# Plot 1, Highfield Park, Eversley Road, Arborfield RG2 4PP.



Preliminary Ecological Assessment

JW Biodiversity Management
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JW Biodiversity Management

# Executive Summary

JW Biodiversity Management has been commissioned to carry out a Preliminary Ecological Appraisal (PEA) of a plot of land located on a wider property near Arborfield. This report will provide a baseline assessment of the site reporting on the current conditions of the habitats present and the sites potential to support protected and notable species.

## Site Description

The site is part of a wider property located on the corner of Eversley Road and Observer Way on the edge of Arborfield Green. The site is located to the northwest of the property with a narrow section that extends to Eversley Road to the southeast. The site contained areas of horse grazed grassland with pockets of scrub as well as a section of woodland. An overgrown track was located through the narrow section of the site.

The site is located in a relatively rural area on the edge of Arborfield. The wider property is bordered by an existing caravan park to the south, with grassland and woodland located to the north west. The residential areas of Arborfield Green are located to the east of the site. The wider landscape is dominated by areas of woodland and agricultural land.

The site is located within the Wokingham Borough Council Local Planning Authority (LPA). The site is located at; SU 7599766021.

## Protected and Notable Species

Following the site visit and desktop assessment the site was assessed for its potential to support protected and notable species. The table below summarises the sites potential to support these species.

| Species | Sites potential to support |
|---|---|
| Amphibians | Moderate |
| Reptiles | Moderate |
| Birds | Moderate |
| Bat commuting and foraging | Moderate |
| Bat roost trees | Negligible |
| Hazel dormouse (*Muscardinus avellanarius*) | Low |
| [redacted] | [redacted] |
| Other mammals | Moderate |
| Nonnative invasive species | High |

## Recommendations

A Preliminary Ecological Assessment was undertaken by a qualified ecologist. Recommendations have been made in relation to protected and notable species.

| Mitigation/ Further Survey | Enhancements |
|---|---|
| <u>Protected areas & Priority habitats</u><br>The proposed development will occur within proximity of non-statutory protected areas and priority habitats. Control measures will be implemented during construction to avoid impacts to these areas.<br>During project works the following measures should be followed to reduce indirect impacts.<br>• Suppression and monitoring of dust where relevant.<br>• All proposed work will proceed with appropriate pollution control measures such as;<br>  • Dust Suppression: Use water sprays or misters on haul roads and stockpiles, particularly during dry, windy conditions.<br>  • Vehicle Management: Implement anti-idling policies and use wheel washing systems at site exits to prevent tracking mud onto public roads.<br>  • Equipment Emissions: Use low-emission plant machinery and retrofit particulate filters/catalyst converters.<br>  • Material Handling: Cover stockpiles and transport vehicles to prevent materials like sand from becoming airborne.<br>• Control sources of aquatic pollution, particularly from entering local water courses or ground water.<br>• Check, clean and dry tools/ vehicles to restrict potential of spreading non-native species. | Look at opportunities to add additional tree or hedgerow planting to the site. |
| <u>BNG</u><br>Mandatory Biodiversity Net Gain, as part of the Environment Act (2021), came into effect in early 2024. However, changes made in early August 2026 exclude sites under 0.2 ha from BNG. This site is below 0.2 ha therefore is exempt from BNG assessment.<br>The proposed development is likely to impact the majority of the site including the areas either side of the access track. However, there is potential to retain and enhance habitats in the larger part of the site. It is also recommended that habitats be retianed on the wider property across the different plots and that there is some sort of connectivity between these areas. | Enhancing habitats on site would be beneficial. Planting of hedgerows would help with connectivity between retianed areas across the wider property. |
| <u>Amphibians</u><br>The site has a potential to support amphibians including GCN. There are no ponds on the site though there is a boggy area across the access track. The pond on the wider property (P1) and the boggy area (P2) were not considered as being likely to support GCN. The balancing ponds located to the north of the site (P3-5) were considered as having a potential to support GCN.<br>The boggy area has been created from a long-standing water main leak. This will presumably be repaired which will result in the naturally drying up of this area. P1 will not be directly impacted by the development on this site, it is recommended that this be retianed as part of the wider site development.<br>Common amphibians have been recorded on the wider property. The terrestrial habitats on the site provide opportunities to support amphibians. The development will impact areas of terrestrial habitat though there is potential to retain and enhance some areas of on-site habitat. | Retention and enhancing the habitats on site will benefit amphibians.<br>Adding log piles to the retained areas would also be beneficial.<br>Pond or wetland creation would also benefit amphibians. |

| Mitigation/ Further Survey | Enhancements |
|---|---|
| The site is within a District Level Licence Scheme operated by NatureSpace[1]. NatureSpace provide low resolution Impact risk zone maps. Looking at the map the site appears to be in either a red or amber risk zone (the resolution does not allow for accurate positioning). It is recommended that the development join the District Level Licence as there is potential for impacts to GCN habitats. Joining the scheme will preclude the need for additional surveys and licencing. It would likely be beneficial if all the developments on the wider property join the district level licence scheme together.<br><br>The pollution control measures will help ensure there are no impacts to potential amphibian habitats in the area. | |
| <u>Reptiles</u><br><br>The site has potential to support reptiles. The site is relatively small and unlikely to support a district population. If areas can be retianed and enhanced on site for reptiles a suitable method statement can be composed to allow reptiles to safely move outside of the work area. The method statement can be compiled as a condition of the development, should the local authority be so inclined, though is likely to include the following elements.<br><br>• In advance of construction starting vegetation, within the work zone, will be managed to reduce suitability for amphibians/ reptiles, to discourage them from areas which will be soon worked on:<br>  • Move rubble/ log pile carefully from the construction area.<br>  • Stage 1- The vegetation will need to be reduced to a height 150-200mm using hand tools (e.g. strimmers). It is recommended that cutting works towards retained areas, where there is connectivity to wider habitats.<br>  • Stage 2- After a period of at least one day has passed a second vegetation cut should be undertaken to ground level. Again, it is recommended that this second-stage cutting works towards the retained areas. All cuttings to be removed from work area. The site can then be completely cleared and worked upon as necessary<br>  • Enhance areas outside of work area prior to commencing works/. | Retention and enhancing the habitats on site will benefit reptiles.<br><br>Adding log piles to the retained areas would also be beneficial. |
| <u>Bats</u><br><br>Bat commuting and forging habitat is located on or close to the site. It will be important to protect key bat habitat in the area and ensure linkages across the local landscape are maintained.<br><br>A sensitive lighting scheme should be incorporated into the final design to protect existing habit habitats and any newly created habitats on the site. To protect potential roost or bat foraging/ commuting habitat in the area it will be important to:<br><br>• Using Low-pressure sodium lamps instead of high- pressure sodium or mercury lamps;<br>• Maintaining the brightness as low as possible;<br>• Directing the lighting to where it is needed to avoid light spillage; and,<br>• Minimising upward lighting to avoid light pollution. | Additional hedgerow and tree planting would benefit bats.<br><br>It is also recommended that bat boxes be incorporated on to site.<br><br>Enhancements to the wider landholding would also benefit bats. |

[1] District Licensing - NatureSpace Partnership Limited

| Mitigation/ Further Survey | Enhancements |
|---|---|
| • Avoid illuminating the wider habitats on site, particularly any mature trees or hedgerows and the pond, at dusk or nighttime- Guidelines provided by the Bat Conservation trust and ILP should be followed[2]<br>Retaining some of the scrub and grassland habitats and enhancing these areas will benefit bats. Additional hedgerow planting will also be of benefit for bats and help to maintain connectivity across the site. | |
| [redacted] | [redacted] |
| <u>Dormouse</u><br>The site has potential to support Dormouse. To avoid impacts to dormouse it is recommended that any woodland or scrub be removed between mid-September and October. The following methodology will be followed.<br>• The contractors will be informed of the likelihood of encountering dormice before they commence work. An ecological TBT will be given to everyone on site in all parties. The contractors will be shown pictures of dormice and summer/winter nests. If dormice are seen, all work which could disturb dormice will be halted and left overnight to allow dormice to disperse naturally. The contractors will be told not to touch the dormice unless an emergency situation arises.<br>• Where scrub and tree clearance is required it will be undertaken with hand tools and supervised by a suitably qualified ecologist under an ecological watching brief.<br>Clearance works on site will be directed at all times by an ecologist and must follow the following points:<br>• Tree and scrub clearance will be undertaken by starting at one end of the section to be cleared, and working in one direction only. This method ensures that in the unlikely event of dormice being present in the areas dormice can move away from the works through the offsite scrub.<br>• All areas of scrub will be finger tipped searched by an ecologist prior to clearance.<br>• All clearance must be with hand tools and under ecological supervision. No large tracked vehicles will be used, or heavy machinery. Trees and scrub will be moved by hand to the chippers or trailers, with some wood to remain on site.<br>• Scrub will be cut to ground level.<br>• All arisings must be hand dragged to a pre-agreed works area, unless otherwise stated by the onsite ecologist.<br>• Areas of scrub which are to be retained will be fenced off to prevent further disturbance during construction. | Enhancing of the scrub will benefit dormouse. Additional hedgerow planting would help to maintain connectivity across the site and wider property. |

