

Ecological Appraisal

Windy Bank Farm

Shuttleworth, Bury

September 2025 Rev B

Prepared for: Mr Brown

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EXECUTIVE SUMMARY

- On 28th July 2025 an Ecological Appraisal was undertaken on land at Windy Bank Farm, Shuttleworth, Bury. The site supports a derelict building, modified grassland with tall forb, developed land; sealed surface, a mature ash tree and native hedgerow.

Ecological constraints relate to the following:

Barn owl

- Barn owl (*Tyto alba*) was confirmed present on site. Further survey work to determine whether barn owl is roosting or nesting was recommended to inform appropriate mitigation. This survey work was undertaken in late-August and early-September 2025.
- Barn owl are confirmed nesting in the building. Mitigation to avoid potential disturbance and harm during works are proposed. Recommendations are made to compensate for the loss of a nest site, including installation of barn owl boxes on wider land in ownership.

Avoidance mitigation for other species

- Reasonable avoidance measures are recommended to take into consideration the potential presence in the locality of bats, badger, common toad, common reptiles and hedgehog.

Invasive non-native species

- The invasive non-native species Japanese knotweed and Himalayan balsam are present on site. Measures must be taken to control, prevent the spread and ideally eradicate these species on site.

Enhancement

- The proposals provide the opportunity to significantly enhance the site for wildlife and recommendations for this have been made, including planting of native plant species, native hedgerow and installation of bird and bat boxes.

Verity Webster

Ecology and Protected Species Consultancy



1 Introduction

1.1 Application Site

- 1.1.1. This report details an Ecological Appraisal of land at Windy Bank Farm, Shuttleworth, Bury, BL0 0 EP. Ordnance Survey grid reference (centre of site): SE44114768.
- 1.1.2. Mr Brown commissioned Verity Webster Ltd to undertake a Preliminary Ecological Appraisal to inform the planning application.

1.2 Objectives

- 1.2.1 The objectives of the Preliminary Ecological Appraisal are to determine:
- The potential for protected species and/or habitats of importance within and surrounding the site.
 - The presence of any designated sites within the surrounding area, or if the site is designated.
 - How the proposed works might impact protected species and/or habitats of importance.
 - How the proposed works might impact designated sites within the surrounding area.
 - How any impacts might be avoided, mitigated and/or ameliorated, including recommendations for further survey work if required.
 - Potential for enhancement of the site for protected species, habitats of conservation interest and overall biodiversity.

1.3 Proposals

- 1.3.1 The proposals comprise the renovation of the building on site into a residential property and creation of access.

1.4 Ecologist

- 1.4.1 The Ecological Assessment was undertaken by Verity Webster. Verity is a Chartered Ecologist and a full member of the Chartered Institute of Ecology and Environmental Management.
- 1.4.2 Verity has worked as an ecological consultant for over 17 years. She has undertaken Ecological Assessments and protected species surveys for a large variety of projects and schemes, producing the required impact assessment and subsequent mitigation schemes and method statements when necessary.

2 Site Location and Description

2.1 Site Location



- 2.1.1 The survey site is located in a rural area of Shuttleworth, approximately 1km south of the outskirts of Chatterton and 1km northeast of Ramsbottom. The site access lies adjacent to the east of the A56 Whalley Road which runs north to south through the landscape, and the building lies approximately 200m to the east of Whalley Road. The M66 runs north to south approximately 400m to the west, dividing the wider countryside.
- 2.1.2 The landscape immediately surrounding the site is open countryside comprising grazed pasture and arable land. There are waterbodies including a reservoir located around 450-760m to the southeast of the site. The River Irwell weaves north to south through the landscape approximately 850m to the west, beyond the M66. See Figures 1 and 2.

2.2 Site Description

- 2.2.1 The survey site encompasses a single structure, a derelict building in poor condition, a mature ash tree, modified grassland, tall forb and native species hedgerows running along the boundaries of the access track, part of which is developed land; sealed surface.
- 2.2.2 See UK Habitat Classification Plan, Figure 3.

The Structure

- 2.2.3 The structure is located approximately 200m east of Whalley road within a field of modified grassland.
- 2.2.4 The building, previously two storey is in poor condition with the majority of the roof missing. The structure is constructed of stone blocks and partially rendered, and is currently supported with scaffold. The roof, which remains only on a small portion of the south elevation supports large slates on wooden rafters; it is unlined.



The northeast elevation of the structure



Figure 1: Ordnance survey map showing the location of the proposed development site.

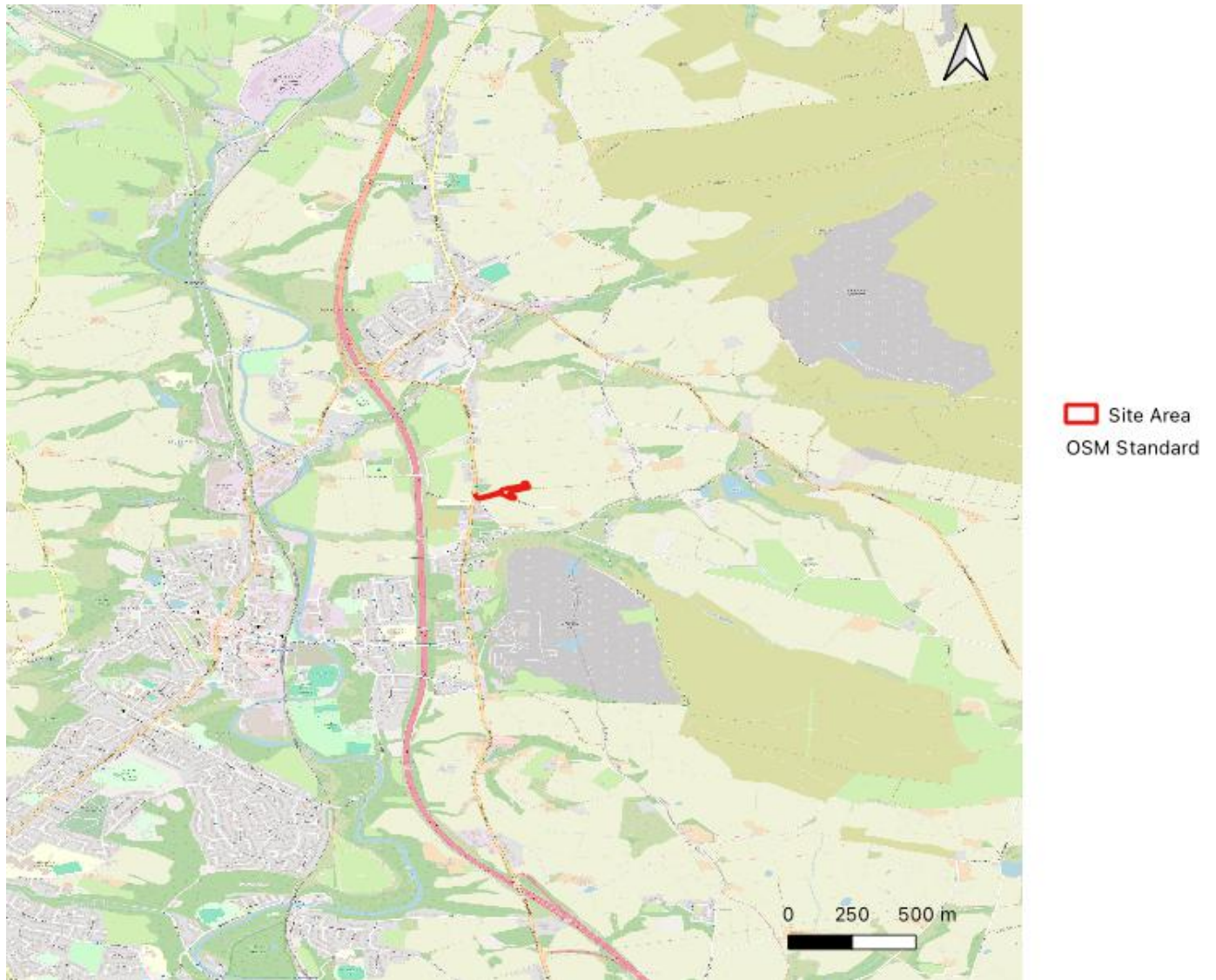




Figure 2: Aerial image showing the proposed development site and immediate surroundings





3 Legislation

Relevant legislation is listed here. For full details, refer to Appendix A.

3.1 Bats

3.1.1 All UK bats receive full protection under the Wildlife and Countryside Act 1981 and are also protected under The Conservation of Habitats and Species Regulations 2017 (as amended) (the Habitats Regs).

3.1.2 This makes it an offence to:

- Capture, injure or kill any bat,
- Disturb a bat of any species,
- Damage or destroy a breeding site or resting place of a bat (ie. The roost)
- Possess any bat, or part of a bat
- Offer for sale or trade any bat, or part of a bat

3.2 Badger

3.2.1 Under the Badger Act 1992, it is an offence to:

- Take, injure or kill a badger, or attempt to do so
- Cruelly ill-treat a badger
- Interfere with a badger sett including:
 - Damaging a badger sett or any part of it
 - Destroying a sett
 - Obstructing access to, or entry to a sett
 - Causing a dog to enter a sett; or
 - Disturbing a badger whilst it is occupying a sett.

3.3 Reptiles

3.3.1 Smooth snake and sand lizard receive full protection under the Wildlife and Countryside Act 1981 and are also protected under The Conservation of Habitats and Species Regulations 2017 (as amended) (the Habitats Regs).

3.3.2 This makes it an offence to:

- Capture, injure or kill one of these species,
- Disturb these species,
- Damage or destroy a breeding site or resting place of these species.
- Possess one of these species, or part of one
- Offer for sale or trade one of these species, or part of one

3.3.3 Common lizard, adder, grass snake and slow-worm are partially protected under the Wildlife and Countryside Act 1981. This makes it an offence to:

- Kill or injure one of these species.
- Offer for sale or trade one of these species, or part of these animals.

3.4 Amphibians

3.4.1 Great crested newts receive full protection under the Wildlife and Countryside Act 1981 and are also protected under The Conservation of Habitats and Species Regulations 2017 (as amended) (the Habitats Regs).

3.4.2 This makes it an offence to:

- Capture, injure or kill one of these species,
- Disturb these species,
- Damage or destroy a breeding site or resting place of these species.



