



**The Paddock
(adjacent Manor Farm
House)
Winsley
Wiltshire
BA15 2LN
Ecological Appraisal**

Luscinia Ecology
On behalf of
Mr. and Mrs. Tomkins



Document Properties

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Chapter 1: Summary

- 1.1 This report will be submitted alongside a planning application for delivery of a single residential unit at The Paddock (adjacent Manor Farm House) Winsley, Wiltshire, BA15 2LN.
- 1.2 This report sets out an Ecological Appraisal of the Proposed Development at the Site.
- 1.3 A data search and ecological surveys have been completed to determine the Proposed Development's impact, inform the Proposed Development's iterative design, (including implementation of the Mitigation Hierarchy), and to ensure the required ecological mitigation and compensation is embedded into the Proposed Development's design, or can be delivered via suitably worded planning conditions.
- 1.4 The Proposed Development will avoid impacts on ecological features of importance through embedded mitigation (site selection and sensitive design). The overall impact on habitats from the Proposed Development will be at least neutral.
- 1.5 The ecological impacts, and associated mitigation and compensation, associated with the Proposed Development is as follows:
 - The implementation of a Sensitive Lighting Strategy as outlined within this report.
 - The implementation of precautionary measures at construction to protect badgers, bat flight-paths and foraging habitat, hedgehogs and nesting birds.
 - Installation of two Vivara Pro 32mm nest boxes.
- 1.6 The following mitigation and enhancements will be provided within the Site:
 - Four Vivara Pro Woodstone Build-in (small) swift boxes.
 - one integrated Schwegler 1FR box.
- 1.7 The Applicant is aware of, and has committed to, all the mitigation, compensation, and enhancement measures set out within this report.
- 1.8 Based on the results from the survey, context of the Site, and overall low ecological importance of the Site, this report is valid for a period of 18 months (i.e., the 30/11/2026).



Chapter 2: Introduction

- 2.1 This report will be submitted alongside a planning application for delivery of a single residential unit at The Paddock (adjacent Manor Farm House) Winsley, Wiltshire, BA15 2LN. This report sets out an Ecological Appraisal of the Proposed Development at the Site.

Site Description

- 2.2 The Site (**Figure 1**) comprises a paddock, historically associated with the grade II listed Manor Farm House. The Site is approximately 0.2ha and is located centrally within the settlement boundary of the large village of Winsley at National Grid Reference ST 80001 60864. The immediate setting of the Site comprises a range of uses to include residential uses to the north and east and community uses, such as the village hall, sports pavilion and bowling green, found to the south / south-west of the Site.
- 2.3 The Site benefits from an existing gated access within the southern walled boundary leading directly onto a narrow, single-track lane. The Site comprises grassland, a track, and boundary scrub, and woodland. It is understood that the Site has previously had no official use and has been left unused for many years. In terms of site designations, the Site is located within the core impact zone for the Bath and Bradford on Avon Bat Special Area of Conservation (SAC).



Figure 1: Aerial image – Site boundary in red line¹

¹ Image used under licence (©2025 Google): Accessed: 28/05/2025.



Proposed Development

- 2.4 This report will be submitted alongside a planning application for the delivery of a single residential unit (referred to as the 'Proposed Development' throughout this report). The existing access will be retained. The Proposed Development (**Figure 2**) will result in the removal of grassland habitats within the Site and replacement with buildings, hardstanding, and gardens.



Figure 2: The Proposed Development

Purpose of this report

- 2.5 The purpose of this Ecological Appraisal (PEA) is to provide sufficient information for the Local Planning Authority to fully assess and understand the ecological outcomes of the Proposed Development. The key objectives of this PEA are to:
- Outline the planning, legal, and landscape context of the Site.
 - Ascertain the ecological importance of the Site by identifying and assessing the main habitats and plant communities within the Site and determining the presence/likely absence of protected species within the Site.
 - Characterise and assess the ecological impacts/likely ecological impacts of the Proposed Development on the ecological importance of the Site.
 - Follow the Mitigation Hierarchy to:
 - Demonstrate how the design of the Proposed Development has been shaped and revised since inception to minimise ecological impacts/likely ecological impacts (avoidance).



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



Chapter 3: Method

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

Zone of Influence

- 3.2 The ecological impacts / likely ecological impacts of the Proposed Development will be largely confined to the construction zone within the Site itself and would include the loss, degradation, and fragmentation of habitats, along with ecological impacts (e.g., killing and injury) on protected, priority and notable species, including the loss of ecological functions such as (commuting, hibernation, breeding opportunities). In addition, consideration has been given to the following potential impacts, which may spread beyond the Site:
- Disruption to species and habitats within receiving range of dust, light, noise and pollution during demolition, construction, and occupation of the Proposed Development.
 - Disturbance to habitats/species within walking/driving distance of the new residents of the Proposed Development once the Proposed Development is completed.
- 3.3 The surveys of the Site and search buffers used within the data search are sufficient to capture the full extent of the Zone of Influence (ZoI) of the Proposed Development.

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

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

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

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

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



Data Search

- 3.4 A review of existing ecological knowledge of the Site and its surrounding area was undertaken on 25/03/2025. The data search included:
- A 5km radius around the Site for statutory designated nature conservation sites⁷.
 - A 1km radius around the Site for granted European Protected Species Licences (EPSL), great crested newt class survey licence returns, and great crested newt pond surveys 2017 - 2019⁷,
 - A 1km data search from Wiltshire and Swindon Biological Records Centre (WSBRC) for protected and notable species and non-statutory sites⁸.
 - A 1km review of the habitats within the local landscape, habitat designations, and their suitability to support protected and notable species using aerial imagery⁹.

Field Surveys

- 3.5 The following surveys were undertaken at the Site:
- Extended UK Habitat Classification Survey¹⁰
 - Bats: Ground Level Tree Assessment (GLTA)¹¹
 - Consideration of suitability for protected and notable species
 - Incidental observations (All dates on Site)
- 3.6 The surveys were completed on 20/05/2025 by Mungo Nash. A detailed method for each of the surveys listed above is presented in **Appendix A**.

