



Ecological Impact Assessment (EcIA)



Walled Garden,
Strowdes Estate,
Culham Lane,
Remenham,
Berkshire

RG10 8NU

GR: SU 78331 80831

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Surveyor(s):	T. Woo-Glover BSc (Hons), MSc NE Class 2 Bat Licence
Author:	T. Woo-Glover BSc (Hons), MSc NE Class 2 Bat Licence
Verified by:	Paul Diamond RHS Cert (Hort), BSc (Hons), MSc, MCIEEM, MARborA, Associate Member of the Landscape Institute
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Ecological Surveys Ltd Registered Address and contact details:	Sui Generis, Tredallett Farm, Duloe, Cornwall, PL14 4PR 07474 681276 help@ecological-surveys-ltd.co.uk www.ecological-surveys-ltd.co.uk
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Declaration of Compliance

British Standards relating to biodiversity

This study has been undertaken in accordance with British Standard 42020:2013 *Biodiversity - Code of practice for planning and development* and British Standard 8683:2021 *Process for designing and implementing Biodiversity Net Gain – Specification*, unless specifically stated otherwise.

The *Guidelines for Ecological Impact Assessment in the UK and Ireland: Terrestrial, Freshwater, Coastal and Marine*, produced by the Chartered Institute of Ecology and Environmental Management (CIEEM) have also been followed (CIEEM, 2018); the *Biodiversity - Code of practice for planning and development* cites these guidelines as the acknowledged reference on ecological impact assessment.

Code of Professional Conduct

The information which we have prepared is true and has been prepared and provided in accordance with the Chartered Institute of Ecology and Environmental Management's Code of Professional Conduct. We confirm that the opinions expressed are our true and professional bona fide opinions.

Validity of Survey Data and Report

Ecological report validity is not fixed and is dependent on each individual site habitats and potential for protected species to be present. CIEEM suggest that 12 months is reasonable in most, if not all circumstances and up to 18 months in the vast majority, unless features could be occupied by mobile species such as bats, or if the site is not maintained as it previously was, (permitting opportunities for reptiles) and / or some incident has altered the baseline i.e. a storm damaging a structure or ripping branches off a tree, creating opportunities for bats.

It is likely that the Local Planning Authority (LPA) will request an update report for surveys between 18 months and 3 years old. Reports older than 3 years without an accompanying update survey, may be rejected by the LPA. A report for a site within an urban area is considered less likely to need short-term updating than a site within a rural or semi-rural area.

Legal and Moral Constraints and Responsibilities Summary

An overview of relevant legislation and responsibility is given within the Appendix C. Constraints exist for development where specific habitats or species are, or potentially are, within or adjoining a site proposed for development. Therefore, avoidance, mitigation, compensation and enhancement for a site will apply. In all instances where mitigation is given, also refer to:

- General good practice during construction stage.
- Law and legislation pertaining to specific species (plants and animals)
- Prevention of the spread of native and non-native invasive plants and animals.
- Avoidance of wildlife crime <http://www.nwcu.police.uk/>

Further advice if species are found onsite during development may be sought from Ecological Surveys Ltd (Tel: 0800 888 6846 or 07474 681276) or Natural England: 0300 060 3900 / enquiries@naturalengland.org.uk.



What is an Ecological Impact Assessment (EcIA)?

Ecological Impact Assessment (EcIA) is the term used to describe the 'process of identifying, quantifying and evaluating potential effects of development-related or other proposed actions on habitats, species and ecosystems. The findings of an assessment can help competent authorities understand ecological issues when determining applications for consent. EcIA can be used for the appraisal of projects of any scale including the ecological component of Environmental Impact Assessment (EIA).' (CIEEM, 2018: 8).

The key objectives of an EcIA are:

- To identify and describe all potentially Important Ecological Features, including designated sites, priority habitats and legally protected and notable species.
- To identify and assess all potentially significant ecological effects associated with the proposed development.
- To provide advice and recommendations to avoid or minimise any adverse effects and consider compensation measures if required.
- To identify mitigation measures required to ensure compliance with nature conservation legislation and to address any potentially significant ecological effects.
- To identify and assess the significance of any residual effects.
- To identify appropriate biodiversity enhancement measures and opportunities to increase the diversity of habitats and species on site and to achieve biodiversity gain.
- To identify the requirements for monitoring.



Non-technical Summary

Proposed development	The construction of 3 no. staff residential units with associated landscaping, parking, and roads.
Purpose of the report	To present the results of the Extended Phase 1 Habitat Survey undertaken at the proposed development area within Strowdes Estate, hereafter referred to as 'the Site'; assess the impacts of the proposed development on the important ecological features identified; and detail applicable compensation, mitigation measures and biodiversity enhancements as appropriate.
Site description	The site comprises a now disused walled garden, bounded by heritage walls, as well as the entrance drive through the relatively species poor but tussocky field to the east. An area of relatively recently planted woodland has already been cleared which will act as the site entrance to Kenton's Lane.

Habitats Regulations Assessment (HRA) likely?	It is considered unlikely that a shadow HRA will be requested by the local planning authority (LPA) – albeit this is not our decision to make.
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Important Ecological Features (IEFs)	The presence of an IEF on site, or in a location which could potentially be impacted by the development or post development activities will need to be mitigated for.
IEF Habitats	Onsite: - Bramble scrub - Introduced shrub - Modified grassland - Individual tree Offsite: - Other broadleaved woodland - Lowland mixed deciduous woodland
IEF Species	- Bats - Hazel dormouse - Birds - Reptiles - Amphibians
Potential Impacts of Proposed Development on IEFs	- Loss of habitats - Degradation/damage/modification of habitats - Incidental mortality or injury of species - Disturbance of species



Avoidance and Mitigation Measures	- Construction Exclusion Zones (CEZs). - Artificial Lighting Strategy - Aerial Investigation or Soft Felling Strategy - Seasonal Constraints for the Removal of Woody Species - Preventative Mowing of Grassland for Birds - Phased Habitat Reduction for Reptiles & Amphibians
Compensation Measures	- Woodland Planting - Scrub Planting - Orchard Creation - Tree Planting
Enhancement Measures	- Bat Roosting Provision - Bird Nesting Provision - Solitary Bee Provision - Landscaping for the Benefit of Wildlife
Biodiversity Net Gain (BNG)	- Habitat Biodiversity Units net change: + 0.29 (representing a gain of 13.82%) Trading rules have been satisfied. A Biodiversity Gain Plan and possibly a Habitat Management and Monitoring Plan will be required pre-commencement of the proposed development.
Important Advisory	Ensure all onsite contractors/personnel are familiar with this report and are able to act upon the law and legislation governing protection of species and habitats onsite, and the avoidance, mitigation, compensation and enhancement measures specifically pertaining to this development. Should protected species be discovered on site, all works in the vicinity must cease immediately and ecological advice sought urgently.



1. Introduction

1.1. Background

Ecological Surveys Ltd has been commissioned to complete an Ecological Impact Assessment in relation to a proposed residential development for staff within the walled garden of Strowdes Estate.

Ecological Surveys Ltd understands previous surveys were undertaken on this site which have, where appropriate, informed this report. This is specifically the interim EclA produced by ACD Environmental in March 2024 (reference - PRI23977_Interim EclA_Walled Garden).

1.2. Purpose of this Report

This report presents information concerning the ecological conditions on site, and in the vicinity, obtained during the ecology surveys and routine visits undertaken throughout 2025 and the desk-study. It identifies the Important Ecological Features (IEFs) with respect to the proposed development and assesses all potentially significant impacts of the development on these IEFs. The report then sets out proposed avoidance, mitigation and compensation measures, as well as enhancements for biodiversity, following both the Mitigation Hierarchy and the Biodiversity Gain Hierarchy. It also outlines any required monitoring.

1.3. Site Location and Description

The site occupies approximately 0.85ha of land situated near Kenton's Lane, between the village of Wargrave and the town of Henley-on-Thames. The site itself comprises a now disused walled garden and part of an adjacent field to be used for an access drive. An area of the adjacent field has also been included within the red line boundary for the purposes of achieving a biodiversity net gain.



Figure 1.1. Site Location Map





2. Assessment Methodology

2.1. Study Area and Zones of Influence

The study area has been defined as the application site and a 2km radius around it (the 'zone of influences'). The zone of influence is the 'area over which ecological features may be affected by biophysical changes as a result of the proposed project and associated activities' (CIEEM, 2018: 22). A 2km radius around an application site is generally accepted as the industry standard. Baseline information for this area was collated to determine ecological features that could potentially be affected by the development of the site, including designated sites, habitats and species. However, it is recognised that the zone of influence will vary for different ecological features depending on their sensitivity to an environmental change.

2.2. Establishing the Ecological Baseline

The ecological baseline for the proposed development site takes account of site-specific surveys, as well as existing ecological information relating to the site and its vicinity. Ecological baseline conditions are those 'which exist in the absence of proposed activities' (CIEEM, 2018: 26).

Desk-based Study

Baseline information for the application site and the study area was collated on the basis of readily available data from www.magic.defra.gov.uk (accessed on 19/12/2025), including internationally and nationally designated wildlife and earth science sites; priority habitats/habitats of principal importance (HPIs) and granted European Protected Species (EPS) Licence applications. Sites within the UK's National Site Network (Special Areas of Conservation (SACs) and Special Protection Areas (SPAs) and known in Europe as Natura 2000 sites) were considered for distances up to 10km from the Site or within the same watershed. These distances reflect the zone of influence over which ecological features may be subject to significant effects as a result of the proposed development and associated activities.

The Local Environmental Records Centre was not consulted for records of protected and notable species within the study area as it was not considered proportional to the possible impacts and scale of the development.

