ECOLOGICAL ASSESSMENT

RADSTOCK PRIMARY SCHOOL
RADSTOCK LANE
EARLEY
RG6 5UZ

Client: Wokingham Borough Council
Our reference: ECO3655
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1.0 Introduction

Survey and reporting

1.1 This report details the results of an Ecological Assessment - comprising an Extended Phase 1 Habitat and Protected Species Scoping Survey – of a parcel of land at Radstock Primary School, Radstock Land, Earley, RG6 5UZ.

1.2 The survey, carried out on 28 November 2024, was undertaken to inform a planning application for the site.

The application site

1.3 Radstock Primary School is located at the southern end of Radstock Lane, a predominantly residential road in Earley, Reading (Grid reference SU 7463 7052, Figure 1).

1.4 It comprises a tarmac netball court, a tarmac access road and car parking area and small areas of amenity grassland. It is approximately 0.12ha in area.

The proposed scheme

1.5 It is proposed to erect a single-storey classroom building (see Figures 2 and 3).

1.6 It is understood no trees will be affected by the proposals.

Figure 1 – Site location plan

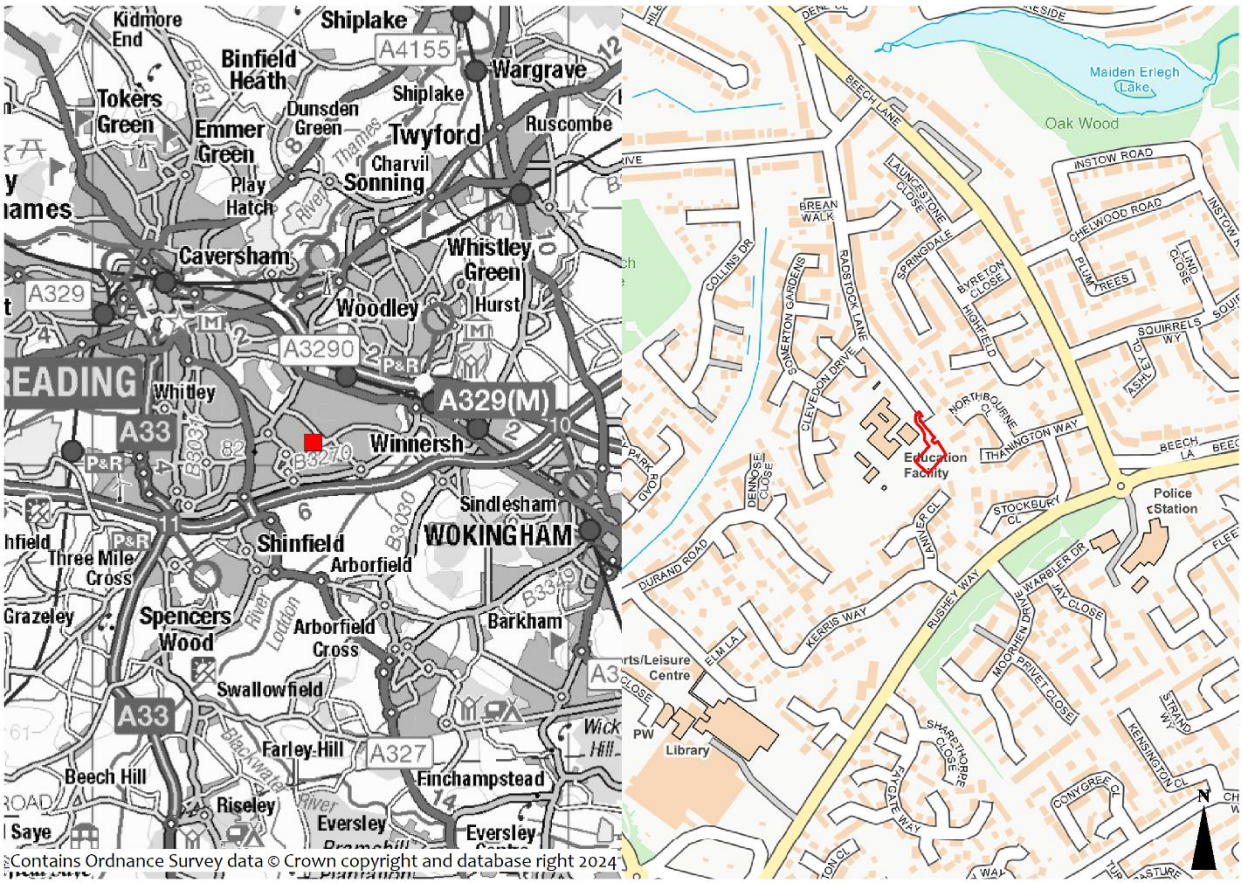


Figure 2 – Existing site layout

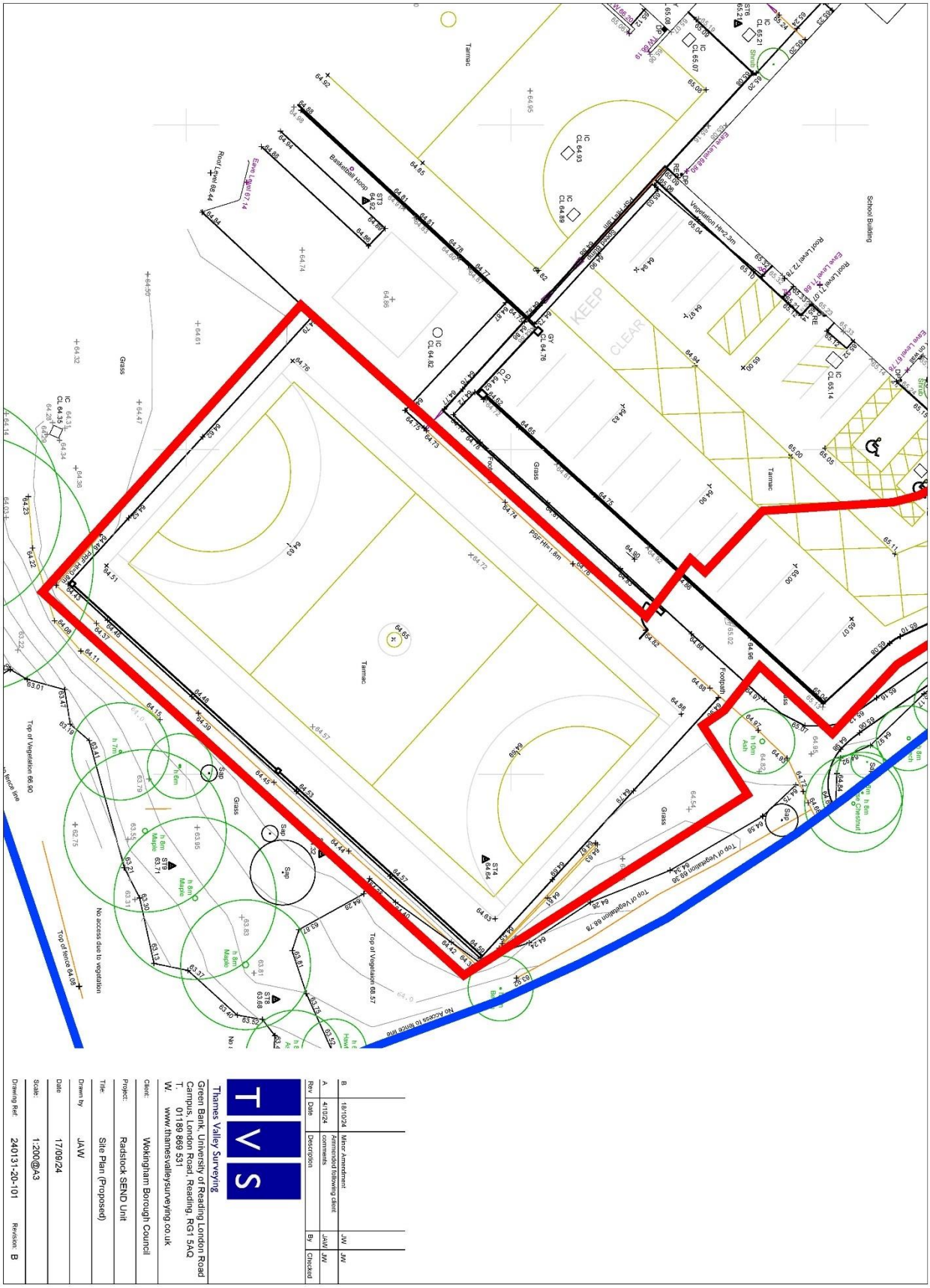
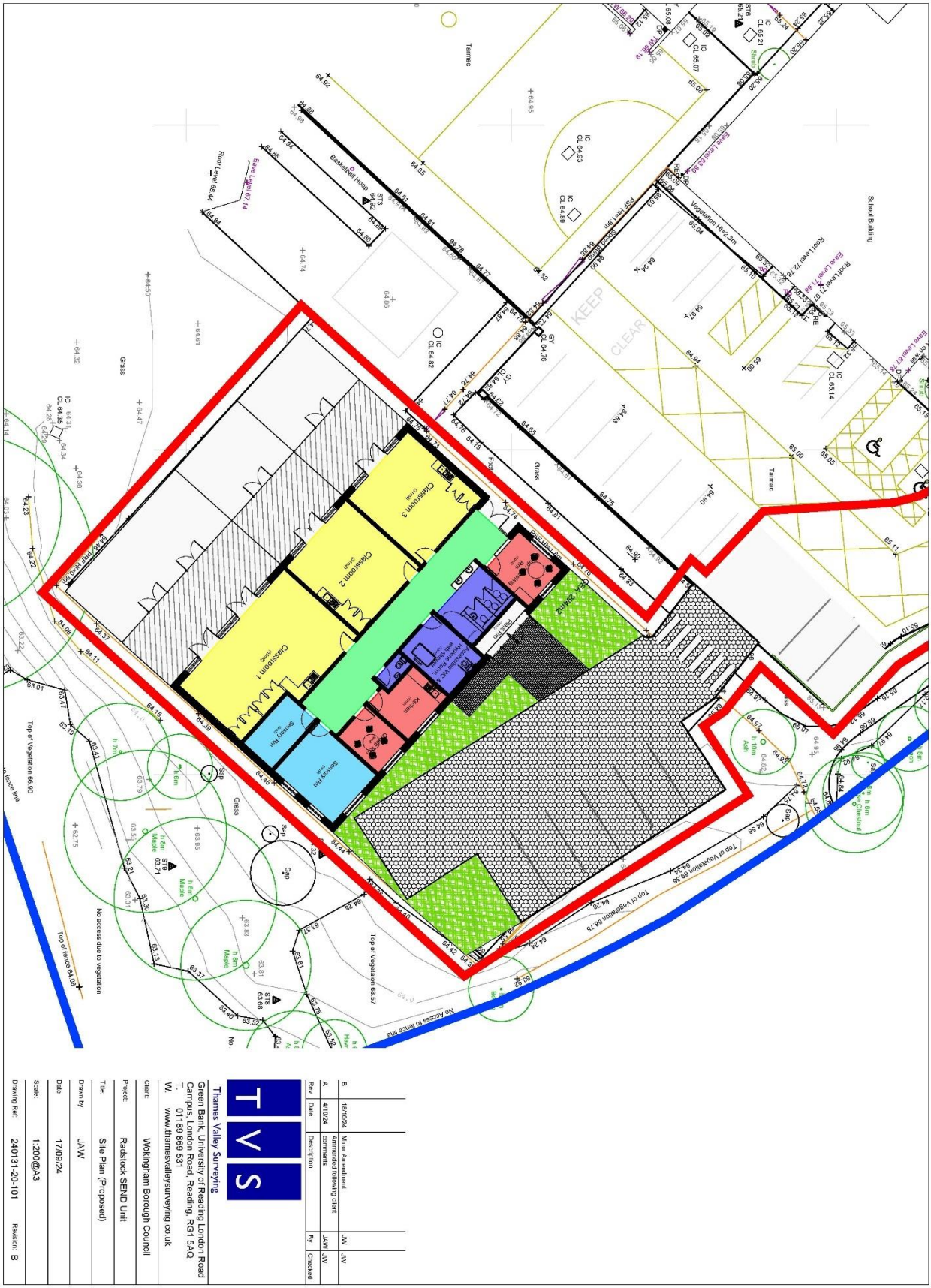


