or damaging their habitats, you may apply to Natural England for a licence to carry out such works under the close supervision of a licensed ecologist.

Common Amphibians

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

Common Reptiles

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

Birds

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

Badger

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

Invasive Species

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

APPENDIX B – Baseline Habitats Map.



APPENDIX C – GCN eDNA lab results

Folio No: 2720-2025
Purchase Order: 250227
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Issue Date: 04.07.2025
Received Date: 20.06.2025

GCN Report

Technical Report



SureScreen Scientifics

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GCN eDNA Analysis

Summary

When great crested newts (GCN), *Triturus cristatus*, inhabit a pond, they continuously release small amounts of their DNA into the environment. By collecting and analyzing water samples, we can detect these small traces of environmental DNA (eDNA) to confirm GCN habitation or establish GCN absence.

Results

Lab ID	Site Name	OS Reference	Degradation Check	Inhibition Check	Result	Positive Replicates
GCN25 7687	Holywell Farm - Pond 1	SK 50136 05604	Pass	Pass	Negative	0/12
GCN25 7688	Holywell Farm - Pond 2	SK 50162 05582	Pass	Pass	Negative	0/12

Matters affecting result: none

Reported by: Lauryn Jewkes

Approved by: Lauryn Jewkes

Methodology

The samples detailed above have been analyzed for the presence of GCN eDNA following the protocol stated in DEFRA WC1067 'Analytical and methodological development for improved surveillance of the Great Crested Newt, Appendix 5.' (Biggs et al. 2014). Each of the 6 sub-sample tubes are first centrifuged and pooled together into a single sample tube which then undergoes DNA extraction. The extracted sample is then analyzed using real-time PCR (qPCR), which uses species-specific molecular markers to amplify GCN DNA within a sample. These markers are unique to GCN DNA, meaning that there should be no detection of closely related species.

If GCN DNA is present, the DNA is amplified up to a detectable level, resulting in positive species detection. If GCN DNA is not present then amplification does not occur, and a negative result is recorded. Analysis of eDNA requires attention to detail to prevent the risk of contamination. True positive controls, negative controls, and spiked synthetic DNA are included in every analysis and these have to be correct before any result is declared and reported. Stages of the DNA analysis are also conducted in different buildings at our premises for added analytical security.

SureScreen Scientifics Ltd is ISO9001 accredited and participates in Natural England's proficiency testing scheme for GCN eDNA testing.

Interpretation of Results

Sample Integrity Check:

When samples are received in the laboratory, they are inspected for any tube leakage, suitability of sample (not too much mud or weed etc.) and absence of any factors that could potentially lead to inconclusive results. Any samples which fail this test are rejected and eliminated before analysis.

Degradation Check:

Pass/Fail. Analysis of the spiked DNA marker to see if there has been degradation of the kit or sample between the date it was made to the date of analysis. Degradation of the spiked DNA marker may lead indicate a risk of false negative results.

Inhibition Check:

Pass/Fail. The presence of inhibitors within a sample is assessed using a DNA marker. If inhibition is detected, samples are purified and re-analyzed. Inhibitors cannot always be removed, if the inhibition check fails, the sample should be re-collected.

Result:

Presence of GCN eDNA (Positive/Negative/Inconclusive)

Positive: GCN DNA was identified within the sample, indicative of GCN presence within the sampling location at the time the sample was taken or within the recent past at the sampling location.

Positive Replicates: Number of positive qPCR replicates out of a series of 12. If one or more of these are found to be positive the pond is declared positive for GCN presence. It may be assumed that small fractions of positive analyses suggest low level presence, but this cannot currently be used for population studies. In accordance with the WC1067 Natural England protocol, even a score of 1/12 is declared positive. 0/12 indicates negative GCN presence.

Negative: GCN eDNA was not detected or is below the threshold detection level and the test result should be considered as evidence of GCN absence, however, does not exclude the potential for GCN presence below the limit of detection.

Inconclusive: Controls indicate inhibition or degradation of the sample, resulting in the inability to provide conclusive evidence for GCN presence or absence.

