

Preliminary Ecological Appraisal

Land off B4069 (Bradenstoke), The Banks

SN15 4EZ



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Prepared for

Gaia Planning

Report Reference

11003-PEA-A



PR•ECOLOGY

CONTROL SHEET

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1. Introduction

1.1. Background

- 1.1.1. This report has been commissioned by Gaia Planning on behalf of Mr Josh Grisley (the Client) to provide a Preliminary Ecological Appraisal (PEA) to support a planning application of proposals to develop the Site at Land off B4069 (Bradenstoke), The Banks, SN15 4EZ (the Site).

1.2. Scope of the Report

- 1.2.1. This report outlines the methodologies used to appraise the Site and details the results of the desk study and field survey following guidance from CIEEM (2017)¹. This report has been prepared in accordance with BS42020 (2013)² and complies with recommendations in BS8683 (2021³). In summary, the key objectives are to:

- identify any likely ecological constraints.
- identify any mitigation measures likely to be required, following the Mitigation Hierarchy.
- identify where additional surveys may be required.
- identify opportunities for ecological enhancement.

- 1.2.2. The survey results and recommendations contained within this report are valid for a maximum of 18 months, after which updated surveys may be required.

1.3. Location

- 1.3.1. The Site is located at grid reference SU 00515 79899 in the village of Bradenstoke, approximately 6.7km southwest of Royal Wootton Bassett town centre. The Site is a parcel of land bordered by trees and hedgerows set in a rural location. The wider environment comprises open green spaces and agricultural land separated by hedgerows and trees. Rural dwellings and farm buildings are present within the immediate surrounding landscape, and the core residential area of Bradenstoke village lies approximately 400m south of the Site. Refer to Figure 1 for more details.

¹ Chartered Institute of Ecology and Environmental Management (2017) Guidelines for Preliminary Ecological Appraisal. Second Edition, December 2017.

² British Standard 42020 (2013) Biodiversity – Code of Practice for Planning and Development.

³ British Standard BS8683 (2021) Process for designing and implementing Biodiversity Net Gain – specification.

1.4. Proposals

- 1.4.1. The proposals include construction of a new day room with access, yard areas, and associated landscaping for a proposed Gypsy and Traveller site. Refer to Figure 2.

1.5. Legislation and Planning Policy

Legislation

- 1.5.1. The Site was surveyed and this report has been prepared taking account of the relevant statutory instruments, including:

- The Environment Act 2021
- The Conservation of Habitats and Species Regulations 2017 (as amended)
- Wildlife and Countryside Act 1981 (as amended)
- Protection of Badgers Act 1992
- Countryside and Rights of Way (CROW) Act 2000
- Natural Environment and Rural Communities (NERC) Act 2006
- Hedgerow Regulations 1997
- ODPM Circular 06/2005 Biodiversity and Geological conservation (withdrawn March 2014 but report remains compliant)

- 1.5.2. Legislation is described in full in Appendix B.

National Planning Policy Framework

- 1.5.3. The National Planning Policy Framework (NPPF) published in December 2024 promotes sustainable development and outlines the government's commitment to the conservation of wildlife and natural features. In determining planning applications, local planning authorities should seek to conserve and enhance biodiversity by applying the following principles:

- 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.
- 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.

- 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 reasons, and a suitable compensation strategy exists.
- Development whose primary objective is to conserve or enhance biodiversity should be supported, and opportunities to incorporate biodiversity improvements in and around developments should be encouraged, especially where this can secure measurable net gains for biodiversity.

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

- Potential Special Protection Areas and possible Special Areas of Conservation.
- Listed or proposed Ramsar sites.
- 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.

1.5.5. 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. The policies within the NPPF (and additional guidance contained within Circular 06/2005) are a material planning consideration.

1.5.6. The natural environment is accounted for under Section 15, *Conserving and enhancing the natural environment*, of the NPPF and specifically the following paragraphs are relevant for habitats and biodiversity:

- Paragraph 136: Trees
- Paragraph 192: Protection and enhancement of biodiversity
- Paragraph 193: Local Planning Authority principles
- Paragraph 194: Site protection

Biodiversity Net Gain (BNG)

1.5.7. In England, BNG is mandatory under Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021).

1.5.8. Within *Part 6: Nature and Biodiversity of the Environment Act 2021*, section 98 entitled *Biodiversity gain as a condition of planning permission* states that ‘Schedule 14 makes provision for biodiversity gain to be a condition of planning permission in England’.

- 1.5.9. Part 1 of Schedule 14 states 'The biodiversity gain objective is met in relation to development for which planning permission is granted if the biodiversity value attributable to the development exceeds the pre-development biodiversity value of the onsite habitat by at least the relevant percentage'.
- 1.5.10. In England, developers must deliver a BNG of 10%. This means a development will result in more or better-quality natural habitat than there was before development.

1.6. Local Planning Policy

- 1.6.1. Development is guided by the Wiltshire Core Strategy (WCS), adopted in 2015. This incorporates saved policies from former District Local Plans.
- 1.6.2. *Delivering strategic objective 5: Protecting and enhancing the natural, historic and built environment* caters for biodiversity with the following policies:
- Core Policy 50: Biodiversity and geodiversity
 - Core Policy 51: Landscape
 - Core Policy 52: Green Infrastructure
 - Core Policy 53: Wiltshire's Canals



