



**Latimer Manor
West Kington
Chippenham
SN14 7JQ**

Ecological Assessment

Luscinia Ecology
On behalf of
Saara Sharman



Document Properties

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Chapter 1: Summary

- 1.1 A planning application for the *“conversion of three outbuildings, creation of an office block and installation of ground mount solar panels, a swimming pool, pump room and tennis court”* at Latimer Manor, West Kington, Chippenham, Wiltshire, SN14 7JQ will be submitted soon.
- 1.2 This report sets out an Ecological Assessment of the Proposed Development at the Site.
- 1.3 A data search and ecological surveys have been completed to determine the Proposed Development’s impact, inform iterative design, (including implementation of the Mitigation Hierarchy), and ensure the required ecological mitigation and compensation is embedded into the design, or can be delivered via suitably worded planning conditions.
- 1.4 The Proposed Development avoids the loss of habitats of ecological importance as the Site is of limited ecological importance. All trees will be retained. Any required reseedling will utilise a suitable species-rich seed mix. The overall impact on habitats from the Proposed Development will be at least neutral.
- 1.5 The ecological impacts, and associated mitigation and compensation, associated with the Proposed Development is as follows:
 - Visual check and two-stage cut between March and October under monitoring of an ecologist who holds a great crested newt licence to protect amphibians and reptiles.
 - A European Protected Species Licence for bats, including suitable mitigation, compensation, and enhancement.
 - The implementation of a Sensitive Lighting Strategy.
 - The conversion of buildings with nesting bird suitability will either avoid the nesting bird season or be undertaken prior to nesting bird checks.
 - The implementation of precautionary measures at construction to protect badgers, bat flight-paths and foraging habitat, and hedgehogs.
- 1.6 The following enhancements will be provided within the Site:
 - Two lifted tiles for bats
 - Two WoodStone Alicante open nest boxes
 - One grass cutting compost pile and one log pile
- 1.7 The Applicant is aware of, and has committed to, all the mitigation, compensation, and enhancement measures set out within this report. Based on the results from the survey, context of the Site, and overall low ecological importance of the Site, this report is valid for a period of 18 months (i.e., the 17/06/2026).



Chapter 2: Introduction

- 2.1 A planning application for the “*conversion of three outbuildings, creation of an office block and installation of ground mount solar panels, a swimming pool, pump room and tennis court*” at Latimer Manor, West Kington, Chippenham, Wiltshire, SN14 7JQ will be submitted soon. This report sets out an Ecological Assessment of the Proposed Development at the Site.

Site Description

- 2.2 The Site consists of existing residential buildings, outbuildings, and landscaping (referred to as ‘the Site’ throughout this report). The buildings have a curtilage of predominately hardstanding in the south-east and garden in the north-west of the Site. The Site is approximately 0.5ha in size and located at National Grid Reference: ST 80731 77122. The Site includes a hardstanding track which provides access from Drifton Hill Road to the south. The Site is immediately surrounded by existing areas of farmland and scattered areas of commercial and residential development (**Figure 1**). The wider landscape is largely formed of farmland along with a deciduous woodland located 30m to the north-east of the Site.



Figure 1: Aerial image – Site boundary in red line¹

Proposed Development

- 2.3 This report supports a planning application for “*conversion of three outbuildings, creation of an office block and installation of ground mount solar panels, a swimming*

¹ Image used under licence (©2024 Google): Accessed: 21/07/2025.



pool, pump room and tennis court” (referred to as the ‘Proposed Development’ throughout this report). Access will be via a track, which leads to Drifton Hill Road to the south. The Proposed Development will result in the removal of the habitats within the Site and placement with solar panels and hardstanding **Figure 2** shows the Proposed Development.



Figure 2: The Proposed Development

Purpose of this report

2.4 The purpose of this Ecological Assessment (EA) is to provide sufficient information for the Local Planning Authority to fully assess and understand the ecological outcomes of the Proposed Development. The key objectives of this EA are to:

- Outline the planning, legal, and landscape context of the Site.
- Ascertain the ecological importance of the Site by identifying and assessing the main habitats and plant communities within the Site and determining the presence/likely absence of protected species within the Site.
- Characterise and assess the ecological impacts/likely ecological impacts of the Proposed Development on the ecological importance of the Site.
- Follow the Mitigation Hierarchy to:
 - Demonstrate how the design of the Proposed Development has been shaped and revised since inception to minimise ecological impacts/likely ecological impacts (avoidance).



- Demonstrate the Proposed Development's commitment to mitigation, compensation, offsetting, and enhancement in relation to protected and priority habitats and protected, priority and notable species.
- Outline the requirements for future monitoring of ecological receptors, impacted/likely impacted by the Proposed Development.



Chapter 3: Method

- 3.1 This report was written with regard to the CIEEM Guidelines on: Ecological Report Writing², Preliminary Ecological Appraisal³, and Ecological Impact Assessment⁴, as well as the British Standard on the Biodiversity Code of Practice for Planning and Development Biodiversity⁵ and Writing Effective Ecological Reports⁶.

Zone of Influence

- 3.2 The ecological impacts / likely ecological impacts of the Proposed Development will be largely confined to the construction zone within the Site itself and would include the loss, degradation, and fragmentation of habitats, along with ecological impacts (e.g., killing and injury) on protected, priority and notable species, including the loss of ecological functions such as (commuting, hibernation, breeding opportunities). In addition, consideration has been given to the following potential impacts, which may spread beyond the Site:

- Disruption to species and habitats within receiving range of dust, light, noise and pollution during demolition, construction, and occupation of the Proposed Development.

- 3.3 The surveys of the Site and search buffers used within the data search are sufficient to capture the full extent of the Zone of Influence (Zoi) of the Proposed Development.

Data Search

- 3.4 A review of existing ecological knowledge of the Site and its surrounding area was undertaken on 21/07/25. The data search included the following:

- A 5km radius around the Site for statutory designated nature conservation sites⁷.
- A 1km radius around the Site for granted European Protected Species Licences (EPSL), great crested newt class survey licence returns, and great crested newt pond surveys 2017 - 2019⁷,
- A 1km data search from Wiltshire and Swindon Biological Records Centre (WSBRC) for protected and notable species and non-statutory sites⁸.

² CIEEM (2015). *Guidelines on Ecological Report Writing*. Chartered Institute for Ecology and Environmental Management, Winchester.

³ CIEEM (2017). *Guidelines for Preliminary Ecological Appraisal. 2nd Edition*. Chartered Institute for Ecology and Environmental Management, Winchester.

⁴ CIEEM (2018). *Guidelines for Ecological Impact Assessment in the UK and Ireland: Terrestrial, Freshwater, and Coastal and Marine*. Chartered Institute for Ecology and Environmental Management, Winchester.

⁵ BSI (2013). BS 42020:2013: *Biodiversity: Code of Practice for Planning and Development*. British Standards Institution, Bristol.

⁶ Dean M. (2021). *Writing Effective Ecological Reports: A Guide to Principles and Practice*. Pelagic Publishing, Exeter.

⁷ Multi-Agency Geographic Information for the Countryside (MAGIC) maps For England and Wales. Available online at: <https://magic.defra.gov.uk/home.htm>

⁸ Wiltshire and Swindon Biological Records Centre (WSBRC), received 16/12/2024.



- A 1km review of the habitats within the local landscape, habitat designations, and their suitability to support protected and notable species using aerial imagery⁹.

Field Surveys

3.5 The following surveys were undertaken at the Site:

- Extended UK Habitat Classification Survey¹⁰
- Bats: Preliminary Roost Assessment (PRA)¹¹
- Bats: Emergence Surveys (Greg Nightingale, Lorna Roberts, Jenn Senft, Mel Granato, Natalie Nutland-Bowell, and Rich Steele; 13/05/25, 05/06/25, and 30/06/25)¹¹
- Bats: Internal Roost characterisation surveys (Jenn Senft, Mel Granato, Natalie Nutland-Bowell; 05/06/25, 30/06/25)¹¹
- Great crested newt: pond survey (Greg Nightingale and Mel Granato; 15/04/25)¹²
- Consideration of suitability for protected and notable species
- Incidental observations (all dates on-Site)

3.6 Unless otherwise stated, the surveys were completed on 17/12/2024 by Jenn Senft and Lorna Roberts. A detailed method for each of the surveys listed above is presented within that **Appendix A**.

Assessing Ecological Importance

- 3.7 The assessment of the importance of sites, habitats and species are made in line with good practice guidelines⁴. These guidelines provide consistency in the approach to evaluating the importance of the ecological features within a site and the effects or impacts the Proposed Development will have on them.
- 3.8 Firstly, the Site's habitats and species are assessed using a framework which assigns a level of geographical importance to ecological features. This framework incorporates a wide range of legislation and governmental guidance in assessing each feature's importance.
- 3.9 Next, the effects/likely effects of the Proposed Development are predicted, considering different stages and activities within the development process. These effects/likely effects are then assessed for their significance, based upon the importance of the Site, habitat or species being assessed. The assessment of the significance of an effect/likely effect is considered before and after the proposed mitigation to give an overall indication of significance.

⁹ Google Earth. Available online at: <https://earth.google.com/web/>

¹⁰ UKHab Ltd (2023). *UK Habitat Classification Version 2.0*. UKHab Ltd, Stockport.

¹¹ Collins, J. (2023). *Bat Surveys for Professional Ecologists: Good Practice Guidelines (4th Edition)*. The Bat Conservation Trust, London.

¹² Langton, T., Beckett, C. And Foster, J. (2001). *Great Crested Newt Conservation Handbook*. Froglife, Halesworth.



3.10 The importance of specific ecological receptors (sites, habitats, or species) is assigned according to their level of importance using the following terms:

- International
- National
- Regional
- County
- Local
- Site

Assessing Ecological Significance

3.11 The following factors are considered when assessing the significance of ecological impacts and effects: extent, magnitude, duration, reversibility, timing and frequency and cumulative effects.

3.12 An effect is considered significant if it either supports or undermines biodiversity conservation objectives for 'important ecological features' or for biodiversity in general. Conservation objectives may be specific (e.g., for a designated site) or broad (e.g., national/local nature conservation policy) or more wide-ranging (enhancement of biodiversity). Effects can be considered significant at a wide range of scales from international to local. Non-significant effects (referred to as 'negligible') are those changes which do not cause an effect (adverse or positive) on the conservation objectives for 'important ecological features' or for biodiversity in general.

3.13 Significant ecological effects are qualified with reference to an appropriate geographic scale. However, the scale of significance of an effect may not be the same as the geographic context in which the feature is considered important.

3.14 In determining if an effect is ecologically significant, the following is considered:

- For designated sites, the effect of the Proposed Development on the conservation objectives of the designated site and the conservation status of species or habitats for which the Site is designated is assessed.
- For ecosystems, the effect of the Proposed Development on ecosystem structure and function is assessed.
- For habitats and species, the effect of the Proposed Development on the conservation status is assessed as well as the effects of impacts on individual habitats and species.

Contributor information

3.15 The surveys and assessments were designed and led by Jenn Senft and Greg Nightingale. The EA was written by Jenn Senft. Technical review of this assessment was undertaken by Greg Nightingale. **Table 1** outlines the relevant experience of the assessment contributors.



Contributor	Experience
Greg Nightingale BSc (Hons) MCIEEM	Greg is the Director of Luscinia Ecology (A CIEEM Registered Practice) with over 11 years of experience in ecology and environmental management in the private sector. Greg has worked extensively within the planning system, undertaking protected species surveys, habitat surveys and Ecological Impact Assessments as well as providing advice on habitat management and mitigation and enhancement design. He has a comprehensive understanding of environmental policy and the current and emerging challenges facing the environment and how these challenges are managed within the planning sector. Through an understanding of good practice, planning policy, the ecology of protected habitats and species, and environmental impact pathways, Greg provides robust ecological advice that is cognisant of wider planning and legal requirements. He is experienced in UKHabs Classification system and the Phase 1 Habitat classification. He has designed, undertaken, and reported on numerous habitat and protected species surveys (including badger surveys, bat emergence/re-entry surveys, bat activity surveys, and hazel dormouse surveys), including bespoke survey design and the implementation of numerous protected species mitigation strategies. Greg is a full member of the Chartered Institute of Ecology and Environmental Management (CIEEM). He holds a level two Bat Licence, a level one Great Crested Newt Licence, and a NPTC (CS38) Tree Climbing and Aerial Rescue qualification. In addition, he has been named on badger mitigation licences and has completed courses in barn owls, botany, breeding birds, and hazel dormouse.
Lorna Roberts BSc (Hons) MSc ACIEEM	Lorna is a passionate ecologist with over 13 years' experience, Lorna brings a range of ecological expertise and a pragmatic approach to client relationships and project management. Lorna's experience within the planning system ranges from initial identification of ecological constraints and opportunities, through to design and master planning, management of large-scale ecological impact assessments, stakeholder consultation, and design and implementation of post-planning management and monitoring strategies. Lorna is an accomplished field surveyor, experienced in a wide range of habitat/botanical and protected species surveys, and holds Natural England survey licences for bats and great crested newts. Lorna is particularly experienced in Habitats Regulations Assessment and has a proven track record of successful project delivery in the presence of often complex ecological constraints.



Jenn Senft BSc (Hons) Qualifying member of CIEEM	Jenn is a Consultant Ecologist at Luscinia Ecology, having worked with the company for over a year. Jenn has practical experience with bat, reptile and great crested newt surveys, the UK Habitat classification system, report writing, and wildlife legislation. She has a deep understanding of current and emerging challenges facing the environment, the impacts this has on people, and how these may be mitigated to suit both the client and the planet. With this knowledge and experience, Jenn provides robust ecological advice, ensuring clients are kept in the loop at every stage of the project. Jenn is a Qualifying member of the Chartered Institute of Ecology and Environmental Management (CIEEM). She is currently working towards gaining level 2 bat licence, and level 1 great crested newt licence. She has also completed online and in person training courses with The Species Recovery Trust, BatAbility, the Field Studies Council, and CIEEM to expand her knowledge in botany, bats, badgers, otters, and tracks and signs.
Mel Granato BSc (Hons) MSc Qualifying member of CIEEM	Mel is a Consultant Ecologist at Luscinia Ecology, having graduated in 2023 with a degree in Conservation Ecology. Mel has two publications, one of which can be found in the Journal Insects (Granato <i>et al.</i>, 2024), and one in the Journal World (Granato <i>et al.</i>, 2025). Mel has practical experience and theoretical knowledge with bat, reptile, great crested newt and breeding bird surveys, technical report writing, UK Hab classification systems, biodiversity net gain metrics and QGIS. Mel is a Qualifying Member of the Chartered Institute of Ecology and Environmental Management (CIEEM). Mel is actively working towards gaining a level 2 bat licence and level 1 great crested newt licence.
Natalie Nutland-Bowell BSc (Hons)	Nat graduated in 2023 with a degree in Environmental Science. This is her second season in ecological consultancy. She has practical experience and theoretical knowledge with bat, reptile, great crested newt surveys.
Richard Steele	Richard is an Assistant Bat Surveyor, who has been undertaking bat surveys since 2022. He has been trained in bat emergence and re-entry surveys by a level 2 bat licenced surveyor. During surveys, he worked in line with close guidance and direction from the Luscinia Ecology team and was supported by a Nightfox Red Infra-red camera.

