PRELIMINARY ECOLOGICAL APPRAISAL

OF

MARLBOROUGH COLLEGE, PAVILION NETS



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Site Address	Pavilion Nets, West of Cricket Pavilion, Marlborough College, Marlborough, SN8 1PA
Report type	Preliminary Ecological Appraisal
Client	Marlborough College
Project number	005MARL100

The material and data in this report were prepared under the supervision and direction of the undersigned.

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VALIDITY

Due to the dynamic nature of ecological conditions the results of the survey(s) and related conclusions and recommendations as contained within this report should only be considered valid for up to 12 months from the date the last survey was undertaken.

Any alterations to the site proposals may invalidate the recommendations contained within this report.

Non-Technical Summary

Abricon Ltd. was commissioned by Marlborough College to undertake a Preliminary Ecological Appraisal in order to establish the likely impacts of the proposed development at “the site” at Pavilion Nets, West of Cricket Pavilion, Marlborough College, Marlborough, SN8 1PA.

A Preliminary Ecological Appraisal of the land was undertaken in June 2023, with the aim of identifying any features, habitats, and rare or protected species that would constitute potential constraints to the development taking place, and assessing the ecological value of the survey area, in order to make recommendations for any further actions which may be required.

The proposals have very limited potential to impact protected or notable species and are considered to result in minor impacts on the existing habitats of low value.

A tree protection plan is to be followed to protect the existing trees on site as per the Arboricultural Report (Certhia Consulting Ltd, 2023.

Standard good practice during construction should avoid any residual risk to badgers and other small mammals during the construction phase (see Section 3).

A separate Biodiversity Net Gain Assessment will be completed to ensure the development will not result in a loss of ecological value within the Site and will enhance biodiversity and leave the site in a measurably better state than it was pre-development.

1 Introduction

1.1 Survey Background, Aims & Objectives

1.1.1 Abricon Ltd. was commissioned by Marlborough College to undertake a Preliminary Ecological Appraisal in order to establish the likely impacts of the proposed development at “the site” at Pavilion Nets, West of Cricket Pavilion, Marlborough College, Marlborough, SN8 1PA.

1.1.2 A Preliminary Ecological Appraisal of the land was undertaken in June 2023, with the aim of identifying any features, habitats, and rare or protected species which would constitute potential constraints to the development taking place, and assessing the ecological value of the survey area, in order to make recommendations for any further surveys or other actions which may be required. The assessment included a desktop study of any nearby statutory and non-statutory sites for nature conservation, as well as an examination of local species records.

1.1.3 Although this report is not a full ecological impact assessment, no further surveys were recommended due to the expected minor impact/s the proposed development will have. Recommended mitigation measures are included in the recommendations column.

1.1.4 The methodology of the survey work completed to inform this report is provided in Appendix A at the end of this document.

1.2 Proposed Development

1.2.1 It is understood that the proposed plans for the site comprise the demolition of the existing outdated cricket nets and the construction of new replacement cricket nets. Site plans are provided in Appendix D at the end of this document. Within the proposed plans, the redline boundary is shown to extend all the way to the main road. However, after discussions with the client, the road leading to the site has no planned works and is only intended to indicate the access route to the site so it will not impact any protected species and will not be included within this assessment.

