



Pinchmore Buildings, Easton Grey, Malmesbury, Wiltshire SN16 0PA

Carter Jonas LLP

Ecological Appraisal

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Executive Summary

Quantock Ecology undertook an Ecological Appraisal at Pinchmore Buildings, Easton Grey, Malmesbury, Wiltshire SN16 0PA. This comprised an extended UK Habitats Assessment. The aim of the assessment was to establish the baseline ecological condition of the site and to conduct an assessment of the likely significance of ecological impacts of the proposed development.

The development proposals briefly comprise the erection of a residential dwelling on land in current use as an agricultural field. Preliminary development proposals are included in Appendix 2. A planning application has not been submitted to date.

Taking into consideration the desk study and site survey findings, this report concludes that the proposed development poses some risk to ecological receptors. No further surveys are recommended; however, habitat enhancements/suitable working practices are recommended. See Table 1 below for summary.

Table 1: Summary of Survey Results, Conclusions and Recommendations

Baseline Conditions (from Table 7)	
<i>Designated Sites</i>	The site is located within the Cotswold AONB and directly adjacent to the non-statutory Vancelette's Farm Meadows Local Wildlife Site.
<i>Protected or Notable Habitats</i>	There are no protected or notable habitats or trees on the survey site.
<i>Protected Species</i>	The general site has habitat value for badgers, but no other protected species. West of the site boundary there is a hedgerow potentially utilised by commuting bats.
<i>Invasive Non-natives</i>	No invasive species was found on site.
Conclusions and Recommendations (from Table 8)	
<i>Designated Sites</i>	Due to the small size of the proposed development, it will not have a significant impact on the visual characteristics or habitat value of the surrounding landscape. Therefore, no mitigation is required. However, enhancements are recommended.
<i>Protected or Notable Habitats</i>	No effect on any protected habitat or trees. No further surveys.
<i>Protected Species</i>	The proposed development does not directly affect bats or badgers; therefore no further surveys are required. However, mitigation is recommended to avoid harm to badgers passing through the site and light spill impacting on the adjacent hedgerows. Enhancements are recommended.
<i>Invasive Non-natives</i>	None found. No further surveys.

1.0 Introduction and Context

1.1 Background

Quantock Ecology were commissioned by Carter Jonas LLP to undertake an Ecological Appraisal at Pinchmore Buildings, Malmesbury with consideration of surrounding land, where accessible ('the Site'). The survey included an Extended UKHab Survey, in line with methodology set out in *UK Habitat Classification Version 2.0* (UKHab, 2023), and the assessment is based on the *Guidelines for Preliminary Ecological Appraisal* (CIEEM, 2017).

This is understood to be the first ecological survey undertaken on site.

1.2 Scope of the Report

This report describes the baseline ecological conditions at the site; evaluates habitats within the survey area in the context of the wider environment; and describes the suitability of those habitats for notable or protected species. It identifies significant ecological impacts as a result of the development proposals; summarises the requirements for further surveys and mitigation measures, to inform subsequent mitigation proposals, achieve planning or other statutory consent, and to comply with wildlife legislation.

1.2.1 Ecological Appraisal

The aim of the EA was to obtain data on existing ecological conditions, and to conduct an assessment of the likely significance of ecological impacts on the proposed development. To achieve this, the following steps were taken:

- The desk *study area* and field *survey area* (including the 'zone of influence' of the scheme) have been identified.
- A desk study has been carried out, including a request from the Wiltshire & Swindon Biological Records Centre (WSBRC).
- Baseline information on the site and surrounding area has been recorded through an 'Extended UKHab Survey', including a UKHab habitat survey and the recording of further details in relation to notable or protected habitats and species if present on site.
- The ecological features present within the survey area have been evaluated, if present and where possible.
- Invasive plant and animal species (such as those listed on Schedule 9 of the Wildlife & Countryside Act [WCA]) have been identified, if present.

- Likely impacts on features of value, as a result of the development proposals, have been identified if present.
- Recommendations for further survey and assessment have been made where applicable.
- Recommendations for mitigation and opportunities for enhancement have been provided based on current information where applicable.

1.2.2 Supplementary Information

The survey results plan with supporting target notes (if applicable) is included in Appendix 1. The proposals are included in Appendix 2. Photographs taken during the site survey are included in Appendix 3 and a summary of relevant legislation can be found in Appendix 4. A summary of the desk study results is outlined in Appendix 5.

1.3 Site Context and Basic Description

The site is located at national grid reference ST 85967 88274 and comprises an area of approximately 0.4ha. The site comprises a pastoral grazing field.

1.3.1 Description of site within landscape structure

A review of the designated sites, aerial photographs, the MAGIC database and OS maps shows that the site is situated ~2km northeast of the village of Sherston, Wiltshire. The surrounding landscape comprises a mixture of arable and pastoral farmland bordered by mature hedgerows, scattered trees and parkland. Westonbirt House is located ~1.4km northwest of the site with what appears to be a large area of parkland stretching across the majority of the northwestern area of the 2km search area. The National Arboretum, Westonbirt, an area of planted native and exotic tree species located ~1.4km northwest of the sight boundary. The River Avon flows northeast through the southern portion of the 2km search area, at its closest running ~1.6km southeast from site.

1.3.2 Aerial Photo of Site Showing Landscape Structure



1.4 Project Description

This report is prepared to accompany a future planning application to be submitted to Wiltshire Council. The proposed development will involve the erection of a residential dwelling on land in use as an agricultural field (see preliminary plan in Appendix 2).

The programme for the scheme is not known at the current time. All works areas, storage and haul routes will be included within the site boundary; access will be provided by existing roads and as such, no additional working footprints are anticipated.

2.0 Methodology

2.1 Desk Study Background and Scope

Existing records relating to the site and a surrounding 2km radius (the study area) have been received from the Wiltshire & Swindon Biological Records Centre (WSBRC). The results of this are summarised in the desk study section of this report. The data search is confidential information that is not suitable for public release.

A review of the following information sources has also been undertaken to inform the assessment:

- Landscape structure using aerial images from Google Earth
- Designated sites, habitat and species data held on magic.gov.uk.
- Information on the surrounding area using OS Opendata 2025

2.2 Extended UKHab Survey and Condition Assessment

The survey was undertaken by Consultant Ecologist Tom Hird, BSc (Hons) on 5th November 2025. Tom holds a class 1 bat licence 2025-82877-CL17-BAT, class 1 GCN licence 2025-80758-SCI-CL08 and a class 1 beaver licence 2025-267-CL51-BVR. Also present on site were Assistant Ecologists Holly Brown, MSci and Chris Tracey BSc (Hons), MSc. The weather conditions during the survey are detailed in the Table 2 below.

Table 2: Environmental Variables During the Surveys

Date	05/11/2025
Temperature	16°C
Relative Humidity	64%
Cloud Cover	60%
Wind	2/12
Precipitation	None

The survey area generally focussed on the land that will be directly impacted by the proposals (within the site boundary), but also a buffer around this was considered. For details of the survey site, please refer to Appendix 1.

2.2.1 Habitats and Flora

The survey was completed in accordance with the UK Habitat Classification (UKHab) v2.01 (2023) and Guidelines for Preliminary Ecological Appraisal (CIEEM, 2017). Scientific names are given after the first mention of a species in this report, subsequently common names are used.

The habitats within the zone of influence (Zoi) were classified following the UK Habitat Classification guidelines (UKHab) Version 2.01 (2023), which provides a detailed interpretation of baseline habitat survey data. The professional edition of UKHab “UK Habitat Classification –Professional Edition1” (UKHab-P) was used which includes Priority Habitat Types, all Annex 1 Habitats and the habitats listed in EUNIS.