Data from websites are reliant on the information input into the system. The absence of a record of a species in a particular area is not evidence that the particular species does not exist but may simply be due to a lack of survey effort, or a failure to record its presence. Therefore, an absence of evidence (records) should not be interpreted as evidence of absence. In compliance with the terms and conditions relation to its commercial use, the complete desk study data as received from the Local Environmental Records Centre has not been provided within this report.

A check was made for water bodies within 500 m of the application site using the MAGiC website and OS mapping to assist in determining the potential for the presence of amphibians, such as great crested newt *Triturus cristatus*.



Field Survey

A habitat survey of the application site (and adjacent land, where appropriate) was undertaken by T. Woo-Glover BSc (Hons), MSc on various dates throughout 2025. This included visits in Spring, Summer, Autumn and Winter. These consisted of walkover assessments of the site using the UK Habitat Classification methodology (UKHab Ltd, 2023), with the addition of target noting indicators of ecological value, including the presence or signs of any legally protected or rare species (plant or animal).

The UK Habitat Classification involves the mapping of different habitats in accordance with standard habitat definitions. Each primary habitat present onsite is recorded, using a hierarchical system which includes all habitats found in the UK, including all UK Biodiversity Action Plan Priority Habitats and all Habitats Directive Annex I habitats.

Where appropriate, each habitat type was also defined in accordance with the habitat type used by the Statutory Biodiversity Metric and its condition assessed, using the Statutory Biodiversity Metric condition assessment sheets for habitats and hedgerows, and the River Condition Assessment methodology for watercourses.

The main plant species were recorded (identified according to Stace (2019)) and broad habitat types mapped.

Any buildings onsite were examined both externally and internally to consider the potential and actual use by bat species, as well as by nesting birds. The methodology for the preliminary roost assessment of structures as set out in the guidelines produced by the Bat Conservation Trust were followed (Collins (ed), 2023: 49). Any trees with potential bat roost features were also recorded, in line with the Bat Conservation Trust guidelines mentioned above.

A search was also made to identify the presence of any invasive non-native species (particularly those listed on Schedule 9 of the Wildlife and Countryside Act 1981 (as amended)), including Japanese knotweed *Reynoutria japonica* and Himalyan balsam *Impatiens glandulifera*.

Areas outside of the development site boundary were assessed where possible, if evidence from the site indicated that legally protected/rare species may be present in the vicinity of the site. Examples include badger trails, potential nesting or roosting habitat adjoining the site.

2.3. Survey Limitations / Constraints

All areas of the site were readily accessible to enable the habitat survey to be undertaken, and the time spent on site was considered appropriate to obtain all the details required for each habitat and species to enable an assessment to be made. The surveys were carried out by a suitable-skilled and experienced surveyor and the weather conditions were variable across dates, but included times of dry and sunny weather.

It should be noted, however, that habitats, and the species they may support, change over time due to natural processes and because of human influence.



2.4. Impact Assessment Methodology

The assessment of impacts has been carried out in accordance with the principles described in the guidelines produced by the Chartered Institute of Ecology and Environmental Management (CIEEM, 2018).

All ecological data and information gained through both the desk-based study and the field survey work were evaluated. The Important Ecological Features (IEFs) were identified and evaluated against the potential impacts of the proposed development, with the significant effects resulting from these impacts on the IEFs identified. The impact assessment determines how the conditions, focusing on the Important Ecological Features identified, will change in relation to the baseline conditions to allow a clear understanding of the effects of the proposed development. Impacts are considered in terms of the value of the ecological feature in the context of nature conservation, and the character of the impact. A significant effect is an effect that is 'sufficiently important to require assessment and reporting so that the decision maker is adequately informed of the environmental consequences of permitting a project' (CIEEM, 2018: 11).

Various characteristics contribute to the importance of ecological features. These include recognised and published criteria (e.g. Ratcliffe, 1977; CIEEM, 2018) where the ecological features are assessed in relation to their size, diversity, naturalness, rarity, fragility, typicality, connectivity with surroundings, intrinsic value, recorded history and potential value.

The ecological importance of existing habitats and species on the application site has been determined using the evaluation scale below, whereby ecological features are assessed for their importance in a geographical context:

- International importance (e.g. internationally designated sites such as Special Areas of Conservation, Special Protection Areas, Ramsar sites);
- National importance (e.g. nationally designated sites such as Sites of Special Scientific Interest or species populations of importance in the UK context);
- County importance (e.g. Site of Nature Conservation Importance, habitats and species populations of importance in the context of the county);
- Local importance (e.g. old hedges, woodlands, ponds);
- Negligible importance. Usually applied to areas such as built development or areas of intensive agricultural land.

When assessing the impact of the development and changes to the baseline conditions on site, predictions have been made which focus solely on the zone of influence whilst taking into consideration the lifespan of the development and the significant impacts as identified from the proposed work operations throughout the lifespan of the development.

Impacts likely to result from the construction and operation (and decommissioning, where appropriate) of the proposed development on IEFs were identified through liaison with the client and a review of layout options for the development. As well as considering on-site impacts (i.e. within the footprint of the works), the assessment of potential impacts also considers those that may occur to adjacent and more distant IEFs.



The effects of these impacts were then assessed, taking account of the following:

- Direction (positive, adverse, or neutral)
- Magnitude of impact
- Spatial extent over which the impact would occur
- The temporal duration of the impact
- Permanence
- Frequency and timing
- Potential for cumulative effects

As part of the impact assessment the available means to avoid, minimise or mitigate for any significant effects are incorporated into the design of the proposed development, so that the final stage of the impact assessment is to identify the residual (net) impacts that are predicted on the IEFs. The consequences for development control, policy guidance and legislative compliance can then be identified.

2.5. Mitigation Hierarchy

The proposed development aims to firstly avoid and then mitigate against any potential effects/impacts on the Important Ecological Features (IEFs), ensuring compliance with nature conservation legislation. It aims to achieve this by applying the mitigation hierarchy (as mentioned in the National Planning Policy Framework and detailed in Paragraph: 018 Reference ID: 8-018-20140306 of National Planning Practice Guidance), delivering measures for:

- Avoidance – significant harm to species and habitats should be avoided through design of the proposed development.
- Mitigation – where significant harm cannot be wholly or partially avoided, it should be minimised by design, or by the use of effective mitigation measures that can be secured by, for example, conditions or planning obligations.
- Compensation – where, despite whatever mitigation would be effective, there would still be significant residual harm, as a last resort, this should be properly compensated for by measures to provide for an equivalent value of biodiversity.

Appropriate measures to avoid and/or minimise the significant negative effects on the IEFs have been identified. These mitigation measures aim firstly to avoid the overall effect/impact, or for those that cannot be avoided, reduce their overall effect value. It is not always possible to fully mitigate an adverse effect to neutral levels and so an assessment is made of residual effects following the proposed mitigation measures to enable compensation.

2.6. Biodiversity Enhancement

Biodiversity enhancement (measures that improve the biodiversity/ecological condition) of all sites post-development is a planning requirement. The law, central government planning policy and local planning policy point towards the enhancement of a site's biodiversity as part of the development process. Ecological enhancement measures must be over and above any avoidance, mitigation and compensation measures required to neutralise the impacts of the development on wildlife.



Using the information gained during the desk-based study and the field survey, along with the ecological requirements of habitats, species and local environmental conditions, biodiversity enhancements for the site have been considered, providing opportunities to increase the diversity of habitats and species on site.

Enhancements for biodiversity have referred to the combined habitat networks map for England resulting from the work undertaken by Natural England regarding the mapping of national habitat networks (Natural England, 2020), as well as Local Nature Recovery Strategies.

2.7. Biodiversity Net Gain

As of 12 February 2024, all planning applications are required to meet the mandatory minimum 10% biodiversity net gain as set out by the Environment Act 2021, excepting some exemptions. The biodiversity net gain calculations, to determine the biodiversity losses and gains associated with the proposed development, have been undertaken using the Statutory Biodiversity Metric/Small Sites Metric and are set out in section 7. The statutory metrics use habitat to describe biodiversity, which is converted into measurable 'biodiversity units' according to the area of each type of habitat. The metric scores different habitat types (e.g. broadleaved woodland, modified grassland) according to their relative biodiversity value and adjusts this according to the condition and location of the habitat. Where new habitat is created or existing habitat is enhanced then the associated risks of doing so are factored into the metric.

It should be noted that the metric for biodiversity offsetting only considers habitats, both those currently present on site and those proposed as mitigation, compensation and enhancement for the proposed development. The metric does not take account of species onsite, or enhancements proposed to delivery biodiversity gain for species (except where they equate to gain in habitats).



3. Legislation and Policy used to assess Important Ecological Features

3.1. Legislation

European Habitats and Species Directive (CEC, 1992)

The main aim of the Habitats Directive is to promote the maintenance of biodiversity by requiring Member States to take measures to maintain or restore natural habitats and wild species listed on the Annexes to the Directive at a favourable conservation status, introducing robust protection for those habitats and species of European importance.

The Wildlife and Countryside Act (WCA) 1981 (as amended)

This Act is the primary legislation that protects animals, plants and certain habitats in the UK. This includes the designation and protection of some of the best areas of natural environment as Sites of Special Scientific Interest (SSSI).

All wild birds in the UK are protected under the WCA 1981. This makes it illegal to:

- i. Kill, injure or take any wild bird;
- ii. Take, damage or destroy the nest of any wild bird while it is being built or in use;
- iii. Take or destroy the eggs of any wild bird; and
- iv. Possess or control any wild bird or egg unless obtained legally

The widespread UK reptile species are protected under the WCA 1981 against intentional killing or injury.

The schedules list particular species receiving a higher level of protection, including birds in Schedule 1, other animals in Schedule 5 and plant species in Schedule 8. Schedule 9 lists plant and animal species that are prohibited from introducing into the wild as they may cause ecological/environmental harm or pose a threat to native habitats and species.