- Possess a great crested newt, or part of this animal
- Offer for sale or trade a great crested newt, or part of this animal.

3.4.3 Common lizard, adder, grass snake and slow-worm are partially protected under the Wildlife and Countryside Act 1981. This makes it an offence to:

- Kill or injure one of these species.
- Offer for sale or trade one of these species, or part of these animals.

3.4.4 Common toad, common frog, palmate newt and smooth newt are protected from sale or trade only.

3.5 Barn Owl

3.5.1 The Wildlife and Countryside Act 1981 consolidates and amends existing national legislation to implement the Convention on the Conservation of European Wildlife and Natural Habitats (Bern Convention) and Council Directive 79/409/EEC on the conservation of wild birds (Birds Directive) in Great Britain (NB Council Directive 79/409/EEC has now been replaced by Directive 2009/147/EC of the European Parliament and of the Council of 30 November 2009 on the conservation of wild birds (codified version)).

3.5.2 The Act makes it an offence (with exception to species listed in Schedule 2) to intentionally:

- kill, injure, or take any wild bird,
- take, damage or destroy the nest of any wild bird while that nest is in use or being built (also [take, damage or destroy the nest of a wild bird included in Schedule ZA1] under the Natural Environment and Rural Communities Act 2006), or
- take or destroy an egg of any wild bird.

Schedule 1 Birds

3.5.3 In addition to the above, special penalties are available for offences related to birds listed on Schedule 1. Barn owl is included on this schedule.

3.5.4 It is an offence to disturb any Schedule 1 bird at the nest, or to disturb their dependent young.

3.6 Section 41 Habitats and Species of Principal Importance

3.6.1 Section 41 Habitats and Species of Principal Importance (NERC Act 2006) are a material consideration for planners. The list is derived from the UK Biodiversity Action Plan list and supports species and habitats of conservation concern.

3.6.2 Species relevant to this report include hedgehog and common toad.

3.7 Designated Sites

3.7.1 Sites of conservation interest can be designated on a statutory or non-statutory basis.

3.7.2 Statutory sites can be designated under UK legislation (the Wildlife and Countryside Act 1981), European Law (the Habitats Regulations 2017) or International law (Ramsar Convention).

3.7.3 Non-statutory sites can be designated by the Local Planning Authority, and different counties have different ways of designating local wildlife sites. Examples are Local Wildlife Sites and Biological Heritage Sites.



3.8 Planning Policy and Legislation

Biodiversity Net Gain

- 3.8.1 In England, biodiversity net gain is required under a statutory framework introduced by Schedule 7A of the Town and Country Planning Act 1990 (inserted by the Environment Act 2021). This is referred to as biodiversity net gain in Planning Practice Guidance to distinguish it from other or more general biodiversity gains.
- 3.8.2 Under the statutory framework for biodiversity net gain, every grant of planning permission is deemed to have been granted subject to a general biodiversity gain condition to secure the biodiversity gain objective. This objective is to deliver at least a 10% increase in relation to the pre-development biodiversity value of the development granted permission. This increase can be achieved through onsite biodiversity gains, registered offsite biodiversity gains or statutory biodiversity credits (Gov.Uk Biodiversity Net Gain, 2023).

The NERC Act, 2006

- 3.8.3 Under the NERC Act 2006, planning authorities are obliged to make sure that they have all the information on the presence of protected species on site before they make a decision on the planning permission.
- 3.8.4 The National Planning Policy Framework (NPPF, 2021) encourages Local Planning Authorities to conserve and enhance biodiversity. This was updated in December 2023.

Chapter 15, Para 180 of NPPF states: *"The planning system 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....***
- 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"**.*

Para 181 states: *"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."*

Para 185 identifies that plans should do the following to protect and enhance biodiversity and geodiversity:

- a) **"Identify, map and safeguard components of local wildlife-rich habitats and wider ecological networks, including the hierarchy of international, national and locally designated sites of importance for biodiversity; wildlife corridors and stepping stones that connect them; and areas identified by national and local partnerships for habitat management, enhancement, restoration or creation; and***
- b) **Promote the conservation, restoration and enhancement of priority habitats, ecological networks and the protection and recovery of priority species; and identify and peruse opportunities for securing measurable net gains for biodiversity."***

Para 186 states that *"when determining planning applications, local authorities should apply the following principles:*

- a) **if significant harm to biodiversity from a development cannot be avoided...,adequately mitigated, or, as a last resort compensated for, then planning permission should be refused"***

- 3.8.5 The local planning authority has a responsibility, therefore, to obtain all information regarding the potential for protected species on a site prior to making a decision about a proposal.



4 Survey Methodology

4.1 Desk Study

- 4.1.1 The following data sources used to establish background information about protected species and their likely presence in the locality:
- Magic Map, Natural England (2018)
 - Bing Maps (2019)
 - Records data from Greater Manchester Ecology Unit (GMEU) (2025).
- 4.1.2 Online mapping facilities, including MAGIC (Defra 2015), Google earth (for aerial mapping) and Ordnance Survey maps for the area were consulted to assess the site in relation to the surrounding landscape and any statutory and non-statutory designated sites.
- 4.1.3 Records data from GMEU includes records of protected species and habitats of conservation interest within 1km of the survey site.

4.2 Site Survey

- 4.2.1 The survey site, was walked in daylight on 28th July 2025, and during the visits the habitat was assessed for potential for protected species. The surveyor searched for signs of the presence of protected species where appropriate, including pathways, burrows / nests / resting places, scratch markings, footprints and droppings etc. The presence of all animals and birds, if seen or heard, was recorded.
- 4.2.2 Habitats on site were assessed and described in accordance with UK Habitat Classification (UK Hab Ltd, 2023) and a list of conspicuous species recorded.
- 4.2.3 Consideration is also given to the surrounding landscape with respect to protected species including badger, bats, birds, amphibians and reptiles.

Preliminary Roost Assessment

- 4.2.4 As part of the daytime bat walkover a preliminary Roost Assessment, that is an internal and external inspection of the structures on site was undertaken during daylight to determine the suitability for bats and establish, if possible, whether bats are using the structures or have been in the past. This work was undertaken following the original good practice guidance (Collins, 2016) and updated to meet the latest good practice guidance (Collins, 2023).
- 4.2.5 The house and garage were inspected to look for bats and signs of the presence of bats, including:
- Droppings.
 - Feeding remains including moth and butterfly wings.
 - Staining from urine or oils near crevices or holes or on timber (such as roof beams), walls, chimney breasts etc.
 - Scratch marks on walls and timber.
 - Squeaking or chattering calls.



- 4.2.6 As a result of the external preliminary roost assessment, the structure on site was characterised as having 'negligible', 'low', 'medium' or 'high' suitability for bats. It may also be possible to confirm the presence of a roost.
- 4.2.7 Buildings or structures typically characterised as having suitability at the following levels:
- **None:** No habitat features on site likely to be used by any roosting bats at any time of year.
 - **Negligible suitability:** No obvious habitat features likely to be used by roosting bats. Modern or newly-built well-sealed structures may fall into this category. Structures that are metal clad with metal internal beams might have negligible potential if there are no favourable roosting spaces. Structures may also be unfavourable due to the level of disrepair, being subject to poor weather conditions.
 - **Low suitability:** Structures will have sub-optimal roost features with limited potential for roosting bats. Features may be used by single bats opportunistically, but do not provide enough space, shelter, protection, appropriate conditions and/or suitable surrounding habitat to be used on a regular basis by large numbers of bats.
 - **Medium suitability:** Structures may have a few features with potential for bats, that provide enough space, shelter, protection and other suitable conditions, or several features with limited potential for bats. It may also be that a potentially suitable structure is situated in an area with habitat that has an only low potential for foraging and commuting bats.
 - **High suitability:** Structures support at least one or more features that provide opportunities for roosting bats such that they might be used regularly, for longer periods by larger numbers of bats. These may be external features, such as lifted weatherboard or crevices in brick or stonework, or internal, such as large loft spaces with potential access. Barns, with open doorways and windows with wooden rafters and beams, may fall into this category. If a structure is close to good habitats, such as a waterway, marshland or woodland, this also increases the potential for roosting bats.
 - **Confirmed roost presence:** It is evident as a result of signs from inspection, such as droppings, or sight of bats, that a roost exists within the building. It is not always possible to ascertain the presence or absence of a roost even if some signs, such as droppings or feeding remains are found.

Ground Level Tree Assessment

- 4.0.1 As part of the daytime bat walkover a ground level assessment of the trees to record Potential Roost Features (PRFs) was undertaken if the trees have been identified as likely to be impacted by the proposals. This work was undertaken following the latest good practice guidance (Collins, 2023).
- 4.0.2 Potential Roost Features (PRFs) include features created as a result of disease and decay, damage or association:

Damage PRFs:



- Branch scars and rips
- Lightning strikes
- Subsidence
- Cracks
- Shearing cracks
- Horizontal cracks and splits such as hazard beams
- Welds
- Desiccation
- Fissures
- Frost cracks
- Flaking or partially-detached bark

Disease and Decay PRFs

- Rot holes, including butt-rot
- Woodpecker holes
- Cankers with cavities
- Knot holes
- Squirrel holes
- Wounds
- Compression forks

Association PRFs

- Holes between double-leaders
- Fluting
- Dense ivy

Other:

- Bird, bat or dormouse boxes.

Suitability of trees for bats

4.0.3 Trees were assessed as having suitability for bats as follows:

- **None:** Lack any Potential Roost Features (PRFs) in tree or highly unlikely to be any. Precautionary methods of work may be required prior to felling / tree works.
- **FAR (Further Assessment Required):** Further assessment required to establish if PRFs are present in the tree.
- **PRF (Potential Roost Feature):** A tree with at least one PRF present.

Initial categorisation of Potential Roost Features

4.0.4 Potential Roost Features may be categorised as follows, although, on the basis of a ground level tree assessment, this may be an estimate only:



- **PRF-I:** PRF is only suitable for individual bats or very small numbers of bats either due to size or lack of suitable surrounding habitats.
- **PRF-M:** PRF is suitable for multiple bats and may therefore be used by a maternity colony.

