Heaton Park Villas, Huddersfield

Preliminary Ecological Appraisal

2026

Client	Acumen
Project Title	Heaton Park Villas
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Executive Summary

Development Details

The client is proposing residential development at Heaton Park Villas, Huddersfield, hereafter referred to as the 'site'.

This report describes the ecological features of the site and its surroundings and assesses the potential impacts of the development on the ecological interest. Recommendations are provided so that the development is compliant with biodiversity policy and legislation.

Ecological Interest

The site comprises a small parcel of mixed scrub with an indoor swimming pool. Two small ponds are present, one within and one to the north of the red line boundary. Habitats on site offer potential to support Great Crested Newt, nesting birds and Hedgehog. Gledhill Woods LNR is present 25m south of the site; this offers suitable habitat for Badgers and bats.

Outcomes

Further survey work of the pond is required to determine the presence/absence of Great Crested Newts on site. Alternatively, District level Licensing could be pursued without survey data.

Lighting should be designed to avoid illuminating the woodland to the south. Measures to protect Gledhill Woods LNR should be included within a CEMP.

Standard mitigation measures will avoid risks of impacts to nesting birds, Hedgehogs and Badger. Enhancement opportunities include installing bird boxes and bat boxes. The site is exempt from BNG requirements as it meets the *de minimis* criteria.

1. Introduction

1.1 Project Brief

1.1.1 Rachel Hacking Ecology Limited (RHE) was commissioned in 2026 by Acumen (the Client) to carry out an Ecological Appraisal at Heaton Park Villas, Huddersfield (the 'site'). The site is located at O.S. grid reference: SE 13210 16759 (see Figure 1).



Figure 2. Map showing the site boundary

1.1.2 The proposed development site comprises a small parcel of land to the rear of Heaton Park Villas.

1.1.3 Surrounding land use is residential with extensive woodland to the south. Development Details

1.1.4 The client is preparing a planning application for a residential development consisting of a two-storey house.

1.2 Scope of Work

1.2.1 The Client commissioned RHE to carry out the following works:

- Desk-based study to obtain details of designated sites, protected and notable species within a specified search area.
- Record the extent, type, and condition of habitats within and next to the site.
- Search for signs of protected species and assessment of the potential of habitats and features to support protected and notable species.

1.3 Site Visit Information

Surveyor Details

1.3.1 Tim Palmer (Technical Director) and Myles Harrison (Junior Ecologist) visited the site on 10th July 2026. Tim Palmer has over 25 years' experience carrying out similar surveys and is a full member of the Chartered Institute for Ecology and Environmental Management (CIEEM).

Weather

1.3.2 The weather at the time of the survey was sunny conditions with minimal cloud cover. The temperature at the time of the survey was 30°C.

2. Methods

2.1 Desk Study

2.1.1 The Magic website (Multi-Agency Geographical Information for the Countryside) was interrogated for the presence of Statutory Designated Sites (and European Protected Species licences) within a 2km radius of the site.

2.1.2 The site was checked to determine if it is located within an Impact Risk Zone for any Site of Special Scientific Interest (SSSI) and if so, whether the Local Planning Authority will need to consult Natural England.

2.1.3 The local environmental record centre (West Yorkshire Ecology) was contacted to provide details of non-statutory designated sites and records of protected and notable species within a 1km radius of the site.

2.2 Field Survey

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 system[1]. Habitats and features of particular interest were target noted.

Species Assessment

2.2.2 During the walkover habitat and features were assessed for their suitability to support protected and notable species in accordance with CIEEM guidelines[2]. Field signs of protected, notable, and invasive non-native species, if encountered, were mapped, and described.

2.3 Mitigation Hierarchy

2.3.1 Mitigation measures should be embedded within the masterplan design and planning application process. This process from proposal to implementation needs to consider the 'mitigation hierarchy' of avoid, reduce, compensate, and enhance:

- Aim to avoid negative effects through the design process.

[1] UKHab-v2.01-July-2023-Final-2.pdf. at http://UKhab.org

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

- Mitigate if negative effects cannot be avoided.
- Use compensation measures to offset residual impacts.
- Identify and implement opportunities to enhance biodiversity.

3. Results

3.1 Survey Constraints

The site was fully accessible. The survey was undertaken in July, an optimal month for habitat and protected species assessments, and a high level of confidence is placed on the results.

