



**Church Farm
Middle Common
Kington Langley
Chippenham
SN15 5NN**

**Preliminary Ecological
Appraisal**

Luscinia Ecology
On behalf of
Elizabeth Evans



Document Properties

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Chapter 1: Summary

- 1.1 Prior approval for the erection of a single agricultural building at Church Farm, Middle Common, Kington Langley, Chippenham, SN15 5NN has been submitted.
- 1.2 This report sets out a Preliminary 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 avoids the loss of habitats of ecological importance. The overall impact on habitats from the Proposed Development will be neutral.
- 1.5 The mitigation associated with the Proposed Development is as follows:
 - The implementation of precautionary measures at construction to protect amphibians, badgers, and hedgehogs.
- 1.6 The following enhancements will be provided within the client's wider ownership:
 - 1 x Vivara Pro 32mm nest 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 08/08/2026).



Chapter 2: Introduction

- 2.1 A Prior Approval Notice for the erection of a single agricultural building at Church Farm, Middle Common, Kington Langley, Chippenham, SN15 5NN has been submitted to Wiltshire Council. Given the Site is in an amber zone for great crested newts, a Preliminary Ecological Appraisal (PEA) has been requested. This report sets out a Preliminary Ecological Appraisal of the Proposed Development at the Site.

Site Description

- 2.2 The Site consists of other a parcel of grassland, (referred to as 'the Site' throughout this report). The Site is approximately 0.01ha in size and located at National Grid Reference: ST 92476 76792. The Site includes a hardstanding track which provides access from Church Road to the northeast. The Site is immediately surrounded by existing areas of grassland and scattered scrub, along with an existing area of woodland to the east of the Site (**Figure 1**). The wider landscape is largely formed of farmland and scattered residential development.



Figure 1: Aerial image – Site boundary in red line¹

¹ Image used under licence (©2024 Google): Accessed: 29/01/2025.



2.3 Prior Approval for the erection of a single building has been submitted (referred to as the 'Proposed Development' throughout this report). Access will be via an existing hardstanding track, which leads to Church Road to the northeast. The Proposed Development will result in the removal of the habitats within the Site and replacement with buildings and hardstanding. **Figure 2** shows the Proposed Development.



Purpose of this report

- 2.4 The purpose of this Preliminary 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.
- 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 (Zol) 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 29/01/25. The data search included the following:
- A 5km radius around the Site for statutory designated nature conservation sites⁷.
 - A 1km radius around the Site for granted European Protected Species Licences (EPSL), great crested newt class survey licence returns, and great crested newt pond surveys 2017 - 2019⁷,
 - A 1km data search from Wiltshire and Swindon Biological Records Centre (WSBRC) for protected and notable species and non-statutory sites⁸.
 - A 1km review of the habitats within the local landscape, habitat designations, and their suitability to support protected and notable species using aerial imagery⁹.

Field Surveys

- 3.5 The following surveys were undertaken at the Site:
- Extended UK Habitat Classification Survey¹⁰
 - Bats: Preliminary Roost Assessment (PRA)¹¹
 - Bats: Ground Level Tree Assessment (GLTA)¹¹
 - Consideration of suitability for protected and notable species
 - Incidental observations
- 3.6 The surveys were completed on 22/01/2025 by Lorna Roberts. A detailed method for each of the surveys listed above is presented within that **Appendix A**.

Assessing Ecological Importance

- 3.7 The assessment of the importance of sites, habitats and species are made in line with good practice guidelines⁴. These guidelines provide consistency in the approach to evaluating the importance of the ecological features within a site and the effects or impacts the Proposed Development will have on them.
- 3.8 Firstly, the Site's habitats and species are assessed using a framework which assigns a level of geographical importance to ecological features. This framework incorporates a wide range of legislation and governmental guidance in assessing each feature's importance.

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 29/01/2025.

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

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

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



- 3.9 Next, the effects/likely effects of the Proposed Development are predicted, considering different stages and activities within the development process. These effects/likely effects are then assessed for their significance, based upon the importance of the Site, habitat or species being assessed. The assessment of the significance of an effect/likely effect is considered before and after the proposed mitigation to give an overall indication of significance.
- 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 Lorna Roberts. The PEA was written by Lorna Roberts. **Table 1** outlines the relevant experience of the assessment contributors.