[2] https://www.theilp.org.uk/documents/guidance-note-8-bats-and-artificial-lighting/

| Mitigation/ Further Survey | Enhancements |
|---|---|
| Small Mammals<br>To prevent harm to small mammals' potential hibernation sites and refuges, such as piles of vegetation and deadwood, should be removed from the development area outside of winter months. During construction, any open excavations should be covered overnight, or a ramp should be provided to enable trapped animals to escape.<br>Any vegetation should be cleared in stages.<br>There are potential fox dens/ rabbit burrows on site. These areas will be excavated carefully in stages to allow any animals present to leave the work area safely. The retention of the scrub and trees on site will ensure suitable habitat is retianed on site for small mammals. | Instal hedgehog highway holes in fence lines to allow access for hedgehogs. |
| Nesting Birds<br>It is recommended that to avoid impacts to nesting birds any vegetation clearance should be done outside of nesting bird season, typically March to August (inclusive). If required within this time period, then a check for active bird nests should be undertaken. If an active nest is discovered during the inspection, establish a safety perimeter around the nest. This perimeter must be maintained until the chicks have fledged. | Bird boxes can be added to the site. |
| Invertebrates<br>Retention and enhancement of habitats on site will be benefit invertebrates. The pollution control measures will help ensure invertebrate habitat in the wider area will not be impacted. | Native tree and flower planting will benefit invertebrates. |
| Invasive Species<br>The non-native New Zealand Pigmyweed was present on site. This will need to be appropriately removed from site to avoid spreading this plant. It is also recommended that any non-native species be removed from retianed habitats as part of the enhancements. | Plant native species. |

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|---|---|---|---|
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| Report title | Preliminary Ecological Assessment | | |
| Version | Final | | |
| File reference | RP-BM180726-01 | | |
| Author | James Webster MCIEEM, | | 02/09/2026 |

# 1. Introduction

JW Biodiversity Management has been commissioned to carry out a Preliminary Ecological Appraisal (PEA) of a plot of land located on a wider property near Arborfield. This report will provide a baseline assessment of the site reporting on the current conditions of the habitats present and the sites potential to support protected and notable species.

## 1.1 Project outline

JW Biodiversity management Ltd understands that the project will involve the installation of static mobile homes and access. This development is part of wider proposals to develop plots across the wider property.

## 1.2 Site Description

The site is part of a wider property located on the corner of Eversley Road and Observer Way on the edge of Arborfield Green. The site is located to the northwest of the property with a narrow section that extends to Eversley Road to the southeast. The site contained areas of horse grazed grassland with pockets of scrub as well as a section of woodland. An overgrown track was located through the narrow section of the site.

The site is located in a relatively rural area on the edge of Arborfield. The wider property is bordered by an existing caravan park to the south, with grassland and woodland located to the north west. The residential areas of Arborfield Green are located to the east of the site. The wider landscape is dominated by areas of woodland and agricultural land.

The site is located within the Wokingham Borough Council Local Planning Authority (LPA). The site is located at; SU 7599766021.

## 1.3 Aims of Report

The aim of this PEA is to:

- Identify the likely ecological constraints associated with a project;
- Identify any mitigation measures likely to be required, following the ‘Mitigation Hierarchy’
- Identify any additional surveys that may be required to inform an Ecological Impact Assessment (EcIA); and
- Identify the opportunities offered by a project to deliver ecological enhancement.

## 1.4 Limitations

The contents of this report are based on a single site visit and a search or the local records bureau. Though the survey and interpretations of the data were carried out by a competent ecologist there may be things that have been overlooked or missed. The area measurements are based on plans provided by third parties.

Not all of the loft space could be accessed due to a lack of floor boards.

## 1.5 Relevant Legislation and Planning Policies

Relevant legislation implications for this site include;

- The Conservation of Habitats and Species Regulations 2010 (as amended);
- The Wildlife and Countryside Act 1981 (as amended);
- The Countryside and Rights of Way Act 2000;
- The Natural Environment and Rural Communities Act (NERC Act) 2006;
- Environment Act (2021)

Planning policies, both local and national, may affect any proposed development. Relevant planning policies to this development include;

- National Planning Policy Framework (NPPF)
- Local planning policy

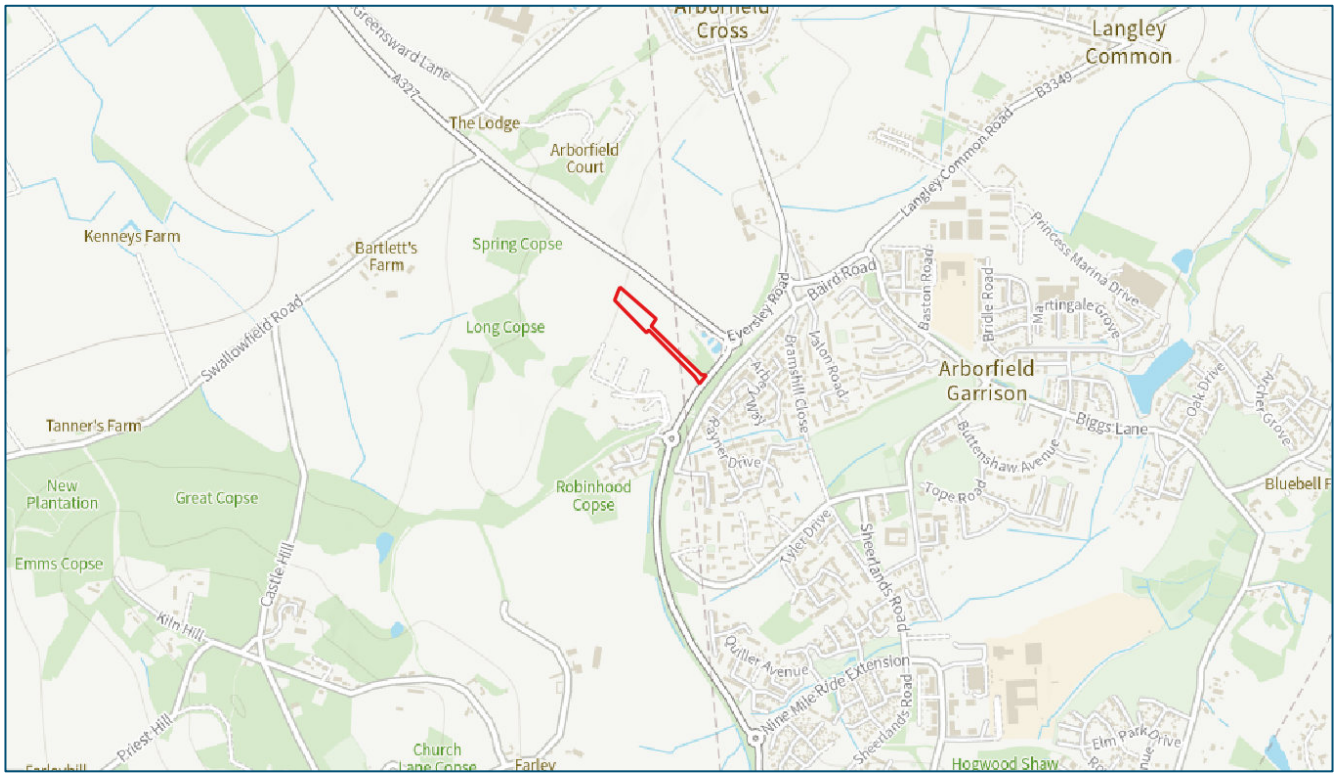



**Figure 1:** Approx. Assessment area.

# 2. Methods

## 2.1 Site Visit

JW Biodiversity management undertook a site visit on the 11th of August 2026. This was to carry out a walk over of the site, determining the basic habitats present and their current condition. The potential for these habitats to support protected and notable species was also recorded. The site visit was carried out by an experienced ecologist who can appropriately identify habitats and assess their quality and suitability to support species.

The methodology followed that of an Extended Phase 1 Habitat Survey following the methodology of JNCC (1993) as modified by IEA (1995). The Phase 1 Habitat Survey is a standard technique for classifying and mapping British habitats. The aim is to provide a record of habitats that are likely to be ecologically important.

## 2.2 Protected Species

The following evidence of protected species or habitats to support them was assessed;

[redacted]

[redacted]

- [redacted]
- [redacted]
- [redacted]

### 2.2.2 Bats

The site was assessed for its potential to support:

- Roosting bats; and
- Foraging and commuting bats.

Features which could indicate a potential bat roost include:

- Holes and fissures in trees; and
- Gaps in buildings that could allow access to areas such as roof voids, e.g. holes in soffits, broken, lose or missing tiles, damaged lead flashing, etc.

The methodology for assessing bat roost potential followed that recommended by the Bat Conservation Trust[3].

### 2.2.3 Breeding Birds

The site was assessed for its potential to support nesting and breeding birds, considering factors including sufficient habitat cover and food sources.

### 2.2.4 Dormice

The site was surveyed for suitable dormouse habitat, such as the presence of a well-connected understorey broadleaf habitat, and suitable food sources such as hazel, oak and other nut-bearing trees, fruiting trees and shrubs, flowers and invertebrates. Where hazel nut shells were found, these were inspected for evidence of dormouse feeding.

### 2.2.5 Aquatic Mammals

Aquatic habitats were assessed for their potential to support aquatic mammals such as Otter or water vole. Signs including; foot prints, droppings and evidence of feeding where searched for.

### 2.2.6 Reptiles

The site was assessed for its potential to support reptile populations. Suitable habitat for reptiles includes long grass, scrub, woodland and hedgerow borders and wood/rubble piles that act as hibernacula.

### 2.2.7 Amphibians

Any aquatic habitat was assessed for its potential to support amphibian species, including Great Crested Newts. Any ponds on site were assessed, using the Habitat Suitability Index, for its potential to support Great Crested Newts. Terrestrial habitat was also accessed for its ability to support amphibians.

### 2.2.8 Other species

The site was assessed for its potential to support other notable species.

