
Land at Lordswood House, Sherston

Preliminary Ecology Appraisal

September 2025

Client: Mr James Gay
Report Ref: SEB3139_01 v2
Author: Emma Shaw
Reviewer: Kate Hayward
MCIEEM
www.seasonsecology.co.uk



Non-Technical Summary

Site Location	Land at Lordswood House, Commonwood Lane, Sherston, Malmesbury, Wiltshire, SN16 0PX (central grid reference: ST 86122 83879).
Scope of Works	Preliminary Ecology Appraisal comprising a Habitat Survey and Daytime Bat Walkover, supplemented with a desk study.
Survey Methods	The habitat survey was undertaken with reference to UKHab (2023) and CIEEM (2018), and the Daytime Bat Walkover was undertaken with reference to BCT (2023).
Lead Personnel	Emma Shaw and Kate Hayward MCIEEM.
The Proposal	The site is the subject of a planning proposal for the construction of a private tennis court and a retrospective change of use application for the parcel of grassland across the east of the Lordswood House curtilage, to the west of the fenceline.
Site Description and Suitability Assessment	The site is located approximately 2km south of the village of Sherston in Wiltshire. The site is approximately 0.5 hectares in size and comprises part of the residential curtilage of Lordswood House, as well as an area of the adjacent agricultural field unit. Habitats include modified grassland, newly planted hedgerows, young trees, an allotment area with chicken coop and greenhouse, developed sealed and unsealed surfaces. There are no statutory designations within 2km, and no statutory designations with bats as a primary feature within 4km of the site. The site does not lie within any Impact Risk Zones for nearby SSSIs or a Bat Consultation Zone. The site lies within an Amber Risk Zone for great crested newt. Priority Habitat Deciduous Woodland is located adjacent to the south-west boundary of the site, the northern block of this woodland is also classified as Ancient Replanted Woodland. A second Priority Habitat Deciduous Woodland is located adjacent to the north-west corner of the site. With consideration to protected/notable species: • There is no bat roosting habitat on site. The site offers low-quality foraging and commuting habitats for bats, however may be utilise to commute between the Priority Habitat Deciduous Woodland adjacent the north-west and south of the site. • The site is suitable to support low numbers of common and widespread species of reptiles, amphibians and small mammals. There is negligible potential for dormouse and low potential for great crested newt to utilise the site.
Recommendations	On site retained hedgerows and trees, and the south Priority Habitat Deciduous Woodland/Ancient Replanted Woodland (Lord's Wood) should be protected during construction with protection fencing. A 15m buffer will be allocated between Lord's Wood and the development area. A Precautionary Method Statement has been provided owing to the low potential for the presence of great crested newt. General protection measures during construction, a sensitive lighting scheme and biodiversity enhancements have been recommended.



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1. Introduction

1.1 Background

- 1.1.1 In September 2025, Seasons Ecology was instructed by My James Gay, the landowner, to undertake a Preliminary Ecology Appraisal of Land at Lordswood House, Commonwood Lane, Sherston, Malmesbury, Wiltshire, SN16 0PX (central grid reference: ST 86122 83879).
- 1.1.2 The site is the subject of a planning proposal for the construction of a private tennis court and a retrospective change of use application for the parcel of grassland across the east of the Lordswood House curtilage, to the west of the fenceline.
- 1.1.3 The Preliminary Ecology Appraisal consisted of a Habitat Survey and Daytime Bat Walkover. The survey was supplemented with a web-based desk study.

1.2 Scope and Objectives of Survey

- 1.2.1 The survey was undertaken to identify and record the habitats on site and to assess the potential of the site to support protected/notable species. The purpose of the survey is to make known any ecological constraints or considerations that may be relevant to the proposal and to inform biodiversity enhancements.
- 1.2.2 This report is based on the findings of a survey undertaken on 11th September 2025.
- 1.2.3 The report is supported by the following:
 - Annex 1: Summary of Legislation and Planning Policy.
 - Annex 2: Habitat Plan.
 - Annex 3: Site Photographs.

1.3 Personnel

- 1.3.1 The survey was overseen by Principal Ecologist, Kate Hayward, who has reviewed this report. Kate is a full member of the Chartered Institute of Ecology and Environmental Management (MCIEEM) and has 25 years' experience as a professional consultant advising on development projects and protected species and habitats, including acting as the Named Ecologist on European Protected Species licences.
- 1.3.2 The survey was led by Emma Shaw, Consultant Ecologist and Qualifying Member of the Chartered Institute of Ecology and Environmental Management (CIEEM). Emma is a level 1 licensed bat surveyor (Class Licence Registration Number: 2024-11842-CL17-BAT) and has over four years' experience in surveying protected species.

2. Legislation and Planning Policy

- 2.1.1 This report has been compiled with reference to relevant legislation and national planning policies, which protect wildlife. Annex 1 provides a brief summary of this legislation and policy.