The Conservation of Habitats and Species Regulations 2017 (as amended)

The Conservation of Habitats and Species Regulations 2017 (as amended) consolidate all the various amendments made to the [Conservation \(Natural Habitats, &c.\) Regulations 1994](#) in respect of England and Wales. The 1994 Regulations transposed Council Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora (EC Habitats Directive) into national law.

The objective of the Regulations is to protect biodiversity through the conservation of natural habitats and species of wild fauna and flora. The Regulations set out the rules for the protection, management and exploitation of such habitats and species. They place a duty on the Secretary of State to propose a list of sites which are important for either habitats or species. These sites are known generally as 'European sites' and in the UK form the national sites network (known in Europe as Natura 2000 sites). They include Special Areas of Conservation (SACs) and Special Protection Areas (SPAs).

All European Protected Species (EPS) are protected under the WCA 1981 and the Habitat Regulations. Under this legislation it is illegal to:

- i. Intentionally or deliberately capture, kill or injure listed species;



- ii. Intentionally deliberately or recklessly damage, destroy or obstruct access to any place used for shelter or protection including resting and breeding places, whether occupied or not; and
- iii. Deliberately, intentionally or recklessly disturb listed species when in a place of shelter (and elsewhere for EPS).

All the UK bat species are protected under this legislation.

Protection of Badgers Act 1992

The Protection of Badgers Act 1992 consolidated and improved previous legislation. Under the Act it is an offence to kill, injure or take a Badger, or to damage or interfere with a sett used by a Badger unless a licence is obtained from a statutory authority.

The Hedgerow Regulations 1997

The Hedgerows Regulations 1997 protect certain hedgerows from being removed (uprooted or destroyed) if they meet certain criteria.

The Countryside and Rights of Way (CROW) Act 2000

This Act increases measures for the management and protection for Sites of Special Scientific Interest (SSSI) and strengthens wildlife enforcement legislation.

Circular 06/2005 Biodiversity and geological conservation – statutory obligations and their impact within the planning system

This circular provides administrative guidance on the application of the law relating to planning and nature conservation as it applies in England. It complements the national planning policy in the National Planning Policy Framework and the Planning Practice Guidance.

Natural Environment and Rural Communities Act 2006

The Act made amendments to the both the Wildlife and Countryside Act 1981 and the Countryside and Rights of Way (CROW) Act 2000. For example, it extended the CROW biodiversity duty to public bodies and statutory undertakers. It includes a list of species of principal importance and a list of habitats of principal importance. The presence of these species and habitats of principal importance is a material consideration for decision-makers such as public bodies, including local and regional authorities, in determining planning applications and carrying out other functions.

Environment Act 2021

This Act has a number of key elements, three of which directly concern species and habitats:

- All new developments to deliver 10% increase in biodiversity (biodiversity net gains), to be managed for at least 30 years (reviewable by the Secretary of State), with a Biodiversity Gain Site Register to be implemented and maintained for at least 30 years after the site scheme has completed.
- Introduction of Local Nature Recovery Strategies (LNRSs) – new spatial strategies led by a “responsible authority” in each area. Statutory guidance to be given to Local Planning Authorities (LPAs) explaining how they should take account of the LNRSs.



- Introduction of a new Species Conservation Strategy which places a duty on LPAs to cooperate with Natural England and other LPAs etc. to safeguard the future of 'at risk' species.

Further details concerning wildlife legislation are given in Appendix C.

3.2. National Policy

National Planning Policy Framework 2024 sets out the Government's planning policies for England and how these should be applied. It states that there is a presumption in favour of sustainable development and contains a number of policies relating to ecology including minimising impacts on biodiversity and providing net gains in biodiversity where possible, contributing to the Government's commitment to halt the overall decline in biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures.

Section 15, Conserving and enhancing the natural environment, includes the following:

- 187. Planning policies and decisions should contribute to and enhance the natural and local environment by:
 - a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan);
 - b) recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland;
 - c) maintaining the character of the undeveloped coast, while improving public access to it where appropriate;
 - d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures and incorporating features which support priority or threatened species such as swifts, bats and hedgehogs;
 - e) preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans; and
 - f) remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate.
- 188. Plans should: distinguish between the hierarchy of international, national and locally designated sites; allocate land with the least environmental or amenity value, where consistent with other policies in this Framework; take a strategic approach to maintaining and enhancing networks of habitats and green infrastructure; and plan for the enhancement of natural capital at a catchment or landscape scale across local authority boundaries.
- 193. When determining planning applications, local planning authorities should apply the following principles:
 - a) if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused;



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

National Planning Practice Guidance is an online resource providing guidance on the natural environment and its place with the planning process, including:

- The statutory basis through which planning should seek to minimise impacts on biodiversity and provide net gains in biodiversity where possible.
- How local planning authorities should set about planning for biodiversity and geodiversity.
- Information on ecological networks.
- Evidence based ecology.
- The legal obligations on local planning authorities and developers regarding European sites designated under the Birds or Habitats Directives, protected species and Sites of Special Scientific Interest.
- Why Local Sites are important.
- Taking ecosystems services into account in planning.
- Nature Improvement Areas.
- Taking biodiversity into account in preparing a planning application.
- How development can protect and enhance biodiversity.
- What questions should be considered in applying policy to avoid, mitigate or compensate for significant harm to biodiversity.
- Ensuring mitigation or compensation measures can be delivered where significant harm to biodiversity is unavoidable.



4. Ecological Baseline

4.1. Designated Sites of Nature Conservation

Statutory Nature Conservation Sites

The site does not lie within or immediately adjacent to a statutory designated nature conservation site. There are, however, statutory nature conservation sites within the study area as listed in Table 4.1.

Nonetheless, given the limited scope of works and distance between the site and the protected sites, no statutory nature conservation sites are considered to be Important Ecological Features (IEFs) with respect to the proposed development.

Non-Statutory Nature Conservation Sites

The site does not lie within or immediately adjacent to a non-statutory designated nature conservation site. There are non-statutory nature conservation sites within the study area as listed in Table 4.2.

Nonetheless, given the limited scope of works and distance between the site and the local wildlife sites, no non-statutory nature conservation sites are considered to be Important Ecological Features (IEFs) with respect to the proposed development.



Table 4.1. Statutory Nature Conservation Sites within the Study Area

Designation	Site name	Key ecological/geological features	Approximate distance and direction from application site	Importance
Site of Special Scientific Interest (SSSI)	Harpsden Wood	• Lowland beech and yew woodland	2km west	Of National importance
	Rodbed Wood	• Population of RDB plant - <i>Leucojum aestivum</i>, Summer Snowflake • Wet woodland	3km northeast	Of National importance
	Temple Island Meadows	• Lowland mire grassland and rush pasture • Population of RDB plant - <i>Leucojum aestivum</i>, Summer Snowflake • Wet woodland	3.5km north	Of National importance
	Highlands Farm Pit	• Geological designation	4km west	Of National importance
	Lambridge Wood	• Lowland beech and yew woodland	4.5km northwest	Of National importance



Table 4.2. Non-statutory Nature Conservation Sites within the Study Area

Designation	Site name	Key ecological/geological features	Approximate distance and direction from application site	Importance
Local Wildlife Site (LWS)	Grassland slope	Unknown	130m south	Of County importance
	Wargrave Marsh	Unknown	150m south	Of County importance
	Templecombe Wood	Unknown	300m north	Of County importance
	Worleys Hill	Unknown	600m northeast	Of County importance
	Happy Vally and Conways Bridge	Unknown	700m north	Of County importance
	Little Fairmans Wood	Unknown	850m southeast	Of County importance
	Park Place School	Unknown	1.1km north	Of County importance
	Branfords Woodland	Unknown	1.1km northwest	Of County importance



4.2. Habitats

This section details the habitats recorded onsite during the field survey undertaken along with important habitats within the vicinity of the site. Figure 4.1 presents the findings of the field survey.

Figure 4.1. Map showing Results of the Field Survey





Onsite Habitats

4.2.1. Artificial unvegetated, unsealed surface



A mixture of hardstanding and compacted ground exists where tracks have been created. These are predominantly unvegetated. Given the limited extent of vegetation within this habitat, it is considered to be of negligible ecological value.

4.2.2. Bramble scrub



At the time of the 2025 surveys by Ecological Surveys Ltd. only a small area of bramble scrub existed, to the east of the walled garden. However, it is understood that an area of bramble scrub did also exist within the walled garden itself but was cleared prior to the surveys. Consequently, it is difficult to ascertain any value this habitat could have had to support other species. Nonetheless, the previous interim ecology report by ACD Environmental found this to have potential to support nesting birds. This assessment matches that of the remaining bramble scrub which also has potential to support nesting birds. This habitat is considered of relatively low value, being composed of a single species.



4.2.3. Introduced shrub



Two areas of Cherry laurel exist on site along the northern track. These areas are largely composed of a single species (although punctuated by larger trees). These areas shade out the surrounding habitats and are a negative impact on the value of the site. It is, however, possible that some birds could nest within these areas.

4.2.4. Modified grassland



Grassland within the walled garden in August (L) and December (R)



Tussocky grassland field adjacent to the east. Small areas of this are within the red line boundary.

Modified grassland is the dominant habitat across the site. This grassland has a fairly tussocky sward with typically less than 6 species per m². Its composition varies but includes perennial rye-grass,



Yorkshire-fog, cock's-foot, white clover, cleavers, creeping thistle. Within the walled garden, damage caused by machinery has resulted in a more ruderal-like sward with fewer grasses present, this is dominated by species including black horehound, lesser burdock, spear thistle, creeping thistle, and stinging nettle.