Figure 1: Site Location

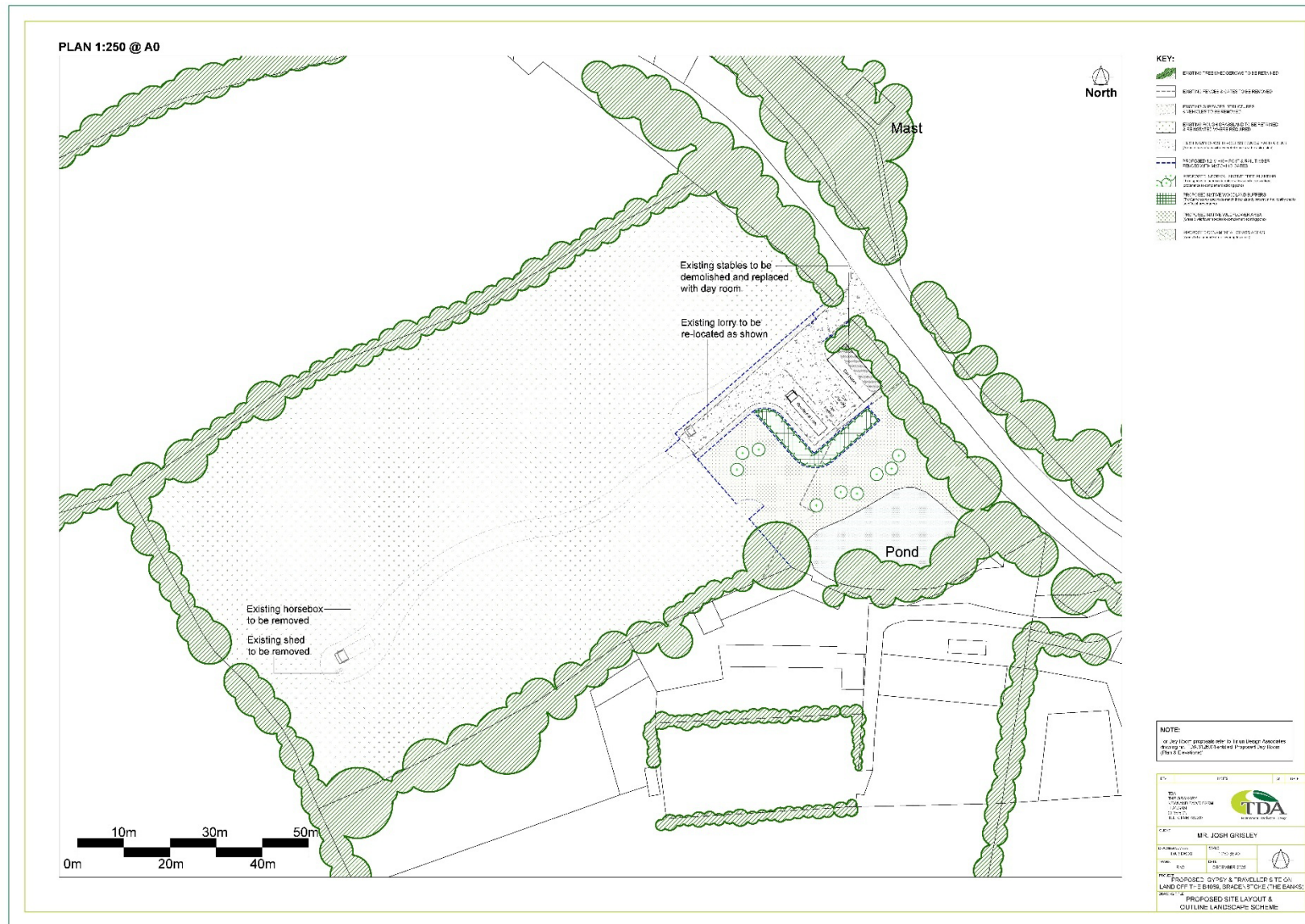


Figure 2: Proposals.

2. Methods

2.1. Desk Study

- 2.1.1. A full biological data search has not been undertaken. Given the location and nature of the habitats present on site, and the assessment of the Site's suitability for protected and notable species, together with the small scale and nature of the proposed development, it is not anticipated that undertaking a biological data search would add significant value or alter the conclusions and recommendations outlined in this report.
- 2.1.2. The Department of the Environment and Rural Affairs (DEFRA) Map and Geographic Information Centre (MAGIC) was searched for information on:
- statutory designations within a 5km area of search.
 - known records of European Protected Species licencing within a 2km area of search.
 - priority habitat within a 1km area of search.

2.2. Fieldwork

Habitat Survey

- 2.2.1. The survey consisted of an extended Phase 1 Habitat Survey following methodology from the UK Habitat Classification System (UKHAB) V2.01 (July 2023)⁴.
- 2.2.2. The survey involved walking the entire Site and mapping all land parcels in accordance with UK Habitat Classification with primary and secondary codes where necessary. Where appropriate, target notes provide supplementary information such as presence of invasive species, features too small to map, and presence of suitable habitat for protected species.

Protected Species

- 2.2.3. During the survey, habitats and features were assessed for their suitability to support protected and/or notable species, including those that might be present at other times of the year, taking into consideration the geographical region and habitat types present on, and adjacent to, the Site. Physical evidence and field signs indicating species presence were recorded and target noted. The survey included plus 30m from the Site boundary to ensure that badgers will not be affected.

⁴ UKHab Ltd (2023). *UK Habitat Classification Version 2.0* (at <https://www.ukhab.org>)

- 2.2.4. Standard methods of practice were used to survey for presence, or likely presence, of species such as bats in trees and buildings (Collins 2023⁵), great crested newts (ARG 2010⁶), reptiles (Froglife 2015⁷), and badgers (Creswell *et al.*, 1990⁸).

Ground Level Tree Assessment (GLTA)

- 2.2.5. During the site survey, a Ground Level Tree Assessment was conducted to identify any (or lack of) potential roosting features (PRFs), such as knot holes, split limbs, and cracks, as well as any evidence of bats. The likelihood of bat presence was assessed in accordance with current best practice guidance (Collins 2023⁵).

Zone of Influence

- 2.2.6. The ‘zone of influence’ of a project refers to the area where ecological features may experience significant effects due to the proposed development and its associated activities. This report assesses the potential impacts of the proposed development on protected or ecologically important habitats and species including those located beyond the Site’s boundary.

2.3. Constraints

- 2.3.1. A UK Habitat Classification survey can be undertaken at any time of the year; however, the optimum period is April – October. The survey was undertaken on 16th March 2026, which is slightly outside the optimal period for grassland identification and as a result some species may not have been readily identifiable. However, the survey was undertaken by an experienced Ecologist and as such, the timing of the survey is not considered to have hindered the accurate classification of the habitat types present.

⁵ Collins, J. (ed) (2023) Bat Surveys for Professional Ecologists: Good Practice Guidelines (4th edition). The Bat Conservation Trust, London. ISBN-978-1-7395126-0-6.

⁶ ARG., (2010) *UK Advice Note 5: Great crested newt habitat suitability index*. Amphibian and Reptile Groups of the United Kingdom.

⁷ Froglife., (2015) *Surveying for Reptiles*. Froglife, Peterborough.

⁸ Creswell, P., Harris, S. & Jeffies, D.J. (1990) *The history, distribution status and habitat requirements of the badger in Britain*. Nature Conservancy Council, Peterborough.

3. Desktop Results

3.1. Statutory Designations

International Designation

3.1.1. The data search revealed no sites of international importance within the 5km area of search.

National Designations

3.1.2. The data search revealed no sites of national importance within the 5km area of search.

3.2. Priority Habitat

3.2.1. The data search revealed one parcel of purple moor grass and rush pasture, one priority habitat pond (located immediately adjacent to the south of the site boundary), one traditional orchard, six parcels of deciduous woodland, and one parcel of ancient woodland within a 1km area of search. Except for the pond, which is located immediately adjacent to the site boundary, the nearest area of priority habitat (deciduous woodland) is located approximately 390m west of the Site. Refer to Figure 3.