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

Table 1: Contributor experience



Assumptions, Clarifications, and Limitations

Assumptions

3.16 None.

Clarifications

3.17 None.

Limitations

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

Limitation	Analysis of effect
The desk study does not produce a comprehensive list of plants and animals as this is limited by factors that influence their presence (e.g., activity and dormancy periods), along with varied recording effort across the landscape.	The species records of the desk study reflect survey effort and therefore the data returned from each request is variable across the UK. As a result, the data search data has not been used to rule out the presence of protected species and habitats within and adjacent to the Site.
Measurements within this report are approximate – The mapping of baseline habitats and Proposed Development plans has relied upon the georeferencing of plans provided by the client.	The mapping of baseline habitats and Proposed Development plans has relied upon the georeferencing of plans provided by the project team. The process of georeferencing and mapping of polygon habitats at a fine scale may result in minor deviations from actual and proposed measurements. This has been controlled for via the use of advanced digitising tools and given the scale of the proposals any deviations in spatial areas or point locations are sufficiently minor to be inconsequential and will be subsumed within precautionary rounding.
The survey was undertaken in Winter, which is outside the optimum survey season for botanical surveys.	Although the survey was undertaken in Winter, the evaluation and habitat descriptions (and hence the impacts and their significance), are considered to be accurate for the following reasons: Given the type of vegetation and habitats present, the valuation of the intrinsic interest is considered unlikely to change. Access was possible to all areas of the Site and the vegetation was clearly visible. Overall, the effect on the evaluation and habitat descriptions (and hence the impacts and their significance) was considered negligible.

Table 2: Summary of limitations and their effect



Chapter 4: Results and Assessment

Data Search

The Local Landscape Context

- 4.1 The Site is immediately surrounded by existing areas of grassland and willow scrub. The wider landscape is largely formed of farmland and scattered residential development. The key green infrastructure within the local landscape, includes woodland, scrub, and a hedgerow network. The key blue infrastructure includes scattered ponds, with the closest being approximately 240m to the east of the Site; and the Steinbrook which lies approximately 700m 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 3¹²**. There were two SSSIs returned by the data search, which were both designated for their geology and have therefore been omitted from the results.

Site Name	Reason for designation	Distance and direction
Sutton Lane Meadows SSSI	Supports botanically diverse unimproved neutral grassland. Of particular interest is the presence of approximately 500 green-winged orchids <i>Orchis morio</i> , comprising one of the most important hay meadow colonies in the county. In addition, there are small numbers of meadow saffron <i>Colchicum autumnale</i> , a plant which is known from only one other Wiltshire grassland site.	~2.1km north-east
Mortimore's Wood LNR	An ancient woodland site.	~5.0km south

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

¹² Any SSSIs solely designated for their Earth Heritage are not shown within this table.



Non-Statutory Designated Sites

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

Site Name	Reason for designation	Distance and direction
Kington Langley Meadows LWS	This site is designated for supporting a small field with damp neutral grassland communities, no subdivided and partially within a garden.	0.6km north
Long Pond Plantation LWS	This site is designated for supporting derelict pine plantation with abundant mixed age regeneration of broadleaves particularly sycamore.	0.6km east
Birdsmarsh Wood LWS	This site is designated for supporting a large ancient woodland site on a gentle north-facing slope, with a semi-natural oak high forest around the perimeter. The interior has few standards remaining and large stands of Laurel, Rhododendron and Sycamore regeneration.	1.2km South
Birdsmarsh Meadows LWS	This site is designated for supporting a meadow occupying a small hill on heavy clay soil. Supports species rich unimproved neutral grassland and several large in-field Oaks.	1.3km southwest

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

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

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

4.9 **Willow scrub** was present immediately adjacent to the Site. However, it is understood that there will be no removal of scrub as a result of the Proposed Development, and therefore this is not considered further within this report.

Grassland: Other Neutral grassland

4.10 The Site comprised Other Neutral Grassland in its entirety. The grassland comprised abundant moss, cock's-foot *Dactylis glomerata* and Yorkshire Fog *Holcus lanatus*; with occasional bent *Agrostis sp.* meadow buttercup *Ranunculus acris*, common sorrel *Rumex acetosa*, ribwort plantain *Plantago lanceolata*, white clover *Trifolium repens*, creeping buttercup *Ranunculus repens*; and rarely mouse-ear *Cerastium fontanum*,



yarrow *Achillea millefolium* and cat's ear *Hypochaeris radicata*. The grassland was maintained to a sward length of between 5-10cm via grazing (alpaca were present in the field at the time of the survey).