## 2.3 Desktop Study

Internet-based resources were consulted to identify designated nature conservation sites within 1km of the site and habitats of potentially high ecological importance and sensitivity within 500m of the site (e.g. ancient woodlands, ponds). Local policy maps were also reviewed for any relevant designations. A report from Thames Valley Environmental Records Centre (TVERC) was obtained to provide details of protected species and habitats within the local area.

[3] Collins J. (ed) (2023) Bat Surveys for Professional Ecologists: Good Practice Guidelines (4th Edition). The Bat Conservation Trust, London).

# 3. PEA Results

## 3.1 Habitat Assessment

The location and extent of the habitats are shown in appendix 1. TN refers to a target note. CIEEM guidance recommends that the value or potential value of an ecological resource or feature should be determined within a defined geographical context. It recommends the following frame of reference.

- International;
- UK;
- National (i.e. England/Northern Ireland/Scotland/Wales);
- Regional;
- County (or Metropolitan - e.g. in London);
- District (or Unitary Authority, City, or Borough);
- Local or Parish; and
- Site
- Within zone of influence only (which might be the project site or a larger area).

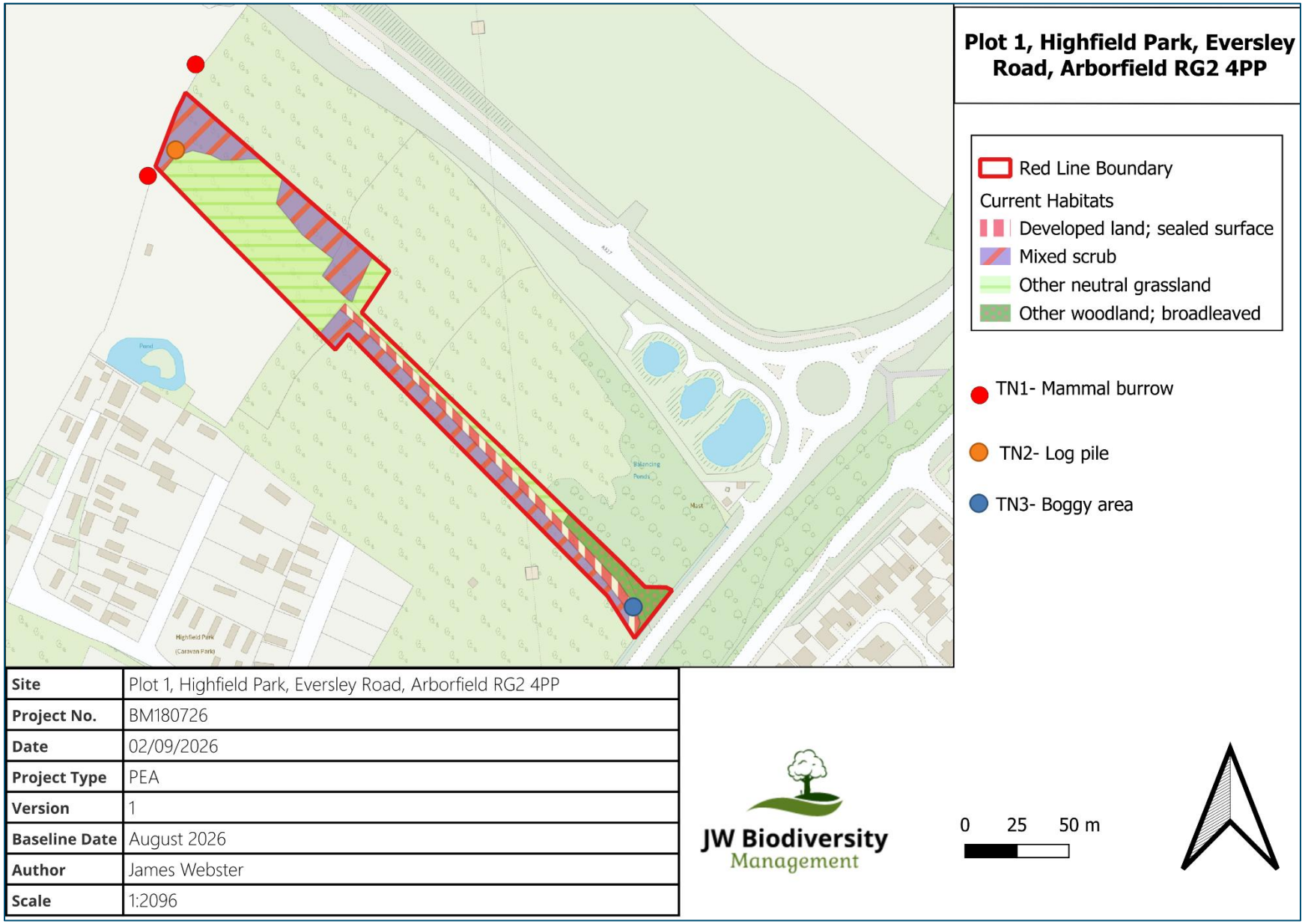
The habitats will be assessed based on these criteria.

The current habitat layout is shown on figure 2.

| Habitat | Geographical context | Habitat Description | Size |
|---|---|---|---|
| Hardstanding | Site | The main hardstanding areas were the central track. This had become vegetated due to a lack of use and maintenance.<br><br>The southern section of the central track was waterlogged at the time of the survey - this was due to a mains water leak that appeared to originate within the woodland area to the north of the track.<br><br>Several pools had accumulated along the track and the surrounding areas were saturated with water.<br><br>A significant amount of nonnative invasive species, New Zealand pigmyweed (*Crassula helmsii*) was covering this area. Other species noted included; Canada goldenrod (*Solidago canadensis),* goat willow (*Salix caprea),* common fleabane (*Pulicaria dysenterica),* hairy willowherb (*Epilobium hirsutum),* spearmint (*Mentha spicata)*, poverty rush (*Juncus tenuis)*, hairy sedge (*Carex hirta)*, devils bit scabious (*Succisa pratensis)*, red bartsia (*Odontites vernus).*<br><br>As the track is becoming vegetated and holding water there is potential for this habitat to support protected and notable species. | 833 $m^2$ |
| Other Neutral Grassland | Site | Areas of grassland were located across the site. The largest area was located to the northwest of the site. The grassland contained a relatively short sward and was located on the edge of the scrub witch some patches of scrub within the grassland.<br><br>Species found include; Tufted hairgrass (*Deschamsia cespitosa),* colonial bentgrass (*Agrostis capillaris),* perennial ryegrass (*Lolium perenne),* red fescue (*Festuca rubra),* yorkshire fog (*Holcus lanatus),* cocksfoot (*Dactylis glomerata),* dyers weed (*Reseda luteola),* false mayweed (*Tripleurospermum maritimum),* common selfheal (*Prunella vulgaris),* creeping buttercup (*Ranunculus repens),* creeping cinquefoil (*Potentilla reptans),* guernsey fleabane (*Erigeron sumatrensis),* common fleabane (*Pulicaria dysenterica),* bristly oxtongue (*Helminthotheca echioides),* broad-leaved dock (*Rumex obtusifolius),* common verbena (*Verbena officinalis),* common horsetail (*Equisetum arvense),* smooth hawksbeard (*Crepis capillaris),* white clover (*Trifolium repens),* sweet clover (*Melilotus indicus),* broad-leaved plantain *(Plantago major),* narrow-leaved plantain (*Plantago lanceolata),* yarrow (*Achillea millefolium),* ragwort (*Senecio jacobaea),* wild carrot (*Daucus carota)*, field bindweed, (*Convolvulus arvensis)*, spear thistle (*Cirsium vulgare)*, creeping thistle (*Cirsium arvense)*, mullein (*Verbascum Thapsus)*, mugwort (*Artemisia vulgaris)*, drooping sedge (*Carex pendula),* teasel (*Dipsacus fullonum)*, lesser burdock (*Arctium minus).*<br><br>The grassland areas have potential to support protected and notable species. | 3704 $m^2$ |
| Mixed scrub | Site | Patches of scrub were located across the site. The largest area was in the northern section of the site on the edge of the grassland. Scrub was also located on the southwestern edge of the track, this | 3704 $m^2$ |

| Habitat | Geographical context | Habitat Description | Size |
|---|---|---|---|
| | | was particularly dense in the southern section. The area to the north was more of a mosaic of scrub with dense and scattered patches mixed in with the grassland.<br>Species found included; Bramble (*Rubus fruticosus),* common bryony (*Bryonia cretica),* nettle (*Urtica dioica)*, hawthorn (*Crataegus monogyna)*, blackthorn (*Prunus spinosa)*, dog rose (*Rosa canina)*, elder (*Sambucus nigra)*, dogwood (*Cornus sanguinea)*, butterfly bush (*Buddleia davidii)*, bracken *(Pteridium aquilinum)*, hedge bindweed (*Calystegia sepium),* drooping sedge (*Carex pendula).*<br>The scrub has potential to support protected and notable species. | |
| Woodland | Local | A small area of woodland was located in the southeast corner of the site, this was part of a woodland block that extended northwards to the adjacent balancing ponds. A section of this had become boggy due to a mains water leak.<br>The woodland contained the following species; Goat willow (*Salix caprea),* Juniper (*Juniperus phoenicea),* turkey oak (*Quercus cerris),* english oak (*Quercus robur),* field maple (*Acer campestre)*, sycamore (*Acer pseudoplatanus)*, silver birch (*Betula pendula).* The understorey and ground flora contained; hawthorn (*Crataegus monogyna)*, blackthorn (*Prunus spinosa),* coltsfoot (*Tussilago farfara),* hemlock water-drop (*Oenanthe crocata)*, bittersweet (*Solanum dulcamara)*, bramble (*Rubus fruticosus)*, nettle (*Urtica dioica).* | 5498 $m^2$ |

**Table 1:** Description and value of habitats on site.




| | |
|---|---|
| **Site** | Plot 1, Highfield Park, Eversley Road, Arborfield RG2 4PP |
| **Project No.** | BM180726 |
| **Date** | 02/09/2026 |
| **Project Type** | PEA |
| **Version** | 1 |
| **Baseline Date** | August 2026 |
| **Author** | James Webster |
| **Scale** | 1:2096 |

**Figure 2:** Current habitat layout.

## 3.2 Species Desktop Results

A recent biological record bureau search from The TVERC produced some records of protected and Species of Conservation Concern (SoCC) within 1 km of the site. Table one below summarises the key species groups and protected areas within these results. A full list of the species can be seen on request.

