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# Ecological Assessment
# Corsham Science Park

## Project Information

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# Executive Summary

This Ecological Assessment has been undertaken by Davidson-Watts Ecology Ltd to inform the proposed development at Corsham Science Park. The purpose of this assessment is to identify ecological constraints, determine the need for further survey where appropriate, and provide proportionate mitigation measures in accordance with current best practice guidance and national planning policy.

The proposed development area comprises areas of hardstanding, metal constructed buildings and a small area of ornarmental planting and hedgerow. These habitats are considered to be of negligible to low ecological value within a predominantly industrial and semi-urban landscape context.

No statutory designated sites occur within the site boundary, Bath and Bradford Bats Special Area of Conservation (SAC) lies 0.2km west of the site, and the proposed site is located within Bath and Bradford's Bat consultation zone. No significant effects on this SAC have been identified, and embedded mitigation measures for indirect construction and operational-phase effects, such as lighting and noise, have been incorporated into the design; therefore, no significant effects on this SAC and surrounding habitats are anticipated as a result of the proposed development.

A structured assessment of habitat suitability and development impact pathway has been undertaken for all relevant protected species.

No further species-specific site surveys have been proposed, measures to ensure compliance with best practice standards, legislation and planning policy relating to protected habitats and species have been set out in this report. These include:

- Nesting bird timing restrictions.
- Sensitive lighting design.
- Precautionary working methods were required.
- Retention and protection of boundary vegetation.
- Biodiversity enhancement measures.

Overall Conclusion
The ecological risks associated with the proposed development are clearly defined, limited in scope, and capable of being managed through proportionate mitigation. The development is not anticipated to result in significant ecological harm.

The report provides sufficient ecological information to enable the Local Planning Authority to determine the application in accordance with national planning policy and established ecological guidance.

# 1 Introduction

## 1.1 BACKGROUND

1.1.1 This report presents an Ecological Assessment and Preliminary Bat Roost Assessment (PRA) for proposed development at Corsham Science Park, Corsham, Wiltshire SN13 9FU. The site is centred on the Ordnance Survey grid reference TQ 21343 74510 and the site location is shown in **Figure 1**.

1.1.2 All ecology work required for the production of this Ecological assessment was undertaken by Davidson-Watts Ecology Ltd on behalf of Scitech Engineering Ltd and Bath ASU.

## 1.2 SITE DESCRIPTION

1.2.1 The proposed development area is located within Corsham Science Park, in an industrialised area to the west of Corsham town centre. The development area comprises existing access to the business park, business units, associated loading bays, and car parking areas. An aerial-view map with an associated red-line boundary is shown in **Figure 2**.

1.2.2 The proposed development area is bordered by further business units associated with the science park and Fiveways Trading Estate. Further afield, the surrounding area comprises businesses and roads, with pockets of grassland, woodland, and public open spaces.

## 1.3 PROPOSED DEVELOPMENT

1.3.1 The proposed development drawings provided by Scitech show:

- The construction of a single-storey link building between buildings SP2 and SP3,
- Re-siting of two lean-to buildings from south of SP3 to the northwest side of SP2,
- New fenestration to SP2 including first floor fire escape and external staircase to northwest elevation,
- New plant and raised plant deck to the southwest elevation of SP2 and various new windows, cladding, extract fans, and air vent ducts on SP2 and
- Associated car parking works with the provision of parking bays to offset the loss of existing parking through relocation of refuse areas.
- Construction of additional outbuildings.

1.3.2 The full reference list of the drawings reviewed is provided in section 7. The proposed site plan and location plan has been included in **Figure 3.**

## 1.4 OBJECTIVES

1.4.1 The objectives of the report are to:

- To identify and describe all potentially significant ecological effects associated with the proposed development on ecologically important features,
- To set out proportionate mitigation measures required to ensure compliance with nature conservation legislation and to address any potentially significant ecological effects where possible,
- To identify appropriate enhancement measures, and

- To set out any further survey recommendations where required to complete the ecological baseline for the site.

# 2 Methodology

## 2.1 DESK STUDY

2.1.1 The purpose of the desk study is to review information available in the public domain. The following sources were checked:

- A search of the Multi-Agency Geographic Information for the Countryside (MAGIC) database for statutory nationally designated sites within 2km of the site boundary, statutory internationally designated sites within 2km of the site boundary, priority habitats, granted European Protected Species Licences (EPSL) and great crested newt eDNA survey results (2017 – 2019).
- Review of non-statutory designated sites within 1km as provided by the local records centre.
- Review of protected and notable species records within 1km as provided by the local record centre.
- Review of aerial imagery and Ordnance Survey mapping, particularly to identify ponds within 250m and other potential ecological pathways.

2.1.2 The desk study was used to inform the scope of the field survey and to identify potential ecological receptors that require further consideration.

2.1.3 Any limitations associated with data age or completeness are acknowledged; however, the information is considered sufficient to inform this preliminary assessment.

## 2.2 POLICY AND LEGISLATION

2.2.1 This assessment has been undertaken in accordance with the National Planning Policy Framework (2026) and associated Planning Practice Guidance. Policies N2 and N6 require development proposals to minimise adverse effects on biodiversity, support nature recovery and, where applicable, deliver statutory biodiversity net gain. Sufficient ecological survey and assessment information has been provided to enable the Local Planning Authority to determine the likely ecological effects of the proposed development and discharge its duties in relation to designated sites, protected species, habitats, relevant legislation and national planning policy.

2.2.2 Relevant planning policy is included in **Appendix A** and legislation is included in **Appendix B**.

## 2.3 FIELD SURVEY

2.3.1 The field survey of the site aimed to record both the habitat types present at the site as well as identify any habitats that may support protected or notable species (listed under Section 41 of the 2006 Natural Environment and Rural Communities (NERC) Act, Birds of Conservation Concern (IUCN 2025) or locally notable species).

## 2.4 ZONE OF INFLUENCE

2.4.1 The zone of influence has been identified as the proposed development area, as the current proposals are understood to be minor in nature and currently within an industrialised area. However, potential

construction- and operation-related effects on species that may be present, as well as indirect effects on these receptors that may exist outside the development footprint, have been assessed, and, if deemed necessary, measures to ensure the long-term protection and current conservation status of these receptors are included in section 6.

## 2.5 HABITAT SURVEY

2.5.1 The walkover study area, therefore, consists of all habitats within the proposed development area. Non-native invasive species were recorded where present. Plant species follow nomenclature from Stace, fourth edition (2019). A representative photographic record has been taken for each habitat type and any ecologically notable features. Photographs have been logged with a location reference, date, and a brief description.

2.5.2 The field survey of the study area was conducted on the 24th April 2026. The main botanical survey season is spring to early autumn, when habitats can be reliably identified and, where relevant, habitat condition indicators can be assessed with confidence.

2.5.3 The weather was 17°C, still, clear and dry. The survey was undertaken under suitable weather conditions. As this is a preliminary survey, it does not constitute a full protected-species survey, and its findings are necessarily constrained by seasonality and survey scope.

2.5.4 The dominant plant species were recorded, and habitats classified according to their vegetation types and presented in the standard UKHabs survey methodology. This survey method aims to characterise habitats and communities present and is not intended to provide a complete list of all plants occurring across the site.

2.5.5 The abundance of species has been recorded with reference to the DAFOR scale:

- Dominant (D) >75%
- Abundant (A) 75 – 51%
- Frequent (F) 50 – 26%
- Occasional (O) 25 – 11%
- Rare (R) <10%

2.5.6 Habitats were classified to a minimum of level 4 in the UKHabs hierarchy (Butcher et al 2020), with the minimum mappable area of 25sq m and 5m length x 1m width for linear features, corresponding to the minimum dimensions applicable for a Biodiversity Net Gain (BNG) calculation. Where applicable, secondary habitat codes were also used.

2.5.7 Habitats were assigned codes based on dominant vegetation composition, structural characteristics, management regimes, hydrological conditions (where relevant) and the presence of diagnostic or indicator species. The survey enabled the identification of priority habitats or recommendations for further habitat surveys as necessary.

2.5.8 Target notes were made for any habitats or features of ecological significance or where further explanation is required. This included any controlled or injurious plants on or immediately adjacent to the site.

2.5.9 Land use and/or management was recorded as well as the presence of key indicator species and hydrological context (where relevant).

2.5.10 The habitat type has been digitally mapped using QGIS 3.34.5 (see **Figure 4**). Outputs have been retained as GIS layers (e.g., shapefile / geodatabase) for auditability and future use. Habitat polygons were mapped, and target notes were used to record features that are:

- Too small to map as polygons (e.g., small scrub patches, ephemeral wet features),
- Ecologically notable (e.g., veteran trees, priority features, invasive species),
- Relevant to impact pathways (e.g., boundary hedgerows used as connectivity features).

2.5.11 Competency expectations align with CIEEM's Preliminary Habitat Survey Competency Standard.

## 2.6 SCOPING

2.6.1 The assessment applies the principle of proportionality set out in CIEEM (2017), whereby further survey is recommended only where:

1. Suitable habitat is present; and

2. A clear development impact pathway exists.

2.6.2 Species for which suitable habitat is absent or where no impact pathway is identified have been scoped out of further consideration, with full justification given.

## 2.7 BAT SURVEYS

**Preliminary Roost Assessment (Buildings)**

2.7.1 The building inspection was undertaken of the site on 24th April 2026, by Anna Potter, using binoculars and a high-powered torch to identify possible roost sites (for example, loose or missing tiles; missing mortar at gable ends; hanging tiles or wooden cladding; raised lead flashing; gaps beneath the eaves; broken windows; damaged air vents and recesses in stonework). Characteristic field signs of bats, for example, accumulations of droppings or obvious scratch/wear marks, were also identified where possible. It should be noted that sometimes bats leave no visible signs of their presence, and external signs are subject to weather conditions and are unlikely to persist outside of the main bat active period for long periods of time.

*2.7.2* A systematic search was also undertaken of the interior of the structures to be affected by the proposals (where safely accessible) to identify the potential or actual bat access points and roosting places and to locate evidence of bats. Evidence of bats could include droppings, urine staining, fur-oil staining, feeding remains (for example, large accumulations of moth wings), and individual bats, including squeaking. An endoscope, torch, mirror or close-focusing camera was used when required to enable closer inspection of potentially important features. It should be noted that sometimes bats leave no visible sign of their presence even on the inside of the building, particularly when hidden in cracks, crevices and voids. All torches were turned off to identify potential roost access points by light spilling.

2.7.3 Any droppings present were collected for eDNA analysis, and locations of collections were clearly noted on a plan along with details of dropping numbers, size (measured in mm) and age class.

2.7.4 Detail was recorded, including the size of the roost, including the presence and location of timber joists and other features supporting roosts, internal dimensions (width, length, height), location of internal roosting points/opportunities and location of access points.

2.7.5 Any vegetation adjacent to the structure that could be used by emerging bats was also noted.

2.7.6 The field surveys were used to assess the building's potential to support bat roosts, in line with BCT guidelines (Collins, 2023), as shown in Table 1 below.