In the adjacent field to the east, through which the proposed new access drive will be located, species richness is generally very low, similar to that within the walled garden. Tussocky unmanaged grassland has resulted in the more vigorous grasses outcompeting other herbaceous species. However where disturbance by machinery has occurred within this field both on site, but also in the surrounding area offsite, some opportunistic species have sprung from the seed bank. These have both calcareous and woodland influence and are indicative of a more species rich seed bank, should grassland be managed in a more sympathetic way. Species present within these disturbed areas, either on site or nearby offsite include vervain; black medic; weld; creeping thistle; red fescue; common ragwort; greater plantain; annual meadow grass; imperforate St. John's-wort; field speedwell; parsley piert; thyme leaved speedwell; smooth hawkweed; dark mullein; Verbascum sp.; comfrey; scarlet pimpernel; germander speedwell; geranium sp.; dwarf mallow; woody nightshade; wood dock; spear thistle; sticky groundsel; scented mayweed; false oat grass; false brome; creeping cinquefoil; hemp agrimony; stinging nettle; and lesser swinecress.

Whilst largely limited in terms of botanical diversity, other than locally where disturbance has occurred, being mostly tussocky in nature these areas of grassland offer value for protected species such as reptiles and potentially terrestrial phase amphibians and ground nesting birds.

4.2.5. Ruderal or Ephemeral



Between the woodland adjacent to the north and west and the walled garden lies a strip of ruderal vegetation. This is dominated by stinging nettle, with some hemp agrimony, garlic mustard, and bramble also present. This habitat is of relatively limited value, being heavily shaded and botanically poor. It is unlikely that any protected species would use this habitat.



4.2.6. Individual tree



Leyland cypress (left, centre left) and ash (right) within the red line boundary

Two trees exist within the red line boundary, a Leyland cypress and an ash. These are size class 'Large' and 'Medium' respectively with regards to BNG. Both exist within areas of Cherry Laurel. Both trees have potential to support nesting birds and neither were found to have potential roosting features suitable for supporting bats. However, given the extensive cover of ivy on the ash, it is possible that potential roosting features could be present but hidden from view. Being a native species, the ash is of greater value than the Leyland cypress generally for wildlife.

4.2.7. Wall



A heritage brick wall surrounds the walled garden. A number of shallow crevices exist along the length of the wall. It is considered unlikely that these would be suitable for bat summer roosting, owing to their low height, shallow depth and shading from the adjacent woodland. These are also unlikely to be used as a hibernation roost owing again to their shallow depth and as a result exposed nature.



4.2.8. Woodland



Woodland area cleared (L), with retained woodland, and therefore likely condition prior to clearance (R)



Woodland offsite to the north.

Two types of woodland habitat exist surrounding the site, other broadleaved woodland and lowland mixed deciduous woodland. The area of other broadleaved woodland is that along the proposed entrance track which had been cleared prior to the 2025 surveys and immediately east and west of this. Although this area has been variously wooded and cleared over the last 100 years (based on historic maps), the existing area of woodland is relatively recently planted (approximately 2012 based on satellite imagery). This planted area of woodland only contains a single age class and canopy structure with trees planted in a grid. No understorey or shrubs exist here. This woodland is of very limited value with little potential to support protected species.



The second area of woodland, Fir wood, is much more mature and of far greater value for wildlife. This woodland still has a relatively bare understorey and could benefit from some selective felling, but does support a ground flora including dog's mercury, garlic mustard, woody nightshade, spurge laurel, and hemp agrimony, among other species. This woodland has potential to support roosting and foraging bats, nesting birds, and possibly dormice.

4.2.9. Other standing water (ponds)

No areas of standing water exist on site. However, it is understood there are three ponds located within 500m of the site, the nearest being approximately 225m to the southwest. It was not possible to access this pond and therefore it is unknown whether this has potential to support protected species such as great crested newts.

4.3. Species

Any evidence indicating use of the site by legally protected/notable species was noted during the field survey and is presented in this section. Habitats have also been assessed from the results of the field survey for their potential to support the following protected species. Where there is no potential for a species or species group to be present within the site, or where habitats with the potential to support this species or species group will not be impacted by the proposals, they may be scoped out at this stage.

4.3.1. Bats

There are no buildings or trees onsite that have features suitable for roosting bats. The fields of modified grassland contained within the site provide very little value for foraging and commuting bats. However, the woodland surrounding the site does provide such habitat, and connects to the wider landscape via hedgerows, watercourses and further areas of woodland. A good diversity of bats are known to be present within the surrounding landscape, including whiskered bat, bechstein's bat, barbastelle, greater horseshoe bat, brown long-eared bat, natterer's bat, and daubenton's bat. This includes some rare species for the area, particularly bechstein's, barbastelle, and greater horseshoe, the latter two of which are known to be present foraging within woodlands in the wider estate.

4.3.2. European badger *Meles meles*

There are no setts located within the site; however, evidence of badger activity was recorded in the form of well-worn mammal pathways. These were followed with no setts noted on or in the immediate vicinity of the site. Badgers are known to be present in various locations throughout the wider estate, but not in the immediate vicinity of the staff village red line boundary.

4.3.3. Hazel dormouse *Muscardinus avellanarius*

Potentially suitable habitats exist within the woodland habitat offsite, particularly the lowland mixed deciduous woodland to the north and west of the walled garden. The bramble scrub and other broadleaved woodland have some value for occasional foraging, but are unlikely to support nesting dormice, owing to a lack of suitable nesting sites. There are no records or known populations of the species within a 2km radius of the site.



4.3.4. West European hedgehog *Erinaceus europaeus*

The modified grassland and bramble scrub, along with the offsite woodland provide some suitable habitat for hedgehog. However, given the considerable population of badgers in the wider estate the site is considered to be of lower value than it otherwise might have been.

4.3.5. Birds

The modified grassland habitat provides some opportunities for ground nesting bird species, owing to its lack of management. Skylarks are known to be present within the wider estate but have not been recorded within the vicinity of the red line boundary. In addition, bramble scrub, introduced shrub, tree, and woodland habitats have potential to support other nesting birds. All bird species are protected whilst nesting, breeding and rearing young.

4.3.6. Reptiles

Grassland on site has potential to support reptiles. Through recent lack of management of the grassland, particularly outside the walled garden, a thick thatch has developed. The grassland is less dense within the walled garden and therefore less valuable for reptiles.

4.3.7. Amphibians

This site may support terrestrial phase amphibians including frogs and toads. The nearest body of water is approximately 225m to the southwest. Consequently, when combined with the extent of proposed works, whilst records exist within 2km, great crested newts are less likely to be present on site.

The Great Crested Newt Rapid Risk Assessment (contained within Natural England's Great Crested Newt Template for Method Statement) has been used to determine the risk to the local great crested newt population presented by the potential impacts of the proposed development.

Component	Likely effect (select one for each component; select the most harmful option if more than one is likely; lists are in order of harm, top to bottom)	Notional offence probability score
Great crested newt breeding pond(s)	No effect	0
Land within 100m of any breeding pond(s)	No effect	0
Land 100-250m from any breeding pond(s)	0.01 - 0.1 ha lost or damaged	0.01
Land >250m from any breeding pond(s)	0.5 - 1 ha lost or damaged	0.03
Individual great crested newts	No effect	0
Maximum:		0.03
Rapid risk assessment result:	GREEN: OFFENCE HIGHLY UNLIKELY	



4.4. Summary of Important Ecological Features

Table 4.3 summarises the Important Ecological Features as identified from the baseline conditions, with respect to the proposed development, excluding those of Negligible importance.

Table 4.3. Summary of Important Ecological Features (IEFs)

Important Ecological Feature (IEF)	Level of importance	Rationale
Habitats		
Bramble scrub	Local	Due to its potential to support protected species.
Introduced shrub	Local	Due to its potential to support protected species.
Modified grassland	Local	Due to its potential to support protected species.
Individual tree	Local	Due to its potential to support protected species.
Other broadleaved woodland (offsite)	Local	Due to its potential to support protected species.
Lowland mixed deciduous woodland (offsite)	Local	Habitat of Principal Importance, lying adjacent to the north and west of the proposed development site. Potential to support protected species.
Species		
Bats	County	Potentially using the woodland bounding the site; assessed as of county importance due to the presence of greater horseshoe bat nearby.
Hazel dormouse	Local	Some value offered by woodland offsite.
Birds	Local	Potentially using tussocky grassland, scrub, shrubs, and trees for nesting.
Reptiles	Local	Potentially using tussocky grassland.
Amphibians	Local	Potentially using tussocky grassland.



5. Assessment of Effects, Mitigation Measures and Compensation

This section considers the potential impacts resulting from the proposed development, with the potential significant effects on each of the Important Ecological Features identified (from the existing baseline conditions summarised in section 4.4 above). The potential impacts are considered for each stage of the development, namely the pre-construction, construction (including groundworks) and operational phases, with the potential significant effects on the ecological features identified. The mitigation hierarchy is then applied, with the aim of firstly avoiding any loss or damage/degradation to any of the Important Ecological Features (IEFs). If avoidance is not possible then the impacts of development will be minimised and reduced as much as possible, with mitigation measures set out for each IEF. The scale of any mitigation should be proportional to the proposed development with a guiding principle of minimising intervention to any given habitat. Any residual effects on each IEF are then identified and set out in Table 5.1 in section 5.4. Compensation measures for any losses are then identified.

All avoidance, mitigation and compensation measures are summarised in Table 5.2 in section 5.5.

5.1. The Proposed Development

The proposed development on site comprises the construction of 3 no. staff residential units with associated landscaping, parking, and roads. The proposed site layout provided by the client is presented in Figure 5.1.



An aerial photograph of a proposed development site, outlined in red. The site is located on a hillside, with a road (Highway 101) visible on the left. The plan shows several white building footprints, parking areas, and landscaped green spaces with trees and shrubs. The surrounding area is heavily wooded.

[illegible]



5.2. Habitats (IEFs)

The following habitats have been identified as Important Ecological Features (IEFs) with respect to the proposed development:

- Bramble scrub (onsite)
- Introduced shrub (onsite)
- Modified grassland (onsite)
- Individual tree (onsite)
- Other broadleaved woodland (offsite)
- Lowland mixed deciduous woodland (offsite)

Bramble scrub, introduced shrub, modified grassland, individual tree, and other broadleaved woodland habitats have been assessed as IEFs due to their potential to support legally protected/notable species and therefore have been assessed in the next section, 5.5 *Species (IEFs)*.