3.3. Species

3.3.1. The data search returned three known records of granted European Protected Species Applications within the 2km area of search (see Table 1).

Table 1: EPSL within a 2km area of search (MAGIC).

Reference	Location	Species Affected
2019-40203-EPS-MIT	1190m southwest of the Site	Brown long-eared, common pipistrelle, greater horseshoe, lesser horseshoe, natterer's myotis, whiskered myotis
EPSM2010-2011	700m north of the Site	GCN – separated from the site by dispersal barriers including roads.
2017-27923-EPS-MIT	750m west of the Site	Brown long-eared, common pipistrelle, soprano pipistrelle, lesser horseshoe

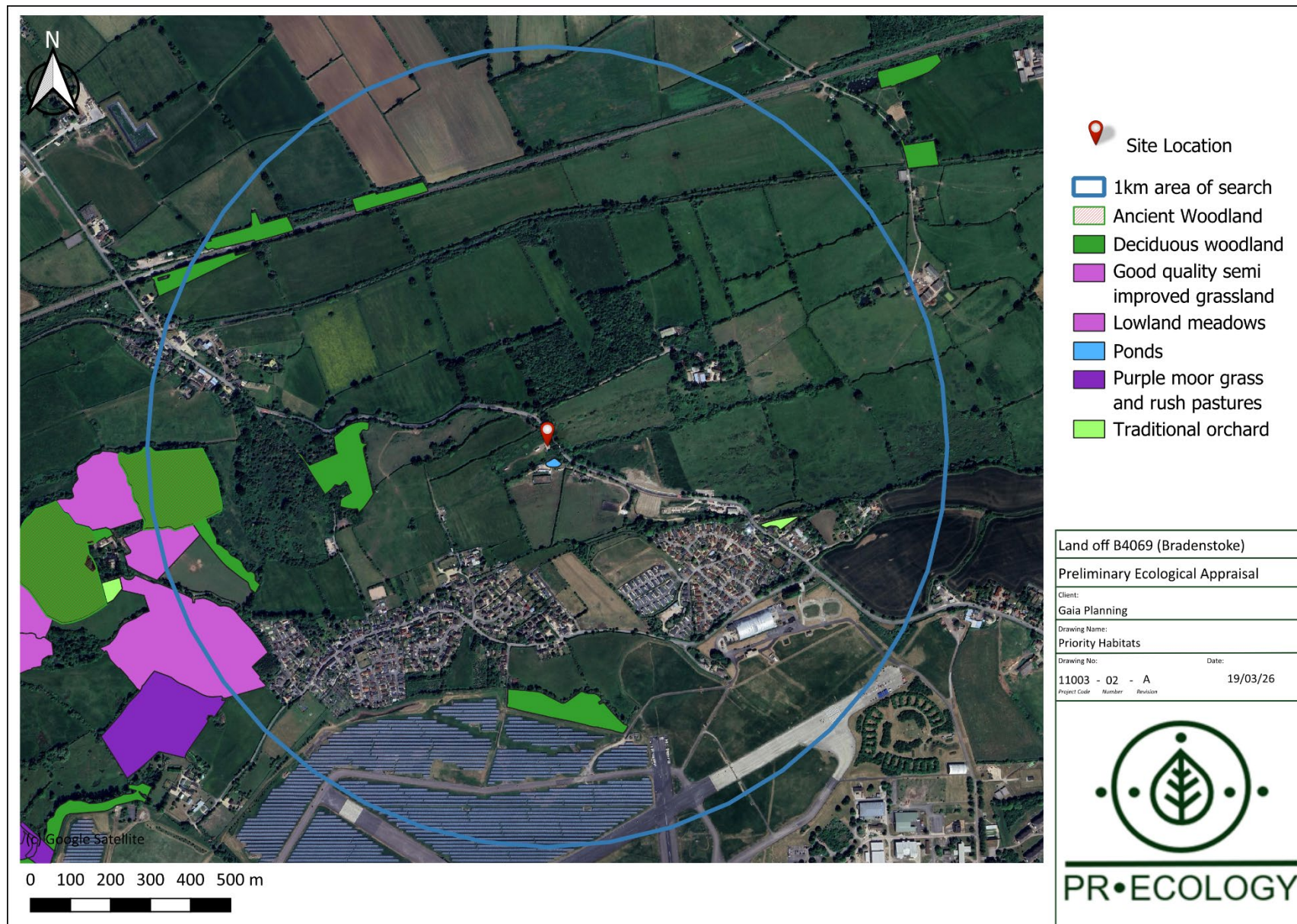


Figure 3: Priority Habitats within a 1km area of search.

4. Field Survey Results

4.1. Habitat Survey

- 4.1.1. The Site was visited on 16th March 2026 and a full Phase 1 habitat survey was carried out.
- 4.1.2. The Site consists of an existing area of hardstanding with a stable. Grassland surrounds the Site with a pond located to the south. A habitat map with target notes has been provided in Figure 4.

UK Habitat Classification

u1b -developed land, sealed surface

- 4.1.3. The existing access and yard area comprises developed land with sealed surfaces, devoid of vegetation. Bramble is scattered around the rear of the stables, and several self-seeded young ash trees are present along the perimeter of the hardstanding.

u1b5 - buildings

- 4.1.4. The stable building is constructed of timber with a roof formed from various sheet materials, many of which are in poor condition. The building was subject to a Preliminary Roost Assessment. The structure is in a state of disrepair, with numerous large gaps and holes in the roof materials. Due to this, there are no enclosed internal voids suitable for void-dwelling bat species, such as brown long-eared bats.
- 4.1.5. The external timber walls are generally in good condition, with no apparent cracks or crevices, and therefore offer no Potential Roost Features (PRFs) for crevice-dwelling species, such as pipistrelles. No PRFs were identified and no evidence of bat presence or activity was recorded around the building or within the wider Site.
- 4.1.6. Overall, the building was assessed as having negligible bat roosting potential.

h3 – Bramble scrub

- 4.1.7. A dense area of bramble scrub is present behind the stable building. Small patches of scrub and brash piles are present along the boundary of the hardstanding (see TN2).

g4 – modified grassland

- 4.1.8. The grassland surrounding the hardstanding is species-poor. It is dominated by perennial rye-grass, with cocksfoot and Yorkshire fog also present. Forb species comprise abundant creeping buttercup, with occasional broadleaved dock, creeping thistle and common nettle, and rare spear thistle.

g3c – other neutral grassland

- 4.1.9. The grassland surrounding the pond is indicative of semi-improved neutral grassland comprising perennial rye grass, Yorkshire fog, and cocksfoot and abundant forb species including cow parsley, horsetail, hogweed, common nettle, hairy bittercress, broadleaved dock, creeping buttercup, and daffodil sp. Willow saplings are present around the pond margins.