Table 1: Criteria for categorising buildings for their potential to support a bat roost (adapted from Table 4.1 Collins, 2023)

| Suitability | Description of roost potential categories in structures |
|---|---|
| Negligible | Negligible features likely to be used by roosting bats. |
| Low | A structure with one or more potential roost sites that could be used by individual bats opportunistically. However, these potential roost sites do not provide enough space, shelter, protection, appropriate conditions and/or suitable surrounding habitat to be used on a regular basis or by a larger number of bats (i.e. unlikely to be suitable for maternity or hibernation). |
| Moderate | A structure with one or more potential roost features that may be used by bats due to their size, shelter, protection, condition and surrounding habitat. Unlikely to support a roost of high conservation value (roost type only). |
| High | A structure with one or more potential roost features that are suitable for use by a large number of bats on a regular basis and potentially for longer periods of time due to their size, shelter, protection, conditions and surrounding habitat. |
| Confirmed | Confirmed bat roost where bats are recorded as present or where evidence of use by bats has been recorded. Where there are multiple roost features present, a building may be confirmed as a confirmed roost but also still have further suitability. |

**Ground Level Tree Assessment (GLTA)**

2.7.7 The GLTA was undertaken by Anna Potter of all trees with the potential to be impacted by the proposed development. A detailed ground-level inspection of each tree on site was conducted to determine the roosting resources available to bats within the site boundary, with all visible PRFs categorised in accordance with Table 2, adapted from the BCT best practice guidance (2023).

2.7.8 For each tree the following information was recorded:

- Recorder name, site, county and date,
- Grid reference of tree,
- UK Habitat Classification,
- Tree species,
- Tree height,
- Whether the tree is alive or dead,
- Diameter at breast height (DBH),
- Number of stems,

- A description of all potential roost cavities identified on the tree including details of size, depth, height, direction, whether on stem or limb and any other distinguishing features as well as a labelled photographic record e.g. tree 101 feature 1.

2.7.9 The surveyor used a close focussing camera, high power binoculars and a torch with a strong directional beam and endoscope where features could be reached from ground level.

2.7.10 Any droppings found were retained for eDNA analysis. Any evidence of odour, staining at the entrance, smoothing of the entrance and audible squeaking was recorded.

Table 2: Criteria for categorising trees for their potential to support a bat roost (taken from Table 4.3 Collins, 2023)

| Suitability | Description of tree |
|---|---|
| NONE | Either no Potential Roost Features (PRFs) in the tree or highly unlikely to be any. |
| FAR | Further assessment required to establish if PRFs are present in the tree. |
| PRF | A tree with at least one PRF present |

2.7.11 Depending on the site, impacts and aim of the surveys, a single PRF inspection should be undertaken and re-categorisation of trees and PRFs according to the following criteria in Table 1 above and/or Table 3 below

Table 3: Guidelines for categorising the potential suitability of PRFs on a proposed development site (Table 6.2 Collins, 2023)

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

## 2.8 BADGER SURVEY

2.8.1 All suitable habitats within the site were systematically searched for any evidence of badgers utilising the site, and any setts that have the possibility of being impacted by the development. All garden habitats within the site were searched for any evidence of badger activity, such as hair, prints, dung pits, foraging signs or badger setts.

## 2.9 NESTING BIRDS

2.9.1 All evidence of active or old birds' nests was recorded during the survey, as well as any evidence of bird nesting behaviour when survey timings were suitable.

## 2.10 ECOLOGICAL EVALUATION AND SIGNIFICANCE

2.10.1 Ecological features and resources have been evaluated based on the approach described in 'Guidelines for Ecological Impact Assessment in the United Kingdom' published by the Chartered Institute of

Ecology and Environmental Management (2024) whereby the value of an ecological feature or resource is determined within a defined geographical context using the following criteria:

- International,
- National (England),
- Regional (Southwest England),
- County (or Metropolitan) (Wiltshire),
- District (or Unitary Authority, City or Borough) (Northwest Wiltshire),
- Local (or Parish) (Corsham),
- Site; and
- Negligible

2.10.2 Significant ecological features have been determined as those valued above site level and/or where there are legal or planning policy obligations. Criteria have been applied as identified in CIEEM (2024) to evaluate the ecological features.

2.10.3 Additional survey visits may be recommended where seasonal constraints limit habitat expression or where priority habitat status is uncertain.

2.10.4 Consideration has also been given to any invasive species on Schedule 9 of the Wildlife and Countryside Act 1981 and as identified as injurious in the Weeds Act 1959 (as amended by the Ragwort Control Act 2003).

## 2.11 BIODIVERSITY NET GAIN

2.11.1 From 12th February 2024, Biodiversity Net Gain became mandatory for all qualifying developments under The Environment Act 2021 (Commencement No. 8 and Transitional Provisions) Regulations 2024. In England, biodiversity net gain is required under a statutory framework introduced by Schedule 7A of the Town and Country Planning Act 1990 (inserted by the Environment Act 2021). This is referred to as biodiversity net gain in Planning Practice Guidance to distinguish it from other or more general biodiversity gains.

2.11.2 Baseline area and linear habitats and condition assessments for the site have been produced using DEFRAs Biodiversity Net Gain metric calculator and the Statutory Biodiversity Metric QGIS template. Condition sheets for the assessment are provided, and the baseline metric has been provided in **Appendix F.**

# 3 Baseline Conditions

3.1.1 This section presents the relevant findings from the desk study and the field survey and identifies potential impact pathways for ecological receptors that may require further consideration in relation to the proposed development. These are then evaluated in Section 4.

## 3.2 PROTECTED AND NOTABLE SITES

**Statutory Designated Sites**

3.2.1 A desk-based search shows one internationally and two nationally statutory protected sites within 1km of the site, as described below:

- Bath and Bradford on Avon Bats Special Area of Conservation (SAC) is located approximately 0.2km west of the site. The primary reason for the selection of this site is the presence of Annex II species Greater horseshoe bat *Rhinolophus ferrumequinum* and Bechstein's bat *Myotis bechsteinii*. The site includes the hibernation sites of approximately 15% of the UK greater horseshoe bat population. Small number of Bechstein's bats have been recorded hibernating in an abandoned mine site in the area. Additionally, Annex II species, the lesser horseshoe bat *Rhinolophus hipposideros*, are present as a qualifying feature but not the primary reason for site selection. The area is also designated as Box Mine Site of Special Scientific Interest (SSSI) due to hibernation populations of bats (as above).
- Corsham Railway Cutting (SSSI) is a geological SSSI, located approximately 1km to the east of the site, providing a section through coral-bearing Jurassic limestone from Bathonian age, and a layer containing brachiopod fossils.

**Non-Statutory Designated Sites**

3.2.2 One non-statutory protected site lies approximately 0.9km south of the development area, namely Kingsmoor Wood Local Wildlife Site (LWS), which is a 4.61ha area, designated for supporting ancient semi-natural woodland.

**Wildlife Corridors and Biodiversity Zones**

3.2.3 On review of MAGIC and Google Earth Pro, the development area is situated in an industrial park to the west of Corsham town. The surrounding land use is a mix of business units, residential housing, and interspersed with farmed land, and pockets of native woodland. Further afield, particularly to the west, are green and blue infrastructure links including native woodland, farmland, interlinked with mature treelines, hedgerows, and natural waterways.

3.2.4 The development area is situated within a Bath and Bradford on Avon SAC bat consultation zone, which aims to protect the landscape surrounding Wiltshire's most sensitive bat roosting sites, and provides guidance on producing an adequate level of survey information required to demonstrate that development proposals will not impact on the designated bat populations.

**Core Policy and Biodiversity Areas**

*3.2.5* Wiltshire Core Strategy, Policy 50 adopted in January 2025, includes planning policy on how applications should consider nature conservation and contribute to the net gain of biodiversity. Details are included in **Appendix A.**

*3.2.6* Information on what the LPA required in relation to the Bradford-on-Avon SAC SPA is found in the planning document 'Bat Special Areas of Conservation (SAC) – Planning Guidance for Wiltshire', Wiltshire Council 10 September 2015 (Appendix A).

## 3.3 HABITAT SURVEY

**Habitats**

3.3.1 The survey results below should be read in association with the biodiversity habitat baseline map in **Figure 4**, the associated target notes in **Figure 6** and the Plates in **Appendix C**.

3.3.2 The habitats that were recorded within the red line boundary were:

- u1b – Developed land and sealed surface, the access road, associated car parking areas and loading bay, with 827 – Cherry Laurel *Prunus laurocerasus* ornamental shrub planting (TN1) and 200 – single young field maple *Acer campestre* (TN3).
- u1b5 - buildings – Commercial units.
- h2a6 – two other native hedgerows – Landscaped hawthorn-dominated hedge *Crataegus monogyna* (TN2a and TN2b).

3.3.3 A small parcel of modified grassland is located beneath the field maple at TN3, it is below the minimum mappable area in accordance with UK Habitat classification methodology and is shown as TN4.

3.3.4 A further 3 trees lie in close proximity to the southwestern boundary of the development area. The species were recorded as Oak *Quercus* spp. and Field Maple *Acer campestre*.

## 3.4 PROTECTED AND NOTABLE SPECIES

**Scoping**

3.4.1 Following the principle of proportionality set out within CIEEM (2017, updated 2022). Protected species considered further are limited to those for which:

- Suitable habitat is present within the site or immediately adjacent; and
- A clear development impact pathway exists.

3.4.2 Following the site visit and desk study findings, a review was undertaken to identify species or species groups for which the site provides suitable habitat, and a potential impact pathway from the development proposals exists. The development area comprises industrial buildings, hardstanding and a small section of hedgerow and ornamental planting with limited habitat diversity and no aquatic habitats within or directly adjacent to the site. Therefore, the following species or species groups are reasonably excluded from further consideration, as, in the absence of suitable habitat and an identifiable impact pathway, further assessment for these species groups would not be proportionate:

- Otter (no watercourses or supportive habitats within or within species impact zone risk zone),

- Water vole (no watercourses or supportive habitats within or within species impact zone risk zone),
- White-clawed crayfish (no waterbodies present),
- Hazel dormouse (absence of mature and suitably connected habitats),
- Amphibians, fish and aquatic invertebrates (no habitats exist within the site to support these species groups)
- Specialist invertebrates which rely on exceptionally niche habitat types and specific plant species occurrence (absence of required habitat types),
- Individually protected and notable plant species (higher and lower plants) (no habitat exists within the site that is likely to support significant populations of this species group),
- Individually protected and notable fungi and lichen species (no habitat exists within the site that is likely to support significant populations of this species group),

3.4.3 On the basis of habitat suitability, the following protected and notable species have been identified for further consideration. This includes bats, badgers, reptiles and nesting birds.

**Bats**

3.4.4 All bat species and their roosts are fully protected under the Conservation of Habitats and Species Regulations 2017 (as amended) and the Wildlife and Countryside Act 1981, as amended.

