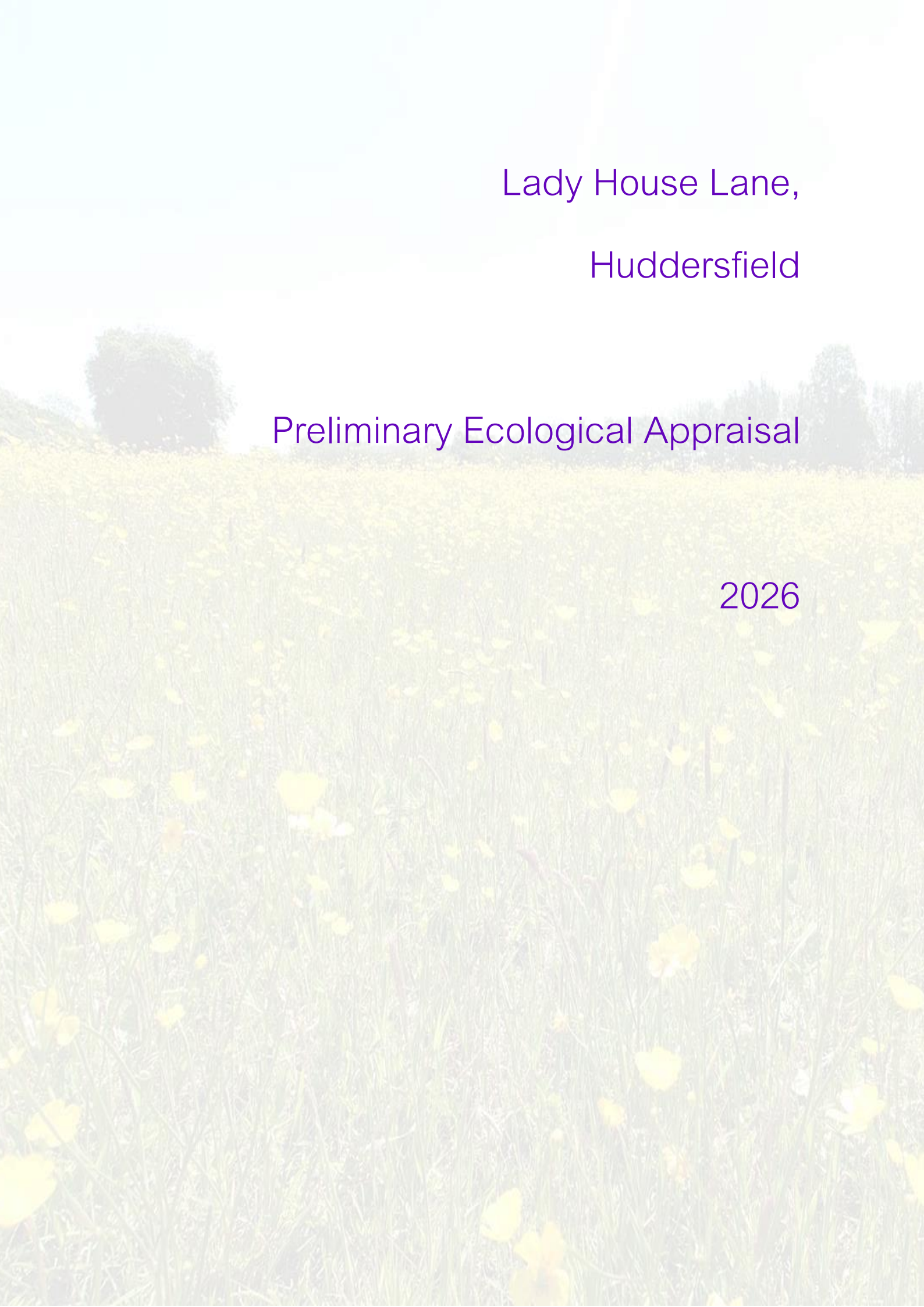




Lady House Lane,

Huddersfield

Preliminary Ecological Appraisal

2026

Client Acumen Architects

Project Title Lady House Lane, Huddersfield

Project Reference RHE.4848

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Executive Summary

Development Details and Project Brief

The proposal is for a residential development of a single detached dwellings on land off Lady House Lane, Huddersfield.

Ecological Features

Habitats: Mixed scrub and willow scrub, neutral grassland, introduced shrub, sparsely vegetated urban land (tall ruderals).