Line of trees

- 4.1.10. A mature tree line borders the northeast perimeter of the Site comprising species including ash and hawthorn. Ground flora consists of bramble and cleavers.

4.2. Species

Bats

Ground Level Tree Assessment

- 4.2.1. The Site contains a number of semi-mature trees which were assessed at ground level for their potential to support bat roosts. The assessment included a search for typical Potential Roost Features, such as knot holes, cracks, snapped limbs, and other features suitable for roosting bats, as well as any evidence of bat activity. At the time of survey, the trees were not in leaf, allowing clear views of trunks and limbs.
- 4.2.2. At the time of survey, all trees inspected appeared to have intact trunks and limbs, with no visible knot holes, snapped limbs or other features considered likely to provide roosting opportunities for bats. No PRFs were identified, and no evidence of bat activity was recorded during the ground-level assessment.



Photo 1: Trees are generally intact with narrow trunks and branches. No PRFs identified.



Photo 2: Young ash trees are located around the area of hardstanding. No PRFs.

Breeding Birds

4.2.3. The surrounding hedgerows and trees provide suitable habitat for a range of common nesting birds.

Great Crested Newt and Amphibians

- 4.2.4. A pond is located approximately 10m south of the Site (see TN1). The pond is dominated by common reed, with a mature weeping willow and several willow saplings around the margins. Marginal and aquatic vegetation is largely absent. Waterfowl, including moorhen, were observed using the pond during the site survey. The pond is supplied via a field drainage channel and has an outlet located in its eastern corner. Consequently, the pond is assessed as offering sub-optimal habitat for breeding amphibians, including great crested newt.
- 4.2.5. The surrounding habitat comprises rank grassland with areas of scattered scrub and hedgerows. This provides suitable terrestrial habitat for amphibians, including great crested newts. A review of aerial imagery and Ordnance Survey mapping identified no additional waterbodies within 250m of the Site and only one waterbody within 500m, located approximately 400m to the southwest and separated from the Site by a road, which is likely to act as a barrier to dispersal. Refer to Figure 5.



Photo 3: The pond located approximately 10m south of the Site is dominated by common reed (TN1).

Other

- 4.2.6. The survey found no evidence of any protected or notable species within or adjacent to the Site boundary.
- 4.2.7. The surrounding 30m was surveyed to assess the potential for impacts on badgers. No evidence of badgers or badger setts was recorded.

Table 2: Target Notes

Target Note	Description
TN1	A field pond is located approximately 10m south of the Site.
TN2	Brash and scrub pile provides terrestrial refugia for amphibians.

Table 3: Species List

Common name	Latin name
Perennial rye-grass	<i>Lolium perenne</i>
Cocksfoot	<i>Dactylis glomerata</i>
Yorkshire fog	<i>Holcus lanatus</i>
Creeping buttercup	<i>Ranunculus repens</i>
Broadleaved dock	<i>Rumex obtusifolius</i>
Creeping thistle	<i>Cirsium arvense</i>
Common nettle	<i>Urtica dioica</i>
Spear thistle	<i>Cirsium vulgare</i>
Cow parsley	<i>Anthriscus sylvestris</i>
Horsetail	<i>Equisetum</i> spp.
Hogweed	<i>Heracleum sphondylium</i>
Common nettle	<i>Urtica dioica</i>
Hairy bittercress	<i>Cardamine hirsuta</i>
Broadleaved dock	<i>Rumex obtusifolius</i>
Creeping buttercup	<i>Ranunculus repens</i>
Daffodil sp.	<i>Narcissus</i> spp.
Willow saplings	<i>Salix</i> spp.
Ash	<i>Fraxinus excelsior</i>
Hawthorn	<i>Crataegus monogyna</i>
Bramble	<i>Rubus fruticosus</i> agg.
Cleavers	<i>Galium aparine</i>



Figure 4: Habitat map.

