

Preliminary Ecological Appraisal

Ref: 1094	Land adjacent Blandred Farm, Reece Lane, Acrise, CT18 8LW
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1 EXECUTIVE SUMMARY

ECOassistance were commissioned to carry out a Preliminary Ecological Appraisal at Land Adjacent Blandred Farm, Reece Lane, Acrise, CT18 8LW. This report has been produced to inform the project team of ecological considerations and where additional ecological survey work is required.

The main findings of this Preliminary Ecological Appraisal are:-

- The on site habitats have negligible potential to contain reptiles;
- The on site habitats appear to have low potential to be used by great crested newts but the site is within an amber risk zone for the species;
- There are some mature trees located near to the development area containing features which could be used by roosting bats;
- The cover provided by the trees and vegetated habitats in the site boundaries could be used by foraging and commuting bats;
- There is negligible potential for impacts to dormouse, nesting birds or important invertebrate assemblages; and
- There is some potential for inadvertent harm to rabbit and other mammals which might cross the site at night.

The key recommendations of this Preliminary Ecological Appraisal are:

- Edge habitats including hedgerows and tree root protection zones should be avoided;
- Further great crested newt surveys of nearby waterbodies are likely to be required;
- The recently sowed grassland habitat should be regularly maintained at least in the areas impacted by development to ensure they do not become suitable for reptiles which could colonise the site if present in the wider area; and
- Light spill into surrounding habitats must be avoided.

Enhancements to increase biodiversity at the site in line with national planning policy include:

- A Bird box;
- A Bat box;
- Wildflower enhanced grassland; and
- Log and brash habitat piles.

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Date of Completion:	25/06/2024	
Doc. Version Control:	1.0	
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DISCLAIMER

This report considers the instructions and requirements of the client and is not intended for and should not be relied upon by any third party.

In accordance with current good practice guidance, the results contained within this report can be relied on for decision-making purposes without the need to be updated for twelve-to-eighteen months providing there is no significant change in land use or land management in that time.

Interpretations and recommendations contained in this report represent the author's professional opinions. They are based on currently accepted industry practices and personal experience. This is a working document and must be updated if development proposals change, or new information become available.

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3 INTRODUCTION

ECOassistance were commissioned by Mark Lefty (Hereafter referred to in this report as: the client) to undertake a Preliminary Ecological Appraisal (PEA) at Land Adjacent to Blandred Farm, Reece Lane, Acrise, CT18 8LW (Hereafter referred to in this report as: the site).

The site is located in Acrise, Kent in the south east region of England. The site is within the Folkestone and Hythe District Council Local Planning Authority (LPA). The grid reference for the approximate centre of the site is: TR 20979 43913.

An overhead satellite image with indicative red line boundary of the site and the habitats it contains shown within the context of those in the wider area is provided in Figure 1 below.

Figure 1: Overhead satellite image of the red line boundary (indicative) and the habitats in the wider area



A PEA has been commissioned to inform a planning application for change of use of the existing agricultural land to provide a glamping site.

3.1 PEA SURVEY OBJECTIVES AND METHODOLOGY

The PEA survey and report details identified ecological constraints, opportunities and considerations associated with the impacts of the proposed scheme. The report details further ecological works that will need to be undertaken to inform potential ecological impacts.

This report is written largely in accordance with the report writing guidance produced by the Chartered Institute of Ecology and Environmental Management (CIEEM, 2017a).

The objectives of the PEA report are to:-

- Provide ecological baseline data for the application site including the likely presence of protected species and habitats;
- Assess the likely impacts of the proposed scheme on protected species and habitats within the application site and within the Zone of Influence (Zol);
- Provide recommendations for ecological surveys that are required prior to submission of the planning application;
- Identify statutory and non-statutory sites located within the Zol of the proposed scheme and compensation and/or enhancement measures that can be used to minimise impact.

3.1.1 PEA Desk Search

The Multi-Agency Geographic Information for the Countryside (MAGIC) governmental website which provides geographic information in map form was used to:

- Identify and locate waterbodies within 250m of the site boundaries.
- Search for records of protected species within 2km of the site including any granted European Protected Species Licenses (EPSL) for great crested newt *Triturus cristatus* and hazel dormouse *Muscardinus avellanarius*.
- Search for local statutory and non statutory land-based designations within 2km of the site.

