

Cold Comfort Farm, Rogues Lane, Hinckley

PRELIMINARY ECOLOGICAL APPRAISAL AND IMPACT ASSESSMENT

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Site Details

Report	Preliminary Ecological Appraisal and Impact Assessment
Site Address	Cold Comfort Farm, Rogues Lane, Hinckley, Leicestershire, LE10 3DX
Central OS Grid Reference	SP 41825 96433
Client	Chris McManus

Document Control

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Disclosure:

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EXECUTIVE SUMMARY

- Croft Ecology was commissioned by Chris McManus to undertake a Preliminary Ecological Appraisal of Cold Comfort Farm, Rogues Lane, Hinckley, Leicestershire, LE10 3DX (central grid reference: SP 41825 96433) in relation to the proposed development of a glamping site.
- The survey involved identifying habitats and features of ecological interest within the Site, including their potential for supporting protected or notable species, to determine the key ecological constraints and opportunities associated with the proposed development. Any additional survey work and any possible mitigation requirements were also identified.
- The field survey was undertaken by appropriately qualified and experienced personnel on 23 May 2025.
- The majority of the Site was modified grassland and comprised part of a large grassland field, which had hedgerows present along all of its boundaries. There was also a building, gravel track, sparsely vegetated land, and an area of mixed scrub present.
- Four ponds (P1 – P4) were located within 250m of the Site and were not separated from the Site by significant barriers. P1 scored ‘below average’ suitability for great crested newts *Triturus cristatus* on the Habitat Suitability Index assessment. The other ponds were not assessed during the survey due to their location on private land. Habitats within the Site are considered of low-negligible overall value to great crested newts due to the sparse vegetation cover and limited opportunities for shelter, hibernation, and foraging.
- The proposed works will require the clearance of sparsely vegetated land and some of the modified grassland and artificial unvegetated; unsealed surface.
- No evidence of protected or notable species within the Site boundary was recorded, however the Site was assessed to have potential opportunities for badgers, foraging and commuting bats, nesting birds, hedgehogs, and to a lesser extent reptiles and amphibians to be present on Site. No further ecological surveys are considered necessary.
- Avoidance, mitigation and compensation measures have been recommended in Section 4. These measures include pre-commencement checks, and sensitive methods and timing of works to ensure that no protected or notable species will be harmed during works and can continue to make use of the Site post-development.
- 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.

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1 INTRODUCTION

Croft Ecology was commissioned by Chris McManus to undertake a Preliminary Ecological Appraisal of Cold Comfort Farm, Rogues Lane, Hinckley, Leicestershire, LE10 3DX (central grid reference: SP 41825 96433) in relation to the proposed development of a glamping site.

1.1 Aims

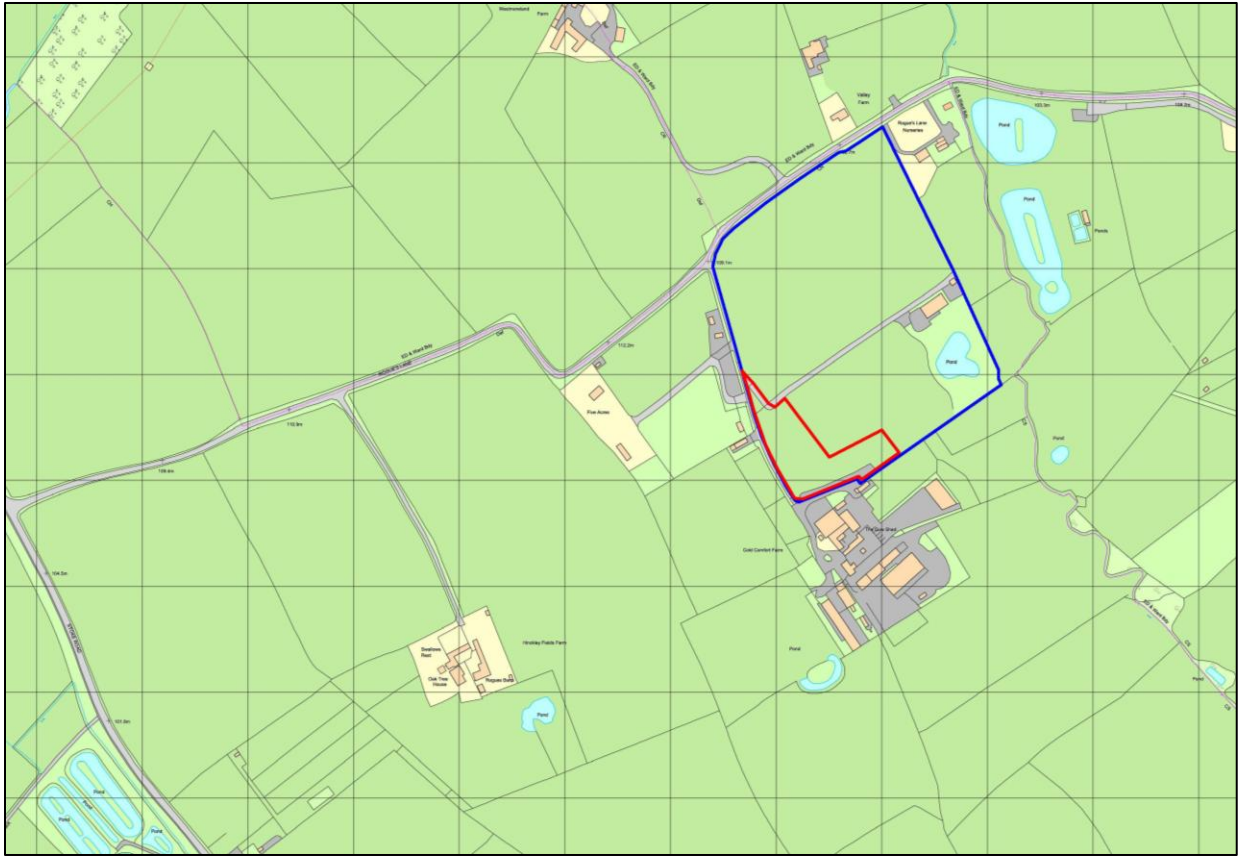
The aims of this report are to:

- identify key ecological features (habitats, species, ecosystems) within the Site;
- identify the potential for the Site to support protected or notable species;
- identify any further surveys that may be required to fully understand the likely impact on a given ecological feature;
- identify any mitigation measures 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 Site was located in a rural setting to the south of Rogue's Lane and is approximately 1km from the northern edge of Hinckley. The Site was part of a grassland field that was bounded by hedgerows at all field boundaries; Cold Comfort Farm was located to the south. The surrounding landscape was dominated by pasture and arable fields, with woodland, hedgerows, waterbodies, and urban areas also present.



1.3 Planning and Legislative Context

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

2 METHODOLOGY

2.1 Personnel

The survey and assessment were undertaken by Anna Scott-Swift MCIEEM, Director of Ecology at Croft Ecology. Anna has over 20 years of experience working in ecology and has undertaken and reviewed dozens of Preliminary Ecological Appraisals and Ecological Impact Assessments. Anna also holds protected species survey licences for bats (2015-12592-CLS-CLS), great crested newts (2015-17871-CLS-CLS), and barn owls (CL29/00392).

The report was prepared by Emma Bruce ACIEEM. Emma has worked in ecological consultancy for eight years and has prepared many reports during this time including protected species survey reports, mitigation strategies and method statements, PEAs and ECIAs. Emma also holds protected species licences for bats (licence no. 2022-10318-CL17-BAT) and great crested newts (licence no. 2018-38167-CLS-CLS).

2.2 Data Search

The Government's website MAGIC (www.magic.gov.uk) was accessed on 22 May 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 (LRERC) was also contacted for details on statutory and non-statutory sites as well as protected and notable 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 Field Survey Date and Conditions

The Site was visited on 23 May 2025 and included all land within the red line boundary (see Figure 1) together with a brief assessment of those habitats bordering the Site. Weather

conditions at the time of survey were sunny with 40% cloud cover, no rain, 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.

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).

A condition assessment of each semi-natural habitat present was undertaken during the field survey using the Statutory Biodiversity Metric and formed the basis of a subsequent Biodiversity Net Gain Assessment (see separate Biodiversity Gain Report by Croft Ecology, May 2024).

¹ UKHab Ltd (2023) <https://www.ukhab.org/>

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, such as 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).

Water vole and otter were not considered further as there were no records nearby and no suitable habitats within the Site for these species.

Dormice were also not considered further as there were similarly no habitats present within the Site suitable for this species, and no nearby dormice records.

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.