Protected species are those listed on EC Habitats Directive- Annexes II and IV, EC Bird Directive- Annex I, Conservation (Natural Habitats) Regulations 1994- Schedules 2 & 5, NERC 2006 Section 41, Wildlife and Countryside Act 1981 ([redacted]
Notable species are categorised as being a: BAP priority National, Red list species (not least concern) and or Red status bird species, Red Data Book Species, NERC species. Legislation and BAP designation are explained in the appendix.

| **Sites and Habitats** | **Present/Absent** | **Details** | | |
|---|---|---|---|---|
| Statutory sites | Absent | There are no Statutory Protected Areas located within 1 km of the site. | | |
| Non-Statutory sites or Local Wildlife Sites | Present | There are non-statutory protected areas within 1 km of the site. | | |
| Ancient Woodland | Present | Ancient woodland is located within 1 km of the site. | | |
| Priority Habitats | Present | There are areas of priority habitat within 1 km of the site. | | |
| **Protected and Notable Species** | **Number of species** | **Number of records** | **Date of oldest record** | **Date of most recent record** |
| Amphibian Species | 5 | 38 | 2003 | 2025 |
| Reptile Species | 3 | 29 | 2005 | 2023 |
| Invertebrate species | 10 | 119 | 1985 | 2025 |
| Terrestrial Mammal Species (excl. Bats) | 3 | 177 | 2003 | 2025 |
| Bat Species | 11 | 925 | 2000 | 2025 |
| Bird Species | 65 | 587 | 2000 | 2025 |
| Invasive species | 24 | 156 | 2002 | 2025 |

**Table 2:** Summary of protected areas and species information.

### Other desktop results

Additionally, the Natural England resource; Magic map[4], was consulted for any granted protected species licences that may be in the area. The closest is a record of a bat licence located approximately 640m to the southeast of the site

[4] www.magic.gov.uk

## 3.3 Site Assessment and Evaluation

The following assessment takes into account the information from the desktop study as well an assessment of the habitats on site and their potential to support protected and notable species. The likelihood of species being found on site is defined as follows;

- High- Definite signs of species identified on site and habitat considered suitable.
- Medium/ moderate- habitat considered suitable but obvious signs not necessarily detected.
- Low- no obvious signs and habitat considered sub-optimal. Though species may be present.
- Negligible- highly unlikely that species is present

The table below summarises the sites potential to support protected and notable species. Potential impacts are discussed and need for additional surveys and mitigation highlighted if required.

| Ecological Feature | Evaluation of Feature on site and desktop records. | Evaluation | Relevant Legislation or Policy | Sites Potential to support | Next Steps |
|---|---|---|---|---|---|
| Designated sites for nature conservation | The are no statutory protected areas within the local area. There are several non-statutory protected areas within the local landscape (figure 3).<br>The closest is located approximately 150m to the southwest of the site and is a Berkshire Local Wildlife Site (LWS) called Spring Copse and Long Copse (North). Another LWS is located within 250m to the south of the site; Long Copse (South) and Robin Hood Copse. Other non-statutory sites are located in the wider search area. | Non statutory protected areas are located within proximity of the site. These are not located directly adjacent the site or on the site.<br>There is potential for indirect impacts during construction and occupation of the site. | Conservation of Habitats and Species Regulations 2017 (as amended); Wildlife and Countryside Act 1981 (as amended) | N/A | Further mitigation required. |
| Priority Habitats | The local landscape contains habitats that are listed in the Priority Habitat Inventory (HPI), see figure 4. Priority woodland and ancient woodland is located within proximity of the site to the west and south of the site. These overlap with the LWSs in these areas.<br>Priority and ancient woodland is located across the local landscape as areas of traditional orchard and priority ponds. | There is potential for impacts to priority habitats during construction due to their proximity to the site. | Natural Environment and Rural Communities (NERC) Act 2006 Section 41 | N/A | Further mitigation required. |
| Amphibians | Amphibians such as the European protected species Great Crested Newt (*Triturus cristatus*) require both suitable aquatic habitats for breeding and terrestrial habitats to forage and shelter during the active season and hibernate over winter[5].<br>The local records data contained seven records of GCN. The closest record is approximately 1.4 km to the west of the site. | There are no ponds directly on the site. There are ponds on the wider landholdings and close to the site, these are shown on figure 5.<br>P1- Pond located on wider property<br>P2- Boggy area on track<br>P3- Balancing Pond south<br>P4- Balancing Pond centre<br>P5- Balancing Pond north | Conservation of Habitats and Species Regulations 2017;<br>Wildlife and Countryside Act 1981 Schedule 5; NERC Act 2006 Section 41 | Moderate | Further mitigation is required |

[5] Great crested newt mitigation guidelines. August 2001. English Nature.

| Ecological Feature | Evaluation of Feature on site and desktop records. | Evaluation | Relevant Legislation or Policy | Sites Potential to support | Next Steps |
|---|---|---|---|---|---|
| | The site contained records of common amphibians; Common Toad (*Bufo bufo*), Palmate Newt (*Lissotriton helveticus*), Smooth Newt (*Lissotriton vulgaris*) and Common Frog (*Rana temporaria*).<br>There are records of common amphibians located on the wider property. In a pond that is shown in the southwestern corner, though this was not present at the time of the site visit. Another pond was located nearer the southeast corner of the site which was present at the time of the site visit and contains records of common amphibians. | A Great Crested Newt Habitat Suitability Index following the ARG UK Advice Note 5[6]. This showed that P1 was below average and the boggy area scored average. The three balancing ponds to the north of the site (off site) scored a good score.<br>This indicates that the ponds on the site and the wider property are less likely to support GCN. However, given the poor conditions (extended heatwave with minimal to no rain) this assessment likely does not give a fair portrayal of this pond.<br>The site contains suitable terrestrial habitats for amphibians and there are other ponds within proximity of the site. Common amphibians have been recorded on the wider property close to the site. | | | |
| Reptiles | Reptiles prefer sites with a diversity of habitats containing a number of micro habitats that provide suitable foraging and refuge sites[7].<br>The local records data contains records of reptiles including; Common Lizard (*Zootoca vivipara*), Grass Snake (*Natrix Helvetica*) and Slow-worm (*Anguis fragilis*). The closest records are located approximately 260m to the west of the site. | The habitats within the site were suitable for supporting reptiles and there is connectivity to suitable habitats including areas known to support reptiles<br>The site contained features such as log piles (TN2).<br>Reptiles have potential to be impacted by the development. | Wildlife and Countryside Act 1981 Section 1; NERC Act 2006 Section 41; | Moderate | Further mitigation is required |
| Birds | Birds will nest in a variety of habitats including manmade structures. Birds utilise different habitats for foraging and shelter. | The scrub and woodland habitats have potential to support nesting birds. | Conservation of Habitats and Species Regulations 2017; Wildlife and | Moderate | Further mitigation is required. |

[6] file

[7] Edgar, P., Foster, J. and Baker, J. (2010). Reptile Habitat Management Handbook. Amphibian and reptile Conservation, Bournemouth

| Ecological Feature | Evaluation of Feature on site and desktop records. | Evaluation | Relevant Legislation or Policy | Sites Potential to support | Next Steps |
|---|---|---|---|---|---|
| | All bird nests are protected whilst they are in use.<br>The site local records data contained records of notable birds. | The development has potential to impact nesting birds. | Countryside Act 1981 Schedule 5; NERC Act 2006 Section 41 | | |
| Bat commuting and foraging | All bat species in the UK eat insects and forage along habitats such as hedgerows, woodlands, grasslands and waterways[8]. Bats use woodland edges, hedgerows, rivers and other linear features like tree-lined footpaths as corridors to commute from one area of countryside to another[9].<br>The local records data contains records of bats including; Barbastelle (*Barbastella barbastellus*), Brown Long-eared Bat (*Plecotus auritus*), Common Pipistrelle (*Pipistrellus pipistrellus*), Eurasian Serotine (*Cnephaeus serotinus*), Nathusius's Pipistrelle (*Pipistrellus nathusii*), Natterer's Bat (*Myotis nattereri*), Noctule (*Nyctalus noctule*), Soprano Pipistrelle (*Pipistrellus pygmaeus*). Several bat species have been recorded on the site or near the site. Other records of bats are located within proximity of the site. Including within the LWS to the west of the site.<br>The MAGIC map shows record of a bat licence located approximately 640m to the southeast of the site. Other licences are located in the local area. | Overall the site has a relatively varied structure, with areas of grassland and scrub, a small woodland area. This provides opportunities for commuting and forging bats.<br>Records of bats from the site are mostly from 2016 and 2017. There is a more recent record from 2020. This indicates that bats have been present on the site.<br>The site has suitable habitat to support commuting and forging bats and there is connectivity to wider areas. | Conservation of Habitats and Species Regulations 2017; Wildlife and Countryside Act 1981 Schedule 5; NERC Act 2006 Section 41 | Moderate | Further mitigation is required |
| Bat roost trees | The trees on the sites were assessed for any Potential Roost Features (PRFs). The bat conservation trust provides information regarding | The majority of the trees within the site were young and unlikely to contain PRFs. No obvious PRFs were seen on site though it is | | Negligible | Further mitigation is required |