The likely significant effects of the impacts of the proposed development are now assessed for each IEF.

Lowland mixed deciduous woodland (offsite) [IEF habitat]	
Potential effects	• Accidental degradation / damage of habitat (construction phase)
Explanation of potential effects	• Given the close proximity of the habitat to the proposed development area, it is possible that accidental damage or degradation of the woodland could occur without suitable measures.
Mitigation measures	• Construction Exclusion Zone (CEZ) along the edge of the habitat or matching tree protection zones, whichever is greater. • Artificial lighting strategy
Significance of residual effects	• There are likely to be no residual effects if the avoidance/mitigation measures listed above are put in place.

5.3. Species (IEFs)

The following species have been identified as Important Ecological Features (IEFs) with respect to the proposed development:

- Bats
- Hazel dormouse
- Birds
- Reptiles
- Amphibians

The likely significant effects of the impacts of the proposed development are now assessed for each IEF.



Bats [IEF species]	
Potential effects	• Degradation/damage of habitat (construction / operational phases) • Fragmentation of habitat (construction / operational phases) • Incidental mortality or injury of species (construction phase)
Explanation of potential effects	• Although habitat on site is of relatively low value for foraging bats, the woodland immediately adjacent has value, including for a number of rarer species. • No potential roosting features were noted. However, the ash to be felled is covered in a dense layer of ivy. It is therefore possible that potential roosting features could be present here but hidden from view. Given the size of the tree, it is considered unlikely that a potential roosting feature with value for a more important roost (such as maternity) would be present.
Mitigation measures	• Construction Exclusion Zone (CEZ) along the edge of the habitat or matching tree protection zones, whichever is greater. • Artificial lighting strategy • Aerial investigation of the ash tree prior to felling or a soft felling strategy, depending on health and safety assessment at the time of felling.
Significance of residual effects	• There are likely to be no residual effects if the avoidance/mitigation measures listed above are put in place. Suitable habitat will remain suitable for bats. New habitats are to be created for BNG which will offer additional foraging habitat for bats (mixed scrub, other broadleaved woodland).

Hazel dormouse [IEF species]	
Potential effects	• Accidental degradation / damage of habitat (construction phase)
Explanation of potential effects	• Whilst habitat on site is largely unsuitable for nesting and of limited value for foraging, dormice could be present within the surrounding woodland. Accidental damage of such habitat could therefore negatively impact dormice.
Mitigation measures	• Construction Exclusion Zone (CEZ) along the edge of the habitat or matching tree protection zones, whichever is greater. • Artificial lighting strategy
Significance of residual effects	• There are likely to be no residual effects if the avoidance/mitigation measures listed above are put in place. Suitable habitat will remain



	suitable for dormice. New habitats are to be created for BNG which will offer additional habitat for dormice (mixed scrub, other broadleaved woodland).
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Birds [IEF species]	
Potential effects	• Loss of habitat (construction phase) • Accidental degradation / damage of habitat (construction phase) • Incidental mortality or injury of species (construction phase) • Disturbance of species (construction phase)
Explanation of potential effects	• Potential exists for birds to nest within bramble scrub, introduced shrub, modified grassland, individual tree, other broadleaved woodland, and lowland mixed deciduous woodland habitats. Some of these will be lost as a result of proposed works while others might be accidentally damaged.
Mitigation measures	• Construction Exclusion Zone (CEZ) along the edge of the habitat or matching tree protection zones, whichever is greater. • Seasonal Constraints for the Removal of Woody Species (outside the nesting season). • Regular mowing of grassland prior to and during the nesting season. This must however take into account the possible presence of reptiles / amphibians.
Significance of residual effects	• There are likely to be no residual effects if the avoidance/mitigation measures listed above are put in place. Extensive alternative suitable habitat exists nearby. New habitats are to be created for BNG which will offer additional habitat for nesting and foraging birds (mixed scrub, other broadleaved woodland).

Reptiles [IEF species]	
Potential effects	• Loss of habitat (construction phase) • Degradation/damage/modification of habitat (construction phase) • Incidental mortality or injury of species (construction phase)
Explanation of potential effects	• Much of the site is currently composed of habitat of value for reptiles. Much of this will be lost within the red line boundary as a result of proposed works. This risks resulting in injury or death to any reptiles present at the time of works.



Mitigation measures	Phased habitat reduction method for reptile & amphibian mitigation
Significance of residual effects	There are likely to be no residual effects if the avoidance/mitigation measures listed above are put in place. Extensive alternative suitable habitat exists offsite and will not be impacted by proposed works.

Amphibians [IEF species]	
Potential effects	- Loss of habitat (construction phase) - Degradation/damage/modification of habitat (construction phase) - Incidental mortality or injury of species (construction phase)
Explanation of potential effects	- As with reptiles, much of the site is currently composed of habitat of value for terrestrial phase amphibians. Much of this will be lost within the red line boundary as a result of proposed works. This risks resulting in injury or death to any reptiles present at the time of works. - Given the limited scope of works, combined with the distance of the site to the nearest known ponds, it is considered unlikely that great crested newts will be impacted.
Mitigation measures	Phased habitat reduction method for reptile & amphibian mitigation
Significance of residual effects	There are likely to be no residual effects if the avoidance/mitigation measures listed above are put in place. Extensive alternative suitable habitat exists offsite and will not be impacted by proposed works.

5.4. Summary of Residual Effects and Compensation

The mitigation measures set out above seek to address the potential impacts of the development and the likely significant effects on the IEFs. The residual effects resulting on any IEFs once these mitigation measures have been carried out are summarised in Table 5.2 below.

Table 5.1. Summary of Residual Effects

Residual effect	Important ecological feature impacted upon / effected	Development Phase
None	N/A	N/A



Compensation measures are not required to the offset residual effects resulting in the loss of, or permanent damage to, ecological features as set out in Table 5.2 above. Nonetheless, in order to achieve a Biodiversity Net Gain, habitat creation measures are as follow:

- Trees will be planted adjacent to the existing other broadleaved woodland and the proposed drive to create additional other broadleaved woodland to compensate for the prior loss of such woodland for the new drive.
- Species rich native mixed scrub will be created adjacent to this new woodland to offset the loss of bramble scrub as well as to enhance the site.
- An orchard area is to be created and managed sympathetically for wildlife. This will include a moderately species rich grassland sward with native wildflowers.
- Further tree planting is proposed within communal areas between staff accommodation.

Combined, these measures will compensate for the loss of habitat on site as well as enhance it for wildlife.

5.5. Summary of Avoidance, Mitigation and Compensation Measures

Table 5.2 summarises the avoidance, mitigation and compensation measures required for the proposed development of this site.

It is recommended that all avoidance and mitigation measures associated with the construction phase of the proposed development be included in a Construction Ecological Management Plan.

Table 5.2. Avoidance, Mitigation and Compensation Measures

Avoidance, mitigation and compensation measures	Development Phase	IEF initially impacted upon / effected	Avoidance / reduction in effect
Construction Exclusion Zone (CEZ) along the edge of the habitat or matching tree protection zones, whichever is greater.	Construction	Woodland, bats, birds, dormice	Avoidance
Artificial lighting strategy – no lighting shone on woodland, lighting to be kept to the minimum required with timer switches on any external lighting.	Construction	Woodland, bats, dormice	Reduction
Aerial investigation of the ash tree prior to felling or a soft felling strategy, depending on health and	Pre-construction	Bats	Avoidance



safety assessment at the time of felling.			
Seasonal Constraints for the Removal of Woody Species (outside the nesting season).	Pre-construction	Birds	Avoidance
Regular mowing of grassland prior to and during the nesting season. This must however take into account the possible presence of reptiles / amphibians.	Pre-construction	Birds	Avoidance
Phased habitat reduction method for reptile & amphibian mitigation	Pre-construction	Reptiles, amphibians	Avoidance
Woodland planting	Construction / Operational	Bats, dormice, birds	Compensation / Enhancement
Scrub planting	Construction / Operational	Bats, dormice, birds	Compensation / Enhancement
Orchard creation	Construction / Operational	Bats, dormice, birds	Compensation / Enhancement
Tree planting	Construction / Operational	Bats, dormice, birds	Compensation / Enhancement



6. Enhancement for Biodiversity

There is an opportunity within the proposed development to increase biodiversity on the site through pro-active enhancement measures. These enhancement measures are set out below and are taken into account in the following section concerning Biodiversity Net Gain.

6.1. Bat Roosting Provision

Bat tubes are typically better suited as enhancement. However, on this occasion with the proposed dwellings being single storey, it would be more beneficial to site boxes within the adjacent woodland. These boxes will be erected 3 - 6 high and will be placed on the southern and western aspects.

Specifically, two Large Multi Chamber Woodstone Bat Box should be erected within the woodland nearby.



Large Multi Chamber Woodstone Bat Box Specification

* External dimensions: 15cm x 27.5cm x 16cm

* Internal dimensions: 11cm x 19cm x 11cm

* Materials: Woodstone® and wood

* Weight: 4kg

* Fixings: Supplied with wall plug and screws for mounting onto a tree or wall

Siting - The box can be mounted onto trees or on buildings and is best positioned at a height of between 3 to 6 metres. It can be used as a summer roost, maternity roost or hibernation box during mild winters. The material is breathable which eliminates the issues with condensation and has a long life.

Common pipistrelle, Nathusius's pipistrelle, Soprano pipistrelle with a span of up to 10 years.