The classification of primary habitats is hierarchical with five levels (referred to as Primary Codes) and an additional list of Secondary Codes. The latter is sub-divided into Essential codes and Additional codes. Each habitat is recorded using a single Primary Code, and any and all Essential Secondary Codes which are relevant. Additional Secondary Codes are also recorded with habitat parcels where relevant. Up to six Secondary Codes can be allocated to a single habitat.

Where appropriate, maps were supplemented with target notes which provided specific information on habitats present that were too limited in extent to map at the scale at which data is presented, or the presence of species and habitats of ecological interest.

An annotated habitat map together with descriptions of the recorded habitat types was produced, which was subsequently digitised using a geographical information system (QGIS). The survey also included identification of any non-native invasive plant species. Flora taxonomy follows the nomenclature detailed in New Flora of the British Isles (4th Edition) (Stace C., 2019). Flora within grassland habitats and habitats with a significant grassland component (such as orchards) are additionally subject to a randomised quadrat survey, within which species are given a descriptive score of abundance using the DAFOR scale, as follows:

- D – Dominant
- A – Abundant
- F – Frequent
- O – Occasional
- R – Rare
- L – Locally (to be used as a prefix for any of the above)
- V – Very (to be used as a prefix for any of the above)

2.3 Suitability Assessment and Ecological Value

2.3.1 Likelihood of Presence of Protected Species

During the survey, habitats were assessed for their suitability to support protected species and notable species assemblages, and field signs indicating their presence or absence recorded. This assessment took into consideration findings of the desk study, habitat conditions on site and in the context of the surrounding landscape, and the ecology of the species. The likelihood of occurrence of protected species is ranked according to the criteria listed in Table 3. The habitats on site were evaluated as to their likelihood to provide sheltering, roosting, foraging, basking or nesting habitat.

Table 3: Criteria Considered when Assessing the Likelihood of Occurrence on Site

Present	Species are confirmed as present from the current survey or historical confirmed records.
High	Habitat and features of high quality for species/species assemblage. Species known to be present in wider landscape (desk study records). Good quality surrounding habitat and good connectivity.
Medium	Habitat and features of moderate quality. The site in combination with surrounding land provides all habitat/ecological conditions required by the species/assemblage. Within known national distribution of species and local records in desk study area. Limiting factors to suitability, including small area of suitable habitat, some severance/poor connectivity with wider landscape, poor to moderate habitat suitability in local area.
Low	Habitats within the survey area poor quality. Few or no records from data search. Despite above, presence cannot be discounted as within national range, all required features/conditions present on site and in surrounding landscape. Limiting factors could include isolation, poor quality landscape, or disturbance.
Negligible	Very limited poor quality habitats and features. No local records from desk study; site on edge of, or outside, national range. Surrounding habitats considered unlikely to support species/species assemblage.

2.3.2 Invasive Non-native Species

The distribution and extent of invasive species listed on Schedule 9 of the Wildlife and Countryside Act (1981) were also noted throughout the survey area, if any.

2.3.3 Assessment of Ecological Value

The ecological value of the survey area has been assessed based on the *Guidelines for Ecological Impact Assessment* (CIEEM, 2018) and *Handbook of Biodiversity Methods: Survey, evaluation and monitoring*

(David Hill, 2005), using geographic frames of reference. The biodiversity value of the identified designated sites, habitat types and associated species/assemblages has been considered. The criteria listed below have been used to reach an evaluation.

- Presence of designated sites or features
- Presence of UK priority habitats and species (S41 of the NERC Act), and species listed as Birds of Conservation Concern (Eaton *et al* 2009)
- Size of habitat, diversity of species, or population
- Habitats or species which are rare, species which are on the edge of their range
- Large populations of uncommon species, or plant communities that are typical of valued natural/semi-natural vegetation types
- Habitats or features that have supporting value for high value habitats, designated sites or protected species, e.g. buffer habitat to ancient woodland
- Presence of legally protected species

It should be noted that legal protection or UK Biodiversity Action Plan (BAP) status does not necessarily imply biodiversity status at the equivalent scale. For example, a badger *Meles meles* sett would receive legal protection at a national scale and a native hedgerow would be a UK BAP priority habitat, but neither feature is likely to be of biodiversity value at a national scale.

The ecological interest of the study area and the proposed development has also been evaluated in terms of the planning policies relating to biodiversity. It will be clearly stated where a preliminary value can be given and where further information is required.

2.4 General Limitations

It should be noted that whilst every effort has been made to describe the baseline conditions within the survey area, and evaluate these features, this report does not provide a complete characterisation of the site.

Where only four figure grid references are provided for some species records, it is not possible to determine their precise location as they could be present anywhere within the given 1km x 1km National Grid square.

This survey provides a preliminary view of the likelihood of protected habitats and species being present. This is based on suitability of the habitats on the site and in the local area, the ecology and biology of protected species as currently understood, and the known distribution of species as recovered during the desk study.

2.5 Site-Specific Limitations

No specific limitations regarding weather, time or access. Although the survey was undertaken outside the optimal survey season for plant species identification, this was not deemed to be a significant limiting factor due to the simplistic nature of the habitats on site.

3.0 Results and Evaluation

3.1 Desk Study Results

A summary of desk study results are provided below; further details are included in Appendix 5.

3.1.1 Designated Sites

A review of the MAGIC database suggests that the site and surrounding 2km search area is subject to one statutory nature conservation designation. The data search from WSBRC shows that two non-statutory Local Wildlife Sites (LWS) are found within 2km of the site.

It is noted that the site does not fall within any Special Area of Conservation (SAC) bat consultation zones.

Table 4: Designated Sites Within the Search Area

Designated Site	Location in Relation to Site (approx.)	Reasons for Designation
Statutory Sites		
Cotswolds Area of Outstanding National Beauty (AONB)	Within AONB	“At 790 square miles, the Cotswolds National Landscape is the largest of 46 AONBs in England, Wales, and Northern Ireland. It was designated in recognition of its rich, diverse, and high quality landscape.” Taken from https://www.cotswolds-nl.org.uk/about-the-cotswolds-national-landscape/
Non-statutory Sites		
Vancelette's Farm Meadows Local Wildlife Site (LWS)	West, adjacent to the site	“A complex of species-rich hay meadows with characteristic flora influenced by a calcareous substrate. Situated on flat land on Forest Marble clay.” – Taken from the WSBRC data search.
Bristol Avon River (LWS)	1.5km southeast	“One of the main river systems draining north-west Wiltshire.” – Taken from the WSBRC data search.

3.1.2 Habitats of Principal Importance

A review of the MAGIC database shows the following habitats present within 2km of the site:

- Four patches of lowland meadows are located to the west of site with the closest found ~240m from the site boundary.
- A single area of good quality semi-improved grassland lies ~1.6km to the northwest.
- A couple of traditional orchards are found scattered around the search area. The closest is located ~1.6km southeast of site.

- Silk Wood/Didmarton Grove, an area of ancient replanted woodland and part of The National Arboretum, lies ~1.4km northwest of the site boundary.
- Several patches of deciduous woodland are found within the 2km search area, with it being most prevalent in the northeast. The closest area is located ~580m northeast of site.
- A large expanse of wood-pasture and parkland is located in the northeast of the 2km search area surrounding Westonbirt House. This lies ~340m northeast of the site. There are other smaller areas of this habitat found west and south of the site.

3.1.3 Granted European Protected Species Mitigation Licences (EPSML)

The following granted EPSMLs (all species) present within the search area were provided by MAGIC:

Table 5: Granted EPMSLs within Search Area

Case Reference Number	Location in Relation to Site (approx.)	Species Affected	Licence Dates	Impacts Allowed by Licence
EPSM2011-3337	2km northeast	Common pipistrelle <i>Pipistrellus pipistrellus</i> ; soprano pipistrelle; <i>Pipistrellus pygmaeus</i>	05/09/2011 to 01/08/2013	Destruction of a resting place.
EPSM2013-5933	2km northwest	Lesser horseshoe <i>Rhinolophus hipposideros</i>	27/06/2013 to 30/09/2014	Destruction of a resting place.
2015-19294-EPS-MIT-1	2km northeast	Great crested newt <i>Triturus cristatus</i>	11/04/2016 to 31/08/2016	Damage and destruction of a resting place.

