Preliminary Ecological Appraisal

Report prepared for: Mr Joe Hanlon

Garden Bungalow
Red Lion Lane
Cricklade
Wiltshire
SN6 6DE

February 2024

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Methods used to prepare this report, including those carried out in the field followed The Chartered Institute of Ecology and Environmental Management's Code of Professional Conduct.

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1 INTRODUCTION

1.1 This report provides the results of a Preliminary Ecological Appraisal undertaken at Garden Bungalow, Red Lion Lane, Cricklade, Wiltshire SN6 6DE (central Ordnance Survey (OS) Reference SU 10228 93852).

1.2 The proposals are described as the demolition of the existing garage in order to facilitate the construction of a new single storey building. In due course, a planning application will be submitted to Wiltshire Council.

1.3 The findings included in this report are based on a survey undertaken during February 2024 by Cotswold Environmental Ltd. The purpose of the survey was to undertake an appraisal of the site for its potential ecological value to notable and protected wildlife, and to look for evidence of such species. The survey results provide information to determine the likely ecological impact the proposed development will have on wildlife species, and to inform the level of further survey effort and mitigation required to comply with relevant nature conservation policies and legislation. The evaluation and findings in this report can be used by Wiltshire Council in their view of a planning application. Survey results detailed within this report should be considered valid for a period of 12-18 months from the survey date (subject to consultation with the Local Planning Authority and/or Natural England).

1.4 The National Planning Policy Framework (NPPF) (July 2021) sets out the government planning policies for England and how they should be applied. Chapter 15: Conserving and Enhancing the Natural Environment, is of particular relevance to this report as it relates to ecology and biodiversity[1]. The Government Circular 06/2005, which is referred to by the NPPF, provides further guidance in respect of statutory obligations for biodiversity and geological conservation and their impact within the planning system.

1.5 Garden Bungalow is located at the end of Red Lion Lane, at the north-eastern edge of Cricklade, approximately 390 metres south-west of the A419. The site location is shown in Fig. 1.

1.6 All survey and assessment work was completed in accordance with official assessment guidelines[2] and largely followed that recommended by the Chartered Institute for Ecology and Environmental Management (CIEEM) [3] and follows the British Standard Code of Practice[4].

[1]https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1005759/NPPF_July_2021.pdf
[2] Collins, J. (ed.) (2023) Bat Surveys for Professional Ecologists: Good Practice Guidelines, 4th edn. Bat Conservation Trust, London.
[3] CIEEM (2017) Guidelines for Ecological Report Writing. CIEEM, Winchester.
[4] British Standards Institution (2013) BS 42020:2013. Biodiversity – Code of practice for planning and development. British Standards Institution, London.

Survey Objectives

- To determine suitability for protected species
- Ascertain evidence of protected species
- Determine potential ecological impacts the proposed development will have on protected species.
- Inform the level of further survey effort that is required.

2 METHODOLOGY

Desk Study

2.1 Using freely available resources such as the online MAGIC database, a desk study was undertaken to acquire data in relation to local habitats and Sites of Special Scientific Interest (SSSIs).

Field Survey

2.2 Ecological consultant Jason Skinner carried out a field visit on Thursday 1st February 2023.

2.3 The field visit involved a walkover using visual encounter survey techniques. The dominant vegetation structure was assessed, allowing habitats on site to be valued for their ecological importance to protected wildlife. Binoculars were also used to scan for features likely to support protected species. All protected species were considered during the assessment and all wildlife species were recorded. The work was completed largely following methodologies set out by the Chartered Institute for Ecology and Environmental Management (CIEEM) and British Standard Code of Practice.

Species

2.4 All protected species were considered during the survey. Only those considered likely to utilise the site are mentioned in this report.