[8] https://www.bats.org.uk/about-bats/where-do-bats-live/bat-habitats/foraging-habitats
[9] https://www.bats.org.uk/about-bats/where-do-bats-live/bat-habitats/commuting-habitats

| Ecological Feature | Evaluation of Feature on site and desktop records. | Evaluation | Relevant Legislation or Policy | Sites Potential to support | Next Steps |
|---|---|---|---|---|---|
| | features that may be present in trees that bats could potentially use for roosting. | possible trees with PRFs are located on the wider property.<br>Therefore, there is potential for bat roosts to be impacted by the proposed development. | | | |
| Hazel dormouse (*Muscardinus avellanarius*) | Across its range dormice prefer the successional stage of woody vegetation; this is the new growth that arises after woodland management such as coppicing, ride widening, thinning or glade creation, they may also occur in scrubby habitat[10].<br>The local records data contained records of dormouse. These were located approximately 1.7km to the south of the site. There is no connectivity from these records to the site. | The habitats within the site are not ideal for dormice due to a lack of structured woodland. However, as the site is connected to more suitable habitats further afield, dormice may be found within the denser vegetation around the perimeter of the wider property.<br>There is potential for dormouse to be impacted. | Conservation of Habitats and Species Regulations 2017; Wildlife and Countryside Act 1981 Schedule 5; NERC Act 2006 Section 41 | Low | Further mitigation is required |
| [redacted] | [redacted] | [redacted] | [redacted] | [redacted] | [redacted] |

[10] https://ptes.org/get-informed/facts-figures/hazel-common-dormouse-muscardinus-avellanarius/

[11] Badger (Meles meles) - British Mammals - Woodland Trust

| Ecological Feature | Evaluation of Feature on site and desktop records. | Evaluation | Relevant Legislation or Policy | Sites Potential to support | Next Steps |
|---|---|---|---|---|---|
| Other mammals | Small mammals such as Hedgehogs (*Erinaceus europaeus*) prefer habitats such as woodland edges and hedges as well as suburban areas[12].<br>The local Records data contained records of small mammals such as hedgehogs. | The site has potential to support small mammals such as hedgehog. There was evidence of mammals using the site such as tracks and burrows.<br>There is potential for small mammals to be impacted by the development. | NERC Act 2006 Section 41 | Moderate | Further mitigation is required |
| Nonnative invasive species | The local records data contains several records of nonnative invasive species. | Several nonnative species were seen on site including buddleia and New Zealand pigmy weed. There is potential for the development to impact nonnative species. | Wildlife and Countryside Act 1981 Schedule 9. | High | Further mitigation is required |

**Table 3:** Protected sites, habitats and species details.

[12] http://www.mammal.org.uk/sites/default/files/factsheets/hedgehog_complete_0.pdf

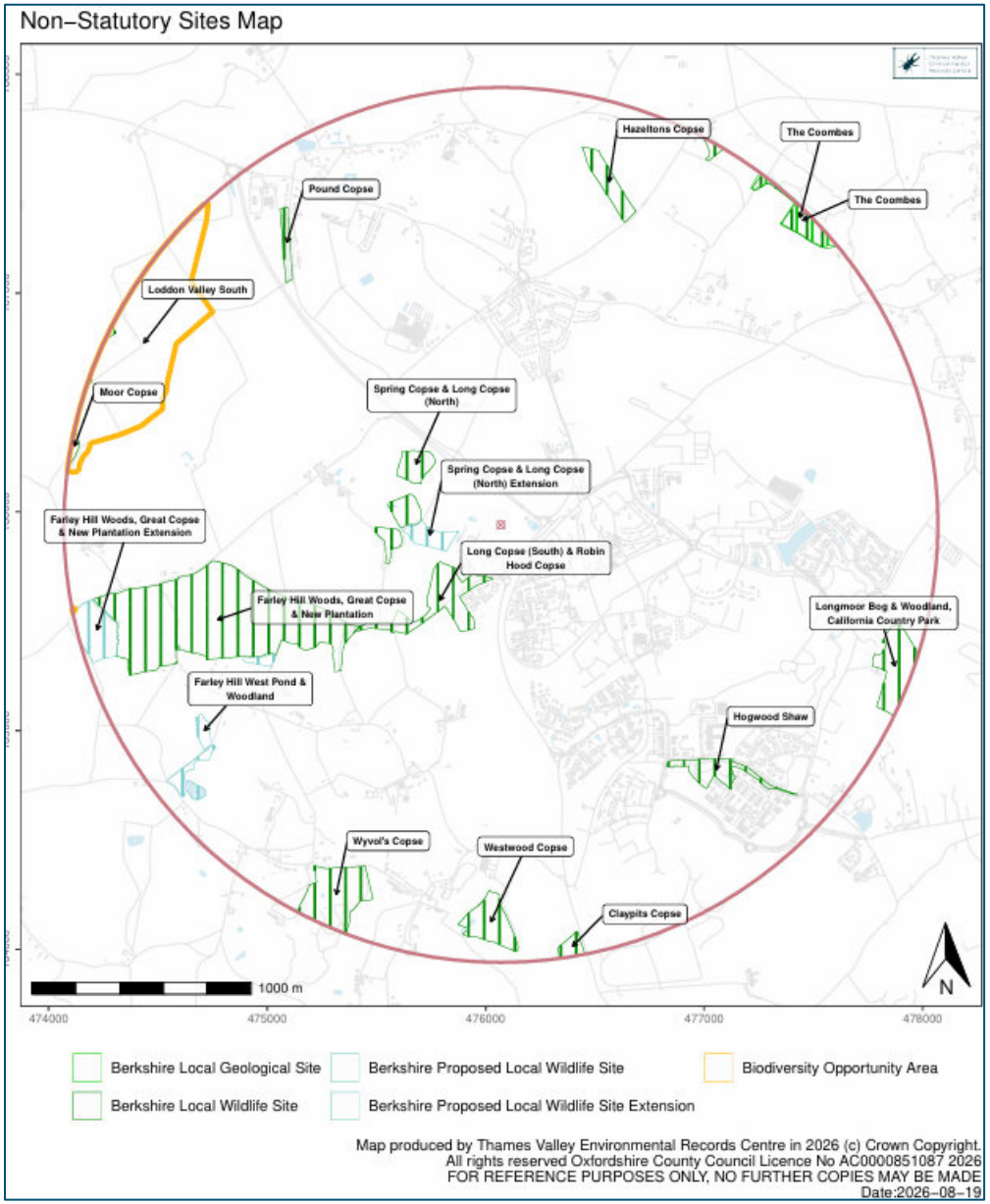
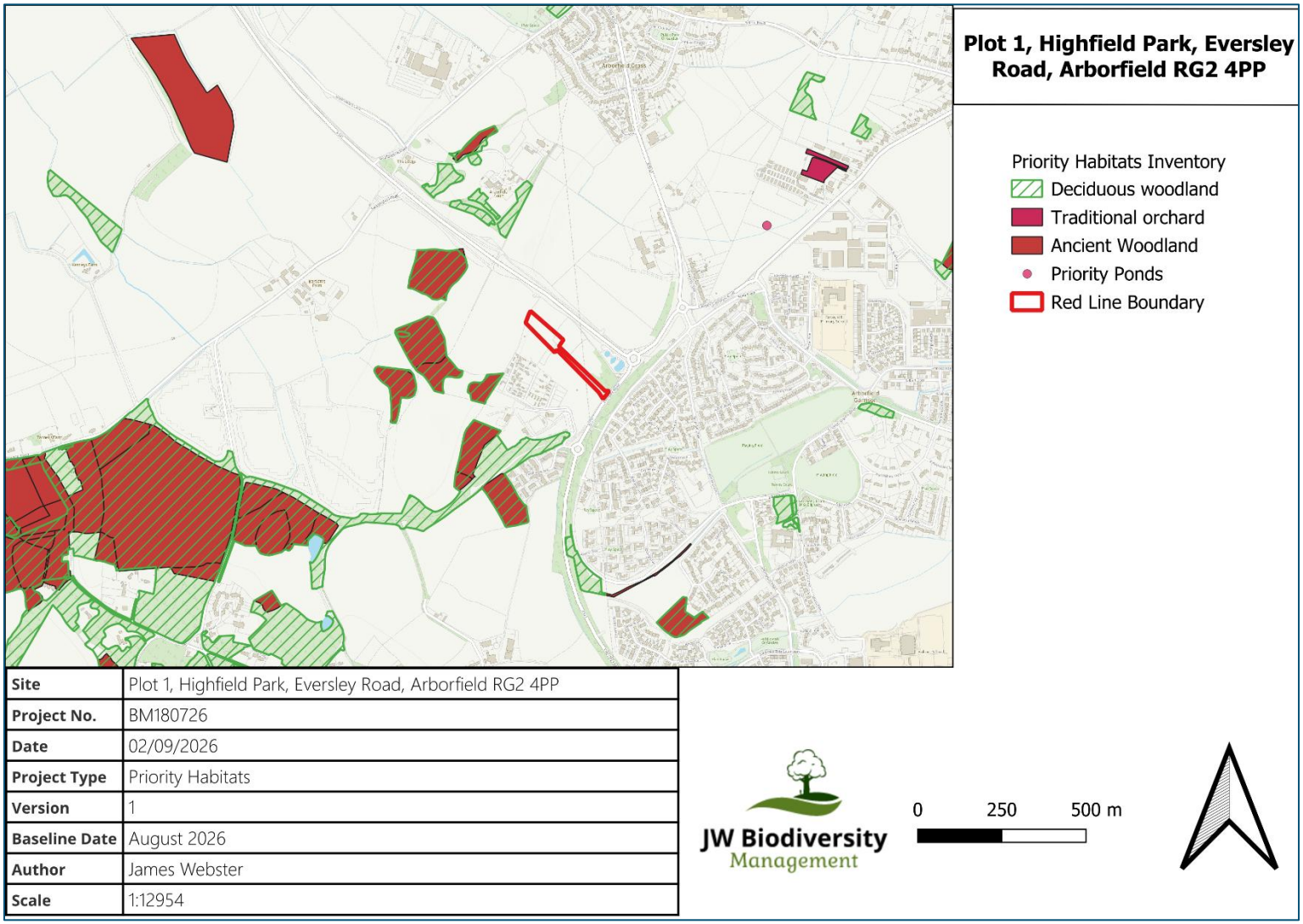