3. Desk Study

3.1 Method

3.1.1 A web-based desk study was undertaken in September 2025 prior to the survey to provide local information that may be relevant to the proposal. The following online resources were consulted:

- The Multi-Agency Geographic Information for the Countryside (MAGIC) website¹, to obtain information on:
 - Statutory designations within 2km of the site and within 4km for designations with bats as a primary feature.
 - Sites of Special Scientific Interest (SSSI) Impact Risk Zones and Bat Consultation Zones relevant to the site.
 - Habitats on or adjacent to the site listed on the Priority Habitats Inventory.
 - European Protected Species licences issued within 2km.
 - Other relevant species information.
- Google Maps², to view aerial photographs, maps and mapnik data, to assess the ecological context of the site.

3.2 Results

Statutory Designations

3.2.1 The site lies approximately 1.1km south-east of the Cotswolds National Landscape.

3.2.2 There are no further statutory designations within 2km, and no statutory designations with bats as a primary feature within 4km of the site.

SSSI Impact Risk Zones and Bat Consultation Zones

3.2.3 The site does not lie within any Impact Risk Zones for nearby SSSIs.

3.2.4 The site does not lie within a Bat Consultation Zone.

Priority Habitats Inventory

3.2.5 There are no Priority Habitats located on site. A 3.8 hectare (ha) area of Priority Habitat Deciduous Woodland (Lord's Wood) is located adjacent to the south-west boundary of the site, the northern block of this woodland is also classified as Ancient Replanted Woodland. The Priority Habitat Inventory maps show these woodland habitats as encroaching into the south-west fringe of the site, however the boundary of the land subject to the retrospective change of use application is formed by the woodland, therefore is considered off-site. A second area of Priority Habitat Deciduous Woodland (New Plantation), measuring 3.94ha in size, is located adjacent to the north-west corner of the site, extending further north and west from the site.

¹ <http://www.magic.gov.uk/MagicMap.aspx>

² <http://acme.com/planimeter/>



European Protected Species Licences

- 3.2.6 There are no European Protected Species licences that have been issued within 2km of the site, the closest being a licence issued for a location approximately 2.2km south-west for the species common pipistrelle *Pipistrellus pipistrellus* and serotine *Cnephaeus serotinus*.

Other Relevant Species Information

- 3.2.7 There are no Natural England great crested newt *Triturus cristatus* pond surveys (2017-2019) that have been conducted within 2km of the site. There are two great crested newt class licence returns submitted within 2km of the site, one location being approximately 1.3km north and the second location being approximately 1.7km north-east of the site.
- 3.2.8 The site lies within the Amber Risk Zone for great crested newt.
- 3.2.9 The site lies within the Countryside Stewardship Targeting Area for lapwing *Vanellus vanellus*.

Ecological Context

- 3.2.10 The site is located approximately 2km south of the village of Sherston in Wiltshire. The site boundary is formed by the east fringe of the Lordswood House residential property curtilage, incorporating a strip of the adjacent agricultural grassland to the east. Two woodlands lie adjacent to the north and south of the site, New Plantation and Lord's Wood, respectively. Lord's Wood being classified as an Ancient Replanted Woodland. To the east and west of the site are arable and pasture field units, separated by hedgerows and occasional mature trees. Beyond these immediate surroundings in all direction lies further agricultural land, with scattered farm complexes and large residential properties also evident.
- 3.2.11 The nearest major watercourse apparent is the River Avon, flowing approximately 1.7km to the north at its nearest point. There are numerous agricultural ditches evident surrounding the field units in the vicinity of the site, two of which appear to flow through Lord's Wood to the south of the site.
- 3.2.12 There are three ponds evident within 250m of the site, one located approximately 15m west of the north area of the site (within the same ownership boundary), one located approximately 115m north-east within an agricultural field, and one located approximately 145m north-west within a woodland (New Plantation). Two further ponds are evident within 500m of the site, located approximately 320m east and 430m to the north of the site, both located in small wooded areas amongst agricultural field units.



4. Survey

4.1 Method

Habitat Survey

- 4.1.1 A systematic walkover of the site was undertaken on 11th September 2025. Notes were taken on the habitats present, and their suitability to support protected and notable species. Any incidental evidence of protected and notable species was noted. The survey was carried out with reference to UKHab Classification (2023)³, CIEEM 2018⁴ and BS 42020:2013 *Biodiversity – Code of Practice for Planning and Development* (BSI 2013).

Daytime Bat Walkover

- 4.1.2 A Daytime Bat Walkover of the site was carried out to observe, assess and record any habitats suitable for bats to roost, commute and forage both on site and in the surrounding area.
- 4.1.3 Trees on and near to the site were subject to a Ground Level Tree Assessment to identify Potential Roosting Features (PRF) on the exterior of trees. The trees are then assessed as follows:
- PRF – I: PRF(s) only suitable for individual bats or a very small number of bats either due to their size or a lack of suitable surrounding habitats.
 - PRF – M: PRF(s) suitable for multiple bats and could be used by a maternity colony.
- 4.1.4 The site is assessed as either having *no habitat features*, or *Negligible, Low, Moderate* or *High* suitability to roosting, foraging and commuting bats.
- 4.1.5 The assessment is undertaken with reference to BCT (2023)⁵.

Constraints to Survey

- 4.1.6 The survey is not able to record flora or fauna that may appear on the site at other times of the year and were therefore not evident at the time of the survey.

³ The UK Habitat Classification Version 2.0 (UKHab) (2023). Butcher, B., Carey, P., Edmonds, R., Norton, L. and Treweek, J.