Bats

2.5 Survey effort was completed in line with official assessment guidelines[5] and largely followed that recommended by the Chartered Institute for Ecology and Environmental Management (CIEEM)[6] and British Standard Code of Practice[7]. The assessment followed the standard methodology. The site was searched using visual encounter survey techniques. Potential bat movement corridors and movement

Collins, J. (ed.) (2023) Bat Surveys for Professional Ecologists: Good Practice Guidelines, 4th edn. Bat Conservation Trust, London.[5].
[6] CIEEM (2017) Guidelines for Ecological Report Writing. CIEEM, Winchester.
[7] British Standards Institution (2013) BS 42020:2013. Biodiversity – Code of practice for planning and development. British Standards Institution, London.

barriers were assessed and noted. During the site visit, where possible, all areas of the building were internally and externally examined for evidence of bats. The building survey included an internal and external assessment using a powerful torch and endoscope where required.

2.6 Internally, the building was assessed using a powerful torch beam to scan the walls and flat surfaces for droppings and other signs of bat activity. Feeding remains such as moth and butterfly wing concentrations were also surveyed for. All holes and crevices considered by the surveyor as likely to be used as a bat roost were examined to ascertain presence or absence of bats.

2.7 Externally, visual ground inspections of all elevations were undertaken using binoculars and a telephoto lens where required. Photographs were taken to capture likely features of ecological value to bats and birds i.e. missing tiles, damaged or missing mortar, exposed gable ends, gaps within soffit board, rotten timber and other potential entry points. Other external aspects of the building were surveyed, including windows, windowsills, external doors and the ground within close proximity of the structure was thoroughly inspected for bat droppings and feeding remains.

Table 1: Guidelines summary for assessing potential bat roost suitability

Suitability	Description of building, tree or structure
Negligible	Negligible habitat features on site likely to be used by roosting bats
Low	A structure or tree with one or more potential roost sites that could be used by individual bats opportunistically. However, potential roost sites not suitable for larger numbers or regular use (i.e. maternity or hibernation).
Moderate	A structure or tree with one or more potential roost sites that could be used by bats, but unlikely to support a roost of high conservation status.
High	A structure or tree with one or more potential roost sites that are obviously suitable for use by larger numbers of bats on a more regular basis and potentially for longer periods of time.
Confirmed roost	Evidence of bats or use by bats found.

Badger

2.8 All habitats within the site boundary were inspected for badger *Meles meles* activity. Whilst on site, the search included evidence of:

- Scratching posts
- Faeces
- Latrines
- Guard-hairs
- Paw prints
- Trackways

Nesting Birds

2.9 The survey also included an internal and external inspection of the surveyed building for evidence of common nesting birds as well as notable and protected species. Inside the building, artificial light was used to search for birds, dead birds, dead chicks, nesting material and eggs.

2.10 All accessible elements of the surveyed building containing nesting potential were checked to see if the development would have any adverse effects on nesting birds. The active nests of all wild birds are protected under the Wildlife & Countryside Act 1981 (as amended). An active nest is one that is being built, containing eggs or chicks, or on which fledged chicks are still dependent. Birds within Schedule 1, such as barn owl *Tyto alba*, are also protected from disturbance during the nesting period.

2.11 The presence of notable and protected bird species and any signs indicative of their past and present use was taken into consideration during the inspection of the building. Likely perches and nesting locations were checked, and all ledges and cavities were examined for nesting debris where accessible.

Reptiles and Amphibians

2.12 Habitats were assessed for their potential to support reptiles and amphibians. Waterbodies typical of those utilised for breeding and foraging activity, and terrestrial refugia suited to sheltering and basking such as waste heaps and plastic/metal/timber sheeting were noted if present (see limitations). In addition, any dense vegetation including tall ruderal and scrub that is connected to hedgerows and linear tree features was inspected during the assessment.

Limitations

2.13 The survey was conducted outside the recognised optimal season for plant identification. Grasses and wildflower develop at varying periods during the year, making identification of some plant species present on site difficult. Subsequently, not all plant species present onsite may have been recorded, though in relation to assessing habitat types and plant species present, this is not considered significant.

2.14 The absence of species does not preclude its presence. Wildlife can be cryptic, and some species are known to be transient and occupy new habitats on a regular basis.

