



Preliminary Ecological Appraisal
Malmesbury Primary, Footpath Application
Daniel Connal Partnership
February 2026
IES/2025/134/Version 3.0

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CONTENTS

Quality Assurance	2
Contents	3
Non-Technical Summary	4
1 Introduction	5
2 Planning Policy, Legislation and Guidance	6
3 Methodology	8
4 Baseline Ecological Conditions	12
5 Evaluation and Recommendations	20
6 Conclusions	23
7 References	24
Figure 1: Site Location	26
Figure 2: Field Survey	28
Figure 3: Proposed	30
Figure 4: Pond Locations	31
Appendix A: Policy and Legislation	34
Appendix B: Notes and Limitations	47
Appendix C: Location of Designated Sites	48
Appendix D: Condition Sheets	51

NON-TECHNICAL SUMMARY

Purpose

The aim of this survey was to provide an updated description of the existing habitat types, to determine the existence and location of any ecologically valuable areas and to identify the presence or potential presence of any protected species.

Methodology

A UK Hab habitat survey and associated desk study was carried out to current best practice guidelines.

Key Issues

A nesting bird check will be required only if suitable vegetation is to be cut back or removed between March and August.

Legal obligations

Breeding birds, their nests and eggs are protected by law, and it is a criminal offence to kill or injure them or to take, damage or destroy their nests.

All bats and their roosts are protected by law, and it is a criminal offence to kill, injure or take them, and to damage, destroy or obstruct access to their roosting spaces.

Conclusions

The desk study and survey work have identified the site as being of low ecological value. The proposals have the potential to lead to biodiversity enhancement on the site.

Recommendations have been made to ensure that the development does not affect any protected species during either the construction or the operational phase, and further survey work has been recommended under certain circumstances to ensure that no effects on protected species occur.

1 INTRODUCTION

1.1 Background

1.1.1 IES Consulting were instructed by Daniel Connal Partnership to undertake a Preliminary Ecological Appraisal at the land adjacent to Malmesbury Primary School, Tetbury Hill, Malmesbury SN16 9JR and centred on Grid Reference ST92910 87907. A site location plan can be seen in **Figure 1**.

1.1.2 The aim of this survey was to provide a description of the existing habitat types, to determine the existence and location of any ecologically valuable areas and to identify the presence or potential presence of any protected species.

1.1.3 The purpose of this report is to:

- Identify key ecological constraints;
- Inform masterplanning to allow significant ecological effects to be avoided/minimised wherever possible;
- Identify further ecological survey work which will be required;
- Develop ecological mitigation/compensation measures; and
- Form a basis for agreeing the scope of the ecological impact assessment.

1.1.4 This report was authored by Daisy Bradley-White (BSc (Hons)) who has over 4 years' experience of ecological surveying and by Tilly Tilbrook MSc CEcol MCIEEM who has over 23 years' experience of ecological surveying.

1.2 Site Description

1.2.1 The site is situated to the south of Malmesbury Primary School and is currently an area of modified grassland bordered by a native hedgerow.

1.3 Development Proposals

1.3.1 It is proposed to develop the site into a permanent pedestrian access route and temporary vehicle access route during construction for the proposed extension of Malmesbury Church of England Primary School (Application reference:PL/2025/07919).

2 PLANNING POLICY, LEGISLATION AND GUIDANCE

2.1 Planning Policy

2.1.1 A review of planning policy was undertaken to inform this report, and this is summarised below. Full details of the planning policy relevant to the site can be found in **Appendix A**.

National Policy

- National Planning Policy Framework (February 2025) - this document is a material consideration in planning decisions, and states that planning policies and decisions should provide net gains for biodiversity.

Local Policy

- The Wiltshire Core Strategy - Policy 50 outlines how development proposals must demonstrate how they protect features of nature conservation value.
- Bats Special Areas of Conservation (SAC) Planning Guidance for Wiltshire - This document lays out the expectations with respect to bats relating to the SACs for this group in Wiltshire.

2.2 Legislation

2.2.1 The following legislation has been taken into account when preparing this report, and full details are given in **Appendix A**.

- **The Environment Act 2021** - this provides clear statutory targets for recovery in four priority areas: air quality; biodiversity; water and waste. It includes a target to reverse the decline in species abundance by 2030 and provides a legal framework for mandatory 10% biodiversity net gain on development sites, which came into force in 2024.
- **The Conservation of Habitats and Species Regulations 2017** - this provides protection for European Protected Species and European Protected Sites.
- **The Town and Country Planning (Environmental Impact Assessment) Regulations 2017** - this provides a framework to identify developments which must carry out an Environmental Impact Assessment (EIA).
- **The Natural Environment and Rural Communities Act 2006** - this extends the duties of public bodies in relation to biodiversity. It establishes the Section 41 species and

habitats of principal importance for the purpose of conserving biodiversity, which need to be taken into account by a public body when performing any of its functions.

- **The Countryside and Rights of Way Act 2000** - this act places a duty on Government departments and the National Assembly for Wales to have regard for the conservation of biodiversity, and to maintain lists of species and habitats for which conservation steps should be taken or promoted, in accordance with the Convention on Biological Diversity. It strengthens the legal protection for species named on the Wildlife and Countryside Act 1981 and creates a new offence of reckless disturbance.
- **The Hedgerow Regulations 1997** - this provides protection for hedgerows classified as 'important' under the regulations.
- **The Protection of Badgers Act 1992** - this provides legal protection to badgers and their setts, making it an offence to kill, injure or take a badger, or to damage or interfere with a sett unless you have a licence.
- **The Wildlife and Countryside Act 1981** - this act provides legal protection for wild birds, Sites of Special Scientific Interest, plants, reptiles and other amphibians and other animals, and makes it a criminal offence to kill, injure or take those species listed in the act, and to damage, obstruct or destroy their resting places, or disturb them in their resting places.

2.3 Guidance

2.3.1 This report has been prepared in accordance with the following guidelines:

- CIEEM Guidelines for Preliminary Ecological Appraisal, 2nd Edition.
- CIEEM Guidelines on Ecological Report Writing.
- Biodiversity Net Gain - Good Practice Principles for Development.
- Biodiversity Net Gain - Good Practice Principles for Development Part A: A practical guide & Part B: Case Studies.
- BS42020:2013 Biodiversity - Code of Practice for Planning and Development.

3 METHODOLOGY

3.1 Overview

3.1.1 The study has been carried out as a UK Hab survey following the methods laid out by UK Hab (2023). The study comprised two phases: a desk study consultation exercise and a walkover field survey. By combining the two phases it is possible to identify and evaluate the ecological value of the Site in order to determine the potential impacts of the proposals. **Appendix B** gives any notes and limitations to the survey work.

3.2 Desk Study

3.2.1 The purpose of the desk study is to review information available in the public domain. Information about designated sites, important habitats and protected and otherwise important species was obtained for the Site and an area within a 2km radius of the site. The survey radius was increased to 5km for bat species as this group of species can move within this range. It was also increased to 5km for Special Protection Areas (SPAs) and Special Areas of Conservation (SACs).

3.2.2 Data was obtained from the following sources on 21st November 2024:

- NBN Atlas.
- MAGIC.
- Wiltshire & Swindon Biological Records Centre

3.2.3 This report should be read in conjunction with:

- Malmesbury Primary School, Preliminary Ecological Appraisal Report, IES Consulting (2026)
- Malmesbury Primary School, Biodiversity Net Gain Design Stage Report, IES Consulting (2026)
- Malmesbury Primary School, Footpath Application, Biodiversity Net Gain Design Stage Report, IES Consulting (2026)
- Bat Static Survey and Climbed Inspection Report (IES Consulting, 2025)

3.3 Field Survey

3.3.1 The survey was conducted on 27th January 2026 by Daisy Bradley-White BSc who has over 4 years' experience in ecological surveying, and Bitsy Pout MSc who has over 2 years' experience in ecological surveying.

3.3.2 The dominant plant species were recorded and habitats classified according to their vegetation types and presented in the standard UK Hab survey format (UK Hab 2023). Target notes (TN) were made on species and habitats of conservation interest. Where access permitted, an area 30m out with the site boundary was surveyed for signs of badger. The extent of the survey area can be seen on **Figure 2**.

3.3.3 The field survey requirements for an assessment under the Hedgerow Regulations 1997 were carried out. This included:

- Length of the hedgerow;
- Number, length and location of gaps in the hedgerow;
- Species present (including Schedule 1 birds, Schedule 5 animals and Schedule 8 plants under the Wildlife and Countryside Act 1981, red data book birds, plants, insects and other invertebrates)
- Woody species present, and the location;
- Any associated features including banks, walls, gaps, standard trees, ground flora species and ditches;
- Any obvious archaeological features or potential archaeological features.