Figure 3 – Proposed site layout



2.0 Methodology

Desk study

2.1 A desk study data search was undertaken. This involved reviewing publicly available datasets and citations of statutory designated sites of importance for nature conservation, Natural England's Priority Habitat Inventory GIS dataset for England, and Natural England's Ancient Woodland Inventory for sites within the zone of influence of the survey area (considered to be a maximum of 1km in this case).

2.2 In addition, species records (on Natural England's MAGIC website[1]) were accessed, and aerial photographs and Ordnance Survey maps were studied for features of interest.

Extended Phase 1 Habitat and Protected Species Scoping Survey

2.3 An Extended Phase 1 Habitat and Protected Species Scoping Survey was undertaken. This comprised a walkover survey of the application site and the classification of habitats following the descriptions provided within the Joint Nature Conservancy Council 'Handbook for Phase 1 Habitat Survey' (NCC 1990, JNCC 1993). An assessment of the site in terms of its suitability for notable or protected species was carried out and any features of note were described.

Habitat suitability index appraisal for great crested newts (GCN)

2.4 There is a pond within the grounds of Radstock Primary School, i.e. outside the application site boundary and approximately 90m west from it. This pond was visited during the survey and its Habitat Suitability Index (HSI) was calculated.

2.5 HSI scoring systems were originally developed by the US Fish and Wildlife Service as a means of evaluating habitat quality and quantity for fish.

2.6 In the UK a HSI for GCN has been developed (Oldham et al., 20003). The HSI incorporates ten suitability indices, such as waterbody area, water quality, presence of fish, presence of waterfowl etc. These are multiplied to give a score of between 0 and 1. The higher the score the more likely a pond is to host GCN (for example a study of 248 ponds in southern England found that 93% of ponds with a HSI score of greater than 0.8 hosted GCN).

Surveyor details

2.7 The survey was undertaken by Cherry Leung MSc (assistant ecologist) of GS Ecology Ltd. Cherry is a Qualifying member of CIEEM.

Constraints

2.8 There were no constraints to the survey.

[1] https://magic.defra.gov.uk/

3.0 Results

Weather conditions

3.1 Weather conditions during the survey were 6°C, 0/8ths cloud cover, wind at Beaufort Scale 1 and no rain.

Desk study

Statutory sites of importance for nature conservation

3.2 There is a single statutory site of importance of nature conservation within 1km of the application site – Maiden Erlegh Park Local Nature Reserve (LNR), located approximately 330m northeast of the application site.