3.2 Designated Sites

3.2.1 One statutory designated conservation site is present within the search area; Gledholt Woods Local Nature Reserve (LNR), situated 25m south of the site.

3.2.2 No non-statutory sites are present within the search area.

3.2.3 The site is not located in an Impact Risk Zones of any Site(s) of Special Scientific Interest.

3.3 Habitats

3.3.1 Target Notes and photographs are contained in Appendix 3 and the habitats survey plan is contained in Appendix 4.

3.3.2 There are no irreplaceable habitats on site and the site has not been subject to any prior degradation.

Mixed Scrub

The majority of the site consists of dense/overgrown, mixed scrub. The dominant species within the mixed scrub is Bramble *Rubus fruticosus* agg., with abundant Buddleia *Buddleja davidii*. Other species include Goat Willow *Salix caprea*, Wych Elm *Ulmus glabra*, Silver Birch *Betula pendula*, Pendulous Sedge *Carex pendula*, Rosebay Willowherb *Chamerion angustifoloium*, Wood Avens *Geum urbanum* and Rhodedendron *Rhododendron ponticum*.

Developed land; Sealed surface

3.3.3 The site contains a former swimming pool building to the southeast of the site. The building is single storey constructed of brick walls with the eastern side being made of glass with ventilation flaps at the top. The roof is a flat roof covered with bitumen felt. This habitat is of negligible ecological importance

Pond

3.3.4 A small pond is present approximately 3m north of the swimming pool building. Some emergent vegetation is present. A second pond resides is present approximately 4m north of the redline boundary.

Individual Trees

3.3.5 A single individual Weeping Willow *Salix babylonica* was recorded on in the northwest of the site.

3.4 Species

Badger

3.4.1 No records of Badger *Meles meles* records were returned.

3.4.2 The nearest Badger sett recorded 390m south of the site.

3.4.3 No evidence of Badger was recorded during the survey. Habitats on site and in the woodland to the south are suitable for Badger.

Bats

3.4.4 The desk study returned records of seven bat species including; Common Pipistrelle *Pipistrellus pipistrellus,* Soprano Pipistrelle *Pipistrellus pygmaeus,* Noctule *Nyctalus noctula,* Leisler's *Nyctalus leisleri,* Daubenton's *Myotis daubentonii,* Brown Long-eared *Plecotus auritus,* and Whiskered *Myotis mystacinus* within the search area.

3.4.5 The building on site offers negligible suitability for roosting bats.

3.4.6 No trees with potential to support roosting bats were identified in the survey.

3.4.7 The woodland surrounding the site offers suitable foraging habitat for bats.

Hedgehog

3.4.8 No records of Hedgehog *Erinaceus europaeus* were returned in the desk study.

3.4.9 No evidence of Hedgehog was recorded during the survey; however, the scrub on site and surrounding woodland offer suitable resting, foraging and commuting habitat.

Brown Hare

3.4.10 No records of Brown Hare *Lepus europaeus* were recorded in the desk study.

3.4.11 It is unlikely that Brown Hare will be present on site.

3.4.12 Brown Hare are not considered further in this report.

Otter

3.4.13 No records of Otter *Lutra lutra* were recorded in the desk study.

3.4.14 Habitats on site are not suitable for Otter and this species is not considered further.

Water Vole

3.4.15 No records of Water Vole *Arvicola amphibius* were returned in the desk study.

3.4.16 Habitats on site are not suitable for Water Vole and this species is not considered further.

Hazel Dormouse

3.4.17 No records of Hazel Dormouse *Muscardinus avellanarius* were returned in the desk study.

3.4.18 The site is outside the known distribution range. Hazel Dormouse are not considered in this report.

Birds

3.4.19 Multiple records of different bird species were recorded during the desk study, including; House Sparrow *Passer domesticus,* Kingfisher *Alcedo atthis,* Dunnock *Prunella modularis,* and Grey Wagtail *Motacilla cinerea.*

3.4.20 No evidence of nesting birds was recorded on site; however, scrub and woodland habitat provide suitable habitat for nesting birds.

Reptiles

3.4.21 No recent records of reptiles were recorded during the desk study.

3.4.22 Rubble piles on site offer potential refuge habitat for reptiles but habitats on site lack structural diversity and presence on site is considered unlikely. Reptiles are not considered further.