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



Photograph 1. Grassland, regularly managed

Protected and Notable Species

4.12 Give the Site comprises a small area of grassland, the suitability of the Site to support protected and notable species is limited. Furthermore, the potential for impacts as a result of the Proposed Development is limited. Consideration has been given to the following species/species groups:

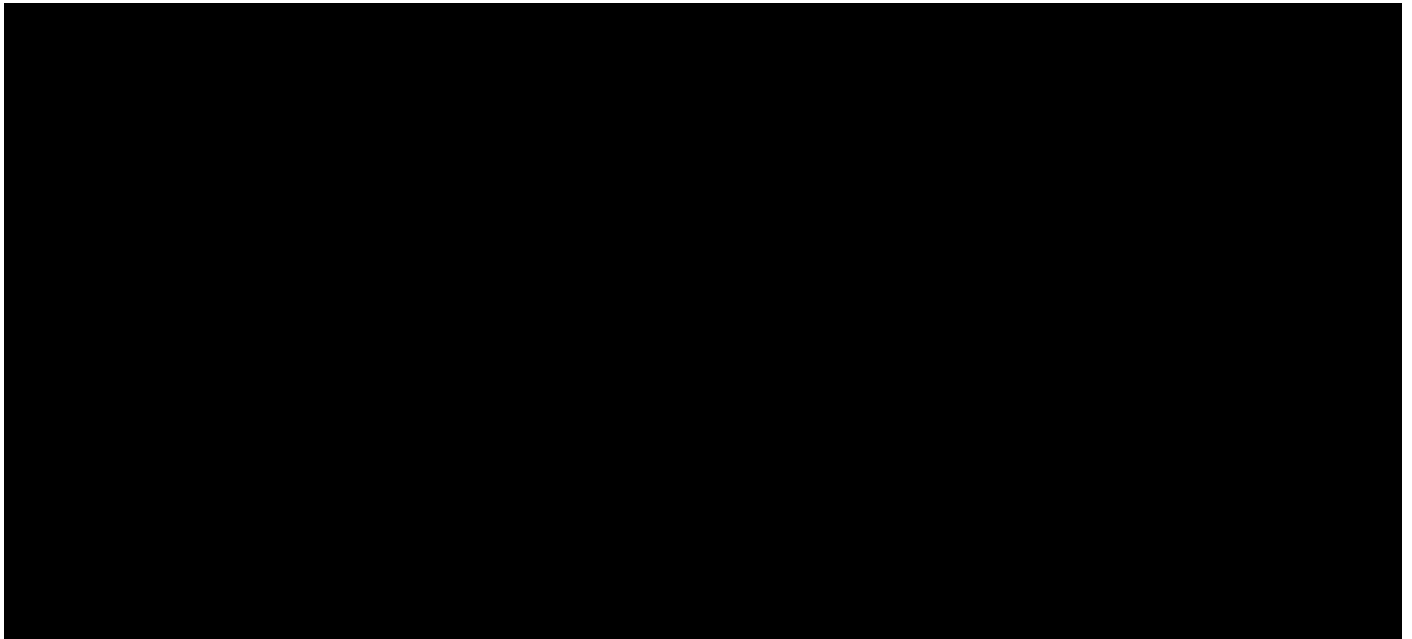
- Amphibians, including great crested newt *Triturus cristatus*
- Badgers *Meles meles*
- Hedgehog *Erinaceus europaeus*

4.13 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

- 4.14 There were no granted great crested newt EPSLs, within 1km of the Site, along with no positive great crested newt pond surveys (2017 – 2019) or great crested newt class survey licence returns within 1km of the Site.
- 4.15 WSBRC returned eight records of amphibians including one common toad *Bufo bufo*, two common frog *Rana temporaria* and five great crested newts. The closest of these was a great crested newt located north of Upper Common, ~0.3km to the north-west of the Site. Grid reference: ST 92200 76900.
- 4.16 A review of aerial photography and OS Mapping confirmed a single pond within 250m of the Site and seven further ponds within 500m of the Site. The closest pond (**P1**) was located 240m to the east of the Site, within a local recreational field. The desk study also returned a record of a pond approximately 80m to the south of the Site. However, this pond was noted to no longer be present at the time of the survey and is not considered further.
- 4.17 There were no breeding opportunities for amphibians within or adjacent to the Site. However, the Site is located within the commuting pathway between a network of ponds; however, only one of these is within 250m of the Site. The habitats within the Site are of low suitability for amphibians during their terrestrial phases. There is a low likelihood of amphibians being present within the Site.
- 4.18 The **amphibian interest** was of **Site Importance**.