⁴ CIEEM (2018) *Guidelines for Preliminary Ecological Appraisal*. Chartered Institute of Ecology and Environmental Management, Winchester.

⁵ BCT (2023): Collins, J. (ed.) (2023) *Bat Surveys for Professional Ecologists: Good Practice Guidelines* (4th Edition). The Bat Conservation Trust, London.



4.2 Site Description

- 4.2.1 The site is approximately 0.5 hectares in size and comprises part of the residential curtilage of Lordswood House, as well as an area of the adjacent agricultural field unit to the north and east of the development site. The area of the adjacent agricultural field unit included within the site boundary will be utilised for on-site Biodiversity Net Gain off-setting (tree planting), and will not be subject to development. Habitats include on site modified grassland (both amenity lawn and agricultural land), newly planted hedgerows, young trees, an allotment area with chicken coop and greenhouse, developed land sealed surfaces and artificial unvegetated, unsealed surfaces. The vehicle access track for Lordswood House is included within the site boundary, extending from the west side of the curtilage to the east where the development site is located.
- 4.2.2 Habitats are mapped on the UKHab Habitat Plan at Annex 2. Site photographs are provided at Annex 3.

4.3 Habitat Descriptions

Modified Grassland

- 4.3.1 This is the dominant habitat on site. The south-east fringe of the site is formed by an area of modified grassland amenity lawn. At the time of survey this area has been recently managed to a homogenous short sward. Species diversity is low with grass species including dominant perennial rye-grass *Lolium perenne*, abundant Yorkshire-fog *Holcus lanatus* and occasional cock's-foot *Dactylis glomerata* and red fescue *Festuca rubra* with a low cover of herbs including dominant greater plantain *Plantago major*, dandelion *Taraxacum* species and white clover *Trifolium repens*, as well as bristly ox-tongue *Helminthotheca echioides*, common ragwort *Jacobaea vulgaris*, common cat's-ear *Hypochaeris radicata*, common field-speedwell *Veronica persica* and petty spurge *Euphorbia peplus*. The north-east boundary of this area of grassland is delineated by a dry bare ground ditch augmented by a timber-post livestock fence across the north-east edge, both boundary features being outside of the site boundary (off-site).
- 4.3.2 A second area of modified grassland is present on site, formed by the adjacent east agricultural field unit. This grassland had a short to moderate sward height at the time of survey. Species composition across the grassland is the same as the amenity lawn with further species including dominant broad-leaved dock *Rumex obtusifolius*, occasional oxeye daisy *Leucanthemum vulgare* and rare occurrence of common bird's-foot trefoil *Lotus corniculatus*, common knapweed *Centaurea nigra*, and smooth hawkbit *Leontodon taraxacoides*.

Hedgerows

- 4.3.3 There are three hedgerows, Hedgerows H1, H2, and H3, on site. Further details of each hedgerow are provided below:
- 4.3.4 *Hedgerow H1* - H1 is a newly planted ornamental yew *Taxus baccata* hedgerow located across the centre and south of the amenity modified grassland. The hedgerow appears as individual immature yew shrubs amongst loose bark mulch and measures approximately 54m in length.
- 4.3.5 *Hedgerow H2* – H2 is a newly planted non-native, ornamental rhododendron *Rhododendron* species hedgerow located across the north of the amenity modified grassland. The hedgerow appears as individual immature rhododendron species shrubs amongst loose bark mulch and measures approximately 19m in length.
- 4.3.6 *Hedgerow H3* – H3 is entirely beech *Fagus sylvatica* and follows the east side of the fenceline separating the amenity grassland and agricultural grassland in the east fringe of the site. This hedgerow is newly planted (planted in Autumn/Winter 2024) and each beech sapling has been



planted with a 600mm high spiral tree guard and stake. The hedgerow measures approximately 0.6m in height and 60m in length, and extends further south off-site outside the development boundary.

Trees

- 4.3.7 There are 12 individual trees present within the site boundary. These consist of two immature ornamental tree species located within the northern length of hedgerow H1, and ten immature orchard trees, of the apple *Malus* variety, across the north-east corner of the amenity modified grassland.

Buildings and Developed Sealed/Unsealed Surfaces

- 4.3.8 The site contains the existing hard standing access track to Lordswood House, extending from the west boundary of the curtilage eastward towards the property, and development site.
- 4.3.9 There is one building within the site boundary, an outbuilding currently in use as a chicken coop, located central to the west boundary of the amenity grassland. This outbuilding is constructed of timber and metal cladding, with a corrugated metal lean-to roof. A wire-meshed, timber-framed chicken enclosure is attached to the north and east elevations of the outbuilding, with the enclosure having two bird boxes attached to the east elevation.
- 4.3.10 There are two areas of loose pebble landscaping across the site, one forming the vehicle parking area immediately adjacent to the north elevation of Lordswood House, extending from the east end of the hard standing access track. A further area of loose pebble landscaping, where vegetables are grown, is located directly north of the outbuilding. There are a number of raised vegetable beds, scattered potted plants and a greenhouse.

