

**Preliminary Ecological Appraisal
and Ecological Impact Assessment**
Land off Roberttown Lane,
Liversedge,
West Yorkshire

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1.0 Introduction

Smeeden Foreman Limited has been commissioned by Signet Planning to undertake a preliminary ecological appraisal and Ecological Impact Assessment of the land off Roberttown Lane, Roberttown, Liversedge (grid reference SE 200 228, see figure 01). The proposals will involve the creation of a residential housing estate. The initial walkover survey was undertaken in May 2014.



Figure 01: Aerial photograph with red line showing the site boundary

This report has been commissioned to inform the design and planning submission for the site development for residential housing.

This report will include the following information gathered by desk study and an extended phase I habitat survey:

- Proximity to statutory and non-statutory designated sites.
- Proximity to existing records for protected species.
- Site habitat appraisal and potential to support protected species.

A review of the above information will be made to identify any features or sites of ecological interest, which may be affected by the development proposals. Where potential impacts or protected species are identified the need for mitigation measures and specific species surveys will be discussed, and recommendations for potential environmental enhancements will be made.

2.0 Site Description

The site is located off Roberttown Lane, Roberttown, Liversedge. The surrounding landscape comprises arable and pasture habitat to the north and north-west. Immediately adjacent to the north of the field is Roberttown Lane and a small residential housing estate. There are more pasture fields to the northwest of Roberttown Lane. To the east, south and west are residential housing.

The area proposed for development largely comprises improved grassland habitat. Defunct hedgerows dissect the site and there are a number of mature trees to the boundary of the site.

3.0 Baseline Information

3.1 Methodology

The ecological interest of the site has been investigated by a combination of desk study, consultation and field survey.

Information was requested from the following organisations:

- West Yorkshire Ecology (WYE)
- West Yorkshire Bat Group (WYBG)

The following sources of information were consulted:

- Magic.gov.uk (government website for nature conservation)
- Kirklees Biodiversity Action Plan
- Aerial photographs

3.2 Nature Conservation Designated Sites

Statutory designations

The desktop study identified one Local Nature Reserve (LNR) which is also a Site of Wildlife Significance (SWS) within the 2km search area:

- Sunny Bank Ponds

Sunny Bank Ponds are located to the south of the proposed site and is severed by the residential estates that make up Roberttown. Refer to Appendix 01 for statutory site locations in relation to the proposed development site.

A LNR is a statutory designation of local or district-wide importance for the conservation or wildlife and geological features. An SWS is also a site of local or district-wide importance.

There are no other statutory designated sites such as Special Areas of Conservation (SAC), Areas of Outstanding Natural Beauty (AONB), Special Protection Areas (SPA), Ramsar Sites, Site of Special Scientific Interest (SSSI), National Parks or National Nature Reserves (NNR) within 2km of the proposed development site.

Non-statutory designations

The desktop study identified no non-statutory designated sites within the 2km search area.

3.3 Existing Species Records

Existing biological records were provided by West Yorkshire Ecology (WYE) and West Yorkshire Bat Group (WYBG). The records detailed below are those in closest proximity to the proposed development site. Full details of the species records provided by WYE are provided in Appendix 02 and those provided by WYBG in Appendix 03.

European and UK Protected Species:

Species	Status/protection	Distance from site	Notes
Leisler's bat	HabDir W&CAct Sch 5 (full)	200m east	SE 202 230 – Lineham Court, Liversedge – 2003
Pipistrelle bat species	HabDir W&CAct Sch 5 (full)	600m east	SE 207 228 – Norristhorpe - 2007
Unknown Bat Species	HabDir W&CAct Sch 5 (full)	200m east	SE 203 141 – 20 Liversedge Hall Lane – 2007
Great Crested Newt	HabDir W&CAct Sch 5 (full)	1.2km south	SE 200 216 – nr Bright Street - 2000
Water vole	W&CAct Sch 5 (full)	1.9km south-east	SE 220 219 – Spen River - 2000

UK Schedule 9 Species:

Species	Status/protection	Distance from site	Notes
Giant Hogweed	W&CAct Sch 9 Part 2	2km east	SE 220 227 - 2007
Himalayan Balsam	W&CAct Sch 9 Part 2	1.4km north-east	SE 205 237 - 2006

Schedule 1 Birds

A Schedule 1 bird was identified within a 2km radius of the site. Birds listed under Schedule 1 of the Wildlife and Countryside Act 1981 are protected from intentional disturbance whilst they are building a nest, or is in, on or near a nest containing eggs or young, or disturbance of the dependent young even if not in the nest. Species within the 2km radius include: Ruff (*Phalommachus pugnax*).