3.1.4 Great Crested Newt Pond Surveys and Licence Returns

Two pond surveys were conducted within the 2km search area between 2017-20219. According to MAGIC, in 2018 there was a confirmed sighting of a great crested newt (GCN) in the pond located ~620m west the of site boundary as well as the confirmation of an absence of GCN ~ within the pond 1.4km west of site in the same year.

MAGIC also showed there were two GCN licence returns within the 2km search area, both ~1.8km northwest of site; one in 2014 and the other in 2015.

3.1.5 Protected and Notable Species

The results below show a summary of the protected/notable species recorded present within 2km of the site since 2015, as returned by the Wiltshire & Swindon Biological Records Centre.

Table 6: Protected and Notable Species Records Returned by WSBRC

Species	Latest Record/Date Range	Details
Plants		
Bluebell <i>Hyacinthoides non-scripta</i>	2016 - 2023	Three field records
Bats		
Common pipistrelle	2020	Eight field records
Myotis species <i>Myotis spp.</i>	2020	One field record
Noctule bat <i>Nyctalus noctula</i>	2020	Seven field records
Serotine <i>Eptesicus serotinus</i>	2020	Five field records
Soprano Pipistrelle	2020	Four field records
Whiskered bat <i>Myotis mystacinus</i>	2020	One field record
Birds		
Barn owl <i>Tyto alba</i>	2017	One field record, ~260m west of site
Herptiles		
N/A	N/A	N/A
Invertebrates		
N/A	N/A	N/A
Other Mammals		
Eurasian badger <i>Meles meles</i>	2015 and 2025	Two field records
West European hedgehog <i>Erinaceus europaeus</i>	2015 and 2020	Two field records

3.2 UKHab Survey

3.2.1 Summary Land Use of the Site

The survey area comprised one agricultural field, comprising of modified grassland.

3.2.2 Habitats

[g4 101 612] Modified Grassland (Cattle Grazed with Fence Line)

The whole of the surveyed area comprised of ryegrass *Lolium sp.* dominant modified grassland. The habitat had been grazed short by cattle, with a low sward height of less than 7cm with no under thatch or litter layer present. There were occasional white clover *Trifolium repens*, dandelion *Taraxacum officinale*, daisy *Bellis perennis* and a rare occurrence of creeping buttercup *Ranunculus repens*. The western boundary comprised of a post and rail wooden fence line.

3.3 Ecological Appraisal

The survey evaluated the Site for the presence and potential presence of all protected and invasive species, summarised in Table 7 below.

Table 7: Assessment of Likelihood of Receptor Presence

Receptor	Likelihood of Presence	Justification and Likelihood of Impacts
Designated Sites	Low	The site is located within the Cotswold AONB, however due to the small size of the proposed development, it is highly unlikely to have any impact of the reasons for the ANOB designation. Therefore, no mitigation is required.
Protected or Notable Habitats	Negligible	There are no protected or important botanical habitats on site. Therefore, no special mitigation is needed for habitats.
Invertebrates	Negligible	The site does not offer habitat to support large populations of rare and/or protected invertebrates. Floral assemblages are extremely poor with no annual flowering plants to support high numbers of invertebrates.
Amphibians	Negligible	There was no suitable cover or foraging habitat on site for amphibians due to grazing by cattle and no hedgerows, trees, root balls or ponds within the site boundary. The desk study showed only a single GCN was sighted within the 2km search area; however, this was beyond the site boundary ~670m from the site. Therefore, no mitigation is required.
Badgers	Low	There are no sett holes to be affected by the planned works within the site boundary. However, two badger sightings have been recorded within ~2km of the site (data search result). Badgers are likely to commute around the site as they may live and/or forage in the nearby farmland, where they have the chance to be harmed should they wander into the construction area. Therefore, mitigation is needed to avoid harm to individual badgers.

Bats	Negligible	There are no buildings or trees within the redline boundary that possess suitable roosting features for bats. Although there is a hedgerow adjacent to the site boundary which could offer a potential commuting route for bats, the plans show the new dwelling will be set back from the boundary and has no external lighting fittings on the plans that will affect the hedgerow. Therefore, no mitigation is required. However, if the plans change and the adjacent hedgerow is to be impacted by artificial light, further survey or mitigation may be required.
Barn Owls	Negligible	There are no buildings or trees on site suitable for barn owl roosting or nesting. While the biological records data shows a barn owl ~260m west, the grassland on site currently offers no suitable foraging habitat due to grazing cattle. Therefore, no mitigation is required. However, if the site usage changes and it is no longer managed, it is likely to offer some foraging potential to barn owl.
Birds	Negligible	There were no trees or hedgerows within the site boundary. There are no rivers or water bodies on or near to the site which could provide suitable habitat for overwintering birds.
Other Mammals	Negligible	No evidence of any other protected mammal was found. No habitat for otters was identified on site. No habitat for water vole was identified on site. There are no hedgerows or other suitable features on site to provide habitat for dormice. As such, dormice are considered absent from the site.
Reptiles	Negligible	There was no suitable cover or foraging habitat for reptiles to use, due to the current constant grazing by cattle and lack of hedgerows within the site boundary. Should this change and the site is no longer managed, it is likely to offer some habitat potential to reptiles.
Invasive Non-natives	Negligible	None observed on site.

4.0 Discussion and Recommendations

4.1 Ecological Appraisal

Table 8: Survey and Mitigation Recommendations

Receptor	Recommendations
Badgers	No further surveys required. As a precautionary measure, the following recommendations are made to reduce harm to any badgers or mammals such as hedgehogs, during the development phase of the project. - Any trenches dug should either be covered at night or have a rough sawn plank placed in them to act as a ramp for badgers or any other wildlife which may fall in. - Security lighting to be directed away from the undergrowth and wood. - Any chemicals or pollutants used or created by the development should be stored and disposed of correctly according to COSHH regulations
Bats	No further surveys required on site; however, any lighting changes on the plans that shine near or onto the hedgerow adjacent to the site boundary should be designed to minimize the impact it has on potential commuting bats. Any Lighting that may be built in the future, post development should be in-line with guidance produced by the Bat Conservation Trust and Institute of Lighting Professionals: https://www.theilp.org.uk/documents/guidance-note-8-bats-and-artificial-lighting/. Any future lighting should be of low level, be on downward deflectors and ideally be on PIR sensors. This will ensure that the potential commuting route is maintained.

4.2 Opportunities for Enhancement

The bullet points below represent some broad recommendations that should be considered with the development proposals. These recommendations should be developed further in coordination with the landscape designers and other specialists as the design progresses.