Species of relevance: Badger, Hedgehog and breeding birds.

Further Survey Recommendations

No further surveys are required although checks for the presence of badger setts within sections of impenetrable scrub should be undertaken prior to commencement of development. Additionally, checks for active birds' nests should be undertaken in the event that habitat clearance is to occur within the nesting season.

Mitigation

Mitigation is proposed to avoid or reduce impacts on ecological features. Key principles include:

- Avoidance of the nesting bird season or a pre-construction check for breeding birds.
- Pre-construction check for newly established badger setts.
- Construction related excavations to be covered overnight, fenced or have an access ramp in place to prevent incidental entrapment of fauna;
- Delivery of biodiversity enhancements, including habitat creation, native planting, and installation of bird and bat features;
- Preparation of a Landscape and Biodiversity Management Plan (LBMP) or Habitat Monitoring and Maintenance Plan (HMMP).

Conclusion

The site supports a limited range of habitats and species typical of the local area, there are a very limited number of ecological features requiring mitigation and/or pre commencement checks. Subject to the implementation of mitigation measures, the development can proceed in accordance with planning policy, with no significant adverse ecological effects anticipated.



1. Introduction

1.1 Project Brief

- 1.1.1 Rachel Hacking Ecology Limited (RHE) was commissioned in 2026 by Acumen Architects (the Client) on behalf of Mr J. Mcloughlin, to carry out an Ecological Appraisal and Biodiversity Net Gain Assessment of land at Lady House Lane, Huddersfield (the 'site'). The site is located at O.S. grid reference SE 14133 13876: (see Figure 1).

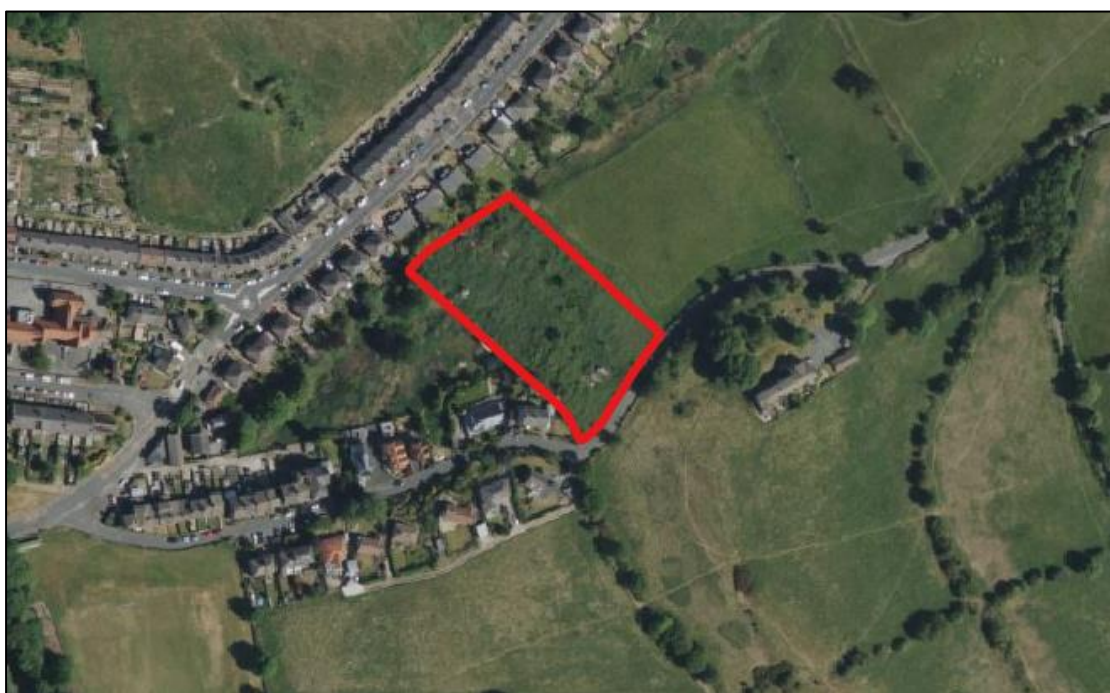


Figure 1. Map showing the location of the site (Bing Maps)

- 1.1.2 The proposed development site which is restricted to the southern half of the site, is comprised of unmanaged scrub, ruderal and grassland habitats with two storage garages at the entrance off Lady House Lane. The land beyond the site includes residential areas to the north and west with mainly pastoral farmland in the wider landscape.
- 1.1.3 This report describes the ecological features of the site and its surrounding area, assesses the potential ecological impacts of the proposed development, and provides recommendations to ensure the scheme complies with relevant wildlife legislation, and planning policy. A Biodiversity Net Gain assessment is provided separately.