4.4 Daytime Bat Walkover and Ground Level Tree Assessment

- 4.4.1 There are no buildings or trees on site suitable to support potential bat roosting features. The outbuilding is well-sealed with no access into the interior area, and no suitable external features across the timber and metal cladding. The greenhouse is not of suitable construction to support roosting bats. The 12 trees within the site boundary are all immature and therefore have not yet developed any ecological niches which may be suitable to roosting bats.
- 4.4.2 The site itself offers low-quality foraging and commuting habitats for bats, supporting modified grassland, 12 immature trees and three newly planted hedgerows. However, the site is bound by Priority Habitat Deciduous Woodland to the north-west and south, the south woodland also classified as an Ancient Replanted Woodland. Therefore, the site is likely used by bat species to commute between the woodlands, which form high-quality commuting and foraging habitat for bats. Once the newly planted beech hedgerow, H3, is established, this will form a high-quality commuting feature for bats as it creates a linear corridor connecting the two woodland areas.



5. Evaluation

- 5.1.1 The site supports habitats including modified grassland (both amenity lawn and agricultural land), newly planted hedgerows, young trees, an outbuilding (chicken coop), a vegetable growing area with a greenhouse, developed sealed surfaces and artificial unvegetated, unsealed surfaces (loose pebbles). The newly planted beech hedgerow, H3, and immature trees provide the better-quality habitats on site, although not yet established, and add elements of naturalness, permanence and potential value, which is otherwise absent. Hedgerow H3 will connect the two Priority Habitat Deciduous Woodlands to the north and south of the site once established, which will add intrinsic value to the site and provide a high-quality linear commuting feature for wildlife across the site and surrounding area.
- 5.1.2 The site currently has no value beyond the immediate Zone of Influence and is assessed as ecologically valuable at a Site level.

5.2 Statutory Designations

- 5.2.1 Referring to the desk study, there are no statutory designations within 2km, and no statutory designations with bats as a primary feature within 4km of the site. This site does not lie within any Impact Risk Zones for nearby SSSIs. The site does not lie within a Bat Consultation Zone. Therefore, impacts of this nature do not need to be considered for the proposed development.

5.3 Habitats

- 5.3.1 The site supports a low diversity of habitats. The newly planted hedgerows and immature trees provide the higher quality habitats on site, although are not yet established. All newly planted hedgerows and trees are to be retained, therefore should be protected with protection fencing during construction.
- 5.3.2 The site is bound by Priority Habitat Deciduous Woodland to the north-west (New Plantation) and south (Lord's Wood), the south woodland also being classified as Ancient Replanted Woodland. The north of the site is not subject to any development, only a retrospective change of use application to residential use, therefore no direct or indirect impacts are predicted on the north Priority Habitat Deciduous Woodland. A private tennis court is proposed across the south-east corner of the site, in the vicinity of the south Priority Habitat Deciduous Woodland/Ancient Replanted Woodland. A 15m buffer has been allocated between the boundary of this woodland and the footprint of the tennis court, to limit the risk of impacts on this Priority Habitat. The 15m buffer will be created using tree protection fencing and will remain in place until construction works are complete. The 15m buffer will form a Construction Exclusion Zone (CEZ) throughout the construction phase, with no access by contractors permitted and no construction materials to be stored in this area. These precautionary measures will ensure the south Priority Habitat is not subject to any direct or indirect impacts.



5.4 Suitability to Protected/Notable Species

5.4.1 Consideration is given to the following species/species groups:

- **Bats** – There is no suitable roosting habitat identified on site. Both the outbuilding and greenhouse offer *Negligible* suitability to roosting bats. All 12 trees on site are immature and therefore do not contain any ecological niches suitable to roosting bats.

The site offers low-quality foraging and commuting habitats for bats provided by the modified grassland, immature trees and newly planted hedgerows. The species recorded locally common pipistrelle and serotine, may use the site in combination with wider habitats. The site is bound by Priority Habitat Deciduous Woodland to the north-west and south, the south woodland also being classified as Ancient Replanted Woodland, which form high-quality commuting and foraging habitat for bats. Therefore, the site is likely used by bat species associated with these woodlands to commute between them. Once the newly planted beech hedgerow, H3, is established, this will form a high-quality commuting feature for bats as it creates a linear corridor connecting the two woodland areas.

- **Badger** – No badger setts were identified on site or within 30m of the site, where accessible. No evidence of badger activity, including snuffle holes, mammal runs or latrines, was identified on site. The site offers a small area of foraging and commuting habitats for badger provided by the modified grassland and immature tree, notably the ten apple trees which provide an optimal foraging resource.
- **Nesting birds** – The immature trees provide nesting opportunities for birds, although they are not yet established so nesting opportunities are sub-optimal. The newly planted hedgerows lack a dense structure and sufficient height/width so do not yet provide suitable opportunities for nesting birds.
- **Small mammals** – The site offers limited opportunities for small mammals, being dominated by a homogenous short sward amenity modified grassland with further habitat on site being unestablished (hedgerows and trees). The agricultural modified grassland across the east and north of the site provide higher-quality habitat for these species, with the grassland being of a varied sward and tussocky across this field unit. No suitable refuge habitat was identified on site.