6.2. Bird Nesting Provision

A bird brick should be built into one of the new properties. In-built bird bricks provide a long-lasting solution. Fixing to trees or external wall mountings will only last as long as the nail / screw or branch lasts. Often this is less than ten years. Built in features are likely to last as long as the structure they are built into which might be hundreds of years. Obviously, there may be occasions where built in solutions are not applicable. LPA approval of external mounted boxes is generally required.

- Only boxes of robust or permanent construction are suitable. Some account must be taken of the potential need to maintain and replace boxes after a number of years in use.



- Boxes/bricks should be positioned with orientation preferably between north and east with external positions of not less than 3m high to avoid cat predation and vandalism.
- Site nest boxes in locations that are accessible for maintenance, but away from bird feeders. Ideally boxes should be a discrete distance away from other nest boxes, except for house sparrows, as they like to nest in colonies.

Example nest bricks given below.

		
House Sparrow Terrace	Bird brick (24, 25, 26) to suit varying bird sizes	Swift

6.3. Solitary Bee Provision

One solitary bee brick should be built into every property, or otherwise 3x total within a newly built structure. Solitary bee bricks can be built into buildings, walls and other structures. Each bee brick provides multiple cavities for solitary bees to lay their eggs. The bricks should ideally be built into south-facing, sunny walls, at 1m-2m above ground level and with nectar sources nearby.



Example of solitary bee bricks



6.4. Landscaping for the Benefit of Wildlife

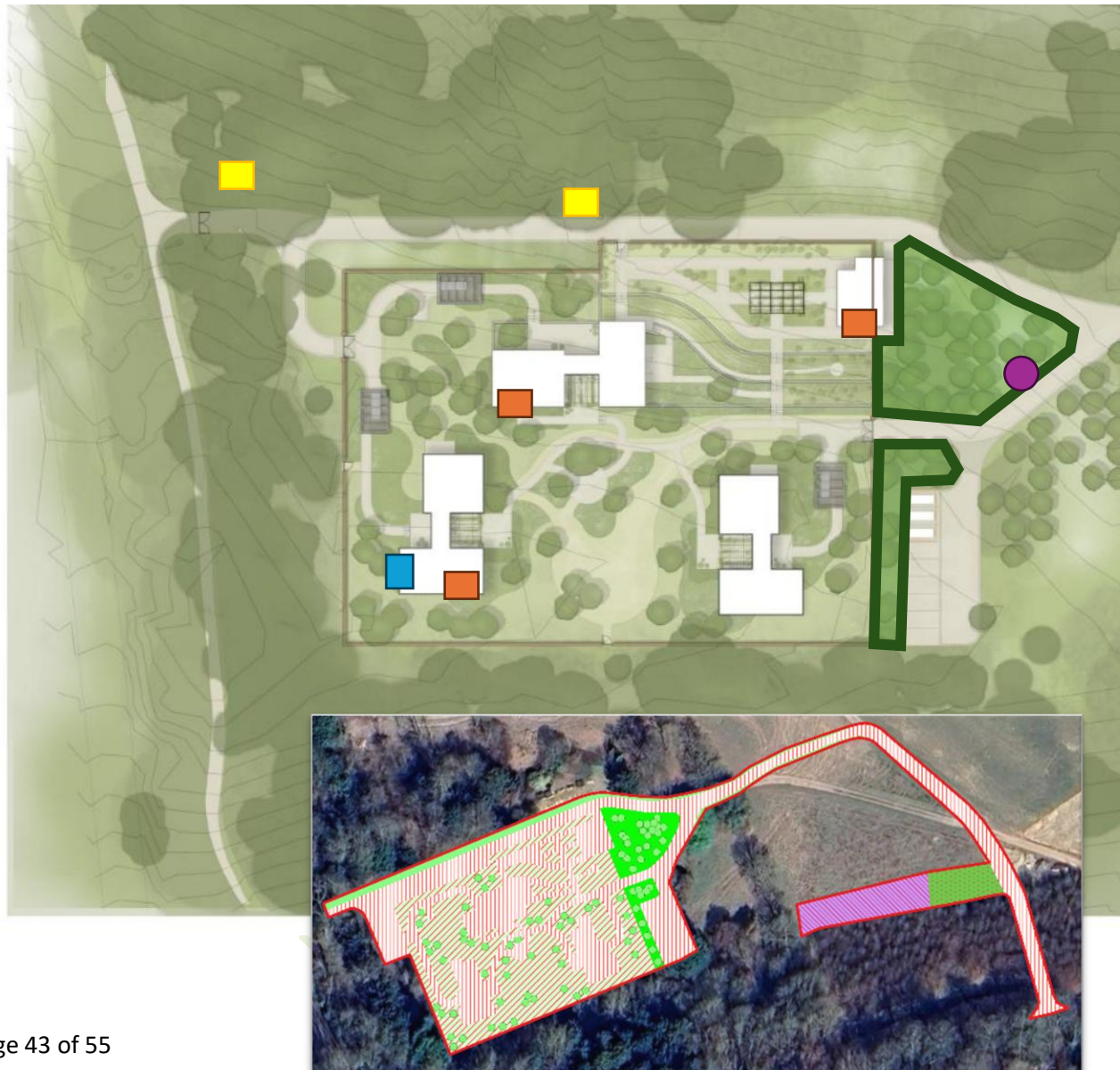
Landscaping in sympathy with the needs of native wildlife is relevant to all important wildlife species. It helps to support birds by providing plant species which carry seeds, fruits, nuts, and/or support insects (nectar and pollen) upon which birds feed and supports bats by attracting insects to the garden.

The list below is not exhaustive, neither is it prescriptive, and recommendations can be applied with discretion. The implementation of a combination of recommendations here fulfils the obligation of the client/agent to leave the site in an enhanced state.

- ✓ The landscape architect/or appointed person should plant a variety of flowering plants, biased towards native and near-native species. Exotics are not required; however, a selection of exotics to extend the flowering season and potentially provide resources for specialist groups now and in the future, is becoming increasingly important owing to climatic changes, and should be given serious consideration by any with a view to protecting and sustaining present and future biodiversity. Plant holistically for biodiversity value: nectar rich plants/shrubs which yield fruits /nuts of benefit to a multitude of species.
- ✓ Where grass is planted, use a grass mix other than low amenity lawn grass. Plant mixes with diverse grass species support a wealth of insects when allowed to seed and flower before being cut back.
- ✓ Provide green corridors (hedges/trees/water features/lawns or mixed diversity species and beds) with attention to other neighbouring green spaces. The garden itself, when taken as one of many within the neighbourhood, will become part of a wider green corridor.
- ✓ Select a variety of plants that will produce foods in different seasons. For winter residents as well as migrants that return early in spring, plants that hold their fruits throughout the winter ("winter-persistent" plants) are a vital food source.
- ✓ Leave rough areas of vegetation and native trees and shrubs around the vicinity of any replacement building will also maintain nesting opportunities.
- ✓ Avoid pesticide and insecticide use.
- ✓ For garden areas: improve the area of green habitat within the garden wherever feasible and where paved spaces and balconies must be used also consider:
 - Planters and raised beds
 - Courtyard trees, low level shrubs, hedges
 - Planting climbers and creepers.
 - Include features such as bird tables and feeders raised up or protected at the base from squirrel or cat ascent.
 - Provide shelter using low shrubs, thickets or hedges where birds can nest, perch, and escape from predators.
 - Leave tree stumps, dead wood (where safe to do so) tree limbs, leaf piles and compost to encourage insects and worms for birds to feed on.
 - Keep a lid on any water butts.
 - Appropriate aftercare and management should ensure that these areas are maintained to give optimum benefit to wildlife.



Figure 6.1. Ecological Constraints and Opportunities Plan, showing Mitigation, Compensation, and Enhancement Measures



Aerial Investigation or Soft Felling Strategy	
Woodland Planting	
Scrub Planting	
Orchard Creation	
Tree Planting	
Bat Roosting Provision	
Bird Nesting Provision	
Solitary Bee Provision	

Locations are approximate, not to scale, and subject to alteration where necessary.

Further measures are required but cannot easily be mapped, including Construction Exclusion Zone (CEZs); Artificial Lighting Strategy; Seasonal Constraints for the Removal of Woody Species; Preventative Mowing of Grassland for Birds; Phased Habitat Reduction for Reptiles & Amphibians; Landscaping for the Benefit of Wildlife.



7. Biodiversity Net Gain (BNG)

The biodiversity impact assessment calculations to determine the biodiversity net gain associated with the proposed development have been undertaken using the Statutory Biodiversity Metric, with the Statutory Biodiversity Metric Condition Assessments Excel spreadsheet being completed for all necessary baseline habitats.

The ecological information regarding the habitats present on site prior to development commencing has been obtained from the results of the field survey (Figure 4.1), with the habitats shown as per the habitat type used by the Statutory Biodiversity Metric set out in Figure 7.1. The proposed habitats present on site post-development have been obtained from the proposed site layout produced by MBS (drawing reference PCY-MBS-SV-ZZ-DR-L-P1000), as shown in Figure 5.1. Figure 7.2 presents the post-development habitats as per the habitat type used in the Statutory Biodiversity Metric.

Both the Mitigation Hierarchy and the Biodiversity Gain Hierarchy have been followed, seeking to firstly avoid, minimise, restore and enhance existing habitats onsite, and then compensate for those habitats lost. There are no irreplaceable habitats onsite or adjacent to the site and therefore there is no loss or impact on any such habitats.



Figure 7.1. Onsite Habitat Baseline, as per the Statutory Biodiversity Metric





Figure 7.2. Post-development habitats, as per the Statutory Biodiversity Metric





The Headline Results from the Statutory Biodiversity Metric are given in Figure 7.3 below.

The onsite baseline score for habitat units is 2.10, with the score increasing to 2.39 following the development (a total net unit change of + 0.29). This post-development score takes into the habitats retained, enhanced and created onsite. This equates to a **gain of 13.82% in habitat units**.

No hedgerow or watercourse units were present at baseline and therefore it is not necessary to achieve a 10% net gain in these.

