

Preliminary Ecological Appraisal

Bleakholt Animal Sanctuary

Bury Old Road, Ramsbottom, Bury

May 2025

Prepared for: Bleakholt Animal Sanctuary

Report prepared by: Verity Webster BSc (Hons) MSc CEcol CMIEEM



EXECUTIVE SUMMARY

- On 15th May 2025 a site visit to inform a Preliminary Ecological Appraisal was undertaken on land at Bleakholt Animal Sanctuary, Edenfield, Ramsbottom, Bury
- The survey area comprises frequently mown modified grassland, developed land; sealed surface, artificially unvegetated, unsealed surface and sparsely vegetated land.
- The survey site comprises part of the wider sanctuary site.
- Reasonable avoidance measures are proposed for hedgehog, common toad and nesting birds.
- Avoidance mitigation with regard to lighting is recommended to minimise any potential impacts to commuting and foraging bats.
- The proposals provide the opportunity to enhance the site for wildlife including planting of small trees as part of Biodiversity Net Gain requirements. Recommendations have also been made for 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 a Preliminary Ecological Appraisal of land at Bleakholt Animal Sanctuary, Bury Old Road, Edenfield, Ramsbottom, Bury, BL0 0RX Ordnance Survey grid reference (centre of site): SD8057 1828.
- 1.1.2 Bleakholt Animal Sanctuary 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 updated 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 construction of new isolation and intake cattery.

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 since 2007. 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 Edenfield, approximately 1km southeast of the outskirts of Edenfield village. The site lies approximately 540m east of the A56 Whalley Road which runs north to south through the landscape, and approximately 770m west of the M66 which also runs north to south. The A680 Rochdale road runs northwest to southeast approximately 500m to the east. Bury Old Road Runs south from Rochdale Road, serving the site.
- 2.1.2 The landscape immediately surrounding the site is open countryside comprising grazed pasture, arable land and on higher land to the east, moorland. There are scattered waterbodies and small waterways. Small plots of woodland are isolated along the waterways. See Figures 1 and 2.

2.2 Site Description

- 2.1.1 The survey site comprises part of the wider Bleakholt Animal Sanctuary. The site is located on the east side, close to Bury Old Road, almost central to the wider site, south of the car park.
- 2.1.2 The survey site comprises artificial unvegetated unsealed surface on the eastern half with sparsely vegetated land where ruderal plant species have colonised. Immediately outside the site to the east, a row of sycamore trees runs along Bury Old Road, under which there is modified grassland with tall forb.
- 2.1.3 The western half of the site comprises a footpath (developed land; sealed surface), and modified grassland, the majority of which is frequently mown and a small strip alongside the footpath remains unmanaged. There are three small fruit trees in the grassland to the west, immediately outside the site area.
- 2.1.4 See Figure 3 and UK Habitat Classification Plan, Figure 4.



Figure 1: Ordnance Survey Map Showing the Location of the Proposed Development Site.





Figure 2: Aerial Image of the Survey Site in Relation to the Surrounding Habitats





Figure 3: The Survey Area in relation to the wider Bleakholt Animal Sanctuary site





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 and Planning (Various Amendments) (England and Wales) Regulations 2018 (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 and Planning (Various Amendments) (England and Wales) Regulations 2018 (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 and Planning (Various Amendments) (England and Wales)



Regulations 2018 (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 Section 41 Habitats and Species of Principal Importance

3.5.1 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.

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

3.6 Designated Sites

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

3.6.2 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).

3.6.3 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.

3.7 Planning Policy and Legislation

Biodiversity Net Gain

3.7.1 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.

3.7.2 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

- 3.7.3 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.
- 3.7.4 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"*

- 3.7.5 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 (2021)
 - Bing Maps (2021)
 - Biological 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. Records data obtained from GMEU includes data of protected species and species and habitats of conservation interest recorded within 1km of the survey site. The data also include details of non-statutory designated sites in the area.

4.2 Site Survey

- 4.2.1 The site survey was undertaken in daylight on 15th May 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.