Assessing Ecological Importance

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

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

⁸ Wiltshire and Swindon Biological Records Centre (WSBRC), received 09/05/2025.

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

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



effect/likely effect is considered before and after the proposed mitigation to give an overall indication of significance.

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

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

Assessing Ecological Significance

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

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

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

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

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



Contributor information

- 3.15 The surveys and assessments were designed and led by Mungo Nash. The PEA was written by Mungo Nash. Technical review of this assessment was undertaken by Greg Nightingale. **Table 1** outlines the relevant experience of the assessment contributor.

Table 1: Contributor Experience

Contributor	Experience
Greg Nightingale BSc (Hons) MCIEEM	Greg is the Director of Luscinia Ecology (A CIEEM Registered Practice) with over 11 years of experience in ecology and environmental management in the private sector. Greg has worked extensively within the planning system, undertaking protected species surveys, habitat surveys and Ecological Impact Assessments as well as providing advice on habitat management and mitigation and enhancement design. He has a comprehensive understanding of environmental policy and the current and emerging challenges facing the environment and how these challenges are managed within the planning sector. Through an understanding of good practice, planning policy, the ecology of protected habitats and species, and environmental impact pathways, Greg provides robust ecological advice that is cognisant of wider planning and legal requirements. He is experienced in UKHabs Classification system and the Phase 1 Habitat classification. He has designed, undertaken, and reported on numerous habitat and protected species surveys (including badger surveys, bat emergence/re-entry surveys, bat activity surveys, and hazel dormouse surveys), including bespoke survey design and the implementation of numerous protected species mitigation strategies. Greg is a full member of the Chartered Institute of Ecology and Environmental Management (CIEEM). He holds a level two Bat Licence, a level one Great Crested Newt Licence, and a NPTC (CS38) Tree Climbing and Aerial Rescue qualification. In addition, he has been named on badger mitigation licences and has completed courses in barn owls, botany, breeding birds, and hazel dormouse.
Mungo Nash BSc (Hons) ACIEEM	Mungo Nash over 10 years' experience in ecology and environmental management. He is an Associate member of the Chartered Institute of Ecology and Environmental Management (CIEEM), who govern best practice in the ecology industry. Mungo has extensive experience in carrying out ecological appraisals and surveys for protected species (including for bats, great crested newts, badger, birds, dormice, reptiles, otter, and water voles) and has as a proven track record of successful project delivery in the presence of complex ecological constraints. Mungo is the Biodiversity Net Gain Lead at Luscinia Ecology. He brings expert-level knowledge of BNG and has delivered training on the Biodiversity Metric to a range of organisations, including the Planning Inspectorate and the Local Government Association Planning Advisory Service. Mungo previously worked at Natural England, where he advised Defra on the practical implementation of the Statutory Biodiversity Metric and helped shape national BNG policy.



Assumptions, Clarifications, and Limitations

Assumptions

- 3.16 The survey found evidence of recent tree removal within the Site. Felling was permitted PL/2025/01271. It's reasoned that mitigation and compensation for this tree was agreed as part of PL/2025/01271. Therefore this report does not outline mitigation and compensation for the loss of this tree.

Clarifications

- 3.17 None.

Limitations

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

Table 2: Summary of Limitations and Their Effect

Limitation	Analysis of effect
The desk study does not produce a comprehensive list of plants and animals as this is limited by factors that influence their presence (e.g., activity and dormancy periods), along with varied recording effort across the landscape.	The species records of the desk study reflect survey effort and therefore the data returned from each request is variable across the UK. As a result, the data search data has not been used to rule out the presence of protected species and habitats within and adjacent to the Site.
Measurements within this report are approximate – The mapping of baseline habitats and Proposed Development plans has relied upon the georeferencing of plans provided by the client.	The mapping of baseline habitats and Proposed Development plans has relied upon the georeferencing of plans provided by the project team. The process of georeferencing and mapping of polygon habitats at a fine scale may result in minor deviations from actual and proposed measurements. This has been controlled for via the use of advanced digitising tools and given the scale of the proposals any deviations in spatial areas or point locations are sufficiently minor to be inconsequential and will be subsumed within precautionary rounding.
Recent management of grassland provided constraint to species identification.	Identification of forb species was limited. However, this does not fundamentally change the habitat classification as grass species were readily identifiable in their vegetative state.



Chapter 4: Results and Assessment

Data Search

The Local Landscape Context

- 4.1 The Site is within the settlement of Winsley and is bound by low density rural development. The wider landscape beyond the village of Winsley is largely formed of farmland and linear woodland. The key green infrastructure within the local landscape is the woodland, scrub, and hedgerow network. The key blue infrastructure includes the River Avon and root of the Kennet and Avon Canal, which is located to the approximately 900m to the south of the Site.

Statutory Designated Sites

- 4.2 Statutory designated sites are the most significant ecological receptors and include Special Protection Areas (SPAs), Special Areas of Conservation (SACs) and Ramsar sites, which are all of **International Importance**, and Special Scientific Interest (SSSIs) and National Nature Reserves (NNRs), which are of **National Importance**.
- 4.3 Local Nature Reserves (LNRs) are notified under Section 21 of the National Parks and Access to the Countryside Act 1949 (as amended) by local authorities and are of **Local Importance**. They are intended for public appreciation and enjoyment of wildlife. The LNR designation does not afford special protection; however, LNRs are protected under legislation and planning policy.
- 4.4 The statutory designated sites within returned by the desk study are shown in **Table 3¹¹**. The Site was also within the Bath and Bradford-on-Avon Bats SAC consultation zone.

¹¹ Any SSSIs solely designated for their earth heritage or geological value are not shown within this table.