There is no suitable habitat on site to support dormouse *Muscardinus avellanarius*, with all hedgerows being newly planted and lacking their preferred foodplant, hazel *Corylus avellana*. Therefore, it is considered that there is negligible potential for dormouse to utilise the site. The adjacent north-west and south Priority Habitat Deciduous Woodlands provide suitable high-quality habitat for dormouse.

- **Reptiles and amphibians** – The majority of the site lacks suitable commuting, refuge and foraging habitat for common and widespread species of reptiles and amphibians, the habitats being amenity modified grassland with a homogenous short sward, newly planted hedgerows, immature trees and developed sealed and unsealed surfaces. The agricultural modified grassland across the east and north of the site provides higher-quality commuting, refuge and foraging habitat, having a varied sward height and appearing tussocky across the wider field unit.



With consideration to the potential for great crested newt to utilise the habitats on site, the site offers a small area of suitable commuting, foraging and refuge habitat for this species provided by the north and east agricultural modified grassland, with the further habitats on site lacking suitability to this species. The site lies within an Amber Risk Zone for this species and there are two great crested newt class licence returns (presence of this species) approximately 1.3km north and 1.7km north-east of the site. There are three ponds evident within 250m of the site, located approximately 15m west of the north area of the site (within the same ownership boundary), 115m north-east and 145m north-west, and two further ponds within 500m, located approximately 320m east and 430m to the north of the site. There are no intervening barrier between the site and these five ponds. Therefore, due to the small area of suitable habitat across the east of the site, records within 2km and the presence of five ponds with no intervening barriers, it is considered that there is low potential for great crested newt to utilise the terrestrial habitat on site, notably the agricultural modified grassland.

- *Invertebrates* – The site is suitable to support a low diversity and abundance of common and widespread invertebrate species, provided by the newly planted hedgerows and immature trees, as well as the dry bare ground ditch following the fenceline in the east of the site.



6. Recommendations

6.1.1 The site is the subject of a planning proposal for the construction of a private tennis court and a retrospective change of use application for the parcel of grassland across the east of the Lordswood House curtilage, to the west of the fenceline.

6.1.2 With consideration to the proposal, the following is recommended:

6.2 Protection of Habitats

6.2.1 Prior to any works commencing on site, retained hedgerows and trees within the vicinity of the proposed tennis court will be protected with protection fencing. The allocated 15m buffer between the proposed tennis court and south Priority Habitat Deciduous Woodland/Ancient Replanted Woodland will also be created, with the erection of protection fencing 15m north-east of the development site to form the Construction Exclusion Zone (CEZ).

6.3 Precautionary Method Statement

6.3.1 Owing to the low potential for great crested newt to utilise the terrestrial habitat present on site, due to the presence of three ponds within 250m and two ponds within 500m of the site with no intervening barriers identified, a Precautionary Method Statement has been provided below, detailing pre-construction and construction phase measures to protect great crested newt, as well as further species which may utilise the site ensuring the protection of fauna throughout the development in line with current legislation.

- The amenity modified grassland should continue to be maintained as a homogenous short sward up to the start of construction, to deter small mammals, amphibians and reptiles from utilising the habitat.
- Two refuges/hibernacula will be created in advance of construction, along the south-west boundary of the site, across the edge of the Priority Habitat Deciduous Woodland/Ancient Replanted Woodland. This will provide suitable refuge habitat for amphibian and reptile species outside of the development site, within the CEZ.
- During construction, any trenches left open overnight should include a means of escape for animals. A plank angled from the bottom to the top of the trench, will allow animals (such as GCN, badger and hedgehog) to escape.
- Construction phase lighting should be avoided owing to the rural location of the site.
- Construction should aim to cease one hour before sunset to avoid disruption to the commuting and foraging behaviour of wildlife.
- Should a protected species be discovered at any stage during the works then works should stop immediately and advice sought from an Ecologist.

6.4 Lighting

6.4.1 The site lies in a rural location with Priority Habitat Deciduous Woodland located adjacent to the south and north-west of the site boundaries. No new external lighting is proposed across the tennis court. Should alterations be made to the proposal, and external lighting deemed necessary, a sensitive lighting scheme should be designed that demonstrates minimal, low-level, directional lighting, operated by motion-sensor and timer, where possible, to minimise times of illumination. Any lighting should not illuminate the retained hedgerows, trees or adjacent Priority Habitats.



6.5 Biodiversity Enhancements

6.5.1 The following biodiversity features are considered appropriate to the type and scale of the proposal, and are shown at Annex 2:

- Roosting bats – Two bat boxes should be attached to a mature tree on site, positioned on the south aspect at heights of between 3m and 5m off the ground. A mature ash tree is located to the west of the vegetable growing area, off-site, in the vicinity of the pond within the ownership boundary, which is suitable to support the proposed bat boxes. This will offer bat roosting habitat, which is currently absent on site.
- Nesting birds – Two bird boxes should be attached to a mature tree on site, within the ownership boundary, positioned on north and/or east aspects at a height of 4m off the ground. This will enhance bird nesting habitat on site.
- Common and widespread species of reptiles, amphibians, and small mammals – Two refuges/hibernacula will be created (see Section 6.3 above), in advance of construction. This will enhance habitat on site, and provide suitable refuge for wildlife associated with the site, as well as the adjacent woodland.