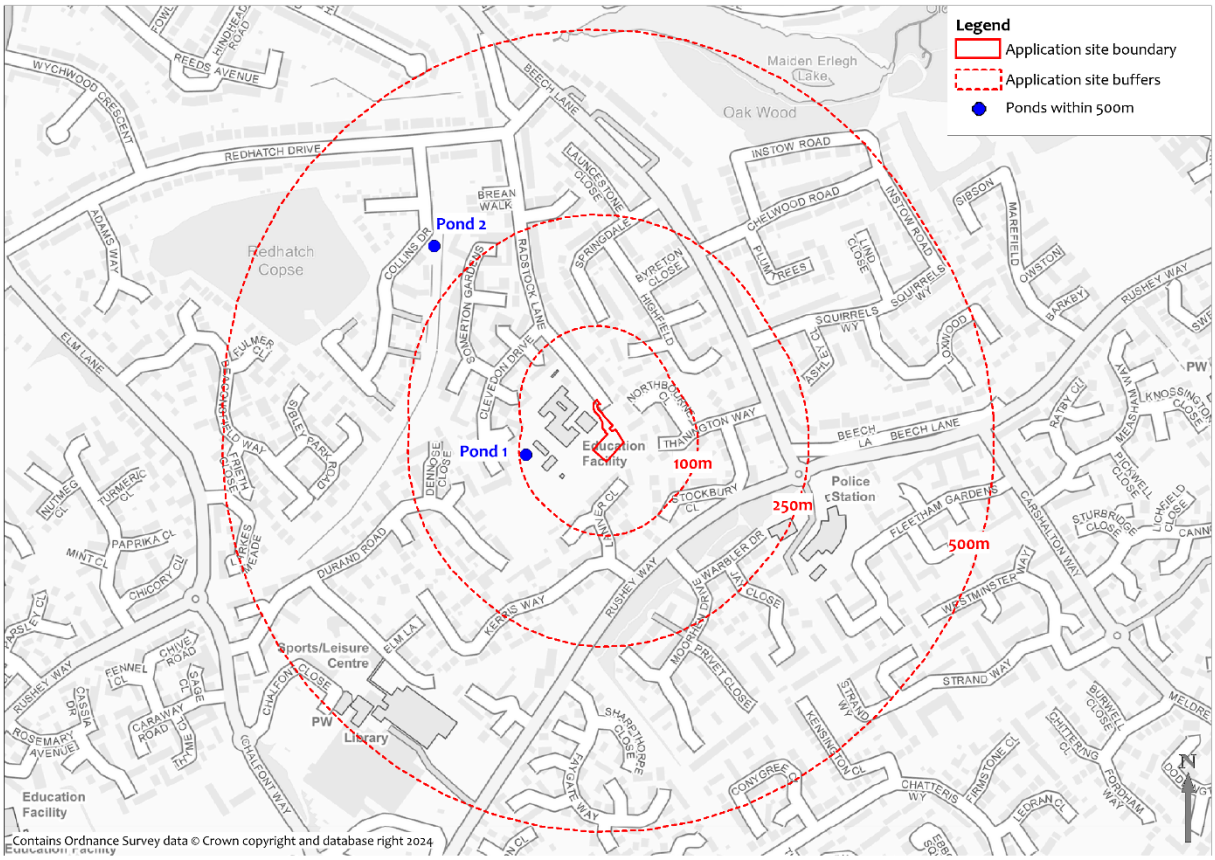
Ancient woodland

3.3 Within 1km of the application site, there are four areas of woodland listed on Natural England's Ancient Woodland Inventory, situated approximately 380m northwest (Redhatch Copse), 420m northeast (Maiden Erlegh: Oak Wood), 620m northeast (Maiden Erlegh: Oldpond Copse) and 750m northeast (Maiden Erlegh: Moor Copse).

Nearby ponds

3.4 There are two ponds shown on ordnance survey maps (1:25,000 scale) within 500m of the application site (see Figure 4). The nearest of such pond (Pond 1) is within the grounds of Radstock Primary School and is approximately 90m west of the red line boundary. This pond was assessed for its suitability for great crested newts (GCN).

Figure 4 – Ponds within 500m shown on ordnance survey maps



Great crested newt District Licence Zone

3.5 The NatureSpace "Impact Risk Map"[2] shows the site as within the "Amber zone" (defined as "suitable habitat – great crested newts are likely to be present").

Protected and notable species records

3.6 Within 2km of the site there are eight records of licenses issued by Natural England for works affecting protected species on The MAGIC website (see Table 1).

Table 1 – Summary of Natural England licence records within 2km of the application site

Distance and direction from the application site	Species affected	Breeding site	Year licence was issued
1.1km southwest	Brown long-eared, common pipistrelle	No	2011
1.4km southeast	Daubenton's, soprano pipistrelle	Yes	2020
1.5km northeast	Brown long-eared	Yes	2012
1.6km northwest	Brown long-eared, common pipistrelle	Yes	2010
1.6km northeast	Common pipistrelle, soprano pipistrelle	No	2012
1.6km northeast	Common pipistrelle, soprano pipistrelle	No	2014
1.8km southwest	Brown long eared, common pipistrelle, soprano pipistrelle	No	2013
1.8km southwest	Brown long eared, common pipistrelle, soprano pipistrelle	No	2014, 2015, 2015, 2015

Surrounding land use

3.7 The application site is located at the southern end of Radstock Lane, a predominantly residential road in Earley, Reading (Wokingham Borough Council). Directly adjacent to the application site in all directions are residential properties and their associated gardens with trees. This continues further in all directions.

3.8 Approximately 180m south and across Rushey Way is a narrow strip of woodland.

3.9 Further afield in other directions are a number of areas of woodland, which are situated approximately 340m northwest (Redhatch Copse) and 400m northeast (woodlands within the Maiden Erlegh LNR).

3.10 Approximately 500m northeast lies the Maiden Erlegh Lake within the Maiden Erlegh LNR.

Habitats within the application site

3.11 The application site comprises a tarmac netball court, a tarmac access road and car parking area and small areas of amenity grassland.

3.12 A Phase 1 habitat map and associated target notes are provided in Appendix 1, and photographs provided in Appendix 2.

3.13 A brief description of each habitat is given below.

3.14 **Hardstanding** – Leading in from Radstock Lane is the tarmac access road linking the tarmac car parking area in the south. Along the access road to the east is a concrete footpath.

3.15 At the south of the application is a fenced off tarmac netball court.

3.16 **Amenity grassland** – A small area of short- cut amenity grassland along the northeastern and southern edges of the car park.

[2] The "Impact Risk Map" is the accepted statutory guidance that Local Planning Authorities must take into account when considering the risk of development for great crested newts. naturespaceuk.com/the-scheme/impact-map/

3.17 Abutting the western, southern and eastern boundaries of the netball court is an area of short-cut amenity grassland.

GCN Habitat Suitability Index Appraisal

3.18 There is a pond within the grounds of Radstock Primary School (Approximately 90m west of the application site boundary) and its Habitat Suitability Index (HSI) was calculated. The HSI calculation and photo of this pond is given in Appendix 2.

3.19 The pond is an oval dug-out pond approximately $10m^2$ in area within the nature area of Radstock Primary School. There is a foot bridge across the pond. Its western section is becoming overgrown by emerging vegetation including sedges. Macrophyte cover was estimated to be 50%. Water quality was assessed to be 'moderate' and the surrounding habitats 'moderate'. Waterfowl and fish are almost certainly absent from the pond. The pond rarely dries.

3.20 It has a HSI score of 0.56 ('Below average'[3]). The HSI calculation is given in Appendix 3/

3 Oldham *et al's* study of 248 ponds in South Eastern England found GCN in 79% of ponds with a score of "Good", 55% of ponds with a score of "Average", 20% of ponds with a score of "Below average" and 3% of ponds with a score of "Poor".

4.0 Assessment and recommendations

Statutory sites of importance for nature conservation and ancient woodland

4.1 The proposals will not have any impact on statutory sites of importance for nature conservation or woodland listed on Natural England's Ancient Woodland Inventory.

Priority Habitats

4.2 The Secretary of State periodically publishes a list of habitats that are of principal importance for the conservation of biodiversity in England under Section 41 (S41) of the 2006 Natural Environment and Rural Communities (NERC) Act. The list currently comprises 56 habitats, referred to as "priority habitats" in the National Planning Policy Framework (NPPF).