Table 3: Summary of Statutory Designated Sites Returned by the Desk Study

Site Name	Reason for designation	Distance and direction
Sites of International Importance		
Bath and Bradford-on-Avon Bats SAC	The internationally important designation of Bath and Bradford-on-Avon Bats SAC is comprised of a network of significant underground sites in both the Wiltshire and BNES administrative areas, including four nationally important Sites of Special Scientific Interest (SSSIs), namely Box Mine, Winsley Mines, Combe Down and Bathampton Down Mines, and Brown's Folly. These component sites comprise extensive networks of caves, mines and man-made tunnels which are used by bats for hibernation, breeding, mating and as a staging post prior to dispersal. The grassland, watercourses, scrub and woodland surrounding them are used by bats for feeding and commuting. Although these habitats are not included in the SAC designation, they are vital to support the bats which are features of the SAC.	~400m west
Sites of National Importance		
Winsley Mines SSSI	The two old stone mines on this site, Murhill Quarry and Winsley Rift Mine, are important hibernation sites for the rare and endangered greater horseshoe bat <i>Rhinolophus ferrumequinum</i> . Up to 100 bats have been recorded in these mines during the winter, the majority using Murhill Quarry. It is estimated that the greater horseshoe bat population in Britain has declined by over 90% since 1950. This can be attributed partly to the destruction of their insect prey by use of modern pesticides, and partly to destruction of and disturbance to roosting/hibernation sites. This species is now largely confined to south west England and Wales, spreading little further east than west Wiltshire. Winsley Mines have regularly provided hibernation sites for up to 5% of our greater horseshoes. Four other species of bat have been recorded using Winsley: the lesser horseshoe <i>Rhinolophus hipposideros</i> , whiskered Myotis <i>mystacinus</i> , Brandt's <i>M. brandti</i> and Natterer's <i>M. nattereri</i>	~400m west



Non-Statutory Designated Sites

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

Table 4: Summary of Non-Statutory Designated Sites Returned by the Desk Study

Site Name	Reason for designation	Distance and direction
Still Meadow LWS	A small calcareous meadow forming part of the garden of a large house.	~300m east
Cottles Lane Meadow LWS	A small steep east-facing meadow supporting unimproved calcareous grassland.	~700m east
Bristol Avon River LWS	One of the main river systems draining north-west Wiltshire.	~700m south west
Murhill Bank LWS	A small, steep, south-facing site with unimproved calcareous grassland, scrub and woodland, owned by the parish council and managed as a nature reserve.	~900m west
Kennet & Avon Canal LWS	A restored canal much used for recreation.	~900m south

Protected and Notable Species

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

Habitat Survey

4.7 The Site supported the following habitats:

- **Grassland:** Other neutral grassland
- **Hedgerow:** Native hedgerow
- **Individual trees:** Rural tree

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

Grassland: Other Neutral Grassland

4.9 Most of the Site was formed of other neutral grassland. Grass species included abundant crested dog's tail *Cynosurus cristatus*, red fescue *Festuca rubra*, cock's foot *Dactylis glomerata* and sweet vernal-grass *Anthoxanthum odoratum*. Frequent occurrence of false oat grass *Arrhenatherum elatius* and rare barren brome *Anisantha sterilis* were found on the peripheries of the grassland. The grassland was recently cut and arisings collected, forb species identified included ribwort plantain *Plantago lanceolata* and daisy *Bellis perennis* (**Photograph 1**). The **other neutral grassland** was of **Negligible Importance**.





Photograph 1. Other Neutral Grassland

Individual trees: Rural tree

- 4.10 Along the west boundary of the Site there was a linear group of rural trees. This included hazel *Corylus avellana*, ash *Fraxinus excelsior*, oak *Quercus robur* and elder *Sambucus nigra*. There was a woodland ground flora of dominant cow parsley *Anthriscus sylvestris*, ivy *Hedera helix* and locally dominant snowberry *Symphoricarpos albus*. A mature ash tree was also present (**Photograph 1**). The **Rural trees** were of **Site Importance**.



Photograph 2. Linear group of rural trees in the west of the Site

- 4.11 Evidence of recent tree removal was observed adjacent to the line of rural trees. The removed tree was a large mature ash *Fraxinus excelsior* (**Photograph 2**).



Hedgerow

Native hedgerow

- 4.12 There was a box *Buxus sempervirens* hedgerow along the east boundary of the Site. It was approximately 2m in height. The native hedgerow was of **Site importance**.

Protected and Notable Species

- 4.13 Based upon the nature, location, and characteristics of the Site and adjoining landscape, the suitability of the Site to support the following species/species groups is outlined below:
- Amphibians, including great crested newt *Triturus cristatus*
 - Badgers *Meles meles*
 - Bats
 - Birds
 - Hedgehog *Erinaceus europaeus*
 - Invertebrates
 - Reptiles
- 4.14 If a species or species group is not listed above, then it has been scoped out of this assessment based upon the nature, location, and characteristics of the Site and adjoining landscape.

Amphibians

- 4.15 The closest record for great crested newt was 1km south east of the Site, along the Kennet and Avon Canal. There were no granted great crested newt EPSLs, no positive great crested newt pond surveys (2017 – 2019) and no great crested newt class survey licence returns within 1km of the Site.
- 4.16 WSERC returned ten relevant records of amphibians, including common toad *Bufo bufo* (five records) and common frog *Rana temporaria* (five records). The records are situated in residential gardens within the wider area and the closest of these was located approximately 350m north of the Site.
- 4.17 A review of aerial photography and OS Mapping confirmed that there was one pond within 500m of the Site. This was located in the grounds of Dorothy House Hospice, located approximately 200m to the south west (grid reference ST 7978 6074).
- 4.18 There were no breeding opportunities for amphibians within or adjacent to the Site. The closest pond, watercourse, or ditch was 200m from the Site and the absence of these limits breeding opportunities for amphibians.
- 4.19 While narrow strips of rural trees and grasslands within the Site offer moderate suitability for amphibians during their terrestrial phases, the overall likelihood of



amphibians being present within the Site is negligible. This is due to the significant distance from suitable breeding habitat and the isolating effects of surrounding grey infrastructure, such as major roads or extensive developed areas, which act as barriers to amphibian movement and colonisation.

- 4.20 The **amphibian interest** was of **Negligible Importance** and amphibians will not be discussed further within this report.