3.3.4 The ecological value of existing habitats has been determined using the four-point evaluation scale below, whereby habitats are assessed for their importance. This is an arbitrary scale, which is effective at this level of assessment. Recommendations for more detailed survey and evaluation are made for features that are identified as significant:

- High ecological importance;
- Medium ecological importance;
- Low ecological importance; and
- Not ecologically important/negligible ecological importance.

3.3.5 Evidence of any species protected by law was recorded where it was found during the field surveys. Because of the habitats present on site and the site location, special attention was paid to the potential suitability for the following species:

Bat

3.3.6 Evidence of bat (*Chiroptera*) activity and the potential for any structures such as buildings and trees to support a bat roost was searched for during the walkover survey. Any suitable roosting, foraging and commuting habitat were also recorded during the survey.

- Evidence of bat activity is usually detected by the following signs:
- bat droppings (these will accumulate under an established roost);
- insect wings (from feeding);
- oil (from fur) and urine stains;
- scratch marks;
- holes, apertures and other opportunities for bats to roost; and
- actual sightings (including corpses).

Birds

3.3.7 Bird species seen or heard during the survey were recorded and their activity noted. This does not constitute a full breeding bird survey although the results are indicative of the birds which could be expected to breed in the habitats present. Any habitats suitable for nesting birds were recorded during the survey.

3.3.8 Particular attention was paid to looking for signs of owls, particularly barn owl (*Tyto alba*). This includes nests, piles of droppings and pellets.

Badger

3.3.9 Evidence of badger (*Meles meles*) activity is usually detected by the following signs:

- presence of holes with evidence of badgers such as footprints, discarded hair, etc;
- presence of dung pits or latrines;
- presence of well used runs with subsidiary evidence of badger activity; and
- presence of other indications of badger activity, such as signs of foraging and footprints.

Reptiles

3.3.10 All reptiles are ectothermic (cold-blooded) and although activity is dependent upon weather and temperature they are usually active between April and September inclusive. The presence of breeding and wintering habitat suitable for reptiles was recorded during the survey. A search of any suitable refugia within the study area, including logs, rocks and other discarded debris, was undertaken during the survey to search for the presence of reptiles. Any species recorded through direct observation were also noted.

Amphibians

3.3.11 Habitat on site was assessed for its suitability to support amphibians, and where appropriate, a Habitat Suitability Index assessment for great crested newts (*Triturus cristatus*) was carried out on waterbodies. Additionally, natural and artificial refugia were inspected for amphibians where possible.

Invertebrates

3.3.12 Habitat suitable to support notable invertebrates was recorded. This included habitat suitable to support stag beetle (*Lucanus cervus*).

Other

3.3.13 Suitable foraging and hibernating habitat for west European hedgehog (*Erinaceus europaeus*) was noted during the field survey.

3.3.14 Presence of any other more common species on the site e.g. foxes, deer, rabbits and amphibian species were recorded where found.

3.4 Limitations and Deviation from Guidance

Hedgerow Regulations 1997 Assessment

3.4.1 Part of the requirements for establishing importance under the Hedgerow Regulations 1997 relate to historic features. It should be noted that the surveyors are not archaeologists and do not have archaeological qualifications. Every effort has been made to establish the presence of important historic features, but no reliance should be placed on this assessment, and the advice of a qualified archaeologist should be sought.

4 BASELINE ECOLOGICAL CONDITIONS

4.1 Desk Study

4.1.1 The data available on the meta-databases varies, and should not be considered to be an exhaustive list of species. The absence of data is not evidence of the absence of a particular species or habitat.

4.1.2 The data search for Malmesbury PEA V1.0 (PL/2025/07919, IES Consulting, 2026) is still in date for this PEA. The Wiltshire & Swindon Biological Records Centre was contacted on 20th October 2024.

Designated Sites

4.1.3 The locations of designated sites can be seen in **Appendix C**.

International/National

4.1.4 No Special Protection Areas (SPAs), or Special Areas of Conservation (SAC) are located within 5km of the site. No Sites of Special Scientific Interest (SSSI) or National Nature Reserves (NNRs) are located within 2km of the Site.

Local

4.1.5 One Local Nature Reserves (LNRs), two Local Wildlife Sites (LWS) and no Sites of Importance for Nature Conservation (SINCs) are located within 2km of the site. See **Table 1** below.

Table 1: Summary of Locally Designated Sites within 2km

Site Name	Designation	Distance and Direction from Site	Description
Conygre Mead	LNR	0.5km SE	Mix of ponds, wildflower-rich grassland and shrubs. The rare water shrew is found here. Pipistrelles and Daubenton's bats seen foraging along the river, which also hosts otters.
Bristol Avon River	LWS	0.3km S	River and its green corridors, provides essential habitats for birds, insects and fish. Kingfishers, dragonflies and water voles and otters found in the river and associated habitats.
Hyam Farm Meadows	LWS	1,95km W	Almost 500 acres of mixed farmland, which are dominated by seeded leys.

Protected or Otherwise Important Species

4.1.6 The NBN Atlas provides some species information under a Creative Commons licence which allows for commercial use. This should not be considered comprehensive, as other records may exist which are available through paid data searches. This desk study included a data search from Wiltshire & Swindon Biological Records Centre. See Table 2.

Table 2: Summary of Protected or Otherwise Important Species.

Common Name	Latin Name	European Legal Protection	UK Legal Protection	S41
Greater horseshoe bat	<i>Rhinolophus ferrumequinum</i>	Y	Y	Y
Lesser horseshoe bat	<i>Rhinolophus hipposideros</i>	Y	Y	Y
Barbastelle bat	<i>Barbastella barbastellus</i>	Y	Y	Y
Serotine bat	<i>Eptesicus serotinus</i>	Y	Y	N
Natterer's bat	<i>Myotis nattereri</i>	Y	Y	N
Noctule bat	<i>Nyctalus noctula</i>	Y	Y	Y
Daubenton's bat	<i>Myotis daubentonii</i>	Y	Y	N
Common pipistrelle bat	<i>Pipistrellus pipistrellus</i>	Y	Y	N
Nathusius's pipistrelle bat	<i>Pipistrellus nathusii</i>	Y	Y	N
Soprano pipistrelle bat	<i>Pipistrellus pygmaeus</i>	Y	Y	Y
Brown long-eared bat	<i>Plecotus auritus</i>	Y	Y	Y
European hedgehog	<i>Erinaceus europaeus</i>	N	Y	Y
Brown hare	<i>Lepus europaeus</i>	N	Y	Y
Slow-worm	<i>Anguis fragilis</i>	N	Y	Y
Common toad	<i>Bufo bufo</i>	N	N	Y
Badger	<i>Meles meles</i>	N	Y	N
Spotted Flycatcher	<i>Muscicapa striata</i>	Y	N	Y
Song Thrush	<i>Turdus philomelos</i>	N	N	Y
Dunnock	<i>Prunella modularis</i>	Y	N	Y
Grass snake	<i>Natrix helvetica</i>	N	Y	Y
Marsh tit	<i>Poecile palustris</i>	N	Y	Y
Reed Bunting	<i>Emberiza schoeniclus</i>	Y	Y	Y
Tree Pipit	<i>Anthus trivialis</i>	Y	Y	Y
Lesser redpoll	<i>Acanthis cabaret</i>	Y	Y	Y
Herring gull	<i>Larus argentatus</i>	Y	Y	Y
Yellowhammer	<i>Emberiza citrinella</i>	Y	Y	Y

Common Name	Latin Name	European Legal Protection	UK Legal Protection	S41
House sparrow	<i>Psser domesticus</i>	Y	Y	Y
Skylark	<i>Alauda arvensis</i>	N	Y	Y

4.2 Field Survey

4.2.1 This section should be read in conjunction with **Figure 2**, which shows the extent of the survey area and the results of the field survey.