An aerial map search using freely available resources was used to assess habitat connectivity of the site to the wider area and identify habitats of value near to the site.

3.1.2 PEA Site survey

The initial site visit was undertaken by ecologist Edward Clark. Edward has more than 25 years professional and voluntary ecological survey experience and holds Natural England (NE) protected species survey licenses, NPTC licenses and has held or been named on mitigation licenses for badger *Meles meles*, great crested newt (GCN) and UK resident bat species *Chiroptera spp.*

The site visit took place on 22/05/24 during fair weather conditions and lasted approximately one hour. During the survey visit all on-site habitats were recorded and assessed for their potential to support protected species. Where surrounding habitats were accessible these were also recorded and assessed.

The need for further protected species surveys has been determined based on the suitability of the habitat identified within the application site and ZOI. The expected impacts of the proposed development have been taken into consideration throughout the assessment.

Descriptions are given of all potential habitats and species on the site only. Likely absent protected species such as water vole *Arvicola amphibius*, otter *Lutra lutra*, and white-clawed crayfish *Austropotamobius pallipes* have been scoped out and are not referred to in this report.

4 CONSTRAINTS AND LIMITATIONS

The desk study is not comprehensive because species and habitat types especially ephemeral or migratory species may be present but under recorded or may have been missed entirely. A data search from the Local Ecological Records Centre (LERC) was not commissioned and is not likely to be required at this stage of the application; but will be required to support a EPSL application should one be needed at a later date.

Measurements taken from online mapping tools may not be exactly accurate, but this is the most proficient method available to the desktop surveyor. Measurements have been rounded up or down to the nearest whole number for reporting.

Records of protected species are often submitted with six figure grid reference co-ordinates which is only accurate to within 100m.

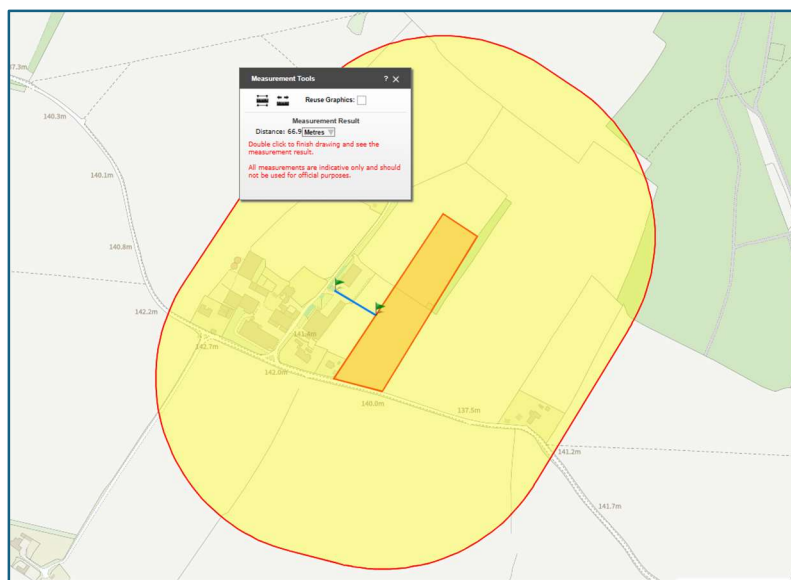
5 RESULTS

5.1 DESK SEARCH

5.1.1 Waterbodies

There are three waterbodies within 250m of the site, the nearest is located c.67m west of the site as shown in Figure 2 below. The site falls within an amber risk zone for Great Crested Newts (GCN).

Figure 2: Waterbodies within 250m of the site



5.1.2 Statutory Designated Sites

There are no Site of Special Scientific Interest (SSSI) within 2km of the site.