Four ponds were present within 250m of the Site. The closest pond (P1) was subject to a HSI assessment in accordance with the methodology listed in ARG advice note 5 (2010) with the suitability of the pond classified as per Table 1 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*

2.6 Survey Limitations

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

2.7 Evaluation of Constraints and Opportunities

All potential ecological constraints to the development were identified. In the context of the Mitigation Hierarchy², consideration was given as to how any significant effects could be

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

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 a protected species, or the value of a habitat and the impact of the proposed development on this ecological feature, these are detailed in Section 4. Lastly, opportunities for enhancements and biodiversity net gain have been provided.

avoidance and mitigation measures.” Biodiversity: Code of practice for planning and development (BS 42020:2013)

3 RESULTS

3.1 Designated Sites

There were no statutory sites within 1km of the Site.

Ten non-statutory sites were located within a 1km radius of the Site: two candidate Local Wildlife Sites (LWS), five potential Local Wildlife Sites (pLWS), and three historic LWS. The closest is a historic LWS (site code: 11059) located 252m to the north of the Site that was notified for its semi-improved grassland habitat. The other sites were notified for their species-rich hedgerows, mature trees, and pond habitats.

Whilst the Site boundary was within a SSSI impact risk zone for Burbage Wood and Aston Firs Site of Special Scientific Interest (SSSI) (located c.2.75km southeast of the Site) and Kendall's Meadow SSSI (located c.2.73km northwest of the Site), the nature of the proposals did not meet any of the criteria that would warrant any further investigation.

The proposed development is not anticipated to have an impact on designated sites; therefore they are not considered further in this report.

3.2 Habitats

The majority of the Site was modified grassland and comprised part of a large grassland field, which had hedgerows present along all of its boundaries. There was also a building, gravel track, sparsely vegetated land, and an area of mixed scrub. Cold Comfort Farm is located to the south of the Site.

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

3.2.1 Modified grassland

The majority of the Site was assessed to be modified grassland, which had an average sward height of 15-20cm throughout the main field and a taller sward of 30-40cm on a bund near the field entrance. Species present included abundant perennial rye-grass *Lolium perenne*, frequent Yorkshire-fog *Holcus lanatus*, occasional creeping buttercup *Ranunculus repens*, and rare broad-

leaved dock *Rumex obtusifolius*, spear thistle *Cirsium vulgare*, and white clover *Trifolium repens*. The average species diversity was 4 species per m².



Photo 1. Modified grassland

3.2.2 Mixed scrub

There was an area of dense mixed scrub in the northwest corner of the Site. Species present included occasional hawthorn *Crataegus monogyna*, field maple *Acer campestre*, an elm species *Ulmus* sp., an apple species *Malus* sp., elder *Sambucus nigra*, and rare hornbeam *Carpinus betulus*.



Photo 2. Mixed scrub

3.2.3 Buildings

A glamping pod surrounded by concrete was recorded at the southeastern boundary of the Site.



Photo 3. Glamping pod

3.2.4 Artificial unvegetated; unsealed surface

A gravel track and field entrance is present in the northwestern part of the Site.



Photo 4. Gravel track and field entrance

3.2.5 Sparsely vegetated urban land

An area of sparsely vegetated urban land was present in the centre of the Site; this comprised a mixture of bare earth with 50% vegetation cover. Species present included frequent fat-hen *Chenopodium album*, and occasional pineappleweed *Matricaria discoidea* and broad-leaved dock.



Photo 5. Sparsely vegetated urban land

3.2.6 Native hedgerows

There were three native hedgerows within the Site boundary, at the southern, western, and northwestern boundaries. Further details are provided in Table 2.

Table 2. Hedgerow details

Hedgerow reference	Description
H1	A well-managed hedgerow, 2.5m tall by 2m wide, located in the northwestern corner of the Site. Species recorded included dominant hawthorn and occasional bramble <i>Rubus fruticosus</i> agg.
H2	A well-managed hedgerow, 2.2m tall by 1.8m wide, located at the southern Site boundary. Species recorded included dominant hawthorn, abundant hornbeam, occasional elder, and rare field maple.
H3	A well-managed hedgerow, 2.5m tall by 1.8m wide, located at the western Site boundary. Species recorded included dominant hornbeam, frequent hawthorn, and occasional elder.



Photo 6. H1



Photo 7. H2



Photo 8. H3

3.3 Species

3.3.1 Badger

The data search returned two records of badger within a 1km radius of the Site. The closest record was for a badger sett from 2015 for a location 320m to the northwest of the Site.

No badger setts, hairs, latrines, paths or foraging signs were recorded within the Site, or its immediate environs. The Site offered foraging opportunities, and the hedgerows offered sett-building opportunities for badger. The Site is therefore considered to offer **moderate** value to badgers.