UK BAP Priority Species

WYE also identified a number of species that have been afforded UK Biodiversity Action Plans, those within 2km of the proposed development site including common toad, house sparrow, dunnock and starling.

Kirklees BAP Species

Species that have been afforded Kirklees LBAP include species: common frog, smooth newt and swallow.

It is considered that the site may offer suitable foraging and roosting habitat for the local bat population. The site is also considered to offer suitable foraging habitat for hedgehogs and badgers. Areas of suitable foraging habitat for these species should be taken into consideration during the proposed workings, with the retention of this habitat where possible and provision of native planting within the final design.

3.4 Site Habitat Survey

An Extended Phase I Habitat Survey of the study area was undertaken on the 16th April 2014 by Smeeden Foreman Limited. The survey was undertaken in accordance with standard methodologies set out in the Handbook for Phase I Habitat Survey, a technique for environmental audit (JNCC 2003).

A walkover of the study area was undertaken to map vegetation communities and species on site. Target notes were made of all features of ecological interest. The final habitat map is colour-coded (refer to figure 02: Phase I Habitat Map), which allows for assessment of the extent and distribution of habitat types. The potential for the likely presence or absence of protected species was determined by assessing the suitability/quality of the habitats/features present on the site for such species.

The site is comprised predominantly of improved grassland, tall ruderal, dense and scattered scrub and hedgerows. The majority of boundaries are marked by fencing, hedges and dry stone walls.

Improved Grassland

The dominant habitat within the site comprises improved grassland. Grass and forb species recorded within the grassland are typical of this habitat type and are of low botanical interest. The fields have a ridge and furrow topography, but the grassland has been improved and is likely to be regularly managed through grazing.

TN01 – Dominant species include Timothy *Phleum pratense*, Yorkshire fog *Holcus lanatus*, annual meadow grass *Poa annua*. Abundant and frequent species include ribwort plantain *Plantago lanceolata*, common sorrel *Rumex acetosa*, common mugwort *Artemisia vulgaris*, meadow buttercup *Ranunculus acris*, creeping buttercup *Ranunculus repens*, creeping thistle *Cirsium arvense*, dandelion *Taraxicum agg.* Occasional and rare species included daisy *Bellis perennis*, common mouse ear *Cerastium fontanum*, red dead nettle *Lamium purpureum*, sunspurge *Euphorbia helioscopia*, lesser celandine *Ranunculus ficaria*, pineapple weed *Matricaria discoidea* and wavy bittercress *cardamine flexuosa*.

Tall ruderal

Tall ruderal vegetation is present mainly to the north-west and western boundary of the site. The vegetation borders the improved grassland and sections of dense and scattered scrub; some of the tall ruderal is present in wet marshy soil.

TN02 - The vegetation comprises of dominant species such as common nettle *Urtica dioica*. Other species which were abundant and frequent include broad-leaved dock *Rumex obtusifolius*, cleavers *Galium aparine*, annual meadow grass, cocks foot grass *Dactylis*

glomerata and dandelion. Occasional and rare species included common hogweed *Heracleum sphondylium*, cow parsley *Anthriscus sylvestris* and common sorrel.

Dense and Scattered scrub

The main areas of dense and scattered scrub are located to the western boundary of the site, between the proposed site and the cricket ground. This section of scrub occurs on an incline which leads up to the cricket ground. There are other small patches of scattered scrub on the boundary of the site to the south-east corner and north east corner which are less extensive.

TN03 – Species which were identified within the scrub growth include shrub species such as elder *Sambucus nigra*, hawthorn *Crataegus monogyna*, cherry *Prunus sp*, holly *Ilex aquifolium* and flowering current *Ribes sanguineum*. Herbaceous (forb) species which were identified within this area include bindweed *Calystegia sepium* field bramble *Rubus fruticosus*, common nettle, forget-me-not *Myosotis arvensis*, rosebay willowherb *Chamerion angustifolium*, pink purslane *Claytonia sibirica*, common field speedwell *Veronica persica*, fumetore *Fumaria sp*, smooth sow thistle *Sonchus oleraceus*, common mouse ear, shepherds purse *Capsella bursa-pastoris*, common chickweed *Stellaria media*, hedge mustard *Sisymbrium officinale* and an unidentified crop.