Badgers

- 4.21 WSERC returned 28 records of badger, including four badger setts. The closest of these was 350m north west of the Site.
- 4.22 No direct evidence of badgers (setts, hairs, prints, latrines, etc.) was found within the Site. A search of the surrounding 30 m zone adjacent to the Site also revealed no evidence of badger activity. There were no mammal paths leading into or from the Site.
- 4.23 It is likely that badgers are present in the wider landscape, particularly within the woodland and fields to the south and east of the Site. As such, badgers could enter the Site in the future. However, given the Site is small and subject to relatively high levels of human disturbance it is considered unlikely that a badger sett would be established within the Site, as there is more suitable habitat in the wider landscape.
- 4.24 The **badger interest** was of **Site Importance**.

Bats

Data search

- 4.25 There were no granted EPSL for bats within 1km of the Site.
- 4.26 WSERC returned 486 records including the following species:
- One record of alcahloe bat *Myotis alcathoe*;
 - four records of barbastelle *Barbastella barbastellus*;
 - Three records of Bechstein's bat *Myotis bechsteinii*;
 - Five records of Brandt's bat *Myotis brandtii*;
 - One record of brown long-eared bat *Plecotus auritus*;
 - 14 records of common pipistrelle *Pipistrellus pipistrellus*;
 - Eight records of Daubenton's bat *Myotis daubentonii*;
 - 201 records of greater horseshoe bat *Rhinolophus ferrumequinum*;
 - 165 records of lesser horseshoe bat *Rhinolophus hipposideros*;
 - One record of Nathusius's pipistrelle *Pipistrellus nathusii*;
 - 12 records of natterer's bat *Myotis nattereri*;



- Four records of noctule *Nyctalus noctula*;
- 13 records of serotine *Eptesicus serotinus*;
- 12 records of soprano pipistrelle *Pipistrellus pygmaeus*; and
- Ten records of whiskered bat *Myotis mystacinus*

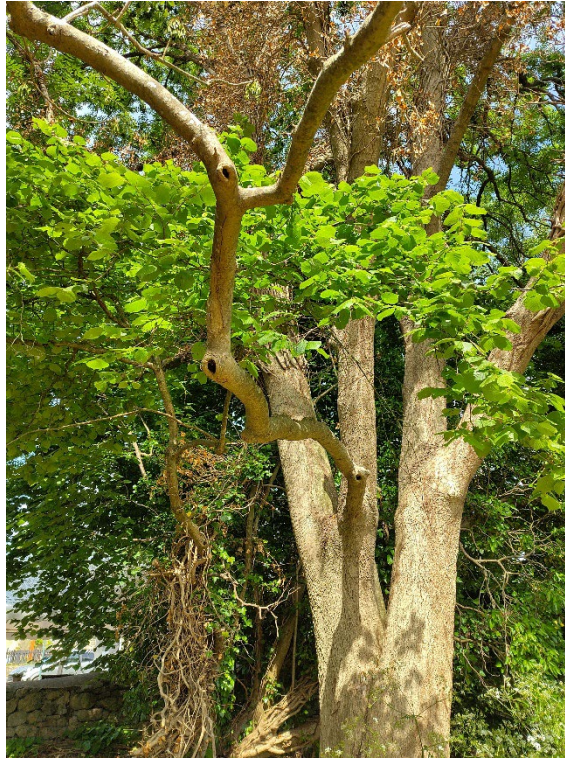
Ground Level Tree Assessment

- 4.27 The survey found two ash trees along the west boundary that had large rot-hollow suitable to support roosting bats (**Photographs 3 and 4**). **The features were assessed to be of PRF-M suitability.**



Photograph 3. T8 with rot holes suitable to support roosting bats





Photograph 4. T11 with rot holes suitable to support roosting bats

Flight-paths and Foraging Habitat

4.28 The Site is within the settlement of Winsley and is bound by low density rural development. The wider landscape beyond the village of Winsley is largely formed of farmland and linear woodland. The key green infrastructure within the local landscape is the woodland, scrub, and hedgerow network. The key blue infrastructure includes the River Avon and root of the Kennet and Avon Canal, which is located to the approximately 900m to the south of the Site.

4.29 The wider landscape broadly aligns with High Suitability Flight-path and Foraging Habitat:

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

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

Site is close to and connected to known roosts.”

4.30 The Site is immediately surrounded by existing areas of low density rural development. It is expected that bat assemblages may use the linear rural trees along the west boundary of the Site as a flight-path and as a foraging habitat.

4.31 The habitat within the Site was assessed to be of Moderate Suitability for bat flight paths and foraging habitat.



Nesting birds

- 4.32 WSERC returned 50 species of birds. There were 367 records in total, including 14 records of hawfinch *Coccothraustes coccothraustes* and 39 records of swift *Apus apus*. No schedule 1 species were returned.
- 4.33 The Site supported rural trees suitable for nesting birds, including canopy specialists like hawfinch.
- 4.34 The **nesting bird interest** was of **Site Importance**.

Hedgehog

- 4.35 WSERC returned 18 records of hedgehog. The closest record was 190m north west of the Site.
- 4.36 The Site was separated from local records by a network of low density rural development, with permeable hedgerows suitable for commuting hedgehogs.
- 4.37 It is expected that hedgehogs could be present within the local area and may occasionally enter the Site to commute, forage, and rest. Vegetation within the Site was considered to provide insufficient cover or features for hedgehogs to use to hibernate.
- 4.38 The **hedgehog interest** was of **Site Importance**.

Reptiles

- 4.39 WSERC returned 40 number of records of reptiles, including:
- Two records of adder *Vipera berus*;
 - 14 records of common lizard *Zootoca vivipara*;
 - Nine records of slow worm *Anguis fragilis*; and
 - 15 records of grass snake *Natrix Helvetica*.
- 4.40 The majority of records were associated with the Kennet and Avon Canal LWS and Winsley SAC, the closest being a slow worm record 240m to the south west.
- 4.41 The Site is predominantly composed of habitats which are suitable for reptiles. However, it is relatively isolated from the wider landscape of highly suitable reptile habitat. Surrounding roads and residential land, although rural in character, present barriers to reptile movement. Due to its small size, the Site is only likely to support a limited reptile population, most likely confined to slow worms. Nevertheless, more mobile species such as grass snake may occasionally pass through the Site.
- 4.42 The **reptile interest** was of **Site Importance**.