2 UK Habitats Map



3 Summary of Ecological Constraints

Feature	Summary of Results	Potential Impacts	Recommendations – Further Surveys, Mitigation & Enhancement Measures
Designated Sites			
Statutory Designated Sites	One statutory site lies within 2km of the site. Savernake SSSI, which lies 1.4km to the south-east of the site.	Given the nature and small scale of development proposals, no impacts on designated sites anticipated.	No mitigation is deemed to be required.
Non-Statutory Designated Sites	Nine non-statutory sites within 2km of the site. Closest is Rivers Kennet & Og LWS, which lies 650m to the south-east of the site.	Given the nature and small scale of development proposals, no impacts on designated sites anticipated.	No mitigation is deemed to be required.
European Protected Species Licences (EPSL)	Two protected species licenses (Both Dormouse) were returned within 2km of the site. The closest protect species licence returned was 1.2km south of the site for Dormice (2018).	There is no suitable habitat for dormouse within the development footprint. Given the nature and small scale of the proposed development, no impacts on Dormice will occur.	No mitigation is deemed to be required.
Local Policies	One local policy (CP55 – Air quality management area) was identified from the Wiltshire Core Strategy (Wiltshire Local Development Framework,2015).	Given the nature and small scale of development proposals, no impacts on CPS5 are anticipated.	No mitigation is deemed to be required.
Habitats			
Modified Grassland	Site dominated by well managed modified grassland of low ecological value.	No major constraints, as this habitat is of low ecological value.	No mitigation is deemed to be required. Impact of habitat losses discussed further within 'Biodiversity Net Gain' section below.
Artificial Unvegetated, Unsealed Surface	Two different areas of artificial unvegetated unsealed surface were identified in the form of gravel road and cricket (geotextile type) pitch.	No major constraints, as this habitat is of low ecological value.	No mitigation is deemed to be required. Impact of habitat losses discussed further within 'Biodiversity Net Gain' section below.
Individual Trees	Five trees of notable significance (semi-mature & mature) were identified on site	All trees around the boundaries are being retained and protected, therefore no impacts are anticipated.	Please refer to the Arboricultural Report (Certhia Consulting Ltd, 2023) for recommended tree protection zones.

Protected and Notable Species				
Badgers		No setts identified within site. The Site could provide suitable foraging opportunities for badgers within the modified grassland.	The removal of the small area of grassland and wall will not fragment any existing habitat for badgers or other protected species. Badgers have the potential to become trapped if any trenches or other excavations are needed during the construction phase.	If the need for any trench or excavation work is required, then precautionary measures to be adopted during construction phase to prevent harming badgers that may forage/commute through the site. • Trenches or excavations over 1m in depth to be covered overnight to prevent animals becoming trapped. • Temporarily exposed piping larger than 100mm in diameter should be capped overnight to prevent badgers and other mammals (e.g. hedgehogs) gaining access.
Bats	**Roosting Bats**	There are no buildings and no suitable trees (not containing any suitable Potential Roosting Features) on the site.	As there is no suitable roosting habitat on site there will be no impacts on roosting bats.	No mitigation is deemed to be required.
	Foraging/Commuting Bats	The trees around the boundaries of the site provide suitable foraging and commuting habitat for bats, but site is unlikely to significantly contribute to the connectivity of the wider landscape (given sites location and built-up surroundings). Overall, site was assessed as being of 'negligible' suitability for foraging/commuting bats.	All trees around the boundaries are being retained and protected and the removal of the small area of grassland will not fragment any existing habitat for bats. No new artificial lighting is proposed to be added on site.	No mitigation is deemed to be required.
Birds		Site provides nesting and foraging opportunities for birds within the trees around the site boundaries.	All of the trees will be retained in the proposed plans so there will be no impacts on nesting birds.	No mitigation is deemed to be required.
Dormouse		No suitable Dormice habitat was identified on the site.	No impacts anticipated, as dormice are considered likely absent.	No mitigation is deemed to be required.
Great Crested Newt		No ponds within 500m of the site, and sub-urban surroundings indicate that great crested newts are likely absent.	No impacts are anticipated, as great crested newts are considered likely absent.	No mitigation is deemed to be required.