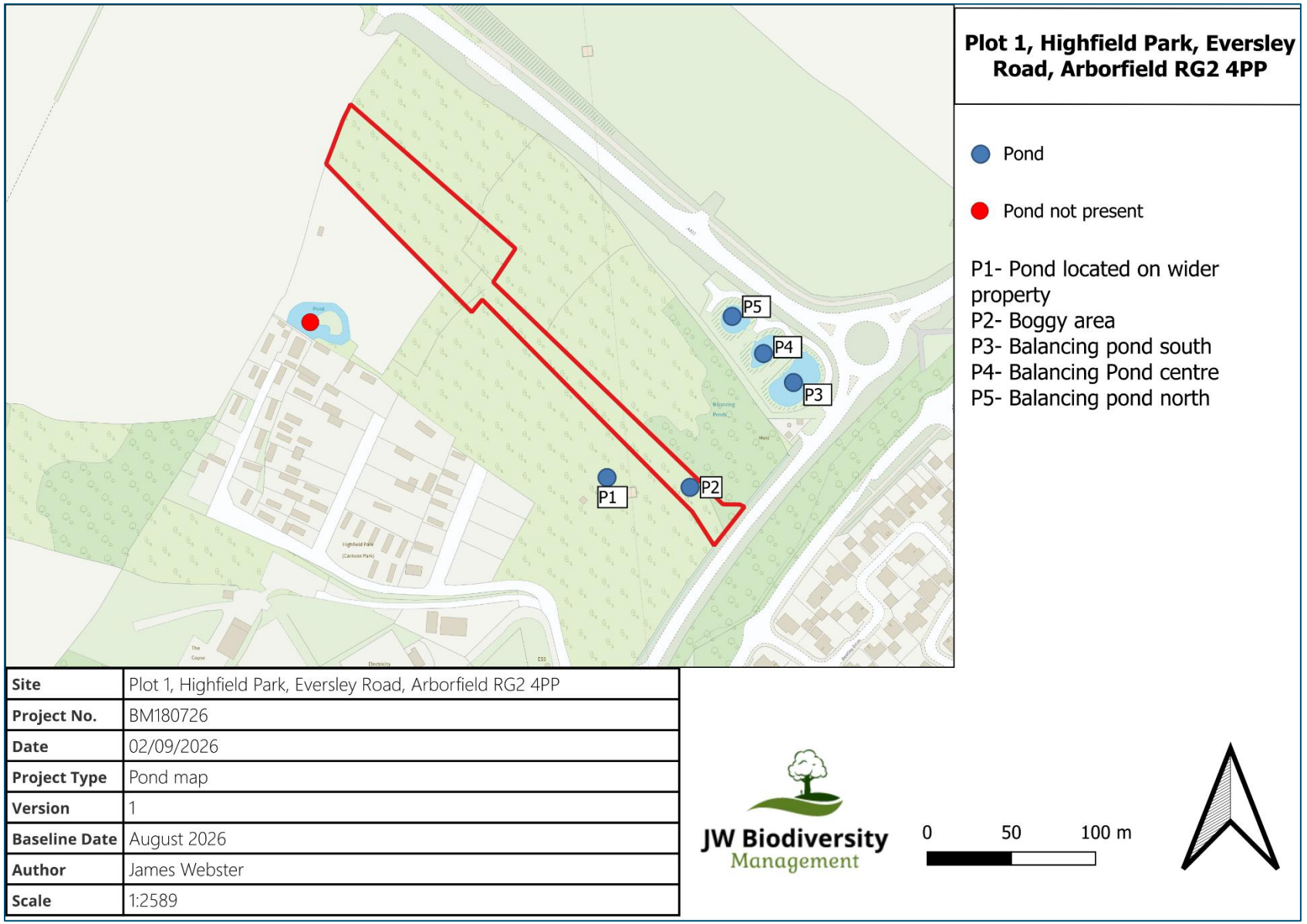

**Figure 3:** Protected Areas within 1 km of the site (information from TVERC).




| | |
|---|---|
| **Site** | Plot 1, Highfield Park, Eversley Road, Arborfield RG2 4PP |
| **Project No.** | BM180726 |
| **Date** | 02/09/2026 |
| **Project Type** | Priority Habitats |
| **Version** | 1 |
| **Baseline Date** | August 2026 |
| **Author** | James Webster |
| **Scale** | 1:12954 |

**Figure 4:** Priority habitats within 1 km of the site (information from Natural England Geoportal[13]).

[13] Natural England Open Data Geoportal




| | |
|---|---|
| **Site** | Plot 1, Highfield Park, Eversley Road, Arborfield RG2 4PP |
| **Project No.** | BM180726 |
| **Date** | 02/09/2026 |
| **Project Type** | Pond map |
| **Version** | 1 |
| **Baseline Date** | August 2026 |
| **Author** | James Webster |
| **Scale** | 1:2589 |

**Figure 5:** Ponds within vicinity of the site.

# 4. Discussion & Recommendations

The table below outlines the recommended next steps in respect of relevant survey, mitigation or enhancements identified for sites and species associated with the Proposed Development. The table below includes optimal survey periods, constraints that need to be considered in the survey programme and related best practice guidance.

The timing of ecological surveys is critical to project planning, as many species surveys are seasonally constrained. Early engagement with these survey requirements can help avoid delays in the planning process and ensure that appropriate mitigation measures can be developed where necessary. Similarly, mitigation measures may have certain constraints associated with them and should be factored into construction plans at the earliest stages to reduce potential delays.

## 4.1 Proposed Works

The exact nature of the proposals are not yet known however the proposed works will involve the installation of static mobile homes with access from the southeast. This will likely involve impacts to the habitats on site. As this development is part of a wider development across the property the culminative effects of the wider developments will also need to be considered.

| Ecological Receptor | Mitigation/ Further Survey | Enhancements |
|---|---|---|
| Designated Sites for Nature Conservation and priority habitats. | The proposed development will occur within proximity of non-statutory protected areas and priority habitats. Control measures will be implemented during construction to avoid impacts to these areas.<br>During project works the following measures should be followed to reduce indirect impacts.<br>• Suppression and monitoring of dust where relevant.<br>• All proposed work will proceed with appropriate pollution control measures such as;<br>  • Dust Suppression: Use water sprays or misters on haul roads and stockpiles, particularly during dry, windy conditions.<br>  • Vehicle Management: Implement anti-idling policies and use wheel washing systems at site exits to prevent tracking mud onto public roads.<br>  • Equipment Emissions: Use low-emission plant machinery and retrofit particulate filters/catalyst converters.<br>  • Material Handling: Cover stockpiles and transport vehicles to prevent materials like sand from becoming airborne.<br>• Control sources of aquatic pollution, particularly from entering local water courses or ground water.<br>• Check, clean and dry tools/ vehicles to restrict potential of spreading non-native species. | Look at opportunities to add additional tree or hedgerow planting to the site. |
| Habitats on site/ BNG | Mandatory Biodiversity Net Gain, as part of the Environment Act (2021), came into effect in early 2024. However, changes made in early August 2026 exclude sites under 0.2 ha from BNG. This site is below 0.2 ha therefore is exempt from BNG assessment.<br>The proposed development is likely to impact the majority of the site including the areas either side of the access track. However, there is potential to retain and enhance habitats in the larger part of the site. It is also recommended that habitats be retained on the wider property across the different plots and that there is some sort of connectivity between these areas. | Enhancing habitats on site would be beneficial. Planting of hedgerows would help with connectivity between retained areas across the wider property. |
| Amphibians | The site has a potential to support amphibians including GCN. There are no ponds on the site though there is a boggy area across the access track. The pond on the wider property (P1) and the boggy area (P2) were not considered as being likely to support GCN. The balancing ponds located to the north of the site (P3-5) were considered as having a potential to support GCN.<br>The boggy area has been created from a long-standing water main leak. This will presumably be repaired which will result in the naturally drying up of this area. P1 will not be directly impacted by the development on this site, it is recommended that this be retianed as part of the wider site development.<br>Common amphibians have been recorded on the wider property. The terrestrial habitats on the site provide opportunities to support amphibians. The development will impact areas of terrestrial habitat though there is potential to retain and enhance some areas of on-site habitat. | Retention and enhancing the habitats on site will benefit amphibians.<br>Adding log piles to the retained areas would also be beneficial.<br>Pond or wetland creation would also benefit amphibians. |