4.3 Survey Limitations

- 4.3.1 The survey work was undertaken in May 2025. At this time of year bats will be occupying summer roost sites. Evidence of bats using trees may be present internally and externally due to dry weather.
- 4.3.2 Species such as reptiles and amphibians will not be active at this time of the year, although an assessment of the likelihood of presence is based upon the habitat present and not sightings of animals.
- 4.3.3 The majority of higher plants are visible in May, 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 present, is considered sufficient to inform the appropriate habitat categorisation and recommendations for mitigation in this case.

- 4.3.4 A portion of the site (east of the survey area) lies within Lancashire. Data from the Lancashire Environment Record Network was not obtained to inform this assessment in addition to that from Greater Manchester Ecology Unit. This is because the proposals are small in size and impacts will be minimal. It was considered disproportionate to obtain two sets of data when a single set of records would likely provide sufficient insight in this case.



5. Findings: Surrounding Designated Sites

5.1 Desk Study

- 5.1.1 Sites of conservation interest can be designated on a statutory or non-statutory basis.
- 5.1.2 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.
- 5.1.3 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.
- 5.1.4 Any potential direct or indirect impacts upon non-statutory sites are assessed within 1km of the survey site.

Statutory Sites

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

Non-statutory Sites

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

5.2 Assessment of Impact

- 5.1.8 There are no designated sites within close proximity to Bleakholt Animal Sanctuary. The proposals are small in size and construction will be temporary. No direct or indirect impacts upon designated sites are anticipated.



6. Findings: Potential for Protected Species

6.1 Habitats and Associated Flora

Data Search

- 6.1.2 Data from GMEU does not include any records of protected plant species within 1km of the survey site.

Habitats at Baseline: On-Site

- 6.1.1 The survey site comprises artificial unvegetated unsealed surface on the eastern half with sparsely vegetated land where ruderal plant species have colonised. Immediately outside the site to the east, a row of sycamore trees runs along Bury Old Road, under which there is modified grassland with tall forb.
- 6.1.3 The western half of the site comprises a footpath (developed land; sealed surface), and modified grassland, the majority of which is frequently mown and a small strip alongside the footpath remains unmanaged. There are three small fruit trees in the grassland to the west, immediately outside the site area.
- 6.1.4 The UK Habitat classifications are as follows:
- g4 106, 108 Modified grassland, mown/frequently mown
 - u1c Artificial unvegetated, unsealed surface
 - u1f Sparsely vegetated urban land
 - u1b6 Developed land; sealed surface

g4 Modified Grassland

- 6.1.5 The western half of the survey site comprises frequently mown modified grassland. Rye grass (*Lolium perenne*) is dominant with rare Yorkshire fog (*Holcus lanatus*), timothy (*Phleum pratense*), creeping buttercup (*Ranunculus repens*) and dock (*Rumex* sp.).
- 6.1.6 A strip of modified grassland is irregularly mown along the border of the footpath.
- 6.1.7 Under the sycamore trees to the east the grassland also supports tall forb species including cow parsley (*Anthriscus sylvestris*) and common nettle (*Urtica dioica*) with sparse bramble (*Rubus fruticosus* agg.).



The regularly mown modified grassland



6.1.8 This habitat is species poor, with under 6sp. per m².

u1f Sparsely vegetated urban land

6.1.9 Ruderal/ephemeral flora has colonised the boundaries of the artificial unvegetated unsealed surface. Species present include creeping buttercup, timothy grass, prickly sow-thistle (*Sonchus asper*), meadow buttercup (*Ranunculus acris*), dock and ragwort (*Senecio jacobaea*).

u1c Artificial unvegetated unsealed surface

6.1.10 This is previously cleared and frequently disturbed land.

u1b6 Developed land; sealed surface

6.1.11 This comprises the footpath.

g4 200

6.1.12 There is a row of six sycamore (*Acer pseudoplatanus*) trees along the eastern boundary outside the red line.

Invasive Species

6.1.13 No non-native invasive species including Japanese knotweed (*Fallopia japonica*), Himalayan balsam (*Impatiens grandiflora*) or giant hogweed (*Heracleum mantegazzianum*) were found in the survey area.