2.15 Bat droppings deposited in or around the exterior degrade quickly due to weather. The presence of bats or their roost must not be disregarded in the absence of droppings.

2.16 Many bat species in the UK are crevice-dwelling bats and as such, are difficult to find during PRAs.

2.17 For Health & Safety purposes ladders were not used to gain close views of the external roof structure. All external aspects of the building were assessed from ground level.

2.18 One pond was located within a 500 m radius of the site. Access to this waterbody, was not obtained for Habitat Suitability Index (HSI) assessment due to lying on private land. However, as the proposed plans will only be impacting a specified area within the survey boundary – a site which offers overall negligible value as terrestrial habitat for GCN - lack of access to this waterbody was not considered to be a limitation and did not impact the survey results or conclusions made within this report.

2.19 Local biological records search results were not obtained.

3 RESULTS

Desk Study

Designated Sites

3.1 According to the MAGIC database, three statutory designated sites exist within a 2km radius. Information pertaining to these is shown below in Table 2. In addition, no internationally designated sites for bat conservation exist within a 10 km radius of the site.

Table 2: Site Designations

Site Name	Designation	Distance	Direction	Relevant Information
North Meadow Cricklade	SSSI/NNR	440 m	North-West	A 44.2-ha area of biological interest, which comprises lowland neutral grassland
North Meadow and Clattinger Farm	SAC	440 m	North-West	A 105.2-ha site of biological interest, comprised of lowland hay meadows
Cotswold Water Park	SSSI	700 m	North	A 1919.047-ha area of standing water

Granted European Protected Species Licences (EPSL) within a 2km radius

3.2 According to the Magic website, five EPS licences have been granted for bats, these are shown below in Table 3. No EPS licenses for other protected species exist within the same radius. In addition, three GCN Class Survey Licence returns have been submitted from three locations, the closest located 900 m to the south-west and one positive Pond Survey (2017-2019) for GCN was identified at a location 1.4 km to the south-west.

Table 3: Granted EPSLs within 2km of survey site

Species	Distance	Direction	Year Granted
BLE, NATT	470 m	South-West	2009
S-PIP	730 m	North-East	2019
C-PIP	840 m	West	2020
BLE, C-PIP, S-PIP	930 m	West	2019
C-PIP	1 km	South-West	2020

BLE *Plecotus auritus*, C-PIP = *Pipistrellus pipistrellus*, S-PIP = *P.pygmaeus,* NATT = *Myotis nattereri*

Surrounding Habitats

3.3 The property is surrounded by high density residential development, particularly to the south, with linear scrub and rows of mature trees to the north surrounding an open area of recreational grassland which exists beside the River Thames. The surrounding environment is poorly wooded, featuring a low number of isolated Deciduous Woodland (Priority Habitat) blocks within a 2 km radius, the closest occurring 100 metres to the north of the property. Surrounding notable grassland includes a substantial area of Lowland Meadow and Floodplain Grazing Marsh (Priority Habitat) associated with the SSSI's 440 metres to the north-west.

Local waterbodies within a 500 metre radius

3.4 Through use of the MAGIC website, one pond was identified 350 metres to the north-west of the property at central Ordnance Survey (OS) Reference SU 10228 93852 (see limitations). The large standing open bodies of water associated with Cotswold Water Park are located the other side of the A419. No ponds occur within a 250 m radius of the site.

Field Survey

3.5 Weather conditions during the daytime assessment are shown in the below table. Temperatures were recorded onsite using an Elitech RC-51 Temperature Logger.

Table 4: Weather conditions during Preliminary Ecological Appraisal

Date	Start	Finish	Temp °C	Wind	Cloud %	Rain	Notes
1/02/2024	10:30	11:30	13	Calm	36	Dry	N/A

Onsite Habitats

3.6 The survey area comprises the detached garage and the immediate surrounding area of land, which comprises the driveway and section of garden located to the west of the residential dwelling. Onsite habitats are dominated by the structure, hardstanding and bare ground. No priority habitats or

standing waterbodies exist within the survey boundary or within the site grounds and no ponds are to be destroyed or impacted by the proposed works.