Hedgehog

- 4.22 WSBRC returned 12 records of European hedgehog. The closest of these was located on Upper Common ~0.1km to the north of the Site. Grid reference: ST 92355 76894.
- 4.23 It is expected that hedgehogs could be present within the local area and may occasionally enter the Site to commute or forage. The ground was considered to provide insufficient cover or features for hedgehogs to use to hibernate.
- 4.24 The hedgehog interest was of **Site Importance**.

Reptiles

- 4.25 WSBRC returned two records of grass snakes *Natrix Helvetica*, no other records of reptiles were returned. The closest of these was located within a residential property ~0.5km to the west of the Site. Grid reference: ST 92010 76596.
- 4.26 The Site itself is predominantly formed of habitats which are not suitable for reptiles. It is not expected that a population of reptiles is present within or immediately adjacent to the Site.
- 4.27 The **reptile interest** was of **Negligible Importance** reptiles will not be discussed further within this report.

Results Conclusion

A summary of the results is presented in **Table 5**. Where further consideration is required, this is addressed and resolved in the following chapters of this report.

Ecological Feature	Ecological Importance / Suitability*	Further consideration required?
Sutton Lane Meadows SSSI	National	Yes
Mortimore's Wood LNR	Local	
Kington Langley Meadows LWS		
Long Pond Plantation LWS		
Birdsmarsh Wood LWS		
Birdsmarsh Meadows LWS		
Other Neutral Grassland	Site	Yes
Amphibians	Site	Yes
Badgers		
Hedgehogs		
Reptiles	Negligible	No

Table 5: Summary of Results



Chapter 5: Discussion

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

Embedded Mitigation

- 5.5 Using the design principles and layout within **Figure 2**, this section considers the embedded mitigation associated with the Proposed Development.
- 5.6 The selection of the Site for Proposed Development has inherently avoided impacts on ecology and biodiversity as the Site comprises a small area, comprising poor-quality habitats. The Proposed Development will not remove any trees or scrub and will not impact any blue infrastructure.

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 other neutral grassland habitat.
 - The clearance of the Site and construction process potential to kill/injure amphibians, badgers and hedgehogs.
 - There will be increases in light spill during occupation.
 - There will be pollution during construction in the form of dust, noise, chemical, and litter.

Site Wide Mitigation

- 5.8 Care will be taken during 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.



Best Practice Construction Measures

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.
- 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.
- 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.
- No burning of materials.
- Reduce noise pollution through careful handling of materials; modern, quiet power tools, equipment and generators; and low impact technologies.

Lighting

5.10 Lighting during construction and occupation has the potential to disrupt / modify the behaviour of wildlife. There will be no additional lighting within the Site unless required for safety and/or security purposes. Should this be the case, a Sensitive Lighting Strategy will be implemented. This strategy will include consideration of the following principles:

- Lighting within the Site will be reduced as far as practicable.
- Luminaires will be positioned and directed away from ecological receptors (such as the retained adjacent willow scrub).
- Column heights will be reduced as far as practicably possible to reduce light spill.
- 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.
- Motion sensors for security lighting.

Designated Sites

Statutory Designated Sites

5.11 The statutory sites are spatially isolated from the Proposed Development as to avoid impacts in relation to habitat loss, habitat fragmentation, habitat degradation, noise, light, dust, and pollution.



5.12 This is supported by the SSSI Impact Risk Zones¹³ that the Site lies within, which are not indicating that a development of this scale and nature in this area would result in likely impacts on internationally or nationally protected Sites.

5.13 Statutory designated sites are not discussed further within this report.

Non-statutory designated sites

5.14 The non-statutory sites are spatially isolated from the Proposed Development as to avoid impacts in relation to habitat loss, habitat fragmentation, habitat degradation, noise, light, dust, and pollution.

5.15 Non-statutory designated sites are not discussed further within this report.

Habitats

5.16 The Proposed Development's avoids the loss of habitats of ecological importance. The removal of a small area of other neutral grassland is not considered significant. The willow scrub which currently surrounds the Site will be entirely retained and will provide screening for the Proposed Development. No further consideration or mitigation is required in respect of habitats.