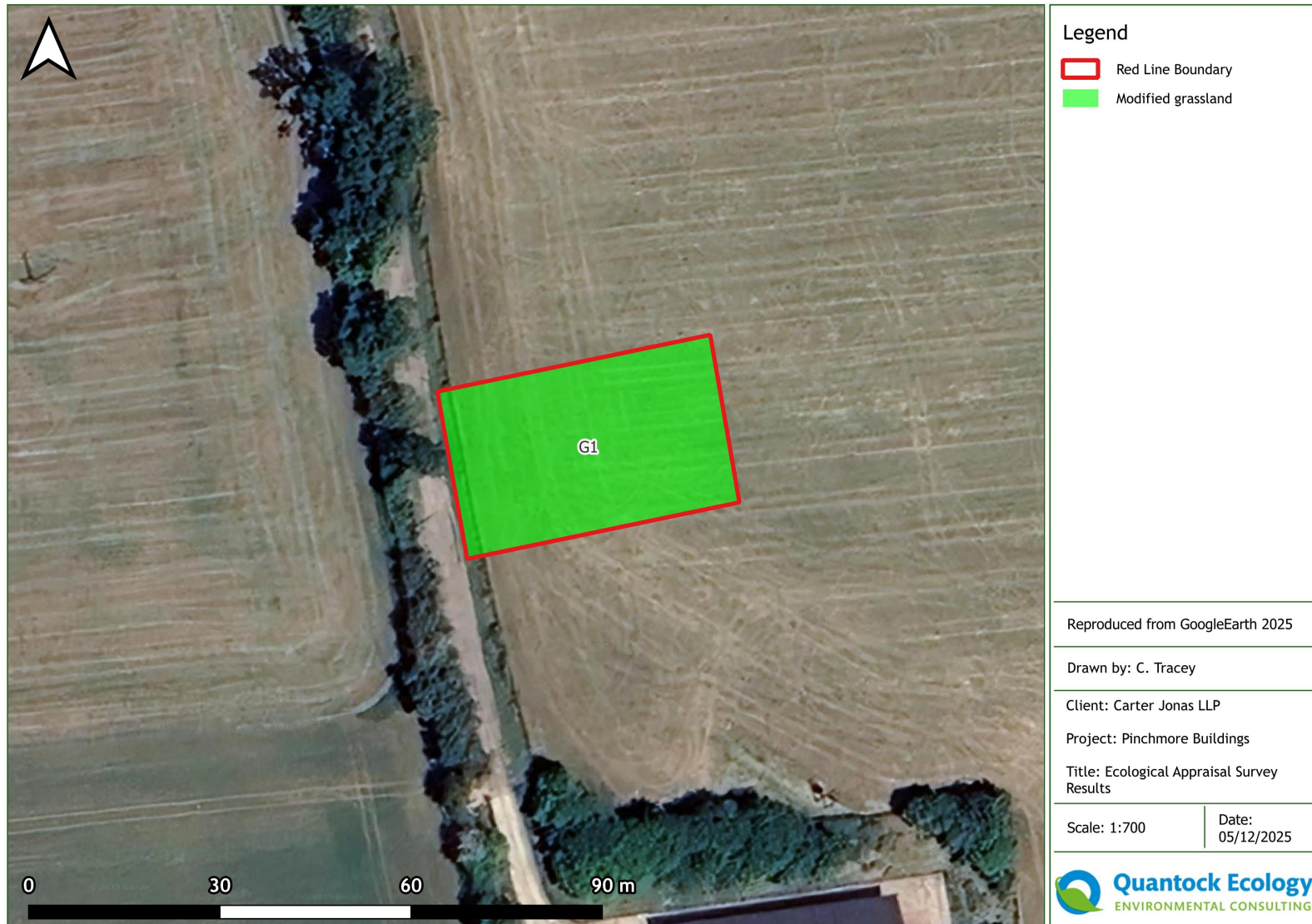
- Design of wildlife friendly lighting.
- Erection of a bird box on the northern elevation and a bat box on the southern elevation of the completed dwelling; Schwegler multi-purpose bird and/or bat boxes should be installed 3-5m from ground level.
- Inclusion of plant species of known value to wildlife in any landscape design proposals.
- Log and brash piles could be created to encourage a plentiful supply of invertebrate prey.
- Placement of Bee Brick within the proposed dwelling. This should be south facing and at least one meter from ground level.

- Where possible the boundaries of the new development should be planted as native species rich hedgerows to create commuting routes and wildlife corridors across the site for species such as hedgehogs.

5.0 References

- Cheffings, C. and Farrell, L. (eds.) (2005) *The Vascular Plant Red Data List for Great Britain*. Joint Nature Conservation Committee, Peterborough.
- CIEEM (2017) *Guidelines for Preliminary Ecological Appraisal* Institute of Ecology and Environmental Management.
- Collins, J. (ed.) (2023). *Bat Surveys for Professional Ecologists: Good Practice Guidelines*, 4th edition, Bat Conservation Trust, London.
- Eaton MA, Brown AF, Noble DG, Musgrove AJ, Hearn R, Aebischer NJ, Gibbons DW, Evans A and Gregory RD (2009) Birds of Conservation Concern 3: the population status of birds in the United Kingdom, Channel Islands and the Isle of Man. *British Birds* 102, pp296-341
- Gregory R.D., et al (2009). Birds of Conservation Concern 3: the population status of birds in the United Kingdom, Channel Islands and Isle of Man.
- HMSO: Countryside & Rights of Way Act (2000)
- HMSO: Natural Environmental and Rural Communities Act (2006)
- HMSO: The Conservation of Habitats and Species Regulations (2017)
- HMSO: The Protection of Badgers Act 1992 (as amended)
- HMSO: Wildlife and Countryside Act 1981 (as amended)
- http://www.bats.org.uk/publications_detail.php/1127/bat_surveys_good_practice_guidelines_2nd_edition
- National Planning Policy Framework (2024)
- https://assets.publishing.service.gov.uk/media/67aafe8f3b41f783cca46251/NPPF_December_2024.pdf
- Natural England (2007). *Badgers and Development a Guide to Best Practice and Licensing*. Natural England. Bristol.
- Oldham R.S., Keeble J., Swan M.J.S. & Jeffcote M. (2000) Evaluating the suitability of habitat for the Great Crested Newt (*Triturus cristatus*). *Herpetological Journal* 10(4), 143-155.
- Paul Edgar, Jim Foster and John Baker (2010). *Reptile Habitat Management Handbook*. Amphibian and Reptile Conservation, Bournemouth
- Spon E & F.N (1995) *Guidelines for Baseline Ecological Assessment*. Institute of Environmental Assessment
- Tom Langton, Catherine Beckett and Jim Foster (2001). *Great Crested Newt Conservation Handbook*. Froglife. Suffolk.
- UKHab Ltd (2023) *UK Habitat Classification Version 2.0* (at <https://www.ukhab.org>)

Appendix 1: Survey Results Plan



Appendix 2: Site Plan/Proposals



Appendix 3: Photographs

Photo 1: Showing modified grassland within the site boundary.



Photo 2: Showing the access track and hedgerow adjacent to site.



Appendix 4: Legislation and Planning Policy

LEGAL PROTECTION

National and European Legislation Afforded to Habitats

International Statutory Designations

Special Areas of Conservation (SACs) and **Special Protection Areas (SPAs)** are sites of European importance and are designated under the EC Habitats Directive 92/43/EEC on the Conservation of natural habitats and of wild fauna and flora (the Habitats Directive) and the EC Birds Directive 2009/147/EC on the conservation of wild birds respectively. Both form part of the wider Natura 2000 network across Europe.

Under the Habitats Directive the, Article 3 requires the establishment of a network of important conservation sites (SACs) across Europe in order to conserve the 189 habitats and 788 species (non- bird) identified in Annexes I and II of the Directive (as amended).

SPAs are classified under Article 2 of the EC Birds Directive both for rare bird species (as listed on Annex I) and for important migratory species.

SACs and SPAs up to 12 nautical miles (nm) from the coast are afforded protection in the UK under the Conservation of Habitats and Species Regulations 2010 which consolidate all amendments made to the Conservation (Natural Habitats, &c.) Regulations 1994. In Scotland, the requirements of Habitats Directive are implemented through a combination of the 1994 and the 2010 (reserved matters) Regulations. The Offshore Marine Conservation (Natural Habitats, &c.) Regulations 2007 (as amended) provide a means for designating and protecting SACs in UK offshore waters (from 12–200 nm).