3.4.5 WSBRC provided 2176 records within 1km of the site, relating to multiple records of Barbastelle *Barbastella barbastellus*, Serotine *Eptesicus serotinus,* Daubentons *Myotis daubentonii*, Alchthoe *Myotis alcathoe*, Bechstein's Bat Myotis bechsteinii, Brandt's Bat *Myotis brandtii,* Whiskered *Myotis mystacinus* Natterer's Bat *Myotis nattereri,* Noctule *Nyctalus noctula*, Leisler's Bat *Nyctalus leisleri* Brown Long-eared Bat *Plecotus auritus,* Greater Horseshoe Bat *Rhinolophus ferrumequinum*, Lesser Horseshoe Bat *Rhinolophus hipposideros* Common pipistrelle *Pipistrellus pipistrellus*, Soprano pipistrelle *Pipistrellus pygmaeus* and Nathusius pipistrelle *Pipistrellus nathusii*.

3.4.6 MAGIC EPSL record search identified two EPSL applications within 1km of the site:

- One pertaining to the destruction of a resting place for Lesser Horseshoe and Natters.
- The second pertains to the destruction of a resting place for Lesser Horseshoe, Greater Horseshoe and Whiskered bats.

3.4.7 The buildings in the development area are of modern metal construction and are well-sealed, in good condition, and do not provide suitable roosting opportunities for bats. In addition, the development area and the surrounding industrial site is well-lit with security flood lighting, and there is negligible habitat connectivity to the high-quality habitats in the wider area. The detailed results from the Preliminary Roost Assessment are further described in **Appendix D** and illustrated in **Figure 5**.

3.4.8 The GLTA found no suitable roosting features within the tree within the site, and the further three trees off-site, in close proximity redline boundary southwest of the development area. These are therefore all confirmed to be PRF-NONE.

**Badger**

3.4.9 All badgers and their setts are protected under The Protection of Badgers Act 1992.

3.4.10 Seventeen records of badgers were provided by WSBRC during the desk study.

3.4.11 Habitats within the development area comprise well-kept hardstanding and buildings, and a small area of heavily managed landscape planting, which offers no sett building and negligible opportunities for foraging. The grass verge and vegetated areas within 30m of the development area were checked for signs of Badgers, and no field signs relating to badgers were recorded during the site walkover.

**Nesting birds**

3.4.12 All nesting birds are protected under the Wildlife and Countryside Act, 1981, as amended.

3.4.13 WSBRC provided 65 records of protected and notable birds. Habitats on site are dominated by hardstanding and metal-constructed buildings, with a small area of immature, sparse hedgerow and a single tree within the site, and further young trees beyond the southern boundary. These habitats are not diverse and are highly unlikely to provide significant nesting and foraging opportunities. However, it's conceivable that species typical of urban and semi-natural habitats could utilise the vegetation, buildings and immediately adjacent habitats on an occasional basis for opportunistic foraging and individual nesting opportunities for the below -

- Stock Dove *Columba oenas*
- Woodpigeon *Columba palumbus*
- Grey Wagtail *Motacilla cinerea,*
- House Sparrow *Passer domesticus,*
- Dunnock *Prunella modularis,*
- Starling *Sturnus vulgaris,*
- Wren *Troglodytes troglodytes.*

3.4.14 No direct signs of nesting birds were recorded during the walkover on the buildings or within the hedge on site, or the adjacent vegetation during the walkover.

**Reptiles**

3.4.15 Common reptile species are protected against killing and injury under the Wildlife and Countryside Act 1981 (as amended).

3.4.16 WSBRC provided 26 records of protected and notable reptiles. All records related to slow worm *Anguis fragilis*, dated 2023, pertain to the grassland area behind Wells Road, south of the site.

3.4.17 Isolated, negligible opportunities for this species group are present at the hedgerow and cherry laurel base. However, the site is dominated by hardstanding, is subject to regular disturbance, and is largely cut off from more suitable habitat in the wider area. Therefore, the site contains no habitat to support significant numbers of protected and notable reptile species.

## 3.5 SURVEY LIMITATIONS

3.5.1 UKHab walkover surveys reflect conditions at the time of survey. Habitat expression and condition indicators may vary with:

- Seasonality (e.g., early/late botanical season),

- Recent management (mowing, grazing, disturbance),
- Extreme weather (drought/flooding).
- Access constraints

3.5.2 The field survey of the study area was conducted on 24th April 2026. No limitations were encountered during the walkover survey or the desk study; the site description and habitat evaluation are considered robust to form the basis of the evaluation, further requirements, and recommendation sections of this report.

# 4 Evaluation

4.1.1 This section discusses the findings presented in section 3 and potential impact pathways in relation to each ecological receptor. For any ecological receptor for which a clear impact pathway has been identified, section 5 defines further requirements, and section 6 outlines the mitigation requirements likely to be required for these receptors and the current proposals.

## 4.2 SITES

**International, National statutory designated areas and Bat consultation zones.**

4.2.1 Bath and Bradford on Avon Bats (SAC) is located approximately 0.2km west of the site, which forms a network of significant underground sites for bats, including four nationally important sites (SSSIs). These sites form a network of protected areas and support hibernation, breeding, and mating. Due to the complex life cycles of bat species, these areas are used at different times of the year, and viable habitat connections among these sites and beyond are key to maintaining bat population levels. Risks such as lighting, large-scale vegetation removal, or land-use change can negatively affect these populations by disrupting their dispersal routes, thereby degrading the SAC and SSSI complex.

4.2.2 The development area lies within a core area for this SAC, and the supplementary planning document produced to protect the Bath and Bradford-on-Avon Bats (SAC) has been reviewed to identify factors that could arise from the proposed, and inform embedded measures to ensure the continued conservation status of this SAC and the bat populations it supports are maintained.

4.2.3 As the proposed development is small-scale and confined to developed land currently in use, with a small area of ornamental planting and an immature landscape-planted hedgerow and significant levels of security lighting, it does not support good-quality foraging and is not considered to form a significant area of supportive habitat for this SAC. Therefore, no direct impacts are likely to arise from the proposed, potential indirect effects have been identified, and measures to ensure the conservation status of the SAC and surrounding supportive habitats is provided in section 6.

4.2.4 In addition, the site falls into SSSI Impact Risk Zones (IRZs) for SSSIs and SACs. These risk zones are used to determine whether the proposed development is likely to affect a terrestrial SSSI and/or SAC, and when to consult Natural England.

4.2.5 As shown on the *Planning - Site plan and Location Plan - Proposed* (Scitech Ekium, 2026)a, the proposed development does not extend outside existing settlements/urban areas, and proposals, giving regard

for the mitigation measures within section 6, are unlikely to increase lighting levels above those already present, nor will they affect significant linear landscape features. Therefore, the proposed development does not relate to any of the descriptions provided within the IRZ criteria, and Natural England will not need to be consulted on the proposals.

**Local non-statutory designated**

4.2.6 No LNRs lie directly adjacent to the development area, the closest of which is Kingsmoor Wood, 0.9km south of the development area. Given the small-scale works and limited direct habitat connectivity, it is highly unlikely that the proposed development will have any significant direct or indirect effects on this LNR.

**Local green and blue infrastructure**

4.2.7 The development area is situated in an urban landscape, interlinked with semi-natural habitats, and more natural habitats further afield. There is little habitat connectivity within the site itself, and areas adjacent are limited to immature landscape planting, which provides limited habitat connectivity to the wider area. No adverse effects are therefore considered on local green and blue infrastructure corridors.

## 4.3 HABITATS

4.3.1 A summary of habitat types, their ecological importance in terms of the CIEEM geographical frame of reference, and associated areas/ lengths (in hectares/ metres) is provided within Table 4 below.

Table 4: Summary of habitats associated with the Site

| UK classification Habitat type | BNG Habitat and habitat reference | Measurement (where relevant) | Geographical Importance |
|---|---|---|---|
| Built-up areas and landscape tree planting (u1b - 200) | Small urban tree (TN3) | 0.0041ha | Site |
| Built-up areas and ornamental planting (u1b - 827) | Introduced shrub (TN1) | 0.0029ha | Negligible |
| Buildings (u1b5) | N/A | N/A | Negligible |
| Developed Land – Sealed Surface (u1b) | Developed Land – Sealed Surface (TN5) | 0.4507ha | Negligible |
| Other Native hedgerow (h2a) (TN2b) | Native hedgerow (TN2b) | 29m | Site |

| | | | |
|---|---|---|---|
| Other Native Hedgerow (h2a6) (TN2a) | Native hedgerow (TN2a) | 5m | Site |

4.3.2 No habitats of District or County value were identified within or directly adjacent to the site.

4.3.3 The habitats within and directly adjacent to the development area are of low wildlife value. Although of low habitat value, proposals must comply with nature conservation legislation and best-practice guidance, which are considered further in section 5.

**Biodiversity Net Gain**

4.3.4 On review of the proposal plans provided by Scitech, the proposed development will not meet the de minimis exemption. Due to:

- 5m of Native Hedgerow to be removed (TN2a), and
- The removal of Tree 1 (TN3).

4.3.5 Therefore, the development will be required to achieve 10% net gain. Section 6 provides further information on how this will be achieved.

## 4.4 PROTECTED AND NOTABLE SPECIES - IMPACT PATHWAY ANALYSIS

**Bats**

4.4.1 As presented in section 3, the buildings and trees within and adjacent to the development area do not support suitable roosting features. Therefore, no clear impact pathway exists for roosting bats.

*Foraging and Commuting Bats*

4.4.2 As discussed in section 4.2, given the site's size and the negligible habitats within, it is not considered that the development area in isolation provides key foraging and commuting habitat for the local bat population. In addition, the adjacent vegetation is to be retained with no significant increase in lighting proposed, therefore, no targeted bat surveys are recommended for commuting and foraging bats. Section 6 provides measures to maintain the current conservation status of the local bat population during the construction and operational phases, and section 7 provides opportunities for enhancement.

**Badger**

4.4.3 No suitable habitat for this species exists within the proposed development, and no evidence of badger was identified during the site survey.

4.4.4 Therefore, further consideration of badgers is limited to protection during the site's construction and operational phase.

**Birds**

4.4.5 Very limited opportunities for birds exist within the surrounding vegetation and buildings.

4.4.6 Given the scale and nature of the development, and the availability of surrounding habitat, the development proposal is unlikely to result in a significant adverse effect on local bird populations. No habitats of significant value to this species group lie within or directly adjacent, no impact pathway exists to warrant further survey of this species group.

4.4.7 Therefore, further consideration of these species groups is limited to protection during the site's construction and operational phase.

4.4.8 Table 4 provides a summary of the ecological features associated with the site and actions required to ensure their conservation status is maintained during the site's construction and operational phase.

Table 4: Ecological Constraints Summary

| Ecological Feature | Constraint | Action Required |
|---|---|---|
| Bath and Bradford on Avon Bats (SAC) | Limited opportunities – current status can be maintained through avoidance/mitigation measures. | Suitable lighting strategy and standard pollution prevention measures during the construction and operational phase.<br>Design to retain existing boundary features. |
| Bats – Roosting Buildings and trees | No significant effects | No further assessment |
| Bats – Commuting and Foraging | Limited opportunities – current status can be maintained through avoidance/mitigation measures. | Suitable lighting strategy and standard pollution prevention measures during the construction and operational phase.<br>Design to retain existing boundary features. |
| Badger | Limited opportunities – current status can be maintained through avoidance/mitigation measures. | Standard protection measures during construction. |
| Nesting Birds | Limited opportunities – current status can be maintained through avoidance/mitigation measures. | Timing consideration and precautionary vegetation clearance. |

# 5 Mitigation Measures

5.1.1 The mitigation hierarchy has been applied, and these measures are considered proportionate to the scale of the development and sufficient to address identified ecological risks.