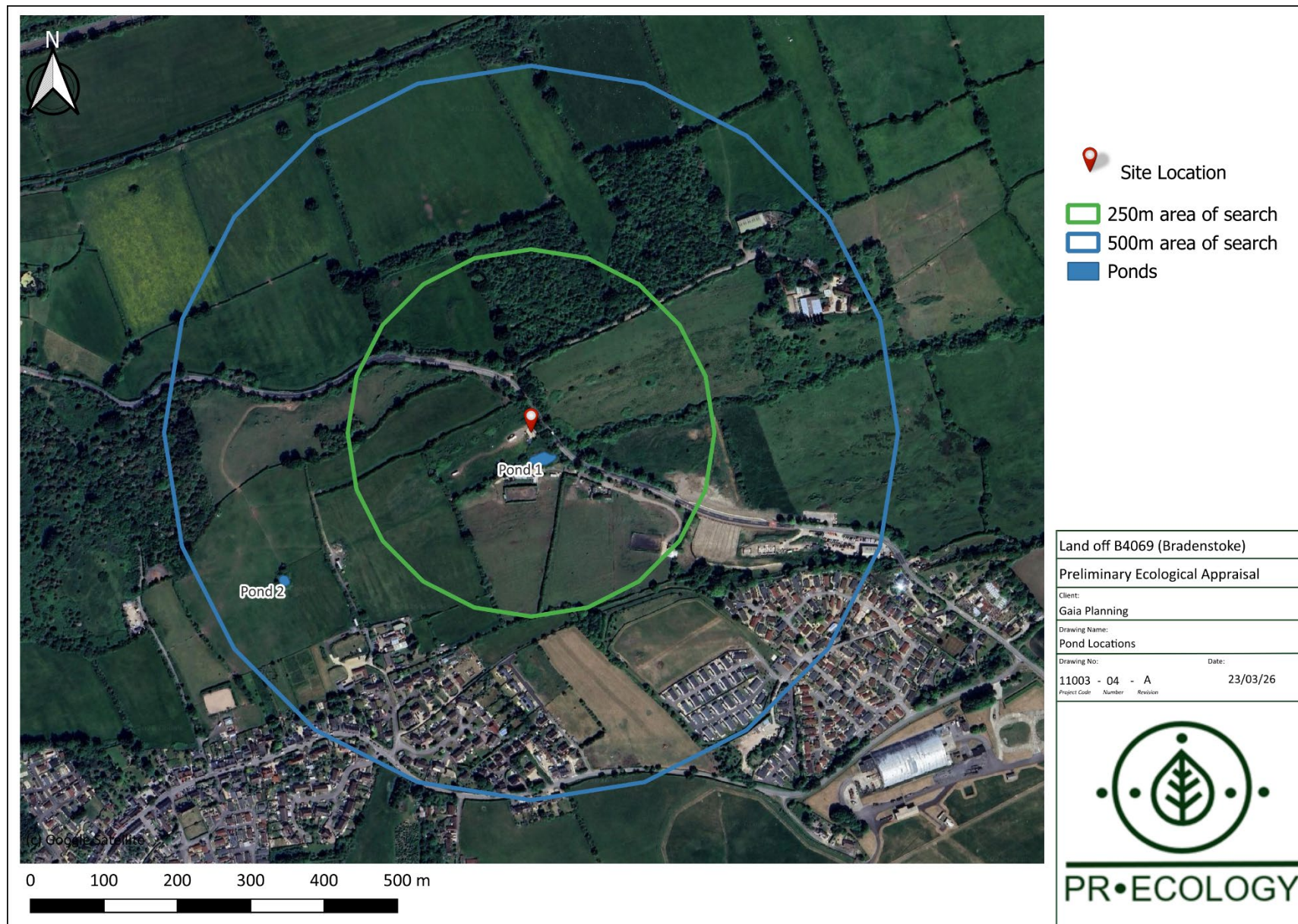


Figure 5: Pond locations within a 250m and 500m area of search.

5. Conclusions and Recommendations

5.1.1. A summary of the conclusions and recommendations at the Site has been provided below in Table 4, as well as features which have been discounted from further assessment. For a full summary, refer to the individual sections outlined below.

Table 4: Summary of conclusions and recommendations.

Feature	Conclusions & Recommendations
Statutory Designations	The data search revealed no statutory designated sites within a 5km area of search, and the site does not lie within any impact risk zones. No further assessment required.
Habitats	The majority of the Site consists of modified grassland and semi-improved neutral grassland with scattered individual trees and native hedgerows. None of the habitats present within the Site are habitats of conservation importance and the Site does not support any Priority Habitats. However, a pond is located immediately to the south of the Site. The construction process should be guided by a CEMP to protect offsite habitats. Where feasible, existing trees and hedgerows should be retained, and compensatory landscape planting using native species should be provided to maintain opportunities for nesting birds, support habitat connectivity, and enhance green infrastructure. No further survey or assessment required.
Badgers	No evidence of badgers was identified on site or within 30m of the Site boundary. However, badgers may be present in the wider area. During construction, Reasonable Avoidance Measures (RAMs) should be implemented to avoid any harm to animals that might commute across the Site.
Bats	Whilst no features were identified on site that offer roosting potential for bats, it is likely that bats are present within the wider landscape, and the habitats on site provide suitable foraging opportunities. Surrounding trees and hedgerow are to be retained, and the habitats proposed for removal are therefore unlikely to adversely affect foraging availability within the wider area. In addition, new landscape planting will further enhance the Site for foraging and commuting bats. There are opportunities to install bat boxes and enhance roosting provision within the Site.

Breeding Birds	Surrounding vegetation provides suitable opportunities for common breeding birds. Vegetation clearance should be undertaken outside of the main nesting season (1st March to 31st August). If works must proceed during this period, any habitats with the potential to support nesting birds should first be checked by a suitably qualified ecologist to confirm the absence of active nests.
Hedgehogs and Brown Hare	No evidence of animals was found during the Site survey. However, animals may roam across the Site. Reasonable Avoidance Measures (RAMs) should be incorporated to prevent any potential adverse impacts.
Great Crested Newts and Amphibians	The Site comprises areas of modified grassland and semi-improved neutral grassland interspersed with patches of scrub - all of which provide suitable terrestrial habitat for amphibians. Piled materials and brash also offer potential refugia and foraging opportunities. A pond located approximately 10m south of the Site supports waterfowl and lacks aquatic and marginal vegetation. It also features an artificial inlet and outlet. The pond is isolated from other waterbodies in the surrounding landscape and is therefore considered sub-optimal for breeding great crested newts. However, the potential presence of GCN cannot be ruled out. Consequently, works should be carried out under a suitable Reasonable Avoidance Measures (RAMs) method statement - see 5.8.6.
Biodiversity Net Gain	Overall, the proposed planting and habitat enhancements are expected to contribute positively to the Site's biodiversity value and are anticipated to deliver a measurable uplift in biodiversity.

5.2. Statutory Designations

Status

5.2.1. The data search identified no statutory sites within the 5 km area of search, and the Site does not lie within any Impact Risk Zones. The Site is considered sufficiently distant from all statutory designations such that the proposed development will not result in any impacts.

Unmitigated Impacts

5.2.2. No unmitigated impacts are envisaged.

Conclusion and Recommendations

5.2.3. It is considered that the Site is sufficiently distant from all statutory designated sites for nature conservation and therefore no direct or indirect impacts upon any designated sites or their qualifying features are anticipated as a result of the proposed development.

5.2.4. No further assessment (i.e. HRA stage 1) is required.

5.3. Habitats

Status

5.3.1. The habitat on site consists of modified grassland, semi-improved neutral grassland, and developed land with scattered individual trees and a line of trees.

Unmitigated Impacts

5.3.2. A small extent of modified grassland (c.0.03ha) which is considered a low ecological value habitat, will be lost as a result of the proposed development. Three individual, young, ash trees will be lost.

5.3.3. The construction phase could result in unintentional damage or destruction of neighbouring habitat.

5.3.4. The construction phase could result in a pollution incident that may affect surrounding habitat.

Conclusions and Recommendations

5.3.5. The construction process should be guided by a CEMP compliant with BS42020 to protect offsite habitats. The CEMP should include:

- general site management details including timetabling, details of site clearance, details of site construction, appropriately sized buffer zones.
- details of sensitive biodiversity areas and locations of protective fencing.
- pollution prevention, including details of emergency spill procedures.
- biosecurity measures such as ensuring the absence of invasive species at the Site.

5.3.6. Where feasible, existing trees and hedgerows should be retained and adequately protected during construction activities. Compensatory landscape planting maximising the use of native trees and shrubs should be incorporated into the development to maintain opportunities for nesting birds, support habitat connectivity, enhance green infrastructure, and to provide a Biodiversity Net Gain at the Site. Refer to Section 5.9.