Ramsar sites are designated under the Convention on Wetlands of International Importance, agreed in Ramsar, Iran, in 1971. The Convention covers all aspects of wetland conservation and recognises the importance of wetland ecosystems in relation to global biodiversity conservation. The Convention refers to wetlands as “areas of marsh, fen, peatland or water, whether natural or artificial, permanent or temporary, with water that is static or flowing, fresh, brackish or salt, including areas of marine water the depth of which at low tide does not exceed six metres” however they may also include riparian and coastal zones. Ramsar sites are statutorily protected under the Wildlife & Countryside Act 1981 (as amended) with further protection provided by the Countryside and Rights of Way (CROW) Act 2000. Policy

statements have been issued by the Government in England and Wales highlighting the special status of Ramsar sites. The Government in England and Wales has issued policy statements which ensure that Ramsar sites are afforded the same protection as areas designated under the EC Birds and Habitats Directives as part of the Natura 2000 network (e.g. SACs & SPAs).

National Statutory Designations

Sites of Special Scientific Interest (SSSI) are designated by nature conservation agencies in order to conserve key flora, fauna, geological or physio-geographical features within the UK. The original designations were under the National Parks and Access to the Countryside Act 1949 but SSSIs were then re-designated under the Wildlife & Countryside Act 1981 (as amended). As well as reinforcing other national designations (including National Nature Reserves), the system also provides statutory protection for terrestrial and coastal sites which are important within the European Natura 2000 network and globally. Further provisions for the protection and management of SSSIs have been introduced by the Countryside and Rights of Way Act 2000 (in England and Wales) and the Nature Conservation (Scotland) Act 2004.

Local Statutory Designations

Local authorities in consultation with the relevant nature conservation agency can declare **Local Nature Reserves (LNRs)** under the National Parks and Access to the Countryside Act 1949. LNRs are designated for flora, fauna or geological interest and are managed locally to retain these features and provide research, education and recreational opportunities.

Non- Statutory Designations

All non-statutorily designated sites are referred to as **Local Wildlife Sites (LWS)** and can be designated by the local authority for supporting local conservation interest. Combined with statutory designation, these sites are considered within Local Development Frameworks under the Town and Country Planning system and are a material consideration during the determination of planning applications. The protection afforded to these sites varies depending on the local authority involved.

Regionally Important Geological Sites (RIGs) are the most important geological and geomorphological areas outside of statutory designations. These sites are also a material consideration during the determination of planning applications.

The Hedgerow Regulations 1997

The Hedgerow Regulations 1997 are designed to protect 'important' countryside hedgerows. Importance is defined by whether the hedgerow (a) has existed for 30 years or more; or (b) satisfies at least one of the criteria listed in Part II of Schedule 1 of the Regulations.

Under the Regulations, it is against the law to remove or destroy hedgerows on or adjacent to common land, village greens, SSSIs (including all terrestrial SACs, NNRs and SPAs), LNRs, land used for agriculture or forestry and land used for the keeping or breeding of horses, ponies or donkeys without the permission of the local authority. Hedgerows 'within or marking the boundary of the curtilage of a dwelling-house' are excluded.

National and European Legislation Afforded to Species

The Habitats Directive

The EC Habitats Directive aims to promote the maintenance of biodiversity by requiring Member States to take measures to maintain or restore wild species listed on the Annexes to the Directive at a favourable conservation status, introducing robust protection for those species of European importance. The Directive is transposed into UK law by The Conservation of Habitats and Species Regulations 2010 (the Conservation Regulations) and the Offshore Marine Conservation (Natural Habitats, &c.) Regulations 2007 (as amended). The following notes are relevant for all species protected under the EC Habitats Directive:

In the Directive, the term 'deliberate' is interpreted as being somewhat wider than intentional and may be thought of as including an element of recklessness.

The Habitats Regulations do not define the act of 'migration' and, therefore, as a precaution, it is recommended that short distance movement of animals for e.g. foraging, breeding or dispersal purposes are also considered.

In order to obtain a European Protected Species Mitigation (EPSM) licence, the application must demonstrate that it meets all of the following three 'tests':

the action(s) are necessary for the purpose of preserving public health or safety or other imperative reasons of overriding public interest including those of a social or economic nature and beneficial consequence of primary importance for the environment;

there is no satisfactory alternative; and

the action authorised will not be detrimental to the maintenance of the species concerned at a favourable conservation status in their natural range.

The Wildlife and Countryside Act (WCA) 1981 (as amended) implements the Convention on the Conservation of European Wildlife and Natural Habitats (Bern Convention) and implements the species protection requirements of EC Birds Directive 2009/147/EC on the conservation of wild birds in Great Britain (the birds Directive). The WCA 1981 has been subject to a number of amendments, the most important of which are through the Countryside and Rights of Way (CROW) Act (2000) and Nature Conservation (Scotland) Act 2004.

Other legislative Acts affording protection to wildlife and their habitats include:

Deer Act 1991

Natural Environment & Rural Communities (NERC) Act 2006

Protection of Badgers Act 1992

Wild Mammals (Protection) Act 1996

Badgers

Badgers *Meles meles* are protected under The Protection of Badgers Act which makes it an offence to:

Wilfully kill, injure, take, or attempt to kill, injure or take a badger

Cruelly ill-treat a badger, including use of tongs and digging

Possess or control a dead badger or any part thereof

Intentionally or recklessly damage, destroy or obstruct access to a badger sett¹ or any part thereof

Intentionally or recklessly disturb a badger when it is occupying a badger sett

Intentionally or recklessly cause a dog to enter a badger sett

Sell or offers for sale, possesses or has under his control, a live badger

Effects on development works

¹ A badger sett is defined in the legislation as "*any structure or place which displays signs indicating current use by a badger*".

This includes seasonally used setts. Natural England (2009) have issued guidance on what is likely to constitute current use of a badger sett: www.naturalengland.org.uk/Images/WMLG17_tcm6-11815.pdf

A development licence will be required from the relevant countryside agency for any development works liable to affect an active badger sett, or to disturb badgers whilst they occupy a sett. Guidance has been issued by the countryside agency's to define what would constitute a licensable activity². It is no possible to obtain a licence to translocate badgers.

Birds

With certain exceptions, all birds, their nests and eggs are protected under Sections 1-8 of the WCA. Among other things, this makes it an offence to:

Intentionally (or recklessly in Scotland) kill, injure or take any wild bird

Intentionally (or recklessly in Scotland) take, damage or destroy (or, in Scotland, otherwise interfere with) the nest of any wild bird while it is in use or being built

Intentionally take or destroy an egg of any wild bird

Sell, offer or expose for sale, have in his possession or transport for the purpose of sale any wild bird (dead or alive) or bird egg or part thereof.

In Scotland only, intentionally or recklessly obstruct or prevent any wild bird from using its nest

Certain species of bird, for example the barn owl, bittern and kingfisher receive additional protection under Schedule 1 of the WCA and Annex 1 of the European Community Directive on the Conservation of Wild Birds (2009/147/EC) and are commonly referred to as "Schedule 1" birds. This affords them protection against:

Intentional or reckless disturbance while it is building a nest or is in, on or near a nest containing eggs or young

Intentional or reckless disturbance of dependent young of such a bird

In Scotland only, intentional or reckless disturbance whilst lekking

In Scotland only, intentional or reckless harassment

² For guidance on what constitutes disturbance and other licensing queries, see Natural England (2007) Badgers & Development: A Guide to Best Practice and Licensing. www.naturalengland.org.uk/Images/badgers-dev-guidance_tcm6-4057.pdf, Natural England (2009) Interpretation of 'Disturbance' in relation to badgers occupying a sett www.naturalengland.org.uk/Images/WMLG16_tcm6-11814.pdf, Scottish Natural Heritage (2002) Badgers & Development. www.snh.org.uk/publications/online/wildlife/badgersanddevelopment/default.asp and Countryside Council for Wales (undated) Badgers: A Guide for Developers. www.ccw.gov.uk.