7. Annexes

Annex 1: Legislation and Planning Policy

A summary of relevant legislation and national policy is provided below. For each individual case, it is advised to consult the relevant documents in full and obtain legal advice, where appropriate.

There are several UK legislation tools, which are listed below. European legislation has not been included as it is incorporated in UK legislation by domestic provisions.

The Environment Act, 2021

The Environment Act 2021 aims to protect and enhance the natural environment. Its main scope includes setting legally binding targets for air and water quality, reducing plastic pollution, improving waste management, and increasing biodiversity. One of the Act's significant provisions is the introduction of "biodiversity net gain," which requires developers to leave habitats in a better condition than before development took place. This will help to improve the UK's biodiversity and ensure that new development does not harm the environment. Additionally, the Act seeks to address climate change by introducing measures to reduce carbon emissions and improve energy efficiency in buildings.

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

In 1992, the Habitats Directive (Council Directive 92/43/EEC)⁶ came into force. This provides for the creation of a network of protected wildlife sites across the European Union, known as 'Natura 2000'. This network consists of designated sites, including Special Areas of Conservation (SACs) designated under the Habitats Directive and Special Protection Areas (SPAs) designated under the Birds Directive (Council Directive 79/409/EEC)⁷. These sites form part of a series of measures aimed at conserving important and threatened habitats and species.

The Conservation of Habitats and Species Regulations 2019 (as amended) commonly known as 'the Habitat Regulations' transpose the Habitats Directive into national law and set out the provisions for the protection and management of species and habitats of European importance, including Natura 2000 sites. The Regulations have been amended in England in relation to candidate SACs and SPAs. These are sites submitted by the Government for consideration as part of the Natura 2000 network, and are also now defined as European Sites. All European Sites are of national importance and have been notified as SSSIs.

⁶ European Commission (1992). Council Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora. European Commission, Brussels.

⁷ European Commission (1979). Council Directive 79/409/EEC on the conservation of wild birds, European Commission, Brussels.



Wildlife and Countryside Act 1981, as Amended in Quinquennial Review and by the Countryside and Rights of Way Act 2000⁸

The Wildlife and Countryside Act 1981⁹ provides the foundation for much of the statutory wildlife protection in the UK. Part I deals with the protection of plants, birds and other animals and Part II deals with the designation of SSSIs.

The following broad areas are covered by the Act:

Nature Conservation - Protecting those sites which are National Nature Reserves (NNR) and SSSIs.

Wildlife - Listing endangered or rare species in need of protection and creating offences for killing, disturbing or injuring such species. The disturbance of any nesting bird during the breeding season is also noted as an offence.

The Act also makes it an offence to cause to grow in the wild certain plant species or to release certain fauna into the wild. The Act is enforced by local authorities.

Countryside and Rights of Way Act, 2000

The Countryside and Rights of Way Act 2000 provides a new statutory right of access to the countryside and improves upon the rights of way system, providing stronger protection for both wildlife and countryside.

Part III of the Act - Nature Conservation and Wildlife Protection: A number of measures to promote and enhance wildlife conservation are detailed, including improving protection for Sites of Special Scientific Interest (SSSIs) and increasing penalties for deliberate damage to SSSIs. The Act affords statutory protection to Ramsar Sites which are wetlands designated under the International Convention on Wetlands.

National Planning Policy Framework, 2021

The National Planning Policy Framework (NPPF) was published in March 2012, revised in July 2021 and updated in September 2023. It sets out the Government's requirements for the planning system and how these are expected to be addressed. The NPPF is a material consideration for the purposes of planning decision-making.

The NPPF places a presumption in favour of sustainable development.

The NPPF has an environmental objective to protect and enhance our natural, built and historic environment; including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.

The presence of a legally protected species is a material consideration for a local authority dealing with planning applications for any development that would be likely to result in harm to the species or its habitat. Circular 06/2005: Biodiversity and geological conservation¹⁰, prepared in support of the

⁸ Secretary of State, 2000. The Countryside and Rights of Way Act. Her Majesty's Stationery Office.

⁹ Secretary of State, 1981. Wildlife and Countryside Act. Her Majesty's Stationery Office.

¹⁰ ODPM Circular 06/2005 Government Circular: Biodiversity and Geological Conservation – Statutory Obligations and their Importance within the Planning System.

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/7692/147570.pdf



former PPS9, is still relevant and provides more guidance on the application of the law relating to planning and nature conservation.

Biodiversity Action Plans

In 1994, the Government produced the UK Biodiversity Action Plan (BAP)¹¹, a national strategy for the conservation of biodiversity. Regional and District/Borough BAPs apply the UK BAP at a local level. The 'UK Post-2010 Biodiversity Framework' succeeded the UK BAP in July 2012¹². The UK BAP lists of priority species and habitats remain, however, important and valuable reference sources. Notably, they have been used to help draw up statutory lists of priorities in England, Scotland, Wales and Northern Ireland. In England, there are 56 habitats of principal importance and 943 species of principal importance.