5.3.7. No further surveys or assessments required.

5.4. Badgers

Status

- 5.4.1. No evidence of badgers was found on the Site or within 30m of the Site. However, they may be present in the wider environment.

Unmitigated Impacts

- 5.4.2. Animals may commute across the Site and therefore be subject to adverse impacts from construction.

Conclusions and Recommendations

- 5.4.3. Impacts are restricted to the construction phase. During construction, the Principal Contractor must ensure that appropriate Reasonable Avoidance Measures (RAMs) are implemented to avoid harm to badgers that may enter the Site at night. The RAMs should include, but not be limited to, the following measures:

- Works should be limited to daylight hours, where practicable.
- Any excavations greater than 1.5m in depth should incorporate an escape ramp or earth slope to prevent animals from becoming trapped.
- Open-ended pipes should be capped or covered overnight to prevent access by badgers and other wildlife.
- Any temporary or permanent fencing should be designed to allow the free movement of badgers across the Site, maintaining existing commuting routes where possible.

5.5. Bats

Status

- 5.5.1. There are no buildings or trees present on the Site that offer roosting potential.
- 5.5.2. The tree lines and hedgerows provide suitable foraging and commuting habitat for bats.

Unmitigated Impacts

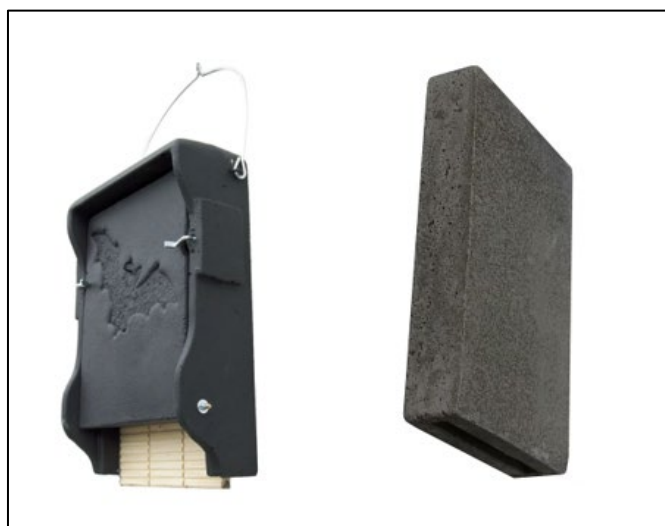
- 5.5.3. The proposals will result in the loss of modified grassland (c.0.03ha). Tree lines and hedgerows will be retained.

Conclusions and Recommendations

- 5.5.4. There are no features on site that provide suitable roosting habitat for bats. The loss of a small area of modified grassland will result in the removal of a limited amount of sub-optimal foraging habitat.

However, abundant suitable foraging habitat is present in the surrounding environment, and therefore this is considered to be a minor impact at the Site level. Proposed additional tree planting and woodland buffers will increase structural diversity and contribute to the provision of improved foraging habitat for bats in the long term. Therefore, no further surveys or assessment are required.

- 5.5.5. The lighting scheme should ensure that the adjacent treelines and pond habitat is retained in as dark a state as possible, with direct illumination avoided.
- 5.5.6. There are opportunities to enhance the Site for bats through the provision of new roosting features. Boxes could be incorporated into the proposed development. Boxes should be installed at a height of approximately 3-4m in an area where they will not be exposed to undue disturbance. The area below the box (1m minimum) should be free from clutter e.g., branches/foliage so bats can safely enter/exit the box. Where possible, boxes should be positioned overlooking unlit features such as lines of trees or hedgerows. A suitable bat box recommended to use on site is the Greenwood's ecohabitats single crevice bat box⁹, or Schwegler 1FF bat box¹⁰ (or a suitable equivalent).



Box 1: Schwegler 1FF bat box and Greenwood's Eco Habitats single crevice bat box.

5.6. Breeding Birds

Status

- 5.6.1. The surrounding hedgerows and trees provide suitable habitat for a range of nesting bird species.

⁹ <https://www.greenwoodsecohabitats.co.uk/shop>

¹⁰ <https://www.nhbs.com/1ff-schwegler-bat-box-with-built-in-wooden-rear-panel>

Unmitigated Impacts

5.6.2. The construction phase could result in unintentional damage of bird nesting habitat during the breeding season, potentially causing damage or destruction of a nest, eggs, and unfledged young.

Conclusions and Recommendations

5.6.3. It is recommended that:

- any works to bird breeding habitat should take place outside of the bird nesting season which is generally considered to be March through to August inclusive.
- where clearance of vegetation is required during the breeding season (1st of March to 31st August), a suitably qualified Ecological Clerk of Works should visit the Site within 48 hours prior to commencement to confirm no breeding birds are present.

5.6.4. Landscaping can be used to provide additional habitats for breeding birds. Principles beneficial to wildlife include:

- planting of native hedgerow species.
- planting of berry and nut bearing species.
- management of shrubs to provide a varied structure and support breeding birds.
- planting of nectar bearing flowers to encourage invertebrates.

5.6.5. There are opportunities to enhance the Site for breeding birds through the installation of nest boxes as part of the proposed development. Suitable nest boxes recommended to use on site include the Schwegler 1B nest box and Vivara Pro Woodstone Nest Box 32mm (or similar suitable alternatives).



Box 2: Schwegler 1B nest box, and Vivara Pro Seville Woodstone Nest Box 32mm.

5.7. Hedgehogs and Brown Hares

Status

- 5.7.1. There was no evidence of hedgehogs or brown hares found during the survey.
- 5.7.2. The on-site habitats may provide suitable foraging and commuting habitat.
- 5.7.3. It is good practice to take these animals into consideration.

Unmitigated Impacts

- 5.7.4. Animals may commute across the Site and therefore be subject to adverse impacts from construction.

Conclusions and Recommendations

- 5.7.5. Impacts are restricted to the construction phase. Animals may commute across the Site at night and therefore be subject to adverse impacts from construction. It is recommended that Reasonable Avoidance Measures (RAMs) should be followed:
 - Any excavations left open overnight should have a means of escape provided, such as a plank or a ramp of earth.
 - Open-ended pipes should be covered, preventing overnight access to animals.
 - Internal boundaries, such as fencing, should have gaps approx. 200mm at regular intervals to allow animals to freely pass.