Effects on development works

Works should be planned to avoid the possibility of killing or injuring any wild bird, or damaging or destroying their nests. The most effective way to reduce the likelihood of nest destruction in particular is to undertake work outside the main bird nesting season which typically runs from March to August³. Where this is not feasible, it will be necessary to have any areas of suitable habitat thoroughly checked for nests prior to vegetation clearance.

Schedule 1 birds are additionally protected against disturbance during the nesting season. Thus, it will be necessary to ensure that no potentially disturbing works are undertaken in the vicinity of the nest. The most effective way to avoid disturbance is to postpone works until the young have fledged. If this is not feasible, it may be possible to maintain an appropriate buffer zone or standoff around the nest.

Herpetofauna (Amphibians and reptiles)

The sand lizard *Lacerta agilis*, smooth snake *Coronella austriaca*, natterjack toad *Epidalea calamita*, pool frog *Pelophylax lessonae* and great crested newt *Triturus cristatus* receive full protection under Habitats Regulations through their inclusion on Schedule 2. Regulation 41 prohibits:

Deliberate killing, injuring or capturing of Schedule 2 species

Deliberate disturbance of species in such a way as:

to impair their ability to survive, breed, or reproduce, or to rear or nurture young;

to impair their ability to hibernate or migrate

to affect significantly the local distribution or abundance of the species

Damage or destruction of a breeding site or resting place

With the exception of the pool frog, these species are also listed on Schedule 5 of the WCA and they are additionally protected from:

Intentional or reckless disturbance (at any level)

Intentional or reckless obstruction of access to any place of shelter or protection

³ It should be noted that this is considered the main breeding period. Breeding activity may occur outside this period (depending on the particular species and geographical location of the site) and thus due care and attention should be given when undertaking potentially disturbing works at any time of year.

Selling, offering or exposing for sale, possession or transporting for purpose of sale.

Other native species of herpetofauna are protected solely under Schedule 5, Section 9(1) & (5) of the WCA, i.e. the adder *Vipera berus*, grass snake *Natrix natrix*, common lizard *Zootoca vivipara* and slow-worm *Anguis fragilis*. It is prohibited to intentionally or recklessly kill or injure these species.

Effects on development works

A European Protected Species Mitigation (EPSM) Licence issued by the relevant countryside agency (e.g. Natural England) will be required for works liable to affect the breeding sites or resting places amphibian and reptile species protected under Habitats Regulations. A licence will also be required for operations liable to result in a level of disturbance which might impair their ability to undertake those activities mentioned above (e.g. survive, breed, rear young and hibernate). The licences are to allow derogation from the relevant legislation, but also to enable appropriate mitigation measures to be put in place and their efficacy to be monitored.

Although not licensable, appropriate mitigation measures may also be required to prevent the intentional killing or injury of adder, grass snake, common lizard and slow worm, thus avoiding contravention of the WCA.

Water voles

The water vole *Arvicola terrestris* is fully protected under Schedule 5 of the WCA. This makes it an offence to:

Intentionally kill, injure or take (capture) water voles

Intentionally or recklessly damage, destroy or obstruct access to any structure or place used for shelter or protection

Intentionally or recklessly disturb water voles while they are occupying a structure or place used for shelter or protection

Effects on development works

If development works are liable to affect habitats known to support water voles, the relevant countryside agency must be consulted. It must be shown that means by which the proposal can be re-designed to avoid contravening the legislation have been fully explored e.g. the use of alternative sites, appropriate

timing of works to avoid times of the year in which water voles are most vulnerable, and measures to ensure minimal habitat loss. Conservation licences for the capture and translocation of water voles may be issued by the relevant countryside agency (e.g. Natural England) for the purpose of development activities if it can be shown that the activity has been properly planned and executed and thereby contributes to the conservation of the population. The licence will then only be granted to a suitably experienced person if it can be shown that adequate surveys have been undertaken to inform appropriate mitigation measures. Identification and preparation of a suitable receptor site will be necessary prior to the commencement of works.

Otters

Otters *Lutra lutra* are fully protected under the Conservation Regulations through their inclusion on Schedule 2. Regulation 41 prohibits:

Deliberate killing, injuring or capturing of Schedule 2 species

Deliberate disturbance of species in such a way as:

to impair their ability to survive, breed, or reproduce, or to rear or nurture young;

to impair their ability to hibernate or migrate

to affect significantly the local distribution or abundance of the species

Damage or destruction of a breeding site or resting place

Otters are also currently protected under the WCA through their inclusion on Schedule 5. Under this Act, they are additionally protected from

Intentional or reckless disturbance (at any level)

Intentional or reckless obstruction of access to any place of shelter or protection

Effects on development works

An EPSM Licence issued by the relevant countryside agency (e.g. Natural England) will be required for works liable to affect otter breeding or resting places (often referred to as holts, couches or dens) or for operations likely to result in a level of disturbance which might impair their ability to undertake those activities mentioned above (e.g. survive, breed, and rear young). The licence is to allow derogation from the relevant legislation but also to enable appropriate mitigation measures to be put in place and their efficacy to be monitored

Bats

All species are fully protected by Habitats Regulations 2010 as they are listed on Schedule 2. Regulation 41 prohibits:

Deliberate killing, injuring or capturing of Schedule 2 species (e.g. all bats)

Deliberate disturbance of bat species in such a way as:

to impair their ability to survive, breed, or reproduce, or to rear or nurture young;

to impair their ability to hibernate or migrate

to affect significantly the local distribution or abundance of the species

Damage or destruction of a breeding site or resting place

Bats are afforded the following additional protection through the WCA as they are included on Schedule 5:

Intentional or reckless disturbance (at any level)

Intentional or reckless obstruction of access to any place of shelter or protection

Effects on development works

Works which are liable to affect a bat roost or an operation which are likely to result in an illegal level of disturbance to the species will require an EPSM licence. The licence is to allow derogation from the legislation through the application of appropriate mitigation measures and monitoring.

Dormice

Dormice *Muscardinus avellanarius* are fully protected under Habitats Regulations through their inclusion on Schedule 2. Regulation 41 prohibits:

Deliberate killing, injuring or capturing of Schedule 2 species

Deliberate disturbance of species in such a way as:

to impair their ability to survive, breed, or reproduce, or to rear or nurture young;

to impair their ability to hibernate or migrate

to affect significantly the local distribution or abundance of the species

Damage or destruction of a breeding site or resting place

Dormice are also protected under the WCA through their inclusion on Schedule 5. Under this Act, they are additionally protected from:

Intentional or reckless disturbance (at any level)

Intentional or reckless obstruction of access to any place of shelter or protection

Impacts of legislation on development works

Works which are liable to affect a dormice habitat or an operation which are likely to result in an illegal level of disturbance to the species will require an EPSM licence. The licence is to allow derogation from the legislation through the application of appropriate mitigation measures and monitoring.

White clawed crayfish

The white clawed crayfish *Austropotamobius pallipes* receives partial protection under Schedule 5 of the WCA in respect of Sections 9(1) and 9(5). This makes it an offence to intentionally take (capture) white-clawed crayfish.

Impacts of legislation on development works

The relevant countryside agency will need to be consulted about development which could impact on a watercourse or wetland known to support white clawed crayfish. Conservation licences for the capture and translocation of crayfish can be issued if it can be shown that the activity has been properly planned and executed and thereby contributes to the conservation of the population. The licence will only be granted to a suitably experienced person if it can be shown that adequate surveys have been undertaken to inform appropriate mitigation measures. Identification and preparation of a suitable receptor site will be necessary prior to the commencement of the works.

Wild Mammals (Protection Act) 1996

All wild mammals are protected against intentional acts of cruelty under the above legislation. This makes it an offence to mutilate, kick, beat, nail or otherwise impale, stab, burn, stone, crush, drown, drag or asphyxiate any wild mammal with intent to inflict unnecessary suffering.