Protected and Notable Species

Amphibians

5.17 As discussed above, it is likely that great crested newts are present within the wider landscape. The closest pond is 240m to the east of the Site. The Proposed Development will result in the loss of 0.01ha of habitat which is of low suitability to great crested newts. Connectivity around the Site for great crested newts will be maintained.

5.18 When entered into the Natural England Rapid Risk Assessment (RRA) calculator for great crested newts, the loss of grassland returns a result of **Green: Offence Highly Unlikely** (see **Figure 3**, below). This indicates that the Proposed Development is of such a type, scale and location that it is highly unlikely any offence would be committed, and therefore a mitigation licence is not required.

Component	Likely effect (select one for each component; select the most harmful option if more than one is likely; lists are in order of harm, top to bottom)	Notional offence probability
Great crested newt breeding pond(s)	No effect	0
Land within 100m of any breeding pond(s)	No effect	0
Land 100-250m from any breeding pond(s)	0.001 - 0.01 ha lost or damaged	0.005
Land >250m from any breeding pond(s)	0.001 - 0.01 ha lost or damaged	0.0005
Individual great crested newts	No effect	0
Maximum:		0.005
Rapid risk assessment result:		GREEN: OFFENCE HIGHLY UNLIKELY

Figure 3: Great Crested Newt RRA Calculator

¹³ The Impact Risk Zones for Sites of Special Scientific Interest (SSSI IRZs) are for local planning authorities (LPAs) to determine if a proposed development is likely to affect a terrestrial SSSI and when to consult Natural England.



- 5.19 The grassland should be maintained at it's current length to ensure that it does not become suitable for great crested newt.
- 5.20 Given the above, no further consideration is required in respect of great crested newt, and the residual impact of the proposed development is considered to be **neutral**.

Badgers

- 5.21 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:
- 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 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.
- 5.22 In the event a badger or possible badger sett is discovered within/adjacent to the Site, all works will **stop**, and an ecologist will be consulted on how best to proceed.
- 5.23 With the above mitigation, the risk of harm to badgers will be mitigated and the overall **residual impact neutral**.

Hedgehog

- 5.24 There is the low risk that hedgehog may enter the Site during construction and be killed/injured.
- 5.25 The above measures in relation to badger will protect commuting and foraging hedgehogs.



- 5.26 Hedgehogs will continue to be able to access habitats adjacent to the Site to commute, forage, and rest.
- 5.27 With the above mitigation, the risk of harm to hedgehogs will be mitigated and the overall residual impact on hedgehogs will be **neutral**.

Assessment Conclusion

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

Ecological Feature	Ecological Importance / Suitability*	Assessment Outcome
Sutton Lane Meadows SSSI	National	No impact
Mortimore’s Wood LNR	Local	
Kington Langley Meadows LWS		
Long Pond Plantation LWS		
Birdsmarsh Wood LWS		
Birdsmarsh Meadows LWS		
Other neutral grassland	Site	Residual impact neutral
Amphibians	Site	Residual impact neutral with mitigation secured through this report
Badgers		
Hedgehogs		

Table 6: Summary of assessment outcomes

- 5.29 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 08/08/2026). It is reasoned that there would be no material change on Site within this time period. This is reasoned in line with good practice guidelines¹⁴.

Enhancement

- 5.30 The National Planning Policy Framework encourages development to provide gains in biodiversity. The following ecological and biodiversity enhancements will be provided within the Site:
- 1 x Vivara pro WoodStone 32mm nest box will be installed within the client's wider ownership onto a mature at heights of 2m and facing north through east.

¹⁴ 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 two 1m² quadrats with locations assigned using a Judgemental Stratified Survey Strategy¹⁵. 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 fauna¹⁶ 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

¹⁵ 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.

¹⁶ 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 species¹⁷.

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

Badgers

- A. 6 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.
 - Day nests - bundles of grass and other vegetation where badgers may sleep above ground.
 - Hairs - usually found outside setts or caught under fencing.

¹⁷ 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.



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)¹⁸ 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

¹⁸ MHCLG (2024). *National Planning Policy Framework*. December 2024. Ministry of Housing, Communities and Local Government, London.



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

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

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

...

Habitats and biodiversity

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

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

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

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

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

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

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



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

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

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

b) listed or proposed Ramsar sites⁷¹; and

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

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

Legislation and biodiversity

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.