6.1.14 No further survey work or mitigation is recommended.



Showing the artificial unsealed surface, developed land; sealed surface, sparsely vegetated ground, modified grassland and sycamore trees along the wider eastern boundary.

Assessment

- 6.1.15 The modified grassland and sparsely vegetated land on site is considered to be of low conservation value. The broadleaved trees have intrinsic value for wildlife, but all will be retained and are sufficiently distanced from the proposals that the root protection zone will not be impacted.

Figure 4: The Survey Site – UK Habitat Classification Plan



Mammals

6.2 Bats

Potential for Bats

- 6.2.1 At a landscape level, the area surrounding the survey site is good for bats. Refer to Figure 2.
- 6.2.2 The surrounding includes grassland, arable land, moorland and small plots of woodland with waterways and waterbodies.
- 6.2.3 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 nattereri*), 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.

The Conservation Status of Bats in the Area

- 6.2.4 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>	<i>Likely to be common in the area. There are records of this species in the area (10km).</i>	<i>Common and widespread Frequently recorded.</i>	<i>Common and widespread Frequently recorded across the Northwest</i>
<i>Soprano pipistrelle</i>	<i>Likely to be present due to the presence of riparian habitat.</i>	<i>Widespread. Frequently recorded.</i>	<i>Common and widespread Frequently recorded across the Northwest</i>
<i>Nathusius's pipistrelle</i>	<i>Likely to be rare in the area.</i>	<i>Infrequently recorded, but this may be due to low survey effort. Not yet recorded breeding in the county.</i>	<i>Rare across the northwest. A migratory species.</i>
<i>Brown long-eared bat</i>	<i>Likely to be in the area. There is a recent record of this species within 10km of the site.</i>	<i>Common and widespread Frequently recorded.</i>	<i>Common and widespread Frequently recorded across the Northwest.</i>
<i>Natterer's bat</i>	<i>Likely to be in the area. This species favours woodland so is not expected within close proximity to the survey site.</i>	<i>Scattered distribution in Greater Manchester and Lancashire.</i>	<i>Widespread and scattered across the Northwest.</i>



<i>Noctule</i>	<i>Present</i>	<i>Widespread and frequently recorded.</i>	<i>Common and widespread. Frequently recorded in the Northwest.</i>
<i>Whiskered bat</i>	<i>Present but likely rare</i>	<i>Present</i>	<i>Widespread.</i>
<i>Brandt's bat</i>	<i>Rare / absent</i>	<i>Present</i>	<i>Widespread.</i>
<i>Alcathoe's bat</i>	<i>Unknown</i>	<i>Unknown</i>	<i>Widespread. Likely under-recorded.</i>
<i>Daubenton's</i>	<i>Presence is likely due to the riparian habitat present.</i>	<i>Widespread, frequently recorded near water.</i>	<i>Widespread</i>
<i>Serotine</i>	<i>Rare / absent</i>	<i>Unknown</i>	<i>Restricted to south and southwest Britain, rarely recorded in the northwest.</i>
<i>Leislars</i>	<i>Rare</i>	<i>Unknown</i>	<i>Rare, but widespread in Britain. Present in the northwest.</i>
<i>Barbastelle</i>	<i>Unlikely to be present in the area. This species is a woodland-specialist and there is a lack of this habitat present.</i>	<i>Unknown</i>	<i>Present south of a line from North Wales to the Wash.</i>

Data Search

6.2.5 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*)

6.2.6 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.

6.2.7 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 50m north of the survey area.



Ground Level Tree Assessment and PRF Inspection

- 6.2.8 The sycamore trees along the eastern boundary of the site are considered to have negligible suitability for bats. This is because they are semi-mature or immature and lack the features, such as flaking bark, rot holes and cavities that might provide potential roost features (PRFs) for bats.