Hedgerows





Hedgerows which dissect the site comprise a limited range of native hedgerow species, with a number of the hedgerows also supporting a small number of standard trees. The hedgerows which border and dissect the site were assessed to consider their importance under the Hedgerow Regulations 1997. Criteria within the Wildlife and Landscape section (criteria 6 and 7) were considered. Hedgerows which are deemed to be important under criteria 7 include those which have:

- at least 7 woody species listed in Schedule 3 of the regulation; or
- 6 woody species and has associated with it at least 3 features, i.e. a bank or wall supporting the hedgerow, a ditch, frequent standard trees, etc.; or
- At least 6 woody species, including either a black-poplar tree, a large leave lime, a small leave lime or a wild service tree; or
- At least 5 woody species, and has associated with it at least 4 features.

The hedgerows which dissect the site have been heavily managed by mechanical means. They are very similar in content and dimensions, measuring approximately 1.5m high and 1m wide. They are species poor and are dominated by hawthorn, however two other abundant species, elder and blackthorn *Prunus spinosa* were also recorded. A small section of holly was identified as a rare species in the hedgerow to the east of the site. None were found to meet the above criteria for importance.

Trees

There are a low number of trees on site one of which, located to the south of the site, is in a poor condition with a number of crack and crevices. This tree has the potential to house roosting bats. There is a large mature Ash tree to the east of the site which does not have any potential to house roosting bats. Within the dense scrub section to the west of the site are a number of small scrubby trees such as elder and cherry species which have no bat potential but do have a moderate conservation value.

	
<p>Slide 01: Defunct hedgerow to the south of the site</p>	<p>Slide 02: Showing the tall ruderal to the south of the site</p>
	
<p>Slide 03: Drystone wall and fencing that dissects the field</p>	<p>Slide 04: Improved grassland view facing east</p>

3.5 Local Biodiversity Action Plan

Habitat types for which action plans have been prepared for the Kirkless Biodiversity Action Plan can be found below. This site is considered to hedgerows as habitats of principle importance (priority habitats).

- Grasslands
 - Semi-natural pasture
 - Lowland and upland meadows
 - Lowland dry acid grassland
- Uplands
 - Blanket bog
 - Upland heathland
 - Upland flushes
 - Lowland heathland
- Forest habitats
 - Upland oak woodland
 - Lowland deciduous woodland
 - Upland mixed ashwoods
 - Wet woodland
- Arable and pastoral areas
 - Arable field margins
 - Hedgerows
- Wetland and riverine habitats
 - Rivers, riverine corridors and associated habitats
 - Reedbeds

- Urban areas and previously developed land
 - Scrub and habitat mosaics on previously developed land

Species included within the Kirkless Biodiversity Action Plan can be found below. This site is not considered to contain any of these species types.

- Floating water plantain
- Great-crested newt
- Marsh helleborine
- Northern wood ant
- Twite
- Water vole
- White-clawed crayfish

4.0 IMPLICATIONS / RECOMMENDATIONS

4.1 Nature Conservation Designated Sites

Due to the distance of the non-statutory site from the application site and the nature of the proposed development, it is not anticipated that the proposals will adversely impact upon designated nature conservation site.

4.2 Habitats

This report has been commissioned to inform the design and planning submission for the site development for residential housing.

As part of the proposals it is possible that all hedgerows located on site may be lost. The hedgerows are of moderate conservation value; they appear to be mature but have been heavily managed.

Should the areas of dense scrub and native hedgerow be removed, it is recommended that landscape proposals for the site incorporate native planting and wildflower grassland into the scheme to enhance local biodiversity.

The low number of trees around the site should be retained where possible. Should the trees be highlighted for felling a climb and inspect survey should be undertaken prior to works commencing to ensure that no bats or bat roosts are harmed in the process.

To enhance the ground flora layer within any retained hedgerows, landscape proposals could include bulb and plug planting of forb species such as native bluebell, primrose, wood anemone, foxglove and wild garlic.

4.3 Species

Refer to Appendix 05 which details the legal status of the species mentioned below.

Bats

The site offers a number of features which would be suitable for foraging and roosting bats, such as grassland and hedgerows. Bats and their roosts are protected by European legislation. Natural England's aim is to maintain the Favourable Conservation Status of bat populations within the area.

There are a low number of mature trees onsite which have the potential to house roosting bats (see figure 03). The trees should be retained where possible, however, those trees that are to be removed should be subjected to a 'climb and inspect' survey before their removal to assess the presence/absence of roosting bats and the potential mitigation required.

There are no buildings on the site.

It is recommended that bat activity transect surveys should be undertaken in an attempt to record how bats are using the site. These surveys would be carried out to methodologies recommended within the BCT guidelines. Survey visits could be undertaken during August, September and October within this year's survey season and would be carried out by an appropriate number of surveyors to cover the site.