3.3.2 Bats

The desk study returned 91 records of bats within a 1km radius of the Site including for 'bat', brown long-eared bat *Plecotus auritus*, common pipistrelle *Pipistrellus pipistrellus*, 'Myotis bat species' *Myotis* sp., Natterer's bat *Myotis nattereri*, noctule *Nyctalus noctula*, 'Nyctalus bat species' *Nyctalus* sp., 'pipistrelle bat species' *Pipistrellus* sp., and soprano pipistrelle *Pipistrellus pygmaeus*. The closest group of records were associated with the farm buildings of Cold Comfort Farm, located between 32m and 40m to the south of the Site. The records were from 2021 for common pipistrelle, Natterer's bat, and brown long-eared bat roosts.

There were no European Protected Species licence for bats on the MAGIC website within 1km of the Site. However, Croft Ecology has recently been granted a European Protected Species licence for bats for a location 30m south of the Site within Cold Comfort Farm, and is associated with the aforementioned roost records; this was from 2025 (2025-71038-EPS-MIT) and allowed for the destruction of four day roosts of common pipistrelle, Natterer's bat, and brown long-eared bat and a feeding roost of Natterer's bats.

The hedgerows at the Site boundaries, as well as the mixed scrub, could offer opportunities for foraging and commuting bats. The majority of the Site offered limited foraging opportunities due to the poor botanical diversity within the modified grassland, likely reducing the assemblage of invertebrate prey. The building was assessed to have negligible potential for roosting bats with no suitable access points, and there were no trees present.

Overall, the Site is considered to offer **moderate** value to foraging and commuting bats.

3.3.3 Birds

The desk study returned two bird records within 1km of the Site; these were for the Schedule 1 species barn owl *Tyto alba* and kingfisher *Alcedo atthis* from 2022 and 2023 for locations 769m to the south and 875m to the southeast, respectively.

The hedgerows and mixed scrub offered opportunities for nesting birds and the large grassland field could potentially offer opportunities for ground-nesting birds. None of the habitats on Site were assessed to have potential for kingfisher, and the grassland field lacked a suitable thatch that would support enough small mammals for a foraging barn owl. Overall, the Site is considered to offer **moderate** value to birds.

3.3.4 Great crested newts and other amphibians

The data search returned no records for great crested newt (GCN) or other amphibians within 1km of the Site. There were no European Protected Species licences for great crested newt on the MAGIC website within 1km of the Site; the Class Survey Licence Returns dataset and Pond Surveys 2017-2019 dataset also returned no records for great crested newt.

There were no ponds within the Site. Four ponds were present within 250m of the Site (Figure 2); the closest of which was P1, which is located 80m to the northeast of the Site and is within the same land ownership as the Site. The other three ponds (P2-P4) are located 190m to the northeast, 140m to the east, and 145m to the south of the Site. All of the ponds have connectivity to the Site. A HSI assessment was undertaken of P1; the other ponds were located on private land.



P1 was a large pond located 80m northeast of the Site and was surrounded by amenity grassland, scrub, trees, and hedgerows. P1 is connected to the Site by grassland and hedgerows; however, the adjacent grassland sward is short and without a tussocky structure due to regular management, making it suboptimal for GCN and other amphibians to move through. The pond was shaded at its banks but mostly open with moderate water quality, deep water, and limited emergent vegetation. Bankside species included yellow flag iris *Iris pseudacorus*, hard rush *Juncus inflexus* and pond sedge *Carex riparia* around margins with grey

willow *Salix cinerea*, dogwood *Cornus sanguinea*, Darwin's barberry *Berberis darwinii* and a bamboo species *Bambusa sp.* on the banks. Fish presence is major and the waterfowl impact is minor.



Photo 9: P1

A Habitat Suitability Index Assessment was conducted on P1 to assess its suitability for supporting GCN, and in turn, to assess the likelihood of newts being present within the Site. The results are provided in Table 3 below.

Table 3. HSI results from P1

Pond Number	P1	P1 Score
Location	A	1
Pond Area	1150sqm	0.95
Pond Permanence	Never Dries	0.9
Water Quality	Moderate	0.67
Shade	0-60%	1
Waterfowl Effect	Minor	0.67
Fish Presence	Major	0.01
Pond Density	21 ponds	1
Terrestrial Habitat	Moderate	0.67
Macrophyte Cover	11-20%	0.5
HSI Score	P1	0.51
Pond Suitability	P1	<i>Below Average</i>

P1 is considered to have ‘below average’ suitability for GCN, therefore no further survey work is required. The terrestrial habitat within the Site boundary was considered to be sub-optimal for use by great crested newts; the scrub and hedgerows could offer some foraging and sheltering opportunities, however, the majority of the Site is unsuitable as the grassland did not have a tussocky structure, therefore minimising opportunities for shelter and hibernation.