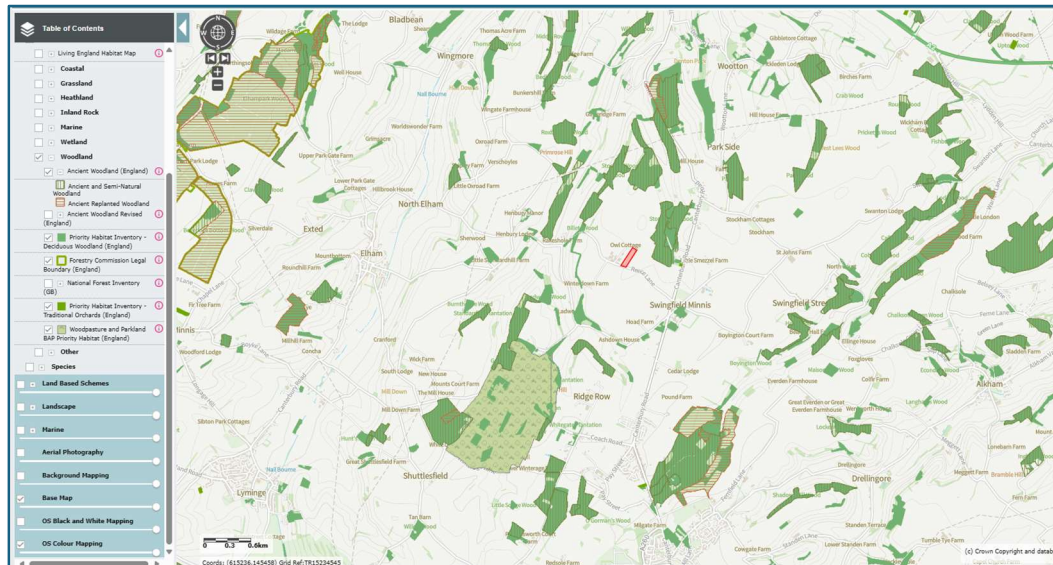
The site is within a SSSI impact risk zone but the proposed application type does not meet criteria requiring further consultation with NE.

The site is located within the Kent Downs Area Of Outstanding Natural Beauty (AONB).

5.1.3 Non Statutory designated sites

There is a relatively large amount of woodland present in the wider area; the nearest parcel shown on O/S maps is c.222m to the east of the site as shown in Figure 3 below. There is a relatively low amount of Ancient Woodland (AW) present in the surrounding area (as indicated by cross-hatching in Figure 3).

Figure 3: Woodland in the wider area



5.2 SITE SURVEY

5.2.1 Habitat types

5.2.1.1 Grassland

The entire main body of the site comprises recently planted modified grassland. The grass appears to have been seeded within the last 3-12 months and as such there is almost no species diversity and bare earth is still present amongst the new grasses. Figure 4 below presents a close-up photograph of a typical section of the grassland.

Figure 4: Close-up indicating the typical condition of the newly planted grassland field



At the field margins are occasional areas where tall ruderals indicate a recent lack of management as well as disturbance of the soil layer. Ruderals appear prevalent in areas where the movement of livestock is concentrated including near to field gates.

Further modified grassland is present in the neighbouring fields to the west and east. The grassland to the west is short and managed by grazing horses with bare earth clearly visible. The grassland in the field to the east is limited to the field margins beyond which are crops. The site is separated from the arable field to the east by a post and wire fence.

5.2.1.2 Trees and hedges

A mixed broadleaf stock hedgerow demarcates most of the western and southern boundaries. The hedgerows include gaps for field gates and include typical stock species including holly *Ilex aquifolium* and hawthorn *Crataegus monogyna*.

There are occasional standard trees including oak *Quercus robur* within the stock hedgerow.

5.2.2 Fauna

5.2.2.1 Invertebrates

The main body of the site is species poor – almost a monoculture. There is some potential for invertebrates to inhabit rot holes within trees in the hedgerow and areas of bare earth but generally speaking the habitats are poor for invertebrates. The hedgerows are to be retained.

No further dedicated survey for invertebrates is required as the proposals are unlikely to negatively impact upon important invertebrate assemblages.

5.2.2.2 Amphibians

GCN are afforded legal protection by the Conservation of Habitats and Species Regulations 2017 (as amended) and the Wildlife and Countryside Act 1981 (as amended). GCN and common toad *Bufo bufo* are listed as Species of Principal Importance under NERC Act 2006.