**Bath and Bradford SAC**

Lighting

5.1.2 Construction phase: Any additional external lighting required during the construction phase will be designed with reference to the Institute of Lighting Professionals' guidance note GN08/23 Bats and Artificial Lighting at Night (2023). Lighting proposals must be designed to minimise additional light spill, ensuring construction lighting does not exceed current light levels in the local area.

5.1.3 Operational phase: It is understood that additional external luminaires on the western edge of the development area will be installed, associated with the new plant and external gantry locations, which are proposed for emergency use only. Additional luminaires are also proposed on the ground floor, fixed to the underside of the proposed gantry and manually controlled; their primary use is for health and safety purposes only.

5.1.4 As the development area is currently subject to a high level of light spill, the additional lighting proposed is unlikely to exceed that of the existing current light spill, due to the industrial nature of the wider area. However, to ensure the continued conservation status of Bath and Bradford SAC and compliance with best practice (BCT, 2023; ILP, 2018), the measures below have been incorporated into the design -

- Lighting will be directed away from retained boundary vegetation,
- Warm white LED luminaires (<3000K) will be used (where suitable),
- Light spill onto hedgerows and trees will be avoided,
- Lights will be fitted with cowls/hoods to prevent upward and lateral spill, and
- PIR sensors and timers will be used where appropriate.

Noise, dust and other pollutants

5.1.5 Construction phase: The development area is currently an active industrial area, and predominant local noise sources are considered to be road traffic, including HGVs along Westwells Road and Park Lane (LCP, 2026), however the construction phase of the development has the potential to increase noise, dust and emissions above the current baseline and negatively affect ecological receptors adjacent to the site, such as retained vegetation and locally occurring species. Therefore, measures to minimise any additional noise, dust and other pollution should be employed. These measures, where appropriate, should include, but are not limited to

- Construction restricted to typical working hours,
- Use of low-noise equipment, use of sound mufflers on equipment,
- Avoid the use of diesel or petrol-powered generators and use electrically powered equipment where practicable.
- Installation of sound barriers around retained vegetation,
- Water spray systems,
- Fully enclosed systems where there is a high potential for dust production, and these activities are undertaken for an extensive period,
- Covering and/or sealing stockpiles and fibrous materials, and

- Placing material storage areas away from retained vegetation on hardstanding surfaces.

5.1.6 Operational phase: No additional dust or emissions are expected to arise during the operational phase. The external areas will include a series of air ventilation systems and extractor fans; noise levels from these external systems are not expected to greatly exceed the current baseline, and attenuators have been incorporated into the design specification for these units (LCP, 2026). Therefore, on review of the Acoustic Consultancy Report by LCP, no adverse indirect effects from noise on the Bath and Bradford SAC or the surrounding local area are likely to arise from the proposed development.

5.1.7 All pollution prevention actions for construction and operational-related activities should follow the Pollution Prevention guidance for Businesses and Industry.

**Hedgerow and Trees**

5.1.8 One tree and 5m of hawthorn hedgerow are to be removed to facilitate a new link route from SP3 to SP2, and construction is to occur in proximity to the retained vegetation. Both vegetated habitats are not particularly high quality, serve primarily landscape and aesthetic purposes, and do not form a significant part of habitat connectivity within the site or allow species to move into the wider area. Therefore, their loss is not expected to disrupt any existing commuting routes for local species. However, it will degrade the current biomass of vegetated habitats within an urban area, and the loss will be replaced through biodiversity net gain requirements.

5.1.9 For all retained trees and vegetation, protection measures should be implemented throughout the site's construction phase, and should follow best practice, BS 5837:2012, which should include protective fencing, storing materials, chemicals or fuels away from retained vegetation and no excavation or ground compaction should occur within root protection areas.

**Nesting birds**

5.1.10 Although the hedgerow is considered poor quality and trees adjacent to the development area are young and do not support a dense canopy, it is conceivable that opportunistic individuals could use these habitats for nesting.

5.1.11 As all birds are protected under the WCA 1981 during nesting, should works be required to be undertaken within the breeding season (generally March to August, subject to local environmental conditions). It is recommended that the hedgerow and trees be checked for any active bird nests before the removal of the hedge and tree, and work in proximity to the retained vegetation commences.

5.1.12 Where active nests are identified, work should cease in the immediate vicinity, and an appropriate buffer should be put in place. Works can proceed within the buffer once it has been confirmed that the nest is no longer in use.

**General wildlife protection measures**

5.1.13 Construction phase: Excavations or trenches open overnight should be covered or ramps created to ensure that small mammals and birds do not get trapped during the construction phase.

5.1.14 Any material storage should be kept away from boundary vegetation and located within works areas that have been cleared prior to construction to limit the risk of locally occurring species sheltering within these materials.

5.1.15 It is recommended that the above measures should be incorporated into the site's construction and environmental management plan (CEMP).

# 6 Enhancement Recommendations

## 6.1 BIODIVERSITY ENHANCEMENT

6.1.1 In accordance with the provisions of the National Planning Policy Framework (Conserving and Enhancing the Natural Environment) and Wiltshire's Core Strategy, policy 50, every effort should be made to enhance the biodiversity value. The development area is not considered suitable for recommending wildlife enhancements due to its industrial nature and the presence of the active loading bay. Therefore, to align with Policy 50 within the built environment, we recommend providing opportunities for shelter, overwintering, and suitable spaces for invertebrates to complete their life cycle, such as a bee tower or small insect blocks situated adjacent to existing shrubs containing nectar-rich species, within the soft landscaping areas at the Bath ASU site.

## 6.2 BIODIVERSTY NET GAIN

6.2.1 The overall ecological baseline for area habitat units is 0.03, and hedgerow units are 0.01.

6.2.2 The removal of the small urban tree in moderate condition presents an 84.97% change in area habitats; a minimum of 0.04 units is required to achieve a 10% biodiversity net gain in area habitats.

6.2.3 The removal of the small section of hedgerow in poor condition presents a 14.71% change in hedgerow habitats; a minimum of 0.01 units is required to achieve a 10% gain in hedgerow habitats.

6.2.4 The habitat units required cannot be achieved 'on site' as the site is predominantly hardstanding, with a small area of ornamental shrubs and a hawthorn-dominated hedge in poor condition. As the loading bay area is highly industrialised, this would significantly limit measurable habitat net gains for any replacement species in the current ornamental bed; in addition, the hedge is contained within a retaining wall, limiting its growth and opportunity to improve its current condition score; therefore, there are no opportunities for biodiversity net gain within the redline boundary.

6.2.5 In addition, there are no opportunities for long-term habitat creation and management to achieve Biodiversity net gain enhancement within the broader science park, as this area is located on land outside of the applicant's control.

6.2.6 Therefore, the only option available is to purchase units from an off-site provider to achieve 10% net gains.

### 6.3 LIFESPAN OF SURVEYS

6.3.1 Recommendations within this report have been made in accordance with the proposals provided by Scitech Ekium and specialist reports, including the arboricultural report and acoustic assessment report, in relation to Scitech Ekium's proposals and plant design. All reports and drawings used to support this ecological assessment are referenced in section 7. Should proposals change, this report and its mitigation measures will need to be reviewed accordingly.

6.3.2 Where the survey data is 18 months or older, a review of all survey information provided within this report will be required to support planning and protected species recommendations (CIEEM 2024).

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Scitech Ekium (2026)a Planning – Site Plan & Location Plan – Proposed, Dwg no 300031-SCI-PL-R1-DP-AR-101 P04. Cardiff Gate Business Park, Cardiff Wales

Scitech Ekium (2026)c Planning – Ground Floor – Proposed, Dwg no 300031-SCI-PL-00-DP-AR-101 P02. Cardiff Gate Business Park, Cardiff Wales

Scitech Ekium (2026)d Planning – First Floor/Service Yard Level – Proposed, Dwg no 300031-SCI-PL-M1-DP-AR-101 P02. Cardiff Gate Business Park, Cardiff Wales

Scitech Ekium (2026)e Planning – Proposed Elevations, Dwg no 300031-SCI-PL-ZZ-DE-AR-101 P03. Cardiff Gate Business Park, Cardiff Wales

Scitech Ekium (2026)f Planning – Proposed Elevations – Link Building, Dwg no 300031-SCI-PL-ZZ-DE-AR-102 P03. Cardiff Gate Business Park, Cardiff Wales

Scitech Ekium (2026)g Planning – Proposed Elevations – Outbuildings, Dwg no 300031-SCI-PL-ZZ-DE-AR-103 P02. Cardiff Gate Business Park, Cardiff Wales

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Wiltshire Council (2015) Wiltshire Core Strategy, Adopted January 2015, Wiltshire.

Wiltshire Council (2015) Bat Special Areas of Conservation (SAC) Planning Guidance for Wiltshire, Wiltshire.