Great Crested Newt and Other Amphibians

3.4.23 One record of Great Crested Newt *Triturus cristatus* was returned in the desk study 1.9km away from the site (2008).

3.4.24 The ponds on and adjacent to the site offer some potential to support breeding habitat, and the scrub on site offers suitable terrestrial habitat for Great Crested Newt and other widespread amphibian species.

3.5 Invasive Species

Plants

3.5.1 The desk study returned multiple records of invasive species within the search area in the last 5 years, including Himalayan Balsam *Impatiens glandulifera*, Japanese Knotweed *Reynoutria japonica* and Giant Hogweed *Heracleum mantegazzianum*. None of these records were located within 500m of the site.

3.5.2 During the field survey Rhodedendron *Rhododendron ponticum* was located in the mixed scrub habitat (TN1).

Animals

3.5.3 The desk study returned three records of invasive animal species, the closest of which was Signal Crayfish *Pacifastacus leniusculus* most recently in 2019, 1.4km from the site. No suitable habitat for Signal Crayfish is present on site.

3.5.4 No invasive animal species were identified during the field survey.

4. Assessment

4.1 Development Context

4.1.1 The following assessment assumes that the development will proceed in accordance with plans shown in Appendix 5.

4.2 Impacts on Designated Sites

4.2.1 No direct impacts to any designated sites are anticipated.

4.2.2 Gledholt Woods LNR could potentially be impacted during construction through dust or other pollutants. Increased artificial lighting could potential reduce the suitability of woodland habitats for birds and bats.

4.3 Impacts on Habitats

Mixed Scrub

4.3.1 Approximately 70% of the scrub on site will be lost. This habitat is common and comprises widespread species; habitat loss would be significant at the site level only.

Individual Trees

4.3.2 Retained trees could be damaged during construction through soil compaction.

Pond

4.3.3 The small pond on site will be lost. The pond adjacent to the north will be retained. This pond could be polluted through silt or other pollutants during construction.

4.4 Biodiversity Net Gain

4.4.1 The red line boundary is less than 0.2ha and no priority habitats would be affected, therefore the proposed development is exempt from BNG requirements.

4.5 Impacts on Species

Bats

4.5.1 No impacts to roosting bats are anticipated.

4.5.2 Increased artificial lighting could potentially reduce the suitability of foraging habitat along the woodland edge to the south of the site.

Badger

4.5.3 No impacts to Badger setts are anticipated. Badgers could potentially be harmed should they access a construction site.

Hedgehogs

4.5.4 Presence is considered possible. In the absence of mitigation, potential impacts include incidental harm during vegetation clearance and disturbance, as well as entrapment during construction.

Nesting Birds

4.5.5 The clearance of scrub habitat could result in impacts for nesting birds, should these be present.

Great Crested Newt

4.5.6 Great Crested Newt and other amphibians could be killed or injured during construction, should they be present.

4.6 Invasive Species

Plants

4.6.1 Construction could result in the spread of Rhododendron through the transport of soil or arisings from vegetation clearance.

5. Recommendations

5.1 Further Surveys

Great Crested Newt

5.1.1 The ponds on and adjacent to site should be surveyed to determine the status of Great Crested Newt and inform mitigation requirements. The pond (and any accessible ponds within 250m) should be subject to eDNA sampling (mid-April to June). An alternative approach would be to pursue the use of District Level Licensing, which does not require survey data.

5.2 Mitigation and Enhancement Measures

5.2.1 Protection of ecological features (habitats and species) during the construction phase will be described in a Construction Environmental Management Plan (CEMP). Mitigation measures to protect, maintain and enhance ecological features during the operational phase of development will be described in a Habitat Management and Monitoring Plan (HMMP). Management Plans will contain Operational Aims and Objectives, Rationale for management, Prescriptions and schedules detailing the timing and responsibility for delivering the prescriptions. It is anticipated that the CEMP and HMMP will be provided as a planning condition in advance of the commencement of the proposed development.

Designated Sites

5.2.2 Measures to protect Gledhill Woods LNR should be included within the CEMP. These should include fencing and signage to prevent incursion, and dust control measures.

Habitats

5.2.3 Retained trees should be protected during construction in accordance with a Tree Protection Plan. Measures to protect the pond from pollution should be included in the CEMP. These should include the use of silt fencing where appropriate.