There are no records of GCN within 2km of the site but the site falls within an amber risk zone.

The new grassland within the site has some potential to be used by GCN during the terrestrial phase albeit the habitat is suboptimal and does not offer good protection from predation or desiccation.

The ruderals and hedgerows in the site margins have high suitability for GCN during their terrestrial phase.

Potential risk to GCN through the installation of temporary buildings is low due to the low quality of the grassland habitat.

5.2.2.3 Hazel dormouse

Hazel dormouse are afforded legal protection by the Conservation of Habitats and Species Regulations 2017 (as amended) and the Wildlife and Countryside Act 1981 (as amended).

There are no records of dormouse within 2km of the site.

The habitats within the site which will be impacted are unsuitable for dormouse. The surrounding stock hedgerows are unlikely to contain dormouse because they are subject to regular maintenance and therefore disturbance and are frequently broken-up by field gates meaning they do not provide unbroken linear commuting corridors for commuting between the surrounding habitats.

The potential for dormouse to be present and/or impacted by the proposals is negligible.

5.2.2.4 Reptiles

All native reptiles are afforded legal protection by the Wildlife and Countryside Act 1981 (as amended). In addition smooth snake *Coronella austriaca* and sand lizard *Lacerta agilis* are afforded legal protection by the Conservation of Habitats and Species Regulations 2017.

The short modified grassland with bare earth is unlikely to have been colonised by reptiles because it is so recently planted and most of the habitats surrounding the site have negligible potential to contain protected reptiles. There is some connecting habitat with the wider area within the field margins of the arable field to the east as well as in the grass verge to the south.

At the time of survey the grassland was at best suboptimal for reptiles which would be easily preyed upon within it due to the lack of density and therefore protection of the existing sward. The potential for reptiles to be present within the areas proposed for glamping pods is very low and managing the grassland to reduce its suitability further still is recommended to maintain its current lack of suitability and prepare the site for the installation of the glamping sites.

5.2.2.5 Birds

All nesting birds are afforded legal protection by the Wildlife and Countryside Act 1981 (as amended). In addition, species listed on Schedule 1 of the Act are afforded protection from disturbance whilst nesting. Some species are listed as Species of Principal Importance under NERC Act 2006 and may be on the RSPB's Bird of Conservation Concern list.

The trees and hedgerow immediately adjacent to the site have potential to be used by nesting birds.

Impacts on the trees on site should be avoided during works in line with guidance. Where trees cannot be avoided further consideration or survey effort for nesting birds may be required.

It is recommended that if there are any works to trees proposed this should be undertaken outside of the nesting bird season; or otherwise checked for nesting birds immediately prior to works by a suitably experienced ecologist.

5.2.2.6 Bats

All UK bat species are afforded legal protection by the Conservation of Habitats and Species Regulations 2017 (as amended) and the Wildlife and Countryside Act 1981 (as amended). Some species are listed as Species of Principal Importance under the NERC Act 2006.

5.2.2.6.1 Desk Search

There are no records of bats within 2km of the site.

5.2.2.6.1.1 Trees

Some of the mature trees within the site boundary may contain features such as rot and woodpecker holes, fissures and cracks which have potential to be used by roosting bats.

If there is to be any impact on trees further survey for bats should be undertaken to determine whether bats and their roosts could be affected. It is likely that direct impacts on trees containing potential roosting features (PRF) will be avoided but measures to ensure there is no direct light spill towards them in line with standard guidance set out by the Institute of Lighting Professionals (ILP) and the Bat Conservation Trust (BCT) are recommended to avoid the need for further bat surveys on nearby trees.

5.2.2.6.1.2 Surrounding habitats

The habitats near to the site have low potential to be used by foraging and commuting bats. The lack of species diversity within the sward is unlikely to promote good foraging conditions.

Due to the low foraging and commuting habitats within the site which is in a rural setting there is low potential for light averse species of bat to commute and forage over or near to the site at night.

Measures to mitigate potential impacts from artificial light spill onto commuting and foraging habitats within the site margins in line with standard guidance set out by the ILP and the BCT are recommended.