Habitats

G4 - Modified Grassland

4.2.2 The majority of the site is comprised of unmanaged, tussocky modified grassland (Plate 1).



Plate 1: Southern modified grassland parcel

Table 3: Modified Grassland Species List

Common Name	Latin Name	Abundance on DAFOR Scale
Perennial Rye-grass	<i>Lolium perenne</i>	D
Dandelion	<i>Taraxacum spp.</i>	F
Creeping Buttercup	<i>Ranunculus repens</i>	A
Cock's-foot	<i>Dactylis glomerata</i>	A
Yorkshire-fog	<i>Holcus lanatus</i>	A

Common Name	Latin Name	Abundance on DAFOR Scale
Common Nettle	<i>Urtica dioica</i>	F
Bramble	<i>Rubus fruticosus</i> agg.	O
Common sorrel	<i>Rumex acetosa</i>	F
Cleavers	<i>Galium aparine</i>	R
Hedgerow Crane's-bill	<i>Geranium pyrenaicum</i>	O
Blackthorn	<i>Prunus spinosa</i>	O

Table 4: Modified Grassland Condition Score

Condition Criteria	True/False	Rationale
A: There are 6-8 vascular plant species per m ² present, including at least 2 forbs.	False	The number of species per m ² is below the required threshold of 6–8 species per m ² .
B: Sward height is varied (at least 20% of the sward is less than 7 cm and at least 20 per cent is more than 7 cm) creating microclimates which provide opportunities for vertebrates and invertebrates to live and breed.	True	Varied sward height present.
C: Scrub accounts for less than 20% of total grassland area.	True	There was no scrub habitat present in this area of land.
D: Physical damage evident in less than 5% of total grassland area.	True	No evidence of significant physical damage was recorded.
E: Cover of bare ground between 1% and 10%, including localised areas (for example, a concentration of rabbit warrens).	True	No bare ground on site.
F: Cover of bracken is <20%.	True	Bracken is absent.
G: There is an absence of invasive non-native species (as listed on Schedule 9 of WCA, 1981)	True	None of the plant species noted are Schedule 9 invasive non-natives under the Wildlife and Countryside Act 1981.
Score	1	Poor

H2A - Native Hedgerow

4.2.3 One native hedgerow borders the sites fenceline; it is made up of exclusively bramble (Plate 2).



Plate 2: Native Hedgerow

Table 5: Native Hedgerow Species List

Common Name	Latin Name	Abundance on DAFOR Scale
Bramble	<i>Rubus fruticosus</i>	D

Table 6: Native Hedgerow Condition Score

Condition Criteria	True/False Native Hedgerow with trees	True/False Native Hedgerow without trees
A1: >1.5 m average along length?	True	True
A2: >1.5 m average along length?	True	True
B1: Gap between ground and base of canopy <0.5 m for >90% of length?	True	True
B2: Gaps make up <10% of total length; and No canopy gaps >5 m?	True	True
C1: >1 m width of undisturbed ground with perennial herbaceous vegetation for >90% of length?	False	False

Condition Criteria	True/False Native Hedgerow with trees	True/False Native Hedgerow without trees
C2: Plant species indicative of nutrient enrichment of soils dominate <20% cover of the area of undisturbed ground?	False	False
D1: >90% of the hedgerow and undisturbed ground is free of invasive non-native plant species (including those listed on Schedule 9 of WCA ³) and recently introduced species?	True	True
D2: >90% of the hedgerow or undisturbed ground is free of damage caused by human activities?	False	True
E1: There is more than one age-class of tree present and there is on average at least one mature, ancient or veteran tree present per 20 - 50m of hedgerow?	False	n/a
E2: At least 95% of hedgerow trees are in a healthy condition and there is little or no evidence of an adverse impact on tree health by damage from livestock or wild animals, pests or diseases, or human activity.	True	n/a
Score	2 - Moderate	2 - Moderate

Individual Trees

4.2.4 A single Field Maple (*Acer campestre*) tree sits within the red line boundary, the condition sheet can be seen in **Appendix D**.

Species and Species Groups

Plants

4.2.5 No protected or otherwise important plant species were noted during the survey

Invertebrates

4.2.6 The majority of the site provides little habitat suitable for invertebrates due to the lack of floral diversity, sward height and site management.

Amphibians

4.2.7 The tussocky grassland on site contains suitable terrestrial habitat for great crested newts, and this species is known to be present in ponds on the Dyson Headquarters site and on the adjacent Backbridge Farm. However, there are no ponds within 250m of Malmesbury Primary School known to support great crested newts. During the trap and translocate exercise on the Dyson site, great crested newts were only found very close to the ponds or in association with the hedgerows. In addition, a District Level Licence is in place on the adjacent Backbridge Farm site to allow the development to proceed lawfully. There are three new balancing ponds (Plate 4) which have been created on the Backbridge development. One of these is dry, and another contains only a small amount of water. Emergent or aquatic vegetation is present in only one of these ponds and the ponds have a poor Habitat Suitability Index rating.

4.2.8 In addition to this, the construction work proposed at Punter's Farm acts as a significant barrier to newt movement to the Malmesbury school site. Therefore, it is considered highly unlikely that the site supports great crested newts since it is sufficiently isolated from any suitable aquatic habitat.

Reptiles

4.2.9 Whilst the grassland is suitable to support reptiles, a reptile survey is not deemed necessary to determine the impact of the development on reptiles. This is due to the reptile surveys at Backbridge Farm in 2014 showing a small population of slow worms lived within the vicinity of the Site. In the previous survey, there was a maximum count of 2 adult slow worms across the whole of the adjacent site, and the land immediately adjacent to this plot was included in the survey. Since no land management has changed on the site, it seems reasonable to assume that if reptiles are present, they are in very low numbers and their protection during development can be managed via habitat manipulation.

Birds

4.2.10 The bramble hedgerow on site provides ample nesting and foraging opportunity for birds, along with the mature tree.

Bats

4.2.11 The grassland field, and hedgerow provide moderate commuting and foraging opportunities for bats. In addition, the hedgerow creates a dark corridor that provides commuting habitat for bats. Static surveys were carried out on the site in July 2025, which found 5 bat species using the site including. For full details please refer to the Bat Static Survey & Climbed Inspection Report (IES Consulting, 2025).

Badgers

4.2.12 No evidence of badgers was found on site.



Plate 4: Dry balancing pond on adjacent Punter's Farm site

5 EVALUATION AND RECOMMENDATIONS

5.1 Key Constraints

Designated Sites

5.1.1 All the protected sites mentioned in this report are sufficiently isolated from this development that the proposals will have no impact on them, and they are not considered further in this report.

Habitats

5.1.2 The site consists of mostly modified grassland which has low ecological value. The loss of this habitat is not considered to be a significant ecological impact and is not considered to be a constraint on the works.

Species

Great Crested Newt

5.1.3 The site is not considered likely to support great crested newts due to the absence of suitable aquatic habitat on site. As well as this, there are no known great crested newt ponds within 250m of the development. On the adjacent Punter's Farm site, there are three ponds, these are newly constructed balancing ponds. One of which is dry, and the other two have minimal suitability for great crested newts due to the lack of vegetation.

Other

5.1.4 In the absence of mitigation, the overall impact of the proposals on species will be low. The site is suitable to support breeding birds, bats and reptiles. Recommendations have been made to avoid harm to these groups in section 5.2.

5.2 Other Mitigation Requirements

Species

Birds

5.2.1 If any of the bramble hedgerow are to be removed these should be independently checked for birds prior to removal. It is recommended that no vegetation suitable to support nests should be removed during the bird nesting season, generally considered to be March to August inclusive. If this is not possible then vegetation should be checked immediately prior to removal by a suitably qualified ecologist. Any active nests identified must be retained with a minimum 5m buffer zone until such time as the nest is deemed, by a suitably qualified ecologist, to be no longer supporting young.

Bats

5.2.1 Any external lighting should be low level, motion sensitive, on timers of a minute or less and should be positioned and directed such that there is no light spill on the trees or hedgerow.

Reptiles & Amphibians

5.2.2 The grassland is suitable to support reptiles, but a reptile survey is not deemed necessary to determine the impact of the development on reptiles. This is due to the reptile surveys at the adjacent Backbridge Farm site in 2014 showing a small population of slow worms lived within the vicinity of the Site. In the previous survey, there was a maximum count of 2 adult slow worms across the whole of the adjacent site, and the land immediately adjacent to this plot was included in the survey. Since no land management has changed on the site, it seems reasonable to assume that if reptiles are present, they are in very low numbers and their protection during development can be managed via habitat manipulation.

5.3 Opportunities for Enhancement

5.3.1 This section should be read in conjunction with the BNG report for the site. These proposed enhancements are additional to BNG requirements.

- A sensitive lighting scheme should be used on the site, to ensure dark corridors are retained at the perimeter of the development for bats (see accompanying bat report for further detail).
- Spread wildflower lawn mix throughout the grassland to improve plant species diversity and suitable habitat for invertebrate species.