A Biodiversity Gain Plan and possibly a Habitat Management and Monitoring Plan will be required pre-commencement of the proposed development.



Figure 7.3. Headline Results taken from the Statutory Biodiversity Metric

On-site baseline	<i>Habitat units</i>	2.10
	<i>Hedgerow units</i>	0.00
	<i>Watercourse units</i>	0.00
On-site post-intervention (Including habitat retention, creation & enhancement)	<i>Habitat units</i>	2.44
	<i>Hedgerow units</i>	0.00
	<i>Watercourse units</i>	0.00
On-site net change (units & percentage)	<i>Habitat units</i>	0.35
	<i>Hedgerow units</i>	0.00
	<i>Watercourse units</i>	0.00
Off-site baseline	<i>Habitat units</i>	0.00
	<i>Hedgerow units</i>	0.00
	<i>Watercourse units</i>	0.00
Off-site post-intervention (Including habitat retention, creation & enhancement)	<i>Habitat units</i>	0.00
	<i>Hedgerow units</i>	0.00
	<i>Watercourse units</i>	0.00
Off-site net change (units & percentage)	<i>Habitat units</i>	0.00
	<i>Hedgerow units</i>	0.00
	<i>Watercourse units</i>	0.00
Combined net unit change (Including all on-site & off-site habitat retention, creation & enhancement)	<i>Habitat units</i>	0.35
	<i>Hedgerow units</i>	0.00
	<i>Watercourse units</i>	0.00
Spatial risk multiplier (SRM) deductions	<i>Habitat units</i>	0.00
	<i>Hedgerow units</i>	0.00
	<i>Watercourse units</i>	0.00
FINAL RESULTS		
Total net unit change (Including all on-site & off-site habitat retention, creation & enhancement)	<i>Habitat units</i>	0.35
	<i>Hedgerow units</i>	0.00
	<i>Watercourse units</i>	0.00
Total net % change (Including all on-site & off-site habitat retention, creation & enhancement)	<i>Habitat units</i>	16.50%
	<i>Hedgerow units</i>	0.00%
	<i>Watercourse units</i>	0.00%
Trading rules satisfied?	Yes ✓	



8. Conclusion

The field surveys that were undertaken throughout 2025, along with the desk-based study, are considered to have collected enough information about the ecological condition of the site to have been able to adequately assess the impact of the proposed development. Further survey work is therefore not required.

The Important Ecological Features were identified and evaluated against the potential impacts/effects that the proposed development may have on the ecology of the site and surrounding area. The impact assessment determined how the conditions, focusing on the Important Ecological Features identified, are likely to change in relation to the baseline conditions, allowing a clear understanding of the effects of the proposed development.

Avoidance, mitigation and compensation measures have been set out to avoid and reduce the effects/impacts of the development on the Important Ecological Features and the local environment as a whole. All measures should be included as a planning condition for the proposed development.

Enhancement measures for biodiversity have also been set out. These enhancements should be included as a planning condition for the proposed development.

The biodiversity net gain calculations show an overall net gain in biodiversity units onsite as per the current proposals (as calculated using the Statutory Biodiversity Metric). It is envisaged that there will be an overall net gain in habitat biodiversity units of 13.82%. Therefore, the minimum 10% biodiversity net gain in habitat biodiversity units has been achieved. All trading rules have been satisfied. A Biodiversity Gain Plan and possibly a Habitat Management and Monitoring Plan will be required pre-commencement of the proposed development.

Providing the recommendations within this Ecological Impact Assessment (EcIA) are adhered to, with the mitigation measures and enhancements agreed, there would appear to be no ecological constraints to prevent this development. The local planning authority (LPA) should ensure that the mitigation measures, together with enhancement recommendations, are either conditioned where appropriate, or that full permission is withheld pending the agreement of mitigation, compensation (where necessary) and enhancement measures.

It is the responsibility of all those involved with the proposed development to ensure that wildlife protection and nature conservation legislation is complied with throughout the lifespan of the development, at every stage. Although no current evidence of certain protected species may not have been found on site it cannot be assumed that they are not present when the development work commences. Care should therefore be taken during all stages of the development and if any protected are discovered they must not be handled; works must stop immediately, and advice sought from a licensed ecologist.



9. References and bibliography

Badger Trust (2023) *Badger Protection: Best Practice Guidance for Developers, Ecologists and Planners (England)*. August 2023. Badger Trust.

Baker, J., Hoskin, R. and Butterworth, T. (2019a) *Biodiversity net gain: Good practice principles for development. Part A: A practical guide*. CIRIA, C776a, RP1048. CIRIA, London.

Baker, J., Hoskin, R. and Butterworth, T. (2019b) *Biodiversity net gain: Good practice principles for development. Part B: Case studies*. CIRIA, C776b, RP1048. CIRIA, London.

Bat Conservation Trust (BCT) "Landscape and Urban Design for Bats and Biodiversity," by Kelly Gunnell, Gary Grant and Dr. Carol Williams.

Bat Conservation Trust and Institution of Lighting Professionals (2023) *Bats and Artificial Lighting at Night. Guidance Note GN08/23*. Institution of Lighting Professionals, Rugby.

Bibby *et al.* (1992) *Bird Census Techniques*. 2nd Ed. Academic Press, London.

Biggs, J. *et al* (2014) *Analytical and methodological development for improved surveillance of the Great Crested Newt. Appendix 5. Technical advice note for field and laboratory sampling of great crested newt (Triturus cristatus) environmental DNA*. Freshwater Habitats Trust, Oxford.

Bright P., Morris P., and Mitchell-Jones, A. (2006) *The dormouse conservation handbook*; second edition, English Nature, Peterborough.

Chanin and Woods (2003) *Surveying dormice using nest tubes: results and experiences from the South West Dormouse Project*. English Nature Research Report No 524. Peterborough: English Nature.

CIEEM (2017) *Guidelines on Ecological Report Writing*. Chartered Institute of Ecology and Environmental Management, Winchester.

CIEEM (2018) *Guidelines for Ecological Impact Assessment in the UK and Ireland: Terrestrial, Freshwater, Coastal and Marine. September 2018 V12 updated April 2022*. Chartered Institute of Ecology and Environmental Management, Winchester.

CIEEM (2021) *Good Practice Requirements for Delivering Biodiversity Net Gain (On- and Off-site)*. July 2021. Chartered Institute of Ecology and Environmental Management, Winchester.

Collins, J. (ed.) (2023) *Bat Surveys for Professional Ecologists: Good Practice Guidelines (4th edition)*. The Bat Conservation Trust, London.

DEFRA (2007) *An Introductory Guide to Valuing Ecosystem Services*. PB12852. DEFRA, London.

DEFRA (2024) *The Statutory Biodiversity Metric User Guide*. First published: February 2024. Last updated: July 2024.

English Nature (2001) *Great crested newt mitigation guidelines*. English Nature, Peterborough, ISBN 1 85716 568 3.

English Nature (2005) *Reptiles: guidelines for development* English Nature, Peterborough.



Froglife (1999) *Reptile survey methods. Froglife Advice Sheet 10*. Herpetological Conservation Trust, Peterborough.

Gent, T., and Gibson, S. (1998) *Herpetofauna Workers Manual; revised 2003*. JNCC, Peterborough.

Harris, S., Cresswell P. and Jeffries, D. (1989). *Surveying Badgers. Issue 9 of Occasional Publication of the Mammal Society*. Mammal Society, London.

Institute of Environmental Assessment (IEA), 1995. *Guidelines for Baseline Ecological Assessment*, Institute of Environmental Assessment. E&FN Spon, aJn Imprint of Chapman and Hall. London.

Joint Nature Conservation Committee (2004) *Bat Workers Manual*, Joint Nature Conservation Committee, Peterborough.

Joint Nature Conservation Committee (2010) *Handbook for Phase 1 habitat survey - a technique for environmental audit*. JNCC, Peterborough.

Langton, T., Beckett, C. and Foster, J. (2001) *Great Crested Newt Conservation Handbook*. Froglife,

Natural England (2007) *Badgers and Development; A guide to best practice and licensing*. Natural England, Peterborough.

Natural England (2009a) *Protection of Badgers Act (1992) as amended: Interpretation of 'Disturbance' in relation to Badgers occupying a sett*, Natural England, Peterborough.

Natural England (2009b) *Guidance on 'Current Use' in the definition of a Badger Sett*, WMLG17. Natural England, Peterborough

Natural England (2020) *National Habitat Network Maps. User Guidance v.2. May 2020*. Natural England.

Reason, P.F. and Wray, S. (2025). *UK Bat Mitigation Guidelines: a guide to impact assessment, mitigation and compensation for developments affecting bats. Version 1.2*. Chartered Institute of Ecology and Environmental Management, Ampfield.

Stace, Clive, A. (2019) *New Flora of the British Isles. Fourth edition*. C & M Floristics, Suffolk.

The British Standards Institution (2012) *Trees in relation to design, demolition and construction – Recommendations. BS5837:2012*. The British Standards Institution Limited.

The British Standards Institution (2013) *Biodiversity – Code of practice for planning and development. BS42020:2013*. The British Standards Institution Limited.

The British Standards Institution (2021) *Process for designing and implementing Biodiversity Net Gain – Specification BS 8683:2021*. The British Standards Institution Limited.

UKHab Ltd (2023) *The UK Habitat Classification Version 2.0* (at <https://www.ukhab.org>).

Voigt, C.C. et al (2018): *Guidelines for consideration of bats in lighting projects*. EUROBATS Publications Series No. 8. UNEP/EUROBATS Secretariat, Bonn, Germany, 62pp.