3.7 The individual habitat types recorded at the site are described under the sub-headings below, with the location and extent of each illustrated in the Habitat Map in Figure 2.

Garage

3.8 The elevations of the surveyed structure are constructed from concrete blocks which have been clad with waney edge timber cladding with felt covering the flat roof. The structure is approximately 52 m^2, comprising the main element which is internally divided into two workshop/storage rooms accessed via a double garage door and a single door at the northern elevation and two open fronted elements located at the eastern and western elevations. The front northern elevation also features a double paned glazed window and a concrete hardstanding path is located at the front of the building. The rear of the building adjoins a stone wall which forms the south-western boundary of the property grounds. The structure does not feature a loft void or enclosed roof space.

Bare ground

3.9 The garage is accessed via a bare ground driveway leading from a gated entrance located at the western extent of the property.

Amenity grassland

3.10 A section of the lawn is included within the survey boundary, located to the east of the driveway. The short regularly mown sward was dominated by perennial ryegrass *Lolium perenne* with white clover *Trifolium repens* and a limited amount of dandelion *Taraxacum officinalis agg* and daisy *Bellis perennis.*

Defunct hedge

3.11 A species-poor hedgerow comprised solely of well managed wild privet *Ligustrum vulgare* borders the edge of the lawn. The hedge features a walk through gap and is not connected to other habitats in the garden.

Notable flora

3.12 No notable plant species and no Schedule 8 or 9 plant species of the Wildlife and Countryside Act 1981 (as amended) were identified on site.

Species

Bats

3.13 A Preliminary Roost Assessment (PRA) of the building was undertaken, paying particular attention to the waney edge timber cladding covering the elevations of the structure. Externally, some gaps were

noted between the timber boards, however, following an endoscopic inspection, these were found to be of insufficient depth to serve as a suitable roosting feature.

3.14 No further gaps or crevices considered to offer value to crevice dwelling species of bats such as pipistrelle *Pipistrellus sp*. and small *Myotis* species that utilise the external fabric of buildings for roosting were noted and the doors and windows to the building were sealed close, offering no opportunities for bats to enter the interior of the main structure. The open fronted elements, located at the side elevations of the garage could provide night roosting opportunities for perch feeding species. During the internal inspection of these open elements, **no evidence such as droppings or feeding remains was discovered on the ground or on stored materials located below the exposed rafters of the roof and no bats or evidence of bat presence was discovered during the assessment of the building.**

3.15 No trees are present within or immediately adjacent to the zone of impact, although the trees and shrubs present at the boundaries off the property represent suitable foraging and commuting habitat for bats.

Badger

3.16 Habitats within the survey boundary, which are dominated by the structure and bare ground, will offer little value to commuting and foraging badgers and no opportunities for sett building exist within the survey area. In addition, no evidence of badger activity was discovered onsite or within a 30 m radius of the survey boundary where accessible.

European Hedgehog

3.17 No evidence of hedgehog was discovered during the site visit and the survey area would offer little value for sheltering, commuting and foraging activity.

Nesting birds

3.18 No notable bird species were recorded on site and no bird nests were identified within the zone of impact. Although the building could be accessed internally by nesting birds due to the open elements located at the side elevations of the garage, no evidence of nesting was discovered. In addition, the building was considered to be unsuitable for roosting/nesting barn owl due to regular disturbance and no splash marks, droppings or pellets that would indicate the presence of roosting barn owl was noted.

3.19 Habitats located outside the survey area, such as the trees and scrub present at the boundaries of the property will offer nesting opportunities for a variety of local bird species, however, these features will not be directly impacted by the proposals.

Reptiles and Amphibians

3.20 No evidence of reptiles or amphibians was found during the site assessment and no ponds are present within the survey boundary as defined in Figure 2, therefore lacking suitable onsite breeding habitat for amphibians, including GCN. In addition, no suitable places of refuge for sheltering reptiles and amphibians were noted and terrestrial habitats within the zone of impact are dominated by the structure and bare ground with the small sections of short mown amenity grassland offering few opportunities for cover.