Table 1: Contributor experience



Assumptions, Clarifications, and Limitations

Assumptions

3.16 None.

Clarifications

3.17 None.

Limitations

3.18 The limitations associated with the survey work, data analysis, and reporting are set out within **Table 2**, along with an analysis of the effect of the limitation on the validity and robustness of the decision making within this report.



Limitation	Analysis of effect
The desk study does not produce a comprehensive list of plants and animals as this is limited by factors that influence their presence (e.g., activity and dormancy periods), along with varied recording effort across the landscape.	The species records of the desk study reflect survey effort and therefore the data returned from each request is variable across the UK. As a result, the data search data has not been used to rule out the presence of protected species and habitats within and adjacent to the Site.
Measurements within this report are approximate – The mapping of baseline habitats and Proposed Development plans has relied upon the georeferencing of plans provided by the client.	The mapping of baseline habitats and Proposed Development plans has relied upon the georeferencing of plans provided by the project team. The process of georeferencing and mapping of polygon habitats at a fine scale may result in minor deviations from actual and proposed measurements. This has been controlled for via the use of advanced digitising tools and given the scale of the proposals any deviations in spatial areas or point locations are sufficiently minor to be inconsequential and will be subsumed within precautionary rounding.
The survey was undertaken in winter, which is outside the optimum survey season for botanical surveys.	Although the survey was undertaken in winter, the evaluation and habitat descriptions (and hence the impacts and their significance), are considered to be accurate for the following reasons: • Given the type of vegetation and habitats present, the valuation of the intrinsic interest is considered unlikely to change. • Access was possible to all areas of the Site and the vegetation was clearly visible. • Grassland species composition was assessed during subsequent Site visits. Overall, the effect on the evaluation and habitat descriptions (and hence the impacts and their significance) was considered negligible.
The upper floor of B2a was inaccessible due to safety concerns.	Three emergence surveys were conducted on this structure. Bat roosts were recorded in B2a and have been successfully characterised on the information available. The access limitation has not hindered the results.
Suboptimal visibility during the first Bat Emergence Survey on 13/05/2025	Fog set in approximately halfway through the survey. Only Position 8 was affected by poor visibility. Based upon the on-site observations across all surveys, recording from the second survey, as well as sonogram analysis, this is not expected to pose an impact.

Table 2: Summary of limitations and their effect



Chapter 4: Results and Assessment

Data Search

The Local Landscape Context

- 4.1 The Site was immediately surrounded by existing areas of farmland and scattered areas of commercial and residential development. The wider landscape is largely formed of farmland along with a deciduous woodland located 30m to the north-east of the Site. The key green infrastructure within the local landscape includes woodland, scrub, and a hedgerow network. The key blue infrastructure includes Broadmead Brook approximately 90m to the north-east of the Site.

Statutory Designated Sites

- 4.2 Statutory designated sites are the most significant ecological receptors and include Special Protection Areas (SPAs), Special Areas of Conservation (SACs) and Ramsar sites, which are all of **International Importance**, and Special Scientific Interest (SSSIs) and National Nature Reserves (NNRs), which are of **National Importance**.
- 4.3 Local Nature Reserves (LNRs) are notified under Section 21 of the National Parks and Access to the Countryside Act 1949 (as amended) by local authorities and are of **Local Importance**. They are intended for public appreciation and enjoyment of wildlife. The LNR designation does not afford special protection; however, LNRs are protected under legislation and planning policy.
- 4.4 The statutory designated sites within returned by the desk study are shown in **Table 3¹³**.

¹³ Any SSSIs solely designated for their Earth Heritage are not shown within this table.



Site Name	Reason for designation	Distance and direction
Nationally Designated Site		
Little Grubbins Meadow SSSI	The site is designated for supporting calcareous grassland – lowland: unfavourable – recovering.	2.2km east
Out Woods SSSI	The site is designated for supporting broadleaved, mixed and yew woodland – lowland: unfavourable – recovering.	2.3km east
Dank's Down and Truckle Hill SSSI	The site is designated for supporting calcareous grassland. Unit 1: favourable, unit 2: unfavourable – recovering.	2.5km east
Rack Hill SSSI	The site is designated for supporting calcareous grassland: favourable.	3.3km east
West Yatton Down SSSI	The site is designated for supporting calcareous grassland – lowland: unfavourable – recovering.	4.1km east
Colerne Park and Monks Wood SSSI	The site is designated for supporting broadleaved, mixed and yew woodland – lowland: favourable.	4.5km south-east
Honeybrook Farm SSSI	The site is designated for supporting broadleaved, mixed and yew woodland, calcareous grassland and neutral grassland – lowland: favourable.	4.7 south-east

Table 3: Summary of statutory designated sites returned by the desk study



Non-Statutory Designated Sites

4.5 In Wiltshire, Local Wildlife Sites (LWSs) and Protected Road Verges (PRVs) are designated. LWSs and PRVs are of **Local Importance**. The non-statutory designated sites within returned by the desk study are shown in **Table 4**.

Site Name	Reason for designation	Distance and direction
By Brook LWS	The site supports an important system of streams and brooks with high floristic and faunal diversity.	125m north
Brook Farm Fields LWS	The site supports steep valley side calcareous meadows either side of the By Brook.	150m north
Latimer Lodge Slope LWS	The site supports unimproved calcareous grassland on a moderate south facing limestone slope.	170m north-west
Ebbdown Slope LWS	The site supports south facing limestone downland and scrub bordering the Brookmead Brook.	330m west
Parsonage Wood, West Kingston LWS	The site supports undisturbed, varied, rich in species and adjacent to a river and unimproved neutral meadow, and limestone downland.	630m north-east
Manor Farm Down LWS	The site supports species-rich limestone grassland along Broadmead Brook.	740m east
Home Woods LWS	The site supports ancient semi-natural broadleaved woodland.	770m east
Hanger and Garrick Wood LWS	The site supports two small, ancient broadleaved woodlands with felled and replanted areas. Located on flat land on clay soil over Cotswold limestone.	980m north-east
Gunning's Wood Downland 1 LWS	The site supports a strip of unimproved limestone grassland on a south facing slope within a larger area of grassland.	1000m west
Home Woods, Nettleton Verge. PV 23-1 PRVs	The site supports calcareous grassland.	630m north-east

Table 4: Summary of non-statutory designated sites returned by the desk study

4.6 In addition to the designations above, Bath and BoA Bat SAC consultation zone lies approximately 540m south of the Site. While not a recognised non-statutory designation, the area is set up specifically for bats where development proposals may need attention due to potential impacts on bat populations.

Protected and Notable Species

4.7 The relevant protected species records from the data search are incorporated into the Protected and Notable Species section, below.



Habitat Survey

4.8 The Site supported the following habitats:

- **Grassland:** Other neutral grassland
- **Individual Tree:** Rural tree
- **Urban:** Artificial, unvegetated, unsealed surface
- **Urban:** Developed land; sealed surface
- **Urban:** Vegetated garden

4.9 All the habitats and features described are shown on the Extended UK Habitat Classification Plan at **Appendix B**.

Grassland: Other neutral grassland

4.10 The buildings within the Site were wrapped by grassland to the north, east, and west (**G1** and **G2**).

4.11 **G1** was located in the north of the Site (**Photograph 1**). This was tussocky with a varied sward height and did not display typical characteristics of regular management (e.g., mowing). The bare ground within the area was limited to a rubble pile and small patches within the grassland amounting to approximately 15% of the total area. The area was dominated by false oat grass *Arrhenatherum elatius*, with red fescue *Festuca rubra* abundant. Other species within the area included: cocksfoot *Dactylis glomerata*, common hogweed *Heracleum sphondylium*, creeping bent *Agrostis stolonifera*, creeping buttercup *Ranunculus repens*, hawkbit *Leontodon spp.*, meadow buttercup *Ranunculus acris*, meadow grass *Poa spp.*, ribwort plantain *Plantago lanceolata*, and white clover *Trifolium repens*.





Photograph 1. G1

- 4.12 **G2** was located in the south-western corner of the Site (**Photograph 2**). This was mown to a short sward height and is actively used for recreation. The bare ground cover within the area was approximately 2%. Species recorded within the area included: cocksfoot, creeping bent, creeping buttercup, hawkbit, meadow buttercup, ribwort plantain, and white clover.



Photograph 2. G2



4.13 The **other neutral grassland** was of **Site Importance**.

Individual Tree: Rural tree

4.14 There was one individual tree within the Site. This formed a subsection of a line of trees, which was off-site (**Photograph 2** above). The tree was a common lime *Tilia europaea* with a diameter at breast height (dbh) of 19cm. The tree was located oversailing other neutral grassland and appeared in good health.

4.15 The **individual tree** was of **Site Importance**.

Urban: Artificial, unvegetated, unsealed surface

4.16 The entrance track and driveway were comprised of loose stone gravel. The **artificial, unsealed surface** was of **Negligible Importance**.

Urban: Developed land; sealed surface

Buildings

4.17 There were eleven buildings within the Site as described below (**B1 – B11**; **Figure 3**).



Figure 3: Building map

4.18 **B1** was an old farm building, in active use as a wood store (**Photographs 3 and 4**). This was constructed of Cotswold stone with wooden supporting beams. The roof was single pitched, clad with machine-made clay tiles, and had two gable ends. The roof displayed lifting lead flashing and gapping under a majority of the tiles. The roof ridge was constructed of concrete, with several sections of missing mortar. The roof interior



was lined with bitumen felt. The structure had two openings where doors had once stood.



Photograph 3. B1 – western elevation



Photograph 4. B1 – eastern and southern elevations

- 4.19 **B2** was an old farm building in active use for storing materials (**Photographs 5 – 10**). This was constructed of Cotswold stone with wooden supporting beams. The roof was



single pitched, clad with machine-made clay tiles, concrete roof ridge, and had two gable ends. The upper section of the eastern gable end was clad with wood panelling and had a large opening where a window was once located. The wood panelling was contained several gaps. The lower section of the eastern gable end was constructed of red brick and also contained a large space where a window was once located, along with a wooden door. The majority (approximately 90%) of the southern elevation was open. **B2** was internally divided into three spaces (**B2a**, **B2b**, and **B2c**). **B2a** was located in the eastern end of the structure, split over two floors and was not in active use due to an unstable floor. **B2b** was the main space within the building, which was in active use for storage. **B2c** was a small bin store on the western end of the southern elevation and was secured with a door. The roof was lined with bitumen felt across approximately half of the roof. The bitumen felt was in-tact. The remainder of the roof was unlined.



Photograph 5. B2 – northern elevation





Photograph 6. B2 – eastern elevation



Photograph 7. B2 – southern elevation





Photograph 8. B2 – western elevation



Photograph 9. B2a – interior





Photograph 10. B2b – interior facing east

- 4.20 **B3** was a disused lean-to with a collapsed roof (**Photograph 11**). This was constructed of Cotswold stone and had three doors and a window space on the northern elevation. The interior of the structure was overgrown with tall forbs and ephemeral habitat growing through hardstanding.



Photograph 11. B3



- 4.21 **B4** was a large two-storey barn (**Photographs 12 – 15**). The upper level was not in use. The lower level was in active use for storage. **B4** was constructed of Cotswold stone with both wooden and metal supporting beams. The roof was clad with hand-made slate tiles, single pitched, with a gable end on the eastern elevation. There was a large central passageway running north/south through the building.



Photograph 12. B4 – southern elevation



Photograph 13. B4 – eastern elevation





Photograph 14. B4 – lower interior



Photograph 15. B4 – upper interior



- 4.22 **B5** was an old stable block in active use for storage (**Photographs 16** and **17**). This was constructed of Cotswold stone with wooden supporting beams. The eastern elevation had two doors and a third opening without a door. The roof was single pitched, hipped at the eastern end, and clad with machine-made clay tiles.



Photograph 16. B5 – interior



Photograph 17. B5 and B6 – southern and eastern elevations, respectively



- 4.23 **B6 – 8** were joined structures, each with a separated interior (**Photograph 17 – 20**). These had a similar construction as **B5** with the addition of an asbestos roof as well as clay tiling. These structures were not in active use.



Photograph 18. B6 – western elevation



Photograph 19. B7 – eastern elevation/interior





Photograph 20. B7 – western elevation

- 4.24 **B9** was a recently converted barn into residential use. This was in active occupation. A photograph was not permitted.
- 4.25 **B10** was a disused barn constructed of Cotswold stone and machine-made clay tiles (**Photograph 21** and **22**).



Photograph 21. B10 – northern elevation





Photograph 22. B10 – southern elevation

- 4.26 **B11** formed the main house within the Site (**Photograph 23**). This was constructed of Cotswold stone and man-made clay tiles.



Photograph 23. B10 – southern and western elevations



- 4.27 The **buildings** were of **Negligible Importance**. The importance of the buildings in relation to bats and birds is discussed within the Protected and Notable Species section below.

Hardstanding

- 4.28 There was hardstanding paving in the north of the Site creating a courtyard and surrounding the main house. The **hardstanding** was of **Negligible Importance**.

Urban: Vegetated garden

- 4.29 The garden consisted of ornamental shrubs and two areas of mown lawn (**L1** and **L2**).
- 4.30 The ornamental shrubs were all single species ornamental hedges maintained for aesthetics (**Photograph 7** above). These were approximately 1m in height and 1m in width. The ground cover was exclusively hardstanding. There was no vertical gapping within the shrubs.
- 4.31 **L1** was located in the east of the Site, comprising the curtilage of **B11 (Photograph 23)**. This was mown to a short sward height. The bare ground cover comprised less than 1%. The species composition of the Site included: creeping buttercup, cocksfoot, daisy *Bellis perennis*, dandelion *Taraxacum officinale*, groundsel *Senecio vulgaris*, perennial rye grass *Lolium perenne*, red fescue, ribwort plantain, white clover, and yarrow *Achillea millefolium*.



Photograph 24. L1

- 4.32 **L2** was located in the west of the Site, between **B9** and **B10 (Photograph 24)**. This was mown to a short sward height. It was not in active use. The bare ground cover and



species composition was the same as **L1**, with the addition of hoary plantain *Plantago media* and oxeye daisy *Leucanthemum vulgare*.



Photograph 25. L2, facing B9

4.33 The **vegetated** garden was of **Negligible Importance**.



Protected and Notable Species

4.34 Based upon the nature, location, and characteristics of the Site and adjoining landscape, the suitability of the Site to support the following species/species groups is outlined below:

- Amphibians, including great crested newt *Triturus cristatus*
- Badgers *Meles meles*
- Bats
- Birds
- Hedgehog *Erinaceus europaeus*
- Reptiles

4.35 If a species or species group is not listed above, then it has been scoped out of this assessment based upon the nature, location, and characteristics of the Site and adjoining landscape.

Amphibians

4.36 There were no granted great crested newt EPSLs or Class Survey Licence Returns within 1km of the Site.

4.37 There was one positive great crested newt pond survey (2017 – 2019) returned by the data search. This was from 2018, located approximately 430m south-west. This is connected to the Site by woodland, scrub, and urban edge habitat (e.g., paving, tall forbs, etc.).

4.38 A review of aerial photography and OS Mapping confirmed that there no ponds within 250m of the Site and three ponds within 500m of the Site. The ponds within the local landscape included:

- **P1** and **P2**, located within a plant nursery approximately on a woodland edge, located approximately 310m to the south-east (Grid reference: ST 80926 76865).
- **P3**, located within woodland to the south of Broadmead Brook approximately 430m south-west from the Site (Grid reference: ST 80333 76963).