# Figure 1 Site Location Plan

Legend

Red Line Boundary

Tilte:
Redline Boundry - Bath ASU

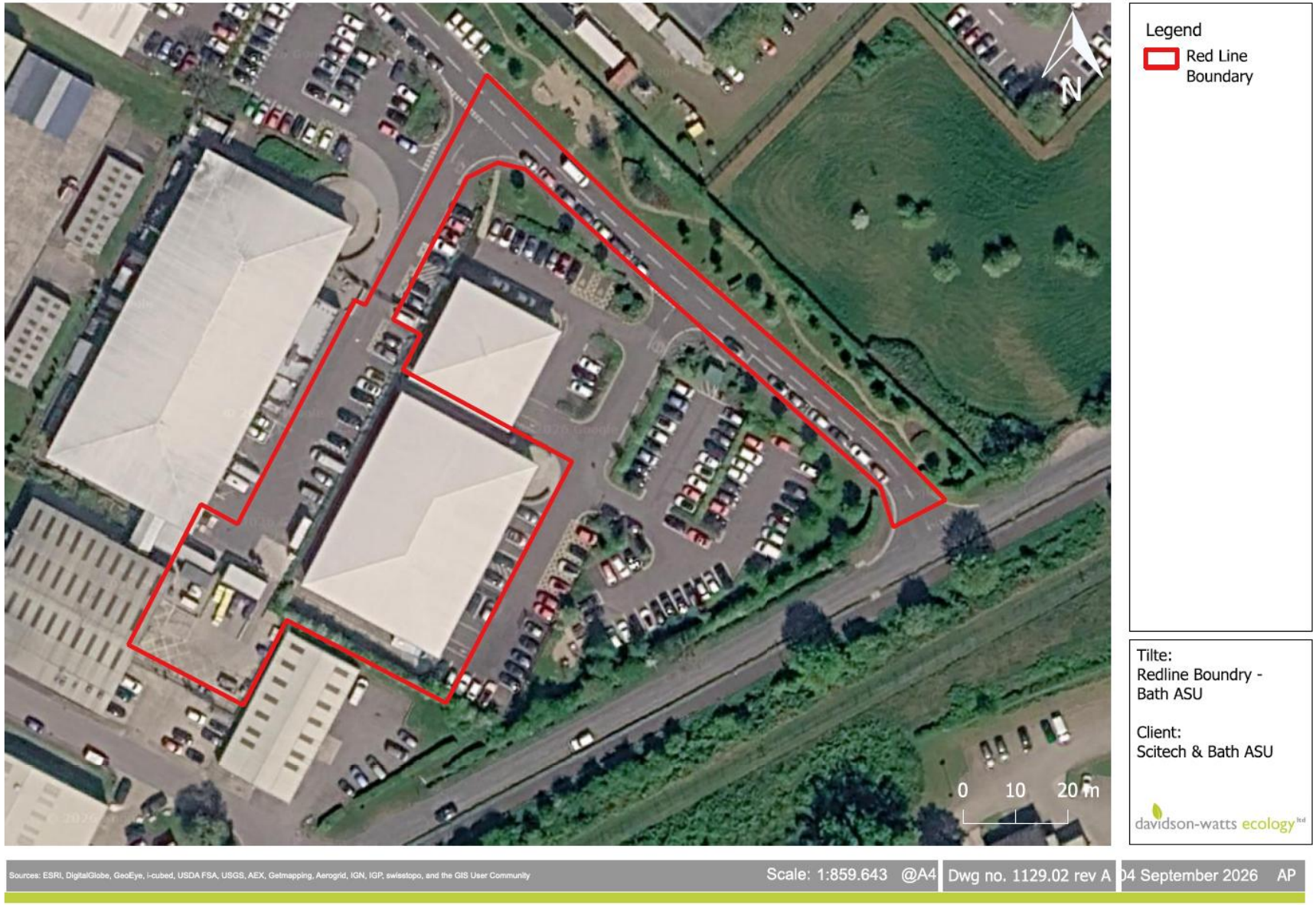
Client:
Scitech & Bath ASU

davidson-watts ecology ltd

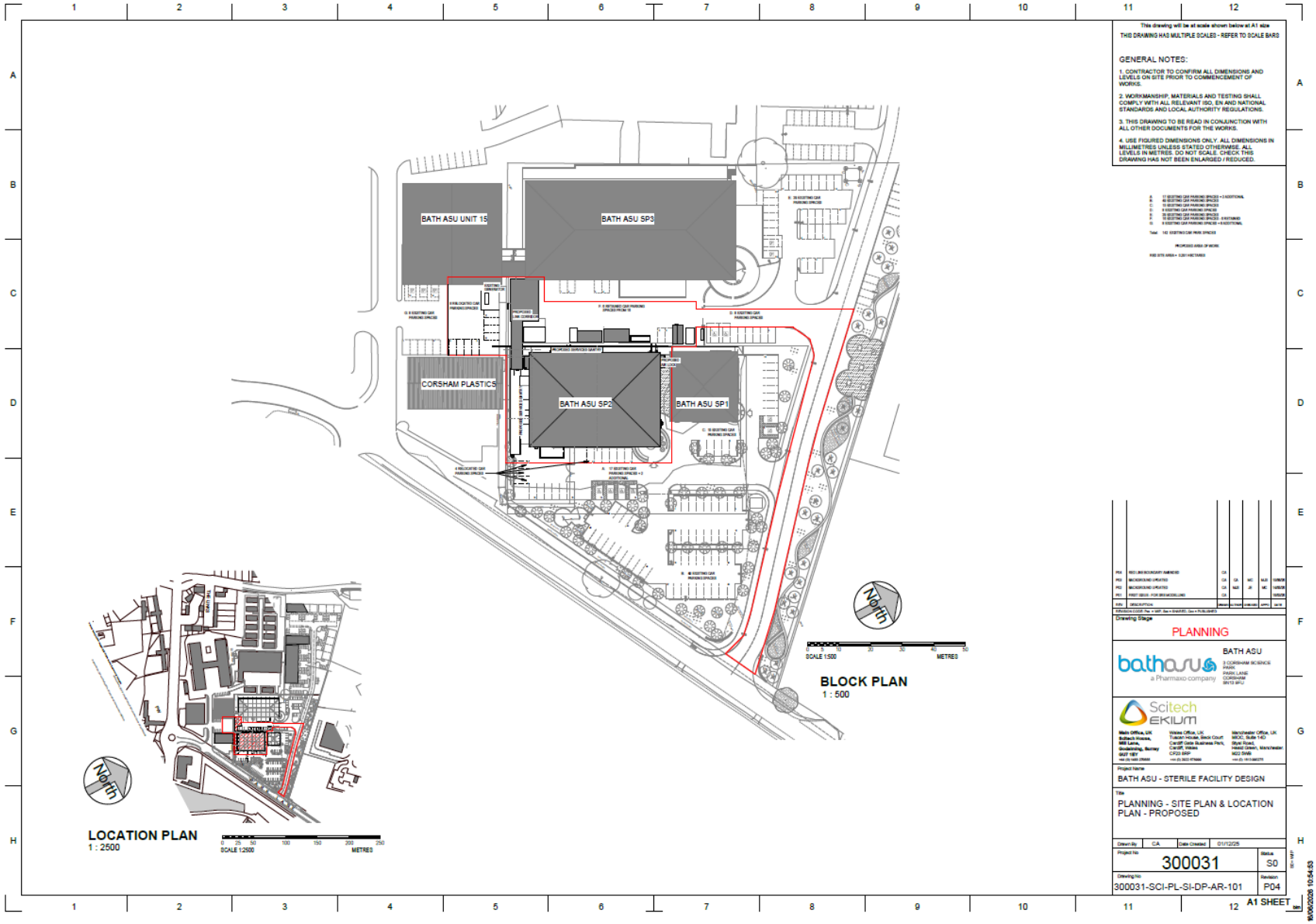
Sources: ESRI, DigitalGlobe, GeoEye, i-cubed, USDA FSA, USGS, AEX, Getmapping, Aerogrid, IGN, IGP, swisstopo, and the GIS User Community

Scale: 1:13,754.3 @A4 | Dwg no. 1129.01 rev A | 04 September 2026 | AP

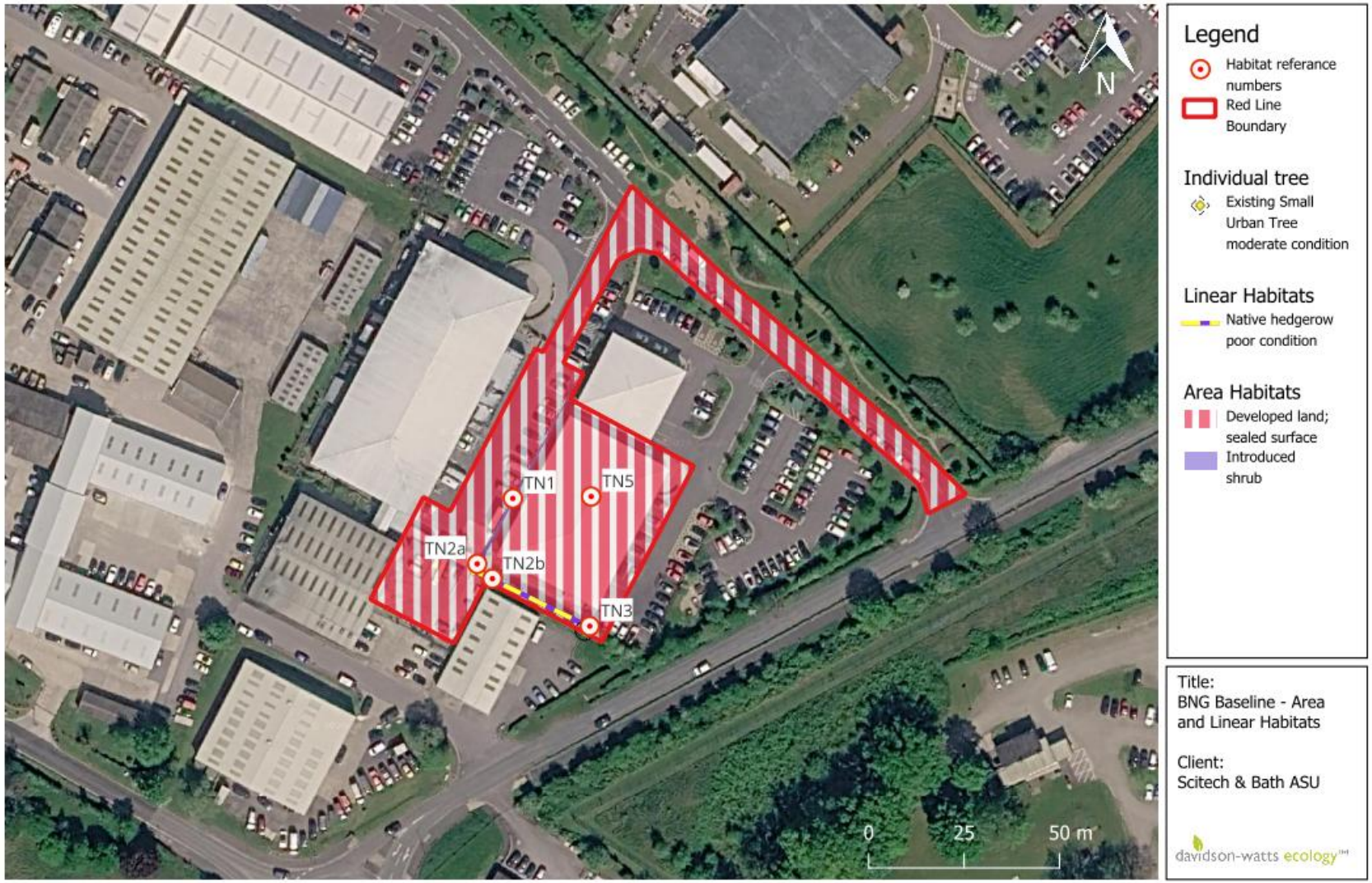
# Figure 2 Aerial Map with Red Line Boundary