Species/species group	Legal protection and policy
Flora	A number of plant species are protected under the Wildlife and Countryside Act 1981 (as amended) and The Conservation of Habitats and Species Regulations 2019 (amended). It is an offence to deliberately pick, collect, cut, uproot or destroy these wild plants. It is also an offence for any purpose to possess, sell or exchange such a plant. In addition, a number of plant species are species of principal importance in England (formerly referred to as UK Biodiversity Action Plan (BAP) species), LBAP priority species and/or notable species that are a material consideration in planning.
Bats	Bat species in England and Wales are protected under The Conservation of Habitats and Species Regulations 2019 (as amended) and the Wildlife and Countryside Act 1981 (as amended). Under this legislation it is an offence to: • Deliberately capture, injure or kill bats; • Intentionally or recklessly disturb bats; • Intentionally or recklessly obstruct access to any structure or place which bats use for shelter or protection; and • Deliberately damage or destruction of a breeding site or resting place. Seven of the 18 species of bats occurring in the UK are species of principal importance in England and many are also included in LBAPs.
Badgers	Badgers and their setts are protected under the Protection of Badgers Act 1979. Under this legislation it is illegal to kill, injure or take badgers or to interfere with a badger sett in any way.
Otters	Otters in England and Wales are protected under The Conservation of Habitats and Species Regulations 2019 (as amended) and the Wildlife and Countryside Act 1981 (as amended). Under this legislation it is an offence to: • Deliberately capture, injure or kill an otter;

¹¹ Her Majesty's Stationery Office, 1994. Biodiversity: The UK Action Plan. London.

¹² JNCC and Defra (on behalf of the Four Countries' Biodiversity Group). 2012. UK Post-2010 Biodiversity Framework. July 2012. Available from: <http://jncc.defra.gov.uk/page-6189>



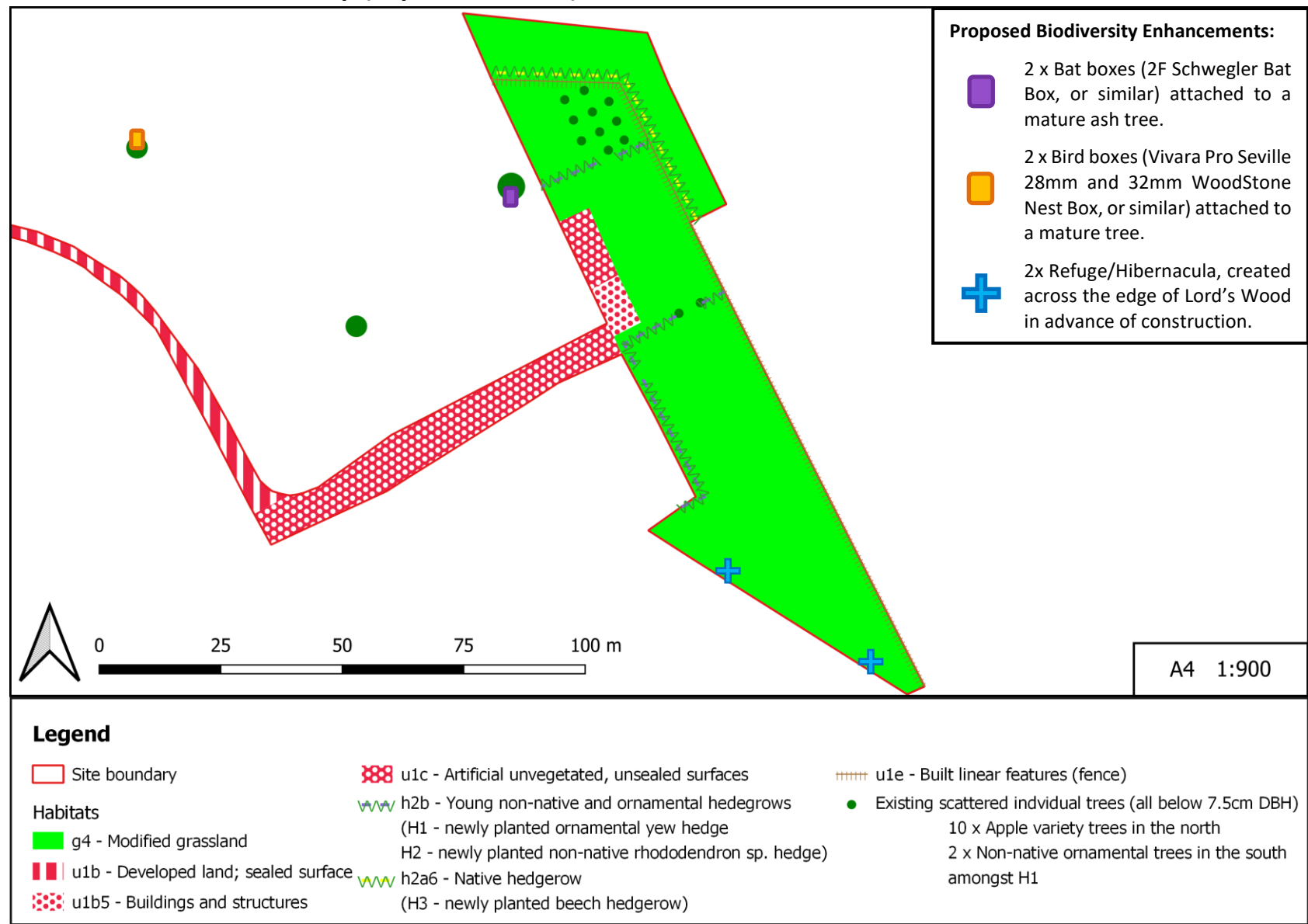
	• Intentionally or recklessly disturb otter; • Intentionally or recklessly obstruct access to any structure or place which an otter uses for shelter or protection; and • Deliberately damage or destruction of a breeding site or resting place. Otter is a species of principal importance in England.
Water voles	Water voles in England and Wales are protected under the Wildlife and Countryside Act 1981 (as amended). Under this legislation it is an offence to: • Deliberately capture, injure or kill a water vole; • Intentionally disturb water vole in their breeding or resting places; and • Deliberately damage, destroy or obstruct of a breeding site or resting place. Water vole is a species of principal importance in England.
Dormice	Dormice in England and Wales are protected under The Conservation of Habitats and Species Regulations 2019 (as amended) and the Wildlife and Countryside Act 1981 (as amended). Under this legislation it is an offence to: • Deliberately capture, injure or kill a dormouse; • Intentionally or recklessly disturb dormice; • Intentionally or recklessly obstruct access to any structure or place which a dormouse uses for shelter or protection; and • Deliberately damage or destruction of a breeding site or resting place. Dormouse is a species of principal importance in England.
Other mammals	Several other species of mammals, whilst not afforded specific legal protection, are of note and consideration to such species is necessary in respect to planning in accordance with national and often local policy. Such species are typically identified as species of principal importance in England and/or LBAPs. Species of principal importance in England include brown hare and hedgehog.
Birds	All wild birds in England and Wales are granted legal protection under the Wildlife & Countryside Act 1981 (as amended). Under this legislation it is an offence to: • Kill, injure or take any wild bird; • Take, damage or destroy the nest of any wild bird while it is in use or being built; and, • Take or destroy the egg of any wild bird. Bird species listed on Schedule 1 of the Act are afforded further protection and it is illegal to disturb such species while it is nest building, or at a nest containing eggs or young, or disturb the dependent young of such a bird. A number of bird species are also included as species of principal importance in England and LBAPs.
Reptiles	Smooth snakes and sand lizards in England and Wales are protected under The Conservation of Habitats and Species Regulations 2019 (as amended) and the Wildlife and Countryside Act 1981 (as amended). Under this legislation it is an offence to:



	• Deliberately capture, injure or kill a smooth snake or sand lizard; • Intentionally or recklessly disturb a smooth snake or sand lizard; • Intentionally or recklessly obstruct access to any structure or place which a smooth snake or sand lizard use for shelter or protection; and • Deliberately damage or destruction of a breeding site or resting place. Widespread species of reptile (slow worm, common lizard, grass snake and adder) are protected against killing, injury and sale. Reptile species are also species of principal importance in England and often LBAP species.
Amphibians	Great crested newts and natterjack toads in England and Wales are protected under The Conservation of Habitats and Species Regulations 2019 (as amended) and the Wildlife and Countryside Act 1981 (as amended). Under this legislation it is an offence to: • Deliberately capture, injure or kill a great crested newt or natterjack toad; • Intentionally or recklessly disturb a great crested newt or natterjack toad; • Intentionally or recklessly obstruct access to any structure or place which a great crested newt or natterjack toad use for shelter or protection; and • Deliberately damage or destruction of a breeding site or resting place. Great crested newt, pool frog, natterjack toad and common toad are species of principal importance in England. These and other amphibian species are also often included in LBAPs.
Invertebrates	45 species of invertebrate are fully protected under the Wildlife and Countryside Act 1981 (as amended). Under this legislation it is an offence to: • Intentional kill, injure or take such species; • Deliberately damage or destruction of a breeding site or resting place used by such species; and, • Disturb such species when occupying such a structure or place. A further 24 species are only afforded partial protection (typically only against sale). Stag beetle for instance is only protected against sale. Eight species and their habitats are also afforded further protection under The Conservation of Habitats and Species Regulations 2019 (as amended). 398 species of invertebrate are included as species of principal importance in England and such species are often also included within LBAPs.



Annex 2: UKHab Habitat Map (September 2025)



Annex 3: Site Photographs (September 2025)

Photograph 1: View of the south end of the amenity modified grassland (proposed for construction of the tennis court) facing north. Also showing artificial unvegetated, unsealed surface (left) surrounded by an immature yew hedgerow (H1).



Photograph 2: View of the north end of the amenity modified grassland facing north, also showing artificial unvegetated, unsealed surface (left) containing a green house and chicken coop, and the 10 immature apple variety trees in the background.



Photograph 3: View of the south end of the amenity modified grassland, facing south-west. Showing the bare ground ditch and fenceline to the left, gravel landscaping to the right and Priority Habitat Deciduous/Ancient Replanted Woodland (off-site) in the background.



Photograph 4: View of the adjacent agricultural field unit, facing north-east. Showing the modified grassland in the foreground and existing newly planted native broadleaved trees scattered across the background.



Photograph 5: Newly planted beech hedgerow, H3, located across the east side of the fenceline separating the amenity and agricultural grassland.