4.39 WSBRC returned 13 records of amphibians, including six common toad *Bufo bufo*, four common frog *Rana temporaria*, and three great crested newt. The closest of these was for a common toad and common frog approximately 280m east of the Site. This is connected to the Site by an industrial nursery, road verges, and hedgerows. The closest great crested newt record was located approximately 770m north-east.

4.40 There were no breeding opportunities for amphibians within the Site itself. There was one pond located adjacent to the Site in the south-west (**Photograph 26**). This was



subject to a pond survey, which confirmed the presence of a population of great crested newt¹⁴ (**Photograph 27**).



Photograph 1. Pond adjacent to the Site



Photograph 2. Great crested newt within the pond

¹⁴ This pond was to be subject to eDNA testing. However, upon survey multiple great crested newts were observed within the pond. Presence of a small population was confirmed. Given multiple great crested newts could readily be seen a medium population was likely present within the pond.



- 4.41 The other neutral grassland area **G1** supported suitable habitat for amphibians during their terrestrial phase and hibernation, as this area was unmanaged with long grass, tussocks and a debris pile.
- 4.42 The areas of vegetated garden, as well as other neutral grassland **G2**, were mown, did not support long grass, tussocks, or a thatch layer. These were not suitable for use as hibernation but transient and commuting amphibians could be present occasionally. The paving and wall edges to the north and east of **G2** are suitable for hibernating amphibians.
- 4.43 The **amphibian interest** was of **Site Importance**.

Badgers

- 4.44 WSBRC returned 32 records of badger. The closest of these was for a badger sett from 1973 approximately 280m. There were eight records for badger setts at two separate locations. All records returned were between 1966 and 1987. There were two records of latrines, both located approximately 680m north-west of the Site.
- 4.45 There was no direct evidence of badgers (setts, hairs, prints, latrines, etc.) within the Site. The wider 30m adjacent to the Site was also searched. No evidence of badgers was found within these areas. There were no mammal paths leading into or from the Site. It is expected that badgers are present within the wider landscape, likely within the woodland to the east, and therefore badgers could enter the Site in the future. Given the Site is predominantly buildings and hardstanding, it is considered unlikely that a badger sett would be established within the Site.
- 4.46 The **badger interest** was of **Site Importance**.

Bats

Data search

- 4.47 There were no granted EPSL for bats within 1km of the Site.
- 4.48 WSBRC returned 73 records of bats including two brown long-eared bat *Plecotus auritus*, two common pipistrelle *Pipistrellus pipistrellus*, four Daubenton's bat *Myotis daubentonii*, two greater horseshoe *Rhinolophus ferrumequinum*, three lesser horseshoe *Rhinolophus hipposideros*, seven noctule *Nyctalus noctula*, four serotine *Eptesicus serotinus*, and one soprano pipistrelle *Pipistrellus pygmaeus* record.
- 4.49 The closest record was located approximately 250m west of the Site, including species records of common pipistrelle, greater horseshoe, and soprano pipistrelle, as well as genus-level records of *Plecotus*, *Myotis* and *Nyctalus*. These were all individual sightings and not roosts.
- 4.50 The closest roost location was approximately 280m south-west. This location included several roosts: brown long eared bat, common pipistrelle, Daubenton's bat, lesser horseshoe, and serotine.



Preliminary Roost Assessment

- 4.51 There were eleven buildings within the Site (**B1 – B11**). **B7 – B11** were not subject to survey. A summary assessment of the suitability of the buildings to support a bat roost is set out within **Table 5**.
- 4.52 **B1** and **B2** were constructed of high suitability materials (stone, wood, clay tiles, bitumen felt) and contained several potential roost features (PRFs) in the form of missing tiles and gaps in brickwork.
- 4.53 **B3** was constructed of suitable materials but the structure did not have a roof. As such, there was high light ingress and the structure is not thermally stable. There were no PRFs within the structure.
- 4.54 **B4** and **B5** were constructed of high suitability materials (stone, wood, clay tiles). There was only one PRF within each structure, which were the lintels above the doorway on the southern elevations of each building (**Photograph 27**).



Photograph 3. Lintel above doorway in B4





Photograph 4. Lintel above doorway in B5

4.55 **B6** was constructed of materials with moderate suitability (stone, wood) but contained an asbestos and metal roof. There was a moderate amount of light ingress from the open doors.

Building	Material suitability	Roof void	Cavity walls	Light ingress	PRFs	Evidence of bats	Suitability
B1	High	No	No	Minimal	Yes	No	High
B2a	High	Yes	No	Medium	Yes	No	High
B2b		No		High			
B2c				None			
B3	None – no roof	No	No	High	No	No	No (None)
B4	High	Yes	Yes	Medium	Yes	No	Moderate
B5	High	No	No	Medium	Yes	No	Moderate
B6	Medium	No	No	Medium	Yes	No	Moderate

Table 5: Suitability of the buildings within the Site to support bat roosts



Ground Level Tree Assessment

- 4.56 There was one tree within the Site. This appeared in good health with no breaks, cracks, holes, and with a full canopy. As such, the tree did not support any PRFs and was assigned as supporting **No (None) Suitability** for roosting bats. Trees in relation to bats will not be mentioned further within this report.

Bat Emergence Surveys and Roost Characterisation

- 4.57 **B1, B2, B4 and B5** were subject to three emergence surveys. **B6** was subject to two emergence surveys. An Emergence Survey Plan can be found in **Appendix D**. **These surveys confirmed the presence of bat roosts within B1, B2, B4 and B5. These were all of Site Importance.** A summary of the roosts and recorded emergences/entries can be found in **Table 6**.
- 4.58 The emergence surveys on **B1** confirmed the presence of one soprano pipistrelle roost (**R1**). This was evidenced on 13/05/2025 by a single individual exiting the building. The roost was located within the cavity wall, with the access point identified as a gap in the brickwork on the northern gable end (**Figure 4**). Sonogram analysis confirmed this to be an emergence of a soprano pipistrelle. As such, the roost has been characterised as an active opportunistic soprano pipistrelle day roost, in use by a single individual.



Figure 4: R1 – Soprano pipistrelle roost access point

- 4.59 The emergence surveys on **B2** confirmed the presence of three bat roosts:
- One lesser horseshoe day/night roost (**R2**)
 - One serotine night roost (**R3**)



- One common pipistrelle day roost (**R4**)
- 4.60 **R2** was evidenced from two emergences and two re-entries (**Table 6**). A total of two individuals were recorded using the roost. Sonogram analysis confirmed these instances to be lesser horseshoe. The roost access point was identified to be the lower opening of the building on the eastern gable end with a missing window (**Figure 5**). The evidence of both emergences and re-entries shows that the roost is in active use both as a day and night roost. No feeding remains were recorded. **R2** was characterised as a lesser horseshoe day and night roost in active use by two individuals.
- 4.61 **R3** was evidenced from one entry on 13/05/2025, as well as approximately 30 droppings. Sonogram analysis confirmed the entry was a serotine bat, and DNA analysis confirmed the droppings as serotine. The roost access point was identified to be the lower opening of the building on the eastern gable end with a missing window (**Figure 5**). The bat was recorded entering the structure and did not emerge for the duration of the survey. In addition, there is a large amount of light ingress into the structure during the day. As such, the roost has been characterised as a serotine night roost in active use by a single individual.
- 4.62 **R4** was evidenced from four emergences (**Table 6**). Sonogram analysis confirmed these emergences as common pipistrelle. There were two roost access points (**Figure 5** and **6**). The primary access point was the same as for **R2** and **R3**. Three emergences were recorded from this location on 05/06/2025. A secondary access point was recorded by a single emergence on 13/05/2025. This was from the open southern elevation of **B2**. **R4** was thereby characterised as a common pipistrelle day roost in active use by up to three individuals.



Figure 5: R2 – R4 roost access point





Figure 6: R4 – Common pipistrelle secondary access point

- 4.63 The emergence surveys on **B4** confirmed the presence of one common pipistrelle roost (**R5**). This was evidenced on 05/06/2025 and 04/09/25 by three emergences. The roost access point was identified as the lintel on the southern doorway (**Figure 7 and 8**). Sonogram analysis confirmed these to be emergences of common pipistrelle. As such, the roost has been characterised as an active opportunistic common pipistrelle day roost, in use by up to two individuals.



Figure 7: R5 – Common pipistrelle (blue) with roost access point (red)





Figure 8: R5 – Common pipistrelle (blue) with roost access point (red)

- 4.64 The emergence surveys on **B5** confirmed the presence of one common pipistrelle roost (**R6**). This was evidenced on 13/05/2025 by two individuals exiting the building. The roost access point was identified as the lintel on the southern doorway (**Figure 9**). Sonogram analysis confirmed the emergences to be common pipistrelle. As such, the roost has been characterised as an active opportunistic common pipistrelle day roost, in use by two individuals.



Figure 9: R6 – Common pipistrelle roost access point

Date	Time	Emergence / entry	Species	Roost Number	Building Number
13/05/2025	21:26	Emergence	Soprano pipistrelle	R1	B1
13/05/2025	21:29	Emergence	Lesser horseshoe	R2	B2
	21:43				
05/06/2025	22:36	Entry			
13/05/2025	21:49	Entry	Serotine	R3	B2
13/05/2025	21:34	Emergence	Common pipistrelle	R4	B2
	21:37				
05/06/2025	21:46				
	21:57				
05/06/2025	21:47	Emergence	Common pipistrelle	R5	B4
04/09/2025	20:22				
	20:57				
13/05/2025	21:24	Emergence	Common pipistrelle	R6	B5
	21:25				

Table 6: Dates and times of all emergences/re-entries



DNA Analysis

- 4.65 The emergence surveys prompted a second internal inspection on 30/06/25 of **B2**. Approximately 30 droppings were recorded within the structure. The droppings were located in a cluster at the rear of the lower level of **B2a** at the darkest point within the structure (**Photograph 30**). The droppings were recorded directly below wooden supporting beams. These were from a single season, suspected to be from this season as they appeared fresh. A sample was taken and sent for DNA analysis to identify the species present. This returned a result of serotine bat (**Appendix C**).



Photograph 5. Droppings in B2a

Flight-paths and Foraging Habitat

- 4.66 The Site supports a simple habitat structure formed of manmade habitats and/or poor-quality habitats. The Site is well connected to the wider landscape with the woodland to the north and there are known roosts nearby. The wider landscape is largely rural, with various fields, roads, and scattered residential development. The key green infrastructure within the local landscape includes woodland, tree lines, scrub, and a hedgerow network. The key linear blue infrastructure includes the Broadmead Brook to the north of the Site. The wider landscape broadly aligns with High Suitability habitat:

“Continuous, high-quality habitat that is well connected to the wider landscape that is likely to be used regularly by bats for flight-paths such as river valleys, streams, hedgerows, lines of trees and woodland edge.

High-quality habitat that is well connected to the wider landscape that is likely to be used regularly by foraging bats such as broadleaved woodland, tree-lined watercourses and grazed parkland.



Site is close to and connected to known roosts."

- 4.67 Given the Site's proximity to woodland and a tree-lined watercourse, it is expected that the local bat assemblage uses the woodland and woodland edge as a key flight-path and foraging habitat. However, the Site itself is not expected to be a key flight-path or a key foraging habitat.
- 4.68 The habitat within the Site was assessed to be of **Moderate Suitability** for bat flight paths and foraging habitat.

Nesting birds

- 4.69 WSBRC returned 197 records of birds. The majority of the records are located to the east and west of the Site. The closest of these was a collared dove *Streptopelia decaocto*, house martin *Delichon urbicum* and wood pigeon *Columba palumbus* located approximately 300m north of the Site. Other species returned by the data search included: barn owl *Tyto alba*, fieldfare *Turdus pilaris*, hobby *Falco subbuteo*, kestrel *Falco tinnunculus*, red kite *Milvus milvus*, skylark *Alauda arvensis*, starling *Sturnus vulgaris*, swift *Apus apus*, and tawny owl *Strix aluco*.
- 4.70 The Site supported limited areas of vegetation, which comprised of grassland, ornamental garden, and an individual tree. The Site is not suitable for ground nesting birds. Evidence of nesting birds was confirmed in **B2** and **B5**. **B2** contained one old (approximately two years) pigeon *Columba spp.* nest, and two swallow *Hirundo rustica* nests. **B5** supported one crow *Corvus corone* nest in active use during the breeding season of 2025. The exterior of all other buildings were also assessed as supporting suitability for nesting birds.
- 4.71 The **nesting bird** interest was of **Site Importance**.

Hedgehog

- 4.72 WSBRC returned no records of hedgehog.
- 4.73 It is expected that hedgehogs could be present within the local area and may occasionally enter the Site to commute, forage, and rest. The ground was considered to provide insufficient cover or features for hedgehogs to use to hibernate.
- 4.74 The **hedgehog** interest was of **Site Importance**.

Reptiles

- 4.75 WSBRC returned ten records of reptiles including four of slow worm *Anguis fragilis* and six grass snake *Natrix helvetica*. The closest of these was for a grass snake located approximately 200m north of the Site. This is connected to the Site by a garden network and woodland.
- 4.76 The Site is largely formed of habitats which are not suitable for reptiles, as this comprises buildings and hardstanding. The grassland areas in the east and west are kept mown and frequently disturbed. The grassland in the north of the Site is left



unmanaged and undisturbed and offers suitable habitat for reptiles. The rubble pile within this area offers suitable habitat for hibernation during winter.

4.77 The **reptile** interest was of **Site Importance**.

Results Conclusion

4.78 A summary of the results is presented in **Table 7**. Where further consideration is required, this is addressed and resolved in the following chapters of this report.



Ecological Feature	Ecological Importance / Suitability*	Further consideration required?
Little Grubbins Meadow SSSI	National	Yes
Out Woods SSSI		
Dank’s Down and Truckle Hill SSSI		
Rack Hill SSSI		
West Yatton Down SSSI		
Colerne Park and Monks Wood SSSI		
Honeybrook Farm SSSI		
Bath and BoA Bat SAC consultation zone	Local	
By Brook LWS		
Brook Farm Fields LWS		
Latimer Lodge Slope LWS		
Ebbdown Slope LWS		
Parsonage Wood, West Kington LWS		
Manor Farm Down LWS		
Home Woods LWS		
Hanger and Garrick Wood LWS		
Gunning’s Wood Downland 1 LWS		
Home Woods, Nettleton Verge. PV 23-1 RVs		
Grassland: Other neutral grassland	Site	Yes
Individual Tree: Rural tree		
Urban: Artificial, unvegetated, unsealed surface	Negligible	No
Urban: Developed land; sealed surface		
Urban: Vegetated garden		
Amphibians	Site	Yes
Badgers		
Bats: Roosts: Buildings (B3)	No (None)*	No
Bats: Roosts: Buildings (B1, B2, B4, and B5)	Confirmed*	Yes
Bats: Roosts: Trees	No (None)	No
Bats: Flight-paths and foraging habitat	Moderate*	Yes
Birds	Site	
Hedgehog		
Reptiles		

Table 7: Summary of Results



Chapter 5: Discussion

- 5.1 The report follows the mitigation hierarchy. The avoidance measures and the embedded mitigation are set out. Followed by additional mitigation measures to minimise impacts further and then compensation/offsetting to address any remaining impacts. Lastly, ecological enhancements are provided.
- 5.2 The following discussion and assessment have been provided to ensure full compliance with legislation and both local and national planning policy set out in **Appendix C**.
- 5.3 This report is valid provided the plans shown in **Figure 2** do not change.
- 5.4 All details set out in this Chapter are deliverable with the Proposed Development and have been approved by the Applicant.