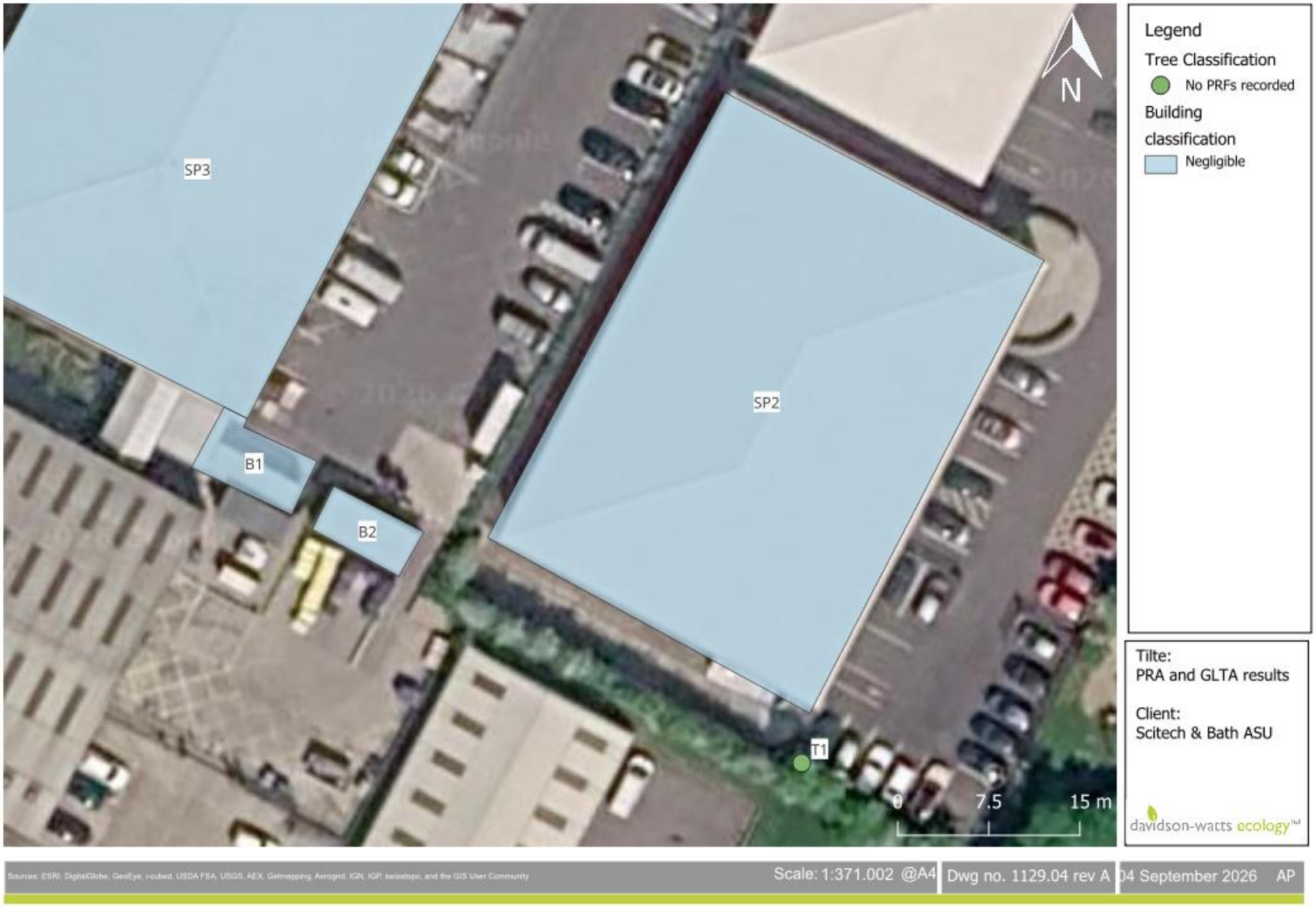
# Figure 3 Proposed Development Plan



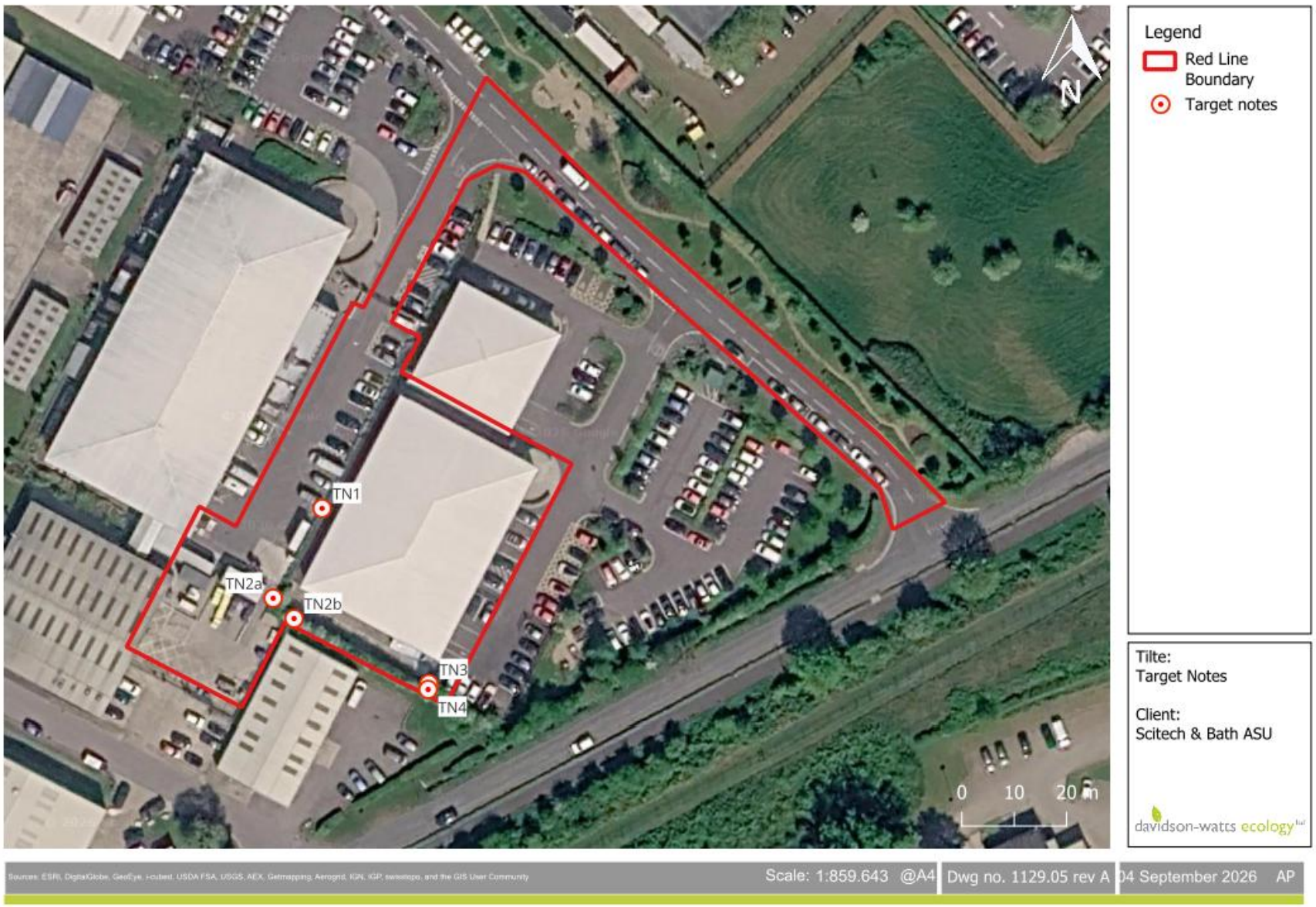
# Figure 4 Biodiversity Net Gain Habitat Baseline



# Figure 5 Preliminary Roost Assessment and Ground Level Tree Assessment



# Figure 6 Target Notes



# Appendix A Planning Policy

## NATIONAL PLANNING POLICY FRAMEWORK 2026

The National Planning Policy Framework (NPPF), published in August 2026, sets out the Government's planning policies for England. The national decision-making policies within the NPPF are material considerations in the determination of planning applications and must be read alongside the adopted development plan.

Policy N2 requires development proposals to contribute positively to the natural environment and support nature recovery. Proposals should consider the environmental qualities of the land; identify opportunities to conserve and enhance habitats and other natural features; connect to and strengthen ecological networks; and take account of relevant Local Nature Recovery Strategies. Green infrastructure and nature-based solutions should be designed to provide multiple benefits, including biodiversity, water management and climate resilience. Development should minimise adverse effects on biodiversity and incorporate measures supporting priority or threatened species, including bats, swifts and hedgehogs. Integrated nest boxes, commonly referred to as swift bricks, should be incorporated into development unless compelling technical reasons demonstrate that they would be inappropriate or ineffective. Ecological features must also be appropriately located, designed and secured for long-term management. Where significant harm to biodiversity cannot be avoided, adequately mitigated or, as a last resort, compensated, planning permission should be refused.

Policy N6 establishes the decision-making tests for sites and habitats of particular ecological importance. Development affecting a habitats site (the NPPF's collective term for sites protected primarily under the Habitats Regulations) should be refused unless an appropriate assessment demonstrates that the proposal would not adversely affect the integrity of the site, the relevant statutory derogation tests are satisfied, or the effects are addressed through an applicable Environmental Delivery Plan and nature restoration levy. Development affecting a Site of Special Scientific Interest should generally only be supported where there would be no adverse effect on its notified features, unless the benefits clearly outweigh the effects on the site and the wider SSSI network or an applicable Environmental Delivery Plan mechanism is used. Development affecting a Local Nature Reserve, Local Wildlife Site or equivalent locally designated site should only be supported where there would be no significant adverse effect on its integrity, or where the benefits clearly outweigh the effects upon the features for which it is valued.

Development resulting in the loss or deterioration of irreplaceable habitat should be refused unless there are wholly exceptional reasons and a suitable compensation strategy is secured. The NPPF definition of irreplaceable habitat includes ancient woodland, ancient and veteran trees, blanket bog, limestone pavement, sand dunes, saltmarsh and lowland fen. These protections apply where development outside a designated site would affect the biodiversity or geodiversity value of that site or habitat.

Where applicable, the development must also comply with the statutory biodiversity net gain requirements. Policy N2 permits proposals voluntarily to exceed the statutory biodiversity gain objective; however, a gain above the statutory requirement should only be imposed where it is contained in an up-to-date development plan policy applying to a specific allocated site.

**Government Circular ODPM 06/2005 Biodiversity and Geological Conservation**

Paragraph 98 of Government Circular ODPM 06/2005 advises that the presence of a protected species is a material consideration when a planning authority is considering a development proposal that, if carried out, would be likely to result in harm to the species or its habitat. They should consider attaching appropriate planning conditions or entering into planning obligations under which the developer would take steps to secure the long-term protection of the species. They should also advise developers that they must comply with any statutory species' protection provisions affecting the site concerned.

Paragraph 99 advises that it is essential that the presence or otherwise of protected species, and the extent that they may be affected by the proposed development, is established before the planning permission is granted, otherwise all relevant material considerations may not have been addressed in making the decision. The need to ensure ecological surveys are carried out should therefore only be left to coverage under planning conditions in exceptional circumstances.

## LOCAL PLANNING POLICIES

Wiltshire Core Strategy, adopted in January 2025, policy covers how applications should contribute to the net gain of biodiversity. Policy 50 states that:

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

Biodiversity enhancement

All development should seek opportunities to enhance biodiversity. Major development in particular must include measures to deliver biodiversity gains through opportunities to restore, enhance and create valuable habitats, ecological networks and ecosystem services. Such enhancement measures will contribute to the objectives and targets of the Biodiversity Action Plan (BAP) or River Basin/Catchment Management Plan, particularly through landscape scale projects, and be relevant to the local landscape character.