To avoid possible contravention, due care and attention should be taken when carrying out works (for example operations near burrows or nests) with the potential to affect any wild mammal in this way, regardless of whether they are legally protected through other conservation legislation or not.

Legislation afforded to Plants

With certain exceptions, all wild plants are protected under the WCA. This makes it an offence for an 'unauthorised' person to intentionally (or recklessly in Scotland) uproot wild plants. An authorised person can be the owner of the land on which the action is taken, or anybody authorised by them.

Certain rare species of plant, for example some species of orchid, are also fully protected under Schedule 8 of the Wildlife and Countryside Act 1981 (as amended). This prohibits any person:

Intentionally (or recklessly in Scotland) picking, uprooting or destruction of any wild Schedule 8 species (or seed or spore attached to any such wild plant in Scotland only)

Selling, offering or exposing for sale, or possessing or transporting for the purpose of sale, any wild live or dead Schedule 8 plant species or part thereof

In addition to the UK legislation outlined above, several plant species are fully protected under Schedule 5 of The Conservation of Habitats and Species Regulations 2010. These are species of European importance. Regulation 45 makes it an offence to:

Deliberately pick, collect, cut, uproot or destroy a wild Schedule 5 species

Be in possession of, or control, transport, sell or exchange, or offer for sale or exchange any wild live or dead Schedule 5 species or anything derived from such a plant.

Impacts of legislation on development works

An EPSM licence will be required from the relevant countryside agency for works which are liable to affect species of planted listed on Schedule 5 of the Conservation of Habitats and Species Regulations 2010. The licence is to allow derogation from the legislation through the application of appropriate mitigation measures and monitoring.

Invasive Species

Part II of Schedule 9 of the WCA lists non-native invasive plant species for which it is a criminal offence in England and Wales to plant or cause to grow in the wild due to their impact on native wildlife. Species include Japanese knotweed *Fallopia japonica*, giant hogweed *Heracleum mantegazzianum* and Himalayan balsam *Impatiens glandulifera*.

Impacts of legislation on development works

It is not an offence for plants listed in Part II of Schedule 9 of the WCA 1981 to be present on the development site however it is an offence to cause them to spread. Therefore, if any of the species are present on site and construction activities may result in further spread (e.g. earthworks, vehicle

movements) then it will be necessary to design and implement appropriate mitigation prior to construction commencing.

Injurious weeds

Under the Weeds Act 1959 any land owner or occupier may be required prevent the spread of certain 'injurious weeds' such as spear thistle *Cirsium vulgare*, creeping thistle *Cirsium arvense*, curled dock *Rumex crispus*, broad-leaved dock *Rumex obtusifolius*, and common ragwort *Senecio jacobaea*. It is a criminal offence to fail to comply with a notice requiring such action to be taken. The Ragwort Control Act 2003 establishes a ragwort control code of practice as common ragwort is poisonous to horses and other livestock. This code provides best practice guidelines and is not legally binding.

NATIONAL PLANNING POLICY (ENGLAND)

National Planning Policy Framework

The National Planning Policy Framework promotes sustainable development. The Framework specifies the need for protection of designated sites and priority habitats and species. An emphasis is also made on the need for ecological infrastructure through protection, restoration and re-creation. The protection and recovery of priority species (considered likely to be those listed as UK Biodiversity Action Plan priority species) is also listed as a requirement of planning policy.

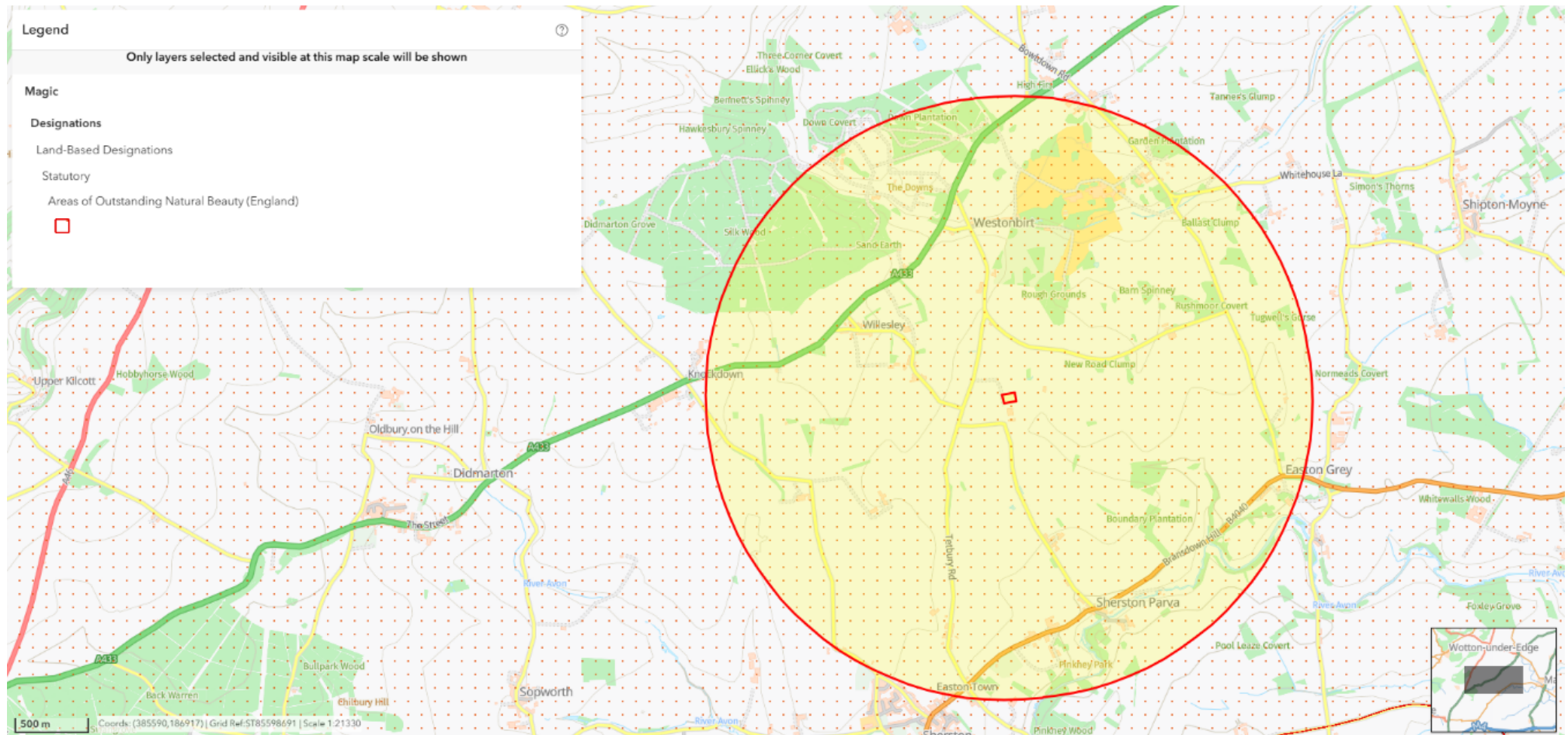
In determining a planning application, planning authorities should aim to conserve and enhance biodiversity by ensuring that: designated sites are protected from harm; there is appropriate mitigation or compensation where significant harm cannot be avoided; opportunities to incorporate biodiversity in and around developments are encouraged; and planning permission is refused for development resulting in the loss or deterioration of irreplaceable habitats including aged or veteran trees and also ancient woodland.