4.3 Paragraph 185 of the NPPF reads:

> "To protect and enhance biodiversity and geodiversity, plans should […] promote the conservation, restoration and enhancement of priority habitats, ecological networks and the protection and recovery of priority species; and identify and pursue opportunities for securing measurable net gains for biodiversity"

4.4 As such where priority habitats are found they should be protected from the adverse impacts of development.

4.5 The habitats to be affected by the proposals – amenity grassland and hardstanding– are not 'Priority Habitats' and there should be no Priority Habitat-related constraints to the current proposals.

4.6 Priority habitats will therefore not be a constraint to the proposals.

Great crested newts

4.7 Great crested newts (GCN) receive special protection under UK law and it is an offence under the Wildlife and Countryside Act 1981 (as amended) and the European Habitats and Species Directive (92/43/EC), enacted in the UK through The Conservation of Habitats and Species Regulations 2017 (The Habitat Regulations) to deliberately or recklessly destroy or damage their habitat, or to disturb, kill or harm them without first having obtained the relevant licence for derogation from the regulations from the Statutory Nature Conservation Organisation (the SNCO - Natural England in England).

GCN spend most of their lives on land, within up to 500m of a breeding pond. The most important terrestrial habitat is within 100m, where most of the population are likely to be located foraging, resting, sheltering and hibernating relatively close to their breeding site. However, a proportion of the population is also likely to forage for food and shelter in suitable habitats up to 250m from a breeding pond and juvenile animals have been known to disperse up to 500m from it in a single season.

4.8 GCN are likely to be disturbed by any work that involves altering their breeding pond (e.g. by introducing fish or deepening or altering its size) or works that involve clearing land up to 500m around ponds, where such land has been managed and maintained in such a way that it is likely to support GCN. In such cases a licence for derogation from the provisions of the habitat regulations may need to be obtained.

4.9 In addition, GCN are a species of principal importance for the conservation of biodiversity in England under Section 41 (S41) of the 2006 Natural Environment and Rural Communities (NERC) Act (these are the "priority species" as per the NPPF).

Site status

4.10 The NatureSpace "Impact Risk Map"[4] shows the site as within the "Amber zone" (defined as "suitable habitat – great crested newts are likely to be present").

4.11 There is a pond within the grounds of Radstock Primary School and is approximately 90m west of the red line boundary. It has a HSI score of 0.56 'below average' (see Appendix 3).

4.12 In addition to the pond within the grounds of Radstock Primary School (Pond 1), there is another pond, situated over 250m from the application site, shown on ordnance survey maps (1:25,000 scale) within 500m of the application site (see Figure 4).

4.13 If Pond 1, were to host GCN, it is unlikely that this population will be affected by the proposals because only small area of land within 100m of the pond (approximately 0.008ha) will be affected by the proposals and the habitats within the application site are predominantly unsuitable (hardstanding) or sub-optimal (small areas of amenity grassland) for GCN.

4.14 This has been confirmed by using Natural England's risk assessment, as detailed in their GCN licence method statement template[5]. Application of the risk assessment shows that an offence under the 2017 Habitat Regulations as a result of the development is "highly unlikely", if the species were to be breeding in Pond 1 (see Table 2).

Table 2 - Risk assessment for great crested newts as per Natural England's Great Crested Newt method statement in the event that Pond 1 was to be a great crested newt breeding pond.

Component	Likely effect	Notional offence probability score
Great crested newt breeding pond(s)	No effect	0
Land within 100m of any breeding pond(s)	0.001 - 0.01 ha lost or damaged	0.05
Land 100-250m from any breeding pond(s)	0.1 - 0.5 ha lost or damaged	0.1
Land >250m from any breeding pond(s)	No effect	0
Individual great crested newts	No effect	0
	Maximum:	0.1
Rapid risk assessment result:	**GREEN: OFFENCE HIGHLY UNLIKELY**	

4.15 If Pond 2, located over 250m from the application site, were to host GCN, this population will also be unaffected by the proposals. This is again confirmed by using Natural England's risk assessment, as detailed in their GCN licence method statement template[6]. Application of the risk assessment shows that an offence under the 2017 Habitat Regulations as a result of the development is "highly unlikely", if the species were to be breeding in Pond 2 (see Table 3).

[4] The "Impact Risk Map" is the accepted statutory guidance that Local Planning Authorities must take into account when considering the risk of development for great crested newts. naturespaceuk.com/the-scheme/impact-map/

[5] See http://www.naturalengland.org.uk/Images/GCN%20WML-14-2_tcm6-4103.xls [sheet - Licence risk assmt(2)]

[6] See http://www.naturalengland.org.uk/Images/GCN%20WML-14-2_tcm6-4103.xls [sheet - Licence risk assmt(2)]

Table 3 – Risk assessment for great crested newts as per Natural England's Great Crested Newt method statement in the event that Pond 2 was to be a great crested newt breeding pond

Component	Likely effect	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)	No effect	0
Land >250m from any breeding pond(s)	0.1 - 0.5 ha lost or damaged	0.005
Individual great crested newts	No effect	0
	Maximum:	0.0051
Rapid risk assessment result:	GREEN: OFFENCE HIGHLY UNLIKELY	

4.16 GCN should therefore not be a constraint to the proposals.

Nesting birds

4.17 All wild birds are protected under the Wildlife and Countryside Act 1981 (as amended). Section 1 of this Act makes it an offence to kill, injure or take any wild bird, or intentionally to take, damage or destroy the nest of any wild bird while that nest is in use or being built.

4.18 Common bird species may nest in the denser vegetation adjacent to the amenity grassland at the southeastern corner of the application site (abutting the red line boundary) during the nesting season. As such vegetation removal in this area should be undertaken outside of the bird nesting season (March – August inclusive depending on weather conditions).

4.19 If this is not practicable then areas to be cleared will first need to be checked for nesting birds and, if any nests are found, works that would disturb the nest could not continue all young have fledged the nest and it is no longer in use.