5.2.2.7 Other mammals

All wild mammals are afforded legal protection under the Wild Mammal (Protection) Act 1996 (as amended).

Hedgehog *Erinaceus europaeus* are protected in the UK under the Wildlife and Countryside Act, 1981. They are a Priority Species under the UK Post-2010 Biodiversity Framework and are on the IUCN Red List for British Mammals which means they are vulnerable to extinction.

Badger *Meles meles* are protected in the UK under the Wildlife and Countryside Act, 1981 and receive additional protection under the Protection of Badgers Act 1992.

Some areas near to the site boundaries contained small mammal burrows indicating the presence of rabbit *Oryctolagus cuniculus*. Other field signs indicate the presence and movement of livestock within the site.

Some areas within the hedgerow were not accessible and could not be viewed due to the dense vegetative structure. Due to the rural setting with surrounding woodlands and farm buildings there is potential for fox or badger to be present within the surrounding habitats. Field signs for these animals may have been masked by those made by the movement of livestock.

The stock/boundary fence to the east appears to have been installed relatively recently. No obvious field signs indicating the movement of wild mammals through the fence were identified.

There is low potential for inadvertent harm to mammals particularly rabbit which are present within the site in low number and other mammals which may be present in the wider area and may cross the site at night.

6 CONCLUSION AND RECOMMENDATIONS

6.1 HABITATS

The site is generally poor ecologically but there is potential for impacts on trees and hedges through development and this should be avoided where possible with any adverse impacts mitigated. The site comprises almost entirely newly planted grassland of a single species with little biodiversity value.

There are no SSSI within 2km but the site does fall within a SSSI impact risk zone however, there is likely to be no risk to the SSSI from a development of this size and at this distance and no further action or consultation with NE is required.

Habitat creation should be incorporated into the design of the proposed scheme to encourage biodiversity on site post development to be in line with National Planning Policy. Embellishments to encourage biodiversity such as wildflower grass seed mixes to enhance the existing grassland as well as habitat piles and bat and bird boxes should be included.

6.2 INVERTEBRATES

The vegetated habitats within the site have very limited potential to support invertebrates. Any impact from development is likely to be positive as native species planting at the site can be secured by condition.

Habitat enhancement measures should be implemented to improve the habitat for invertebrates within the site. Where possible grassland areas post development should be enhanced with wildflower grass seed mixes.

Log and brash habitat piles should be created in the habitats in the site margins to increase foraging and sheltering opportunities for invertebrates.

6.3 AMPHIBIANS

The desk search shows no potential breeding ponds for GCN within 250m of the site and no records of GCN within 2km. However the site is within an amber risk zone for GCN presumably because there are three ponds within 250m of the site boundary.

As there are no other ponds within 250m, and as GCN require a network of ponds to survive and support a metapopulation the likelihood of GCN being present is low.

As there is some low potential for GCN to be present and using the site during the terrestrial stage further survey on the three nearby waterbodies is recommended to determine the presence or likely absence of GCN.

6.4 DORMOUSE

There were no suitable habitats for dormouse recorded within the site and no records of dormouse within 2km of the site boundary. Regardless of the almost negligible potential for dormouse to be present the hedgerows are to be retained and so the potential for impacts is negligible and no further surveys are recommended.

6.5 REPTILES

The grassland at the time of survey was not yet established enough to require maintenance and was suboptimal for reptiles. There is some potential for reptiles to be present in suitable field edge habitat to the east and so there is potential for future colonisation.

The expected impacts from the installation of glamping pods and additional footfall are minimal and certainly this would cause less disturbance than regular rotation for crops which was up until recently the status quo. Due to the previous agricultural use the field is unlikely to contain reptiles.

In order to prevent colonisation which could lead to potential inadvertent harm to reptiles in future it is recommended that the grassland at least within the proposed construction areas/walkways etc be managed regularly by mowing so that there is no habitat suitable for reptiles within these areas.

After construction there is good potential for improvements to include increasing the species diversity in the sward with wildflower enrichment. Parts of the grassland could then be left to become meadow. If reptiles are not present then the meadow could be used to receive reptiles from elsewhere to promote local biodiversity.