Description of Development

- 1.1.4 Outline consent is sought for three detached residential properties including access from Lady House Lane, via an existing gateway. The southern half of the site will be the location of the development, with the northern (downslope) area of land being retained.



2. Methods

2.1 Desk Study

- 2.1.1 The locations of statutory conservation sites within the 2km Zone of Influence (Zoi) were taken from the MAGIC (Multi-Agency Geographical Information for the Countryside) website.
- 2.1.2 The West Yorkshire Ecology Service (WYES)¹ was contacted to provide details of non-statutory conservation sites and records of protected and notable species within a 2km zone of influence radius from the site.
- 2.1.3 Features searched for included:
- Statutory conservation sites²;
 - Locally designated conservation sites;
 - Ancient woodland³;
 - NERC s.41 'Priority' species and habitats⁴ (hereafter referred to as Priority species/habitats);
 - Local Biodiversity Action Plan (LBAP) habitats and species; and
 - European Protected Species licences.
- 2.1.4 The desk study was requested and analysed by Isabella Ercole a Junior Ecologist at RHE who has previously completed numerous ecological desk studies.
- 2.1.5 The site was checked to determine if it is located within the Impact Risk Zone (IRZ) of any Site of Special Scientific Interest (SSSI) and if so, whether the Local Planning Authority will need to consult Natural England.
- 2.1.6 Sites for which potential adverse effects are not anticipated are excluded from further assessment.
- Field Survey

¹ <https://www.wyjs.org.uk/ecology/>

² Locations provided by MAGIC <http://magic.defra.gov.uk/MagicMap.aspx>

³ As defined by Natural England in their Inventory of Ancient Woodlands http://www.gis.naturalengland.org.uk/pubs/gis/tech_aw.htm

⁴ As defined under Section 41 (England) and Section 42 (Wales) of the Natural Environment and Rural Communities (NERC) Act 2006. The list of habitats and species of principal importance in England includes habitats and species first identified as priority habitats and species in the UK Biodiversity Action Plan (UK BAP).

2.2 Extended UK Habitat Survey

- 2.2.1 The site was walked over and the habitats and features of ecological interest were mapped and described according to the UK Habitat Classification system⁵. Habitats and features of particular interest were target noted.
- 2.2.2 Holly Spencer (Ecologist) and Bethany Halfpenny (Ecologist) undertook the site visit on Wednesday the 1st July 2026. Holly has over six years of professional experience in conducting ecological surveys and is an Associate Member of CIEEM. Beth has one year of professional experience and is a Qualifying Member of CIEEM.
- 2.2.3 The weather at the time of the survey was clear with an average temperature of 19°C. Weather conditions were appropriate for a full assessment to be undertaken.
- 2.2.4 During the walkover habitat and features were assessed for their suitability to support protected and notable species in accordance with CIEEM guidelines⁶. Field signs of protected, notable, and invasive non-native species, if encountered, were mapped, and described.

2.3 Evaluation of Ecological Features

- 2.3.1 The evaluation of the importance/likely importance of ecological features and the likelihood of development impacts influencing such features was made using professional judgement in accordance with published guidance (CIEEM 2017⁷).
- 2.3.2 Conservation sites and protected and notable species within the Zol were evaluated to identify potential adverse effects in Table's 1 and 2 (below), based on the following criteria:
- Desk study records/data;
 - Evidence of species presence found during the survey;
 - Presence, extent, quality and viability of on-site habitat;
 - Extent or lack of ecological connectivity to viable off-site habitats; and
 - Perceived impacts to features in relation to proposals.
- 2.3.3 The sensitivity of each feature is also subject to a provisional evaluation within a geographical context, with each habitat or species falling into one (or more) of the following categories:
- International and European importance;
 - National importance (within England);

⁵ UKHab-v2.01-July-2023-Final-2.pdf. at <http://UKhab.org>

⁶ CIEEM (2017). *Guidelines for Preliminary Ecological Appraisal*. Chartered Institute of Ecology and Environmental Management, Winchester.