Bats

5.2.4 No artificial lighting should be directed towards the edge of Gledhill Woods LNR.

Badgers, Hedgehogs & Other Mammals

5.2.5 To ensure that Badger, Hedgehog and any other mammals are not trapped or harmed during the construction work, smaller excavations should be covered if left overnight. Larger excavations, if left overnight or for longer periods, should be ramped to enable animals to escape.

5.2.6 Any boundary fencing should incorporate Hedgehog gaps (13cm x 13cm holes) in the bases to allow Hedgehogs to move through the site.

Nesting Birds

5.2.7 Impacts on nesting birds should be avoided by carrying out site clearance and similar operations outside of the bird breeding season (March- August). If vegetation has to be cleared during the bird breeding season checks immediately before clearance by a suitably qualified ecologist will be required. If nesting activity is detected work in that area will need to stop until the ecologist considers that nesting activity is finished.

5.3 Invasive Species

5.3.1 Measures to avoid the risk of spreading Rhododendron should be included within a CEMP.

5.4 Enhancement Opportunities

5.4.1 Bird bricks designed for Swift and House Sparrow should be incorporated in the new buildings to provide nesting opportunities.

5.4.2 Bat boxes should be incorporated in the finished building to enhance roosting opportunities.

Appendix 1: Planning Policy & Legislation

National Policy

The National Planning Policy Framework (NPPF 2026) 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 most relevant to individual planning decisions are Policies N1 to N6, shown below:

PLAN MAKING POLICIES

N1: Identifying environmental opportunities and safeguards

1. Development plans should safeguard and enhance the natural environment, and reflect the wider benefits from natural capital and ecosystem services, by using Local Nature Recovery Strategies, Protected Landscape Management Plans, River Basin Management Plans, National Forest Strategies, Community Forest Plans and other relevant evidence at the most appropriate level to:
    a. Set out the hierarchy of international, national and locally designated sites and areas of importance for their landscape, geodiversity or biodiversity value in the plan area, and identify other features which require particular consideration in managing development due to their environmental value such as chalk streams;
    b. Identify opportunities for the conservation, enhancement and recovery of landscapes, sensitive waterbodies, habitats and priority or threatened species, including through habitat restoration, the use of nature-based solutions, and the creation and strengthening of ecological networks that are more resilient to current and future pressures (including opportunities which exist at a catchment or landscape scale across plan boundaries);
    c. Steer the location of development, including through site allocations, in ways which utilise land of least environmental value where that would be consistent with other policies in this Framework. This should include limiting the scale and extent of development within Protected Landscapes, avoiding the use of higher quality agricultural land where land of poorer quality is available and avoiding and minimising harm to designated sites of importance for nature. Areas which could become of particular importance for nature identified in Local Nature Recovery Strategies should be taken into account as opportunities to integrate development with environmental restoration, but should not necessarily preclude the allocation of land for development; and
    d. Set out standards for green infrastructure provision, in a way which complements and/or incorporates those for recreational land (as set out in policy HC1). These should draw upon

Natural England's Green Infrastructure Standards for England, tailored as necessary to local circumstances.

2. Development plans should only set local standards for biodiversity net gain which are in excess of the statutory net gain requirement where this is for specific site allocations, and is fully justified and deliverable. Local standards should not extend to categories of development which are exempt from statutory biodiversity net gain.

NATIONAL DECISION-MAKING POLICIES

N2: Improving the natural environment

1. To contribute positively to the natural environment, and support nature's recovery, development proposals should:
    a. Consider the environmental qualities of land proposed for development, including habitats, landscape character and the natural beauty of the countryside, and identify opportunities for those qualities to be conserved or enhanced (including through requirements for biodiversity net gain where these apply);
    b. Take into account the quality of agricultural land (including that classified as best and most versatile agricultural land, and its grade), and if significant development of agricultural land is necessary, use areas of poorer quality land where possible;
    c. Take suitable opportunities to connect to and strengthen ecological networks that extend beyond the site, drawing on the measures proposed by Local Nature Recovery Strategies, National Forest Strategies and Community Forest Plans, where present, and other relevant assessments;
    d. Conserve and enhance existing natural features of visual, historic or nature conservation value (such as established trees and hedgerows) where possible; and use appropriate landscaping to help create a well-designed place and integrate the development into its surroundings;
    e. Use green infrastructure provided as part of the scheme and nature-based solutions to secure multiple benefits: such as for biodiversity; surface water and pollution management (including maintaining flow rates and water quality); climate change mitigation and adaptation, and recreation;
    f. Minimise any adverse impacts on biodiversity and include features which support priority or threatened species such as swifts, bats and hedgehogs. Development proposals should incorporate integrated nest boxes (commonly known as swift bricks) into their construction unless there are compelling technical reasons which prevent their use, or would make them ineffective; and