Other protected species

4.20 It is considered highly unlikely that the proposals will have any adverse effects on other protected species, including bats (there are no structures or trees on site), badgers (no signs of badgers were seen) or reptiles (the site is sub optimal for reptiles).

Landscaping and ecological enhancements

4.21 Paragraph 193 of the NPPF reads:

> "[…] opportunities to improve biodiversity in and around developments should be integrated as part of their design [..]"

4.22 It is therefore recommended that any new planting comprises predominantly native and wildlife-friendly species. It is also recommended that ecological enhancements such as bird and bat boxes, bricks or tiles are built into the new building.

5.0 Summary

5.1 The habitats to be affected by the proposals - amenity grassland and hardstanding - are not 'Priority Habitats' and there should be no Priority Habitat-related constraints to the current proposals.

5.2 It is considered highly unlikely that the proposals will have any adverse effects on protected species, including great crested newts (the areas affected by the proposals are unsuitable or sub-optimal for GCN), bats (there are no structures or trees on site), badgers (no signs of badgers were seen) or reptiles (the site is unsuitable for reptiles).

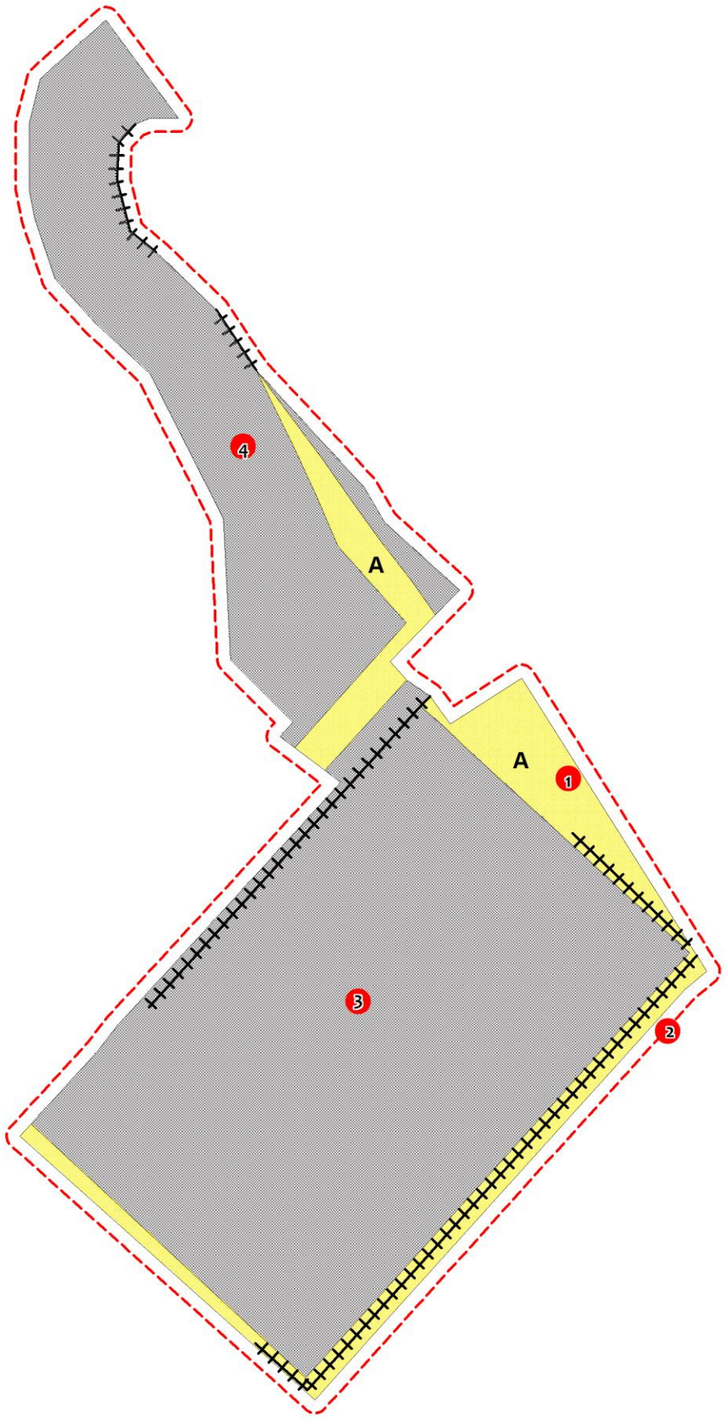
5.3 Common bird species may nest in the denser vegetation adjacent to the application site boundary. As such if any vegetation needs to be removed this should be undertaken outside of the bird nesting season (March - August inclusive depending on weather conditions).

5.4 It is recommended that any new planting comprises predominantly native and wildlife-friendly species, and, that ecological enhancements such as bird and bat boxes, bricks or tiles are built into the new building.

Appendix 1 - Extended Phase 1 Habitat Map and Target Notes

Target Notes

1) Short cut amenity grassland adjacent to some vegetation by the school boundary fence.
2) Area of dense scrub gradually encroaching the amenity grassland. Scrub species present include dog rose (*Rosa canina*), field maple (*Acer campestre*) and bramble (*Rufus fruticosus*). Other forb and herb species present include herb robert (*Geranium robertianum*), cleavers (*Galium aparine*), nettle (*Urtica dioica*) and white dead nettle (*Lamium album*).
3) Tarmac netball court.
4) Tarmac access road leading in from Radstock Lane.