Breeding birds

There is a significant amount of suitable habitat on site for breeding birds. Breeding birds are afforded protection under the Wildlife and Countryside Act 1981 with additional protection against disturbance given to those on schedule 1. Any works should be conducted outside the bird nesting season (nesting bird season is March to August, inclusive), or following a survey by an ecologist. This will ensure breeding birds, their nests, eggs or young are not affected.

To enhance the site in terms of nesting birds recommendations include the erection of nest boxes onto retained trees. The boxes should be positioned out of direct sunlight, generally orientated between north and south-east, away from prevailing winds and erected at a height of between 1.5 to 5.5m.

Recommendations for the planting of native trees and shrubs within the site would aim to mitigate for the loss of vegetation within the site in terms of foraging and nesting birds. Planting such as this would enhance the habitat for the tawny owls within the local area.

Badgers and other small mammals

Due to the hedgerows and tall ruderal on site there is potential for badgers to be foraging within the site. The hedgerows are currently heavily managed but over time as the hedgerows grow back they will be suitable for badgers creating setts within them. During the survey there were no sign of badgers was recorded.

It is recommended that a badger survey is undertaken immediately prior to the works beginning on the site. This will ensure that no legislation relating to the Badger Act 1992 is breached during the works.

It is recommended that during the construction phase the following precautionary measures should be taken to prevent accidental harm or injury to any badger should one come onto site; capping any open pipe ends, and covering open trenches or providing a means of access via sloping ends or planking.

Other protected species

There are no habitats within the site or adjacent to the site considered to be suitable to support other protected species such as white-clawed crayfish, water voles, otter's, reptile species or great crested newts. No adverse impact upon these species is anticipated as part of the proposed development.

Hedgehogs

It is likely that hedgehogs use the site and although this species is not legally protected, the hedgehog population is currently in decline and as such has been afforded a UK Biodiversity Action Plan. It is considered that the proposed development will reduce the availability of foraging habitat for this species. However, with the introduction of native plants and shrubs, the proposed development has the potential to increase the availability of foraging habitat in the long term.

In order to prevent harm during on site works it is recommended that any vegetation clearance works are carried out in a linear fashion to allow hedgehogs to move away from the works. Any wood piles and cleared vegetation should also be checked prior to its disposal. The improvement of hedgerows and the inclusion of native planting within the proposed development, will improve foraging habitat for this species.

The development could also include small gaps under garden fencing to allow the free movement of hedgehogs in the area. This would greatly increase their foraging area and will keep hedgehog populations at a sustainable level.

5.0 SUMMARY

Smeeden Foreman Limited has been commissioned by Signet Planning to undertake a preliminary ecological appraisal of the land off Roberttown Road, Liversedge.

The proposals will involve the creation of a residential housing estate. The initial walkover survey was undertaken in May 2014.

The site is comprised predominantly of improved grassland, tall ruderal, dense and scattered scrub and hedgerows. The majority of boundaries are marked by fencing, hedges and dry stone walls.

Due to the distance of statutory sites from the application site and the nature of the proposed development, it is not anticipated that the proposals will adversely impact upon designated nature conservation sites.

Bat activity surveys should be undertaken in order to establish how the land is being utilised by commuting and foraging bats in the local vicinity. The schedule would entail a survey being conducted every month during August, September and October within this years survey season by an appropriate number of surveyors to cover all of the site.

There is a significant amount of suitable habitat on site for breeding birds. Breeding birds are offered protection under the Wildlife and Countryside Act (1981), and therefore, works would be required to comply with the relevant legislation.

It is recommended that a badger survey is undertaken immediately prior to the works beginning on the site. This will ensure that no legislation relating to the Badger Act 1992 is breached during the works.

There are no habitats within the site or adjacent to the site considered to be suitable to support other protected species such as white-clawed crayfish, water voles, otter's or great crested newts. No adverse impact upon these species is anticipated as part of the proposed development.

Hedgehogs are likely to use the habitat within the site boundaries. Although this species is not legally protected, the hedgehog population is currently in decline and as such has been afforded a UK Biodiversity Action Plan.

Those trees that have been identified as having potential for roosting bats, due to damage or cavities within the tree, should be subject to a 'climb and inspect' survey if trees are to be felled.