Reptile surveys are not required at this time but the grass should be regularly maintained as there is some low potential future colonisation of animals from outside of the site.

6.6 BIRDS

Hedgerows and trees are retained and these are the only habitats within the site which have potential to be used by nesting birds. The potential for impacts is negligible and no further surveys are recommended.

6.6.1 Enhancements

1 x multi-purpose bird box of the woodcrete type or similar to be affixed to a mature tree is recommended.

6.7 BATS

Some of the mature oaks in the western site boundary are of suitable size and age to contain PRF which are not visible from the ground. There is therefore potential that these trees could be used by roosting bats.

It should be possible to avoid direct impacts on trees during construction works by establishing root protection zones. If impacts on trees cannot be avoided then further bat inspection surveys to inform the application will be required.

The hedgerow and surrounding habitat have some potential to be used by foraging and commuting bats. Care must be taken to avoid impacts from increases in artificial lighting of hedgerow boundary features which might be used for foraging and commuting.

6.7.1 Avoidance/mitigation: Lighting

There is potential for adverse impacts to the foraging and commuting routes of bats through any additional artificial lighting at the site and this must be mitigated.

Commuting and foraging routes are protected by law and therefore any adverse effects from additional artificial lighting should be mitigated in accordance with guidance issued by the Bat Conservation Trust and Institute of Lighting Professionals (ILP, 2018). These are as follows:

1. Boundary vegetation should not be illuminated so that dark flight corridors for bats are retained – for this application this may necessitate the use of low emissivity glass in windows facing towards the northern boundary;
2. Directional lighting should be used to avoid unwanted spill into surrounding habitats;
3. Any external lighting should be operated with motion sensors where possible;
4. Metal halide and fluorescent sources should not be used;
5. A warm white spectrum of lamp should be used. Blue light should not be used;
6. Internal luminaires that are in close proximity to windows should be recessed, where possible, to reduce external glare and light spill and/or low emissivity glass should be used in the windows if possible.

In addition, new artificial lighting should not shine upwards towards any semi-mature trees to avoid inadvertent light spill onto PRF.

6.7.2 Enhancements

One multipurpose bat box of the woodcrete type should be affixed to a mature tree at between 3-4m height. Care must be taken to provide an unobstructed flight path to the entrances of bat boxes.

Examples of suitable bat boxes are provided in the appendix.

6.8 OTHER MAMMALS

There is potential for a number of animals including hedgehog, badger, fox and deer to cross the site.

Well-worn paths, tracks and field signs were present beneath the hedgerow but wool was also found attached to nearby vegetation indicating that the paths were mostly caused through the movement of

livestock. Certainly, some of the tracks beneath the hedgerows that were encountered were much larger than would normally be made by native wild animals.

The field signs made by the livestock may have made field signs for wild terrestrial mammals harder to find. Badger setts and fox earths were absent but rabbit burrows were present in low number.

All animals are protected against unnecessary cruelty and so some mitigation measures to ensure there is no inadvertent harm to animals which might cross the site are recommended. Rabbit burrows are unlikely to be impacted because they are so few in number but should be avoided. If a rabbit burrow needs to be dug out this should only be undertaken under the supervision of a suitably experienced ecologist.

Development proposals are unlikely to impact on local hedgehog populations or badgers due to the very low amount of suitable habitat within the site and lack of field signs indicating presence.

No further survey work for mammals such as badger or fox are required. Simple mitigation measures to avoid risk of harm to hedgehog and other mammals including fox which might cross the site at night include:

- During construction all excavations for foundations or services including trenches, holes and open pipes to be covered at the end of each night. If excavations cannot be covered, wooden planks (a scaffold board for example) must be left within the excavation (at a maximum angle of 45°) to allow for mammals to climb out if they become trapped;
- Excavations and open pipes must be checked at the beginning and end of each working day by the site manager or equivalent to check for mammals. Any trapped mammals should be allowed to escape, or carefully moved into suitable boundary habitat away from construction works.