Overall, the Site is considered to offer **low** value to this species group considering that there are no amphibian records within 1km of the Site and the pond is assessed to be ‘below average’ suitability for great crested newt. However, the presence of amphibians on Site cannot be completely ruled out, therefore precautionary measures have been recommended in Section 4

3.3.5 Reptiles

The data search revealed one record for grass snake within 1km of the Site boundary; this was for a deceased snake from 2012 for a location 227m to the north of the Site along Rogue's Lane.

The habitats on Site were considered to be sub-optimal for reptiles; the scrub and hedgerows could offer some foraging, basking, and sheltering opportunities, however, the majority of the Site is unsuitable as the grassland did not have a tussocky structure, therefore minimising opportunities for shelter and hibernation. The open nature of the grassland also increases the risk of predation.

Overall, the Site is considered to offer **low** value to this species group. Considering that there is only one grass snake record from 2012 within 1km of the Site, it is unlikely that there would be a significant population of reptiles in the surrounding landscape. However, the species presence on Site cannot be completely ruled out, therefore precautionary measures have been recommended in Section 4.

3.3.6 Invertebrates

The desk study revealed no records for notable invertebrates within 1km of the Site boundary.

The scrub and hedgerows could offer opportunities for common invertebrate species; however, the Site is considered unlikely to support a diverse assemblage of invertebrates as the majority of the Site (modified grassland) is common and widespread with limited botanical diversity. As a result, the Site is considered to offer limited value to invertebrates, and they are not considered further within this report.

3.3.7 Other mammals

The desk study returned no records for other notable mammals within 1km of the Site.

The majority of the Site offered limited foraging and sheltering opportunities for notable mammals, such as hedgehog and other small mammals, due to the open nature of the modified grassland. However, the hedgerows and scrub could offer foraging, sheltering, and hibernating opportunities, particularly for hedgehog. Overall, the Site is considered to offer **low** value for hedgehogs and other notable mammals.

3.3.8 Invasive species

The desk study revealed no records for invasive species within 1km of the Site.

No evidence of invasive species – flora or fauna - was recorded during the site visit. As a result, invasive species are not considered further within this report.

4 DISCUSSION AND RECOMMENDATIONS

4.1 Proposed Development

The proposed development is for the development of a new glamping site (Drawing 231154-01-02 Proposed Layout Plan). This will result in the loss of modified grassland, sparsely vegetated land, and some of the artificial unvegetated; unsealed surface to facilitate the new development. However, it will bring significant overall benefits to biodiversity by enabling the enhancement of much of the retained areas of existing grassland to a wildflower meadow together with the planting of 18x small, native trees.

4.2 Assessment of Ecological Impacts

4.2.1 Habitats

None of the habitats within the Site are irreplaceable habitat.

The modified grassland does not have an inherent ecological value; however, its partial removal has low potential to impact protected and notable species, if present, discussed further in the Species section, below. The building, artificial unvegetated; unsealed surface, and sparsely vegetated land also do not have an inherent ecological value.

The native hedgerow and mixed scrub are medium distinctiveness habitats and should be retained and protected from the proposed development to avoid potential damage during construction. It is understood that these habitats will be retained as part of the proposed development.

4.2.2 Species

No evidence of protected or notable species using the Site was recorded during the site visit.

There was potential for badgers, foraging and commuting bats, nesting birds, hedgehogs, and to a lesser extent reptiles and amphibians to be present on Site. Pre-commencement checks, timing of works, and sensitive working practices will be required to ensure that impacts to these animals are avoided and minimised wherever possible.

Additionally, there are records of numerous bat roosts, between 32-40m south of the Site, in the farm buildings. Consideration will need to be given to avoid any disturbance impacts to these roosts whilst the proposed biodiversity enhancements at the Site will improve opportunities for foraging and commuting bats in the long-term.

4.3 Summary of Further Surveys Required

No further surveys are required at this stage.