These trees will not be directly impacted by the proposals and lie outside the red line boundary.

Structures

- 6.2.9 There are no structures within the survey site, but there is a cattery close to the south and a kennels to the west.

- 6.2.10 The cattery is constructed of breeze block with a pitched, corrugated tin roof. There are metal fascias and UPVC windows. There is wood cladding on the upper half of the north elevation.

- 6.2.11 The kennels to the west is constructed of stone with a pitched, metal clad roof.

- 6.2.12 Both structures are considered to have negligible suitability for bats, because externally they do not support any potential features that might be utilised by crevice-dwelling bats such as pipistrelle species. These structures will not be directly or indirectly impacted by the proposals.



The building to the south



The building to the west

Habitat Assessment

- 6.2.13 The frequently mown modified grassland, artificial unvegetated unsealed surface and sparsely vegetated ground provide suboptimal habitat for foraging bats. The loss of a small area of modified grassland and sparsely vegetated ground is not considered to be of significance for bats in the locality.

- 6.2.14 The sycamore trees along the eastern boundary do, however have potential for foraging and commuting bats, although these trees will not be impacted by the proposals.

- 6.2.15 **However, avoidance mitigation with regard to lighting is recommended to minimise the risk of indirect impacts upon foraging and roosting bats following development.**

- 6.2.16 **The proposals provide the opportunity to enhance the site for roosting bats and recommendations for this have been made.**



6.3 Badger

Data Search

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

Survey and Assessment

- 6.3.2 The modified grassland within the survey site has potential to support foraging badger, which favour this habitat in which to dig for food. However, there is very little cover in the immediate vicinity, such as scrub and woodland that might provide suitable opportunities for badger to create setts.
- 6.3.3 Although badger are becoming more habituated to more built-up settings, the number of dogs on site is likely to deter badger from regular presence.
- 6.3.4 No evidence of use of badger, including latrines, pathways, snuffle holes or setts were found during the survey.
- 6.3.5 **The proposed development is considered unlikely to have any negative impact upon badger and no further survey work or mitigation for this species is recommended.**

6.4 Hedgehog

Data Search

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

Survey and Assessment

- 6.4.2 Hedgehog are a Species of Principal Importance under the NERC Act, 2006 (also known as UK BAP species).
- 6.4.3 The survey site, with regularly mown modified grassland and sparsely vegetated ground is suboptimal for this species, but the adjacent, longer grassland with tall forbs to the east along the site boundary has potential for this species. Similarly, the wider countryside with pasture and scattered plots of woodland and tree lines is good for this species. This species is considered likely to be present in the area.
- 6.4.4 The proposals are unlikely to have any significant impacts upon hedgehog in the locality, but **precautionary methods of work are proposed to avoid unnecessary harm to hedgehog that might move across the survey sites.**



6.5 Reptiles

Data Search

- 6.5.1 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

- 6.5.2 The records for reptiles in the northwest are generally low. In Greater Manchester and Lancashire reptiles are of low distribution and found at low density even in ideal habitats.
- 6.5.3 The habitat within the majority of the site, comprising mown modified grassland and sparsely vegetated ground, is unfavourable for reptiles, which favour rough grassland with scrub or areas in which to hide and forage. The nearby car park to the north and road to the east are also suboptimal, and there only small areas of unmanaged grassland nearby that might provide some cover for reptiles.
- 6.5.4 **Reptiles are considered unlikely to be present on-site. No further survey work or mitigation is recommended.**

6.6 Amphibians

Great crested newts

Data Search

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

Survey and Assessment

- 6.6.2 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.
- 6.6.3 According to the ordnance survey map, there are no waterbodies within 250m of the survey site.
- 6.6.4 The managed modified grassland, sparsely vegetated ground and unvegetated ground on site is unfavourable for foraging and sheltering great crested newt. Although there is some



potentially suitable habitat around the site boundaries, the lack of waterbodies within the immediate vicinity, the presence of this species is very unlikely.