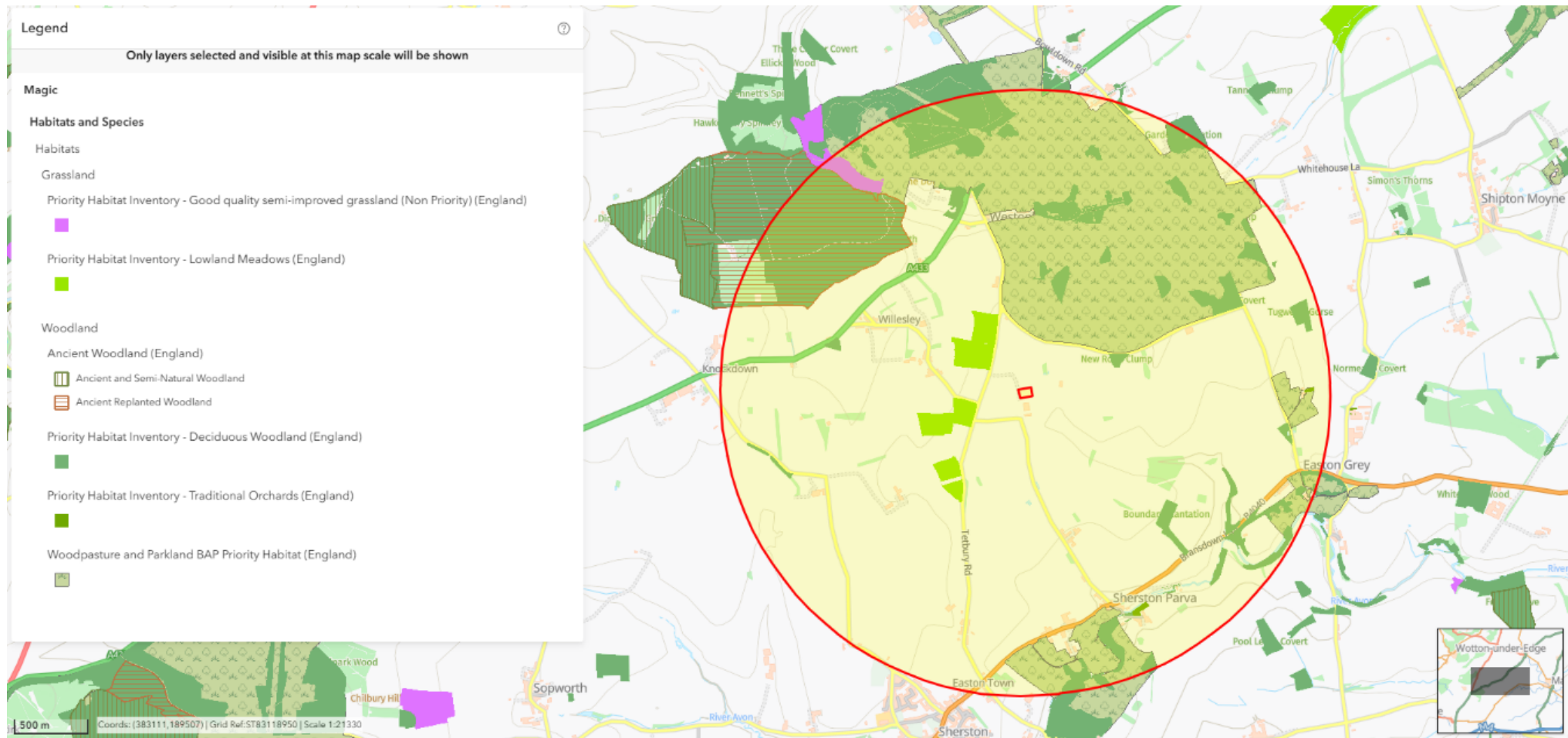
The Natural Environment and Rural Communities Act 2006 and The Biodiversity Duty

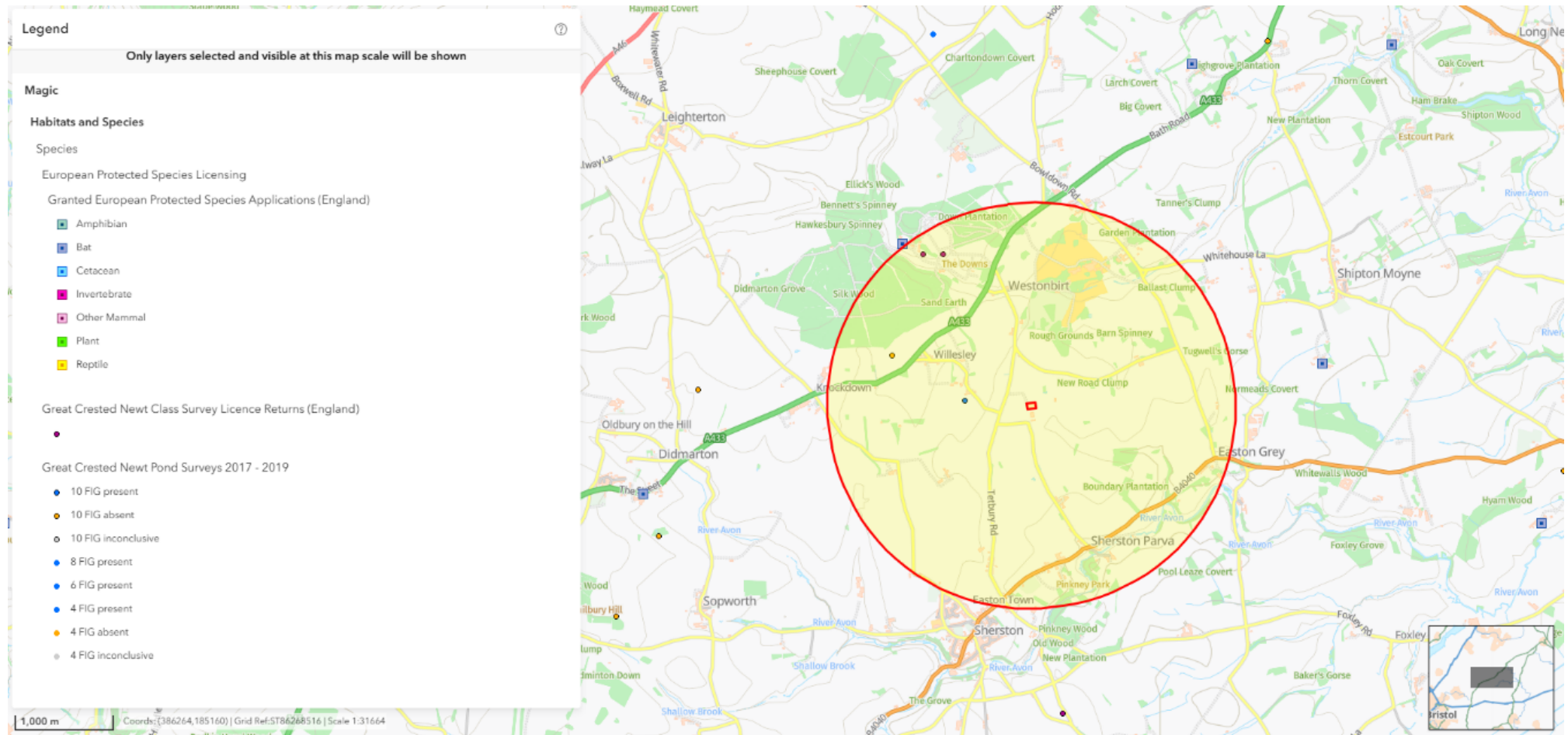
Section 40 of the Natural Environment and Rural Communities (NERC) Act, 2006, requires all public bodies to have regard to biodiversity conservation when carrying out their functions. This is commonly referred to as the 'biodiversity duty'.

Section 41 of the Act (Section 42 in Wales) requires the Secretary of State to publish a list of habitats and species which are of 'principal importance for the conservation of biodiversity.' This list is intended to assist decision makers such as public bodies in implementing their duty under Section 40 of the Act. Under the Act these habitats and species are regarded as a material consideration in determining planning applications. A developer must show that their protection has been adequately addressed within a development proposal.

Appendix 5: Desk Study Data







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