5.4 Ecological Impact Assessment

5.4.1 The proposals will result in the permanent loss of approximately 0.017ha of modified grassland. This is a permanent, irreversible impact; however, it is not considered to be a significant ecological impact within the Zone of Influence of the development. Therefore, as per the *CIEEM Guidelines for Ecological Impact Assessment*, it is scoped out of the EclA and not considered further.

5.4.2 During the construction phase of the development, there will be an impact of noise pollution on the Site and its surrounding habitats. This is a temporary impact that will affect the behaviour of the local population of birds, reptiles and small mammals. however, it is not considered to be significant due to the small scale of the habitat within the context of the surrounding countryside.

5.4.3 Unmitigated there is the potential to lose habitat due to the impacts of lighting which is known to adversely affect light sensitive species including horseshoe bats. It is lighting that perhaps presents the greatest risk to bat populations in the area as lighting impacts can at worst extend beyond the development area. The lighting scheme has been designed to minimise impacts to bats. Full details can be found in 'Malmesbury Primary School External Lighting Strategy Statement, Daniel Connal Partnership, 2026'.

5.4.4 Comments from the LPA ecologist in 2024 stated that the adjacent Punter's farm site is functionally linked to ponds within 500m which are confirmed to support great crested newts, and in the absence of suitable survey effort to confirm otherwise, it is assumed that GCN are present on the adjacent site and suitable avoidance and mitigation measures are required. By extrapolation, since the Malmesbury Primary School It should be

noted that under District Level Licencing requirements, only ponds within 250m of a site are taken into account, due to great crested newts having high fidelity to the habitat immediately surrounding the ponds, they use. There are no known great crested newt ponds within 250m of the development, and three ponds within 250m of the site are newly constructed balancing ponds. One of these is dry, and the other two have minimal suitability for great crested newts due to the lack of vegetation. They are also functionally isolated from the known great crested newt ponds by the Backbridge Farm development.

5.4.5 Whilst there is a known great crested newt pond to the west, this is over 565m from the development, and approximately 500m from the closest balancing pond, rendering it unlikely that great crested newts will have moved from that pond into any of the balancing ponds.

5.4.6 The site itself has no waterbodies, and therefore standard survey methods for great crested newts cannot be undertaken (bottle trapping, torching, eDNA, netting and egg searching). During the adjacent Backbridge Farm development, nighttime torching surveys of habitat much closer to the ponds was undertake. No great crested newts were found anywhere on the site. Additionally, when the Dyson Headquarters expansion took place, and a great crested newt translocation was undertaken by IES Consulting, no GCN were found anywhere except along the northern boundary of the site.

5.4.7 Since then, the land between the ponds has been cleared under a district level licence, and the Backbridge Farm development constructed. No great crested newts were found during the construction process. This development presents a functional barrier to movement for great crested newts between the ponds to the north and west the proposed development site. Additionally, when the reptile survey was carried out for Backbridge Farm, a maximum count of two slow worms were found on 3 surveys, and none were found on the area currently covered by the Backbridge development, or the land adjacent to the Punter's Farm site. Furthermore, no reptiles were found during the Dyson HQ GCN translocation and destructive search, or during the Backbridge development.

5.4.8 It is therefore reasonable to assess the site as being of no functional significance for reptiles, and the risk of harm to GCN as being extremely low. If a GCN is found during the works, then works should stop and the advice of an ecologist should be sought.

Component	Likely effect (select one for each component; select the most harmful option if more than one is likely; lists are in order of harm, top to bottom)	Notional offence probability score
Great crested newt breeding pond(s)	No effect	0
Land within 100m of any breeding pond(s)	No effect	0
Land 100-250m from any breeding pond(s)	No effect	0
Land >250m from any breeding pond(s)	0.5 - 1 ha lost or damaged	0.03
Individual great crested newts	No effect	0
		Maximum: 0.03
Rapid risk assessment result:		GREEN: OFFENCE HIGHLY UNLIKELY

Plate 5: Results of Rapid Risk Assessment for GCN

6 CONCLUSIONS

6.1.1 The desk study and survey work have identified the site as being of up to low ecological value due to the sites small size, management regime and lack of floral diversity.

6.1.2 However, the site does contain a limited extent of habitat of moderate ecological value to nesting birds, reptiles, and bats.

6.1.3 Recommendations have been made to ensure that the development does not affect any protected species during either the construction or the operational phase, and further survey work has been recommended under certain circumstances to ensure that no effects on protected species occur.

6.1.4 The baseline conditions described in this report are true for the time at which the survey was undertaken. If no works are undertaken within the next two years, then an update survey may need to be undertaken to ensure the baseline conditions described are accurate.

IES Consulting Ltd 2026

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HMSO The Wildlife and Countryside Act 1981.

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FIGURE 1: SITE LOCATION



Figure 1: Site Location

 Red Line Boundary



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Project	Malmesbury Primary School Footpath		
Client	Daniel Connal Partnership		
Date	Mar 2026	Scale	See bar
Drawn	DBW	Job #	IES/2025/134

FIGURE 2: FIELD SURVEY

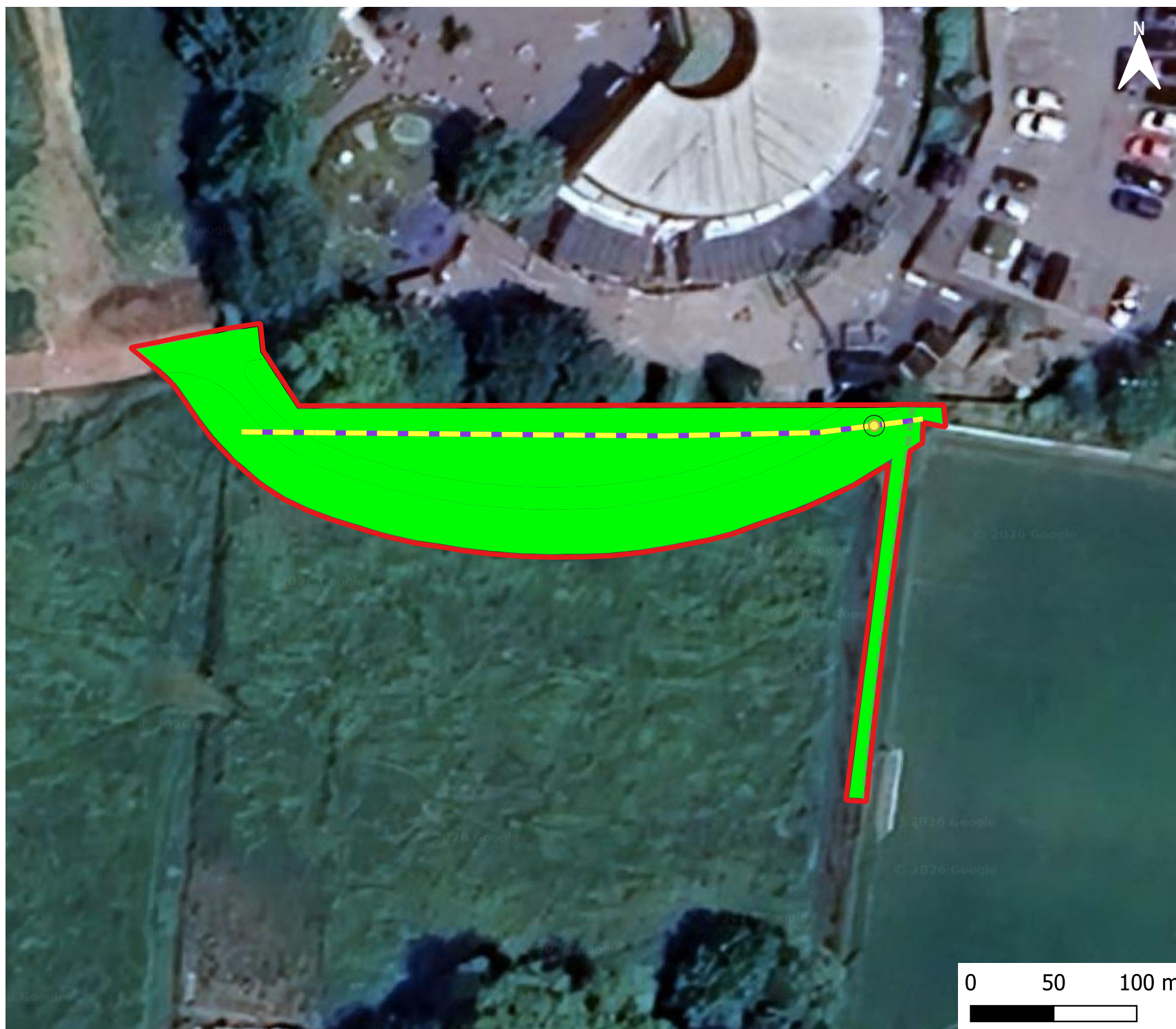


Figure 2: Field Survey

- Red Line Boundary
- Native hedgerow
- Modified grassland
- Existing Medium Rural Tree

