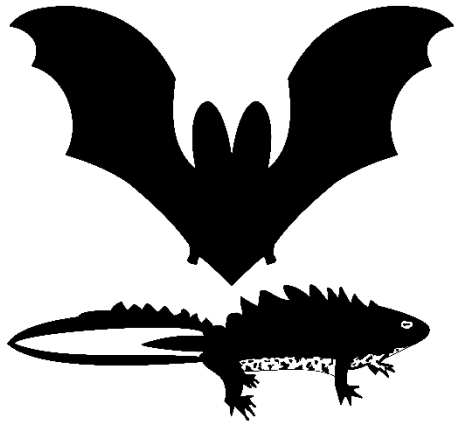




AEWC^{Ltd}

Animal Ecology & Wildlife Consultants

**Protected Species Walkover
and
Bat Assessment**

Bursledon Hall

**Blundell Lane
Bursledon
Southampton
SO31 1AA**

Natalie Arscott & Daniel Whitby

**24-048
July 2024**

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Summary

- AEWCLtd were commissioned by Bell Cornwell LLP on behalf of their client to undertake a protected species walkover and bat assessment with a desktop study at Bursledon Hall, Blundell Lane, Bursledon, Southampton, SO31 1AA at central grid reference SU 49196 10595 to help inform the proposed development of the site.
- This report details the results of the survey, which was carried out on the 24th June 2024 by Natalie Arscott and Daniel Whitby, both Natural England licensed bat ecologists, to assess the site for the potential presence of any protected species or species of conservation concern and identify habitats of conservation importance.
- The site is approximately 2.05ha in size and comprises a series of buildings surrounded by hardstanding, mown grass lawn, ornamental shrubs, and scattered trees. There is a small ornamental pond in the garden in the southeast and longer sward grassland in the northwest. There are woodland blocks in the southeast and southwest of the site, and a belt of woodland adjacent to the driveway near the site centre. On some of the site boundaries are hedgerows.
- Proposals are to impact on four buildings only, with no plans for changes to the grounds of the site. As such, the majority of the habitat area on site is unlikely to be negatively affected by these proposals.
- **Based on current plans, no further protected species surveys are required.**
- **Mitigation regarding bats must be followed for works to the Barn and the Pavilion, as detailed in Section 7, due to the limited potential that these buildings hold to support void-dwelling species of bat.**
- **It is also recommended that good building practice such as covering trenches at night is followed, the Barn and the Pavilion are inspected for nesting birds, including barn owls, immediately prior to works, the areas of lawn that may be impacted during works to the buildings should be maintained as a short sward to prevent increased suitability for reptiles, rhododendron and cherry laurel should not be spread and should ideally be removed, the woodland and native hedgerows must be retained, and lighting should be kept to a minimum.**
- **Should plans change to impact outside of the areas immediately surrounding the four buildings, this must be discussed with a suitably qualified ecologist.**

This report has been prepared by AEWCLtd, with all reasonable skill, care and diligence within the terms of the Contract with the client. We disclaim any responsibility to the client and others in respect of any matters outside the scope of the above. This report is confidential to the client and we accept no responsibility of whatsoever nature to third parties to whom this report, or any part thereof, is made known. Any such party relies on the report at their own risk.

The information and data which has been prepared and provided is true and has been prepared and provided in accordance with the 'Guidelines for Preliminary Ecological Appraisal' and 'Code of Professional Conduct' issued by the Chartered Institute of Ecology and Environmental Management (CIEEM). We confirm that the opinions expressed are our true and professional bona fide opinions.

1. Introduction

- 1.1 AEWCLtd were commissioned by Bell Cornwell LLP on behalf of their client to undertake a protected species walkover and bat assessment with a desktop study at Bursledon Hall, Blundell Lane, Bursledon, Southampton, SO31 1AA to help inform the proposed development of the site.
- 1.2 No surveys are known to have been carried out on site previously. Initial assessment was therefore required to ascertain whether bats or other protected species are present at the site and represent a constraint to the proposed development.
- 1.3 This survey comprised a desktop study of biological records within the vicinity of the site and a bat assessment plus ecological walkover survey for all protected wildlife and species of conservation importance, including habitats, and was carried out by Natalie Arscott and Daniel Whitby, both Natural England licensed bat ecologists on the 24th June 2024.
- 1.4 The bat surveys and report writing were carried out in accordance with Bat Surveys: Good Practice Guidelines (Bat Conservation Trust, 2023).
- 1.5 The purpose of this report is to detail the results of the bat assessment and walkover survey, give an assessment as to the presence or potential presence of any protected species, ecological issues and impacts that would be generated by the proposed development, outline recommendations in relation to protected species and the proposed development of the site, and identify recommendations for further surveys that may be necessary.