Potential Roost Feature Survey

4.0.5 If considered subject to direct or indirect impact by the proposals, PRFs present, further survey work may be necessary to inspect the PRFs with the use of an endoscope (Ridgid SeeSnake Inspection Camera CA-150). The inspection would assess the following factors:

- Presence of bats
- Presence of droppings or odour
- The dust / debris present
- Whether the interior is smooth or rough, damp, wet etc.
- Presence of association species (woodlice and dusky slug)

4.0.6 As a result of the inspection, the PRFs are categorised as to whether or not the features were likely to be, or are confirmed bat roosts or not.

4.0.7 Further survey is recommended depending upon the findings.

Categorisation of Potential Roost Features

4.0.8 Potential Roost Features were assessed as follows:

- **Unsuitable** – feature is not suitable for roosting bats.
- **Unlikely to be a roost** – features does not provide factors often favoured by bats. Very unlikely to be a roost. Precautionary method of work during felling may be required
- **Possible roost** – Conditions of the PRF suggest that it may be suitable, but there are no signs to confirm this. Further survey work may be required to determine whether the site is a roost. Precautionary method of work during felling will be necessary, including a pre-check of any features for bats and signs of bats
- **Confirmed roost** – Condition of the PRF or signs present confirm or strongly suggest the feature is a roost. Further survey work will be necessary. It would be a requirement to obtain an European Protected Species Mitigation (EPSM) licence from Natural England prior to works being undertaken. Appropriate mitigation will be necessary.



4.3 Barn Owl Survey

- 4.1.1 Following the daytime inspection, the building on site was surveyed for approximately 30 minutes before sunset to approximately 2 hours after sunset on 28th August 2025. Observations were made of any barn owls around the structure and moving across the landscape or in close proximity to the building.
- 4.1.2 A subsequent daytime assessment was undertaken by Richard Flight of Flight Ecology (licensed to disturb barn owl) on 8th September 2025. The site was searched for the evidence of use of barn owl (and other owl species) including droppings, pellets, feeding remains, nest materials and feathers. The nest box on site was opened and checked for evidence of nesting.

4.4 Survey Limitations

- 4.4.1 The initial survey work was undertaken in July 2025. At this time of year bats are active and will be occupying summer roost sites. Evidence of bats using external features of buildings may be present externally, but inside buildings evidence is more likely to be found if bats are using the interior of the structure with regularity and evidence is protected from the weather.
- 4.4.2 Species such as reptiles and amphibians are also active at time of the year, although an assessment of the likelihood of presence is based upon the habitat present and not sightings of animals.
- 4.4.3 The majority of higher plants are visible in July, but some species are more conspicuous or only present at some times of the year, and some species may have been missed. The species list constructed is not comprehensive, but given the habitat types expected, is sufficient to inform the appropriate habitat categorisation and recommendations for mitigation in this case.
- 4.4.4 Owls, including barn owls are active in July and may be nesting. Further survey work for this species was undertaken in September after nesting to ensure no disturbance.



5 Findings: Surrounding Designated Sites

- 5.0.1 Sites of conservation interest can be designated on a statutory or non-statutory basis.
- 5.0.2 The protection over European designated sites (or Natura 2000) sites and Ramsar sites require any potential direct and indirect impacts are assessed within at least a 5km radius of the survey site.
- 5.0.3 The protection over UK statutory sites (Sites of Special Scientific Interest and Local Nature Reserves) requires that any potential direct and indirect impacts from a development are assessed within at least a 2km radius of the survey site.
- 5.0.4 Any potential direct or indirect impacts upon non-statutory sites are assessed within 1km of the survey site.

5.1 Statutory Sites

- 5.1.1 There are no EU Designated Sites within 5km.
- 5.1.2 There are no UK statutory designated sites within 2km.

5.2 Non-statutory Sites

- 5.2.1 There are no Non-Statutory Designated Sites within 1km.

5.3 Assessment of Impact

- 5.3.1 There are no designated sites within close proximity to Windy Bank Farm. The proposals are small in size and construction will be temporary. No direct or indirect impacts upon designated sites are anticipated.

6 Findings: Habitat Survey

6.0 Habitat Assessment

Data Search

- 6.1.2 The data from NEYEDC contain records of protected plants or species of conservation concern within 1km of the survey site. All the records include just two species: bluebell (*Hyacinthoides non-scripta*) and juniper (*Juniperus communis*). Bluebell is listed on Schedule 8 of the Wildlife and Countryside Act, 1981. Juniper is an interest feature of Thwaite Stones SSSI and associated with SAC designations.



- 6.1.3 The records are limited, and reflect the lack of surveying in the locality, rather than the absence of species of interest. Numerous species of interest and conservation value are listed on the citations for the nearby SSSIs and SACs.

Survey Site

- 6.1.4 The survey site supports developed land; sealed surface (building and access), modified grassland, modified grassland with tall forb and sparse bramble, sparsely vegetated land, individual trees and native species hedgerow.
- 6.1.5 The UK Hab classifications are as follows:
- g4 Modified grassland with the following secondary codes:
 - 10 scattered bramble scrub
 - 16 tall forb
 - 100 grazed
 - 524 invasive non-native species
 - u1f 81 524 Sparsely vegetated land; ruderal or ephemeral
 - u1b5 Developed land/sealed surface (building)
 - u1b6 Developed land/sealed surface (hard standing)
 - g4 200 Tree
 - h2a native hedgerow
- 6.1.6 Refer to the UK Habitat Classification Plan (Figure 4) below.



Modified grassland; grazed g4 100

- 6.1.7 The modified grassland around the building and extending into the wider field to the north is composed predominantly of rye grass (*Dactylus glomerata*) with occasional broad-leaved dock (*Rumex obtusifolius*), creeping buttercup (*Ranunculus repens*) and common chickweed (*Stellaria media*).



Modified grassland g4 100 dominated by rye grass

Modified grassland with tall forb and invasive non-native species g4 16 524

- 6.1.8 The modified grassland with tall forb covers the sunken access track and the boundaries of the access track.
- 6.1.9 The sunken track to the south of the building supports false oat grass (*Arrhenatherum elatius*), common nettle (*Urtica dioica*), rosebay willowherb (*Chamaenerion angustifolium*) and fox glove (*Digitalis pupurea*). There is an area of Japanese knotweed in this area.
- 6.1.10 The grassland with tall forb along the access track comprises common nettle, cleavers (*Galium aperine*), cock's-foot grass (*Dactylus glomerata*), Yorkshire fog (*Holcus lanatus*), ribwort plantain (*Plantago lanceolata*), rosebay willowherb, red clover (*Trifolium pratense*), creeping thistle (*Cirsium arvense*), dandelion (*Taraxacum* agg.), common knapweed (*Centaurea nigra*) and bramble (*Rubus fruticosus* agg.) with pineappleweed (*Matricaria discoidea*) along the trampled centre of the track. Himalayan balsam (*Impatiens grandiflora*) is present at the western end of the track near the road.



Modified grassland g4 100 dominated by rye grass to the left, and modified grassland with tall forb and non-native invasive species g4 16 524 in the sunken track to the right.

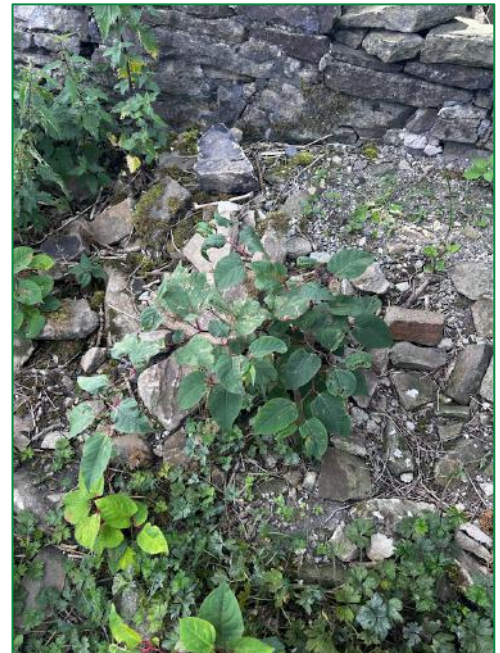


Sparsely vegetated land; ruderal or ephemeral u1f 81 524

- 6.1.11 The sparsely vegetated land covers recently disturbed ground immediately around and within the building. Species present comprise scented mayweed (*Matricaria recutita*), common knotgrass (*Polygonum aviculare*), creeping thistle, broad-leaved dock and prickly sow thistle (*Sonchus asper*).



*The sparsely vegetated land around the building
u1f 81 524*



*Showing Japanese knotweed within the sparsely
vegetated land around the building u1f 81 524*

Developed land; sealed surface u1b5 and u1b6

- 6.1.12 This habitat comprises the western portion of the access track and the structure.



*Developed land; sealed surface u1b5 and the ash
tree g4 200*



Rural trees g4 200

- 6.1.13 A mature ash (*Fraxinus excelsior*) tree is present to the southeast of the structure. It has been pruned in the past. A small fruit tree is located at the entrance to the track on the east side of the site.

Native hedgerow h2a

- 6.1.14 The hedgerows along the access track are composed of hawthorn (*Crataegus monogyna*) with bramble.



Native hedgerows h2a H2 and H3 of good condition with nettles representative of nutrient enrichment at the base.



Native hedgerows h2a H1



Assessment

- 6.1.15 The habitats present are common and composed of common and widespread plant species.
- 6.1.16 The proposed development will be situated on areas of sparsely vegetated ground and modified grassland with tall forb and are very unlikely to have a negative impact upon plant species or habitats of conservation interest within the locality.
- 6.1.17 The hedgerows will not be impacted directly by the proposals.
- 6.1.18 The proposals provide the opportunity to improve the condition of the hedgerows on site and to improve structural diversity in the immediate vicinity with appropriate native species planting. Recommendations have been made and correlate with Biodiversity Net Gain requirements.

Invasive non-native plant species

- 6.1.19 Japanese knotweed (*Fallopia japonica*) and Himalayan balsam (*Impatiens grandulifera*) was found on site. These are invasive plant species and part of the site enhancement will comprise the control and eradication of Japanese knotweed and Himalayan balsam on the site. Measures to prevent the spread of this species must be undertaken during works on site.



Showing Japanese knotweed in sunken access track.



Showing Himalayan balsam along the access track at the western end of the site.