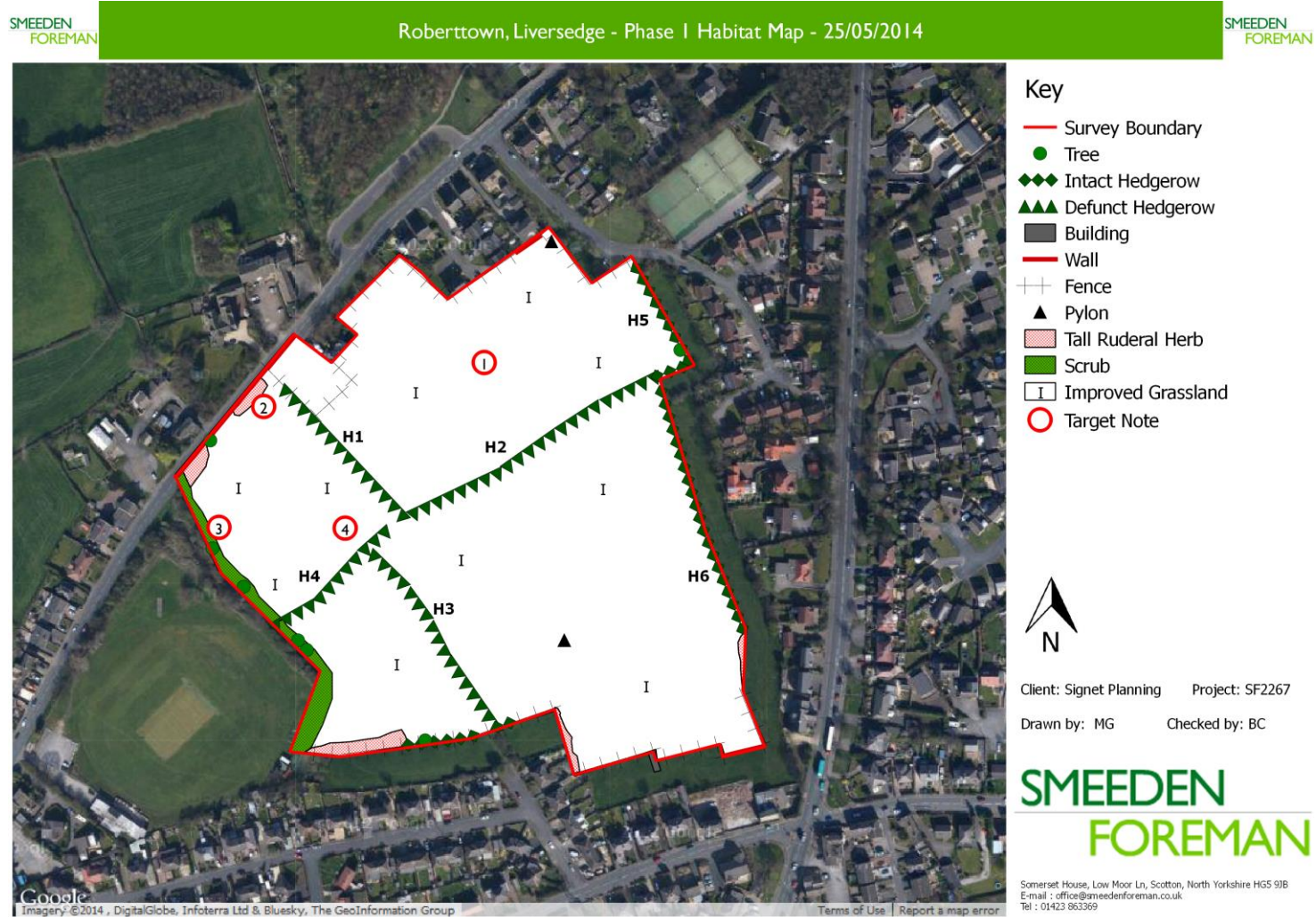
Recommendations for the planting of native trees and shrubs within the site would aim to mitigate for the loss of vegetation within the site in terms of foraging and nesting birds.

Bats require a variety of roosting conditions depending on the time of year and they will often change roosting locations according to needs. It is therefore recommended that the information within this report is correct at the time of writing and should be valid for a 12 month period after which an update to the report should be sought.