Embedded Mitigation

- 5.5 Using the design principles and layout within **Figure 2**, this section considers the embedded mitigation associated with the Proposed Development.
- 5.6 The selection of the Site for Proposed Development has inherently avoided impacts on ecology and biodiversity as the Site largely comprises a previously developed area, comprising buildings, hardstanding, and poor-quality habitats. The majority of works are isolated to building renovations.
- 5.7 The location of solar panels, tennis court and a pool have been designed as to minimise impacts on habitats of ecological value. The Proposed Development will retain trees and will not impact any green or blue infrastructure.
- 5.8 A meeting was held with the Applicant to discuss compensation and mitigation options for bat roosts. This confirmed the proposed approach for each roost identified within the Site (**R1 – R6**). These have been embedded into the architecture of the new buildings. Many of the proposed compensatory bat roosts have been designed to be embedded into the existing structures in similar locations and with similar designs to that of the existing roosts. The details of each roost compensation is discussed below.

Effects of the Proposed Development

- 5.9 Using the design principles and layout within **Figure 2**, this section concerns an assessment of ecological effects resulting from the Proposed Development. In the absence of mitigation, the following effects have been identified:
 - The renovation and conversion of **B1, B2, B4** and **B5**.
 - The destruction of active bat roosts within **B1, B2, B4** and **B5**.
 - The renovation of buildings, which have previously and / or actively supported nesting birds.



- The removal of garden and grassland habitat.
- The clearance of the Site and construction process potential to kill/injure badgers, hedgehogs, and great crested newts.
- Increased light spill during construction and occupation.
- Pollution during construction in the form of dust, noise, chemical, and litter.

Site-Wide Mitigation

- 5.10 Care will be taken during clearance/groundworks to ensure wildlife is not harmed. In the event a protected species is found when an ecologist is not in attendance, works will stop, and an ecologist will be contacted.
- 5.11 The construction phase is likely to be limited given the small scale of the Proposed Development. The Proposed Development will implement standard and well-rehearsed pollution control measures throughout construction. Given the scope of the development, the following actions will be implemented during construction:
- Take measures to minimise and prevent erosion and run-off, including minimising adjacent land disturbance.
 - Control dust through fine water sprays used to dampen down the Site.
 - Screen the edge of the Construction Zone by placing a fine mesh screening close to any dust sources.
 - Cover skips and trucks loaded with construction materials and continually damp down with low levels of water.
 - Cover piles of building materials like cement, sand and other fine materials and powders, regularly inspect for spillages, and locate them where they will not be washed into waterways or drainage areas.
 - Use non-toxic paints, solvents and other hazardous materials wherever possible.
 - Segregate, tightly cover, and monitor toxic substances to prevent spills and possible site contamination.
 - Cover up and protect all drains within and adjacent to the construction footprint.
 - Collect, control, and avoid wastewater generated from construction activities, screen, discharge the clean water, and dispose of remaining sludge according to environmental regulations.
 - No burning of materials.
 - Reduce noise pollution through careful handling of materials; modern, quiet power tools, equipment and generators; and low impact technologies.
- 5.12 Lighting during construction and occupation has the potential to disrupt / modify the behaviour of wildlife. A Sensitive Lighting Strategy will be implemented. This strategy will include consideration of the following principles:



- Lighting within the Site will be reduced as far as practicable.
- Luminaires will be positioned and directed away from ecological receptors.
- Column heights will be reduced as far as practicably possible to reduce light spill along with the consideration of low-level bollard lighting.
- White light will be avoided, and warm colours preferably used. Preferable colours are 3000°k to 2700°k (where feasible) with peak wavelengths greater than 550nm.
- 0% upward light output and no tilting of the light head.
- Use vegetation, fencing and walls as a light buffers.
- Motion sensors for security lighting.
- As a last resort, the incorporation of shields, baffles and cowls fitted to the luminaires.

Designated Sites

Statutory Designated Sites

- 5.13 The statutory sites are spatially isolated from the Proposed Development as to avoid impacts in relation to habitat loss, habitat fragmentation, habitat degradation, noise, light, dust, and pollution.
- 5.14 This is supported by the SSSI Impact Risk Zones¹⁵ that the Site lies within, which are not indicating that a development of this scale and nature in this area would result in likely impacts on internationally or nationally protected Sites.
- 5.15 Statutory designated sites are not discussed further within this report.

Non-statutory Designated Sites

- 5.16 By Brook LWS, Brook Farm Fields LWS, and Latimer Lodge Slope LWS are within 200m of the Site. The above Site-wide mitigations in relation to pollution control and lighting are sufficient to avoid impacts upon non-statutory sites.
- 5.17 Non-statutory designated sites are not discussed further within this report.

Habitats

- 5.18 The Proposed Development avoids the loss of habitats of ecological importance as the Site is of limited ecological importance. The removal of a small area of garden and regularly mown other neutral grassland habitat is not considered to be significant. The tree within the Site is to be retained.
- 5.19 The solar panel array has been positioned as to limit the impact upon the grassland underneath (**Figure 10**). The array will be raised off of the ground by narrow metal poles and vegetation will be retained beneath. It is not expected that the construction

¹⁵ The Impact Risk Zones for Sites of Special Scientific Interest (SSSI IRZs) are for local planning authorities (LPAs) to determine if a proposed development is likely to affect a terrestrial SSSI and when to consult Natural England.



process of this will have lasting impacts on the other neutral grassland. During construction, the caballing for the solar panels will be laid underneath the grassland. This will involve sensitive installation using hand tools. This will involve removing turf in at least 1m by 1m sheets and retain for later placement over the installed cables. Post construction, this area will be kept unmanaged for the benefit of the local ecology.

SOLAR PANELS

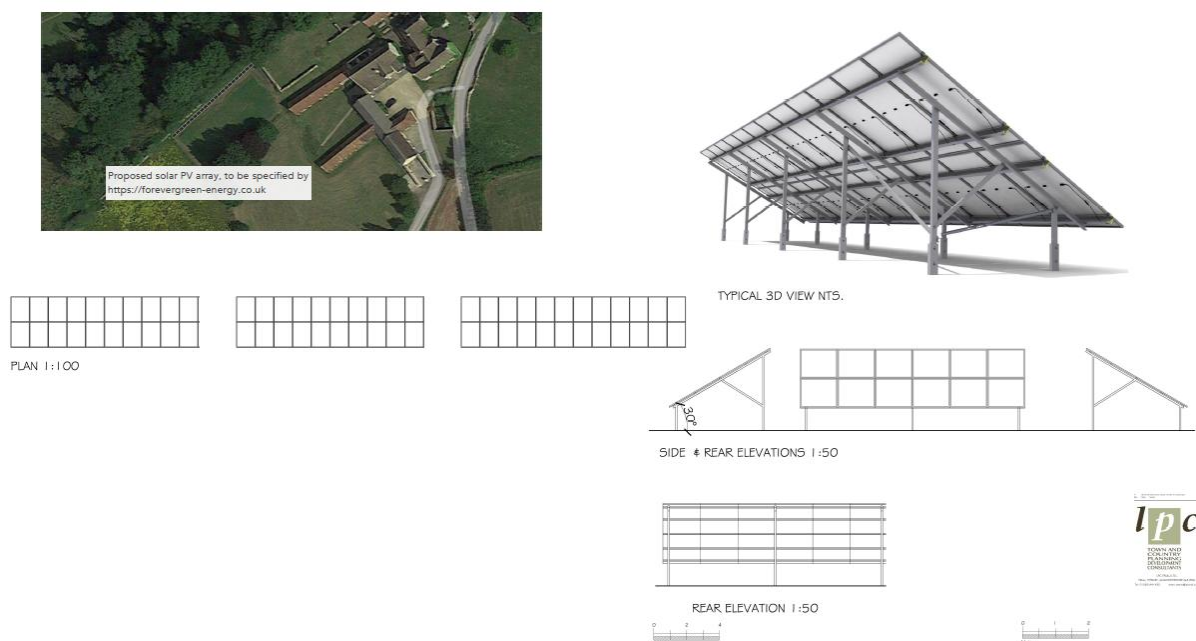


Figure 10: Proposed solar panel array

- 5.20 A native beech *Fagus sylvatica* hedgerow is proposed to surround the pool. This will offer a year-round sight barrier and is expected to have ornamental management. Nevertheless, the addition of the hedgerow will offer increased opportunities for wildlife, as well as an overall increase in the permeability of the Site for wildlife.
- 5.21 While no additional grassland is proposed, it is expected that the construction process will result in the degradation and removal of some areas. These will be reseeded with a suitable seed mix for the area, with high species diversity (e.g., WFG4 Neutral Soils seed mix).
- 5.22 The above measures will maintain the level of greenspace within the Site, along with overall species diversity at the Site. The overall impact on habitats from the Proposed Development will be at least neutral.
- 5.23 As additional planting and landscaping is minimal, it is deemed disproportionate to require a separate Soft Landscaping Plan.

Protected and Notable Species

Amphibians

- 5.24 There is a degree of risk that amphibians (including great crested newt) may be harmed during the construction process of the Proposed Development. The grassland



to the north- and south-west of the Site supports suitable habitat for amphibians during their terrestrial phase, including hibernation. These areas are impacted by the Proposed Development.

- 5.25 The Natural England Rapid Risk Assessment tool¹⁶ was utilised to assess the likely degree of risk to great crested newt by the Proposed Development in the absence of mitigation (**Figure 11**).

Component	Likely effect (select one for each component; select the most harmful option if more than one is likely; lists are in order of harm, top to bottom)	Notional offence probability
Great crested newt breeding pond(s)	No effect	0
Land within 100m of any breeding pond(s)	0.01 - 0.1 ha lost or damaged	0.3
Land 100-250m from any breeding pond(s)	No effect	0
Land >250m from any breeding pond(s)	No effect	0
Individual great crested newts	No effect	0
Maximum:		0.3
Rapid risk assessment result:		AMBER: OFFENCE LIKELY

Figure 11: Degree of risk in the absence of mitigation

- 5.26 Reasonable avoidance and mitigation measures will be implemented to avoid harm to great crested newt and other amphibians. It is not expected that the removal of approximately 0.07ha of mown grassland (**G2**) will result in a noticeable change of use by great crested newt and other amphibians. The loss of this area does not represent the loss of suitable habitat.
- 5.27 In the 24 hours prior to construction, the rubble pile in the north-west and paving in the south-west of the Site will be carefully inspected by an ecologist who holds a great crested newt licence. These features total an area of 0.009ha. When these areas are removed, these will be dismantled by hand during daytime temperatures over 10°C under the monitoring of an ecologist who holds a great crested newt licence. These works will be undertaken outside of the hibernation season (generally taken to be between November and February).
- 5.28 Prior to construction of the solar panels in **G1**, a 0.1188ha section of the grassland in the north-west of the Site will be strimmed to ground level using a two-cut regime in the presence of an ecologist who holds a great crested newt licence. A larger area than is needed will be strimmed as a precaution. The first cut will be to 10cm with the arisings gently removed / raked off. In the following 24 hours, the second cut will be to ground level, with the arisings gently removed / raked off. The cut should proceed from the south towards the north, allowing any individuals the opportunity to vacate the area towards the adjoining habitat. These works will be undertaken during daytime temperatures over 10°C and outside the timeframe between November and February. The arisings from the strimming will be taken away from the Site or added to an existing grass pile within the wider ownership of the Applicant. The area will be allowed to regrow and will result in an undetectable change post-construction.

¹⁶ Natural England (2014). *Method statement template for great crested newt mitigation licence*. Natural England. Available [here](#).



- 5.29 During construction of the solar panel array, the grassland will be hand searched by an ecologist who holds a great crested newt licence. The laying of cables associated with the array will involve sensitive installation using hand tools. Any turf that is removed will be retained and placed back in its original position, resulting in the full retention of **G1**. The grassland will subsequently be managed to maintain the structural composition of the habitat so as to maintain the suitability for great crested newts and other amphibians.
- 5.30 It is expected that the additional shading provided by the proposed solar panel array in the north of the Site will improve the viability of the area to amphibians (and other wildlife) by offering shelter and resting places.
- 5.31 With the above measures, the risk of harm to great crested newt and other amphibians will be mitigated and the overall residual impact a minor positive.

Badgers

- 5.32 There is a low risk of badgers entering the Site during construction. To avoid impacts on badgers during construction, the following precautionary measures will be implemented:
- A Toolbox talk will be given to contractors prior to works commencing and as part of the induction process for new teams entering the construction site. The Toolbox talk will include details on:
 - The known presence of badgers in the area.
 - The protected status of badgers.
 - What to look for when working in areas known to support badgers.
 - The agreed safe working practices in relation to badgers.
 - What to do when unsure or in the event that a badger or large hole / excavations is discovered on Site.
 - The contact details of the Ecologist in the event a badger or possible badger sett is discovered within/adjacent to the Site.
 - Any excavations (e.g., trenches / pits) will be covered when works are not taking place to ensure that they do not fill with water and to prevent wildlife, including badgers, from becoming trapped within the excavation.
 - If any excavations must be left open overnight, then they will be provided with a means of escape should a badger or any other wildlife enter. This could simply be in the form of a roughened plank of wood placed in the excavation as a ramp to the surface.
 - Any temporary exposed pipes will be capped to prevent badgers gaining access during the night.
 - Any excavations and pipes will be inspected each morning to ensure no badgers have become trapped overnight. If a badger becomes trapped, then it is likely to



attempt to dig itself into the side of the excavation and form a temporary sett. If trapped badger is encountered, the advice of an ecologist will be sought.

- The storage of topsoil or other 'soft' building materials within the clearance/construction site will be given careful consideration. Badgers could readily adopt such mounds as setts. To avoid the adoption of any mounds by badgers, mounds will be kept to a minimum and any essential mounds subject to daily inspections.
- The storage of any chemicals within the clearance/construction site will be contained in such a way that they cannot be accessed or knocked over by any roaming badgers.

5.33 With the above mitigation, the risk of harm to badgers will be mitigated and the overall residual impact neutral.

Bats

Roosts

5.34 **B1, B2, B4 and B5** all support active bat roosts as described above.

5.35 The Proposed Development includes the renovation and conversion of these buildings, which will result in the destruction of the bat roosts. Alternative routes were discussed and considered to facilitate retention. It is not possible to retain the roosts within the Site under the Proposed Development. As such, the mitigation hierarchy was followed to provide suitable compensation for all lost roosts.

5.36 Bats and their roosts are protected by Law. The legislation and planning context in relation to bats is set out in **Appendix E**.

5.37 The following has been determined:

- The current activity of the bat roosts.
- The type of bat roosts.
- The absence of additional roosts and/or roost access points associated with the buildings.

5.38 A Natural England European Protected Species Licence for bats will be required to renovate and convert the buildings and Wiltshire Council should request a planning condition is imposed onto any permission for the Site, requesting a copy of the Natural England Licence to be submitted to the council¹⁷ prior to commencement of the Proposed Development.

5.1 An application for a mitigation licence will only be considered by Natural England if all consents necessary for the proposed works are in place and any conditions relating to wildlife have been discharged.