⁷ CIEEM (2017) *Guidelines for Preliminary Ecological Appraisal*, 2nd edition. Chartered Institute of Ecology and Environmental Management, Winchester

- Regional importance (Yorkshire and the Humber);
- County/ Metropolitan importance (West Yorkshire);
- District/ Local Authority importance (Kirklees);
- Site-level importance (i.e., within the defined survey area); and
- Of negligible importance.

2.3.4 Some features can be readily assigned to one of the above categories, particularly conservation sites. For example, a European conservation site such as a Special Area of Conservation (SAC) would normally be considered of International Value. Accordingly, a Site of Special Scientific Interest (SSSI) would ordinarily be of National Importance. The level of legislative protection afforded to certain species is relevant to the assignment of value to such species, but additional factors, such as population size and the nature of the distribution of the species also influence their evaluation.

3. Results

3.1 Designated Sites

- 3.1.1 Impacts to designated sites within the Zol are listed below in Table 1. Sites are evaluated according to the principles set out in Section 2.3. Accordingly, sites which are considered potentially sensitive to the development proposals by virtue of their likely supported species or habitat features, and distance/ecological connectivity to the application site, are highlighted in bold text and are scoped into the assessment. The evaluation is made in the assumed absence of mitigation, with this being further discussed in Section 4.



Table 1: Evaluation of Designated Sites

Site Name and Designation ⁸	Main Features	Location/distance from site	Feature Sensitivity	Potential Impacts (without mitigation)
Arthur, Molly Carr and Roaf Woods LWS	Ancient and semi-natural woodland	1-2 km distant	Local - County	Due to the separation distance, the lack of hydrological connectivity and small-scale nature of the development, no adverse impacts are expected.
Castle Hill LWS, LNR	A mixture of fairly diverse grasslands, scrub and hedgerows.			
Dean wood Wood LWS	Species rich acid grassland with native bluebell cover.			
Delves Wood LWS	Species rich acid woodland and ancient semi-natural woodland.			
Hey Wood/West Wood LWS	Ancient semi-natural woodland.			
Longley Hill Plantation LWS	Woodland plantation with native bluebell <i>Hyacinthoides non-scripta</i> cover.	500-800 m south		
Park Wood LWS, LNR	Species rich acid woodland.			
Spring Wood, Honley LWS	Ancient and species rich acid woodland.	1-2 km distant		
Upper Park Wood LWS and LNR	Oak dominated woodland with glades, ponds and scrub.			

⁸ SPA – Specially Protected Area, SAC – Special Area for Conservation, Ramsar – site designated under the Ramsar Convention, SSSI – Site of Special Scientific Interest, NNR – National Nature Reserve, LNR – Local Nature Reserve, CWS – County Wildlife Site.

- 3.1.2 The desk study identified that the site is not located within the Impact Risk Zones of Site(s) of Special Scientific Interest. The proposed development will/will not require the Local Planning Authority to consult with Natural England.

3.2 Habitats

- 3.2.1 A map showing the habitat features on site is provided in Appendix 2 (Extended UK Habitat Survey Results). Target Notes and photographs are contained in Appendix 3.
- 3.2.2 Habitats of local sensitivity or higher, which are likely to be subject to adverse effects in the absence of mitigation, are discussed in the latter sections of the report. Habitats of limited biodiversity value or habitats for which potential adverse effects are not anticipated are scoped out from further assessment.
- 3.2.3 The site is unmanaged and no irreplaceable habitats are present, nor has the site been subject to any prior degradation. The habitats on site, considered individually and/or collectively are considered to be of Local value, and are not discussed in the latter sections of the report. The loss/degradation of such habitats is considered within the accompanying BNG assessment.

Developed Land; Sealed Surface – Buildings

- 3.2.4 Two garages used for storage are present close to the entrance of the site. The structures are made of metal sheeting with corrugated metal roofs and bolted wooden doors. Neither structure has a roof void and both are single storey.

Heathland and Shrub – Mixed Scrub

- 3.2.5 Two parcels of mixed scrub habitat are present in the southern half of the site. The sward is made up of abundant Bramble *Rubus fruticosus* agg., Common Nettle *Urtica dioica*, Rosebay Willowherb *Chamaenerion angustifolium* and Elder *Sambucus nigra*. Locally frequent Garden Privet *Ligustrum ovalifolium*, frequent Cleavers *Galium aparine*, Field Bindweed *Convolvulus arvensis* as well as occasional Apple *Malus domestica* and rare Holly *Ilex aquifolium* are also present.