| Ecological Receptor | Mitigation/ Further Survey | Enhancements |
|---|---|---|
| | The site is within a District Level Licence Scheme operated by NatureSpace[14]. NatureSpace provide low resolution Impact risk zone maps. Looking at the map the site appears to be in either a red or amber risk zone (the resolution does not allow for accurate positioning). It is recommended that the development join the District Level Licence as there is potential for impacts to GCN habitats. Joining the scheme will preclude the need for additional surveys and licencing. It would likely be beneficial if all the developments on the wider property join the district level licence scheme together.<br>The pollution control measures will help ensure there are no impacts to potential amphibian habitats in the area. | |
| Reptiles | The site has potential to support reptiles. The site is relatively small and unlikely to support a district population. If areas can be retianed and enhanced on site for reptiles a suitable method statement can be composed to allow reptiles to safely move outside of the work area. The method statement can be compiled as a condition of the development, should the local authority be so inclined, though is likely to include the following elements.<br>• In advance of construction starting vegetation, within the work zone, will be managed to reduce suitability for amphibians/ reptiles, to discourage them from areas which will be soon worked on:<br>  • Move rubble/ log pile carefully from the construction area.<br>  • Stage 1- The vegetation will need to be reduced to a height 150-200mm using hand tools (e.g. strimmers). It is recommended that cutting works towards retained areas, where there is connectivity to wider habitats.<br>  • Stage 2- After a period of at least one day has passed a second vegetation cut should be undertaken to ground level. Again, it is recommended that this second-stage cutting works towards the retained areas. All cuttings to be removed from work area. The site can then be completely cleared and worked upon as necessary<br>  • Enhance areas outside of work area prior to commencing works/. | Retention and enhancing the habitats on site will benefit reptiles.<br>Adding log piles to the retained areas would also be beneficial. |
| Bats | Bat commuting and forging habitat is located on or close to the site. It will be important to protect key bat habitat in the area and ensure linkages across the local landscape are maintained.<br>A sensitive lighting scheme should be incorporated into the final design to protect existing habit habitats and any newly created habitats on the site. To protect potential roost or bat foraging/ commuting habitat in the area it will be important to:<br>• Using Low-pressure sodium lamps instead of high- pressure sodium or mercury lamps;<br>• Maintaining the brightness as low as possible; | Additional hedgerow and tree planting would benefit bats.<br>It is also recommended that bat boxes be incorporated on to site. |

[14] District Licensing - NatureSpace Partnership Limited

| Ecological Receptor | Mitigation/ Further Survey | Enhancements |
|---|---|---|
| | • Directing the lighting to where it is needed to avoid light spillage; and,<br>• Minimising upward lighting to avoid light pollution.<br>• Avoid illuminating the wider habitats on site, particularly any mature trees or hedgerows and the pond, at dusk or nighttime- Guidelines provided by the Bat Conservation trust and ILP should be followed[15]<br>Retaining some of the scrub and grassland habitats and enhancing these areas will benefit bats. Additional hedgerow planting will also be of benefit for bats and help to maintain connectivity across the site. | Enhancements to the wider landholding would also benefit bats. |
| [redacted] | [redacted] | [redacted] |
| Dormouse | The site has potential to support Dormouse. To avoid impacts to dormouse it is recommended that any woodland or scrub be removed between mid-September and October. The following methodology will be followed.<br>• The contractors will be informed of the likelihood of encountering dormice before they commence work. An ecological TBT will be given to everyone on site in all parties. The contractors will be shown pictures of dormice and summer/winter nests. If dormice are seen, all work which could disturb dormice will be halted and left overnight to allow dormice to disperse naturally. The contractors will be told not to touch the dormice unless an emergency situation arises.<br>• Where scrub and tree clearance is required it will be undertaken with hand tools and supervised by a suitably qualified ecologist under an ecological watching brief.<br>Clearance works on site will be directed at all times by an ecologist and must follow the following points:<br>• Tree and scrub clearance will be undertaken by starting at one end of the section to be cleared, and working in one direction only. This method ensures that in the unlikely event of dormice being present in the areas dormice can move away from the works through the offsite scrub.<br>• All areas of scrub will be finger tipped searched by an ecologist prior to clearance.<br>• All clearance must be with hand tools and under ecological supervision. No large tracked vehicles will be used, or heavy machinery. Trees and scrub will be moved by hand to the chippers or trailers, with some wood to remain on site. | Enhancing of the scrub will benefit dormouse. Additional hedgerow planting would help to maintain connectivity across the site and wider property. |

[15] https://www.theilp.org.uk/documents/guidance-note-8-bats-and-artificial-lighting/

| Ecological Receptor | Mitigation/ Further Survey | Enhancements |
|---|---|---|
| | • Scrub will be cut to ground level.<br>• All arisings must be hand dragged to a pre-agreed works area, unless otherwise stated by the onsite ecologist.<br>• Areas of scrub which are to be retained will be fenced off to prevent further disturbance during construction. | |
| Small Mammals | To prevent harm to small mammals' potential hibernation sites and refuges, such as piles of vegetation and deadwood, should be removed from the development area outside of winter months. During construction, any open excavations should be covered overnight, or a ramp should be provided to enable trapped animals to escape.<br>Any vegetation should be cleared in stages.<br>There are potential fox dens/ rabbit burrows on site. These areas will be excavated carefully in stages to allow any animals present to leave the work area safely. The retention of the scrub and trees on site will ensure suitable habitat is retianed on site for small mammals. | Instal hedgehog highway holes in fence lines to allow access for hedgehogs. |
| Nesting Birds | It is recommended that to avoid impacts to nesting birds any vegetation clearance should be done outside of nesting bird season, typically March to August (inclusive). If required within this time period, then a check for active bird nests should be undertaken. If an active nest is discovered during the inspection, establish a safety perimeter around the nest. This perimeter must be maintained until the chicks have fledged. | Bird boxes can be added to the site. |
| Invertebrates | Retention and enhancement of habitats on site will be benefit invertebrates. The pollution control measures will help ensure invertebrate habitat in the wider area will not be impacted. | Native tree and flower planting will benefit invertebrates. |
| Invasive species | The non-native New Zealand Pigmyweed was present on site. This will need to be appropriately removed from site to avoid spreading this plant. It is also recommended that any non-native species be removed from retianed habitats as part of the enhancements. | Plant native species. |

**Table 4:** Recommendations regarding protected species and habitats.

# 5. Appendix

## 5.1 Appendix 1: Photos

| Feature | Photo |
|---|---|
| Showing scrub and grassland to north of site |  |
| Showing northern part of access route. |  |

| | |
|---|---|
| Central access area |  |
| Boggy area on track |  |

| | |
|---|---|
| Showing P1 on wider property |  |
| Showing balancing to north of the site |  |

## 5.2 Appendix 2: HIS information

| **ARGUK GCN HSI Calculator** | | | | | | |
|---|---|---|---|---|---|---|
| | Pond Name | **P1- Arborfield Site pond** | **P2- Boggy area** | **P3- Balancing pond south** | **P4- Balancing pond centre** | **P5- Balancing pond north** |
| | Grid Ref | SU 76119 65888 | SU 76167 65864 | SU 76225 65933 | SU 76204 65950 | SU 76186 65969 |
| SI No | SI Description | SI Value | SI Value | SI Value | SI Value | SI Value |
| 1 | Geographic location | 1 | 1 | 1 | 1 | 1 |
| 2 | Pond area | 0.05 | 0.05 | 0.75 | 0.5 | 0.2 |
| 3 | Pond permanence | 0.1 | 0.9 | 0.5 | 1 | 1 |
| 4 | Water quality | 0.67 | 0.67 | 0.67 | 0.67 | 0.67 |
| 5 | Shade | 1 | 1 | 1 | 1 | 1 |
| 6 | Water fowl effect | 1 | 1 | 0.67 | 0.67 | 0.67 |
| 7 | Fish presence | 1 | 1 | 0.33 | 0.33 | 0.33 |
| 8 | Pond Density | 1 | 1 | 1 | 1 | 1 |
| 9 | Terrestrial habitat | 1 | 1 | 1 | 1 | 1 |
| 10 | Macropyhyte cover | 0.65 | 0.6 | 1 | 1 | 1 |
| **HSI Score** | **0.54** | **0.67** | **0.75** | **0.77** | **0.70** | |
| Pond suitability (see below) | Below average | Average | Good | Good | Good | |

Categorisation of HSI Score by Lee Brady

| **HIS Score** | **Pond Suitability** |
|---|---|
| < 0.50 | Poor |
| 0.50 - 0.59 | Below average |
| 0.60 - 0.69 | Average |
| 0.70 - 0.79 | Good |
| > 0.80 | Excellent |

## 5.3 Appendix 3: Legislation

Protected species have protection under national legislation such as the Wildlife and Countryside Act 1981 and European legislation such as the Habitats Directive.

Please note the following:

(1) If there is no record of a particular protected species, this does not signify that that the species is absent from the site in question. It may mean that it has not been recorded, that the site has not been surveyed for this species, or that data relating to its presence has not been made available to us.

(2) The presence of a protected species record does not mean that the species is still present. It means that the species was recorded at that time and place. The implications of the record should be further evaluated, and a survey to establish the current status may be required.

(3) The following summary of legislation is designed purely as a basic guide, if any action is to be taken regarding any of the protected species listed, then it is imperative that the full relevant legislation be consulted.

WILDLIFE PROTECTION LEGISLATION IN ENGLAND

Legislation that protects wildlife in England exists at the European and national level.