7 REFERENCES

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<https://magic.defra.gov.uk/MagicMap.aspx>

<https://records.nbnatlas.org/>

8 APPENDIX 1

Review of Protected Species UK Legislation and Policy

The level of protection afforded to protected species varies dependent on the associated legislation. A full list of protected species and their specific legal protection is provided within the Schedules and/or Sections of the associated legislation. Case law may further clarify the nature of the legal protection afforded to species.

The legal protection afforded to protected species overrides all planning decisions. European Protected Species (EPS) - and the Conservation of Habitats and Species Regulations 2010 (as amended)

European Protected Species (EPS) are afforded the highest level of protection through the Conservation of Habitats and Species Regulations 2017. EPS are also afforded legal protection by parts of the Wildlife and Countryside Act 1981 (as amended).

In general, any person and/or activity that:

- Damages or destroys a breeding or resting place of an EPS. (This is sometimes referred to as the strict liability or absolute offence);

- Deliberately captures, injures or kills an EPS (including their eggs);

- Deliberately disturbs an EPS, and in particular disturbance likely to impair animals' ability to survive, breed or nurture young, their ability to hibernate and migrate and disturbance likely to have a significant effect on local distribution and abundance;

- intentionally or recklessly disturbs an EPS while occupying a structure or place used for shelter and/or protection (Wildlife and Countryside Act 1981)¹ (as amended); and

- Intentionally or recklessly obstructs access to any structure or place that an EPS uses for shelter or protection (Wildlife and Countryside Act 1981) (as amended). may be guilty of an offence.

The legislation applies to bat roosts even when they are not occupied.

Actions affecting multiple animals can be construed as separate offences and therefore penalties can be applied per animal impacted.

Under certain circumstances licences can be granted by the Statutory Nature Conservation Organisation (Natural England in England) to permit actions that would otherwise be unlawful.

There are some very specific defences associated with the Conservation of Habitats and Species Regulations 2017. However, these are unlikely to apply to construction related projects. The Sections of the Regulations provide further details of these defences.

The Wildlife and Countryside Act (1981) includes defence for those aspects of the legislation that apply to an EPS. These defences are unlikely to apply to construction related projects and do not apply to those acts included in the Conservation of Habitats and Species Regulations 2017 (as amended). The Schedules of the Act provide further details of defences.

Local authorities have obligations under sections 40 and 41 of the Natural Environment and Rural Communities Act (NERC) 2006 to have regard to the purpose of conserving biodiversity in carrying out their duties. The majority of EPS are listed on Section 41 the NERC Act.

The Natural Environment and Rural Communities Act 2006 (as amended)

Section 41 (S41) of the Natural Environment and Rural Communities (NERC) Act (2006) requires the Secretary of State to publish a list of habitats and species which are of principal importance for the conservation of biodiversity in England. The S41 list is used to guide decision-makers, including local and regional authorities, in implementing their duty under Section 40 of the act to have regard to the conservation of biodiversity in England when carrying out their normal functions. S41 lists 56 habitats and 943 species of principal importance. Section 42 of the NERC Act relates to Wales.

Wildlife and Countryside Act 1981 (as amended)

The level of protection afforded to species listed on the Wildlife and Countryside Act 1981 (as amended) varies considerably.

‘Fully protected species’, such as bats, are afforded the highest level of protection. Any person who intentionally kills, injures, or takes ‘fully protected species’, or who intentionally or recklessly damages or destroys a structure or place used for shelter and/or protection, disturbs the animal whilst occupying a structure and/or place used for shelter and protection, or obstructs access to any structure and/or place used for shelter or protection is likely to have committed an offence.

The National Planning Policy Framework

Planning policy requires new developments to take into consideration our local and national wildlife. With the objective to maintain or increase the viability of the site for wildlife. The existing proposals are considered to determine whether Habitat enhancements are offered and whether they are adequate to meet the policy requirements. Again, national, regional, county and borough policies are considered.

The National Planning Policy Framework states that the planning system should contribute to and enhance the natural and local environment by minimizing impacts on biodiversity and delivering net gains in biodiversity where possible.

Ecological habitat enhancements measures need to be over and above any mitigation measures.

9 APPENDIX 2: BAT AND BIRD BOX DESIGNS AND SITE PHOTOS