Results Conclusion

4.43 A summary of the results in presented in **Table 6**. Where further consideration is required, this is addressed and resolved in the following chapters of this report.

Table 5: Summary of Results

Ecological Feature	Ecological Importance / Suitability*	Further consideration required?
Designated sites		
Bath and Bradford-on-Avon Bats SAC	International	Yes
Winsley Mines SSSI	National	
Local Nature Wildlife Sites	Local	
Habitats		
Grassland: Other neutral grassland	Negligible	No
Individual trees: Rural tree	Site	Yes
Hedgerow: Native hedgerow		
Protected and notable species		
Amphibians	Negligible	No
Badgers	Site	Yes
Bats: Roosts	PRF-M*	
Bats: Flight-paths and Foraging	Moderate*	
Nesting birds	Site	
Hedgehog		
Reptile		



Chapter 5: Discussion

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

Embedded Mitigation

- 5.5 Using the design principles and layout within **Figure 2**, this section considers the embedded mitigation associated with the Proposed Development.
- 5.6 The selection of the Site for Proposed Development has inherently avoided impacts on ecology and biodiversity as the Site comprises relatively low value habitats. Impacts have then been further reduced by sensitive design. The Proposed Development will not impact any green or blue infrastructure. Through design the Sensitive Lighting Strategy (outlined in the section on 'Site Wide Mitigation') will be embedded into the building.

Effects of the Proposed Development

- 5.7 Using the design principles and layout within **Figure 2**, this section concerns an assessment of ecological effects resulting from the Proposed Development. The following effects have been identified:
 - The removal of grassland habitat.
 - The removal of T1 and T2 (as described by the Arboriculture Impact Assessment).
 - The clearance of the Site and construction process potential to kill/injure badgers, hedgehogs and nesting birds.
 - There is potential for increases in light spill on the linear group of individual trees to the west of the Site during construction and occupation.
 - There will be pollution during construction in the form of dust, noise, chemical, and litter.
 - There will be an increase in residential units, leading to increases in recreation and human-related effects in the local area.



Site Wide Mitigation

- 5.8 Care will be taken during clearance/groundworks to ensure wildlife is not harmed. In the event a protected species is found when an ecologist is not in attendance, works will stop, and an ecologist will be contacted.
- 5.9 The construction phase is likely to be limited given the small scale of the Proposed Development. The Proposed Development will implement standard and well-rehearsed pollution control measures throughout construction. Given the scope of the development, the following actions will be implemented during construction:
- Take measures to minimise and prevent erosion and run-off, including minimising adjacent land disturbance.
 - Control dust through fine water sprays used to dampen down the Site.
 - Screen the edge of the Construction Zone by placing a fine mesh screening close to any dust sources.
 - Cover skips and trucks loaded with construction materials and continually damp down with low levels of water.
 - Cover piles of building materials like cement, sand and other fine materials and powders, regularly inspect for spillages, and locate them where they will not be washed into waterways or drainage areas.
 - Use non-toxic paints, solvents and other hazardous materials wherever possible.
 - Segregate, tightly cover, and monitor toxic substances to prevent spills and possible site contamination.
 - Cover up and protect all drains within and adjacent to the construction footprint.
 - Collect, control, and avoid wastewater generated from construction activities, screen, discharge the clean water, and dispose of remaining sludge according to environmental regulations.
 - No burning of materials.
 - Reduce noise pollution through careful handling of materials; modern, quiet power tools, equipment and generators; and low impact technologies.
- 5.10 Lighting during construction and occupation has the potential to disrupt / modify the behaviour of wildlife. A Sensitive Lighting Strategy will be implemented, the development of which has been informed by guidance on bats and artificial lighting¹². This strategy has influenced the final design, and applied the following principles:
- Outdoor lighting within the Site has been reduced as far as practicable.
 - Internal and outdoor luminaires have been positioned and directed away from ecological receptors (specifically the trees along the west boundary).

¹² Institution of Lighting Professionals (ILP). (2018). Guidance Note 8: Bats and Artificial Lighting. Rugby: Institution of Lighting Professionals.



- Column heights have been reduced as far as practicably possible to reduce light spill along with the consideration of low-level bollard lighting.
- White light will be avoided, and warm colours preferably used. Preferable colours are 3000°k to 2700°k (where feasible) with peak wavelengths greater than 550nm.
- 0% upward light output and no tilting of the light head.
- Where vegetation, fencing and walls have been used as as a light buffers.
- Motion sensors for security lighting.
- For street lighting, the consideration of part night lighting and dimming (the latter viable with LED's only).
- Shields, baffles and cowls will be fitted to the luminaires.

Designated Sites

Statutory Designated Sites

Core Roosts

- 5.11 Bath and Bradford-on-Avon Bats SAC sites are spatially isolated from the Proposed Development as to avoid direct impacts on SAC Core Roosts.

Sensitive Features

- 5.12 Sensitive features relevant to the SAC include '**foraging areas**' (including woodland, hedgerows and scrub, unimproved rough grassland, intensively grazed pastures and watercourses and wetland features) and '**commuting corridors**' (including hedgerows, stone walls, tree lines, woodland edges, riparian corridors and embankments). Protection of these features is essential to maintaining the integrity of the SAC.
- 5.13 The extent, situation and current use of the grassland does not align with the criteria of a sensitive 'foraging area' features (which are identified as unimproved rough grassland or intensively grazed pasture in guidance).
- 5.14 The linear rural trees along the west boundary of the Site meets the criteria of a sensitive 'commuting corridor' feature (hedgerows, stone walls and tree lines). It does not strictly meet the definition of a sensitive 'foraging area' feature (woodland / hedgerows and scrub) however would likely support low numbers of foraging bats. This feature is bound by low density rural development and there are numerous other high quality commuting corridors and foraging areas in the local landscape. Due to their situation, it is unlikely that the linear rural trees along the west boundary of the Site are key feature in maintaining the conservation status of bats associated with Core Roosts.
- 5.15 There was evidence that a mature ash tree within this feature was removed prior to the survey visit (conducted 20/05/2025). Despite this loss the linear feature of trees will be retained by the proposals. The loss of this ash tree is further discussed in the 'clarifications' section of this report.