¹⁷ The wording of the condition should be carefully considered. The Council will not be required to approve the licence as this is undertaken by Natural England.



5.2 Natural England have a 30-working-day turnaround time for licence applications, and some licence applications are charged according to Natural England's fees.

5.3 The full details of mitigation measures (including details of replacement roost features) will be set out within the content of the mitigation licence application. However, the Applicant has committed to the following avoidance, mitigation, compensation, and enhancement:

- Seasonal and timing constraints in line with the survey findings and predicted degree of impact and level of risk.
- Works will be undertaken in suitable weather conditions when bats are active.
- A toolbox talk will be provided by the ecologist to all workers involved with the Natural England licenced works before any works commence. The toolbox talk will outline where bats are likely to be found within all buildings, the legislation relevant to bats, the method statement that must be followed to protect bats, and the procedure to follow in the event that a bat is found. A record of the attendees will be kept by the ecologist.
- The presence of an ecologist in an ecological clerk of works role during the works to the structures.
- Prior to any works affecting the buildings, a pre-works inspection will be undertaken by the named ecologist or their accredited agent. Torch light and an endoscope will be used to search for any bats present in suitable features.
- Reasonable avoidance measures during the renovation/conversion of the buildings (as advised by the ecologist). The ecologist will search for the presence of bats prior to and as works proceed. The roof and woodwork will be removed with a lifting motion rather than sliding to avoid injuring any bats beneath them. The roof, woodwork and stonework will be carefully inspected for the presence of bats after removal and prior to removal from the Site.
- Mitigations and compensations have been agreed with the Applicant for the loss of lesser horseshoe, serotine, soprano pipistrelle, and three common pipistrelle roosts, including the following features:
 - Recreation on a like-for-like basis of the lost lintel features of **R5** and **R6** into the second-floor window of **B4**, facing south, for common pipistrelle to use as a day roost (**Figure 12**).
 - Compensation for **R2** through the installation of a bat loft with letterbox access into the roof of **B4** for lesser horseshoe bats to use as a day and night roost (**Figure 13**).
 - Compensation for **R1** and **R4** through the installation of two lifted tiles (facing south or west) within the newly constructed roof of **B2** for common pipistrelle and soprano pipistrelle (**Figure 14**).
 - Compensation for **R3** through the installation of a bat box onto a nearby tree suitable for supporting serotine bats (e.g., Bat Box Beaumaris Midi WoodStone).



- Sensitive lighting design to avoid light spill onto bat roost entrance points and existing and proposed areas suitable for roosting bats.
- Enhancement in the form of a new ridge tile access point and / or bat box within the curtilage of the residential property.
- Monitoring of the Site as required by any Natural England Licence granted to enable to construction works.

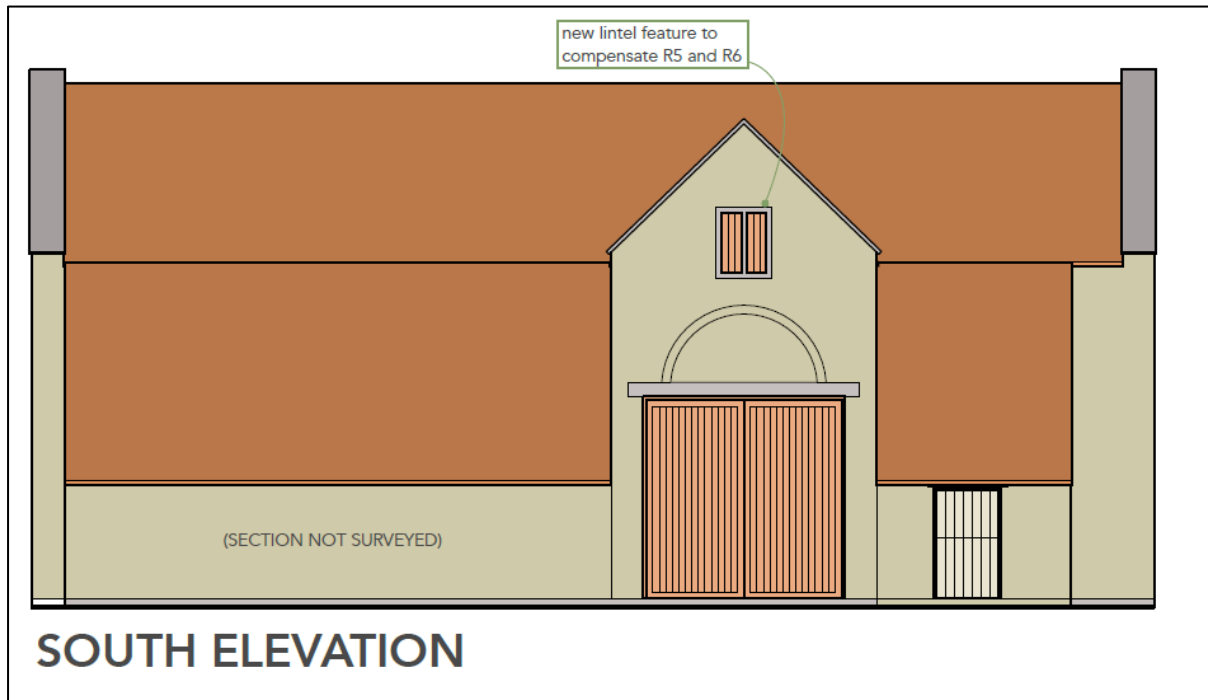


Figure 12: Proposed location of new lintel feature on B4

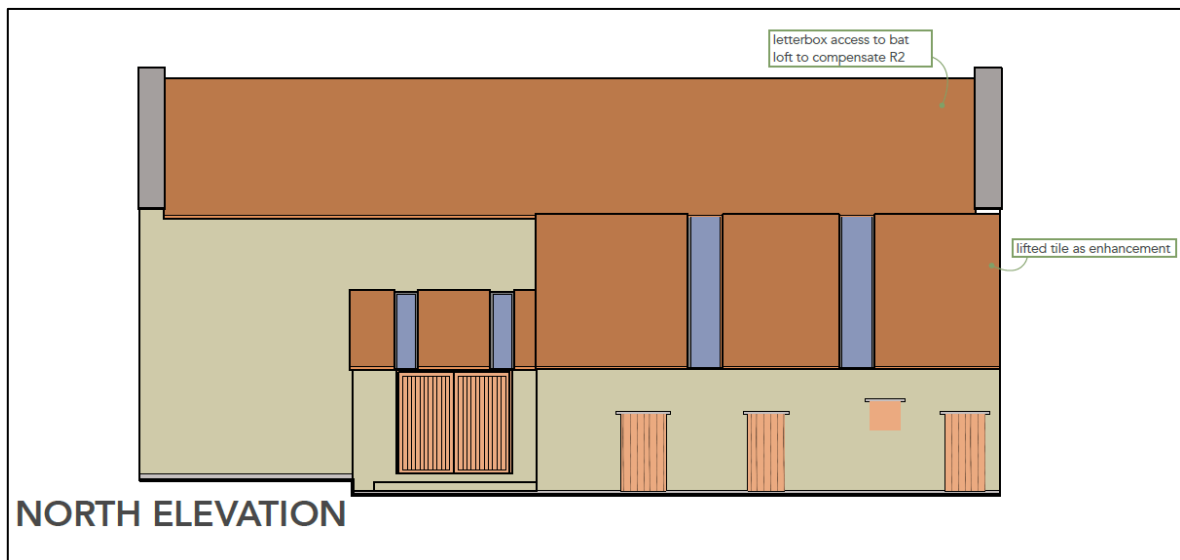


Figure 13: Proposed location of R2 compensation and Site enhancement



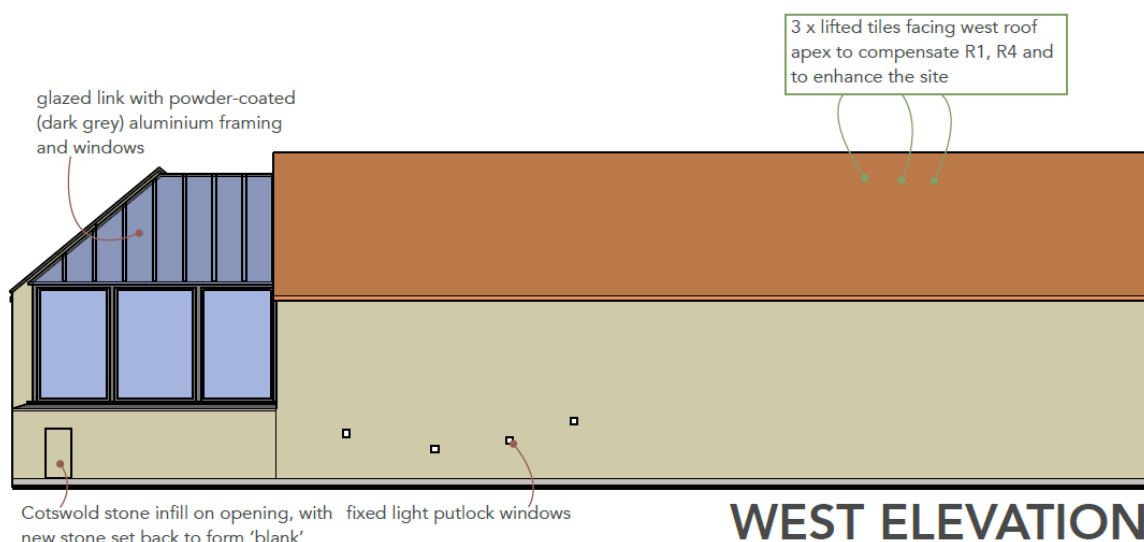


Figure 14: Proposed location for R1 and R4 compensation, and Site enhancement

- 5.4 As a Natural England Licence is required the three licensing tests must be considered, alongside a mitigation strategy. The three tests are that:
- 1) The activity to be licensed must be for imperative reasons of overriding public interest or for public health and safety
 - 2) There must be no satisfactory alternative
 - 3) The Favourable Conservation Status (FCS) of the bat species must be maintained.
- 5.5 Tests 1) and 2) are achievable by the nature of Proposed Development, as it is small in scale and does not impact upon any designated sites of national interest. In relation to Test 3), we can confirm that the above strategy, if implemented in full, will ensure:
- Individual bats are not harmed.
 - Mitigation to minimise effects will be implemented.
 - Compensatory roosts (as described above) will be equivalent to those lost and will be designed to be as similar in location, height, orientation and materials as feasibly possible, whilst maintaining the likelihood of future occupancy.
 - Additional enhancement roost opportunities will be provided and legally secured.
- 5.6 By following the above strategy there would be no significant impact on roosting bats and the development will be able to proceed lawfully and in line with survey and mitigation guidelines. The FCS of the bat species involved will be maintained.

Flight-paths and Foraging Habitat

- 5.7 The Site was assessed to be of Moderate Suitability in relation to bat flight-paths and foraging habitat.



- 5.8 The Proposed Development will not significantly alter the landscape or modify / sever habitats of high importance to bat flight-paths or foraging habitat. It is highly unlikely that the renovation and conversion of the buildings will result in a detectable change in the use of the Site by the local bat assemblage.
- 5.9 As set out above, a Sensitive Lighting Strategy will be implemented during construction and occupation. In addition, it is expected that any new light sources from the Proposed Development will be minor, low-level, similar to existing light sources, and will not significantly illuminate adjacent habitats.
- 5.10 In line with the limited predicted degree of risk and proportionality principle¹⁸, no bat activity surveys were undertaken. This was reasoned as follows:
- The Site and Proposed Development were small in scale with a limited ZOI.
 - The Site contained a simple habitat structure / connectivity (adjacent to suitable habitats only).
 - The Site itself supported habitats of Moderate Suitability.
 - Impacts (modification, fragmentation, and severance) on commuting and foraging habitats were avoided by embedded mitigation.
 - The Proposed Development will maintain planting and canopy cover.
- 5.11 With the above mitigation, there will be a negligible impact on bat flight-paths and foraging habitat, with the overall residual impact neutral.

Nesting birds

- 5.12 There is a low risk that nesting birds and their young could be harmed during the renovation and conversion of **B1 – B5**.
- 5.13 The renovation and conversion of **B1 – B5** should ideally be undertaken outside the nesting bird season (which is generally taken to be March – August inclusive). Should it prove necessary to renovate and convert **B1 – B5** during the bird nesting season, then the area will be checked in advance for the presence of bird nests by a suitably competent person¹⁹. If there is no evidence of breeding birds the work will be completed within 48 hours of inspection. If any active nests are identified, clearance will cease, and an appropriate buffer zone must be established around the nest in discussions with an ecologist (usually 5m). The buffer must remain intact until it has been confirmed that the young have fledged, and the nest is no longer in use.
- 5.14 The removal of these nesting opportunities is not expected to have any lasting effect on the bird populations in the local area. Nevertheless, to compensate two swallow nest cups (e.g., Schwegler No. 10B Barn Swallow Nest) will be installed within the Site onto existing buildings at heights of 2m, and facing north or east.

¹⁸ See sections 8.2.7, 2.2.2 and 2.2.5 of the Bat Survey Guidelines, reference 12.

¹⁹ Given the low risk, limited extent of removal, and ease at which nests can be seen and identified within buildings, a competent person will be able to assess for the presence of bird nests prior to demolition.



- 5.15 With the above mitigation and compensation, the risk of harm to nesting birds and their young will be mitigated and the overall residual impact on nesting birds will be neutral.

Hedgehog

There is the low risk that hedgehog may enter the Site during construction and be killed/injured. The above measures in relation to badger will protect commuting and foraging hedgehogs. Hedgehogs will continue to be able to access habitats within and adjacent to the Site to commute, forage, and rest. With the above mitigation, the risk of harm to hedgehogs will be mitigated and the overall residual impact on hedgehogs will be neutral.

Reptiles

- 5.16 There is a small degree of risk that reptiles may be harmed during the construction process of the Proposed Development. The grassland to the north-west of the Site supports suitable habitat for amphibians during their terrestrial phase, including hibernation.
- 5.17 The avoidance and mitigation measures implemented to protect amphibians will also protect reptiles. No additional measures are deemed reasonable in alignment with the scope and scale of the Proposed Development and the resulting degree of risk.
- 5.18 It is expected that the additional shading provided by the proposed solar panel array in the north of the Site will improve the viability of the area to reptiles (and other wildlife) by offering shelter and a resting place.
- 5.19 With the above measures, the risk of harm to reptiles will be mitigated and the overall residual impact neutral.

Assessment Conclusion

- 5.20 A summary of the assessment outcomes is presented in **Table 8**.