	Habitats within the site also considered to be of negligible suitability for great crested newts.		
Reptiles	The well-managed site and lack of connectivity to suitable habitat indicate that reptiles are likely absent from the site.	No impacts are anticipated, as reptiles are considered likely absent.	No mitigation is deemed to be required.
Other Protected or Notable Species	Not applicable to the site.		
Other Considerations			
Ecological Enhancements	Ecological enhancements will support the proposed plans for the site along with the Biodiversity Net Gain and improve the site.	The site's habitats are of ecological value so the inclusion of ecological enhancements will improve the biodiversity on the site.	It is recommended that two bird boxes (Vivara Pro Seville 32mm WoodStone Nest Box or similar) are to be installed on two semi-mature or mature trees (north or east facing) on the site.
Biodiversity Net Gain	Biodiversity Net Gain calculations will be required for the size of the site and proposed plans.	Current site proposals are likely to result in a significant net loss in habitat units, given the loss of the modified grassland and replacement with areas of cricket pitch made of geotextile type materials. This will lead to the loss of the grassland beneath the material.	It is recommended that a Biodiversity Net Gain Assessment is completed, using the DEFRA Biodiversity Metric (v4.0). Results of DEFRA metric will therefore need to be used to inform the scope of on-site and off-site compensatory habitat creation/management which is required to offset this net loss, and deliver a net gain for biodiversity as a result of the proposed development.

4 Conclusions

4.1.1 The habitats on site is considered to be of low ecological value.

4.1.2 All trees within the redline boundary are to be retained.

4.1.3 The removal of the small area of modified grassland habitat is considered to result in a negligible loss of suitable habitat for all of the species which have the potential to be present.

4.1.4 Biodiversity Net Gain assessment to be completed using the latest Biodiversity Metric, to quantify gains and losses for biodiversity within the site as a result of the proposed development.

References

Butcher, B., Carey, P., Edmonds, R., Norton, L. and Treweek, J. (2020). UK Habitat Classification Habitat Definitions V1.1.

Certhia Consulting Ltd (2023). Arboricultural Report of Marlborough College Cricket Nets.

Collins, J. (ed.) (2016). Bat Surveys for Professional Ecologists: Good Practice Guidelines 3rd edition. The Bat Conservation Trust, London.

English Nature (2001). Great crested newt mitigation guidelines. English nature. Peterborough

Hundt L. (2012). Bat Surveys: Good Practice Guidelines 2nd Edition. Bat Conservation Trust,

UK Governments Countryside Geographic Information website: www.magic.*gov.uk*

Wiltshire Local Development Framework (2015). Wiltshire Core Strategy adopted 2015.

Appendix A - Methodology

4.2 Desk Study

4.2.1 A desk study of existing ecological records for the site and surrounding land was conducted in June 2023.

4.2.2 Records of protected species and non-statutory sites for nature conservation were received from Wiltshire & Swindon Biological Records Centre (WSBRC) from within 2km of the site.

4.2.3 Only records from the past ten years (since 2013) were considered within this report, to ensure that the ecological baseline of the site and the surrounding area was established from up-to-date information. Statutory designated sites within 2km of the development site were obtained from the UK Governments Countryside Geographic Information Website (MAGIC). Data was used in conjunction with an assessment of site plans and aerial photographs.

Table 1 – Consultees for the Desk Study

Consultee	Information Provided
MAGIC Website	Statutory sites for nature conservation
WSBRC	Local species records and non-statutory sites for nature conservation
European Protected Species Licences	European Protected Species Licences (EPSL) granted within 2km of the site
Local Policies	Core strategy and site allocations and management for Wiltshire Council.

4.3 Field Survey

4.3.1 A preliminary ecological appraisal was conducted on 16th June 2023 by Jade Lemm BSc and Lainey Wilkinson. The first stage of the assessment was to complete a UK Habitat Classification System (UKHab) survey following the standard methodology (UKHab v1.1, 2020). UKHab is a standard technique for classifying and mapping British habitats, and the aim is to provide a record of habitats that are likely to be ecologically important. Following this, the site and nearby surrounding land (where possible) was assessed for the presence of, or potential for, protected or notable species to be present, and an assessment was made on the likely impacts of the proposed development on such species.

4.3.2 This survey on its own cannot always determine the presence/likely absence of a species, nor does it provide a conclusive list of botanical species. It is intended to inform the requirement for, as well as the details of, Phase 2 surveys for species and important features.