- 5.16 It's reasoned that the retention of this feature, alongside a Sensitive Lighting Strategy (as detailed above in 'Site Wide Mitigation') is sufficient to ensure that there will be negligible impact to the integrity of the Bath and Bradford-on-Avon Bats SAC.
- 5.17 Additional mitigation measures to minimise impacts to bats are specified in the 'Protected and Notable Species' section below.

Non-statutory

- 5.18 There are no non-statutory designated sites within the vicinity of the Site (200m). As such, due to the nature of the development impacts to non-statutory designated sites is considered highly unlikely. Non-statutory designated sites are not discussed further within this report.

Habitats

- 5.19 Where possible the Proposed Development avoids the loss of surveyed habitats which were deemed to be of Site importance (rural trees and hedgerows). However, T1 and T2 (as described by the Arboriculture Impact Assessment as semi-mature self-sown ash trees) will be removed by the Proposed Development.
- 5.20 New landscaping and structural planting are proposed, and this includes new gardens and tree planting which in time will mature. Planting includes a mix of ginkgo *Ginkgo biloba*, acer *Acer* spp., silver birch *Betula pendula*, hawthorn *Crataegus monogyna*, liquid amber *Liquidambar styraciflua* and oak. The new private lawn will be seeded with a species-rich mow-tolerant seed mix, representative of the current composition of grassland within the Site. The residual impact of the Proposed Development will be minor positive.
- 5.21 The landscaping and habitat provision should be secured by a suitably worded planning condition for a Soft Landscape Plan (or similar).

Protected and Notable Species

Badgers

- 5.22 There is a low risk of badgers entering the Site during construction. To avoid impacts on badgers during construction, the following precautionary measures will be implemented:
- A Toolbox talk will be given to contractors prior to works commencing and as part of the induction process for new teams entering the construction site. The Toolbox talk will include details on:
 - The known presence of badgers in the area.
 - The protected status of badgers.
 - What to look for when working in areas known to support badgers.
 - The agreed safe working practices in relation to badgers.



- What to do when unsure or in the event that a badger or large hole / excavations is discovered on Site.
- The contact details of the Ecologist in the event a badger or possible badger sett is discovered within/adjacent to the Site.
- Any excavations (e.g., trenches / pits) will be covered when works are not taking place to ensure that they do not fill with water and to prevent wildlife, including badgers, from becoming trapped within the excavation.
- If any excavations must be left open overnight, then they will be provided with a means of escape should a badger or any other wildlife enter. This could simply be in the form of a roughened plank of wood placed in the excavation as a ramp to the surface.
- Any temporary exposed pipes will be capped to prevent badgers gaining access during the night.
- Any excavations and pipes will be inspected each morning to ensure no badgers have become trapped overnight. If a badger becomes trapped, then it is likely to attempt to dig itself into the side of the excavation and form a temporary sett. If trapped badger is encountered, the advice of an ecologist will be sought.
- The storage of topsoil or other 'soft' building materials within the clearance/construction site will be given careful consideration. Badgers could readily adopt such mounds as setts. To avoid the adoption of any mounds by badgers, mounds will be kept to a minimum and any essential mounds subject to daily inspections.
- The storage of any chemicals within the clearance/construction site will be contained in such a way that they cannot be accessed or knocked over by any roaming badgers.

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

Bats

Roosts

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

5.25 In line with the limited predicted degree of risk and proportionality principle¹³, no bat presence / absence surveys were undertaken of **Tree 1** and **Tree 2**. This was reasoned as follows:

- The Site and Proposed Development were small in scale with a limited ZOI.
- Loss and disturbance will be avoided through design, embedded mitigation and a Sensitive Lighting Strategy.

¹³ See sections 8.2.7, 2.2.2 and 2.2.5 of the Bat Survey Guidelines, reference 12.



- The Site contained a simple habitat structure

Bats: Flight-paths and Foraging Habitat

- 5.26 The Site was assessed to be of moderate Suitability in relation to bat flight-paths and foraging habitat.
- 5.27 The Proposed Development will not significantly alter the landscape or modify / sever habitats of high importance to bat flight-paths or foraging habitat. It is highly likely that the replacement of the existing grassland within the Site with hardstanding and a garden will result in an undetectable change in the use of the Site by the local bat assemblage.
- 5.28 As set out above, a Sensitive Lighting Strategy will be implemented during construction and occupation. In addition, it is expected that any new light sources from the Proposed Development will be minor, low-level, similar to existing light sources, and will not significantly illuminate adjacent habitats.
- 5.29 In line with the limited predicted degree of risk and proportionality principle¹⁴, no bat activity surveys were undertaken. This was reasoned as follows:
- The Site and Proposed Development were small in scale with a limited ZOI.
 - The Site contained a simple habitat structure / connectivity (adjacent to suitable habitats only).
 - The Site itself supported habitats of Low Suitability.
 - Impacts (modification, fragmentation, and severance) on commuting and foraging habitats were avoided by embedded mitigation.
- 5.30 With the above mitigation, there will be a negligible impact on bat flight-paths and foraging habitat, with the overall residual impact neutral.

Nesting birds

- 5.31 There is a low risk that nesting birds and their young could be harmed during vegetation clearance.
- 5.32 These works should ideally be undertaken outside the nesting bird season (which is generally taken to be March – August inclusive). Should it prove necessary to complete these works during the bird nesting season, then the area will be checked in advance for the presence of bird nests by an ecologist. If there is no evidence of breeding birds the work will be completed within 48 hours of inspection. If any active nests are identified, clearance will cease, and an appropriate buffer zone must be established around the nest in discussions with an ecologist (usually 5m). The buffer must remain intact until it has been confirmed that the young have fledged, and the nest is no longer in use.

¹⁴ See sections 8.2.7, 2.2.2 and 2.2.5 of the Bat Survey Guidelines, reference 12.