Ecological Feature	Ecological Importance / Suitability*	Assessment outcome	
Little Grubbins Meadow SSSI	National	Impacts Avoided / No Impact	
Out Woods SSSI			
Dank’s Down and Truckle Hill SSSI			
Rack Hill SSSI			
West Yatton Down SSSI			
Colerne Park and Monks Wood SSSI			
Honeybrook Farm SSSI			
Bath and BoA Bat SAC consultation zone	Local		
By Brook LWS			
Brook Farm Fields LWS			
Latimer Lodge Slope LWS			
Ebbdown Slope LWS			
Parsonage Wood, West Kington LWS			
Manor Farm Down LWS			
Home Woods LWS			
Hanger and Garrick Wood LWS			
Gunning’s Wood Downland 1 LWS			
Home Woods, Nettleton Verge. PV 23-1 PRVs			
Grassland: Other neutral grassland			Site
Individual Tree: Rural tree	Site	Impacts Avoided / No Impact	
	Site	Checks and a two-stage cut under the monitoring of a licenced person. Secured by this report.	
Amphibians		Reasonable avoidance, mitigation, and compensation. Secured by this report.	
Badgers		Mitigation, compensation, and enhancement has been agreed. A European Protected Species Mitigation Licence will be required.	
Bats: Roosts: Buildings (B1, B2, B4, B5)			
Bats: Flight-paths and foraging habitat	Moderate*	Implementation of a Sensitive Lighting Strategy. Secured by this report.	
	Site	Reasonable avoidance, mitigation, and compensation. Secured by this report.	
Birds		Checks and a two-stage cut under the monitoring of a licenced person. Secured by this report.	
Hedgehog			
Reptiles			

Table 8: Summary of assessment outcomes



- 5.21 Based on the results from the survey, context of the Site, and overall low ecological importance of the Site, this report is valid for a period of 18 months (i.e., the 30/12/2026). It is reasoned that there would be no material change on Site within this time period. This is reasoned in line with good practice guidelines²⁰.

Enhancement

- 5.22 The National Planning Policy Framework encourages development to provide gains in biodiversity. The following ecological and biodiversity enhancements will be provided within the Site:

- In addition to the compensation features for bats (**Figures 12 – 14**), two additional lifted tiles to be installed into the new roof of **B2** and **B3** (one per roof) facing south or west.
- In addition to the compensation features for nesting birds, two WoodStone Alicante Open nest boxes will be installed within the ownership boundary onto existing trees at heights of 2m facing north or east.
- One grass cutting compost pile and one log pile to be placed and maintained in the north-west grassland for use by hedgehogs, reptiles, and amphibians.

²⁰ CIEEM (2019). Advice Note: *On the Lifespan of Ecological Reports and Surveys*. Chartered Institute for Ecology and Environmental Management, Winchester



Appendix A: Survey Methods

Extended UK Habitat Classification Survey

- A. 1 The Site was surveyed using the UK Habitat Classification Survey method. The method classified the Site into areas of similar botanical community types with a representative sample of those species present at the time of the survey being described. The vegetation present was clearly visible and allowed an accurate assessment to be made. Any subsequent visits to the Site were used as an opportunity to update the results and classifications of the UK Habitat Survey.
- A. 2 Grasslands within the Site were subject to quadrat surveys. Quadrat surveys included five 1m² quadrats with locations assigned using a Judgemental Stratified Survey Strategy²¹. The DAFOR scale was then used to assign the relative abundances of the species recorded within each of the quadrats. The DAFOR scale is as follows:
- D – Dominant (51 – 100%).
 - A – Abundance (31 – 50%).
 - F – Frequent (15 – 30).
 - O – Occasional (6 – 15%).
 - R – Rare (1 – 5%).
- A. 3 The survey was 'extended' to look for evidence of protected and notable species of flora or fauna²² and to assess the suitability of the Site to support these flora or fauna. In the context of this report, rare, protected, and notable species of flora or fauna were those considered to meet any of the following criteria:
- Species protected by UK or European legislation.
 - UK Post 2010 UK Biodiversity Framework priority species or Local Biodiversity Action Plan (LBAP) species.
 - Nationally rare or nationally scarce species.
 - Species of Conservation Concern (e.g., JNCC Red List, RSPB/BTO Red or Amber Lists).
- A. 4 The Wildlife and Countryside Act (1981) as amended, makes it an offence to release or allow to escape into the wild any animal, plant, or micro-organism not ordinarily resident in the UK (as listed in Schedule 9 of the Act). Plant species listed in Schedule 9 were searched for during the survey. However, many invasive species can be cryptic

²¹ Areas within the grassland were divided unequally into sub-areas based on visual cues at the Site and professional judgement, this allowed sub-areas of interest to be surveyed separately. Then sampling locations in the survey area were chosen at relatively equal distances but subjectively. This strategy avoids using a 'Random' strategy which may conflate the results of known sub-areas, thereby creating noise within the results, as well as avoiding a 'Systematic' survey which may conflate known sub-areas and/or miss sub-areas entirely.

²² Suitability was determined using respective good practice guidance for each species/species group.



and therefore this survey does not provide a guarantee that an invasive species is not present and shouldn't be relied upon to rule out absence of an invasive species²³.

- A. 5 An Extended UK Habitat Plan was produced (**Appendix B**), incorporating Target Notes (TNs) used to highlight features of ecological interest.

Hedgerow Survey

- A. 6 The Hedgerow Regulations (1997) contain detailed instructions of how hedgerows should be assessed (hereafter referred to as 'The Regulations'). The Regulations apply to:

"Any hedgerow that is growing in, or adjacent to, protected land, or land used for agriculture, forestry or the breeding or keeping of horses, ponies or donkeys, if-

(a) It has a continuous length of, or exceeding, 20 metres: or

(b) It has a continuous length of less than 20 metres and, at each end, meets (whether by intersection or junction) another hedgerow".

- A. 7 Importantly, the Hedgerow Regulations give specific instructions on how to measure hedgerows and these are set out at Regulation 3:

"A hedgerow which meets (whether by intersection or junction) another hedgerow is to be treated as ending at the point of intersection or junction".

- A. 8 These measurement instructions must be followed exactly to ensure that the Regulations are applied correctly. The Regulations also make specific mention of gaps:

"For the purposes of ascertaining the length of any hedgerow -

(a) any gap resulting from a contravention of these Regulations; and

(b) any gap not exceeding 20 metres"

shall be treated as part of the hedgerow".

- A. 9 Once the length of a hedgerow has been determined, the importance of a hedgerow is assessed through the application of a number of criteria, which are referenced under Regulation 4. Regulation 4 sets out that:

"For the purposes of section 97 (hedgerows) of the Environment Act 1995 and these Regulations, a hedgerow is "important" if it, or the hedgerow of which it is a stretch, -

(a) Has existed for 30 years or more; and

(b) Satisfies at least one of the criteria listed in part II of Schedule 1".

²³ Invasive species can be cryptic and can rapidly spread from adjacent land. Luscinia Ecology cannot be held liable for invasive species found within the Site after the date of the UK Habitat Survey.



- A. 10 The criteria listed in Part II of Schedule 1 are divided into two main sections, namely 'Archaeology and History' and 'Wildlife and Landscape'. If a hedgerow meets any one of each of the criteria listed, it qualifies as important. The majority of these criteria are split into parts, with sub-criteria to be applied in turn to each hedgerow. With this survey being an ecological survey, the hedgerows within the Site have not been assessed against the Archaeological and Historical criteria.
- A. 11 Criteria by which the importance of a hedgerow is judged in 'Wildlife and Landscape' terms are set out at criteria 6-8 of Schedule 1 Part II of the Regulations. Criterion 6 refers to the presence of rare, notable or protected species within a hedgerow. Criterion 7 sets out the specific types, numbers and/or associated features that a hedgerow must contain for it to qualify as important.
- A. 12 Considering criterion 7 of The Regulations and relevant to the location of the Site, for a hedgerow within the Site to qualify as important, it must include one of the following:
- (i) *At least 7 woody species;*
 - (ii) *At least 6 woody species and be associated with at least three of the features specified below;*
 - (iii) *At least 6 woody species, including one of the following:*
 - *Black-poplar tree (Populus nigra spp betulifolia);*
 - *Large-leaved lime (Tilia platyphyllos);*
 - *Small-leaved-lime (Tilia cordata);*
 - *Wild Service Tree (Sorbus torminalis).*
 - (iv) *At least 5 woody species and be associated with at least four of the features specified below.*
- A. 13 The associated features of the hedgerow, as referred to above, are:
- (a) *A bank or wall that supports the hedgerow along at least one half of its length;*
 - (b) *Gaps which in aggregate do not exceed 10% of the length of the hedgerow;*
 - (c) *Where the length of the hedgerow does not exceed 50 metres, at least one standard tree;*
 - (d) *Where the length of the hedgerow exceeds 50 metres but does not exceed 100 metres, at least 2 standard trees;*
 - (e) *Where the length of the hedgerow exceeds 100 metres, such number of standard trees (within any part of its length) as would when averaged over its total length amount to at least one for each 50 metres;*



- (f) *At least 3 woodland species (as listed on Schedule 2 of the Regulations) within one metre, in any direction, of the outermost edges of the hedgerow;*
- (g) *A ditch along at least one half of the length of the hedgerow;*
- (h) *Connections scoring 4 points or more in accordance with the following paragraph below;*
- (i) *A parallel hedge within 15 metres of the hedgerow.*

- A. 14 Regarding point h) above, a connection with another hedgerow scores 1 point and a connection with a pond or a woodland in which the majority of trees are broadleaved trees scores 2 points; and a hedgerow is connected with something not only if it meets it but also if it has a point within 10 metres of it and would meet it if the line of the hedgerow continued.
- A. 15 Criterion 8 sets out that when a hedgerow is located adjacent to a public right of way, bridleway or footpath, four woody species and two associated features are required for it to qualify as important.
- A. 16 The woody species referred to above are set out on Schedule 3 of the Regulations²⁴.

Badgers

- A. 17 The Site was systematically surveyed for evidence of badgers, in the form of:
- Setts - comprising either single isolated holes or a series of holes, which may be link to each other underground.
 - Faeces - badgers deposit faeces in characteristic excavated pits, concentrations of which (latrine sites) are typically found at home range boundaries, field boundaries and around setts.
 - Paths - worn paths used by badger, often linked to setts or foraging grounds.
 - Scratching posts - typically at the base of tree trunks.
 - Snuffle holes - scrapes where badgers have searched for food.

²⁴ Alder (*Alnus glutinosa*), Apple, crab (*Malus sylvestris*), Ash (*Fraxinus excelsior*), Aspen (*Populus tremula*), Beech (*Fagus sylvatica*), Birch, downy (*Betula pubescens*), Birch, silver (*Betula pendula*), Black-poplar (*Populus nigra* sub-species *betulifolia*), Blackthorn (*Prunus spinosa*), Box (*Buxus sempervirens*), Broom (*Cytisus scoparius*), Buckthorn (*Rhamnus cathartica*), Buckthorn, alder (*Frangula alnus*), Butcher's-broom (*Ruscus aculeatus*), Cherry, bird (*Prunus padus*), Cherry, wild (*Prunus avium*), Cotoneaster, wild (*Cotoneaster integerrimus*), Currant, downy (*Ribes spicatum*), Currant, mountain (*Ribes alpinum*), Dogwood (*Cornus sanguinea*), Elder (*Sambucus nigra*), Elm (*Ulmus* species), Gooseberry (*Ribes uva-crispa*), Gorse (*Ulex europaeus*), Gorse, dwarf (*Ulex minor*), Gorse, western (*Ulex gallii*), Guelder rose (*Viburnum opulus*), Hawthorn (*Crataegus monogyna*), Hawthorn, midland (*Crataegus laevigata*), Hazel (*Corylus avellana*), Holly (*Ilex aquifolium*), Hornbeam (*Carpinus betulus*), Juniper, common (*Juniperus communis*), Lime, large-leaved (*Tilia platyphyllos*), Lime, small-leaved (*Tilia cordata*), Maple, field (*Acer campestre*), Mezereum (*Daphne mezereum*), Oak, pedunculate (*Quercus robur*), Oak, sessile (*Quercus petraea*), Osier (*Salix viminalis*), Pear, Plymouth (*Pyrus cordata*), Pear, wild (*Pyrus pyraister*), Poplar, grey (*Populus x canescens*), Poplar, white (*Populus alba*), Privet, wild (*Ligustrum vulgare*), Rose (*Rosa* species), Rowan (*Sorbus aucuparia*) Sea-buckthorn (*Hippophae rhamnoides*) Service-tree, wild (*Sorbus torminalis*) Spindle (*Euonymus europaeus*) Spurge-laurel (*Daphne laureola*) Walnut (*Juglans regia*) Wayfaring-tree (*Viburnum lantana*) Whitebeam (*Sorbus* species) Willow (*Salix* species), and Yew (*Taxus baccata*).



- Day nests - bundles of grass and other vegetation where badgers may sleep above ground.
- Hairs - usually found outside setts or caught under fencing.

Bat Surveys

Preliminary Roost Assessment

- A. 18 The structures within the Site were subject to a Preliminary Roost Assessment (PRA) following good practice guidelines. This is an external and internal inspection survey, the purpose of which is to search for bats/evidence of bats and assess the likelihood of bats being present and the need for further survey and/or mitigation.
- A. 19 Prior to the external inspection, each structures' age, design, location, construction materials, state of repair, and current use, were assessed. These were then related to the likelihood of a bat roost being present, along with consideration of which species of bat are most likely to use the building. The external inspection included searching for the following features to determine if suitable exit/entry points were present:
- Holes, gaps, cracks, and damage to masonry/walls.
 - Lifted, missing, slipped, and damaged tiles, including tiles at the ridge, hip and across the roof.
 - Lifted, slipped and missing areas of hanging tiles, weatherboarding, and cladding.
 - Gaps/holes/damaged to soffits and facias.
 - Lifted flashing around air vents, chimneys, roof joints.
 - Interfaces of different materials and roof designs, where construction and/or damage can cause gaps.
- A. 20 If suitable exit/entry points were observed during the external inspection, the following evidence of roosting bats was carefully searched for on the exterior of the building:
- Droppings (down the wall, on the floor, caught in spiderwebs, on windowsills).
 - Staining and/or clean/smoothed areas, indicative of exit/entry.
 - Feeding remains, including moth/butterfly wings and beetle wing casings.
- A. 21 Prior to the internal inspection, the roof/loft design, likely levels of disturbance, and any likely recent changes to the roof/loft were assessed. These were then related to the likelihood of a bat roost being present, along with consideration of which species of bat are most likely to use the roof/loft space. The internal inspection included searching for the following evidence of roosting bats within the roof/loft space:
- Roosting bats within crevices or free hanging.
 - Bat corpses (on the floor, in uncovered water tanks or other containers).
 - Bat droppings, including beneath likely roosting areas.



- Feeding remains, including moth/butterfly wings and beetle wing casings.
- Scratch marks, staining and/or clean/smoothed areas, indicative of regular use.
- Bat-fly Nycteribiid spp. pupal cases.
- Gaps within the structure of the building, including:
 - Light ingress in the roof indicating access points to the outside.
 - Between the roof lining and roof covering.
 - Within the structure of walls and suitable access points to cavity or rubble-filled walls.
- Around the structure of chimneys or within disused chimney.
- Around lintels.
- Evidence beneath roof insulation, which indicates use by bats before the insulation was installed.
- Clean swept floors, which may indicate evidence has been removed.

A. 22 The following equipment was used for the Preliminary Roost Assessment:

- Elevation and baseline drawings of the building or structure.
- Binoculars (Pentax Papilio II 6.5 x 21 Close focusing).
- Powerful torch to illuminate dark corners from the ground.
- A ladder.
- Camera to record evidence.

A. 23 The assessment of the suitability of the buildings within the Site was assessed against Table 4.1 of the Bat Survey Guidelines. A redacted version of the table is set out in **Table 9** below, with additional information as noted.