4 DISCUSSION & RECOMMENDATIONS

Proposals

4.1 The proposal is for the demolition of the garage and construction of a new single storey building. The purpose of the survey was to undertake an appraisal of the site for its potential ecological value to notable and protected wildlife, and to look for evidence of such species. The survey results provide information to determine the likely ecological impact the proposed development will have on protected species, and to inform the level of further survey effort and mitigation required to comply with relevant nature conservation policies and legislation.

Habitats

4.2 As part of the desk study, online resource MAGIC was checked for statutory and non-statutory designated sites, with three occurring within a 2 km radius of the site. The closest; North Meadow, Cricklade SSSI, an area of lowland neutral grassland which supports meadow foxtail *Alopecurus pratensis*, great burnet *Sanguisorba officinalis* and snakes head fritillary *Fritillaria meleagris*, a nationally scarce plant.

4.3 The development proposals are considered small-scale and limited to an area of the property grounds which is accessed via an existing driveway, therefore, no impacts to the nearby designated sites or habitats beyond the zone of impact are anticipated provided nocturnal lighting recommendations included in this report are adhered to.

4.4 Onsite, habitats within the zone of impact are dominated by the existing building and bare ground. The site offers few opportunities for wildlife and is considered to be of overall negligible value to protected species, although surrounding mature trees and shrubs at the boundaries of the property are likely to support wildlife including opportunities for foraging and commuting by the local bat population. Onsite trees and shrubs, present outside the zone of impact are to be retained and the proposed works are not considered likely to significantly impact local wildlife populations.

4.5 Measures should be taken to suitably protect surrounding features such as trees and shrubs that lie at the garden boundaries, particularly to the north of the survey area, at all times both during demolition and after construction and use of nocturnal lighting should be carefully considered to ensure no indirect impacts occur (see point 4.9).

Species

Bats

4.6 During the inspection of the building, the structure was found to be lacking in external gaps and crevices that could be exploited by bats and no evidence of bats was found during the assessment, with external wavy-board cladding tightly fitted without gaps suitable for access or roosting. The open fronted elements, located at the side elevation of the garage could provide night roosting opportunities for perch feeding bat species, though the suitability for this is limited due to being largely exposed to draughty weather conditions and therefore offering little in the way of a suitable roosting environment that would typically be used by bats (see Site Images: Photo 10). Notably, no bats or evidence of their presence was discovered during the assessment. Subsequently, following the daytime assessment the structure was deemed as holding negligible potential to support roosting bats.

4.7 No further survey effort is recommended. However, all workers should be vigilant and mindful of bats during works, taking extra care at all times during demolition. In the unlikely event that bats are discovered, work should cease immediately and Cotswold Environmental should be contacted on: 07557539979. It should be noted that further works would not be able to lawfully proceed without confirmation from Natural England, and bats should not be handled at any time for legal reasons. If bats are discovered during works, Natural England will potentially restrict development until further surveys have been completed and a full mitigation and compensation strategy has been designed. It is likely that, if bats are discovered, a European Protected Species Licence (EPSL) will be required from Natural England.

4.8 Features such as nearby trees are important for commuting and foraging activity in bats, therefore, use of nocturnal lighting as part of the development works must be carefully considered, with a view of retaining darkened areas for bats (point 4:9 Nocturnal Lighting Scheme).

Nocturnal Lighting Measures

4.9 The insensitive use of external lighting within the proposed development could have a negative impact upon bats using the site for foraging and commuting activity.

4.10 As suitable bat habitat occurs within the nearby surrounding environment, a low-level lighting scheme should be implemented during and after construction to avoid indirect disturbance to bats and other nocturnal animal species that may exploit local habitats. Measures must be taken to ensure nocturnal animals are safeguarded from inappropriate use of light and noise throughout the hours of night

during the construction period, as well as to protect important commuting corridors for bats. Any external lighting installed as part of the development must be used in accordance with Guidance Note 08/23: Bats and Artificial Lighting[8].