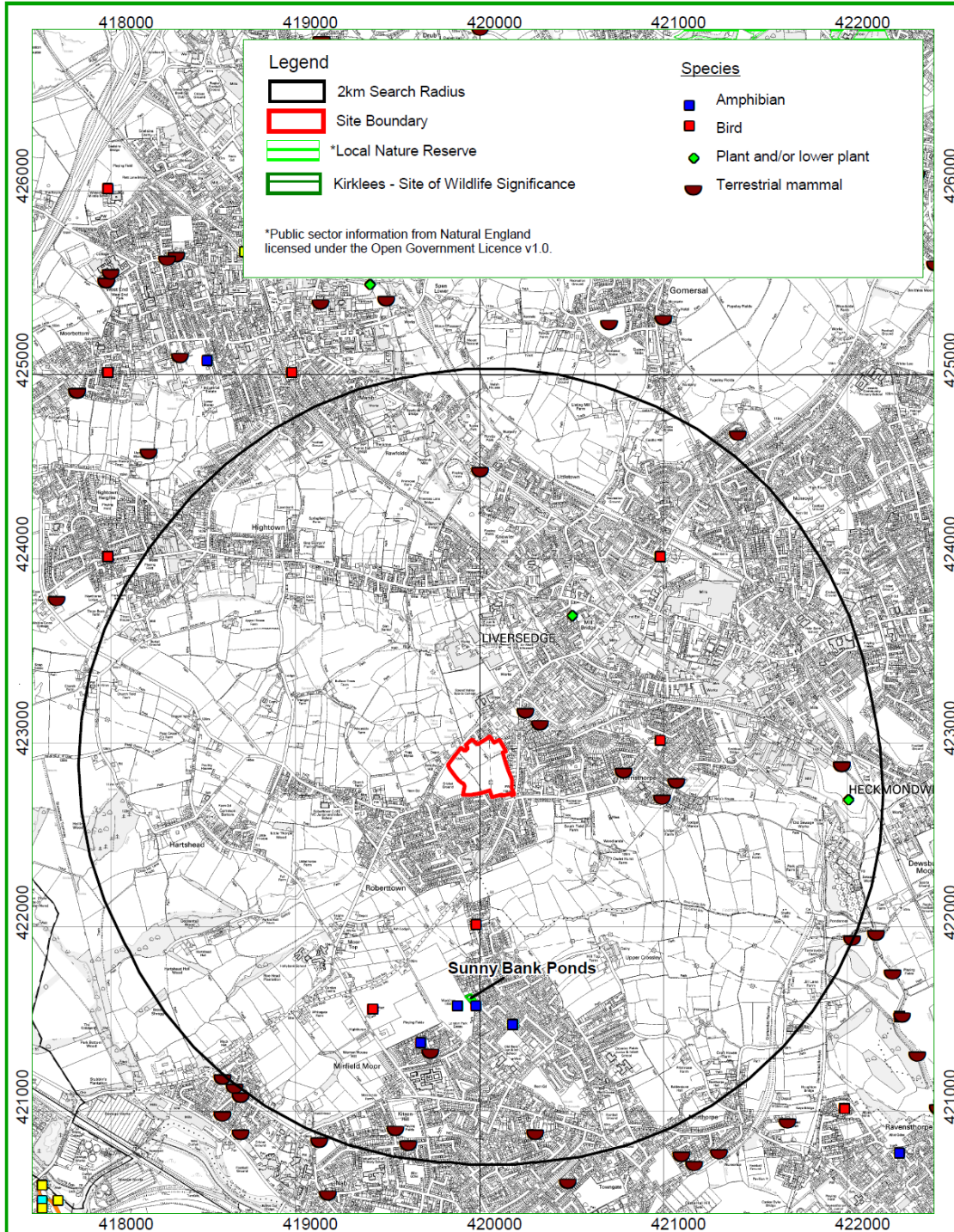
FIGURES: 01: Aerial Photograph (showing site boundary)
 02: Phase I Habitat Map

APPENDIX: 01: Designated Sites - WYE
 02: Species Records – WYE
 03: Species Records – WYBG
 04: Legal Status of Protected Species

Figure 02: Phase I Habitat Survey



Appendix 01: Designated Sites (From WYE report)



Legend		Species	
	2km Search Radius		Amphibian
	Site Boundary		Bird
	*Local Nature Reserve		Plant and/or lower plant
	Kirklees - Site of Wildlife Significance		Terrestrial mammal

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Scale 1:28000
At Size A4

West Yorkshire Ecology
West Yorkshire Joint Services

**FIGURE 1:
SPECIES &
DESIGNATED
SITES**

Page: 5

metres

Appendix 02: Species Records – (From WYE Report)