Grassland - Other Neutral Grassland

- 3.2.6 At the entrance of the site extending towards the buildings a small parcel of other neutral grassland exists. Species present include abundant False Oat-grass *Arrhenatherum elatius*, frequent Bramble, Rosebay Willowherb and Common Nettle, occasional Red Fescue *Festuca rubra*, Annual Meadow-grass *Poa annua*, Cow Parsley *Anthriscus sylvestris*, Creeping Thistle *Cirsium arvense*, Cleavers, Common Couch *Elymus repens* and Common Ragwort *Jacobaea vulgaris*. Rare species present as part of the sward include Field Forget-me-not *Myosotis arvensis*, Curled Dock *Rumex crispus*, Wood Avens *Geum urbanum* and Spear Thistle *Cirsium vulgare*.

Sparsely Vegetated Land - Ruderal

- 3.2.7 The rest and majority of the site is dominated by tall ruderal habitat. Species present include abundant Common Nettle, Rosebay Willowherb and Bramble with occasional Dandelion *Taraxacum officinale* agg., Cleavers, Common Ragwort and rare Field Forget-me-not *Myosotis arvensis*, Holly, Wild Raspberry *Rubus idaeus* and Vetch *Vicia sativa*.

3.3 Species

- 3.3.1 Protected and notable species are evaluated in order to establish their likely presence on site, their sensitivity and to identify potential adverse effects below. Species which are provisionally evaluated at Local level and for which adverse effects are predicted (scoped in) are discussed in section 4 (Assessment), below.

Badger

- 3.3.2 One record for a Badger sett was returned 0.7km from the site. The site sits within an area highlighted for an increased possibility of Badger activity.
- 3.3.3 No evidence of Badger was recorded during the survey including runs and push throughs. Habitats present on site are suitable to support Badger sett creation and provide suitable foraging and dispersal opportunities. Although large parts of the site are dominated by impenetrable scrub and ruderal habitats, no mammal paths leading to/away from more open grassland habitats which surround the site were recorded, although the presence of hidden setts cannot be discounted.
- 3.3.4 Given the lack of evidence recorded and the suspected absence of this species, the site is provisionally considered to present Site level foraging habitats only.

Bats

- 3.3.5 The desk study returned 15 recent bat records for species Common Pipistrelle *Pipistrellus pipistrellus*, Soprano Pipistrelle *Pipistrellus pygmaeus*, Brown Long-eared *Plecotus auritus*, Noctule *Nyctalus noctule*, Lesser Noctule *Nyctalus leisleri* Brandt's *Myotis brandtii* and Whiskered *myotis mystacinus* within the search area.
- 3.3.6 The two storage garages present on site offer no roosting suitability due to a lack of appropriate potential roosting features. There are no mature trees or hedgerows present on site, hence the habitats are of limited use for foraging/commuting bats and are valued at Site level only.

Hedgehog

- 3.3.7 One record for Hedgehog *Erinaceus europaeus* was returned from the desk study. The record located Hedgehog 1.8km from the site in 2020. No evidence of Hedgehog was recorded during the field survey however the site offers hibernaculum, foraging and dispersal opportunities for Hedgehog and hence mitigation is proposed in Section 4.



Birds

- 3.3.8 The desk study returned 11 recent records for birds including species Woodpigeon *Columba plumbus*, Kingfisher *Alcedo atthis*, House Sparrow *Passer domesticus*, Swift *Apus apus* and Grey Heron *Ardea cinerea*. A pair of Whitethroats *Sylvia communis* were recorded nesting within the scrub habitats present on site. The site offers a range of nesting opportunities for small passerine species within the dense scrub vegetation present on site. Given the small size of the site and the predominance of scrub and ruderal habitats, the features are of Site level value to breeding birds. Mitigation is proposed to ensure legislative considerations are met in Section 4.

Reptiles

- 3.3.9 The desk study returned seven total reptile records from within the search area for Common Lizard *Zootoca vivipara*, Grass Snake *Natrix helvetica* and Slow Worm *Anguis fragilis*. The site offers no basking habitat for reptiles and limited further opportunities, and it is therefore considered highly unlikely that reptiles are present on site. Accordingly this group is not considered further in this report.