European Law

The Bern Convention on the Conservation of European Wildlife and Natural Habitats (1979) was aimed at ensuring conservation and protection of all wild plants and animals, increasing cooperation between states, and affording special protection to the most vulnerable or threatened species. It was implemented by the EC Birds Directive (Council Directive 79/409/EEC) and the EC Habitats Directive (Council Directive 92/43/EEC).

The Bonn Convention on Migratory Species of Wild Animals (1979 & 1994) requires the protection of migratory animals. It was implemented by the EC Birds Directive (Council Directive 79/409/EEC) and the EC Habitats Directive (Council Directive 92/43/EEC).

The EC Habitats Directive aims to establish a network of protected areas in order to maintain the distribution and the abundance of threatened species and habitats. A number of species are listed in the annexes.

Annex II lists animals and plants whose conservation requires the designation of Special Areas of Conservation (SACs).

Annex IV lists animals and plants in need of strict protection. For the animals, this prohibits deliberate capture, killing, disturbance (especially during breeding period), destruction or taking of eggs from wild, and destruction or deterioration of breeding sites or resting places. For the plants,

this prohibits deliberate picking, collecting, uprooting, cutting, destruction, and trade in entire plants or parts, at all stages of life.

Annex V lists animals and plants for which taking in the wild may be subject to management measures

National Law

Wildlife and Countryside Act The Wildlife and Countryside Act 1981 (as amended) is the main source of legal protection for wildlife in England and was strengthened by the Countryside and Rights of Way Act 2000. A statutory five-yearly review of Schedules 5 and 8 (protected wild animals and plants) is undertaken by the relevant authorities. Species protection is provided under Schedules 1, 5, 6 and 8:

Schedule 1 lists bird species that are rare, endangered, declining or vulnerable. The Schedule is divided into two parts. Part I lists birds which receive special protection; these birds receive additional protection from disturbance at the nest. Part II lists birds that receive the same level of special protection, but only during the breeding season.

Schedule 5 protects animal (other than bird) species from certain actions, according to the sections of the Act under which they are listed:

S9 (1) prohibits the intentional killing, injury or taking. S9 (2) protection is limited to possessing and controlling. S9 (4a) prohibits the damaging, destroying or obstructing access to any place used by the animal for shelter or protection. S9 (4b) prohibits disturbing the animal while it is occupying any structure or place which it uses for shelter or protection. S9(5) prohibits the selling, offering for sale, possessing or transporting for purpose of sale, or advertising for sale, any live or dead animal, or any part of, or anything derived from such an animal. Species on this Schedule do not appear on the PSI.

Schedule 6 lists animals that may not be killed by certain methods. Even humane trapping for research requires a licence.

Schedule 8 lists plant species for which it is prohibited to intentionally pick, uproot, destroy, trade in, or possess (for the purposes of trade).

Under the Wildlife and Countryside Act, all wild plants in Britain are protected from intentional uprooting by an unauthorised person. Landowners, land occupiers, persons authorised by either of these, or persons authorised in writing by the Local Authority for the area are exempt from this, except for Schedule 8 species.

Conservation Regulations the Conservation of Habitats and Species Regulations 2010 (as amended) transpose the EC Habitats Directive into national law. In addition to enabling the designation of SACs, the regulations also provide species protection:

Schedule 2 protects the listed animals from deliberate capture, killing, disturbance or trading in.

Schedule 4 protects the listed plants from picking, collecting, uprooting, destroying or trading in.

These actions can be made lawful through the granting of licences by the appropriate authorities. Licences may be granted for a number of purposes, but only after the appropriate authority is satisfied that there are no satisfactory alternatives and that such actions will have no detrimental effect on wild the population of the species concerned.

[redacted]

International and European Obligations

In the UK, species receiving protection under international legislation and agreements are protected through the Wildlife and Countryside Act, so are not shown separately in the BMERC notable species lists. For reference, the relevant categories are shown below.

Bern Convention on the Conservation of European Wildlife and Natural Habitats the Bern Convention aims to ensure the conservation of wild flora and fauna species and their habitats.

• Appendix 1 (strictly protected flora) - Plants for which contracting parties will prohibit deliberate picking, collecting, cutting or uprooting.

• Appendix 2 (strictly protected fauna) - Animals for which contracting parties will prohibit deliberate capture, possession, killing, damage to or destruction of breeding or resting sites, disturbance or destruction or taking of eggs. Appendix 3 (protected fauna) - Animals for which contracting parties will include closed seasons and regulate their sale, keeping for sale, and transport for sale or offering for sale of live and dead wild animals. (Not included in Notable Species List).

Bonn Convention on Migratory Species the Bonn Convention aims to conserve terrestrial, marine and avian migratory species throughout their range.

• Appendix 1 (migratory species threatened with extinction) - Species for which contracting parties will strictly protect and endeavour to conserve or restore the places where they live, mitigating obstacles to migration and controlling other factors that might endanger them.

• Appendix 2 (migratory species that need or would benefit from international co-operation) - Species for which contracting parties will be encouraged to conclude global or regional agreements for the conservation and management of individual species or, more often, of a group of species. (Not included in Notable Species List).

The EC Council Directive on the Conservation of Wild Birds the Birds Directive provides a framework for the conservation and management of all wild birds in Europe. As well as designating important sites for birds as Special Protection Areas, birds are generally protected from deliberate killing or capture and destruction of or damage to their nests or eggs, and deliberate disturbance. Allowances are made for game birds.

UK BAP & notable species

UK Biodiversity Action Plan and Section 41 Species

Biodiversity, or biological diversity, is the whole variety of life on Earth. The Convention on Biological Diversity (CBD) came about as a result of the 1992 Earth Summit. As one of 168 countries to sign up to the CBD, the UK was required to develop a national strategy for the conservation of biodiversity; the UK Biodiversity Action Plan (UKBAP) was born.

The UKBAP is the result of contributions involving a wide range of people and organisations, enabling the identification of species and habitats that are listed as priorities for conservation action. A 2007 review of the UKBAP has resulted in 1149 species and 65 habitats being listed as conservation priorities. For more information see www.ukbap.org.uk.

In addition to the national priorities and targets, action is also being taken at local level. The Essex Biodiversity Project is responsible for implementing the Essex Biodiversity Action Plan, which has 28 priority species and 15 priority habitats currently listed. For more information see www.essexbiodiversity.org.uk.

The UK BAP

(From Explanatory Note by Defra and Natural England on Section 41 of the Natural Environment and Rural Communities

(NERC) Act 2006 - Habitats and Species of Principal Importance in England)

The England Biodiversity List has been developed to meet the requirements of Section 41 of the Natural Environment and Rural Communities Act (2006). This legislation requires the Secretary of State to publish a list of species of flora and fauna and habitats considered to be of principal importance for the purpose of conserving biodiversity.

The S41 list will be used to guide decision-makers such as public bodies, including local and regional authorities, in implementing their duty under section 40 of the Natural Environment and Rural Communities Act 2006 'to have regard' to the conservation of biodiversity in England, when carrying out their normal functions. In particular:

• Regional Planning Bodies and Local Planning Authorities will use it to identify the species and habitats that should be afforded priority when applying the requirements of National Planning Policy framework (NPPF) and PPS9 Circular to maintain, restore and enhance species and habitats.

• Local Planning Authorities will use it to identify the species and habitats that require specific consideration in dealing with planning and development control, recognising that under NPPF and PPS9 Circular the aim of planning decisions should be to avoid harm to all biodiversity.

• All Public Bodies will use it to identify species or habitats that should be given priority when implementing the NERC Section 40 duty.

Habitats of Principal Importance Fifty-six habitats of principal importance are included on the S41 list. These are all the habitats in England that have been identified as requiring action in the UK Biodiversity Action Plan (UK BAP). They range from habitats such as upland hay meadows to lowland mixed deciduous woodland and from freshwater habitats such as ponds to marine habitats such as subtidal sands and gravels.

Species of Principal Importance There are 943 species of principal importance included on the S41 list. These are the species founding England which have been identified as requiring action under the UK BAP. In addition, the Hen Harrier has also been included on the List because without continued conservation action it is unlikely that the Hen Harrier population will increase from its current very low levels in England.

Relationship with the UK Biodiversity List of Species and Habitats the UK BAP list of priority species and habitats is an important reference source and will be the focus for conservation action across the UK over the next decade. It has been used to draw up the species and habitats of principal importance in England under S41 of the NERC Act.

The revised UK BAP list of priority species and habitats can be downloaded from the UK Biodiversity Website: http://www.ukbap.org.uk/NewPriorityList.aspx

Relationship with the biodiversity duty under Section 40 of the NERC Act There is a general biodiversity duty in the NERC Act (Section 40) which requires every public body in the exercising of its functions to 'have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity'.

There is no direct relationship between the Section 41 duty on the Secretary of State to publish the list and promote the taking of steps to conserve the habitats and species on it, and the Section 40 duty on public bodies to have regard to the purpose of conserving biodiversity. Importantly:

(a) Biodiversity, as covered by the Section 40 duty includes all biodiversity and not just the habitats and species of principal importance. However, there is an expectation that public bodies would refer to the S41 list when complying with the section 40 duty.

(b) The duty on the Secretary of State to promote the taking of steps by others is not restricted to public bodies.

Defra guidance for local authorities and public bodies on implementing the biodiversity duty in the NERC Act draws attention to the S41 list, emphasising that local authorities and public bodies have a role to play in ensuring the protection of these species and habitats. Copies of the guidance can be downloaded from: http://archive.defra.gov.uk/environment/biodiversity/documents/pa-guid-english.pdf