5.8. Great Crested Newts and Amphibians

Status

- 5.8.1. Although the pond located to the south of the Site was considered to provide sub-optimal habitat for breeding great crested newts and other amphibians, their presence cannot be ruled out.
- 5.8.2. The grassland, along with the surrounding scrub and hedgerows, offers suitable terrestrial habitat for amphibians.
- 5.8.3. Piled materials and brash within the Site provide potential refugia for amphibians.

Unmitigated Impacts

- 5.8.4. Animals may commute across the Site at night and could therefore be exposed to adverse impacts during construction activities.
- 5.8.5. The construction process carries the risk of unintentionally injuring or killing of an animal if they are present within the working area.

Conclusions and Recommendations

- 5.8.6. It is recommended that the following Reasonable Avoidance Measures (RAMs) are adopted during the construction phase of the proposed development:
 - all site personnel must be made aware of these RAMs, which should form part of the site induction for all staff involved in soil stripping, ground clearance, or other relevant activities.
 - a suitably qualified Ecologist should be present to undertake a fingertip search prior to the removal or any log or brash piles, as these features may provide sheltering or hibernation opportunities for amphibians.
 - prior to any soil stripping, vegetation should be strimmed to a height of no less than 15cm, and all arisings removed from Site.
 - any excavations left overnight should have a means of escape such as a plank, or ramp of earth.
 - the use of chemicals harmful to amphibians (e.g. fertilisers, pesticides, or herbicides) should be avoided where possible.
 - in the unlikely event that a great crested newt is discovered during site clearance or construction works, all activities must cease immediately, and advice sought from a suitably qualified ecologist for further assistance on how to proceed.
 - no site personnel are permitted to handle great crested newts.

- any other amphibians (such as common toad, common frog, palmate, or smooth newt) encountered may be safely moved to suitable adjacent habitat.

5.9. Biodiversity Net Gain

- 5.9.1. In England, Biodiversity Net Gain (BNG) is a mandatory requirement under Schedule 7A of the Town and Country Planning Act 1990, as inserted by Schedule 14 of the Environment Act 2021. Developers are required to deliver a minimum 10% net gain, unless an exemption applies.
- 5.9.2. The current proposals are exempt from mandatory Biodiversity Net Gain under the self-build and custom build criteria.
- 5.9.3. Although exempt, it is still good practice to provide a Biodiversity Net Gain on site. The current landscaping scheme includes:
- planting of 9 new native trees.
 - approximately 105 sq/m of native woodland planting.
 - extensive wildflower planting adjacent to the existing pond.
 - retention of existing trees and hedgerows where possible, with development of the lower value modified grassland.
- 5.9.4. The proposals are expected to enhance the Site's overall biodiversity value and contribute to improved green infrastructure. The use of native species and habitat-appropriate planting promotes long-term ecological resilience and provides enhanced foraging and commuting habitat for bats, birds, and small mammals.
- 5.9.5. Overall, the proposed planting and habitat enhancements are expected to contribute positively to the Site's biodiversity value and are anticipated to deliver a measurable uplift in biodiversity.

6. Appendix A

6.1. Site Photos



Plate 1: Existing access to the Site consists of hardstanding.



Plate 2: The Site consists of hardstanding and a stable building.



Plate 3: Modified grassland surrounds the Site.



Plate 4: The modified grassland is species poor.



Plate 5: Semi-improved neutral grassland with abundant forbs surrounds the pond.



Plate 6: The pond located approximately 10m south of the Site offers potential habitat for amphibians.



Plate 7: The pond is dominated by common reed.



Plate 8: Scrub surrounds the stable building.



Plate 9: Piled material and brash/scrub provide potential refugia.



Plate 10: The stable building is in a state of disrepair.



Plate 11: The roof has collapsed in areas.



Plate 12: No evidence of PRFs or bat activity.



Plate 13: The stable was assessed as having negligible bat roosting potential.



Plate 14: The proposed area of modified grassland to be lost to the development.

7. Appendix B

7.1. Legislation

Badgers

7.1.1. Badgers are protected under Schedule 6 of the Wildlife and Countryside Act 1981 (as amended) (WCA) and the Protection of Badgers Act 1992. It is illegal to:

- kill, injure, take, possess or cruelly ill-treat a badger or to attempt to do so.
- interfere with a badger sett by damaging or destroying it.
- obstruct access to or destroy any entrance of a badger sett.
- disturb a badger when it is occupying a sett.

7.1.2. A badger sett is 'any structure or place that displays signs indicating current use by a badger'. Natural England classifies a sett as active if it has been occupied within the last 12 months.

7.1.3. Operations that might cause disturbance of an active sett entrance can be carried out under licence from Natural England. If any badgers are found during the course of the survey, this will be highlighted in this report.

Wild Birds

7.1.4. All wild birds are protected by Part 1 of the WCA 1981 (as amended) from deliberate or reckless injury or killing. This protection extends to birds' nests during the breeding season which makes it an offence to damage or destroy nests, eggs, or young. Birds that are listed on Schedule 1 are afforded additional protection against intentional or reckless disturbance during the breeding season. It is an offence to disturb a Schedule 1 species at or near to their nesting site during the breeding season.

European Protected Species (includes bats, otter, hazel dormouse, great crested newts, and others)

7.1.5. It is advised that all bats and great crested newts (as well as many other species) are European Protected Species (EPS). EPS are protected under European legislation that is implemented in England via The Conservation of Habitats and Species Regulations 2017 (Regulation 43). A full list of EPS is provided in Schedule 2 of the Regulations. In addition, these EPS also receive the protection of the Wildlife and Countryside Act 1981 (as amended) in respect of Section 9 (4)(b & c) and (5).

7.1.6. If both national and international legislation are taken together, the legislative protection afforded to these species makes it an offence to:

- intentionally/deliberately kill, disturb, injure, or capture them.
- intentionally or recklessly damage, destroy, or obstruct access to any breeding site or resting place.
- possess or control any live or dead specimen or anything derived from a European Protected Species.

Mammals and Reptiles

7.1.7. All native reptiles and a variety of British mammals also receive protection under The WCA 1981 (as amended). Schedule 5 of The WCA lists animals that are protected. The degree of protection varies. Water voles and red squirrel are examples of species with full protection. The Act makes it an offence to intentionally kill, injure, take, possess, or trade in any wild animal listed in Schedule 5, and prohibits interference with places used for shelter or protection, or intentionally disturbing animals occupying such places.

7.1.8. All native reptiles in the UK are protected. The commoner species such as grass snake, common lizard, slow worm, and adder are protected only from unlawful killing and injuring. In practice, this may require a reptile protection scheme before implementing a planning permission but no specific licence is required. Sand lizard and smooth snake are listed as EPS.