AMPHIBIANS

Grid Ref	Common Name	Latin Name	Date	Record Type	Abundance	Designation
SE199216	Common Toad	<i>Bufo bufo</i>	21/03/2000	field record		Sch5_sect9.5b; UKBAP; WYBAP; Kirklees BAP
SE202215	Common Toad	<i>Bufo bufo</i>	20/03/2000	Torching	11 Count of Adult	Sch5_sect9.5b; UKBAP; WYBAP; Kirklees BAP
SE199216	Common Frog	<i>Rana temporaria</i>	21/03/2000	field record		Sch5_sect9.5b; WYBAP
SE202215	Common Frog	<i>Rana temporaria</i>	20/03/2000	Torching	2 Count of Adult; 29 Count of Spawn	Sch5_sect9.5b; WYBAP
SE200216	Great Crested Newt	<i>Triturus cristatus</i>	2000	None		Sch5; UKBAP; WYBAP; Kirklees BAP
SE197214	Smooth Newt	<i>Triturus vulgaris</i>	21/03/2000	field record		Sch5_sect9.5b; WYBAP
SE199216	Smooth Newt	<i>Triturus vulgaris</i>	20/03/2000	under debris	12 Count of Adult	Sch5_sect9.5b; WYBAP
SE199216	Smooth Newt	<i>Triturus vulgaris</i>	21/03/2000	field record	60 Count of Adult	Sch5_sect9.5b; WYBAP
SE202215	Smooth Newt	<i>Triturus vulgaris</i>	20/03/2000	Torching	50 Count of Adult	Sch5_sect9.5b; WYBAP

BIRDS

Grid Ref	Common Name	Latin Name	Date	Record Type	Abundance	Designation
SE19442154	Goldfinch	<i>Carduelis carduelis</i>	19/08/2011	field record		Kirklees BAP
SE19442154	Swallow	<i>Hirundo rustica</i>	19/08/2011	field record		BoCC:Amber; WYBAP; Kirklees BAP
SE2124	Swallow	<i>Hirundo rustica</i>	1970 - 1988	field record		BoCC:Amber; WYBAP; Kirklees BAP

Grid Ref	Common Name	Latin Name	Date	Record Type	Abundance	Designation
SE19442154	House Sparrow	<i>Passer domesticus</i>	19/08/2011	field record		BoCC:Red; UKBAP; WYBAP; Kirklees BAP
SE2124	House Sparrow	<i>Passer domesticus</i>	1970 - 1988	field record		BoCC:Red; UKBAP; WYBAP; Kirklees BAP
SE2123	Ruff	<i>Philomachus pugnax</i>	1970 - 1988	field record		Sch1_part1; BoCC:Red
SE19442154	Dunnock	<i>Prunella modularis</i>	19/08/2011	field record		BoCC:Amber; UKBAP; WYBAP; Kirklees BAP
SE2022	Woodcock	<i>Scolopax rusticola</i>	1970 - 1988	field record		BoCC:Amber; Kirklees BAP
SE2124	Starling	<i>Sturnus vulgaris</i>	1970 - 1988	field record		BoCC:Red; UKBAP; WYBAP; Kirklees BAP

PLANTS

Grid Ref	Common Name	Latin Name	Date	Record Type	Abundance	Designation
SE220227	Giant Hogweed	<i>Heracleum mantegazzianum</i>	27/06/2007	field record	o Count of DAFOR	Sch9_part2
SE205237	Indian Balsam	<i>Impatiens glandulifera</i>	08/08/2006	field record		Sch9_part2
SE220227	Indian Balsam	<i>Impatiens glandulifera</i>	27/06/2007	field record	o Count of DAFOR	Sch9_part2

TERRESTRIAL MAMMALS

Grid Ref	Common Name	Latin Name	Date	Record Type	Abundance	Designation
SE2202021955	Water Vole	<i>Arvicola terrestris</i>	28/07/2000	field record		Sch5; UKBAP; WYBAP; Kirklees BAP
SE200245	Common Pipistrelle	<i>Pipistrellus pipistrellus</i>	18/09/2008	aural bat detector		Sch5; WYBAP; Kirklees BAP
SE203209	Common Pipistrelle	<i>Pipistrellus pipistrellus</i>	19/07/2007	aural bat detector		Sch5; WYBAP; Kirklees BAP
SE2196522899	Common Pipistrelle	<i>Pipistrellus pipistrellus</i>	Jun-13	None	10 Count	Sch5; WYBAP; Kirklees BAP
SE2196522899	Common Pipistrelle	<i>Pipistrellus pipistrellus</i>	12/06/2013	None	10 Count	Sch5; WYBAP; Kirklees BAP
SE19542092	Pipistrelle Bat species	<i>Pipistrellus sp.</i>	09/05/2007	Casualty	1 Count of Adult	Sch5