Great Crested Newt and Other Amphibians

- 3.3.10 The desk study returned one recent record for amphibians for Common Frog *Rana temporaria* in 2024 located 0.6km from the site. No recent records for Great Crested Newt (GCN) *Triturus cristatus* were returned. There is no suitable breeding habitat for GCN present on site or within 250m of the site. No suitable habitat for other amphibians is present on site and therefore this group is not considered further.

Invertebrates

- 3.3.11 The desk study returned several recent records for Small Heath butterfly *Coenonympha pamphilus* as well as one record for Wall Brown butterfly *Lasiommata megera* and Cinnabar moth *Tyria jacodaeae*.
- 3.3.12 Habitats present on site are likely to support a range of common and widespread invertebrates at no higher than Local value overall. Accordingly invertebrates are not considered further in this report.

3.4 Invasive Species

Plants

- 3.4.1 The desk study returned numerous records for Himalayan Balsam *Impatiens glandulifera* and Japanese Knotweed *Fallopia japonica* as well as two records for Giant Hogweed *Heracleum leniusculus*, one record for Yellow Azalea *Rhododendron luteum* and two records for Rhododendron *Rhododendron ponticum*.
- 3.4.2 No invasive plant species were recorded on site.

Animals

- 3.4.3 The desk study returned two recent records for Signal Crayfish *Pacifastacus leniusculus* in 2019. No water bodies exist on site, and no invasive animal species were recorded during the field survey.

4. Assessment

4.1 Ecological Features

4.1.1 The following ecological features have been evaluated as being subject to potential adverse effects (scoped in), in the absence of mitigation measures.

- Badger: Potential sett creation and foraging habitat.
- Breeding Birds: Trees, scrub, grassland providing nesting habitat.

4.1.2 The potential adverse impacts, proposed mitigation/compensation and any further survey requirements are discussed below. General good practice mitigation measures are also separately provided.

4.2 Protected Species

Badger

4.2.1 No Badger setts or field signs were recorded during the PEA. The likelihood of Badger presence is therefore low. Despite the low risk, vigilance should be maintained during works in case Badgers move into the area or in the unlikely event that undetected setts are present within dense scrub/ruderal habitats. Accordingly, a pre works check should be undertaken prior to vegetation clearance or groundworks to confirm the continued absence of setts or any sizeable mammal holes (>100 mm). If any such features are found, a suitably qualified ecologist must be consulted for advice.

4.2.2 No specific mitigation is likely to be required beyond pre works checks and general construction good practice (e.g., avoiding open trenches overnight or providing escape ramps), to ensure any transient individuals are not harmed during the works.

Breeding Birds

4.2.3 Due to the small size of the site, and the limited habitat diversity, targeted breeding bird surveys are not considered necessary. To comply with wildlife legislation, habitat clearance should avoid the breeding bird season (March August inclusive). Where this is not possible, a pre-works nesting-bird check must be undertaken by a suitably qualified ecologist immediately prior to clearance. If an active nest is found, works should cease until the nesting attempt is complete. The ecologist will define a temporary buffer zone around the nest, appropriate to the species, surrounding vegetation and the nature of the works

4.3 General/Good Practice Mitigation

4.3.1 The following measures are recommended in addition to feature specific requirements as set out above:



- All construction works should be undertaken in accordance with standard pollution/sediment transfer and fugitive dust control measures (see relevant CIRIA guidelines);
- Construction working after dusk should be avoided to control disturbance impacts to bats and other nocturnal fauna;
- All excavations should be covered, fenced or have an access ramp in place to prevent incidental entrapment of fauna;
- The site should be designed to minimise tree removals and incursion within root protection areas.

4.4 Enhancements

4.4.1 With regard to protected species enhancements, measures are required in accordance with the NPPF (2024) and BSI⁹ 42020 (2013) to ensure an overall net benefit to biodiversity following the completion of the development proposals. It is anticipated that these exact requirements will be refined following the completion of the specific surveys however the following general measures should be considered:

- Installation of bird boxes (e.g. 32mm and 45mm entrance boxes and swallow nesting boxes) within retained trees and newly constructed buildings;
- Installation of integrated and/or external bat roost features (e.g. bat boxes or bat bricks) on retained trees and newly constructed buildings;
- Inclusion of hedgerows and trees within landscaping plans to strengthen habitat connectivity;
- Creation of species-rich grassland and planting of native trees and shrubs of local provenance, including nectar, pollen, and berry-producing species;

4.4.2 The long-term management and establishment of habitats should be secured through a Landscape and Biodiversity Management Plan (LBMP) or HMMP, with habitat targets aligned with those set out within the Biodiversity Net Gain (BNG) assessment.