Potential Suitability	Description of roosting habitats
None	No habitat features on site likely to be used by any roosting bats at any time of the year (i.e., a complete absence of crevices/suitable shelter at all ground/underground levels).
Negligible	No obvious habitat features on site likely to be used by roosting bats; however, a small element of uncertainty remains as bats can use small and apparently unsuitable features on occasion.
Low	A structure with one or more potential roost sites that could be used by individual bats opportunistically at any time of the year. However, these potential roost sites do not provide enough space, shelter, protection, appropriate conditions and/or suitable surrounding habitat to be used on a regular basis or by larger numbers of bats (i.e., unlikely to be suitable for maternity and not a classic cool/stable hibernation site but could be used by individual hibernating bats).
Moderate	A structure with one or more potential roost sites that could be used by bats due to their size, shelter, protection, conditions, and surrounding habitat but unlikely to support a roost of high conservation status (with respect to roost type only, such as maternity and hibernation – the categorisation described in this table is made irrespective of species conservation status, which is established after presence is confirmed).
High	A structure 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 due to their size, shelter, protection, conditions, and surrounding habitat. These structures have the potential to support high conservation status roosts, e.g., maternity, or classic cool/stable hibernation site.
Confirmed*	Evidence of bats has been confirmed within the structure. A temporal scale of recent use can also be applied based upon the type of evidence found and its condition. If a roost is found it may be assigned to the following: - Confirmed, active. - Confirmed, likely active. - Confirmed, unknown if active.
*This is an addition to Table 4.1 within the Bat Survey Guidelines but is based upon assertions and reasoning within the Bat Survey Guidelines.	

Table 9: Guidelines for assessing the potential suitability of proposed development sites for bats, based on the presence of habitat features within the landscape, to be applied using professional judgement – redacted and with additions

Ground Level Tree Assessment

- A. 24 The trees within the Site were subject to a Ground Level Assessment (GLTA) following good practice guidelines. This is an external and internal inspection survey, the purpose of which is to search for bats/evidence of bats and assess the likelihood of bats being present and the need for further survey and/or mitigation.
- A. 25 The features suitable to support bat roosts were searched for on the trees with reference to the Bat Tree Habitat Key²⁵. These features are as follows:

²⁵ Andrews H. (2018). *Bat Roosts in Trees - A Guide to Identification and Assessment for Tree-care and Ecology professionals: Bat Tree Habitat Key*. Pelagic Publishing, Exeter.



- Longitudinal splits.
- Crevices.
- Rot-hollows.
- Transverse cracks.
- Loose bark.
- Ivy.

A. 26 The following equipment was used for the Ground Level Assessment:

- Binoculars (Pentax Papilio II 6.5 x 21 Close focusing).
- Powerful torch to illuminate dark features from the ground.
- A ladder.
- Camera to record evidence.

A. 27 The assessment of the suitability of the trees within the Site was assessed against Table 4.1 of the Bat Survey Guidelines. The table is set out in **Table 10** below.

Suitability	Description
PRF-I	PRF is only suitable for individual bats or very small numbers of bats either due to size or lack of suitable surrounding habitats.
PRF-M	PRF is suitable for multiple bats and may therefore be used by a maternity colony.

Table 10: Guidelines for categorising the potential suitability of PRFs on a proposed development site for bats, to be applied using professional judgement.

Flight-path and Foraging Habitat Assessment

A. 28 The assessment of the suitability of the bat flight-paths and foraging habitat of the Site was determined using Table 4.1 of the Bat Survey Guidelines. A redacted version of the table is set out in **Table 11** below.



Potential suitability	Description of flight-path and foraging habitats
None	No habitat features on site likely to be used by any commuting or foraging bats at any time of the year (i.e., no habitats that provide continuous lines of shade/protection for flight-paths or generate/shelter insect populations available to foraging bats).
Negligible	No obvious habitat features on site likely to be used as flight-paths or by foraging bats; however, a small element of uncertainty remains in order to account for non-standard bat behaviour.
Low	Habitat that could be used by small numbers of bats as flight-paths such as a gappy hedgerow or unvegetated stream, but isolated, i.e. not very well connected to the surrounding landscape by other habitat. Suitable, but isolated habitat that could be used by small numbers of foraging bats such as a lone tree (not in a parkland situation) or a patch of scrub.
Moderate	Continuous habitat connected to the wider landscape that could be used by bats for flight-paths such as lines of trees and scrub or linked back gardens. Habitat that is connected to the wider landscape that could be used by bats for foraging such as trees, scrub, grassland, or water.
High	Continuous, high-quality habitat that is well connected to the wider landscape that is likely to be used regularly by bats for flight-paths such as river valleys, streams, hedgerows, lines of trees and woodland edge. High-quality habitat that is well connected to the wider landscape that is likely to be used regularly by foraging bats such as broadleaved woodland, tree-lined watercourses, and grazed parkland. Site is close to and connected to known roosts.

Table 11: Guidelines for assessing the potential suitability of proposed development sites for bats, based on the presence of habitat features within the landscape, to be applied using professional judgement – redacted.

DNA analysis of Bat Droppings

- A. 29 Samples of the bat droppings found during an internal check prior to the emergence survey on 30/06/2025 were sent to Ecotype Genetics for species identification using DNA analysis techniques.

Emergence Surveys

Field Surveys

- A. 30 The bat emergence survey was undertaken during the appropriate survey season (May – September, with September being sub-optimal). The emergence survey commenced approximately 15 minutes before sunset and continued for approximately 1.5 hours after sunset. The details of the surveys are set out in **Table 12**.
- A. 31 Surveyors were equipped with Bat Logger M2 or Anabat Scout Active bat detectors, along with a Canon XA60 (coupled to infra-red flood lights), Nightfox Red / Whisker



cameras (coupled to infra-red flood lights), a Guide TRACK 19 Thermal camera, or a DJI MAVIC 3E/3T drone. The thermal was turned on 15 minutes after sunset²⁶. Surveyors were positioned to ensure complete coverage of the building and/or the known/suitable roost access points (**Figures 15 – 36**).

- A. 32 All bat activity was recorded, including roost access points (where present), species, timings, direction of flight, behaviour, and use of landscape features.

Date	Survey Type	Survey Times	Temp °C	Cloud Okta	Rain	Wind *B
13/05/25 (all buildings)	Dusk / Emergence	20:37 – 22:22 Sunset: 20:52	15 – 14	4 – 0	None	0 – 0
05/06/25 (all buildings)	Dusk / Emergence	21:05 – 22:50 Sunset: 21:20	13 – 11	8 – 2	None	4 – 3
30/06/25 (B1 and B2)	Dusk / Emergence	21:14 – 22:59 Sunset: 21:29	24 – Not recorded by surveyor	1 – Not recorded by surveyor	None	1 – Not recorded by surveyor ²⁷
04/09/25 (B4 and B5)	Dusk / Emergence	19:32 – 21:17 Sunset: 19:47	12 – 10	0 – 0	None	2 – 2

Table 12: Bat emergence survey details

²⁶ Constraints with memory storage. Not a limitation as visibility was good prior to the thermal being turned on.

²⁷ Conditions not considered to be outside of reasonable survey range.





Figure 15: Survey 1: Position 1: Start: Mel Granato, Nightfox Red



Figure 16: Survey 1: Position 1: End: Mel Granato, Nightfox Red





Figure 17: Survey 1: Position 2: Start: Standalone, Nightfox Whisker



Figure 18: Survey 1: Position 2: End: Standalone, Nightfox Whisker





Figure 19: Survey 1: Position 3: Start: Jenn Senft, Canon XA60



Figure 20: Survey 1: Position 3: End: Jenn Senft, Canon XA60





Figure 21: Survey 2: Position 3: Start: Greg Nightingale, DJI MAVIC 3E/3T



Figure 22: Survey 2: Position 3: End: Greg Nightingale, DJI MAVIC 3E/3T





Figure 23: Survey 1: Position 4: Start: Standalone, Guide Track 19



Figure 24: Survey 1: Position 4: End: Standalone, Guide Track 19





Figure 25: Survey 1: Position 5: Start: Standalone, Canon XA60

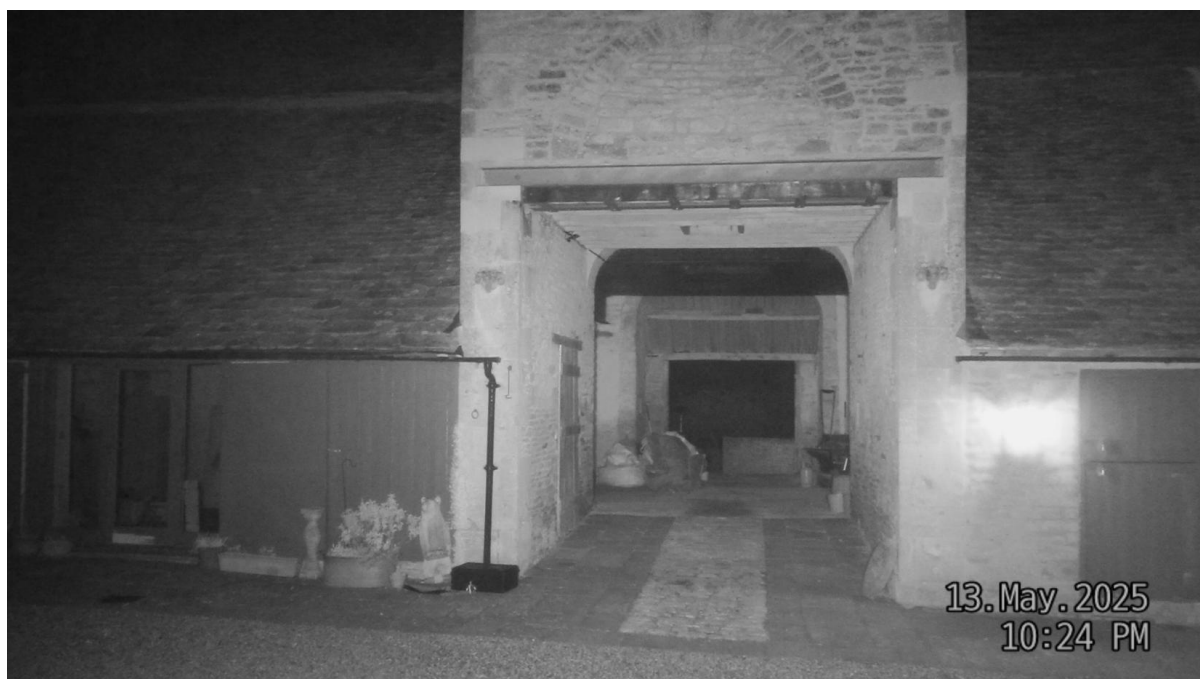


Figure 26: Survey 1: Position 5: End: Standalone, Canon XA60





Figure 27: Survey 2: Position 5: Start: Standalone, Guide Track 19



Figure 28: Survey 2: Position 5: End: Standalone, Guide Track 19



Figure 29: Survey 1: Position 6: Start: Natalie Nutland-Bowel, Canon XA60



Figure 30: Survey 1: Position 6: End: Natalie Nutland-Bowel, Canon XA60





Figure 31: Survey 1: Position 7: Start: Lorna Roberts, Canon XA60

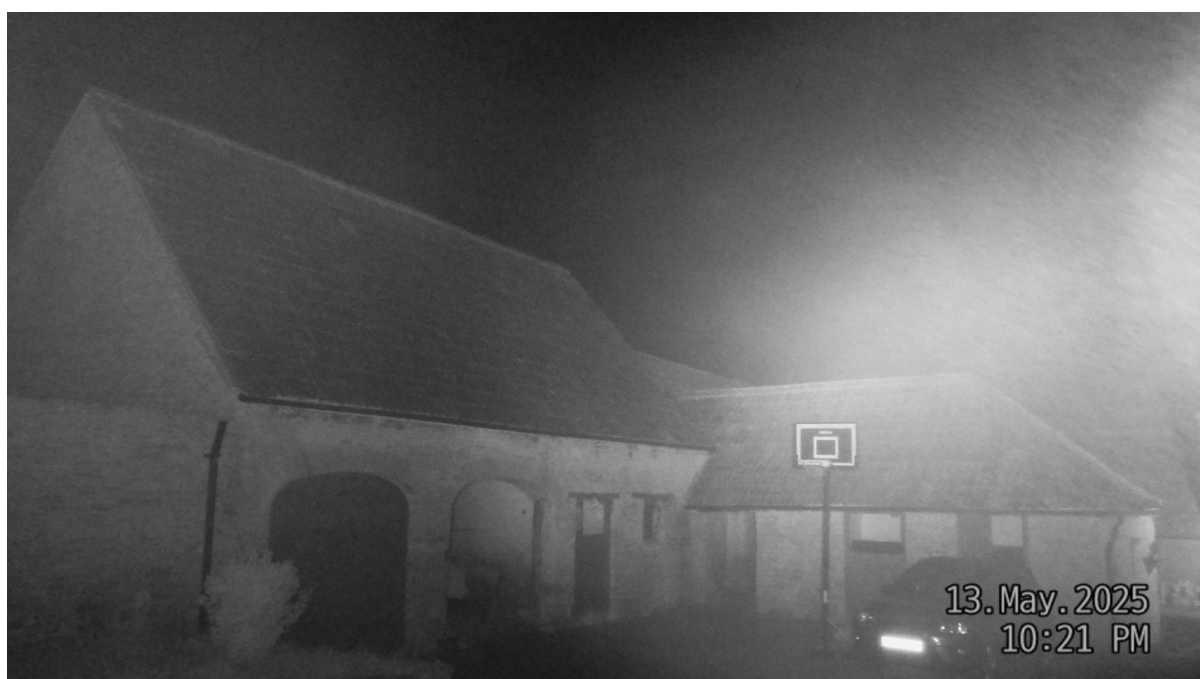


Figure 32: Survey 1: Position 7: End: Lorna Roberts, Canon XA60





Figure 33: Survey 1: Position 8: Start: Standalone, Nightfox Red



Figure 34: Survey 1: Position 8: End: Standalone, Nightfox Red²⁸

²⁸ Fog set in approximately half way through the survey.





Figure 35: Survey 2: Position 9: Start: Rich Steele, Canon XA60



Figure 36: Survey 2: Position 9: End: Rich Steele, Canon XA60

Sonogram Analysis

- A. 33 In the event of uncertainty, sonograms were analysed using the software programme Kaleidoscope Lite. Sonogram analysis was conducted by Jenn Senft and approved by Greg Nightingale. Bat passes were assigned to the lowest tax group possible (genera/species), whilst maintaining a high level of certainty. Where bat calls were indistinguishable between two similar species it was assumed that both species were present, unless an overriding factor would clearly demonstrate that a species is highly



unlikely to be present within the Site. This approach to call analysis ensured a robust assessment.

Video Analysis

- A. 34 Infra-red cameras recorded video and sound in real time. The video data was viewed to cross reference surveyor observations. Video data was played back using VLC Media player. Video analysis was carried out by Jenn Senft and Natalie Nutland-Bowell.
- A. 35 Any video data from standalone cameras (unmanned) were passed through Wildlife Imaging Systems' (WIS) Bat Emergence Video Processing software²⁹. The software processes the data frame-by-frame, recognising motion and saving this to an image for later review. One summary image per 30 seconds of video was returned. These images were analysed by Jenn Senft. Where any uncertainty remained, the original video file was viewed to cross reference results.