Figure 3: The Survey Site – UK Habitat Classification Plan



7 Findings: Protected Species

Mammals

7.1 Bats

Potential for Bats

- 7.1.1 At a landscape level, the area surrounding the survey site is good for bats. Refer to Figure 2.
- 7.1.2 The surrounding includes grassland, arable land, moorland and small plots of woodland with waterways and waterbodies.
- 7.1.3 Bat species likely to be present in the locality include widespread species such as common and soprano pipistrelle bat (*Pipistrellus pipistrellus* and *Pipistrellus pygmaeus* respectively), which are adapted to urban environments. Species that favour open habitats such as Leisler's (*Nyctalus leisleri*) and noctule bat (*Nyctalus noctula*) are likely to be present within the wider countryside and may pass over the survey sites to forage. Bat species that are associated with woodland, such as brown long-eared bat (*Plecotus auritus*), Natterer's bat (*Myotis natterri*), whiskered bat (*Myotis mystacinus*) and Brandt's bat (*Myotis brandtii*) are potentially present, but are unlikely to be abundant as woodland is not extensive in the surrounding area.

Data Search

- 7.1.4 Data from GMEU includes records of three bat species recorded within 1km of the survey sites:
- Common pipistrelle (*Pipistrellus pipistrellus*)
 - Noctule (*Nactylus noctule*)
 - Whiskered bat (*Myotis mystacinus*)
- 7.1.5 The low numbers of species recorded is likely partially a reflection of the limited habitat present but may also reflect the lack of recorder effort in the area.
- 7.1.6 The records include details of 6 bat roosts within 1km of the survey area. There is a record of a common pipistrelle roost within Bleakholt Animal Sanctuary in building approximately 540m northeast of the survey site and records of a pipistrelle species roost from a house 300m to the south and a bat roost (species unknown) 600m to the southeast.



The Conservation Status of Bats in the Area

7.1.7 The conservation status of bats in the area is shown in Table 1.

Table 1: *The Conservation Status of Bats in the area at a Local, County and Regional Level*

Species	Local	County	Regional
<i>Common pipistrelle</i>	Likely to be common in the area. There are records of this species in the area (10km).	Common and widespread Frequently recorded.	Common and widespread Frequently recorded across the Northwest
<i>Soprano pipistrelle</i>	Likely to be present due to the presence of riparian habitat.	Widespread. Frequently recorded.	Common and widespread Frequently recorded across the Northwest
<i>Nathusius's pipistrelle</i>	Likely to be rare in the area.	Infrequently recorded, but this may be due to low survey effort. Not yet recorded breeding in the county.	Rare across the northwest. A migratory species.
<i>Brown long-eared bat</i>	Likely to be in the area. There is a recent record of this species within 10km of the site.	Common and widespread Frequently recorded.	Common and widespread Frequently recorded across the Northwest.
<i>Natterer's bat</i>	Likely to be in the area, although this species favours woodland habitat, which is infrequent in the landscape.	Frequently recorded	Widespread and scattered across the Northwest.
<i>Noctule</i>	Present	Widespread and frequently recorded.	Common and widespread. Frequently recorded in the Northwest.
<i>Whiskered bat</i>	Present but likely rare	Present	Widespread.
<i>Brandt's bat</i>	Rare / absent	Present	Widespread.
<i>Alcathoe's bat</i>	Unknown	Unknown	Widespread. Likely under-recorded.
<i>Daubenton's</i>	Presence is likely due to the riparian habitat present.	Widespread, frequently recorded near water.	Widespread
<i>Serotine</i>	Rare / absent	Unknown	Restricted to south and southwest Britain, rarely recorded in the northwest.
<i>Leislars</i>	Rare	Unknown	Rare, but widespread in Britain. Present in the northwest.
<i>Barbastelle</i>	Unlikely to be present in the area. This species is a woodland-specialist and there is a lack of this habitat present.	Unknown	Present south of a line from North Wales to the Wash.



Preliminary Roost Assessment

The Structure

- 7.1.8 **The structure is considered to have negligible suitability for bats.**
- 7.1.9 The structure is constructed of stone, much of which is well-sealed externally. There are crevices in the stonework internally, but these are mostly shallow. It was not possible to inspect all crevices due to the unsafe nature of the building. The walls are very exposed due to the absence of roof, however, and this renders it suboptimal for use by bats.
- 7.1.10 Additionally, the presence of barn owl, which appear to regularly roost in the structure is likely to deter bats.
- 7.1.11 The remaining roof structure, composed of heavy slate over wooden rafters has very limited potential to support roosting bats between the slates and between rafters and the slates.
- 7.1.12 No evidence of bats, including droppings or feeding remains were found during the inspection.
- 7.1.13 Overall, the structure is considered to have negligible suitability for bats and no further survey work is recommended. Reasonable avoidance measures during works are proposed to minimise the risk of harm to itinerant bats in the unlikely event they do utilise the potential roost features upon occasion.



Showing southeast elevation of the structure and the partial roof on the south elevation.



Trees

- 7.1.14 The mature ash tree on site lacks potential roost features such as flaking bark, split limbs and rot holes that may be utilised by bats. For this reason, it is considered to have no suitability for roosting bats.

Habitat for foraging and commuting bats.

- 7.1.15 The modified grassland and hedgerows present provide limited potential foraging opportunities for bats. The hedgerows have potential to act as habitat corridors for commuting bats, however and although **negative impacts on foraging and commuting bats are considered unlikely, avoidance mitigation to reduce the indirect impact of lighting on foraging and commuting bats is recommended.**

7.2 Badger

Data Search

- 7.2.1 Data from GMEU does not include any includes of records of badger (*Meles meles*) within 1km of the survey site.

Survey and Assessment

- 7.2.2 The habitat in the wider area, including the pasture and woodland, has suitability for badger, which are considered likely to be present in the locality.
- 7.2.3 The survey site has suitability for foraging badger, which favour grassland to feed, but the small areas of modified grassland within the curtilage of the site, which is fenced with heras fencing, is considered unlikely to provide a regular feeding site.
- 7.2.4 No evidence of badger (setts, tracks, latrines, snuffle holes) was found within the survey site or within 100m of the site. The proposals are unlikely to directly impact badger or their setts. However, due to the suitability of surrounding habitat, the potential for badger to cross the site upon occasion cannot be ruled out.
- 7.2.5 **No further survey work or mitigation for badger is recommended, but mitigation during works is proposed to reduce the risk of harm to individuals that may cross the site upon occasion.**



7.3 Brown Hare

Data Search

- 7.3.1 Data from GMEU does not include any records of brown hare (*Lepus europaeus*) within 1km of the survey site.

Survey and Assessment

- 7.3.2 The survey site and immediate surrounding habitat, comprising managed, modified grassland does not provide ideal habitat for brown hare, which like tussocky grassland that provides cover.
- 7.3.3 Although hare may well be present in the area, the likelihood that the survey site is important for this species is considered to be low. Rough grassland further afield is likely to be of more value.
- 7.3.4 **The proposals are considered very unlikely to have any negative impact upon this species and no further survey work for brown hare is considered necessary.**

7.4 Hedgehog

Data Search

- 7.4.1 Data from GMEU does not include any records of hedgehog (*Erinaceus europaeus*) within 1km of the survey site.

Survey and Assessment

- 7.4.2 Hedgehog are a Species of Principal Importance under the NERC Act, 2006 (also known as UK Biodiversity Action Plan species).
- 7.4.3 The survey site, supporting modified, tall forb and hedgerows, has potential for hedgehog, which is very likely to be present in the locality.
- 7.4.4 **The proposals are unlikely to have a significant negative impact upon populations of this species, but since this species is expected in the area, precautionary measures to ensure the protection of hedgehog during works are proposed.**



7.5 Reptiles

Data Search

- 7.5.1 Data from GMEU does not include any recent (within the last 20 years) records of reptiles within 2km of the survey site.

Survey and Assessment

- 7.5.2 The records for reptiles in the northwest are generally low. Reptiles are of very low distribution and found at low density even in ideal habitats such as rough grassland with scrub.
- 7.5.3 The habitat within and immediately surrounding the site, comprising mainly grazed, managed modified grassland is suboptimal for this species, which favour rough grassland with scrub or tall vegetation. The tall forb habitat along the track and adjacent to the hedgerow does have some, albeit limited potential for reptiles, however.
- 7.5.4 **The survey site is considered very unlikely to support high numbers of reptiles, but there is a low risk that small numbers of reptiles will be present in tall forb habitat. Reasonable avoidance measures are proposed to reduce the risk of harm of individual animals to negligible.**

7.6 Amphibians

Great crested newt

Data Search

- 7.6.1 Data from GMEU do not include any records of great crested newt (*Triturus cristatus*) within 1km of the survey site.

Survey and Assessment

- 7.6.2 Great crested newt, which have the highest protection of all amphibians under UK and EU law, favour still water bodies, such as ponds with good vegetation. They breed in ponds, but spend much of the year terrestrially, within habitat such as rough grassland and woodland, which provides good foraging and hibernacula. Great crested newts are known to travel, usually, within a 250m radius of breeding ponds, but can travel up to 500m.
- 7.6.3 According to the relevant Ordnance Survey and aerial maps there are potentially five waterbodies within 500m of the survey site.
- 7.6.4 These lie 423m to the south, 430 to the southeast and 230m to the northwest, beyond Whalley Road and 160 and 260m to the north.



- 7.6.5 The two to the north are shallow depressions which are currently dry and appear as such on Google map imagery. These are unsuitable for great crested newts.
- 7.6.6 The waterbody 230m to the northwest is divided from the site by Whalley Road, which provides a significant barrier to the movement of great crested newts or any amphibians from the west.
- 7.6.7 The larger waterbodies to the south and southeast are significantly distanced from the site that movement of amphibians into the site is unlikely.
- 7.6.8 The terrestrial habitat within and surrounding the survey site is potentially suitable for this species, but given the absence of suitable potential waterbodies within close proximity, great crested newt is not expected in the locality.
- 7.6.9 **The proposals are considered unlikely to impact this species and no further survey work no mitigation is recommended.**

Common Toad

Data Search

- 7.6.10 Data from GMEU does not include any records of common toad (*Bufo bufo*) within 1km of the survey site.