5. Conclusion

5.1.1 The assessment has identified a limited number of ecological features that may be subject to adverse effects as a result of the proposed development. These include badger and nesting birds.

5.1.2 Subject to the implementation of appropriate mitigation and enhancement measures, the development can be delivered in accordance with relevant planning policy and best practice. It is anticipated that, following completion of the recommended surveys and incorporation of mitigation, no significant adverse effects on ecological features will occur.

⁹ The British Standards Institution (2013) *Biodiversity — Code of practice for Planning and Development*

Appendix 1: Planning Policy & Legislation

National Policy

The National Planning Policy Framework (NPPF 2025) describes the Government's planning policy for England and how it should be applied. Within this framework, the requirements in relation to biodiversity are included within several policies. The two most relevant to individual planning decisions are Paragraphs 187, 192 and 193, shown below:

- 187. Planning policies and decisions should contribute to and enhance the natural and local environment by:
 - a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan);
 - b) recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland;
 - c) maintaining the character of the undeveloped coast, while improving public access to it where appropriate;
 - d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures and incorporating features which support priority or threatened species such as swifts, bats and hedgehogs;
 - e) preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans; and
 - f) remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate.
- 192. To protect and enhance biodiversity and geodiversity, plans should:
 - b) promote the conservation, restoration and enhancement of priority habitats, ecological networks and the protection and recovery of priority species; and identify and pursue opportunities for securing measurable net gains for biodiversity.
- 193. When determining planning applications, local planning authorities should apply the following principles:



- a) if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused;
- b) development on land within or outside a Site of Special Scientific Interest, and which is likely to have an adverse effect on it (either individually or in combination with other developments), should not normally be permitted. The only exception is where the benefits of the development in the location proposed clearly outweigh both its likely impact on the features of the site that make it of special scientific interest, and any broader impacts on the national network of Sites of Special Scientific Interest;
- c) development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists; and
- d) development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to improve biodiversity in and around developments should be integrated as part of their design, especially where this can secure measurable net gains for biodiversity or enhance public access to nature where this is appropriate.

Legislation

The Wildlife and Countryside Act 1981 (as amended by the CROW Act 2000) includes the notification and confirmation of Sites of Special Scientific Interest (SSSIs). SSSIs can be notified for their floral, faunal, geological, or physiographical features. Protection against damaging operations and management of SSSIs is also included within the Act. Impact Risk Zones (IRZs) are zones around an SSSI account for the particular sensitivities of the features for which it is notified and identify development proposal which could have adverse impacts.

The Wildlife and Countryside Act 1981 (as amended by the CROW Act 2000) protects native animals, plants and habitats. Under the Act it is an offence to intentionally kill, injure or take any wild animal listed on Schedule 5 and it is an offence to interfere with places used for shelter or protection, or intentionally disturb animals occupying such places. The Act prohibits picking, uprooting or destroy any wild plant (or any attached seed or spore) listed in Schedule 8.

European Protected Species (EPS) such as bats, Hazel Dormouse, Otter, Natterjack Toad, Smooth Snake, Sand Lizard and Great Crested Newt are protected by the Wildlife and Countryside Act 1981 (as amended by the CROW Act 2000) and the Conservation of Habitats and Species Regulations 2017. The Acts make it an offence to:



- a) Deliberately capture, injure or kill an EPS;
- b) Deliberately impair an EPS's ability to survive, breed, reproduce, rear or nurture young; to hibernate or migrate; or significantly affect the local distribution or abundance of the EPS.
- c) Possess or control live or dead EPS or any part of, or anything derived from a EPS;
- d) Damage or destroy a breeding site or resting place of an EPS;
- e) Intentionally or recklessly obstruct access to any place that is used for shelter or protection by an EPS;
- f) Intentionally or recklessly disturb a structure or place that it uses for shelter or protection that is occupied by an EPS.