²⁹ The WIS webpage is available here: <https://www.wildlifeimagingystems.com/services-bat-emergence>



Appendix B: UK Habitat Classification Plan



Appendix C: DNA Analysis



Results

Sample ID: EG-2305-1

Sample information:

Sample type: Faecal

Species group: Bats

Suspected species:

Site Location: ST 80726 77159

Comments: Project number LUS24212

Laboratory information:

DNA Extraction Code: EG-2025-1316

Identification method: qPCR

Analysis Procedure Notes:

All UK bat species tested for - only a single species detected in this sample.

Laboratory Comments:

None

Species Identified:

Species 1: Eptesicus serotinus (Serotine bat)

qPCR Ct Value: 20

Ecotype Genetics Limited.

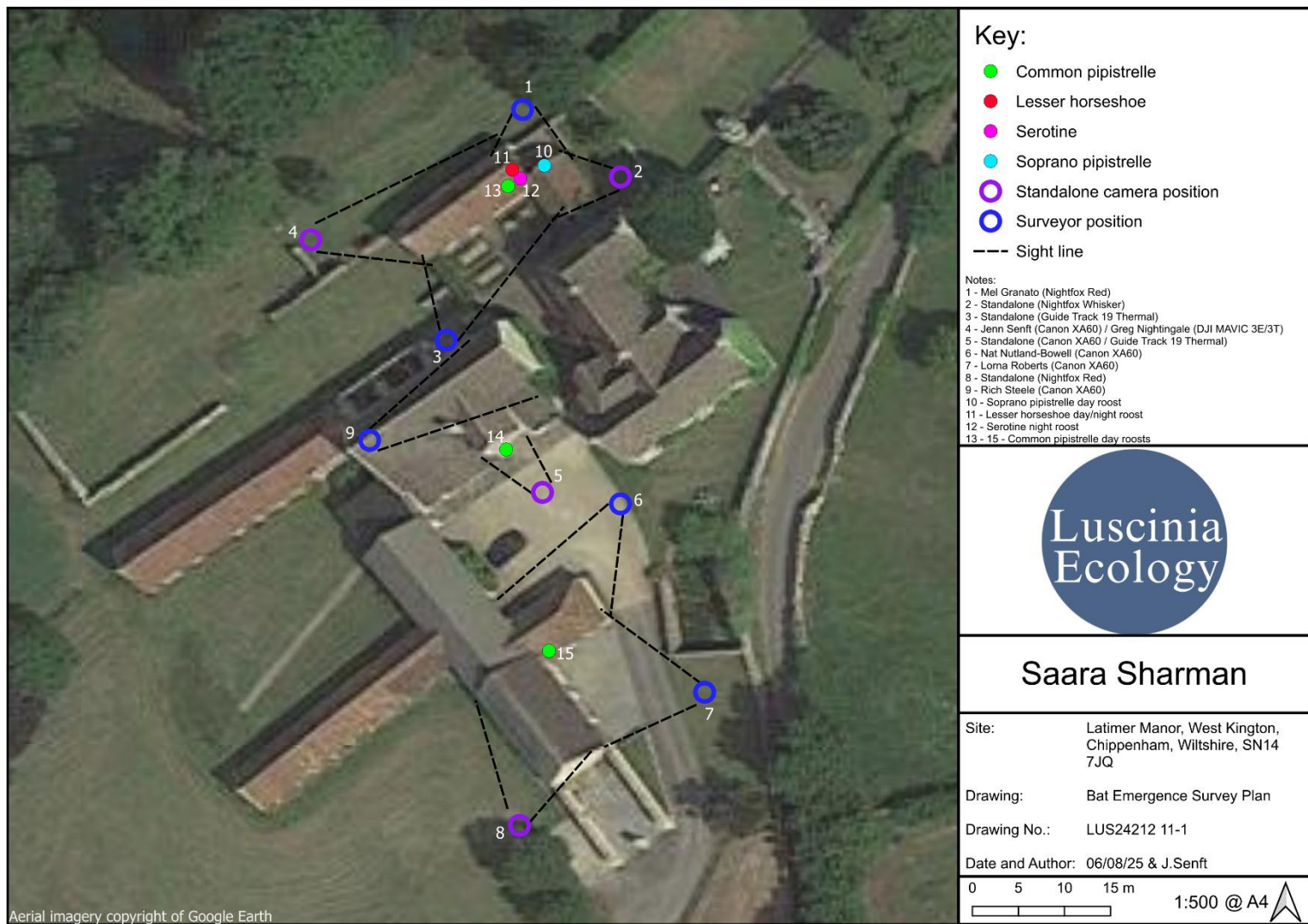
Registered in England. Company No: 11328606. VAT: 295 2037 94

Registered office: Parkers Cornelius House, 178-180 Church Road, Hove, East Sussex, BN3 2DJ

e: orders@ecotypegenetics.co.uk t: 01273704505 w: ecotypegenetics.co.uk



Appendix D: Emergence Survey Plan



Appendix E: Legislation and Planning Policy

- E. 1 The following local policy, national planning policy and legislation relating to nature conservation and biodiversity status, are considered of relevance to the current proposal.

Planning and Biodiversity

- E. 2 Local Authorities have a requirement to consider biodiversity conservation issues when determining planning applications.
- E. 3 The following ecological and environmental policies from the Wiltshire Core Strategy are of relevance to the Site:
- Core Policy 50: Biodiversity and Geodiversity
 - Core Policy 51: Landscape
 - Core Policy 52: Green Infrastructure
- E. 4 Chapter 15, Conserving and Enhancing the Natural Environment of the National Planning Policy Framework (NPPF)³⁰ includes the following:

“187 Planning policies and decisions should contribute to and enhance the natural and local environment by:

a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan);

b) recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland;

c) maintaining the character of the undeveloped coast, while improving public access to it where appropriate;

d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures and incorporating features which support priority or threatened species such as swifts, bats and hedgehogs;

e) preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions

³⁰ MHCLG (2024). *National Planning Policy Framework*. December 2024. Ministry of Housing, Communities and Local Government, London.



such as air and water quality, taking into account relevant information such as river basin management plans; and

f) remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate.

188. Plans should: distinguish between the hierarchy of international, national and locally designated sites; allocate land with the least environmental or amenity value, where consistent with other policies in this Framework⁶⁵; take a strategic approach to maintaining and enhancing networks of habitats and green infrastructure; and plan for the enhancement of natural capital at a catchment or landscape scale across local authority boundaries.

...

Habitats and biodiversity

192. To protect and enhance biodiversity and geodiversity, plans should:

a) Identify, map and safeguard components of local wildlife-rich habitats and wider ecological networks, including the hierarchy of international, national and locally designated sites of importance for biodiversity⁶⁸; wildlife corridors and stepping stones that connect them; and areas identified by national and local partnerships for habitat management, enhancement, restoration or creation⁶⁹; and

b) promote the conservation, restoration and enhancement of priority habitats, ecological networks and the protection and recovery of priority species; and identify and pursue opportunities for securing measurable net gains for biodiversity.

193. When determining planning applications, local planning authorities should apply the following principles:

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

b) development on land within or outside a Site of Special Scientific Interest, and which is likely to have an adverse effect on it (either individually or in combination with other developments), should not normally be permitted. The only exception is where the benefits of the development in the location proposed clearly outweigh both its likely impact on the features of the site that make it of special scientific interest, and any broader impacts on the national network of Sites of Special Scientific Interest;

c) development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons⁷⁰ and a suitable compensation strategy exists; and



d) development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to improve biodiversity in and around developments should be integrated as part of their design, especially where this can secure measurable net gains for biodiversity or enhance public access to nature where this is appropriate.

194. The following should be given the same protection as habitats sites:

a) potential Special Protection Areas and possible Special Areas of Conservation;

b) listed or proposed Ramsar sites⁷¹; and

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

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

Legislation and biodiversity

E. 5 Certain species of animals and plants found in the wild in the UK are legally protected from being harmed or disturbed. These species are listed in the Wildlife and Countryside Act 1981 (as amended) or are named as European Protected Species (EPS) in The Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019 (as amended). These two main pieces of legislation have been consulted when writing this report and are therefore described in detail within this section.

E. 6 Other relevant legislation and policy documents that have been consulted include:

- Protection of Badgers Act (1992)
- The Countryside and Rights of Way Act 2000
- The Hedgerow Regulations 1997
- Biodiversity Action Plans, both UK-wide (UKBAP), Local plans (LBAPs) and similar nature partnership plans.

Wildlife & Countryside Act 1981 (as amended)

E. 7 The Wildlife & Countryside Act 1981 (as amended; WCA) is the primary legislation for England and Wales for the protection of flora, fauna and the countryside. Part I within the Act outlines the protection of wildlife.

E. 8 Most offences are now covered under The Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019 (as amended), but some 'intentional' acts are still covered under the WCA, such as obstructing access to a bat roost.



- E. 9 The provisions relating to animals in the WCA only apply to 'wild animals'; these are defined as those that are living wild or were living wild before being captured or killed. It does not apply to captive bred animals being held in captivity.
- E. 10 There are 'defences' provided by the WCA. These are cases where acts that would otherwise be prohibited by the legislation are permitted, such as the incidental result of a lawful operation which could not be reasonably avoided, or actions within the living areas of a dwelling house.
- E. 11 Certain prohibited actions under the WCA may be undertaken under licence by the proper authority. For example, scientific study that requires capturing or disturbing protected animals can be allowed by obtaining a licence.

Natural Environment and Rural Communities (NERC) Act

- E. 12 The UK Post-2010 Biodiversity Framework, which supersedes UK Biodiversity Action Plan (UK BAP) priority habitats and species, provides the 'broad enabling structure for action across the UK', which in England is interpreted into Biodiversity 2020: A strategy for England's wildlife and ecosystem services; however, some authorities do still refer to BAPs. Protecting habitats and species listed on Section 41 (S41) of the Natural Environment and Rural Communities (NERC) Act 2006 is an outcome of this strategy. The lists of priority habitats and species in England required under S41 were published by Natural England in May 2014. These measures are given due acknowledgement where relevant.

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

- E. 13 The Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019 (as amended; The Regulations), which are the principal means by which the EC Habitats Directive is transposed in England and Wales update the legislation and consolidate all the many amendments which have been made since they were first made in 1994.
- E. 14 The Regulations provide for the:
- Protection of European Protected Species (EPS; animals and plants listed in Annex IV Habitats Directive which are resident in the wild in Great Britain), including: bats, hazel dormice, great crested newts, otters, sand lizard, and smooth snake.
 - Designation and protection of domestic and European Sites (e.g., Site of Special Scientific Interest (SSSI), Special Area of Conservation (SAC), Special Protected Areas (SPA).
 - Adaptation of planning controls for the protection of such sites and species.
- E. 15 Public bodies (including the Local Planning Authority) have a duty to have regard to the requirements of the Habitats Directive in exercising their function (e.g., when determining a planning application).



- E. 16 There is no defence that an act was the incidental and unavoidable result of a lawful activity.
- E. 17 It is possible for actions which would otherwise be an offence under The Regulations to be undertaken under licence issued by the proper authority. For example, where an EPS has been identified and the development risks deliberately affecting an EPS, then a 'development licence' may be required.

Species Protection

- E. 18 The following protected species information is relevant to this report. Legislation is only discussed in relation to planning and development; other offences may exist.

Amphibians

- E. 19 Common frog, common toad, common newt, and palmate newt receive protection under the Wildlife and Countryside Act 1981 (as amended), making it illegal to sell or trade them.
- E. 20 The great crested newt and Natterjack toad are EPS and fully protected under The Regulations, making it an offence to:
- Deliberately capture, injure, kill, or disturb either species.
 - Intentionally or recklessly obstruct access to any structure/place used for shelter or protection.
 - Damage or destroy a breeding site or resting place.

Badger

- E. 21 Badgers are protected in the UK under the Protection of Badgers Act 1992. Under the act it is an offence to:
- Wilfully kill, injure, take, possess, or cruelly ill-treat a Badger, or attempt to do so
 - To intentionally or recklessly interfere with a sett (this includes disturbing Badgers whilst they are occupying a sett, as well as damaging or destroying a sett or obstructing access to it).
- E. 22 The legislation aims to protect the species from persecution, rather than being a response to an unfavourable conservation status, as the species is in fact common over most of Britain; it is not intended to prevent properly authorised development.

Bats

- E. 23 All British bats are classed as EPS and therefore receive protection under The Regulations, making it an offence to:
- Deliberately kill, injure, or capture a bat.
 - Deliberately disturb bats.



- Damage or destroy a breeding site or resting place of a bat.
- E. 24 In addition, all British bats are also listed under Schedule 5 of the WCA, which contains further provisions making it an offence to intentionally or recklessly:
- Obstruct access to any structure or place which any bat uses for shelter or protection.
 - Disturb any bat while occupying a structure or place which it uses for that purpose.
- E. 25 If proposed development work is likely to destroy or disturb bats or their roosts, then a licence will need to be obtained from Natural England, which would be subject to appropriate measures to safeguard bats.

Birds

- E. 26 In the UK, the provisions of the Birds Directive are implemented through the WCA and The Regulations. All wild birds, their nests and eggs are protected, and it is an offence to:
- Kill, injure, or take any wild bird.
 - Take, damage, or destroy the nest of any such bird whilst it is in use or being built.
 - Take or destroying an egg of any such wild bird.
- E. 27 The law covers all species of wild birds including common, pest or opportunistic species. Special protection against disturbance during the breeding season is also afforded to those species listed on Schedule 1 of the Act.

Brown hare

- E. 28 Brown hare is listed on Schedule 5A of the WCA and it is an offence to intentionally or recklessly kill, injure or take Brown hare during their 'close season' (which is 1st February - 30th September), and sale and possession is an offence for any of these animals taken unlawfully.

Hazel dormouse

- E. 29 The hazel dormouse is classed as a European Protected Species and therefore receive protection under the Conservation of Habitats and Species Regulations 2017 (as amended), making it an offence *inter alia* to:
- Deliberately capture, injure, or kill hazel dormice
 - Deliberately disturb hazel dormice
 - Damage or destroy a breeding site or resting place of a dormouse
- E. 30 In addition, hazel dormouse is listed under Schedule 5 of the Wildlife and Countryside Act 1981 (as amended) which contains further provisions making it an offence to intentionally or recklessly:



- Obstruct access to any structure or place which a hazel dormouse uses for shelter or protection; or
- Disturb a hazel dormouse while occupying a structure or place which it uses for that shelter or protection.

Hedgehog

E. 31 Hedgehog are protected under sections of the schedule 6 of the Wildlife and Countryside Act 1981 (as amended) making it an offence to:

- It illegal to kill or capture hedgehogs unless they are suffering or need to be rehabilitated then released back into the wild.

Reptiles

E. 32 Adders, slow worms, grass snakes and common lizards are protected against killing and injuring under Schedule 9 of the Wildlife and Countryside Act 1981 (as amended). This legislation makes it illegal to intentionally kill or injure a common reptile.

E. 33 Smooth snakes and sand lizards are European Protected Species under schedule 5 of the Wildlife and Countryside Act 1981 (as amended) and Schedule 2 of the Conservation of Habitats and Species Regulations 2017 (as amended). This makes it illegal to carry out the following activities:

- Deliberately or recklessly disturb, capture or kill these animals.
- Deliberately or recklessly take or destroy eggs of these animals.
- Damage or destroy a breeding site or resting place of such a wild animal.
- Keep, transport, sell or exchange, or offer for sale or exchange, any live or dead animal, or any part of, or anything derived from such a wild animal.