Sustainable development also provides opportunities to enhance the natural environment for wildlife and Wiltshire's communities, particularly through landscaping, public open space, Sustainable Urban Drainage Systems and features of the built environment e.g. bird and bat boxes. Such measures should contribute to the delivery of relevant Biodiversity Action Plan (BAP)

Biodiversity Action Plan most relevant to the development area, is the Build Environmental Habitat Action Plan

Built Environment - Man-made structures and associated land whose primary function is commercial/industrial, residential or formal recreation. It includes formal parks, village greens, allotments, churchyards and gardens. It also includes land associated with transport corridors and previously developed land.

Buildings

Buildings including their walls, roofs, eaves, holes and other nooks and crannies provide a range of microhabitats, as well as space to live and nest for a wide range of plants, birds, invertebrates and mammals –from lichens, ferns and flowering plants on buildings and walls, insects sheltering in wood or brickwork, to bats which use buildings to roost and nest in.

The potential of green roofs is increasingly recognised, with benefits beyond biodiversity. Installing a green roof can extend roof life, attenuate stormwater runoff, reduce heating and air-conditioning costs, reduce noise, absorb air pollutants, and improve air quality. Green roofs may also reduce staff absences by reducing fluctuations in daily mean temperature. Species that might benefit from green roofs include bats, birds including the Black Redstart, beetles, flies, bees, wasps and spiders.

Bat Special Areas of Conservation (SAC) – Planning Guidance for Wiltshire, Wiltshire Council 10 September 2015

This document identifies the consultation zones for Bath and Bradford-on-Avon Bats SAC based on the identified core areas for the SAC. The document identifies potential impacts on these Core Areas, requiring early engagement with an ecologist and LPA where these impacts are present for sites within Core Areas. Use of Natural England's Discretionary Advice Service (DAS) is also proposed. Mitigation strategies are recommended that avoid or mitigate the potentially harmful effects of the development. The information provided should be sufficient to enable the LPA to carry out a Habitat Regulations Assessment as required under the Conservation of Habitats and Species Regulations 2010 (the 'Habitats Regulations').

# Appendix B Legislation

This Appendix summarises the principal legislation, policy and guidance relevant to protected habitats and species within England. The assessment contained within this report has been undertaken with due regard to the legislation listed below.

## NATURAL ENVIRONMENT AND RURAL COMMUNITIES (NERC) 2006

The NERC Act came into force on 1st Oct 2006. Section 41 of the Act requires the Secretary of State to publish a list of habitats and species which are of principal importance for the conservation of biodiversity in England. The S41 list is used to guide decision-makers such as local and regional authorities, in implementing their duty under S40 of the Natural Environment and Rural Communities Act 2006, to have regard to the conservation of biodiversity in England, when carrying out their normal functions. Fifty-six habitats of principal importance and 943 species of principal importance are included on the S41 list. These are all the habitats and species in England that were identified as requiring action in the UK Biodiversity Action Plan (UK BAP) and continue to be regarded as conservation priorities in the subsequent UK Post-2010 Biodiversity Framework.

The Biodiversity Duty was strengthened in 2024 to a duty to conserve and enhance biodiversity through existing policies and specific objectives with regard to the Local Nature Recovery Strategy (LNRS).

## THE ENVIRONMENT ACT (COMMENCEMENT NO. 8 AND TRANSITIONAL PROVISIONS) REGULATIONS 2024

Mandatory biodiversity gain is required under The Environment Act 2021. The Act and associated secondary Regulations require the following for all qualifying developments in England:

- The provision of 10% of biodiversity gain as a general condition of planning permission,
- The use of the statutory Biodiversity Metric to calculate the biodiversity gain,
- Submission to and approval by the planning authority, of a Biodiversity Gain Plan (BGP) for the development before commencement of the development,
- Significant on-site biodiversity gain and all off Site biodiversity gain to be secured for a fixed period, currently set at 30 years,
- Alternative arrangements to be made for the purpose of minimising the adverse effect of development to habitats deemed to be irreplaceable habitat (see NPPF),
- Demonstration of how the biodiversity gain will be secured through planning obligations in a section 106 agreement,
- Registration of off-site biodiversity gain and allocation of relevant biodiversity units through Natural England,
- Use of statutory biodiversity credits through the Secretary of State, which is considered to be a last resort.

## TOWN AND COUNTRY PLANNING ACT 1990

In England, biodiversity net gain is required under a statutory framework introduced by Schedule 7A of the Town and Country Planning Act 1990 (inserted by the Environment Act 2021). This is referred to as biodiversity net gain in Planning Practice Guidance to distinguish it from other or more general biodiversity gains.

Under the statutory framework for biodiversity net gain, every grant of planning permission is deemed to have been granted subject to a general biodiversity gain condition to secure the biodiversity gain objective. This objective is to deliver at least 10% increase in relation to the pre-development biodiversity value of the development granted permission. This increase can be achieved through onsite biodiversity gains, registered offsite biodiversity gains or statutory biodiversity credits. BNG will be measured using Defra's biodiversity metric and habitats will need to be secured for at least 30 years.

## THE CONSERVATION OF HABITATS AND SPECIES REGULATIONS 2017 (AS AMENDED)

These Regulations transpose the requirements of the Habitats Directive (Council Directive 92/43/EEC) and elements of the Wild Birds Directive (Directive 2009/147/EC) into domestic law.
The Regulations provide protection for:

- European Protected Species (EPS),
- Special Areas of Conservation (SACs),
- Special Protection Areas (SPAs), and
- Ramsar sites

SACs, SPAs and Ramsar sites require assessment under the Habitats Regulations where likely significant effects may arise.

EPS offences include:

- Deliberate capture, injury or killing of an EPS,
- Deliberate or reckless disturbance of an EPS (so as to affect its ability to survive, breed or reproduce, to rear or nurture their young, to hibernate or to migrate or affect the species distribution or abundance),
- Deliberately take or destroy the eggs of such an animal,
- Intentional, deliberate or reckless damage or destruction of breeding sites or resting place for EPS, or obstruction of access to such a place.

Species covered under the regulations include:

- All bat species,
- Great crested newt,
- Hazel dormouse,
- Otter, and
- Sand snake and smooth lizard.

For the purposes of these Regulations, habitats should be protected when they are not being used, but where there is a reasonably high probability that the species concerned will return to these sites and places.

This protection can be derogated through a mitigation licence from Natural England where the three derogation tests are met:

- The proposal is necessary to preserve public health or public safety or other imperative reasons of overriding public interest including those of a social or economic nature and beneficial consequences of primary importance for the environment,
- There is no satisfactory alternative, and
- The proposals will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range.

The mitigation licence from Natural England must be obtained prior to any adverse impacts on the relevant EPS species or its habitats.

## WILDLIFE AND COUNTRYSIDE ACT 1981 (AS AMENDED)

This Act provides protection for:

Birds (Section 1)
All nesting birds are protected under Section 1 of the Wildlife and Countryside Act 1981 (as amended) which makes it an offence to intentionally kill, injure or take any wild bird or take, damage or destroy its nest whilst in use or being built, or take or destroy its eggs. In addition to this, for some rarer species (listed on Schedule 1 of the Act), it is an offence to disturb them whilst they are nest building or at or near a nest with eggs or young, or to disturb the dependent young of such a bird.

Other Protected Species (Section 9)
Certain species listed under Schedule 5 receive protection from:

- Killing or injury (9.1a),
- Intentional damage or destruction to any structure or place used for shelter or protection (9.4a),
- Intentional disturbance while occupying a structure or place used for shelter or protection (9.4b),
- Their access to any structure or place which they use for shelter or protection being obstructed (9.4c).

Relevant species may include:

- Bats
- All native reptiles
- Badger (via a separate Act but cross-referenced)

Non-native Invasive Species (Section 14)

Section 14 prohibits the release of non-native, invasive species into the wild to prevent ecological harm. It restricts introducing any plant or animal listed in Schedule 9, aimed at controlling the spread of invasive species.

## THE WEEDS ACT 1959

Under the Weeds Act 1959, occupiers of land in the UK must prevent the spread of five specific injurious weeds (Common Ragwort, Spear Thistle, Creeping Thistle, Broad-leaved Dock, Curled Dock) to agricultural land. While not explicitly a planning restriction, failure to manage these weeds on development sites can lead to government-enforced control notices and potential prosecution.

## PROTECTION OF BADGERS ACT 1992

This Act makes it an offence to:

- Kill, injure or take a badger,

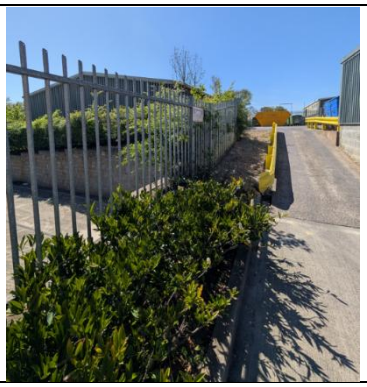
- Interfere with a badger sett, and
- Disturb a badger while occupying a sett.

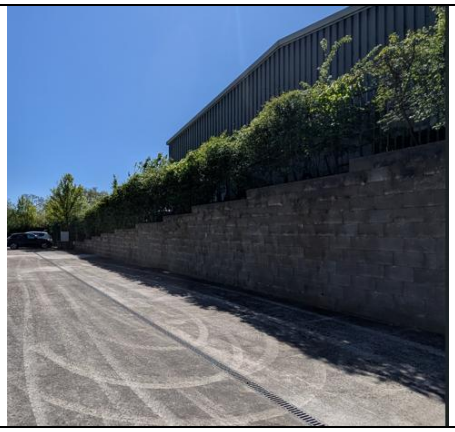
Development affecting active setts may require a badger mitigation licence for works within 30m of a badger sett entrance.

## WILD MAMMALS (PROTECTION) ACT 1996

Makes provision for the protection of wild mammals from certain cruel acts, making it an offence for any person to intentionally cause suffering to any wild mammal.