Williams, C. (2010) *Biodiversity for Low and Zero Carbon Buildings: a technical guide for new build*, RIBA Publishing, London.
www.chaninweb.co.uk/Chanin%20&%20Gubert2012_Lutra_55_1_LOWRES.pdf



Appendices

Summary of the Legislation and Policy relating to Habitats and Species

The Wildlife and Countryside Act (WCA) 1981 (as amended)

This Act is the primary legislation that protects animals, plants and certain habitats in the UK. It is the means by which the Bern Convention and the Birds Directive and Habitats Directive are implemented in Britain. Protected birds, animals and plants are listed in Schedules 1, 5 and 8 respectively of the Wildlife and Countryside Act.

Schedule 1 Part 1 – Birds which are protected by special penalties at all times from being intentionally killed, injured, or taken and whose eggs, nests or dependent young are also protected from being disturbed.

Schedule 5 Section 9 Part 1 (killing/injuring) – Animals which are protected from being intentionally killed or injured.

Schedule 5 Section 9 Part 1 (taking) – Animals which are protected from being taken.

Schedule 5 Section 9 Part 4a – Animals which are protected from intentional damage to, destruction of, or obstruction of access to any structure or place used for shelter or protection.

Schedule 5 Section 9 Part 4b – Animals which are protected from intentional disturbance while occupying a structure or place used for shelter or protection.

Schedule 5 Section 9 Part 4c – Animals which are protected from their access to any structure or place which they use for shelter or protection being obstructed.

Schedule 6 – Animals which are protected from being killed or taken by certain methods under Section 11(1). The methods listed are: self-locking snares, bows, crossbows, explosives (other than ammunition for a firearm), or live decoys.

Schedule 8 – Plants and fungi which, subject to exceptions, are protected from: intentional picking, uprooting or destruction; selling, offering for sale, possessing or transporting for the purpose of sale; advertising for buying or selling.

Schedule 9 – Plant and animal species that are prohibited from introducing into the wild as they may cause ecological or environmental harm or where they pose a threat to the native habitats and species. Under Schedule 9 of the Wildlife & Countryside Act 1981 (as amended) it is a criminal offence to cause any of 48 non-native plant species (6/4/2010) and (non-native animals) to spread into the wild where they cause damage to the environment/ economy/health/lifestyle.

The site owner has a responsibility to:

- Prevent invasive, non-native plants on their land spreading into the wild and causing a nuisance.
- Prevent harmful weeds on their land spreading onto a neighbour's property

The owner of the site must not plant in the wild or cause certain invasive and non-native plants to grow in the wild. This can include moving contaminated soil or plant cuttings. If this occurs there is a fine or prison term for up to 2 years. The site owner is not legally obliged to remove these plants or to control them on site. However, at the point of change: **development, mulching, earth moving operations**: it is important that they are identified, and their spread controlled in the most appropriate way.

Environmental Protection Act 1990

[Environmental Protection Act 1990](#) allows for the potential classification of soil and other waste containing viable propagules of invasive non-native plant species as controlled waste. This has been



applied to Japanese Knotweed with the result that waste containing this species must be disposed of in accordance with the duty of care set out in section 34 of the Act. The Environment Agency have issued guidance which will be of use in complying with the duty of care.

In addition:

- Any Schedule 9 plant material, or soil containing root or rhizome fragments, may be classified as 'controlled waste' under the Environmental Protection Act 1990 (EPA).
- In addition to a criminal prosecution under the Wildlife & Countryside Act, infringement of the EPA can result in an *unlimited fine*.
- The owner may also be held liable for costs incurred from the spread into adjacent properties and for disposal of contaminated soil off site during development, which later leads to the spread on another site.

Protection of Badgers Act 1992

Both badgers and their setts are protected, making it illegal to kill, injure or take, possess or cruelly ill-treat badgers or to interfere with a badger sett (including blocking tunnels or damaging the sett in any way).

The Hedgerow Regulations 1997

Any hedgerows classified as 'important' under the 1997 Hedgerows Regulations cannot be removed without a Hedgerow Removal Notice issued by the relevant Local Authority unless previously approved as part of a planning permission. The UK Biodiversity Action Plan (BAP) now classifies any native hedge over 20m in length as a priority habitat feature. Priority hedgerows should be those comprising 80% or more cover of any native tree/shrub species. The Local Authority is the arbiter as to classification of hedgerows.

The Countryside and Rights of Way (CROW) Act 2000

This Act increases measures for the management and protection for Sites of Special Scientific Interest (SSSI) and strengthens wildlife enforcement legislation.

Natural Environment and Rural Communities Act 2006

The Act made amendments to the both the Wildlife and Countryside Act 1981 and the Countryside and Rights of Way (CROW) Act 2000. For example, it extended the CROW biodiversity duty to public bodies and statutory undertakers. The Act also makes provisions in respect of pesticides harmful to wildlife, the protection of birds, and in respect of invasive non-native species, and also alters enforcement powers in connection with wildlife protection, and extends time limits for prosecuting certain wildlife offences.

Section 41 of the Act requires that the Secretary of State publishes a list of species of flora and fauna considered to be of principal importance for the purpose of conserving biodiversity in England. The list is intended to be used to guide decision-makers such as public bodies, including local and regional authorities, in implementing their duty under section 40 of the NERC Act 2006 'to have regard' to the conservation of biodiversity in England, when carrying out their normal functions. The list of species of principal importance was first published in 2002 by DEFRA under Section 74 of the Countryside and Rights of Way (CROW) Act 2000, and was identical to the UK BAP list at that time. The CROW Act Section 74 list has now been replaced by the Section 41 list. Sixty-five (65) habitats are listed as being of



principal importance, in the Secretary of State's opinion, for the purposes of conserving biodiversity. Under section 41 (England) of the NERC Act (2006) there is a need for these habitats to be taken into consideration by a public body when performing any of its functions with a view to conserving biodiversity. These habitats are the subject of National and Local Biodiversity Action Plans.

The Anti-social Behaviour, Crime and Policing Act 2014

[Anti-social Behaviour, Crime and Policing Act 2014](#) enables community protection notices to be served by local authorities or the Police against individuals who are acting unreasonably and who persistently or continually act in a way that has a detrimental effect on the quality of life of those in the locality. These powers are designed to be flexible and could be used to address specific problems caused by widespread species such as Japanese knotweed.

The Conservation of Habitats and Species Regulations 2017 (as amended)

[The Conservation of Habitats and Species Regulations 2017](#) (and as amended by The Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019)) originally transposed the Council Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora ("the Habitats Directive") and elements of Directive 2009/147/EC on the conservation of wild birds ("the Birds Directive") in England, Wales, and to limited extent, Scotland and Northern Ireland. The objective of the Regulations is to protect biodiversity through the conservation of natural habitats and species of wild fauna and flora. The Regulations set out the rules for the protection, management and exploitation of such habitats and species. They place a duty on the Secretary of State to propose a list of sites which are important for either habitats or species. These sites are known generally as 'European sites' and in the UK form the national sites network (known in Europe as Natura 2000 sites). They include Special Areas of Conservation (SACs) and Special Protection Areas (SPAs).

Environment Act 2021

The Environment Act 2021 received Royal Assent on 9 November 2021. It only applies to England. Key elements of the Act include:

- All new developments to deliver 10% increase in biodiversity (biodiversity net gains), to be managed for at least 30 years (reviewable by the Secretary of State), with a Biodiversity Gain Site Register to be implemented and maintained for at least 30 years after the site scheme has completed.
- Introduction of Local Nature Recovery Strategies (LNRs) – new spatial strategies led by a "responsible authority" in each area. Statutory guidance to be given to Local Planning Authorities (LPAs) explaining how they should take account of the LNRs.
- Introduction of a new Species Conservation Strategy which places a duty on LPAs to cooperate with Natural England and other LPAs etc. to safeguard the future of 'at risk' species.
- LPAs to produce Biodiversity Reports every five years, describing action taken and the impact it has had on local biodiversity.
- Establishment of the Office for Environmental Protection (OEP), a green 'watchdog' to ensure the enforcement of the environmental legislation in England and Northern Ireland.
- Introduction of the five Principles to which organisations must have regard:
 - (i) Integration (environmental protection should be integrated into the making of policies);
 - (ii) Prevention (preventative action should be taken to avert environmental damage);



- (iii) Precautionary (a precautionary approach should be taken to the possibility of environmental harm);
- (iv) Rectification At Source (where possible any environmental harm should be rectified at source);
- (v) Polluter Pays (the person(s) who causes the harm must suffer the financial penalty both in terms of mitigation and compensation)
- Long-term (at least 15 years, starting in 2022) legally binding targets on air quality, biodiversity, water, resource efficiency and waste reduction.

Circular 06/2005 Biodiversity and geological conservation – statutory obligations and their impact within the planning system

This circular provides administrative guidance on the application of the law relating to planning and nature conservation as it applies in England. It complements the national planning policy in the National Planning Policy Framework and the Planning Practice Guidance.

National Planning Policy Framework, 2024

The National Planning Policy Framework (NPPF) sets out the Government's planning policies for England and how these are expected to be applied. It contains a number of policies relating to ecology including "minimising impacts on biodiversity and providing net gains in biodiversity where possible, contributing to the Government's commitment to halt the overall decline in biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures". Under NPPF, local planning authorities have an obligation to promote the preservation, restoration and recreation of priority habitats, ecological networks and the protection and recovery of priority species as identified under the Natural Environment and Rural Communities Act (2006). Local Planning Authorities will seek to produce a net gain in biodiversity, by requiring developers to design wildlife into their plans and to ensure that any unavoidable impacts are appropriately mitigated for. The NPPF 2024 version replaces the first NPPF published in March 2012 and includes minor clarifications to the revised version published in 2018, 2019, 2021 and 2023.

European Red Data lists (IUCN, 2000)

International Union for Conservation of Nature (IUCN and the European Commission have been working together on an initiative to assess around 6,000 European species according to IUCN regional Red Listing Guidelines. Through this process they have produced a European Red List identifying those species which are threatened with extinction at the European level so that appropriate conservation action can be taken to improve their status.