Survey and Assessment

- 7.6.11 Common toad are a Species of Principal Importance under the NERC Act, 2006 (also known as UK BAP species).
- 7.6.12 The modified grassland and tall forb on site provides potential habitat for foraging and sheltering common toad. Common toad is a mobile species and will regularly travel long distances to reach breeding ponds; they may travel across the site regularly.
- 7.6.13 **The proposals for the site are not expected to impact upon populations of this species, but precautionary measures are proposed during works to avoid unnecessary harm to individual animals.**



7.7 Nesting Birds

Data Search

- 7.1.1 Data from GMEU includes records of a single protected bird species within 1km of the survey site; peregrine (*Falco peregrinus*).
- 7.1.2 Peregrine nest on high buildings and cliff sides and are not considered likely to nest in close proximity to the survey sites.

Survey and Assessment: Barn Owl.

- 7.1.3 A single barn owl (*Tyto alba*), a Schedule 1 species, was recorded present in the structure. Numerous pellets on the floor, and droppings on beams and on the floor indicate a regular presence. There was no evidence in the immediate surrounds of nesting by this species, for example eggshell fragments or down feathers. However, there is a nest box that could not be checked.
- 7.1.4 Further survey work was recommended to confirm the use of the structure by this species for roosting or nesting.



Showing barn owl pellets and droppings on the floor of the structure



Showing evidence of roosting on the beams in the structure



Further Survey: Barn Owl

Evening Survey 28th August 2025

Time on site: 19:40 – 22:00

Sunset: 20:08

Weather: 17 degrees, 70-100% cloud. Wind 9mph south.

- 7.1.5 On 28th August an evening survey was undertaken to determine use of the building by barn owl. A single barn owl was observed present.

- 7.1.6 Due to late commission, this survey was undertaken at a time when fledging owls may have already dispersed, this was not considered sufficient to determine nesting.

Nest box check

- 7.1.7 On 8th September a nest box check was undertaken by Richard Flight of Flight Ecology (licenced to disturb barn owl).

- 7.1.8 Inspection of the box confirmed nesting by barn owl likely over several years. This was confirmed by the build-up of compacted debris.

- 7.1.9 Although there was no definitive evidence of breeding this season, such as eggshell or down feathers, the extent of droppings and pellets across the scaffold (understood to have been erected in late April 2025) suggests heavy and regular usage.

- 7.1.10 **Irrespective of breeding this season, it is confirmed that barn owl does utilise the structure and nest box to breed.**

- 7.1.11 **For this reason, compensation measures to replace the nest site for barn owl will be required, along with appropriate avoidance mitigation to prevent harm and unnecessary disturbance to barn owl during any works on site.**



Showing the build-up of nest material (pellets and debris) in the nest box; evidence of breeding



Showing the build-up of nest material (pellets and debris) in the nest box; evidence of breeding



Survey and Assessment: Other Bird Species of Conservation Concern.

- 7.1.12 The grassland and tall forb habitat provide potentially suitable habitat for ground nesting birds such as skylark (*Alauda arvensis*) depending upon when the grassland is cut or grazed. Skylark is on the Red List of Birds of Conservation Concern (BoCC). The hedgerows and tree provide potential habitat for other species such as wood pigeon (*Columba palumbus*) and smaller passerine birds such as house sparrow (*Passer domesticus*), dunnoek (*Prunella modularis*) and blackbird (*Turdus merula*). Woodpigeon and dunnoek are on the Amber List of BoCC, whilst house sparrow is on the Red List.
- 7.1.13 The hedgerows and tree will be retained and although there will be a loss of tall forb habitat and modified grassland, this is not considered likely to be of significance to nesting birds. Nevertheless, reasonable avoidance measures must be undertaken to prevent unnecessary disturbance or harm to nesting birds during vegetation works.

Birds of Conservation Concern (BoCC): These lists indicate the population status of birds in the UK, Channel Islands and the Isle of Man..

- BoCC Red list: Includes species globally threatened, a historical population decline in the UK, a severe 9at least 50% decline in the UK breeding population over the last 25 years or long-term period. A severe (at least 50%) contraction of the UK breeding range over the last 25 years or the longer term.
- Amber list: Includes species with unfavourable conservation status in Europe, a historical population decline, moderate (25-50%) decline in the UK breeding population over the last 25 years, moderate (25-50%) contraction in UK breeding or non-breeding range, rare breeders (1-300 breeding pairs in UK), rare non breeders, localised rare breeders or non-breeders, internationally important breeders or non-breeders.

7.8 Invertebrates

Data Search

- 7.8.1 Data from NEYEDC do not include any records of invertebrates within 1km of the survey site. Data from GMEU do not include any records of invertebrates within 1km of the survey site. This is likely a reflection of the lack of survey effort rather than the absence of the species.

Survey and Assessment

- 7.8.2 The soft habitat within the survey site is very limited and composed of common and widespread plant species and will support common and widespread invertebrates. No invertebrates that are rare and/or protected are expected on site.
- 7.8.3 **The proposals are not expected to be of significance to invertebrates either rare or of conservation interest. No further survey work or mitigation is recommended.**



7.9 Other protected species and habitats.

- 7.9.1 Other protected species, including otter (*Lutra lutra*) and white-clawed crayfish (*Austropotamobius pallipes*) are not expected on or near the site as there is no suitable habitat.

8 Conclusion

- 8.0.1 The land at Windy Bank Farm supports a derelict structure, modified grassland, modified grassland with tall forb, sparsely vegetated land and native hedgerows.
- 8.0.2 The habitats on site are common and widespread. The hedgerows will be retained. The loss of modified grassland with tall forb is not considered likely to be of significance to local flora. Habitat on site will be enhanced as part of the biodiversity net gain proposals.
- 8.0.3 Barn owl are confirmed to be present with regularity in the building and breeding, likely annually in the nest box present. Loss of the building will result in the loss of a breeding site which may impact the breeding success, and therefore the conservation status of this species in the locality.
- 8.0.4 Mitigation must be undertaken to:
- a) Ensure there is no disturbance or harm to barn owls breeding in the building through appropriate timing of the work.
 - b) Compensate for the loss of the breeding site by replacing the site with barn owl boxes elsewhere on the land in ownership.
- 8.0.5 Reasonable avoidance measures are also proposed in relation to the foraging and commuting bats, badger, reptiles, common toad, hedgehog and other nesting birds.
- 8.0.6 The proposals provide the opportunity to enhance the site for wildlife including nesting birds and bats, and recommendations for this have been made.



9 Recommendations

9.1 Barn owl

9.1.1 Barn owl are confirmed to breed in the nest box in the building. In order to avoid disturbance to barn owl, the following must be undertaken:

- Works must be undertaken outside the bird breeding season (breeding season March – September inclusive).
- The building must be checked for the presence of barn owl by an ecologist prior to the start of works.

9.1.2 In order to maintain the ecological functionality of the site for barn owl it is proposed that:

- Three barn owl boxes is installed on a poles or trees in the wider site, close to vegetation or linear shelter lines, but with clear entrance flight path. The box can be bought or constructed by hand. They will provide a sheltered cavity with a flat nesting site, proven to be effective for barn owl.
- Barn owl boxes must be erected prior to the destruction of the nest box.

9.1.3 The exact location of the boxes will be decided on-site in the presence of the ecologist, but recommended areas are provided in Figure 4.

Box Specification

9.1.4 The boxes should be erected on poles within a minimum diameter of 150mm (for example telegraph poles) at a height of approximately 4.5m and NOT less than 4m above ground.

9.1.5 The nest boxes must have a floor area of at least 600mm x 600mm. The entrance hole must be 100mm x 130mm and the depth of the internal floor to the entrance hole not less than 540mm. The external platform should be at least 0.125m².

9.1.6 Wood used should be softwood ply and FSC approved. The top of the box should be covered with heavy duty roofing felt and all joints of the roof and box sealed to prevent water ingress.



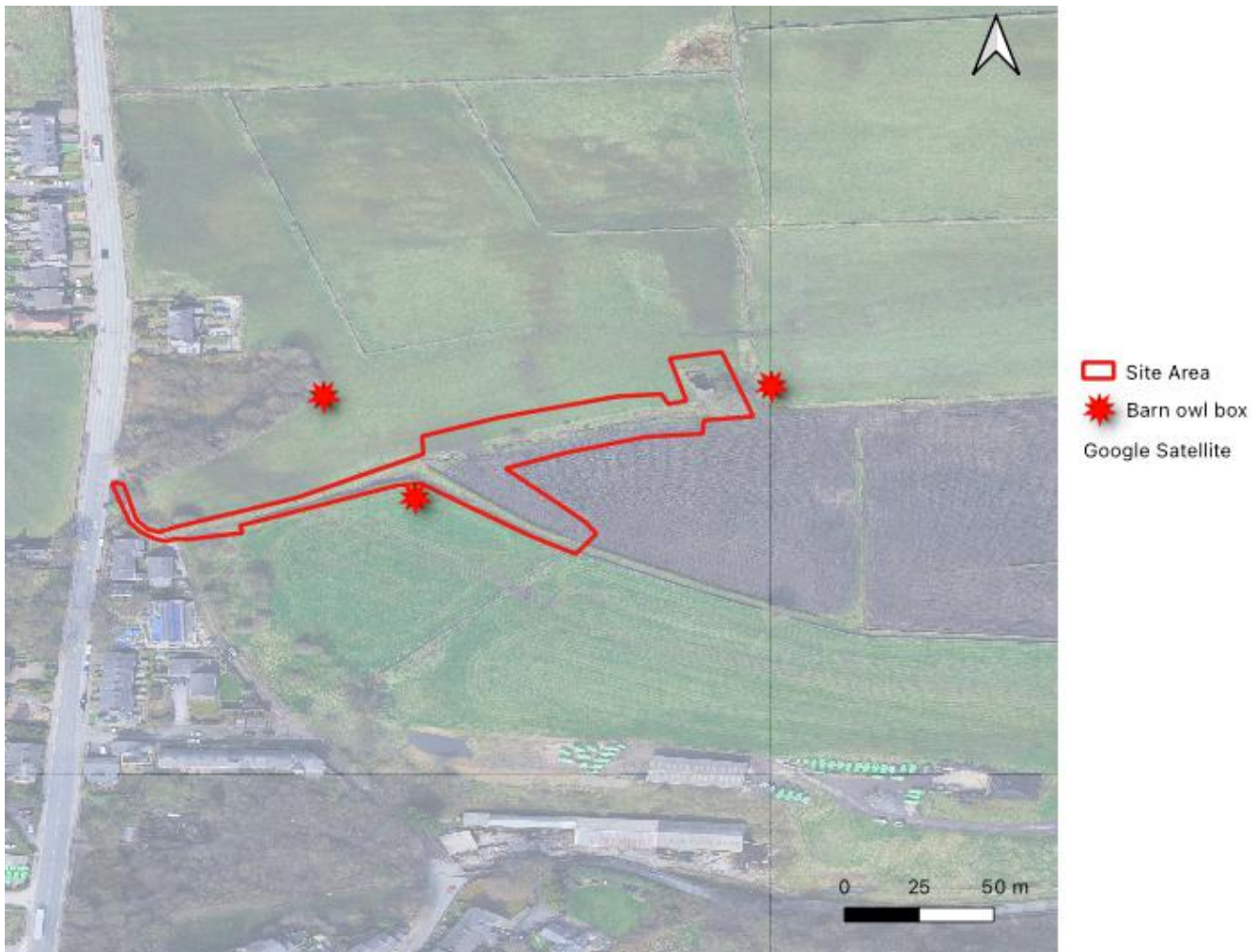
Figure 4: An example of a pole-mounted barn owl box.