- 6.6.5 The proposals are considered very unlikely to have any negative impact upon this species and no further survey work or mitigation is considered necessary.**

Common Toad

Data Search

- 6.6.6 Data from GMEU includes records of common toad within 1km of the survey site.

Survey and Assessment

- 6.6.7 Common toad are a Species of Principal Importance under the NERC Act, 2006 (also known as UK BAP species).
- 6.6.8 The maintained modified grassland and sparsely vegetated ground on site is suboptimal for this species, which is considered unlikely to be present. However, longer grassland with tall forb around the site boundaries has potential for foraging and sheltering common toad. Given that common toad are a mobile species and will regularly travel long distances to reach breeding ponds, the presence of this species on or close to the site cannot be ruled out.
- 6.6.9 The proposals are unlikely to have a significant impact upon the viability of populations of this species, but precautionary methods of work are proposed to prevent harm to individuals of this species during works.**



6.7 Nesting Birds

Data Search

- 6.7.1 Data from GMEU includes records of a single protected bird species within 1km of the survey site; peregrine (*Falco peregrinus*).
- 6.7.2 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

- 6.7.3 The survey area, with mown grassland and sparsely vegetated ground, does not provide any potential for nesting birds, but the adjacent trees are likely to support nesting birds in the spring and summer months, including species on the red and amber lists of BoCC such as mistle thrush and dunnoek.
- 6.7.4 **Although the trees will not be impacted directly as a result of the works, reasonable avoidance measures are proposed to minimise the risk of indirect disturbance to nesting birds during works.**
- 6.7.5 **The proposals provide the opportunity to enhance the site for nesting birds and recommendations for this have been made.**

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.



6.8 Invertebrates

Data Search

- 6.8.1 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

- 6.8.2 The common and widespread vegetation on site will support a range of common and widespread invertebrates.
- 6.8.3 The loss of the modified grassland and sparsely vegetated ground is considered unlikely to be of significance to local invertebrates. No further survey work or mitigation is considered necessary.

6.9 Other protected species

- 6.9.1 No other protected species, including otter (*Lutra lutra*) and water vole (*Arvicola amphibius*) are expected on or near the site as there is no suitable habitat within close proximity.



7. Summary and Recommendations

Summary

- 7.0.1 The land at Bleakholt Animal Sanctuary comprises modified grassland, sparsely vegetated land, artificial unvegetated unsealed surface and hard standing. There are a line of sycamore close to the east boundary.
- 7.0.2 The proposals will have no significant negative impact upon flora. The modified grassland and sparsely vegetated ground is not of conservation importance.
- 7.0.3 Avoidance mitigation during works is recommended in relation to hedgehog, reptiles, common toad and nesting birds.
- 7.0.4 Avoidance measures with regard to lighting are recommended to avoid indirect impacts to foraging and commuting bats.
- 7.0.5 Recommendations for biodiversity enhancement have been made in particular in relation to habitat (planting of trees), birds and bats.



Recommendations

7.1 Bats

7.1.1 Bats are expected to forage and commute along the tree line adjacent to the east boundary. In order to minimise the risk disturbance of lighting on foraging and commuting bats, the following is recommended:

- In the operational phase lighting is controlled: lighting should be high or low pressure sodium or LED. These forms of lighting have a lower UV output, which reduces the attraction of insects. Baffles and or timers must be used to minimise the spillage of light into the sky and the site boundaries.

7.2 Hedgehog, Common Toad

7.2.1 There is potential for hedgehog and common toad to be present within the survey site and adjacent area. In order to avoid harm to these species it is recommended that:

- Works to clear any vegetation, debris and soil/debris mounds are undertaken with care, whilst checking for wildlife.
- Construction materials are stored on pallets or hard standing where possible. This minimises the risk of animals utilising the stored materials for shelter.
- If hedgehog or common toads are found during works, they can be picked up (with gloves on) and moved to an area with suitable cover outside the works site.