5.33 Given the nature of the Proposed Development, the removal of these nesting opportunities is not expected to have any lasting effect on local bird populations as created habitats will mature to create similar opportunities for foraging and nesting. Nevertheless, to provide continued support for these species as these habitats:

- two Vivara pro WoodStone 32mm nest boxes will be installed within the Site onto newly constructed buildings at heights of 2m, and facing north or east.

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

Hedgehog

5.35 There is the low risk that hedgehog may enter the Site during construction and be killed/injured.

5.36 The above measures in relation to badger will protect commuting and foraging hedgehogs.

5.37 Design will retain features which allow the movement of hedgehogs and other wildlife between gardens. Hedgehogs will continue to be able to access habitats within and adjacent to the Site to commute, forage, and rest.

5.38 With the above mitigation, the risk of harm to hedgehogs will be mitigated and the overall residual impact on hedgehogs will be neutral.

Reptiles

5.39 The Site is of low suitability for reptiles. It is not considered that the Site, in its current state, could reasonably support a population of reptiles as the habitat is not suitable and provides limited vegetative cover. The Site should be maintained to its current short sward height to deter reptiles from entering the Site. If the grassland is allowed to grow long, then small numbers of transient reptiles may enter the Site and be kill/injured as a result of the Proposed Development.

5.40 If the grassland has been allowed to grow long, then prior to commencement dispersal via habitat management will be implemented. This will include two-cut regime, the first cut will be to 10cm, then 24-hours later a second cut will be undertaken down to ground level. All cuts will be completed by a strimmer.

5.41 With the above mitigation, the risk of harm to reptiles will be mitigated and the overall residual impact on reptiles will be neutral.



Assessment Conclusion

5.43 A summary of the assessment outcomes is presented in **Table 6**.

Table 6: Summary of Assessment Outcomes

Ecological Feature	Ecological Importance / Suitability*	Assessment outcome
Designated sites		
Bath and Bradford-on-Avon Bats SAC	International	No Impact / Impact Avoided
Local Nature Wildlife Sites	Local	
Habitats		
Individual trees: Rural tree	Site	Loss of T1 and T2.
Hedgerow: Native hedgerow		Secure compensation via a condition for a soft landscape plan
Protected and notable species		
Badgers	Site	No Impact / Impact avoided.
Bats: Roosts	PRF-M	
Bats: Flight-paths and Foraging	Moderate	
Nesting birds	Site	Secure mitigation via a condition to implement this report
Hedgehog		
Reptile		

5.44 Based on the results from the survey, context of the Site, and overall low ecological importance of the Site, this report is valid for a period of 18 months (i.e., the 30/11/2026). It is reasoned that there would be no material change on Site within this time period. This is reasoned in line with good practice guidelines¹⁵.

Enhancement

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

- four Vivara Pro Woodstone Build-in (small) swift boxes will be installed within the Site into the fabric of a new building as a group, under an eave or within a sheltered area as high up as possible, and facing north or east.
- the installation of a Schwegler 1FR bat tube (or similar woodcrete / WoodStone® alternative) will be installed at heights of at least 4m, facing west, located at gable tops of the structure, away from sources of artificial light. The box will be integrated into the structure to limit the likelihood of removal in the future.

¹⁵ CIEEM (2019). Advice Note: *On the Lifespan of Ecological Reports and Surveys*. Chartered Institute for Ecology and Environmental Management, Winchester



Appendix A: Survey Methods

Extended UK Habitat Classification Survey

- A. 1 The Site was surveyed using the UK Habitat Classification Survey method. The method classified the Site into areas of similar botanical community types with a representative sample of those species present at the time of the survey being described. The vegetation present was clearly visible and allowed an accurate assessment to be made. Any subsequent visits to the Site were used as an opportunity to update the results and classifications of the UK Habitat Survey.
- A. 2 Grasslands within the Site were subject to quadrat surveys. Quadrat surveys included five 1m² quadrats with locations assigned using a Judgemental Stratified Survey Strategy¹⁶. The DAFOR scale was then used to assign the relative abundances of the species recorded within each of the quadrats. The DAFOR scale is as follows:
- D – Dominant (51 – 100%).
 - A – Abundance (31 – 50%).
 - F – Frequent (15 – 30).
 - O – Occasional (6 – 15%).
 - R – Rare (1 – 5%).
- A. 3 The survey was 'extended' to look for evidence of protected and notable species of flora or fauna¹⁷ and to assess the suitability of the Site to support these flora or fauna. In the context of this report, rare, protected, and notable species of flora or fauna were those considered to meet any of the following criteria:
- Species protected by UK or European legislation.
 - UK Post 2010 UK Biodiversity Framework priority species or Local Biodiversity Action Plan (LBAP) species.
 - Nationally rare or nationally scarce species.
 - Species of Conservation Concern (e.g., JNCC Red List, RSPB/BTO Red or Amber Lists).
- A. 4 The Wildlife and Countryside Act (1981) as amended, makes it an offence to release or allow to escape into the wild any animal, plant, or micro-organism not ordinarily resident in the UK (as listed in Schedule 9 of the Act). Plant species listed in Schedule 9 were searched for during the survey. However, many invasive species can be cryptic

¹⁶ Areas within the grassland were divided unequally into sub-areas based on visual cues at the Site and professional judgement, this allowed sub-areas of interest to be surveyed separately. Then sampling locations in the survey area were chosen at relatively equal distances but subjectively. This strategy avoids using a 'Random' strategy which may conflate the results of known sub-areas, thereby creating noise within the results, as well as avoiding a 'Systematic' survey which may conflate known sub-areas and/or miss sub-areas entirely.

¹⁷ Suitability was determined using respective good practice guidance for each species/species group.



and therefore this survey does not provide a guarantee that an invasive species is not present and shouldn't be relied upon to rule out absence of an invasive species¹⁸.

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

Hedgerow Survey

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

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

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

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

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

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

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

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

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

(b) any gap not exceeding 20 metres"

shall be treated as part of the hedgerow".

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

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

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

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

¹⁸ Invasive species can be cryptic and can rapidly spread from adjacent land. Luscinia Ecology cannot be held liable for invasive species found within the Site after the date of the UK Habitat Survey.