From The Barn Owl Trust



Figure 4: Recommended location for barn owl boxes





9.2 Other nesting birds

9.2.1 Birds of conservation value are associated with habitat in the locality. Reasonable avoidance measures must be undertaken to minimise any potential impact. The following must be adhered to:

- Vegetation works and ground works must commence in the autumn (September/October) to minimise risk to breeding bird species.
- If this is not possible, a nesting bird check must be undertaken by a suitably qualified person.
- Any birds found nesting must be left and protected (for example with a 5m buffer) until the young have fully fledged.
- Works are undertaken in a short a time period as possible to minimise noise and visual disturbance.

9.3 Bats

9.3.1 In order to reduce to negligible, the risk of harm to itinerant bats, the following is recommended during works:

- A toolbox talk is delivered to site operatives about the risk of bats, what to do if a bat is found during works and an appropriate method of works.
- An appropriate method of work is employed: Crevices and holes in the building structure must be checked for the presence of bats with a strong torch prior to being infilled or structures dismantled.
- Any stone structures must be removed where possible with care, by hand whilst checking for bats.

9.3.2 Bats are likely to forage on site and may utilise the hedgerows for commuting. The following is recommended to avoid any negative indirect impact on commuting and foraging bats:

- Lighting during the construction and operational phase will be directed to minimise light spillage into the surrounding landscape and along hedgerows or boundary features.
- Baffles will be used to avoid spillage of light into the sky.
- Lighting installed during the operational phase will be LED. This form of lighting has a lower UV output, which reduces the attraction of insects. Outside lighting should be on a timer to minimise light pollution.



9.4 Reptiles, common toad and hedgehog

9.1.1 In order to reduce the risk of harm to individual reptiles, common toad and hedgehog during works, the following Reasonable Avoidance Measures are recommended.

- Machinery or materials are stored on hard standing where possible.
- Materials on site are stored on pallets to prevent reptiles and amphibians hiding in them.
- The grassland with tall forb will be cut down in stages, once to approximately 25-30cm, left for two-three nights and then cut short. This will allow any animals present to move of their own volition.
- Care must be taken when clearing topsoil rubble/debris piles. If any wildlife is found, for example common toad or hedgehog, they can be moved to a safe place away from the area of works where there is vegetative cover.

9.5 Badger

9.5.1 There is potential for badger to cross the site upon occasion and for this reason, the following is recommended to prevent harm to individual animals during works:

- Any holes or ditches created during works are covered over-night to prevent badger and other animals falling into them.
- If this is not possible, a plank or other can be placed in the hole/ditch to enable animals to climb out.

9.6 Japanese Knotweed

9.6.1 Japanese knotweed is present on site. It is recommended that this species is:

- Treated on site to control the plants and prevent further spread.
- Treatment of Japanese knotweed can take place by stem-injection. This should be sufficient to ensure control and eradication from site. Note, however that the root zone of the plant may extend up to 7m.
- All soil within 7m of each stand must be treated as contaminated waste if moved off site.
- The site is checked by a competent person for the presence of this species prior to the start of works.



- All machinery and operatives working within 10m of the knotweed must use bio-control to prevent the spread of this species; they must wash down machinery and boots/clothing with water on site, prior to leaving site.
- Operatives on site should be informed of the presence of this species and a Toolbox Talk regarding this species and its management on site delivered to all persons working on site prior to the start of works.

9.6.2 Management of the Japanese knotweed on site will form part of the site management plan to assist with long-term eradication and prevention of spread of the species.

9.7 Himalayan Balsam

9.7.1 Himalayan balsam is present on site.

9.7.2 In order to ensure the prevention of accidental spread of these species, the following is recommended:

- The Himalayan balsam is removed by hand by pulling up the individual plants, or cutting the plants prior to their setting seed. This species sets seed following flowering in July.
- Himalayan balsam spreads by seed (each plant releases approximately 3000 seeds). Although the plant grows annually, some of the seeds from previous years will lay dormant in the soil.
- For this reason, all soil within approximately 10m must either be treated as contaminated waste or retained on site.
- Any soil removed from site must be treated as contaminated waste.
- All machinery and operatives working on site must use bio-control to prevent the spread of the seeds of this species; they must wash down machinery and boots/clothing with water on site, prior to leaving site.
- If the plant is managed on-site (by pulling up or cutting prior to flowering) for the next 2-3 years, this should eradicate it.
- Use of chemical control should be avoided to prevent harm to the environment.
- Operatives on site should be informed of the presence of this species and a Toolbox Talk delivered to all persons working on site prior to the start of works on site.

9.7.3 Management of the Himalayan balsam on site will form part of the site management plan to assist with long-term eradication and prevention of spread of the species.



9.8 Enhancement for Biodiversity

9.8.1 The proposals provide the opportunity to retain and enhance the existing biodiversity.

Planting of native species trees and native hedgerow

9.8.2 It is proposed that small native trees and a stretch of native hedgerow is planted on site as part of Biodiversity Net Gain enhancements.

Hedgerow

10.1.1 The benefits of retaining and planting hedgerows across the site include:

- Their function as a barrier.
- Acting as a screen and acting as a filter for noise and air pollution.
- Providing valuable habitat for wildlife and connectivity between different areas. Native species producing berries will provide dense protective cover and food sources for passerine birds.
- Improving wellbeing by providing structural green space.

10.1.2 It is proposed that the newly planted hedgerow be composed of native hawthorn and complemented with other species to improve species richness, including holly (*Ilex aquifolium*), guelder rose (*Viburnum opulus*), dog rose (*Rosa canina*) and honeysuckle (*Lonicera periclymenum*).

Standard Trees

10.1.3 The benefits of planting and retaining standard trees include:

- Acting as acting as a filter for noise and air pollution.
- Providing valuable habitat for a large variety wildlife including invertebrates, birds, mammals and amphibians. Some animals prefer interior woodland, which will be much improved with the expansion of the woodland to the west, and some animals prefer woodland edge habitat, which will also be greatly extended.
- Improving wellbeing by providing structural green space.
- The mature trees function as a habitat for a rage of species. A single oak tree can support over 280 species of invertebrates. Mature trees also contain micro-habitat, such as flaking bark and wounds that take years to form.

10.1.4 Small trees planted will include rowan (*Sorbus aucuparia*), hazel (*Corylus avellana*), pendulous birch (*Betula pendula*) and cherry (*Prunus avium*).

Breeding Birds and Roosting Bats



- 9.8.3 Enhancement for nesting birds and roosting bats can be achieved through provision of bird nest boxes and bat boxes.

Provision of Bat Boxes

- 9.8.4 It is recommended that:

- At least three crevice-roost sites for roosting bats are integrated into the newly converted buildings.
- These could be in the form of bat roost slates, to allow bats to enter a space in the roof, between the slates and the lining. See Appendix B. However, it is imperative that bitumen roofing felt (not breathable roofing membrane) is used beneath these spaces as bats get caught in the fibre of breathable roofing membrane.
- Alternatively, bat boxes could be attached externally to the building, or integrated into the stonework – see the examples below. There are many alternatives at NHBS.com.

Provision of Bird Boxes

- 9.8.5 To retain the existing functionality of the site for nesting birds and to improve this, it is recommended that:

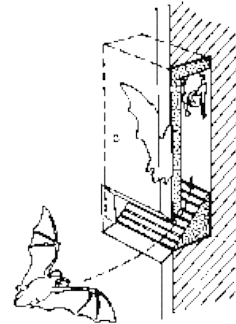
- At least three bird boxes are integrated into the newly converted buildings on posts around the site. Boxes should be a mix of 28mm holes, 32mm holes and open nest boxes. For example, the Vivara Pro Seville Woodstone Nest Box would provide suitable nesting habitat for passerine birds. The 2H Schwegler Robin Box is suitable for open-box nesting species such as robin and wren. The boxes are made of woodcrete and are very durable so do not require regular replacement. These are examples and there are many alternatives to choose from.



Bat and Bird Boxes

1FE Schwegler bat access panel

This box is durable and does not require cleaning.



Beaumaris Woodstone Bat Box

This box is durable and does not require cleaning.

All bat boxes are available from NHBS Ltd



Vivara Pro Seville Woodstone Nest Box



2H Schwegler Robin Box



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• APPENDIX A: Wildlife Legislation and Planning Policy

1.0 UK AND EU LEGISLATION

KEY LEGISLATION

- In the UK, the following legislation relates to wildlife and habitats:
- Wildlife and Countryside Act 1981 (as amended)
 - The Countryside and Rights of Way Act (CROW), 2000
 - The Badger Act 1992
 - The Natural Environment and Rural Communities Act (NERC, 2006)
 - Conservation of Habitats and Species and Planning (Various Amendments) (England and Wales) Regulations (2017)
 - The Hedgerow Regulations (1997)

1.1 WILDLIFE AND COUNTRYSIDE ACT 1981 (AS AMENDED)

1.1.1 The Wildlife and Countryside Act 1981 consolidates and amends existing national legislation to implement the Convention on the Conservation of European Wildlife and Natural Habitats (Bern Convention) and Council Directive 79/409/EEC on the conservation of wild birds (Birds Directive) in Great Britain (NB Council Directive 79/409/EEC has now been replaced by Directive 2009/147/EC of the European Parliament and of the Council of 30 November 2009 on the conservation of wild birds (codified version)).