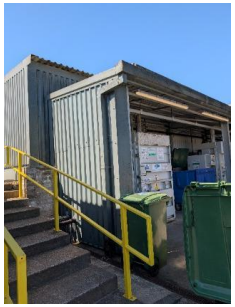
# Appendix C UKHab Descriptions and Target Notes

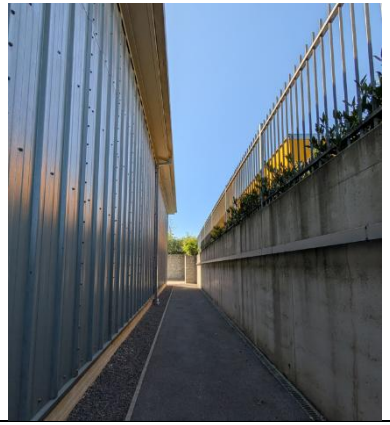
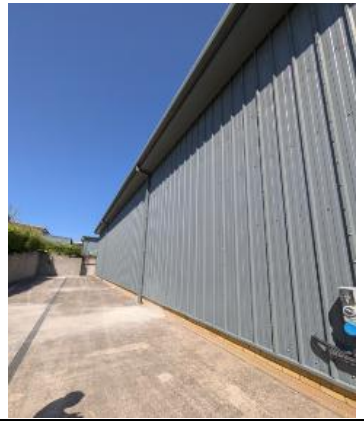
| Habitat and Target note descriptions |
|---|
| u1b – Developed land and sealed surface, SC - 847 - An area of hardstanding with 2 large commercial units, one in use and the other used as storage. Two lean-to buildings with machinery. One small strip of landscape planting comprising Cherry Laurel (TN1) and hawthorn-dominated hedging (TN2a). |
| |
| TN1 – Cherry Laurel planting – ornamental planting bed, consisting of cherry laurel only, under 40cm in height, sparse and heavily managed by frequent pruning. |
|  |
| TN2a and TN2b – Hawthorn dominated young hedgerow planting – young hedgerow with spiral guards still present, sparse and heavily managed by frequent pruning. |
| |
| |
| TN2b– The planted hedge continues down the length of the retaining wall to reach the carpark area. |



TN3 – Landscape tree planting in the carpark, tree species present include Field Maple. TN4 - The grassland verge was sparse, with frequent patches of bare ground, and species included Ribwort plantain, Dandelion, Daisy, creeping buttercup, and Fescue sp.

# Appendix D Preliminary Roost Assessment

| Building reference | Building features description and roost potential | Images |
|---|---|---|
| B1 and B2 | A series of single-skinned metal-constructed buildings, open-fronted and with lights in constant use. There are minor gaps where corrugated sheeting meets the structural metal beams and metal edging, however, due to the building material being solely of single-skinned metal sheeting, and the significant amount of air flow throughout the buildings are not throughout to support suitable temperatures for roosting bats, in addition the building is not supported by any emergent cover or vegetation and the surrounding area is well-lit with flood lighting for the loading and works area bays.<br><br>No evidence of roosting bats was recorded during the PRA.<br><br>**Overall roost potential: Negligible** |  |

| | | |
|---|---|---|
| SP2 and SP3 | **External:**<br><br>A series of single-skinned metal constructed buildings, with floodlighting in constant use. The potential gaps where corrugated sheeting meets the roof are sealed with black foam-type material (see adjacent image). All of these locations were in good repair, and no potential roosting features were recorded. The building is not supported by emergent cover or vegetation, and the surrounding area is well-lit with floodlighting for the loading and works-area bays. | <br>  <br>  <br> |

| | | |
|---|---|---|
| | **Internal:**<br><br>All internal areas were well sealed and well-lit, with no roof void present, and no internal roosting opportunities were recorded.<br><br>No evidence of roosting bats was recorded during the PRA<br><br>**Overall roost potential: Negligible** | |

# Appendix E Ground Level Tree Roost Assessment

| Tree reference | Tree features description and roost potential | Images |
|---|---|---|
| T1 | Field Maple, approximately 8m in height, with a DBH of approximately 13cm. The tree was in good condition, and no potential roost features were recorded during the survey. | |

# Appendix F Biodiversity Net Gain condtion sheets

**Condition Sheet: INDIVIDUAL TREES Habitat Type**

*condition assessment and record that habitat type in rural locations.*

**Habitat Description**

**Individual trees (description applied to the urban or rural environment):**
Young trees over 7.5 cm in diameter at breast height whose canopies are not touching.

**Urban Perimeter / Linear Blocks and Groups (description applied to the urban environment only):**
Groups or stands of trees (size requirement as defined above) within and around the perimeter of urban land. This includes those along urban streets, highways, railways and canals, and also former field boundary trees incorporated into developments. Canopies should predominantly overlap continuously. Groups of urban trees that don't match the descriptions for woodland may be assessed within this category.

| | | | |
|---|---|---|---|
| **On-site or off-site, site name and location** | On site | **Survey date and Surveyor name** | Anna Potter - 24th April 2026 |
| **Limitations (if applicable)** | NA | **Survey reference (if relating to a wider survey)** | |
| **Grid reference** | ST 84753 69382 | **Habitat parcel reference** | 1 |

| | Condition Assessment Criteria | Criterion passed (Yes or No) | Notes (such as justification) |
|---|---|---|---|
| A | The tree is a native species (or at least 70% within the block are native species). | YES | Field Maple |
| B | The tree canopy is predominantly continuous, with gaps in canopy cover making up <10% of total area and no individual gap being >5 m wide (individual trees automatically pass this criterion). | YES | individual tree |
| C | The tree is mature (or more than 50% within the block are mature)[1]. | NO | No Young tree 13cm DBH |
| D | There is little or no evidence of an adverse impact on tree health by human activities (such as vandalism, herbicide or detrimental agricultural activity). And there is no current regular pruning regime, so the trees retain >75% of expected canopy for their age range and height. | YES | Yoing tree in good grouth form, no obvious signs of impcat from pruning ragime |
| E | Natural ecological niches for vertebrates and invertebrates are present, such as presence of deadwood, cavities, ivy or loose bark. | NO | Young tree no features present |
| F | More than 20% of the tree canopy area is oversailing vegetation beneath. | Yes | Yes on grassland verge in carpark. |
| | **Number of criteria passed** | | |

| Condition Assessment Result (out of 6 criteria) | Condition Assessment Score | Score Achieved x/✓ |
|---|---|---|
| Passes 5 or 6 criteria | Good (3) | |
| Passes 3 or 4 criteria | Moderate (2) | Y |
| Passes 2 or fewer criteria | Poor (1) | |
| Note that 'Fairly Good and Fairly Poor' condition categories are not available for this broad habitat typ | | |

**Suggested enhancement interventions to improve condition score[2]**

**Condition sheet: HEDGEROW Habitat Types**

ukhab – UK Habitat Classification

| | | | |
|---|---|---|---|
| **On-site or off-site, site name and location** | On Site | **Survey date and Surveyor name** | Anna Potter 24th April |
| **Limitations (if applicable)** | NA | **Survey reference (if relating to a wider survey)** | |

**Condition Assessment Details**

A series of ten attributes, representing key physical characteristics are used for this assessment. Each attribute is assigned to one of five functional groups (A – E) and the condition of a hedgerow is assessed according to the number of attributes from these functional groups which pass or fail the 'favourable condition' criteria.

This assessment is based on the Hedgerow Survey Handbook[1] and Favourable Conservation Status document[2]. For further clarification please refer to the Hedgerow Survey Handbook.

Best practice would be to record the species, age, spacing and other key information about all trees present along a hedgerow within the 'Habitat Description' box, as well as other key features of the hedgerow.

**Hedgerow favourable condition attributes**

| Attributes and functional groupings (A, B, C, D and E) | | Criteria – the minimum requirements for 'favourable condition' | Criteria description | Habitat parcel reference: TN2A | TN2B | | | | | | | | | Notes (such as justification) |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | | | | Grid reference | | | | | | | | | | |
| **Core groups – applicable to all hedgerow types** | | | | **Criterion passed (Yes or No)** | | | | | | | | | | |
| A1. | Height | >1.5 m average along length | The average height of woody growth estimated from base of stem to the top of the shoots, excluding any bank beneath the hedgerow, any gaps or isolated trees.<br><br>Newly laid or coppiced hedgerows are indicative of good management and pass this criterion for up to a maximum of four years (if undertaken according to good practice).<br><br>A newly planted hedgerow does not pass this criterion (unless it is >1.5 m height). | NO | NO | | | | | | | | | |
| A2. | Width | >1.5 m average along length | The average width of woody growth estimated at the widest point of the canopy, excluding gaps and isolated trees.<br><br>Outgrowths (such as blackthorn *Prunus spinosa* suckers) are only included in the width estimate when they are >0.5 m in height.<br><br>Laid, coppiced, cut and newly planted hedgerows are indicative of good management and pass this criterion for up to a maximum of four years (if undertaken according to good | NO | NO | | | | | | | | | |
| B1. | Gap - hedge base | Gap between ground and base of canopy <0.5 m for >90% of length | This is the vertical 'gappiness' of the woody component of the hedgerow, and its distance from the ground to the lowest leafy growth.<br><br>Certain exceptions to this criterion are acceptable (see page 65 of the Hedgerow Survey Handbook). | NO | NO | | | | | | | | | |
| B2. | Gap - hedge canopy continuity | Gaps make up <10% of total length; and<br>No canopy gaps >5 m | This is the horizontal 'gappiness' of the woody component of the hedgerow. Gaps are complete breaks in the woody canopy (no matter how small).<br><br>Access points and gates contribute to the overall 'gappiness' but are not subject to the >5 m criterion (as this is the typical size of a gate) | YES | YES | | | | | | | | | |

| | | | | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| A2. | Width | >1.5 m average along length | growth estimated at the widest point of the canopy, excluding gaps and isolated trees.<br><br>Outgrowths (such as blackthorn *Prunus spinosa* suckers) are only included in the width estimate when they are >0.5 m in height.<br><br>Laid, coppiced, cut and newly planted hedgerows are indicative of good management and pass this criterion for up to a maximum of four years (if undertaken according to | NO | NO | | | | | | | | | |
| C1. | Undisturbed ground and perennial vegetation | >1 m width of undisturbed ground with perennial herbaceous vegetation for >90% of length:<br>· Measured from outer edge of hedgerow; and<br>· Is present on one side of the hedgerow (at least). | This is the level of disturbance (excluding wildlife disturbance) at the base of the hedgerow.<br><br>Undisturbed ground is present for at least 90% of the hedgerow length, greater than 1 m in width and must be present along at least one side of the hedgerow.<br><br>This criterion recognises the value of the hedgerow base as a boundary habitat with the capacity to support a wide range of species. Cultivation, heavily trodden footpaths, poached ground etc. can limit available habitat niches. | NO | NO | | | | | | | | | |
| C2. | Nutrient-enriched perennial vegetation | Plant species indicative of nutrient enrichment of soils dominate <20% cover of the area of undisturbed ground. | The indicator species used are nettles *Urtica* spp., cleavers *Galium aparine* and docks *Rumex* spp. Their presence, either singly or together, does not exceed the 20% cover threshold. | NO | NO | | | | | | | | | |

The hedgerow condition assessment generates a weighting (score) ranging from 1 – 3, which is used within the Statutory Biodiversity Metric. The scores for each are set out in the tables below.

| Condition categories for hedgerows without trees | | | Score achieved | | | | | | |
|---|---|---|---|---|---|---|---|---|---|
| **Category** | **Category Requirements** | **Metric Score** | | | | | | | |
| Good | No more than 2 failures in total;<br>**AND**<br>No more than 1 failure in any functional group. | 3 | | | | | | | |
| Moderate | No more than 4 failures in total;<br>**AND**<br>Does not fail both attributes in more than one functional group (for example, fails attributes A1, A2, B1 and C2 = Moderate condition). | 2 | | | | | | | |
| Poor | Fails a total of more than 4 attributes;<br>**OR**<br>Fails both attributes in more than one functional group (for example, fails attributes A1, A2, B1 and B2 = Poor condition). | 1 | | | | | | | |
| | **Score achieved:** | 1 | | | | | | | |