All common herptiles are protected under the Wildlife and Countryside Act 1981 (as amended by the CROW Act 2000). Grass Snake, Slow Worm, Common Lizard, Adder are protected against intentional killing or injury. Common Frog, Common Toad, Smooth Newt and Palmate Newt is protected against sale. In addition, all British reptiles, Common toad and Great Crested Newt are listed as Species of Principal Importance.

All nesting birds are protected under the Wildlife and Countryside Act 1981 (as amended). It is 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. It is an offence to intentionally or recklessly disturb a species listed on Schedule 1 of the Act while they are nest building or at or near a nest with eggs or young, or to disturb the dependent young.

The Protection of Badgers Act 1992 makes it an offence to wilfully, or to attempt to kill, injure, take, possess or cruelly ill-treat a Badger, or intentionally or recklessly interfere with a sett. Interference of a sett includes disturbing Badgers during occupation of a sett, or damaging or destroying a sett, or obstructing access to the sett.

Section 40 of the Natural Environment and Rural Communities (NERC) Act 2006 places a duty on every public authority to have regard to conserving biodiversity. Section 41 of the same Act requires the Secretary of State to publish a list of the living organisms and types of habitats that are of 'Principal Importance' for the purpose of conserving biodiversity. The Secretary of State must take steps, as appear reasonably practicable, to further the conservation of those living organisms and habitats in any list published under this section. The list of species and habitats of principal importance currently includes 943 species and 56 habitats. These are the species and habitats found in England which are regarded as conservation priorities under the UK Post-2010 Biodiversity Framework

The Hedgerows Regulations 1997 protect 'important' hedgerows from destruction or damage. A hedgerow is 'important' if it (a) has existed for 30 years or more; and (b) satisfies at least one of the criteria listed in Part II of Schedule 1 of the Regulations. Under the Regulations, it is against the law to remove or destroy 'important' hedgerows unless permitted by the local planning authority.

The Environment Act 2021 makes it mandatory for housing and development, subject to some narrow exemptions, to achieve at least a 10% net gain in value for biodiversity – a requirement that habitats for wildlife must be left in a measurably better state than before the development. Developers must submit a 'biodiversity gain plan' alongside usual planning application documents. The local authority must assess whether the 10% net gain requirement is met in order to approve the biodiversity gain plan.

The Environment Act 2021 strengthens the duty on public authorities (NERC Act, 2006) to have regard to the conservation of biodiversity.

The Environment Act 2021 amends the Wildlife and Countryside Act 1981 to introduce an additional purpose for granting a protected species licence in relation to development, 'for reasons of overriding public interest', and two additional tests for the granting of such licences: that there is 'no other satisfactory solution' and that granting the licence is 'not detrimental to the survival of any the population of the species concerned'. These changes will reduce the scope for unlicensed activities to provide clear safeguards before licences can be granted, providing legal certainty and clarity to developers about their environmental obligations.

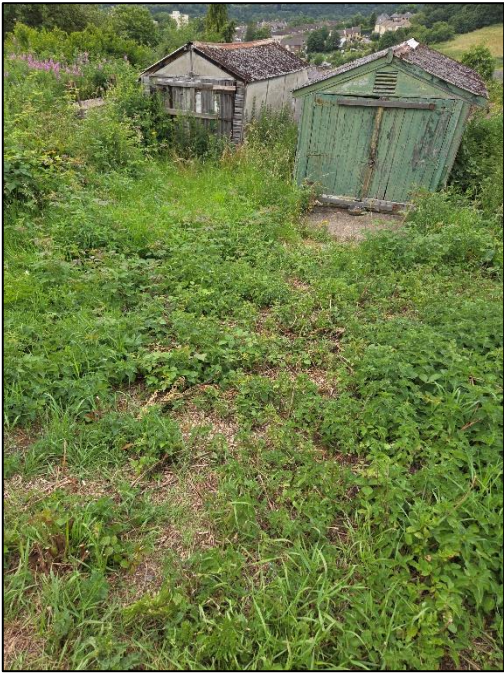
Appendix 2: Desk Study

The report includes a summary of the species records that were made available. Should you wish to see further details please submit a written request to Rachel Hacking Ecology. We will contact the client to ask permission to share the data.



Appendix 3: Target Notes

Reference No.	Habitat	Photograph
	Buildings	
	Mixed Scrub	

	Other Neutral Grassland		
	Ruderal		

Appendix 4: Baseline Habitat Plan