7.3 Nesting Birds

7.3.1 Birds may nest in trees and shrubs around the site boundary in the spring and summer months. In order to prevent disturbance and/or harm to nesting birds, if vegetation works are necessary, it is recommended that:

- Any vegetation works, or initial ground works within 5m of boundary vegetation are undertaken in the winter months (October – February).
- If this is not possible, a suitably qualified ecologist should check the vegetation on site to determine the presence / absence of nesting birds prior to the start of any works.
- If birds are found actively nesting on site, the nest and surrounding vegetation (5m) must be left undisturbed until the young have fledged.



7.4 Biodiversity Enhancement

Planting of small broadleaved trees

- 7.4.1 Three small broadleaved trees will be planted off site. These will be native species such as cherry (*Prunus avium*), hazel (*Corylus avellana*) or rowan (*Sorbus aucuparia*).
- 7.4.2 These trees will be of benefit to all local fauna including native invertebrates, birds and bats.

Nesting Birds

- 7.4.3 In order to enhance the site for nesting birds it is proposed that:

- At least 2 bird nest boxes suitable for passerine birds are installed on or integrated into the newly constructed buildings or nearby trees.
- The Vivara Pro WoodStone House Sparrow Nest Box can be integrated into the eaves of the new buildings. This box should be installed in pairs as house sparrow are communal nesters.



Vivara Pro WoodStone House Sparrow Nest Box

House sparrows are a species that has been in decline and are currently recovering; this species is highly likely to colonise the site if there are appropriate nesting opportunities and good boundary vegetation.

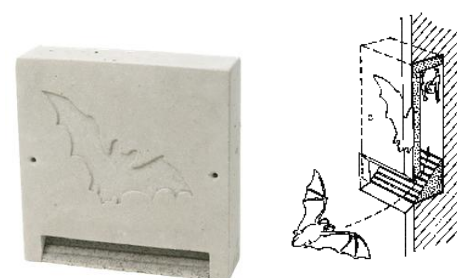
Roosting Bats

- 7.4.4 In order to enhance the site for roosting bats it is proposed that:

- At least 2 bat boxes are installed on or integrated into the new buildings or nearby trees.
- The 1FE Schwegler Bat Access Panel can be integrated into the new buildings or attached to the exterior. The Habibat Bat Box can be integrated into new buildings and is made to cover with render to ensure it is inconspicuous. They are available from NHBS (nhbs.com).
- Alternatively, the Kent Bat Box can be constructed from untreated rough timber. See Appendix B.



Habibat Bat Box – For Rendering



1FE Schwegler Bat Access Panel



8. References

- Bing Maps (Accessed 2025) <https://www.bing.com/maps/>
- Butcher, B., Carey, P., Edmonds, R., Norton, L. and Treweek, J. (2023). UK Habitat Classification V2.0 – Advance publication of selected Habitat Definitions at <http://ukhab.org>
- CIEEM (2018) Guidelines for Ecological Impact Assessment in the UK and Ireland: Terrestrial, Freshwater, Coastal and Marine. Chartered Institute of Ecology and Environmental Management.
- Collins, J. (ed.) (2023) Bat Surveys for Professional Ecologists: Good Practice Guidelines (4th edition). The Bat Conservation Trust, London. ISBN-978-1-7395126-0-6
- Eaton, M.A., Aebischer, N.J., Brown, A., Hearn, R.D., Lock, L., Musgrove, A.J., Noble, D.G., Stroud, D.A., & Gregory, R.D. (2015). Birds of Conservation Concern 4: the population status of birds in the UK, Channel Islands and Isle of Man. British Birds, 108: 708-746.
- European Commission (2000). Managing Natura 2000 Sites. The provisions of Article 6 of the 'Habitats' Directive 92/43/EEC. Office for the Official Publications of the European Communities.
- Google maps (Accessed 2025) <https://www.google.co.uk/maps>
- Lowen, J., Liley, D., Underhill-Day, J. & Whitehouse, A.T. (2008) Access and Nature Conservation Reconciliation: supplementary guidance for England.
- MAGIC Map (Accessed 2025) <http://www.magic.gov.uk/MagicMap.aspx>. DEFRA.
- Natural England (Accessed 2000) Method Statement Template for Great Crested Newt Mitigation Licence. <https://www.gov.uk/government/publications/great-crested-newts-apply-for-a-mitigation-licence>
- NBN (2019) National Biodiversity Network.
- UKHab Ltd (2023). UK Habitat Classification Version 2.0 (at <https://www.ukhab.org>)
- The ODPM Circular 06/2005 Biodiversity and Geological Conservation – Statutory Obligations & Their Impact Within the Planning System details the requirements of the local authority with regard to the Habitats Regulations.