g. Ensure that green infrastructure and other features to support nature are located and designed to minimise risk of future failure, and that appropriate measures are in place for any necessary long-term management.

2. 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 the development should be refused.

3. Development proposals may incorporate biodiversity enhancements which exceed the statutory objective for biodiversity net gain, but this should only be a requirement where it is set out in up-to-date development plan policies for specific site allocations. Decision-makers should not give weight to other development plan policies which require biodiversity gains which go beyond the statutory framework, including where a policy requires gains for development proposals which are exempt.

N3: Trees in new development

1. In recognition of the benefits which trees can provide for biodiversity, climate change mitigation and adaptation, and the character and quality of the built environment, development proposals should:

a. Make new streets tree-lined (unless there are strong reasons why this would be inappropriate in specific streets), and incorporate trees in other suitable locations, such as in parks and through the provision of community orchards;

b. Ensure that the selection of species and their placement is compatible with highways and other infrastructure requirements and the needs of different users of public spaces; and will be effective in helping to adapt to the effects of climate change and delivering other environmental benefits. Suitable arboricultural advice should be sought, and proposals discussed with highways and trees officers where necessary, so that the right trees are planted in the right places; and

c. Make provision for the long-term maintenance of both existing and newly-planted trees which form part of the development.

N4: Protected Landscapes

1. Development proposals within Protected Landscapes should be limited in scale and extent and sensitively located and designed to avoid harm to the statutory purposes and special qualities of the Protected Landscape. Substantial weight should be placed on the importance of conserving and enhancing the natural beauty of these areas, and to conserving and enhancing wildlife and cultural heritage in National Parks and the Broads.

2. Proposals for major development within Protected Landscapes should be refused other than in exceptional circumstances, and where it can be demonstrated that the development is in the public

interest. To inform a decision about whether exceptional circumstances exist, consideration of such proposals should include an assessment of:

a. The need for the development, including in terms of any national considerations such as maintaining a sufficient supply of minerals, and the impact of permitting it, or refusing it, upon the local economy;

b. The cost of, and scope for, developing outside the Protected Landscape, or meeting the need for the development in some other way; and

c. Any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which it could be moderated.

3. Where, exceptionally, proposals for major development are approved within Protected Landscapes, steps should be taken to mitigate potential adverse impacts on their special qualities and statutory purposes60, including on features such as tranquillity and dark skies.

4. Development proposals within the setting of Protected Landscapes should be sensitively located and designed to avoid or minimise adverse impacts on the Protected Landscape.

N5: Maintaining the character of the coast

1. Development proposals should maintain the character of undeveloped areas of coast, including land designated for its landscape, habitat or heritage value, while improving public access to it where appropriate. They should not hinder the completion and maintenance of a continuous signed and managed route around the coast (the King Charles III England Coast Path National Trail).

2. Development proposals in areas defined as Heritage Coast (and which do not already fall within a Protected Landscape) should be consistent with the special character of the area and the importance of its conservation. Major development within areas defined as Heritage Coast should not be supported, unless the development is compatible with the special character of the area.

3. If located within a Coastal Change Management Area, development proposals should also be considered against policy F9.