4.3.3 It was 25°C and sunny at the time of survey.

4.4 Personnel

4.4.1 Jade Lemm BSc, PGDip, has been working in environmental consultancy since 2019. She is a qualifying member of CIEEM and holds a BSc and Postgraduate Diploma in related subjects. Jade's primary experience includes Preliminary Ecological Appraisal, Ecological Assessment, protected species surveys, project and schedule management, and Ecological Clerk of Works.

4.4.2 Lainey Wilkinson BSc, MSc, has been working in environmental consultancy since 2020. She holds a BSc and MSc in related subjects. Her primary experience comprises Preliminary Roost Assessments and subsequent report writing, completion of bat emergence/re-entry and activity surveys and analysis of bat sound files.

4.4.3 Helen Saunders BSc (Hons), PGDip, MCIEEM has worked in ecological consultancy since 2012 and is an experienced project manager and environmental survey coordinator, including for major infrastructure projects. She is a full member of CIEEM and skilled in undertaking various ecological surveys including Preliminary Ecological Appraisal, protected species surveys and habitat condition assessment for Biodiversity Net Gain. Helen has also provided advice on wildlife legislation and planning policy including commenting on ecological matters regarding planning applications on behalf of local planning authorities.

4.4.4 Jana Prapotnikova has worked in consultancy sector since 2006 with a focus on mammalian ecology, particularly bats and badgers. Jana runs Abricon's Ecology Department as well as being involved in project delivery. She has managed various ecological projects and has expertise in a range of ecological survey techniques including Phase 1 habitat assessments and a variety of protected species surveys (e.g. the aforementioned mammal species as well as reptiles and great crested newts). Jana also devises ecological mitigation schemes for a variety of protected species. She is well versed in producing preliminary ecological appraisals, BREEAM/CSH Ecology Assessments, protected species licences, Ecological Impact Assessments (EcIA), Construction Environmental Management plans, Biodiversity Enhancement Schemes and Ecological Design Strategies. Jana holds Natural England and Natural Resources Wales Class 2 licence for bats as well as Natural England Class and Natural Resources Wales Class 1 licence for great crested newts. She is also a Registered Consultant of the Bat Low Impact Class Licence (BLIC) and holds a CSCS card. Jana is a full member of Chartered Institute of Ecology and Environmental Management (MCIEEM).

4.5 Bats – Ground-Level Tree Assessment

4.5.1 The trees on site were subject to a ground-level assessment by Jade Lemm BSc and Lainey Wilkinson on 16th June 2023. Binoculars were used to inspect the trees for evidence of bat roosting features, as listed below:

- Natural holes
- Woodpecker holes
- Cracks/splits in major limbs
- Loose bark
- Hollows/cavities
- Dense epicormic growth
- Birds and bat boxes

4.5.2 Each tree was then assigned a value in terms of its suitability for roosting bats, in accordance with 'Bat Surveys – Good Practice Guidelines 2nd edition (Hundt, 2012)'.

4.6 Great Crested Newts

Identification of Suitable Water Bodies

4.6.1 Water bodies occurring within 250m of the site and on the near-side of any substantial boundaries (i.e. major roads) were identified using OS maps and aerial photography. A 250m buffer is considered sufficient for the size of the site and scale of the proposals.

4.7 Limitations

General Ecological Constraints

4.7.1 This survey only offers a "snapshot" of the site conditions and takes no account of seasonal differences, or of any species which may take up residence subsequently.

Site Specific Constraints

4.7.2 No site-specific constraints were encountered during the survey.

Appendix B – Wildlife Legislation & Policy

The Conservation of Habitats and Species Regulations as amended by the EU Exit Regulations 2019

Certain species are known as European Protected Species (EPS) and these are fully protected under The Conservation of Habitats and Species (Amendment) (EU Exit) Regulations (2019). The Conservation of Habitats and Species Regulations (as amended by the EU Exit Regulations 2019) is the transposition of the European Habitats Directive (1992) to UK legislation. Species protected under this legislation include (but is not limited to) bats, dormice *Muscardinus avellanarius*, great crested newts *Triturus cristatus*, otter *Lutra lutra*, sand lizard *Lacerta agilis*, and smooth snake *Coronella austriaca*.