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 of 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 mielichhoferi*), 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:

- National Planning Policy Framework (NPPF, 2021)
- The Natural Environment White Paper 'The Natural Choice: Securing the Value of Nature'
- Biodiversity – The UK Action Plan (1994, and subsequent revisions)
- Local Biodiversity Action Plans where applicable
- 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 peruse 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 whos 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 though 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 determine 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: Kent Bat Box

The Kent bat box

Simple to construct, self-cleaning and low maintenance.

The only critical measurement is the width of the crevices—these should be no larger than suggested. Other measurements are approximate.

Materials and construction

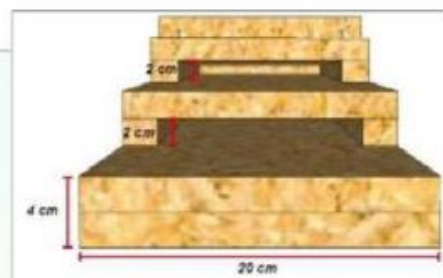
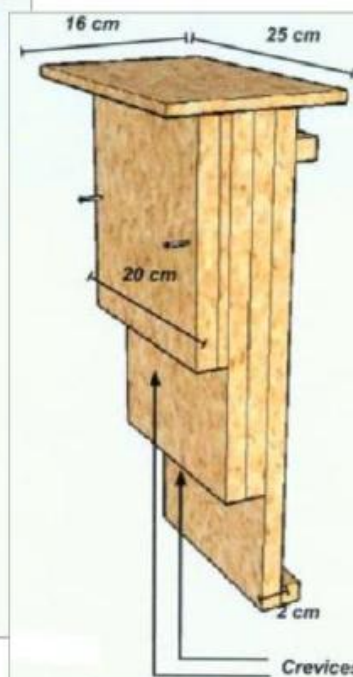
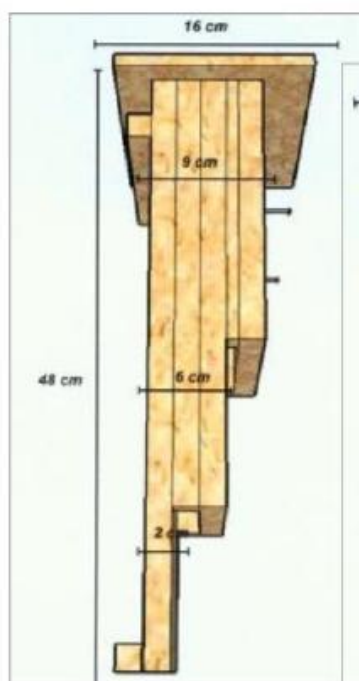
Box to be made from untreated rough-sawn timbers
Timber should be c.20mm thick
The box should be rainproof and draught-free
Crevices can be between 15 and 25 mm wide
Fixing may be by use of brackets, durable bands or wires

Location

Boxes are best fixed as high as possible in a sheltered wind-free position, exposed to the sun for part of the day.

They can be fitted to walls, other flat surfaces or trees

A clear flight line to the entrance is important



This design has been developed by Kent Bat Group

We'd like to know how successful it is. Please send any comments or records of bats seen using it to: records@kentbatgroup.org.uk

With thanks to Glen Sharman for help in producing the prototype and Lloyd Bore for providing plans.

Kent Bat Group

www.kentbatgroup.org.uk

Reg Charity No. 1079767