Grid Ref	Common Name	Latin Name	Date	Record Type	Abundance	Designation
SE2077922865	Pipistrelle Bat species	<i>Pipistrellus sp.</i>	27/06/2007	Roost (maternity)		Sch5
SE20992272	Pipistrelle Bat species	<i>Pipistrellus sp.</i>	21/09/2006	Casualty	1 Count of Adult	Sch5
SE1866721149	Vesper Bat species	<i>Vespertilionidae</i>	29/06/2005	Roost		Sch5
SE19612084	Vesper Bat species	<i>Vespertilionidae</i>	15/07/2003	field record		Sch5
SE19732134	Vesper Bat species	<i>Vespertilionidae</i>	27/09/2006	Casualty	1 Count of Adult	Sch5
SE2024723191	Vesper Bat species	<i>Vespertilionidae</i>	1999	Roost (possible)		Sch5
SE2032523125	Vesper Bat species	<i>Vespertilionidae</i>	18/09/2007	Casualty	6 Count of Adult	Sch5
SE2106722809	Vesper Bat species	<i>Vespertilionidae</i>	15/07/2003	Roost	100 Count of Adult	Sch5

Appendix 03: Species Records – WYBG

Grid Ref	Location Name	Date	Common Name	Recommended Name	Abundance	Record Type
SE202230	Lineham Court, Liversedge	01/08/2003	Lesser Noctule Bat	Nyctalus leisleri	1 Count of Adult	Grounded
SE193209	173 Kitson Hill Road and associ	01/07/2011	Common Pipistrelle	Pipistrellus pipistrellus		aural bat detector
SE20992272	1 Grove Street, Norristhorpe, Live	21/09/2006	Pipistrelle Bat specie	Pipistrellus	1 Count of Adult	Casualty
SE19542092	23 Farrar Drive, Mirfield	09/05/2007	Pipistrelle Bat specie	Pipistrellus	1 Count of Adult	Casualty
SE2077922865	14 Warren Close, Norristhorpe, L	27/06/2007	Pipistrelle Bat specie	Pipistrellus	not recorded Range	Roost (maternity)
SE19612084	112 Priory Way, Mirfield, Kirklee:	15/07/2003	Vesper Bat species	Vespertilionidae		field record
SE2106722809	303 Noriristhorpe Lane, Liversed	15/07/2003	Vesper Bat species	Vespertilionidae	100 Count of Adult	Roost
SE19732134	36 Northway Gardens, Mirfield	27/09/2006	Vesper Bat species	Vespertilionidae	1 Count of Adult	Casualty
SE2106224264	103 Leeds Road, Liversedge, WF:	20/06/2007	Vesper Bat species	Vespertilionidae		Roost
SE2032523125	20 Liversedge Hall Lane, Liverse	18/09/2007	Vesper Bat species	Vespertilionidae	6 Count of Adult	Casualty

Appendix 04: Legal Status of Protected Species

Bats

Bats and their roosts are afforded full legal protection under both UK and European legislation. The Conservation (Natural Habitats & c.) Regulations 1994 (as amended, 2007) transpose the Habitats Directive into UK law, making it an offence to-

- deliberately disturb a bat
- deliberately kill, injure or capture a bat
- damage, destroy or obstruct access to a breeding site or resting place (note this applies to both deliberate and reckless actions).

The Wildlife and Countryside Act 1981 (as amended) (Schedule 5) made it an offence to

- intentionally kill, injure or take a bat
- damage, destroy or obstruct a bat roost *,
- disturb a bat at a roost *
- possess or control a bat or any part thereof
- sell, offer for sale, possess or transport for sale any bat or part thereof
- set traps for catching, killing or injuring bats
- possess articles for the purposes of committing offences against bats

[*= intentional and reckless offences covered]

This protection applies whether bats are present within the roost at the time or not.

Breeding Birds

The Wildlife and Countryside Act 1981 (as amended) gives protection to all wild nesting birds, which makes it an offence to intentionally kill, injure, or take any wild bird or their eggs or nests. This protection applies from the moment the nest is being built. Additional protection against disturbance on the nest or of dependant young is provided for birds included on Schedule 1.

The hedgerows and other vegetation provide potential nesting sites for bird species. Any clearance required within the site should therefore be undertaken outside the bird breeding season (March – July) to avoid destruction or damage of nests and eggs, or subsequent to a check by a suitably qualified ecologist.

Badgers

Badgers and their setts are protected by the Protection of Badgers Act 1992. Under this act it is illegal to: (1) wilfully kill, injure, take a badger or attempt to do so, (2) cruelly ill-treat a badger or (3) interfere with a sett, including disturbing a badger while occupying a sett.