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



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

- A. 14 Regarding point h) above, a connection with another hedgerow scores 1 point and a connection with a pond or a woodland in which the majority of trees are broadleaved trees scores 2 points; and a hedgerow is connected with something not only if it meets it but also if it has a point within 10 metres of it and would meet it if the line of the hedgerow continued.
- A. 15 Criterion 8 sets out that when a hedgerow is located adjacent to a public right of way, bridleway or footpath, four woody species and two associated features are required for it to qualify as important.
- A. 16 The woody species referred to above are set out on Schedule 3 of the Regulations¹⁹.

Badgers

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

¹⁹ Alder (*Alnus glutinosa*), Apple, crab (*Malus sylvestris*), Ash (*Fraxinus excelsior*), Aspen (*Populus tremula*), Beech (*Fagus sylvatica*), Birch, downy (*Betula pubescens*), Birch, silver (*Betula pendula*), Black-poplar (*Populus nigra* sub-species *betulifolia*), Blackthorn (*Prunus spinosa*), Box (*Buxus sempervirens*), Broom (*Cytisus scoparius*), Buckthorn (*Rhamnus cathartica*), Buckthorn, alder (*Frangula alnus*), Butcher's-broom (*Ruscus aculeatus*), Cherry, bird (*Prunus padus*), Cherry, wild (*Prunus avium*), Cotoneaster, wild (*Cotoneaster integerrimus*), Currant, downy (*Ribes spicatum*), Currant, mountain (*Ribes alpinum*), Dogwood (*Cornus sanguinea*), Elder (*Sambucus nigra*), Elm (*Ulmus* species), Gooseberry (*Ribes uva-crispa*), Gorse (*Ulex europaeus*), Gorse, dwarf (*Ulex minor*), Gorse, western (*Ulex gallii*), Guelder rose (*Viburnum opulus*), Hawthorn (*Crataegus monogyna*), Hawthorn, midland (*Crataegus laevigata*), Hazel (*Corylus avellana*), Holly (*Ilex aquifolium*), Hornbeam (*Carpinus betulus*), Juniper, common (*Juniperus communis*), Lime, large-leaved (*Tilia platyphyllos*), Lime, small-leaved (*Tilia cordata*), Maple, field (*Acer campestre*), Mezereum (*Daphne mezereum*), Oak, pedunculate (*Quercus robur*), Oak, sessile (*Quercus petraea*), Osier (*Salix viminalis*), Pear, Plymouth (*Pyrus cordata*), Pear, wild (*Pyrus pyrastra*), Poplar, grey (*Populus x canescens*), Poplar, white (*Populus alba*), Privet, wild (*Ligustrum vulgare*), Rose (*Rosa* species), Rowan (*Sorbus aucuparia*), Sea-buckthorn (*Hippophae rhamnoides*), Service-tree, wild (*Sorbus torminalis*), Spindle (*Euonymus europaeus*), Spurge-laurel (*Daphne laureola*), Walnut (*Juglans regia*), Wayfaring-tree (*Viburnum lantana*), Whitebeam (*Sorbus species*), Willow (*Salix* species), and Yew (*Taxus baccata*).



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

Bat Surveys

Ground Level Tree Assessment

- A. 18 The trees within the Site were subject to a Ground Level Assessment (GLTA) following good practice guidelines. This is an external and internal inspection survey, the purpose of which is to search for bats/evidence of bats and assess the likelihood of bats being present and the need for further survey and/or mitigation.
- A. 19 The features suitable to support bat roosts were searched for on the trees with reference to the Bat Tree Habitat Key²⁰. These features are as follows:
- Longitudinal splits.
 - Crevices.
 - Rot-hollows.
 - Transverse cracks.
 - Loose bark.
 - Ivy.
- A. 20 The following equipment was used for the Ground Level Assessment:
- Binoculars (Pentax Papilio II 6.5 x 21 Close focusing).
 - Powerful torch to illuminate dark features from the ground.
 - A ladder.
 - Camera to record evidence.
- A. 21 The assessment of the suitability of the trees within the Site was assessed against Table 4.1 of the Bat Survey Guidelines. The table is set out in **Table 7** below.

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

Table 7: Guidelines for categorising the potential suitability of PRFs on a proposed development site for bats, to be applied using professional judgement.

²⁰ Andrews H. (2018). *Bat Roosts in Trees - A Guide to Identification and Assessment for Tree-care and Ecology professionals: Bat Tree Habitat Key*. Pelagic Publishing, Exeter.



Flight-path and Foraging Habitat Assessment

A. 22 The assessment of the suitability of the bat flight-paths and foraging habitat of the Site was determined using Table 4.1 of the Bat Survey Guidelines. A redacted version of the table is set out in **Table 8** below.

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

Table 8: Guidelines for assessing the potential suitability of proposed development sites for bats, based on the presence of habitat features within the landscape, to be applied using professional judgement – redacted.



Appendix B: UK Habitat Classification Plan



Appendix C: Legislation and Planning Policy

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

Planning and Biodiversity

- C. 2 Local Authorities have a requirement to consider biodiversity conservation issues when determining planning applications.
- C. 3 The following ecological and environmental policies from the Wiltshire Core Strategy are of relevance to the Site:
- Core Policy 50: Biodiversity and Geodiversity
 - Core Policy 51: Landscape
 - Core Policy 52: Green Infrastructure
- C. 4 Chapter 15, Conserving and Enhancing the Natural Environment of the National Planning Policy Framework (NPPF)²¹ includes the following:

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

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

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

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

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

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

²¹ MHCLG (2025). National Planning Policy Framework. February 2025. Ministry of Housing, Communities and Local Government, London.



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

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

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

...

Habitats and biodiversity

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

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

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

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

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

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

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



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

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

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

b) listed or proposed Ramsar sites⁷¹; and

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

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

Legislation and biodiversity

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

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

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

Wildlife & Countryside Act 1981 (as amended)

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

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



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

Natural Environment and Rural Communities (NERC) Act

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

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

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



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

Species Protection

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

Amphibians

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

Badger

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

Bats

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



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

Birds

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

Brown hare

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

Hazel dormouse

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



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

Hedgehog

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

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

Reptiles

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

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

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