N

Key

- Application site boundary
- Target Note
- A — Amenity grassland
- Hardstanding
- Fence

N

5 0 5 10 15 20

Meters

BosqMap

Produced using BosqMap Software
www.bosqmap.co.uk

ECO3655

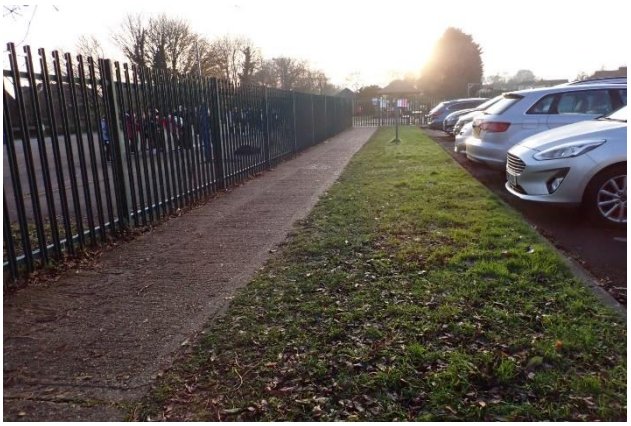
Radstock Primary School

Phase 1 Habitat Survey

Appendix 2 – Photographs

Photo 1 – Amenity grassland to the east of the netball court, and Photo 2 – Amenity grassland to the south of the netball court gradually enroached by scrub (unaffected by the proposals)

Photo 3 – Tarmac access road and the strip of amenity grassland alongside it, and Photo 4 – Footpath and amenity grassland lawn to the north of the application site (predominantly outside the application site)



Appendix 3 – Great crested newt HSI calculations

Pond 1

HSI score: 0.56

HSI index: 'Below average'

Factor 1. Geographic location (SI1)	1	**Factor 6. Waterfowl**	1
Zone A, location is optimal, SI = 1		Absent - No evidence of waterfowl impact (moorhens may be present) - 1	x
Zone B, location is marginal, SI = 0.5		Minor - waterfowl present, but little indication of impact on pond vegetation. Pond still supports submerged plants and banks are not denuded of vegetation - 0.67	
Zone C, location is unsuitable, SI = 0.01.		Major - severe impact of waterfowl. Little or no evidence of submerged plants, water turbid, pond banks showing patches where vegetation removed, evidence of provisioning waterfowl - 0.01	
Factor 2. Pond area	0.02	**Factor 7. Fish**	1
Enter value in m2:	10	Absent - no records of fish stocking and no fish revealed by netting or observed by torchlight - 1	x
		Possible - no evidence of fish, but local conditions suggest that they may be present. - 0.67	
Factor 3. Permanence	1	Minor - small numbers of crucian carp, goldfish or stickleback known to be present - 0.33	
Never dries = 0.9		Major - dense populations of fish known to be present - 0.01	
Rarely dries (dries no more than two years in ten or only in drought) = 1.0	x		
Sometimes dries (dries between three years in ten to most years) = 0.5		**Factor 8. Pond count**	0.45
Dries annually - 0.1		Enter the number of ponds within 1km of site from OS maps here, exclude those behind major barriers	1
Factor 4. Water quality	0.67	**Factor 9. Terrestrial habitat**	0.67
Good - Water supports an abundant and diverse invertebrate community. Netting reveals handfuls of diverse invertebrates, including groups such as mayfly larvae and water shrimps - 1.0		Good - habitat that offers good opportunities for foraging and shelter (e.g. most semi-natural environments, such as rough grassland, scrub or woodland, also brownfield sites and low intensity farmland) covers more than 75% of available area - 1	
Moderate - moderate invertebrate diversity - 0.67	x	Moderate habitat offers opportunities for foraging and shelter but may not be extensive (25-75%) of available area - 0.67	x
Poor - low invertebrate diversity (e.g. species such as midge and mosquito larvae). Few submerged plants. - 0.33		Poor - habitat with poor structure (e.g. amenity grassland, improved pasture and arable)that offers limited opportunities (less than 25% of available area) for foraging and shelter - 0.33	
Bad - clearly polluted, only pollution-tolerant invertebrates (such as rat-tailed maggots), no submerged plants - 0.01		None - no suitable habitat around pond (e.g. centre of arable field or large expanse of bare habitat) = 0.01	
Factor 5. Shade	1	**Factor 10. Macrophytes**	0.8
Estimate percentage pond perimeter shaded, to at least 1m from the shore. Shading is usually from trees, but can include buildings. Shading should not include emergent pond vegetation. The estimate should be made during the period from May to the end of September.	50	Estimate the percentage of the pond surface area occupied by macrophyte cover. This includes emergents, floating plants (excluding duckweed) and submerged plants reaching the surface. Make an estimate between March and the end of September. Read off the SI value from graph	50

Appendix 4 - Legislation and planning policy

Planning Authorities have a legal duty to consider biodiversity when assessing planning applications. Where there is a reasonable likelihood that a planning application might affect important protected sites, species or habitats, information on the species, habitat or site likely to be affected, together with an assessment of the impacts of the proposals, will almost certainly be required.

The legal duty for Planning Authorities to have regard to the conservation of biodiversity was introduced in the 2006 Natural Environment and Rural Communities Act (The NERC Act). This act clarified existing commitments with regard to biodiversity, raised the profile of biodiversity and aimed to make the consideration of biodiversity a natural and integral part of policy and decision making.

In addition to the NERC Act there is also national and international biodiversity legislation. This includes legislation in relation to protected species and sites which operates outside of the planning system. Local Authorities and developers have a duty to comply with this legislation.

National planning policy

Paragraph 99 of the government Circular 06/05: Biodiversity and Geological Conservation - Statutory Obligations and Their Impact Within the Planning System (referred to in the National Planning Policy Framework) states that:

'It is essential that the presence or otherwise of protected species, and the extent that they may be affected by the proposed development, is established before the planning permission is granted, otherwise all relevant material considerations may not have been addressed in making the decision.'

As such, in line with national planning policy, most planning authorities will ask for this information to be provided before a planning decision is made and in many cases before it is registered.

Local planning policy

In addition to national planning policy, most councils have planning policies to protect biodiversity, and to enhance it where practicable within and adjacent to development sites.