- For European Protected Species, it is a criminal offence to:
- Deliberately capture, injure or kill any such species;
- Deliberately disturb wild animals of any such animal;
- Deliberately take or destroy their eggs;
- Damage, destroy, or obstruct access to a breeding site or resting place, whether the animal is present or not;
- Keep, transport, sell or exchange, or offer for sale or exchange, any live or dead wild animal of a European Protected Species, or any part of, or anything derived from, such an animal.

Operations which will affect European Protected Species may require a development licence from the relevant national statutory body for nature conservation, which provides a derogation for an otherwise unlawful activity.

Wildlife and Countryside Act 1981 (as amended)

The Wildlife and Countryside Act 1981 (as amended) makes it a criminal offence to:

- Kill, injure, or take any wild bird (with exceptions to species listed in Schedule 2);
- Take, damage or destroy the nest of any wild bird while in use or being built;
- Take or destroy an egg of any wild bird;
- Intentionally kill, injure or take any wild animal listed on Schedule 5;
- Interfere with places used for shelter or protection, or intentionally disturbing animals occupying such places.
- Pick or sell any plants or parts of plants listed in Schedule 8.
- Plant or allow to spread in the wild any species listed under Schedule 9.

Protected Sites

Within the UK, certain sites are afforded protection measures based on their level of importance to wildlife. They fall into two categories; statutorily designated sites and non-statutorily designated sites.

Statutorily designated sites are typically of national or international importance and as such are afforded the greatest levels of protection under various pieces of legislation. Statutory sites include Special Areas of Conservation (SAC), Special Protection Areas (SPA), National Nature Reserves (NNR), Sites of Special Scientific Interest (SSSI) and RAMSAR sites.

Non-statutorily designated sites are normally designated by local authorities or nature organisations and are typically of local or county wide importance for their conservation interest. Non-statutory sites include Listed Wildlife Sites (LWS), Local Nature Conservation Sites (LNCS), Sites of Importance for Nature Conservation (SINC), Sites of Nature Conservation Importance (SNCI).

Properties of non-governmental organisations such as Wildlife Trusts may also be managed for their importance to biodiversity. These areas often have no statutory basis, but often comprise part of a designated site.

Environment Act (2021)

Under the Environment Act 2021, most developments in England (with a few exemptions) will have to deliver at least 10% Biodiversity Net Gain (BNG) in order to be granted planning permission. This requirement becomes mandatory from November 2023. BNG is being introduced to ensure developments have a positive impact on nature by increasing the biodiversity of the site (or offsetting if an onsite gain is not achievable). BNG will be measured using Defra's biodiversity metric and habitat enhancements will need to be secured for at least 30 years.

National Planning Policy Framework (2021)

National Planning Policy Framework (NPPF) (2021) sets out Government Policy on Biodiversity and Nature Conservation and places a duty on planners to make material consideration to the effect of a development on legally protected species when considering planning applications. NPPF also promotes sustainable development by ensuring that developments take account of the role and value of biodiversity and that it is conserved and enhanced within the development.

The Natural Environment and Rural Communities Act (2006)

Section 41 of the Natural Environment and Rural Communities (NERC) Act (2006) sets out a list of habitats and species that are of principal importance for the conservation of biodiversity in England. The list (including 56 habitats and 943 species) drawn up in consultation with Natural England, provides a guide to local and regional authorities when implementing their duty as defined in Section 40 of the NERC Act 2006;

- “Every public authority must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity.” - Section 40(1).