Non-native Invasive Species

7.1.9. A number of non-native plant species growing wild in the UK are listed on Schedule 9 of the WCA due to their invasive nature and the detrimental impact they can have on native habitats and wildlife. This legislation makes it an offence to plant or otherwise cause to grow in the wild any plant species which is included in Part II of Schedule 9.

Environment Act 2021

7.1.10. The Environment Act 2021 was passed to improve environmental governance in the UK following its departure from the EU. It establishes legally binding targets, new environmental principles, and enforcement mechanisms.

7.1.11. The Act introduces several key measures to enhance biodiversity, promote sustainable land management, and improve protections for natural habitats:

- Strengthened Biodiversity Duty.
- Biodiversity Net Gain (BNG). New developments must deliver at least a 10% net gain in biodiversity.

- Local Nature Recovery Strategies (LNRSs). Each area must develop a strategy to **restore and connect habitats**, supporting a **Nature Recovery Network**.
- Street Tree Protection. Local Authorities must **consult the public** before felling street trees.
- Woodland Protection Enforcement. Stronger measures to prevent illegal deforestation and unauthorised felling.
- Conservation Covenants. A new legal tool that allows **landowners to enter binding conservation agreements** with responsible bodies, ensuring long-term environmental benefits.
- Protected Site & Species Conservation Strategies. New **strategic approaches** to improve conservation outcomes for designated sites and protected species.
- Deforestation & Supply Chain Regulation. **Larger UK businesses** are prohibited from using commodities linked to **widespread deforestation**.
- Businesses must establish **due diligence systems** to ensure supply chains comply with environmental standards. An **enforcement system** will oversee compliance.

Conservation of Habitats and Species Regulations 2017 (as amended)

- 7.1.12. These Regulations transpose the European Habitats Directive and Bird Directives into UK law. The Regulations provide the framework for the conservation of natural habitats and the protection of species. They provide for the designation and protection of 'European sites' (referred to in this assessment as 'international sites') which include Special Areas of Conservation (SAC) and Special Protection Areas (SPA), and the protection of 'European protected species', and the adaptation of planning and other controls for the protection of such.
- 7.1.13. Under the Regulations, UK competent authorities have a general duty to have regard to the EC Habitats and Birds Directives. They require competent authorities to consider or review planning permission, applied for or granted, affecting a European site, and, subject to certain exceptions, restrict or revoke permission where the integrity of the site would be adversely affected. Under Regulation 63, where any proposed plan or project is likely to have an effect on a Natural 2000 site or qualifying feature for a site, then the competent authority (normally the local planning authority) will carry out an appropriate assessment of those effects, referred to as a 'Habitats Regulations Assessment (HRA)'.

Species

- 7.1.14. The Regulations make it an offence (subject to exceptions) to deliberately capture, kill, disturb, or trade in the animals listed in Schedule 2, or pick, collect, cut, uproot, destroy, or trade in the plants listed in Schedule 4. However, these actions can be made lawful through the granting of licences by

the appropriate authorities. Licences may be granted for a number of purposes (such as science and education, conservation, preserving public health, and safety), but only after the appropriate authority, including the planning authority, is satisfied that there are no satisfactory alternatives and that such actions will have no detrimental effect on wild populations of the species concerned - these three elements form the basis of the three derogations 'tests' to be applied to satisfy European legislation.

Wildlife and Countryside Act 1981

- 7.1.15. The principle statutory instrument that governs nature conservation in England is the Wildlife and Countryside Act 1981 as amended (WCA 1981).
- 7.1.16. The WCA 1981 consolidates and amends existing national legislation to implement the Convention on the Conservation of European Wildlife and Natural Habitats (Bern Convention) and the Birds Directive in Great Britain. It is complemented by the Wildlife and Countryside (Service of Notices) Act 1985 which relates to notices served under the 1981 Act, and the Habitats Regulations 2017 (as amended) which implement the Habitats Directive.
- 7.1.17. Containing four Parts and seventeen Schedules, the Act covers protection of wildlife (birds, and some animals and plants), the countryside, National Parks, and the designation of protected areas, and public rights of way.
- 7.1.18. Amendments to the Act have been made and there is a statutory quinquennial review of Schedules 5 and 8 (protected wild animals and plant respectively), undertaken by the country agencies and co-ordinated by the Joint Nature Conservation Committee. There have been 6 reviews with the 7th commenced in 2021.

Natural Environmental and Rural Communities (NERC) Act 2006

- 7.1.19. The NERC Act 2006 makes provisions in respect of biodiversity, pesticides harmful to wildlife and the protection of birds, and in respect of invasive non-native species.
- 7.1.20. Section 40 of the Act lays a duty on authorities to have regard to the purpose of conserving biodiversity in compliance with the UN Biodiversity Convention in 1992. This is otherwise known as the 'Biodiversity Duty' and refers in particular to those Habitats & Species of Principle Importance listed in Section 41 of the Act. Guidance for local authorities on implementing the Biodiversity Duty is provided in DEFRA (2007).

Section 41 List

- 7.1.21. For the purposes of conserving biodiversity, habitats and species of principle importance are listed through the provisions set out in Section 41 of this Act (replacing Section 74 of the CRow Act 2000),

referred to in this chapter as the Section 41 List. DEFRA 2007 references the UK and local Biodiversity Action Plans (BAPs) (see below) as the source of data for the Section 41 List. This assessment uses the List, as updated by the UK BAP, as a key guide for identification of ecological features to be affected by proposals, and to guide and weigh recommendations and mitigation.

- 7.1.22. The Section 41 List has been further refined by DEFRA 2007, where seven sectors have been selected where public bodies and other stakeholders can make a significant contribution to biodiversity conservation, through their Biodiversity Duty. Habitats and species relevant to each sector have been identified to help non-conservation professionals consider where the List might apply to them. Of these seven, two are relevant to this assessment i.e. Land Use Planning and Regional & Local Government. The List was last updated in 2010 and referenced here as Natural England 2010.

Hedgerow Regulations 1997

- 7.1.23. The Hedgerow Regulations 1997 protect important countryside hedgerows in England and Wales from being removed without prior permission from local planning authorities.

Countryside Right of Ways Act 2000

- 7.1.24. The CRoW Act strengthens the protection and management of important habitats and public access to the countryside.

UK Biodiversity Action Plan

- 7.1.25. The UK BAP, which was first published in 1994, was the UK government response to the 1992 Convention on Biological Diversity. It sets priorities for nationally important 'priority species' and 'priority habitats'. Each species and habitat action plan has costed actions and targets and is used to inform the compilation of national lists such as the Section 41 List described above.