BIRDS

1.1.2 The Act makes it an offence (with exception to species listed in Schedule 2) to intentionally:

- kill, injure, or take any wild bird,
- take, damage or destroy the nest of any wild bird while that nest is in use or being built (also [take, damage or destroy the nest of a wild bird included in Schedule ZA1] under the Natural Environment and Rural Communities Act 2006), or
- take or destroy an egg of any wild bird.

Schedule 1 birds

1.1.3 Special penalties are available for offences related to birds listed on Schedule 1, for which there are additional offences of disturbing these birds at their nests, or their dependent young, for example Barn Owl and Red Kite.

Areas of Special Protection for Birds

1.1.4 The Secretary of State may also designate Areas of Special Protection (subject to exceptions) to provide further protection to birds.

Other offences

1.1.5 The Act also prohibits certain methods of killing, injuring, or taking birds, restricts the sale and possession of captive bred birds, and sets standards for keeping birds in captivity.

OTHER ANIMALS

1.1.6 The Act makes it an offence (subject to exceptions) to intentionally ([or recklessly] - only under the Nature Conservation (Scotland) Act 2004) kill, injure or take any wild animal listed on Schedule 5, and prohibits interference with places used for shelter or protection, or intentionally disturbing animals occupying such places. The Act also prohibits certain methods of killing, injuring, or taking wild animals.

1.1.7 For animals listed in Schedule 5 of the act, it is an offence under:

- Section 9(1) to kill, injure or take the animal by any method
- Section 9(2) to possess or control a dead or live animal (or part or derivative).
- Section 9(4)(a) to cause damage to, destruction of, obstruction of access to any structure or place used by a scheduled animal for shelter or protection.
- Section 9(4)(b) to disturb any animal on the schedule occupying such as structure or place.
- Section 9(4)(c) to obstruct access to any structure or place which any such animal uses for shelter or protection.
- Section 9(5)(a) to sell, offer or expose for sale, possess or transport for the purpose of sale, any live or dead wild animal, or part or derivative of an animal included in Schedule 5.



- Section 9(5)(b) to publish or cause to be published any advertisement likely to be understood as conveying that he buys or sells, or intends to buy or sell, any of those things.

Species that receive FULL PROTECTION under the act:

- All UK bats
- Otter
- Water vole
- Dormouse
- Red squirrel
- Wildcat
- Reptiles – Smooth snake and sand lizard
- Amphibians – Great crested newt, Natterjack toad, Pool frog
- Invertebrates – some including, but not restricted to Swallowtail butterfly, Marsh fritillary butterfly, Large copper butterfly, Heath fritillary butterfly, Large blue butterfly, Barberry carpet moth, Rainbow leaf beetle, Violet click beetle, Medicinal leech.

Species that protected from intentional KILLING, INJURY and SALE only:

- Reptiles – widespread species; Common lizard, Slow-worm, Grass snake and Adder.

Species protected from TAKING and SALE only:

- Atlantic stream (white-clawed) crayfish

Species protected from SALE only:

- Common toad
- Common frog
- Palmate newt
- Smooth newt
- Invertebrates – Some including 18 butterflies such as Chalk hill blue butterfly, Adonis blue butterfly, Large tortoiseshell butterfly.

Vascular Plants, Bryophytes, Lichens and Fungi (PLANTS)

1.1.8 For any vascular plant, bryophyte, lichen or fungi listed in Schedule 8 of the Act, it makes it an offence under:

- Section 13(1)(a) to Intentionally pick, uproot or destroy plants in Schedule 8.
- Section 13(1)(b) to undertake unauthorised intentional uprooting of any wild plant not included in Schedule 8.
- Section 13(2)(a) to sell, offer for sale, possess or transport for the purpose of sale any plant (live or dead, part or derivatives) on Schedule 8.
- Section 13(2)(b) to publish or causes to be published any advertisement likely to be understood as conveying that he buys or sells, or intends to buy or sell, any of those things.

1.1.9 Species with protection under Schedule 8 include, but are not restricted to:

1.1.10 Bluebell, Wood calamint, Rock cinquefoil, Early spider orchid, Spring gentian, Stinking goosefoot, Small hare's-ear, Alpine copper moss (*Mielichhoferia mielichoferi*), Goblin lights lichen (*Catolechia wahlenbergii*).

Non-Native Species

1.1.11 Species listed in Schedule 9 of the Act are non-native species, which the establishment of in the wild may be detrimental to native wildlife. Species listed in Schedule 9 include Japanese knotweed, Himalayan Balsam and Giant hogweed.

1.1.12 For species listed in Schedule 9 of the act it is an offence:

- Under Section 14(1) if any person releases or allows to escape into the wild any animal which—
(a) is of a kind which is not ordinarily resident in and is not a regular visitor to Great Britain in a wild state; or
(b) is included in Part I of Schedule 9,
- Under Section 14ZA (1) to sell, offers or exposes for sale, or has in his possession or transports for the purposes of sale an animal or plant to which this section 14 applies, or anything from which such an animal or plant can be reproduced or propagated.



- Under Section 14ZA (2) to publish or cause to be published any advertisement likely to be understood as conveying that he buys or sells, or intends to buy or sell an animal or plant to which this section applies, or anything from which such an animal or plant can be reproduced or propagated.

1.1.13 Section 14ZB gives the Secretary of State the power to issue codes of practice, or approve a code of practice issued by others, relating to non-native animal and plant species. It is intended that the codes will be used to provide recommendations, advice and information on how to stop the damage caused by non-native animals and plants.

1.2 SITES OF SPECIAL SCIENTIFIC INTEREST (SSSIs) AND OTHER PROTECTED AREAS

1.2.1 Sections 28 to 33 of Part 2 of the Wildlife and Countryside Act detail the law regarding SSSIs.. Sections 34 to 53 deal with other protected areas within Great Britain.

- The Act provides for the notification and confirmation of Sites of Special Scientific Interest (SSSIs) – these sites are identified for their flora, fauna, geological or physiographical features – by the country conservation bodies in England (Natural England) and Wales (Natural Resources Wales).
- The Act also contains measures for the protection and management of SSSIs.
- The Act provides for the making of Limestone Pavement Orders, which prohibit the disturbance and removal of limestone from such designated areas
- The Act provides means for the designation of Marine Nature Reserves.
- The Act prohibits the undertaking of agricultural or forestry operations on land within National Parks which has been either moor or heath for 20 years, without consent from the relevant planning authority.

1.3 THE COUNTRYSIDE AND RIGHTS OF WAY (CROW) ACT 2000

1.3.1 The Countryside and Rights of Way Act 2000 strengthened the Wildlife and Countryside Act 1981 in the following ways:

Schedule 12

1.3.2 Schedule 12 of the Act amends the species provisions of the Wildlife and Countryside Act 1981 and strengthens the legal protection of species by:

- Providing provisions to make certain offences 'arrestable'
- Changing the term 'intentional' to 'reckless' with regard to disturbance offences, such that ignorance of the law is no longer a defence.
- Conferring greater powers to police and wildlife inspectors for entering premises and obtaining wildlife tissue samples for DNA analysis, and;
- Enabling heavier penalties on conviction of wildlife offences.

Schedule 9

1.3.3 Schedule 9 of the Act amends SSSI provisions of the Wildlife and Countryside Act 1981, including provision to change SSSIs and providing increased powers for their protection and management, placement of a duty on public bodies to further the conservation and enhancement of SSSIs and increases in penalties on convictions where the provisions are breached.

1.4 THE BADGER ACT 1992

1.4.1 Under the Badger Act 1992, it is an offence to:

- Section 1 – Take, injure or kill a badger, or attempt to do so
- Section 2 – Cruelly ill-treat a badger, inclusive of digging for a badger
- Section 3 – Interfere with a badger sett. A person is guilty of an offence if, except as permitted by or under this Act, he interferes with a badger sett by doing any of the following things—

(a)damaging a badger sett or any part of it;

(b)destroying a badger sett;

(c)obstructing access to, or any entrance of, a badger sett;



(d) causing a dog to enter a badger sett; or

(e) disturbing a badger when it is occupying a badger sett,

- Section 4 – To sell or possess a live badger.
- Section 5 – To mark or ring a badger unless under licence to do so.

1.5 THE HEDGEROWS REGULATIONS, 1997

1.5.1 The Hedgerows Regulations, 1997 ensure the protection from damage or destruction of 'important' hedgerows. Criteria within the regulations determine the importance.

1.6 THE CONSERVATION OF HABITATS AND SPECIES AND PLANNING (VARIOUS AMENDMENTS) (ENGLAND AND WALES) REGULATIONS 2017

1.6.1 In addition to the Wildlife and Countryside Act 1984, certain species have additional protection under European Law.

1.6.2 The Conservation of Habitats and Species and Planning (Various Amendments) (England and Wales) Regulations 2018 (the Habitats Regs) consolidate the amendments made to the Conservation (Natural Habitats, &c.) Regulations 1994 in England and Wales. The Regulations transpose the Council Directive 92/43/EEC on the conservation of natural habitats and wild fauna and flora (EC Habitats Directive) into UK law.

1.6.3 The Habitats Regulations 2010 provide protection for 'European Protected Species' and protection and designation for 'European Protected Sites'.

Schedule 2: European Protected Species of Animals

- All UK bats
- Dormice
- Otter
- Large blue butterfly
- Wild cat
- Sand lizard
- Smooth snake
- Great crested newt
- Natterjack toad
- Fishers estuarine moth
- Lesser whirlpool ram's horn snail
- Sturgeon
- Marine turtles
- All dolphins, porpoises and whales.

1.6.4 For species listed in Schedule 2, Under Part 3 Regulation 41(1) it is an offence to

- (a) deliberately capture, injure or kill any wild animal of a European protected species,
- (b) deliberately disturb a wild animal of any such species,
- (c) deliberately take or destroy the eggs of such an animal, or
- (d) damage or destroy a breeding site or resting place of such an animal,

1.6.5 Under Part 3 Regulation 41 (2) For the purposes of paragraph (1)(b), disturbance of animals includes in particular any disturbance which is likely—

- (a) to impair their ability—
 - (i) to survive, to breed or reproduce, or to rear or nurture their young, or
 - (ii) in the case of animals of a hibernating or migratory species, to hibernate or migrate; or
- (b) to affect significantly the local distribution or abundance of the species to which they belong.