4.11 Sensitive lighting strategy measures during the construction period are as follows:

- Works must not be carried out after dusk and must not commence until after dawn.
- Generators and machinery that emit significant noise levels must not be left to run after dusk.
- LED lighting sources must be used, which generally have a narrower and more directional beam.
- Light spill must be controlled and if lighting is required at night, hooded shields must be fitted to prevent spill onto nearby habitats that are likely to support wildlife, including nearby trees and hedgerows.
- Lighting must not be directed towards any bat or bird compensation features.

4.12 In addition to the above, when selecting appropriate external lighting, the following specifications should be taken into consideration:

- Any external lighting incorporated into the proposed development should be LED luminaires due to their sharp cut-off, lower intensity, good colour rendition and dimming capability.
- Luminaires should feature peak wavelengths higher than 550nm to avoid the component of light most disturbing to bats[9].
- All luminaires should lack UV elements when manufactured. Metal halide, fluorescent sources should not be used[10]

Nesting birds

4.13 No evidence of nesting was discovered during the site assessment therefore impacts to nesting birds can be reasonably discounted.

4.14 Irrespective of the time of year, if any nesting birds are discovered on site, an area around the nest site will be protected from disturbance with a suitable fence (not HERAs fencing) that would include an appropriate buffer zone, as determined by the suitably qualified supervising ecologist. Work will then be avoided in this area until the nest is no longer in use. Buffer zones in this respect will normally be 5m in diameter, and will be delineated by canes, cordon tape and signage.

Other wildlife

4.15 The zone of impact offers few opportunities for other protected species and limited value to commuting and foraging mammals such as badger or hedgehog. In addition, no ponds exist within the

[8] https://theilp.org.uk/publication/guidance-note-8-bats-and-artificial-lighting/

[9] Stone, E.L. (2013) *Bats and lighting: Overview of current evidence and mitigation*
[10] Bat Conservation Trust & Institute of Lighting Professionals (ILP) 2023. *Guidance Note 08/23: Bats and artificial lighting in the UK*. Bats and the Built Environment Series.

zone of impact or within the grounds of the property, nor within 250 m of the site boundary, and no features that would provide a suitable site of refuge or cover that could be used by reptiles or by amphibians during the terrestrial phase of their lifecycle were noted. As such no direct impacts to these species are anticipated as a result of the proposed demolition and development works, and no further species-specific survey effort is recommended.

4.16 Although considered unlikely, should any impacts to protected species be determined during demolition, then all works must cease immediately and Cotswold Environmental be contacted on 07557539979. A European Protected Species Licence would likely then be required from Natural England in order to allow works to proceed further.

Biodiversity Enhancement

4.17 The NPPF (2021) outlines obligations of Local Planning Authorities to promote Biodiversity Net Gain where possible. There are various options available with regards to biodiversity enhancement on site:

Bats

4.18 An option to increase biodiversity relating to bats on site would be to affix one or more bat boxes to mature trees within the site boundary, ideally using either Schwegler 1FF boxes (or similar) or Schwegler 2F boxes (or similar). Alternatively, they may also be pole-mounted in an appropriate position. Bat boxes should be positioned no lower than 4m above ground level and they should not face in a northerly direction.

Nesting Birds

4.19 Ways to further enhance the site value with regards to bird nesting would be to fit nest boxes to existing trees. Options include close-hole boxes and open-fronted boxes which would then provide opportunity for a variety of bird species. We recommended that one external bird nest box (Schwegler 1B or similar) is installed onsite. For maximum success, our recommendations are as follows:

- Bird boxes must be positioned away from the immediate glamping area where disturbance would be more likely.
- Following British Ornithology Trust guidelines, bird boxes must be positioned no lower than 2m from ground level and preferably above 3 m to prevent possible predation.
- The proposed placement of the bird nest boxes must allow for a clear flight path, without obstruction to the nest box entrance. It is recommended that they are installed in a south-westerly facing direction to offer protection from prevailing winds and rain and should ideally be slightly tilted in a downwards position to offer further weather protection.