N6: Areas of particular importance for biodiversity and geodiversity

1. To support the conservation of important habitats, species and sites of geodiversity value, development proposals affecting:

a. A site of international importance, which for the purpose of this policy is a habitats site, should be refused unless:

i. An appropriate assessment has concluded that the proposal will not adversely affect the integrity of the site (either individually or in combination with other developments), or the proposal can satisfy the derogation tests61; and/or

ii. The impact of development on the relevant protected features of the protected site is being addressed through an Environmental Delivery Plan which has been made and the developer has committed to paying the nature restoration levy.

b. A site of national importance, which for the purpose of this policy is one designated as a Site of Special Scientific Interest, should only be supported if:

i. There would be no adverse effect (either individually or in combination with other developments) on the site's features of special scientific interest; or

ii. The benefits of the development in the location proposed clearly outweigh both the likely impact on the features of special scientific interest, and any broader impact on the national network of Sites of Special Scientific Interest; or

iii. The impact of development on the relevant protected feature of the protected site is being addressed through an Environmental Delivery Plan which has been made and the developer has committed to paying the nature restoration levy.

c A site of local importance, which for the purpose of this policy is one designated as a Local Nature Reserve or identified as a local wildlife site, local geological site or equivalent in the development plan, should only be supported if:.

i. There would not be a significant adverse effect on the integrity of the site; or

ii. The benefits of development in the location proposed clearly outweigh the likely impact on the features which make the site valuable for nature conservation.

2. Irrespective of a site's status in nature conservation terms, development proposals which would entail 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.

3. This policy applies to development on land inside or outside a designated area, if it would have an impact on the identified biodiversity or geodiversity value of the area concerned.

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.

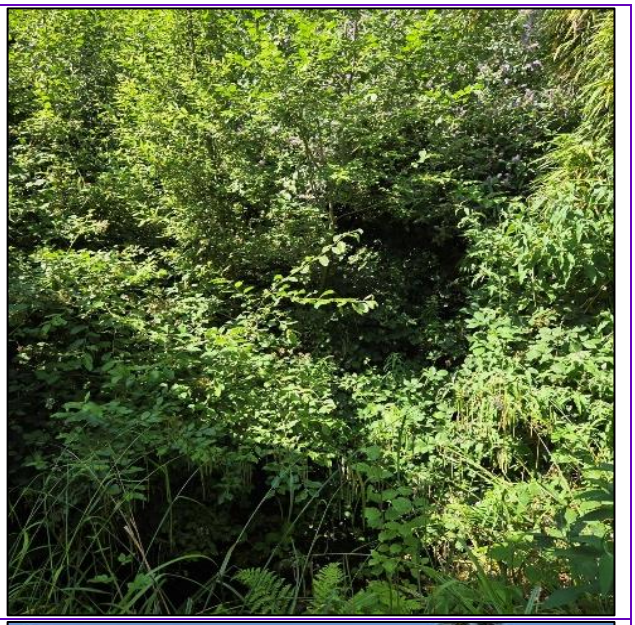
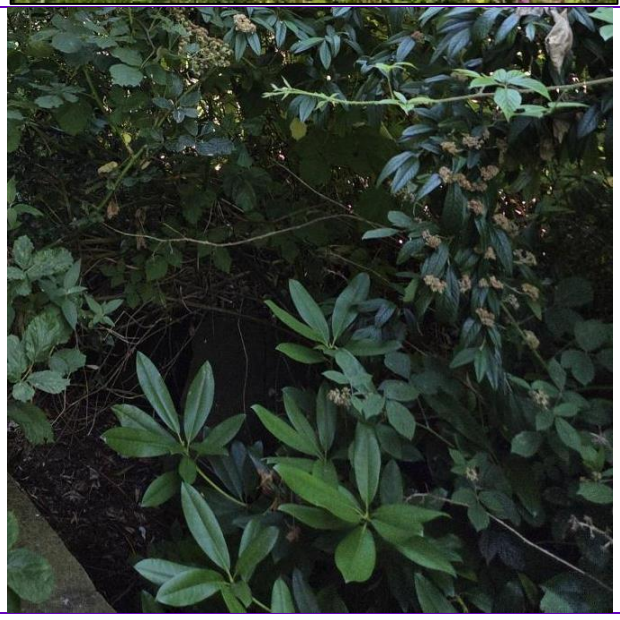
The Environment Act 2021 amends the Wildlife and Countryside Act 1981 to introduce an additional purpose for granting a protected species licence in relation to development, 'for reasons of overriding public interest', and two additional tests for the granting of such licences: that there is 'no other 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
1	Mixed Scrub	
2	Developed Land; Sealed Surface (swimming pool)	

3	Pond	
4	Individual Tree	
TN1	Rhododendron	

Appendix 4: Plans



Appendix 5: Proposal Plans