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Date	Mar 2026	Scale	See bar
Drawn	DBW	Job #	IES/2025/134

FIGURE 3: PROPOSED

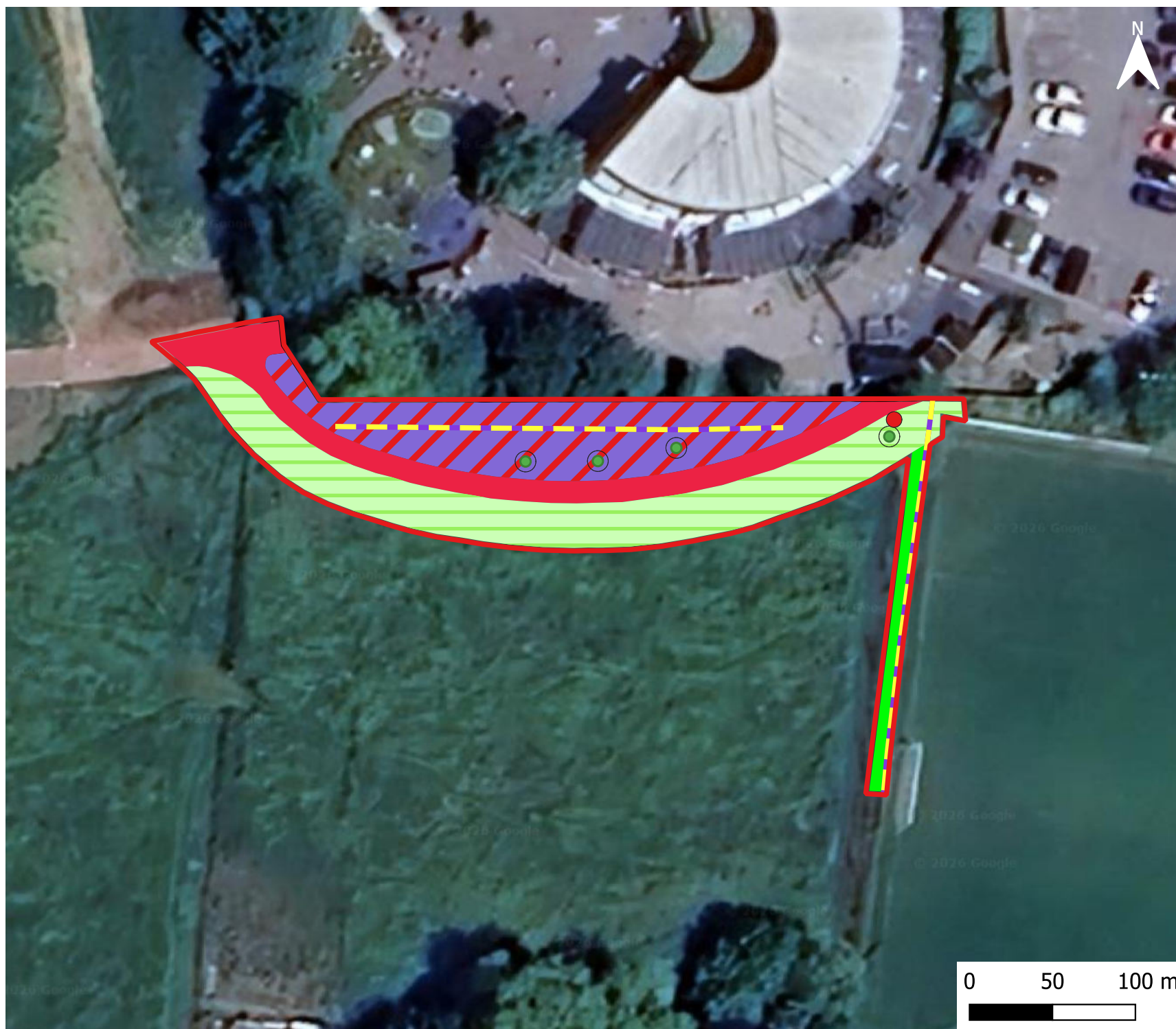


Figure 3: Proposed

- Red Line Boundary
- Lost Rural Tree
- Proposed Medium Rural Tree
- Native hedgerow
- Built linear features
- Mixed scrub
- Other neutral grassland


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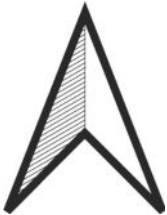
Project	Malmesbury Primary School Footpath		
Client	Daniel Connal Partnership		
Date	Mar 2026	Scale	See bar
Drawn	DBW	Job #	IES/2025/134

FIGURE 4: POND LOCATIONS



Figure 4: Pond Locations

-  Red Line Boundary
-  250M Buffer from site boundary
- Ponds (GCN Status)**
 -  Absent
 -  Present
 -  Unknown



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Drawn	DBW	Job #	IES/2025/134

APPENDIX A: POLICY AND LEGISLATION

POLICY

National Policy

National Planning Policy Framework (February 2025) - this document is a material consideration in planning decisions, and states that planning policies and decisions should provide net gains for biodiversity. The overarching environmental objective is to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy. Paragraph 170 d) states that planning decisions should contribute to and enhance the natural and local environment by minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures.

Local Policy

The following policies are applicable to the site:

Wiltshire Core Policy 50

Biodiversity and Geodiversity

Protection

Development proposals must demonstrate how they protect features of nature conservation and geological value as part of the design rationale. There is an expectation that such features shall be retained, buffered, and managed favourably in order to maintain their ecological value, connectivity and functionality in the long-term. Where it has been demonstrated that such features cannot be retained, removal or damage shall only be acceptable in circumstances where the anticipated ecological impacts have been mitigated as far as possible and appropriate compensatory measures can be secured to ensure no net loss of the local biodiversity resource, and secure the integrity of local ecological networks and provision of ecosystem services.

All development proposals shall incorporate appropriate measures to avoid and reduce disturbance of sensitive wildlife species and habitats throughout the lifetime of the development.

Any development potentially affecting a Natura 2000 site must provide avoidance measures in accordance with the strategic plans or guidance set out in paragraphs 6.75-6.77 above where possible, otherwise bespoke measures must be provided to demonstrate that the proposals would have no adverse effect upon the Natura 2000 network. Any development that would have an adverse effect on the integrity of a European nature conservation site will not be in accordance with the Core Strategy.

Biodiversity enhancement

All development should seek opportunities to enhance biodiversity. Major development in particular must include measures to deliver biodiversity gains through opportunities to restore, enhance and create valuable habitats, ecological networks and ecosystem services. Such enhancement measures will contribute to the objectives and targets of the

Biodiversity Action Plan (BAP) or River Basin/Catchment Management Plan, particularly through landscape scale projects, and be relevant to the local landscape character.

Local sites

Sustainable development will avoid direct and indirect impacts upon local sites through sensitive site location and layout, and by maintaining sufficient buffers and ecological connectivity with the wider environment. Damage or disturbance to local sites will generally be unacceptable, other than in exceptional circumstances where it has been demonstrated that such impacts:

- i. cannot reasonably be avoided
- ii. are reduced as far as possible
- iii. are outweighed by other planning considerations in the public interest
- iv. where appropriate compensation measures can be secured through planning obligations or agreements.

Development proposals affecting local sites must make a reasonable contribution to their favourable management in the long-term.

Bat Special Areas of Conservation (SAC) Planning Guidance for Wiltshire

This document lays out the expectations with respect to bats relating to the SACs for this group in Wiltshire.

LEGISLATION

General

The Conservation of Habitats and Species Regulations 2017

This transposes the EU Habitats Directive into UK law, and provides protection for European Protected Species and European Protected Sites.