4.4 Mitigation Requirements

- Retained boundary hedgerows and mixed scrub must be protected from accidental damage and compaction within their root protection areas in accordance with BS 5837: 2012.
- Any site works, such as vegetation clearance of hedgerows, scrub, and the grassland (although it is understood the hedgerows and scrub are being retained), that could destroy birds nests or create noise or vibrations that could disturb nesting birds or sheltering hedgehogs should ideally be undertaken during September-October to avoid both the typical bird nesting season of March-August and the hedgehog hibernation season of November-March. If this is not possible, such works during March-August/September must be preceded by a nesting bird check (within 24 hours) by a competent person to ensure no nesting is taking place. If there is evidence of nesting birds, work cannot proceed until nest-building and chick-rearing is complete or until an ecologist is able to advise on a suitable buffer distance to allow work in other areas of the Site. If a hedgehog is found during these works, it should be safely moved to an area of the Site that will not be impacted by the proposed development.
- Precautionary methods of vegetation clearance will be implemented with a suitably experienced ecologist present on Site to avoid impacts to reptiles and amphibians, should they be present on Site; this will only apply if any hedgerow or scrub clearance is required as the modified grassland is not considered suitable for reptiles or amphibians. Methods are likely to include an initial cut/trim to a height of 15cm and maintained at this height to allow a fingertip search by an ecologist within the 24 hours prior to the start of any earth-moving works in these areas. If a reptile or amphibian is recorded

during the works, they should be allowed to move away on their own accord or safely moved to an undisturbed area of the Site. In the unlikely event that a great crested newt is discovered during the works, work must stop whilst an experienced ecologist is contacted for advice on how to proceed.

- It is recommended that a pre-commencement check for badgers is undertaken before any works begin on Site to ascertain if any new setts have been created in the interim. This should be completed within 3 months of the proposed work commencement date as badger is a highly mobile species and can readily create new setts.
- To ensure no harm to animals (such as badgers, and hedgehogs) moving through the Site, any trenches left open overnight should have a scaffold plank or similar placed in them to provide a means of escape for any trapped animal. Likewise, any open pipes with a diameter of 300mm or greater should be temporarily sealed overnight to prevent any trapped animals.
- No night-time work is anticipated. As the area is currently largely unlit, every effort should be made to maintain a 'dark corridor' at night, particularly around the retained hedgerows and mixed scrub. Additionally, any lighting to be installed on or around the glamping pods or access drive as part of the scheme should be minimal and use warm white LEDs to reduce the blue light component. Further advice in relation to light-spill, column height and glare should be discussed and agreed with an ecologist.

4.5 Compensation Requirements

- The proposed layout (Glampitect, drawing no: 231154-01-02 Proposed Layout Plan) shows that a large area of the existing modified grassland will be enhanced to a wildflower meadow; it is recommended that other neutral grassland is created in this area to provide a more diverse grassland for invertebrates, foraging and commuting bats, badger, hedgehog and birds.

4.6 Opportunities for Enhancement

- The proposed layout also shows native scrub and tree planting around the Site boundaries, which will provide long-term nesting opportunities for birds. It is recommended that a mixture of native broadleaf trees and shrubs are included in the species mix to also provide optimal foraging opportunities for birds as well. Species could include English oak *Quercus*

robur, silver birch *Betula pendula*, wild cherry *Prunus avium*, crab apple *Malus sylvestris*, field maple, hazel *Corylus avellana*, and rowan *Sorbus aucuparia*.

- The provision of bat and bird boxes, integrated or wall mounted, should be considered on the proposed glamping pods where appropriate. The number, type and specification of bat and bird boxes can be discussed with the project ecologist.

5 CONCLUSION

The loss of modified grassland, building, artificial unvegetated; unsealed surface, and sparsely vegetated land would not impact any features of high ecological interest. The proposed habitat enhancement and creation would also provide long-term opportunities for foraging and commuting bats, badger, hedgehog and nesting birds to use the Site post-development.

Pre-commencement checks, timing of works, and sensitive working practices will be adopted in respect of badgers, nesting birds, hedgehogs, and to a lesser extent reptiles and amphibians, to avoid harm or injury, whilst a sensitive lighting scheme will reduce impacts on foraging and commuting bats.

The provision of bird and bat boxes will provide a long-term nesting and roosting resource for birds and bats in the future.

In addition, the proposed inclusion of bat and bird boxes 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...*”.

6 REFERENCES

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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 Note: 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 & Bosworth Borough Council Local Development Framework Core Strategy (adopted December 2009)

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 species, and Schedule 8, which protects plant species. Schedule 9 lists species of plants and

⁴ Wildlife and Countryside Act 1981

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

All British bat species (*Rhinolophidae* and *Vespertilionidae*) 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 – UK Hab Baseline Habitats Map