APPENDIX A: LEGISLATION SUMMARY

Habitats Directive

Species listed in the Habitats Directive 1992 (transposed into UK law through the Conservation of Habitats and Species Regulations 2010 and subsequently 2017 as amended) for which it is illegal to deliberately capture, kill or disturb any individual, or deliberately damage or destroy a breeding site or resting site. In 2007 and 2009, the Habitats Regulations were amended to define illegal disturbance as that which would affect the ability of a significant group of animals of a European Protected Species to survive, breed or to rear or nurture their young, or to hibernate or migrate, or to affect the local distribution or abundance of the species.

Natural Environment and Rural Communities (NERC) Act 2006

The act to makes provision about bodies concerned with the natural environment and rural communities; to make provision in connection with wildlife, Sites of Special Scientific Interest, National Parks and the Broads; to amend the law relating to rights of way; to make provision as to the Inland Waterways Amenity Advisory Council; to provide for flexible administrative arrangements in connection with functions relating to the environment and rural affairs and certain other functions; and for connected purposes.

Countryside and Rights of Way (CRoW) Act 2000

The CRoW applies to England and Wales only, enforcing a statutory policy for biodiversity conservation. The UK Biodiversity Action Plan (BAP) provides the framework for fulfilling the UK's responsibilities towards the Convention on Biological Diversity. The CRoW Act is compliant with the provisions of the European Convention on Human Rights, requiring consultation where the rights of the individual may be affected by these measures.

The Conservation of Habitats & Species Regulations 2017 (the Habitat Regulations) (as amended)

The Conservation of Habitats and Species Regulations 2017 (as amended) consolidate the Conservation of Habitats and Species Regulations 2010 with subsequent amendments. The Regulations transpose Council Directive 92/43/EEC, on the conservation of natural habitats and of wild fauna and flora (EC Habitats Directive), into national law. They also transpose elements of the EU Wild Birds Directive in England and Wales. The Regulations came into force on 30th November 2017 and extend to England and Wales (including the adjacent territorial sea) and to a limited extent in Scotland (reserved matters) and Northern Ireland (excepted matters). In Scotland, the Habitats Directive is transposed through a combination of the Habitats Regulations 2010 (in relation to reserved matters) and the and the Conservation (Natural Habitats &c.) Regulations 1994. The Conservation (Natural Habitats, &c) Regulations (Northern Ireland) 1995 (as amended) transpose the Habitats Directive in relation to Northern Ireland.

Bats

In England and Wales, bats and their roosts are protected under the Conservation of Species and Habitats Regulations 2017 (as amended) and the Wildlife & Countryside Act 1981 (as amended). Taken together, this legislation makes it an offence to:

- Deliberately capture (or take), injure or kill a bat
- Intentionally or recklessly disturb a group of bats where the disturbance is likely to significantly affect the ability of the animals to survive, breed, or nurture their young or likely to significantly affect the local distribution or abundance of the species whether in a roost or not
- Damage or destroy the breeding or resting place of a bat
- Possess a bat (alive or dead) or any part of a bat
- Intentionally or recklessly obstruct access to a bat roost
- Sell (or offer for sale) or exchange bats (alive or dead) or parts of bats

A roost is defined as being 'any structure or place that is used for shelter or protection' and since bats regularly move roost site throughout the year, a roost retains such designation whether or not bats are present at the time.

Reptiles

All native British species of reptile (of which there are six) are listed in Schedule Five of the Wildlife and Countryside Act (1981) (as amended) and as such are protected from deliberate killing, injury or trade. Therefore, where development is permitted and there will be a significant change in land use, a reasonable effort must be undertaken to remove reptiles off site to avoid committing and offence. The same act makes the trading of native reptile species a criminal offence without an appropriate licence.