European protected species

The United Kingdom hosts a number of European Protected Species (EPS) of animals (table 1) and plants (table 2). These species receive special protection under UK law and it is an offence under the Wildlife and Countryside Act 1981 (as amended) and the European Habitats and Species Directive (92/43/EC), enacted in the UK through The Conservation of Habitats and Species Regulations 2010, to deliberately or recklessly destroy or damage their habitat, or to disturb, kill or injure the species without first having obtained the relevant licence from Natural England.

Planning Authorities have a statutory duty under these regulations to have regard to the requirements of the Habitats Directive and need to be satisfied that the development is likely to receive a licence from Natural England, and therefore comply with the Habitats Directive, before granting planning permission.

Table 1 – European Protected Species of Animal found in the UK

Common name	Scientific name
Bats, Horseshoe (all species)	*Rhinolophidae*
Bats, Typical (all species)	*Vespertilionidae*
Butterfly, Large Blue	*Maculinea arion*
Cat, Wild	*Felis silvestris*
Dolphins, porpoises and whales (all species)	*Cetacea*
Dormouse	*Muscardinus avellanarius*
Frog, Pool	*Rana lessonae*
Lizard, Sand	*Lacerta agilis*
Moth, Fisher's Estuarine	*Gortyna borelii lunata*
Newt, Great Crested (or Warty)	*Triturus cristatus*
Otter, Common	*Lutra lutra*
Snail, Lesser Whirlpool Ram's-horn	*Anisus vorticulus*
Snake, Smooth	*Coronella austriaca*
Sturgeon	*Acipenser sturio*
Toad, Natterjack	*Bufo calamita*
Turtles, Marine	*Caretta caretta*
	Chelonia mydas
	Lepidochelys kempii
	Eretmochelys imbricata
	Dermochelys coriacea

Table 2 – European Protected Species of Plant found in the UK

Common name	Scientific name
Dock, Shore	*Rumex rupestris*
Fern, Killarney	*Trichomanes speciosum*
Gentian, Early	*Gentianella anglica*
Lady's-slipper	*Cypripedium calceolus*
Marshwort, Creeping	*Apium repens*
Naiad, Slender	*Najas flexilis*
Orchid, Fen	*Liparis loeselii*
Plantain, Floating-leaved water	*Luronium natans*
Saxifrage, Yellow Marsh	*Saxifraga hirculus*

Nationally protected species

Many species of animal are protected under the 1981 Wildlife and Countryside Act (as amended). 'Full protection' applies to EPS and some non EPS species such as the water vole. This prohibits the intentional killing, injuring or taking (capture. etc); possession; intentional disturbance whilst occupying a 'place used for shelter or protection' and destruction of these places; sale, barter, exchange, transporting for sale and advertising to sell or to buy. Many species, such as common species of reptile and amphibian, are protected from intentional killing and injuring and trading.

Badgers

Badgers and their setts are protected under the 1992 Protection of Badgers Act and the Wildlife and Countryside Act 1981 (as amended). It is illegal to intentionally or recklessly kill, injure or take badgers or to interfere with a badger sett. Interference with a sett includes blocking tunnels, or damaging the sett in any way, and could include blocking a badger pathway if it were to stop badgers entering or leaving a

sett. Penalties for offences can be severe, with fines of up to £5,000 plus up to six months' imprisonment, for each illegal sett interference, badger death or injury.

Work that disturbs badgers occupying a sett is illegal without the appropriate licence from the relevant statutory authority being held. Natural England issue licences for reasons including science, education or conservation, for development such as the building of houses and for investigation of offences against badgers. They also issue licences for the prevention of serious damage to land, crops or other form of property, as well as for agriculture, forestry, drainage operations and prevention of the spread of disease.

Birds

All wild birds are protected under the Wildlife and Countryside Act 1981 (as amended), whilst they are actively nesting or roosting. Section 1 of this Act makes it an offence to kill, injure or take any wild bird, and to intentionally take, damage or destroy the nest of any wild bird while that nest is in use or being built. It is also an offence to take or destroy any wild bird eggs.

In addition, bird species listed under Schedule 1 of the Act receive extra protection. The Act states that 'it is an offence to intentionally or recklessly disturb any wild bird listed in Schedule 1 while it is nest building, or at (or near) a nest containing eggs or young, or disturb the dependent young of such a bird'.

In practice this means that in areas where birds are likely to be nesting works should not be undertaken during the nesting season, which is generally considered to be March to September, although this very much depends on weather conditions, habitats and the species involved. If works cannot be avoided then areas should first be checked for nesting birds. Habitats likely to host nesting birds include trees, hedgerows and dense scrub, buildings, reedbeds and riverine habitats and open areas with tussocky vegetation.

Appendix 5 – About GS Ecology

Established in 2009, GS Ecology is an independent. We carry-out surveys and ecological consultancy services for public and private sector clients including in Berkshire, Oxfordshire and Hampshire, London and the south of England. We can advise you on cost effective sustainable solutions for your project, whether it be a bat survey to inform a planning application, the ecology chapter of an Environmental Statement or a Woodland Management Plan.

Our work is undertaken by experienced and qualified ecologists, who are members of the Chartered Institute of Ecology and Environmental Managers. Our services include:

- Ecology surveying and reporting to inform planning applications, e.g.
  - Preliminary Ecological Appraisal
  - Extended Phase 1 Habitat Survey
  - Protected species surveys, e.g. badgers, dormouse, great crested newts
  - Bat surveys in Oxfordshire, Berkshire, Hampshire, London and Southern England
- BREEAM ecology assessments – to demonstrate the sustainability of a new building
- Protected species licensing such as bat and great crested newt licences for development sites after planning permission has been obtained
- Providing advice to land managers and writing ecological management plans, such as woodland management plans and farm environmental plans for England woodland Grant Scheme and Environmental Stewardship applications
- Providing ecology advice to Local Authorities and Local Planning Authorities