Under Part 3 Regulation 41.(3) It is an offence for any person—

- (a) to be in possession of, or to control,
- (b) to transport,
- (c) to sell or exchange, or
- (d) to offer for sale or exchange any animal in Schedule 2.

Schedule 5: European Protected Species of Plants

- Shore dock
- Killarney Fern



- Early Gentian
- Lady's-slipper
- Creeping marshwort
- Slender naiad
- Fen orchid
- Floating-leaved water plantain
- Yellow-marsh saxifrage.

1.6.6 For species listed in Schedule 2, Under Part 3 Regulation 45(1) It is an offence deliberately to pick, collect, cut, uproot or destroy a wild plant of a European protected species.

1.6.7 Under Part 3 Regulation 45(1) (2) It is an offence for any person

- (a) to be in possession of, or to control,
- (b) to transport,
- (c) to sell or exchange, or
- (d) to offer for sale or exchange any plant in Schedule 5

European Designated Sites

1.6.8 These include:

- Special Protection Areas – SPAs are classified in accordance with Article 4 of the EC Birds Directive for rare and vulnerable birds (as listed on Annex I of the Directive), and for regularly occurring migratory species
- Special Areas of Conservation – SACs are classified in accordance with Article 3 of the EC Habitats Directive. SACs are designated to establish a European network of important high-quality conservation sites that will make a significant contribution to conserving the 189 habitat types and 788 species identified in Annexes I and II of the Directive (as amended).

1.6.9 Natura 2000 is the name of the European Union-wide network of nature conservation sites established under the EC Habitats and Birds Directives. This network will comprise Special Areas of Conservation (SACs) and Special Protection Areas (SPAs). Marine Natura 2000 sites contribute to our ecologically coherent network of marine protected areas.

1.7 NATURAL ENVIRONMENT AND RURAL COMMUNITIES (NERC) ACT 2006

Planning Authorities: A Duty to Conserve Biodiversity

1.7.1 Under this legislation, planning authorities are obliged to make sure that they have all the information on the presence of protected species on site *before* they make a decision on the planning permission.

1.7.2 Part 2, Section 40 confers on the planning authorities a duty to conserve biodiversity and states:

"Every public authority must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of biodiversity"

Species of Principal Importance

1.7.3 Part 3, Section 41 requires the Secretary of State to "*publish a list of the living organisms and types of habitat which in the Secretary of State's opinion are of **principal importance** for the purpose of conserving biodiversity*".

1.7.4 This requirement lead to production of a list of species and habitats of Principal Importance, which should be a material consideration during the planning process.

1.8 DESIGNATED SITES OF CONSERVATION INTEREST

1.8.1 Sites of conservation interest can be designated on a statutory or non-statutory basis.

Statutory Sites

1.8.2 Statutory sites can be designated under UK legislation (the Wildlife and Countryside Act 1981), European Law (the Habitats Regulations 2010) or International law (Ramsar Convention).

1.8.3 The designated sites are referred to under the relevant legislation above.

1.8.4 UK designated sites include Sites of Special Scientific Interest (SSSIs).

1.8.5 European designated sites include Special Areas of Conservation (SACs) and Special Protection Areas (SPAs).



1.8.6 Ramsar sites are wetlands of international importance designated under the Convention on Wetlands of International Importance, agreed in Ramsar, Iran, in 1971.

1.8.7 Local Nature Reserves (LNRs): Under the National Parks and Access to the Countryside Act 1949 LNRs may be declared by local authorities after consultation with the relevant statutory nature conservation agency. LNRs are declared and managed for nature conservation, and provide opportunities for research and education, or simply enjoying and having contact with nature.

1.8.8 National Nature Reserves (NNRs): are declared by the statutory country conservation agencies under the National Parks and Access to the Countryside Act 1949 and the Wildlife and Countryside Act 1981.

Non-Statutory Sites

1.8.9 Local authorities for any given area may designate certain areas as being of local conservation interest. The criteria for inclusion, and the level of protection provided, if any, may vary between areas. Most individual counties have a similar scheme, although they do vary.

1.8.10 These sites, which may be given various titles such as 'Listed Wildlife Sites' (LWS), 'Local Nature Conservation Sites' (LNCS), 'Sites of Importance for Nature Conservation' (SINCs), 'Biological Heritage Sites' (BHS) or 'Sites of Nature Conservation Importance' (SNCIs), together with statutory designations, are defined in local and structure plans under the Town and Country Planning system and are a material consideration when planning applications are being determined.

2.0 Plans and Policies

In the UK, the following plans and policies relate to wildlife and habitats:

- o National Planning Policy Framework (NPPF, 2021)
- o The Natural Environment White Paper 'The Natural Choice: Securing the Value of Nature'
- o Biodiversity – The UK Action Plan (1994, and subsequent revisions)
- o Local Biodiversity Action Plans where applicable
- o Neighbourhood plans where applicable

NATIONAL PLANNING POLICY FRAMEWORK

2.1.1 In March 2012 the Government introduced the National Planning Policy Framework (NPPF). This was revised in December 2023.

Chapter 15: Conserving and Enhancing the Natural Environment

Chapter 15, Para 180 of NPPF states: "The planning system should contribute to and enhance the natural and local environment by:

- b) **protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils...**
- e) **minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures".**

Para 181 states: "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."

Para 185 identifies that plans should do the following to protect and enhance biodiversity and geodiversity:

- c) **"Identify, map and safeguard components of local wildlife-rich habitats and wider ecological networks, including the hierarchy of international, national and locally designated sites of importance for biodiversity; wildlife corridors and stepping stones that connect them; and areas identified by national and local partnerships for habitat management, enhancement, restoration or creation; and**
- d) **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."**

Para 186 states that "when determining planning applications, local authorities should apply the following principles:

- b) **if significant harm to biodiversity from a development cannot be avoided...,adequately mitigated, or, as a last resort compensated for, then planning permission should be refused"**



- c) **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;
- d) **Development result in the loss of deterioration of irreplaceable habitats (such as ancient woodland or ancient or veteran trees) should be refused, unless there are wholly exceptional reasons and a suitable compensatory strategy exists; and**
- e) **Development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to incorporate biodiversity improvements in and around developments should be encouraged, especially where this can secure measurable net gains for biodiversity.**

Para 188 states "the presumption in favour of sustainable development does not apply where development requiring appropriate assessment because of its potential impact on a habitats site is being planned or determined."

2.2 ODPM CIRCULAR 06/2005: BIODIVERSITY AND GEOLOGICAL CONSERVATION

- 2.2.1 This document, to be read in conjunction with NPPF provides administrative guidance on the application of the law relating to planning and nature conservation as it applies in England. It makes it clear that it is the intention of the government that local authorities and developers consider protected species at the earliest possible stage in the planning process. Any planning application that is likely to affect protected species should come with details of the surveys which have been undertaken and should include, if necessary, recommendations for mitigation. Applications which do not include sufficient data should be rejected.

2.3 The Natural Environment White paper

- 2.3.1 The Natural Environment White Paper 'The Natural Choice: Securing the Value of Nature' states that 'We want to create a resilient and coherent ecological network at national and local levels across England... To make this happen the government will put in place a clear institutional framework to support nature restoration. This means: establishing Local Nature Partnerships... Creating new Nature Improvement Areas (NIAs) and strengthening support through the planning system.'

Biodiversity Offsetting

- 2.3.2 Biodiversity offsetting is described in the Natural Environment White Paper as 'conservation activities designed to deliver biodiversity benefits in compensation for losses in a measurable way. Good developments incorporate biodiversity considerations in their design but are still likely to result in some biodiversity loss. One way to compensate for this loss is by offsetting: the developer secures compensatory habitats elsewhere.'
- 2.3.3 The level of biodiversity offsetting required could be determined by means of assessments undertaken in accordance with the Department for Environment, Food and Rural Affairs (DEFRA) metric contained in Biodiversity Offsetting Pilots published in March 2012 as applied in the Defra offsetting pilot projects. Biodiversity offsetting could be delivered by developers in partnership with various partners including conservation organisations, local landowners and the borough council.

2.4 Biodiversity Action Plan (Local or UK)

UK Biodiversity Action Plan

- 2.4.1 Biodiversity: The UK Action Plan outlines how the UK plans to address biodiversity conservation in response to the Rio Convention on Biological Diversity (1992). In 2004 a UK Biodiversity Steering Group was formed and discussions resulted in the publication of 'Biodiversity: the UK Steering Group Report – meeting the Rio challenge', which established a framework and criteria for identifying species and habitats of conservation concern. From this list, action plans for 391 species and 45 broad habitat types were prepared. In 2007, the UK List of Priority Species and Habitats was reviewed and the revised list identifies 1149 species and 65 habitats requiring conservation action.
- 2.4.2 These species are now listed in Section 41 of the NERC Act, 2006 and referred to as Habitats and Species of Principal Importance (HPI or SPI).



- 2.4.3 Outcome 3 of the Government's Biodiversity 2020 strategy (DEFRA, 2011) contains an ambition to ensure that *"By 2020, we will see an overall improvement in the status of our wildlife and will have prevented further human-induced extinctions of known threatened species"*. Protecting and enhancing England's Species and Habitats of Principal Importance is key to delivering this outcome.

Local Biodiversity Action Plans

- 2.4.4 Local Biodiversity Action Plans (LBAPs) are a means for delivering UK Biodiversity Action Plan targets at a local level. LBAPs were launched in 1997 by a partnership of conservation groups, government agencies and local authorities. They set out a framework for nature conservation in the specified area. This framework includes priority species and habitats and sets targets to maintain and enhance their conservation status.

2.5 Other Species Lists of Species of Conservation Concern

- 2.5.1 Species lists of Species of Conservation Concern also considered within this assessment are as follows:

- Birds of Conservation Concern: Based on an assessment of the conservation status of British birds. Following an assessment of data on population and trends against established criteria, there are red, amber and green lists of BoCC. The latest review was BOCC 4 (Eaton et al, 2015)

Red Data Book Species: In 1999 the Species Status Assessment project (JNCC) assigned conservation status to the UK flora and fauna using the internationally approved IUCN Red Data Book criteria and categories. The reviews were published in a series of data sheets and assigned a conservation status to each species.



- **APPENDIX B: Bat Access Slate**