Great Crested Newts

Great crested newts and their habitats receive protection under The Conservation of Habitats and Species Regulations 2017 (as amended). This species is also afforded full protection under the Schedule 5 of the Wildlife and Countryside Act 1981 (as amended). Under such legislation it is an offence to:

- Intentionally or recklessly kill, injure or capture a great crested newt;
- Possess or control any live or dead specimen or anything derived from a great crested newt;
- Intentionally or recklessly* damage, destroy or obstruct access to any structure or place used for shelter or protection by a great crested newt; and
- Intentionally or recklessly* disturb a great crested newt while it is occupying a structure or place which it uses for that purpose.
- Damage or destroy a breeding site or resting place.
- Sell, barter, exchange or transport or offer for sale great crested newts or parts of them.

*Reckless offences were added by the Countryside and Rights of Way Act 2000, which applies only to England and Wales.

Badger

Badger is protected in Britain under the *Protection of Badgers Act 1992* and *Schedule 6* of the *Wildlife and Countryside Act 1981* (as amended).

The legislation affords protection to Badgers and Badger setts and makes it a criminal offence to:

- wilfully kill, injure, take, possess or cruelly ill-treat a Badger, or to attempt to do so;
- interfere with a sett by damaging or destroying it;
- to obstruct access to, or any entrance of, a Badger sett; or
- to disturb a Badger when it is occupying a sett.

Dormouse

The dormouse has undergone substantial declines in recent years as a result of habitat loss, deterioration and fragmentation and is consequently protected as a 'European Protected Species' under the 2017 Conservation of Habitats and Species Regulations, which implements the EC Habitats Directive 92/43/EEC in the United Kingdom. In relation to European Protected Species (EPS), the 2017 Regulations make it an offence to:

• Deliberately capture, injure or kill any wild animal of a EPS;
• Deliberately disturb wild animals of any such species, in particular any disturbance which is likely to: (i) impair their ability to survive, to breed or reproduce, or to rear or nurture their young; or to hibernate or migrate or (ii) affect significantly the local distribution or abundance of the species to which they belong;
• Damage or destroy a breeding site or resting place of such an animal; and/or
• To (a) be in possession of, or to control; (b) to transport any live or dead animal or any part of an animal; (c) to sell or exchange or (d) offer for sale or exchange any live or dead animal or part of an animal of an EPS.

In addition, Dormice are protected under the 1981 Wildlife and Countryside Act (as amended). Dormice are listed on Schedule 5 of the Act and are subject to the provisions of Sections 9.4b and 9.4c, which make it an offence to:
• Intentionally or recklessly disturb a Dormouse while it is occupying a structure or place which it uses for shelter or protection; and/or
• Intentionally or recklessly obstruct access to any structure or place used for shelter or protection by a Dormouse.

Birds

All common wild birds are protected under The Wildlife and Countryside Act 1981 (and as amended). Under this legislation it is an offence to:

- Kill, injure or take any wild bird
- Take, damage or destroy the nest of any wild bird while it is in use or being built
- Take or destroy the egg of any wild bird

Certain rare breeding birds are listed on Schedule 1 of The Wildlife and Countryside Act 1981 (and as amended). Under this legislation they are afforded the same protection as common wild birds and are also protected against disturbance whilst building a nest or on or near a nest containing eggs/unfledged young.

APPENDIX B: MAPS & SITE PLANS

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Key

Site location →

Garden Bungalow
Red Lion Lane
Cricklade
Wiltshire
SN6 6DE

Cotswold Environmental Ltd

Figure 1: Location Map



Figure 2: Habitat Map

APPENDIX D: SITE IMAGES



Photo 1: Bare ground and hardstanding driveway



Photo 2: Defunct species-poor hedgerow - Wild privet



Photo 3: Front north facing elevation of garage



Photo 4: Double wooden doors to front elevation



Photo 5: Element to side east facing elevation of garage



Photo 6: Waney edge timber cladding to elevations



Photo 7: Waney edge timber cladding to elevations



Photo 8: Interior of eastern open fronted element showing stone wall to rear



Photo 9: Interior of garage



Photo 10: Open fronted element to west facing elevation.