Appendix C – Site Photographs



Photograph 1: Existing cricket nets



Photograph 2: Western boundary treeline



Photograph 3: Northern boundary and adjacent boundary treeline

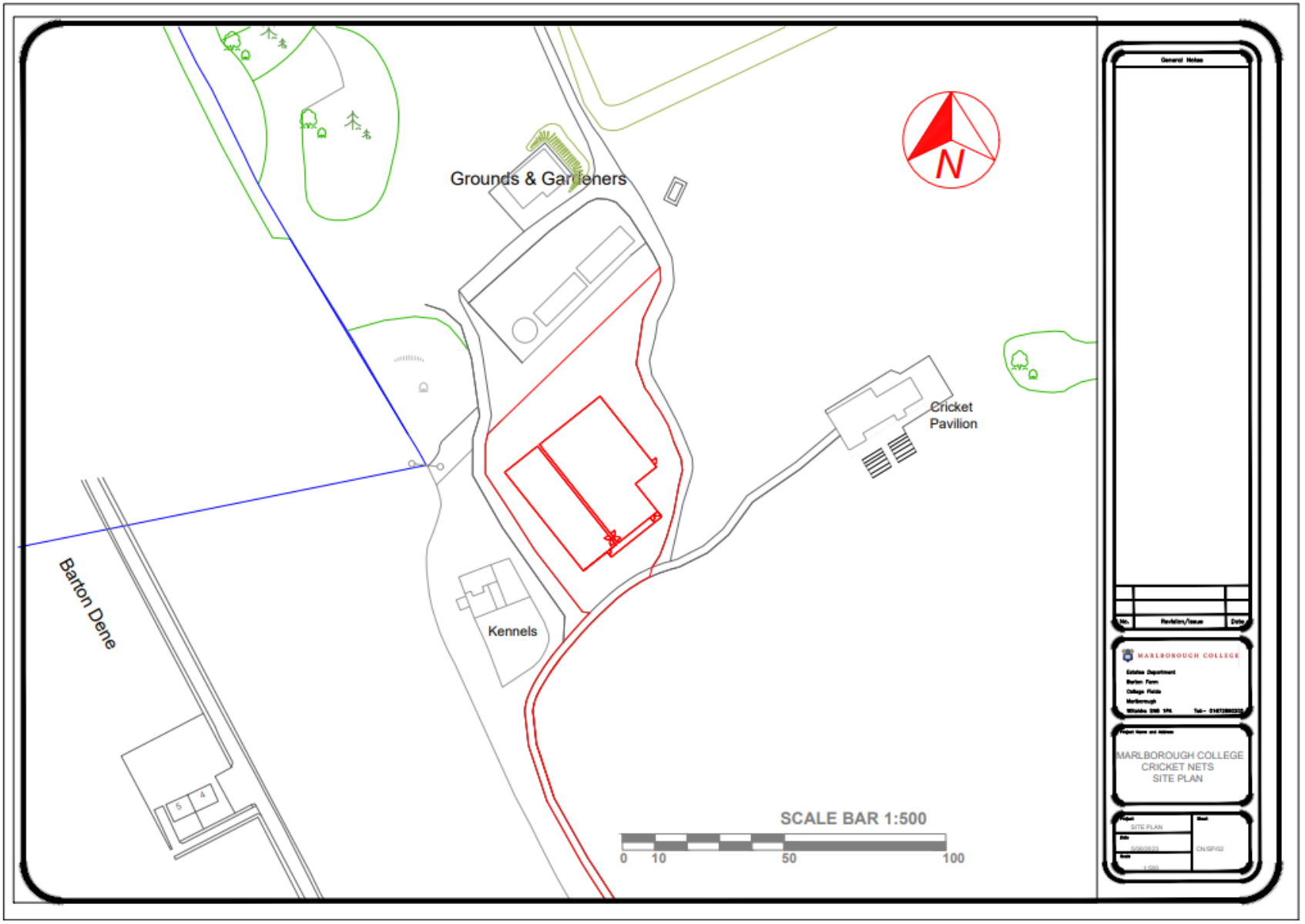


Photograph 4: Eastern boundary



Photograph 5: Modified grassland with some bare ground

Appendix D - Proposed Site Plan



Appendix E – Ecological Enhancement Plan