Species and groups which are covered under Schedule 2 (animals) and Schedule 5 (plants) of this legislation, and which are known as European Protected Species are:

- | | | |
|--|-------------------------------------|--|
| ▪ Bats (all species) | ▪ Sand lizard | ▪ Sturgeon |
| ▪ Large blue butterfly | ▪ Fisher's estuarine moth | ▪ Natterjack toad |
| ▪ Wild cat | ▪ Great crested newt | ▪ Marine turtles (green, hawksbill, Kemp's ridley, leatherback and loggerhead) |
| ▪ Dolphins, porpoises and whales (all species) | ▪ Common otter | ▪ Shore dock |
| ▪ Dormouse | ▪ Lesser whirlpool ram's-horn snail | ▪ Killarney fern |
| ▪ Pool frog | ▪ Smooth snake | |

- Early gentian
- Slender naiad
- Floating-leaved water plantain
- Lady's slipper orchid
- Fen orchid
- Yellow marsh saxifrage
- Creeping marshwort

You need a mitigation licence if your work will have impacts on European protected species that would otherwise be illegal, such as:

- capturing, killing, disturbing or injuring them (on purpose or by not taking enough care)
- damaging or destroying their breeding or resting places (even accidentally)
- obstructing access to their resting or sheltering places (on purpose or by not taking enough care)

Additionally, this legislation prevents public bodies from adopting plans or granting consents which could (possibly) damage Natura 2000 sites, which are either Special Protection Areas (SPAs) or Special Areas of Conservation (SACs), known as European Sites. In England this process also applies to Ramsar sites as a matter of policy. This means that there is a requirement for a Habitats Regulation Assessment (HRA), which has three stages:

- The Likely Significant Effect test (screening) - is the plan or project likely to have a significant effect on a European site alone or in combination with other plans/projects? If the answer is yes, you must move to Stage 2, Appropriate Assessment.
- Appropriate Assessment - can the competent authority be convinced there will be no adverse effect on the integrity of any site either alone or in combination with other plans/projects? If the answer is no, you must move to Stage 3, Derogation Tests.
- Derogation Tests - The plan/project must meet the three derogation tests in order to be allowed to proceed. 1. There are no feasible alternative solutions which are less damaging. 2. There are imperative reasons of overriding public interest (IROPI). 3. It is possible to put in place compensatory measures to ensure the overall coherence of the Natura 2000 network

The Town and Country Planning (Environmental Impact Assessment) Regulations 2017

This transposes the EU Environmental Impact Assessment Directive into UK law and provides a framework to identify developments which must carry out an Environmental Impact Assessment (EIA). These thresholds are contained in Schedule 2 of the act. If an EIA

is required, then an Environmental Statement will need to be produced, which will require a chapter on ecology, and a full Ecological Impact Assessment (EclA).

The Natural Environment and Rural Communities Act 2006

This act established Natural England, and extended the duties of public bodies in relation to biodiversity by amending the CROW Act 2000 and the Wildlife and Countryside Act 1981. It established the Section 41 species and habitats of principal importance for the purpose of conserving biodiversity, which need to be taken into account by a public body when performing any of its functions. There are currently 56 habitats of principle importance and 943 species of principle importance, which are summarised below.

Category	Group	Number
Terrestrial/Freshwater/Coastal Species	Amphibians/Reptiles	10
	Birds	49
	Fish	14
	Mammals	17
	Invertebrates	379
	Lower plants and fungi	250
	Vascular plants	152
	Total	865
Terrestrial/Freshwater/Coastal Habitats	Arable and horticulture	2
	Boundary	1
	Coastal	6
	Freshwater	6
	Grassland	6
	Heathland	3
	Inland rock	4
	Wetland	6
	Woodland	6
	Total	40
Marine Species	Marine mammals	17

Category	Group	Number
	Marine reptiles	2
	Marine fish	34
	Marine invertebrates	19
	Marine algae	6
	Total	78
Marine Habitats	Marine habitats	16
	Total	16

The Countryside and Rights of Way Act 2000

This act places a duty on Government departments and the National Assembly for Wales to have regard for the conservation of biodiversity, and to maintain lists of species and habitats for which conservation steps should be taken or promoted (those these lists have been superseded by the S41 lists of the NERC Act 2006), in accordance with the Convention on Biological Diversity. It amends the SSSI provisions of the Wildlife and Countryside Act 1981 by providing increased power for their protection and management. It strengthens the legal protection for species named on the Wildlife and Countryside Act 1981, including changing the maximum penalty to a term of imprisonment rather than a fine, and creates a new offence of reckless disturbance. This means that if a person takes an unacceptable risk, or fails to notice an obvious risk, they will be liable.

The Hedgerow Regulations 1997

This provides protection for hedgerows classified as 'important' under the regulations. It requires an application in writing to the local planning authority before a hedgerow is removed, though there are exceptions for creating new access points, and for certain hedgerows such as those bordering dwelling houses. The local planning authority can then either issue a hedgerow retention notice, or written notice giving permission to remove it. If permission to remove is given, this must be enacted within two years of the date of the notice, or a new application will need to be made. There are specific criteria for length, location and 'importance' which must be met for a hedgerow to be protected. If the local planning authority does not respond within the statutory 42 days, then the hedgerow can be removed.

The Protection of Badgers Act 1992

This provides legal protection to badgers and their setts, making it an offence to kill, injure or take a badger, or to damage or interfere with a sett unless you have a licence. In practice, this means that any works within 30m of a badger sett may require a licence, depending on the type of works and methodology proposed.

The Wildlife and Countryside Act 1981

This act provides legal protection for wild birds, Sites of Special Scientific Interest, plants, reptiles and other amphibians and other animals, and makes it a criminal offence to kill, injure or take those species listed in the act, and to damage, obstruct or destroy their resting places, or disturb them in their resting places.

Under Schedule 5 of the Act, the following animals are protected (*damage/destruction of place of shelter/protection only):

Mammals

- | | | |
|--------------------------------------|---------------|----------------------|
| ▪ Water vole | ▪ Otter | ▪ Red squirrel |
| ▪ All dolphins, porpoises and whales | ▪ Pine marten | ▪ Bats (all species) |
| ▪ Wild cat | ▪ Dormouse | |
| | ▪ Walrus | |

Reptiles

- | | | |
|-------------------------|---------------------|---------|
| ▪ Slow worm | ▪ Sand lizard | ▪ Adder |
| ▪ Turtles (all species) | ▪ Viviparous lizard | |
| ▪ Smooth snake | ▪ Grass snake | |

Amphibians

- | | |
|-------------------|----------------------|
| ▪ Natterjack toad | ▪ Great crested newt |
|-------------------|----------------------|

Fish

- | | | |
|-----------------|----------------|--------------------------------------|
| ▪ Sturgeon | ▪ Vendace | ▪ Burbot |
| ▪ Allis shad | ▪ Whitefish | ▪ Seahorse (short snouted and spiny) |
| ▪ Twait shad* | ▪ Giant goby | |
| ▪ Basking shark | ▪ Couch's goby | |

Butterflies

- | | | |
|-------------------------|--------------------|---------------|
| ▪ High brown fritillary | ▪ Large blue | ▪ Swallowtail |
| ▪ Marsh fritillary | ▪ Heath fritillary | |

Moths

- | | | |
|----------------|-------------------|---------------------------|
| ▪ Reddish buff | ▪ Fiery clearwing | ▪ Fisher's estuarine moth |
|----------------|-------------------|---------------------------|

- Barberry carpet
- Black-veined
- Sussex emerald
- Essex emerald
- New Forest burnet

Beetles, Bugs and Crickets

- Rainbow leaf beetle
- Mire pill beetle*
- Water beetles (*G. zonatus* and *P. aeneus*)
- Lesser silver water beetle
- Beetle (*Hypebaeus flavipes*)
- Violet click beetle
- New Forest cicada
- Wart-biter cricket
- Mole cricket
- Field cricket

Dragonflies and Spiders

- Norfolk aeshna
- Southern damselfly
- Fen raft spider
- Ladybird spider

Crustaceans

- White-clawed crayfish
- Fairy shrimp
- Lagoon sand shrimp
- Apus

Sea Mats and Sea Anemones and allies

- Trembling sea mat
- Marine hydroid
- Ivell's sea anemone
- Pink sea fan
- Starlet sea anemone

Molluscs

- Fan mussel
- De Folin's lagoon snail
- Sandbowl snail
- Pearl mussel
- Glutinous snail
- Lagoon snail
- Lagoon sea slug
- Northern hatchet-shell
- Roman snail

Annelid Worms

- Tentacled lagoon-worm
- Lagoon sandworm
- Medicinal leech

Under Schedule 8 of the Act, the following plants are protected:

- Least Adder's Tongue
- Small Alison
- Blackwort

- | | | |
|------------------------|------------------------------|---------------------------------|
| ▪ Bluebell | ▪ Marsh Earwort | ▪ Sickle-leaved Hare's-ear |
| ▪ Bedstraw Broomrape | ▪ Field Eryngo | ▪ Small Hare's-ear |
| ▪ Oxtongue Broomrape | ▪ Dickie's Bladder Fern | ▪ Stinking Hawk's-beard |
| ▪ Thistle Broomrape | ▪ Killarney Fern | ▪ Northroe Hawkweed |
| ▪ Lundy Cabbage | ▪ Norfolk Flapwort | ▪ Shetland Hawkweed |
| ▪ Wood Calamint | ▪ Alpine Fleabane | ▪ Weak-leaved Hawkweed |
| ▪ Snow Caloplaca | ▪ Small Fleabane | ▪ Blue Heath |
| ▪ Tree Catapyrenium | ▪ South Stack Fleawort | ▪ Red Helleborine |
| ▪ Alpin Catchfly | ▪ Pointed Frostwort | ▪ Young's Helleborine |
| ▪ Laurer's Catillaria | ▪ Hedgehog Fungus | ▪ Branched Horsetail |
| ▪ Slender Centaury | ▪ Oak Polypore Fungi | ▪ Perennial Knawel |
| ▪ Rock Cinquefoil | ▪ Royal Bolete Fungi | ▪ Sea Knotgrass |
| ▪ Meadow Clary | ▪ Sandy Stilt Puffball Fungi | ▪ Lady's-slipper |
| ▪ Triangular Club-rush | ▪ Brown Galingale | ▪ Churchyard Lecanactis |
| ▪ Purple Colt's-foot | ▪ Alpine Gentian | ▪ Tarn Lecanora |
| ▪ Wild Cotoneaster | ▪ Dune Gentian | ▪ Copper Lecidea |
| ▪ Slender Cottongrass | ▪ Early Gentian | ▪ Round-headed Leek |
| ▪ Field Cow-wheat | ▪ Fringed Gentian | ▪ Least Lettuce |
| ▪ Sand Crocus | ▪ Spring Gentian | ▪ Alpine Sulphur-tresses Lichen |
| ▪ Lizard Crystalwort | ▪ Cut-leaved Gentian | ▪ Arctic Kidney Lichen |
| ▪ Broad-leaved Cudweed | ▪ Water Germander | ▪ Ciliate Strap Lichen |
| ▪ Jersey Cudweed | ▪ Wild Gladiolus | ▪ Convoluted Cladonia Lichen |
| ▪ Red-tipped Cudweed | ▪ Stinking Goosefoot | |
| ▪ Cut-grass | ▪ Grass-poly | |
| ▪ Diapensia | ▪ Blunt-leaved Grimmia | |
| ▪ Shore Dock | ▪ Elm Gyalecta | |

- | | | |
|------------------------------------|-----------------------------|--------------------------------|
| ▪ Upright Mountain Cladonia Lichen | ▪ Blue Dew Moss | ▪ Scleicher's Thread Moss |
| ▪ Coralloid Rosette Lichen | ▪ Blunt-leaved Bristle Moss | ▪ Threadmoss, Long-leaved Moss |
| ▪ Ear-loped Dog Lichen | ▪ Bright Green Cave Moss | ▪ Triangular Pygmy Moss |
| ▪ Forked Hair Lichen | ▪ Cordate Beard Moss | ▪ Vaucher's Feather Moss |
| ▪ Goblin Lights Lichen | ▪ Cornish Path Moss | ▪ Welsh Moss |
| ▪ Golden Hair Lichen | ▪ Derbyshire Feather Moss | ▪ Holly-leaved Naiad |
| ▪ New Forest Beech lichen | ▪ Dune Thread Moss | ▪ Slender Naiad |
| ▪ Orange Fruited Elm Lichen | ▪ Flamingo Moss | ▪ Stalked Orache |
| ▪ River Jelly Lichen | ▪ Glaucous Beard Moss | ▪ Early Spider Orchid |
| ▪ Scaly Breck Lichen | ▪ Green Shield Moss | ▪ Fen Orchid |
| ▪ Stary Breck Lichen | ▪ Hair Silk Moss | ▪ Ghost Orchid |
| ▪ Snowdon Lily | ▪ Knothole Moss | ▪ Lapland Marsh Orchid |
| ▪ Lindenberg's Liverwort | ▪ Large Yellow Feather Moss | ▪ Late Spider Orchid |
| ▪ Leafy Liverwort | ▪ Millimetre Moss | ▪ Lizard Orchid |
| ▪ Rough Marsh-mallow | ▪ Multifruited River Moss | ▪ Military Orchid |
| ▪ Creeping Marshwort | ▪ Nowell's Limestone Moss | ▪ Monkey Orchid |
| ▪ Cambridge Milk-parsley | ▪ Polar Feather-moss Moss | ▪ Caledonia Pannaria |
| ▪ Moss | ▪ Rigid Apple Moss | ▪ New Forest Pannaria |
| ▪ Alpine Copper Moss | ▪ Round-leaved Feather Moss | ▪ Oil Stain Parmentaria |
| ▪ Anomodon, Long-leaved Moss | | ▪ Plymouth Pear |
| ▪ Baltic Bog Moss | | ▪ Perfoliate Penny-cress |
| | | ▪ Pennyroyal |

- | | | |
|----------------------|----------------------|-------------------------|
| ■ Alpine Moss | ■ Alpine Rock-cress | ■ Early Star-of- |
| Pertusaria | | Bethlehem |
| ■ Southern Grey | ■ Bristol Rock-cress | |
| Physcia | ■ Western Rustwort | ■ Starfruit |
| ■ Pigmyweed | ■ Norwegian Sandwort | ■ Foxtail Stonewort |
| ■ Ground Pine | ■ Teesdale Sandwort | ■ Bearded Stonewort |
| ■ Cheddar Pink | ■ Drooping Saxifrage | ■ Strapwort |
| ■ Childing Pink | ■ Yellow Marsh | ■ Turpswort |
| ■ Deptford Pink | Saxifrage | ■ Fen Violet |
| ■ Floating-leaved | ■ Tufted Saxifrage | ■ Viper's-grass |
| Water Plantain | ■ Serpentine | ■ Ribbon-leaved Water- |
| ■ Ragged Pseudo | Solenopsora | plantain |
| Cyphellaria | ■ Whorled Solomon's- | ■ Starved Wood-sedge |
| ■ Rusty Alpine Psora | seal | ■ Alpine Woodsia |
| ■ Fen Ragwort | ■ Alpine Sow-thistle | ■ Oblong Woodsia |
| ■ Martin's Ramping | ■ Adder's-tongue | ■ Field Wormwood |
| fumitory | ■ Spearwort | ■ Downy Woundwort |
| ■ Spiked Rampion | ■ Fingered Speedwell | ■ Limestone |
| ■ Small Restharrow | ■ Spiked Speedwell | Woundwort |
| | ■ Dwarf Spike Rush | ■ Greater Yellow-rattle |

Species

Bat

All species of bat (*Chiroptera* spp.) and their place of rest or shelter more generally known as 'roosts' are protected under the Wildlife and Countryside Act 1981 (as amended by the Countryside and Rights of Way Act 2000) and Conservation of Habitats and Species Regulations 2017 which is the implementation of the EC Directive on the Conservation of Natural Habitats and Flora and Fauna, 1992 (the Habitats Directive). This makes it illegal to kill, injure, capture or disturb bats or obstruct access to, damage or destroy bat roosts. Under the law, a roost in any structure or place used for rest or shelter is protected. As bats tend to reuse roosts, the roost is fully protected whether the bats are present or not.

Birds

All species of wild bird and their nests are protected under the Wildlife and Countryside Act 1981 (as amended by the Countryside and Rights of Way Act 2000). This makes it illegal to:

- Intentionally kill, injure or take any wild bird;
- Intentionally take, damage or destroy the nest of any wild bird while that nest is in use or being built; and
- Intentionally take or destroy an egg of any wild bird.

There are also additional penalties for birds listed on Schedule 1 of the Wildlife and Countryside Act 1981.

Badger

Badgers (*Meles meles*) and their setts are protected by the Protection of Badgers Act 1992, under which it is an offence to either harm badgers or disturb or damage their setts. Works within 30m of a badger sett may require a derogation licence from Natural England, to allow activity which would otherwise be illegal to proceed.

Reptiles

The common reptile species are protected under the Wildlife and Countryside Act 1981 (as amended by the Countryside and Rights of Way Act 2000). The species that are most likely to occur on this site are grass snake, common lizard (*Lacerta vivipara*), adder (*Vipera berus*) and slow worm. This means that they are protected against killing and injuring (but not 'taking') and against sale and transporting for sale.

Amphibians

Great crested newts (*Triturus cristatus*) are protected under Schedule 5 of the Wildlife and Countryside Act 1981 and are listed under Schedule 2 of the Habitats Regulations 2017, making them a European Protected Species.

Common toad (*Bufo bufo*), natterjack toad (*Epidalea calamita*) and pool frog (*Pelophylax lessonae*) are all Section 41 species of principle importance and as such are now a material consideration in planning.

White-clawed Crayfish

White-clawed crayfish (*Austropotamobius pallipes*) are protected under Schedule 5 of the Wildlife and Countryside Act 1981 (as amended), which makes it illegal to take it from the wild or to sell it. It is also included in the ICUN Red Data List (listed as Globally Endangered).

Water Vole

Water vole (*Arvicola amphibious*) are protected under Schedule 5, Section 9 of The Wildlife and Countryside Act 1981 (as amended). In 2008, the legal protection was increased, so it is now an offence to:

- Intentionally kill, injure or take (capture) a water vole;

- Possess or control a live or dead water vole, or any part of a water vole;
- Intentionally or recklessly damage, destroy or obstruct access to any structure or place which water voles use for shelter or protection or disturb water voles while they are using such a place; and
- Sell, offer for sale or advertise for live or dead water voles.

Licences are available from Natural England for survey, research or conservation purposes, however there is no provision under the legislation for licensing what would otherwise be offences for the purpose of development, maintenance or land management. Conservation licences may be granted to destroy habitats and move water voles if it helps to conserve them. These will only be issued if water vole habitats are enhanced and the proposals benefit their conservation status.

Otter

Otter (*Lutra lutra*) are protected under the Habitats Regulations 2010 and the Wildlife and Countryside Act 1981 (as amended). This makes it illegal to intentionally or deliberately kill, injure or capture otters, or damage destroy or obstruct any structure or place used for shelter or protection by an otter, and to disturb an otter while it is occupying a structure or place which it uses for that purpose.

Dormouse

Dormice (*Muscardinus avellanarius*) are protected under Schedule 5 of the Wildlife and Countryside Act 1981 (as amended) and Schedule 2 of the Habitats Regulations 1994. This makes it illegal to intentionally or deliberately kill, injure or capture dormice, or damage destroy or obstruct any structure or place used for shelter or protection by a dormouse, and to disturb a dormouse while it is occupying a structure or place which it uses for that purpose.

Legal protection requires that due attention is paid to the presence of dormice, and that appropriate actions are taken to safeguard the places they use for shelter and protection. Licences are required from Natural England for any activities arising from development projects which may affect dormice or their habitats.

Invertebrates

Habitat suitable to support notable invertebrates was recorded. This included habitat suitable to support stag beetle (*Lucanus cervus*). Stag beetle is a Section 41 species of principle importance and is listed on section 9.5a and b of schedule 5 of the Wildlife and Countryside Act 1981 (as amended), making it illegal to sell or advertise it for sale. It is not offered any further protection under the act.

Other

West European hedgehog is a Section 41 species of principle importance and as such is now a material consideration in planning. The presence or absence of suitable foraging and hibernating habitat for this species was noted during the field survey.

Invasive weeds

British legislation applies to a number of invasive weed species that are listed under Schedule 9 of the Wildlife and Countryside Act 1981 (as amended). This makes it an offence to plant, spread or otherwise cause these listed species to grow in the wild. Particular attention was paid to the presence of Japanese knotweed (*Fallopia japonica*), Himalayan balsam (*Impatiens glandulifera*) and giant hogweed (*Heracleum mantegazzianum*).

APPENDIX B: NOTES AND LIMITATIONS

IES Consulting staff and their sub-consultants have endeavoured to identify the presence of protected species wherever possible on site, where this falls within the agreed scope of works.

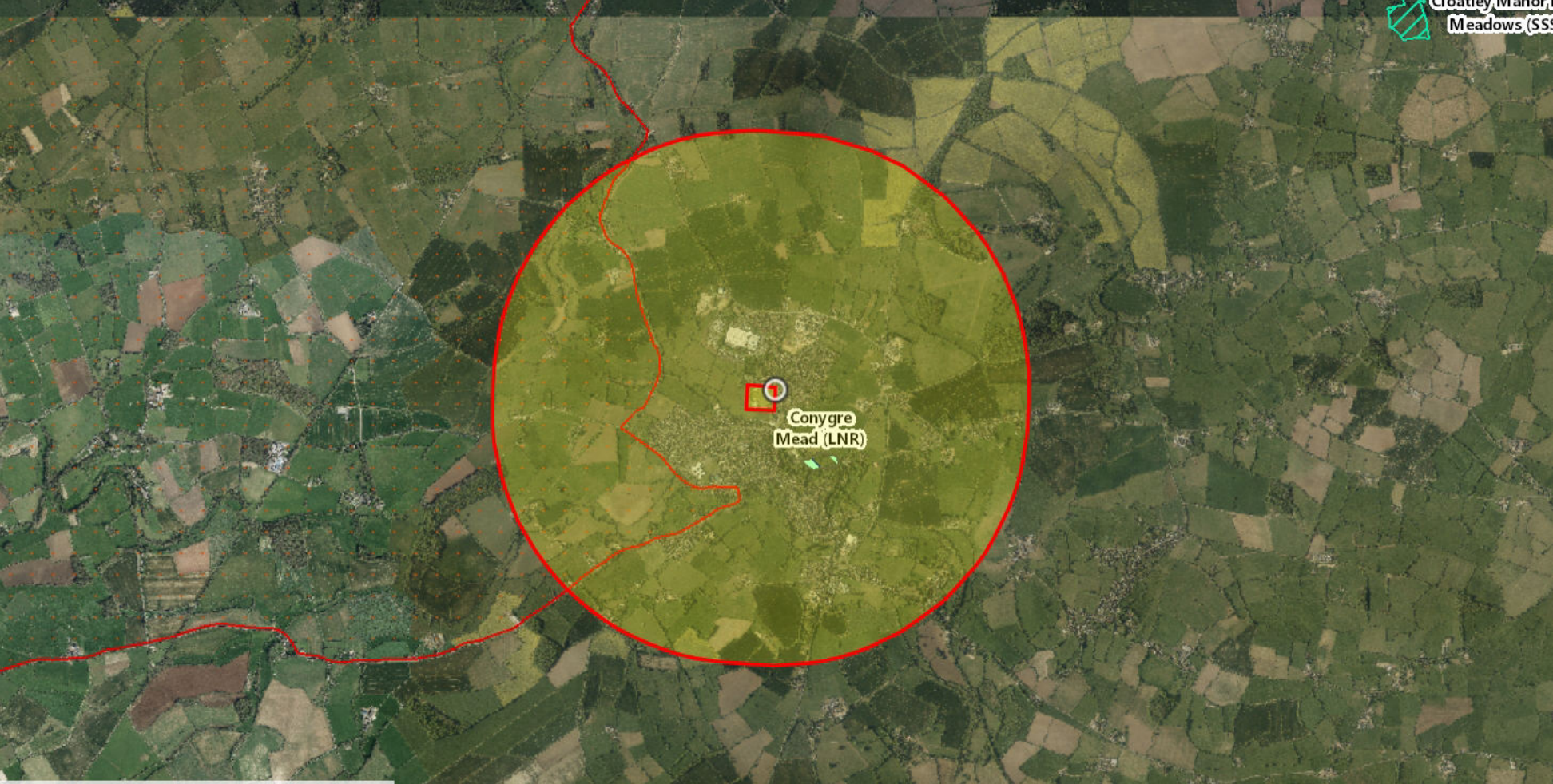
Up to date standard methodologies have been used, which are accepted by Natural England (previously English Nature) and other statutory conservation bodies. No responsibility will be accepted where these methodologies fail to identify all species on site. IES cannot take responsibility where Government, national bodies or industry subsequently modify standards.

The results of the survey and assessment work undertaken by IES Consulting were representative at the time of surveying.

IES Consulting have advised on the optimum survey season for a particular habitat/species prior to undertaking the survey work. However, IES Consulting cannot accept responsibility for the accuracy of surveys undertaken outside this period.

IES Consulting cannot accept responsibility for data collected from third parties.

APPENDIX C: LOCATION OF DESIGNATED SITES



Conygre
Mead (LNR)

APPENDIX D: CONDITION SHEETS

[illegible]

Passes 3 or 4 criteria	Moderate (2)	Yes											
Passes 2 or fewer criteria	Poor (1)												
Note that 'Fairly Good and Fairly Poor' condition categories are not available for this broad habitat type.													
Suggested enhancement interventions to improve condition score ²													