2. Background

- 2.1 The proposed development site is located at Bursledon Hall, Blundell Lane, Bursledon, Southampton, SO31 1AA at central grid reference SU 49196 10595. The site is located in a semi-rural area in the northeast of Bursledon, 200m to the northeast of the M27. The surrounding landscape comprises a combination of pasture, agricultural land, woodland, and built-up residential areas. The River Hamble also runs 500m to the southeast at its closest point. See Figure 1.
- 2.2 The site is approximately 2.05ha and comprises a series of buildings surrounded by hardstanding, mown grass lawn, ornamental shrubs, and scattered trees. There is a small ornamental pond in the garden in the southeast and longer sward grassland in the northwest. There are woodland blocks in the southeast and southwest of the site, and a belt of woodland adjacent to the driveway near the site centre. On some of the site boundaries are hedgerows. See Figure 2.

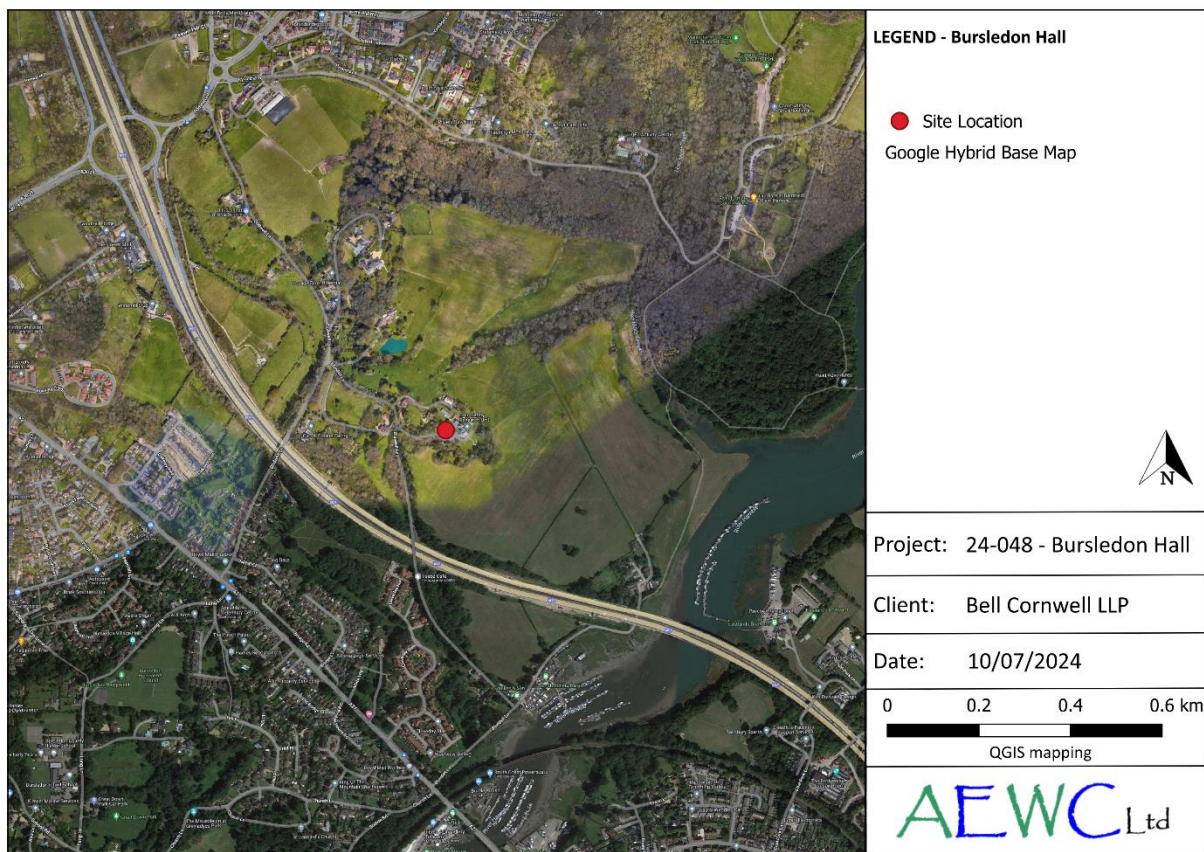


FIGURE 1: SHOWING THE SITE LOCATION



FIGURE 2: AERIAL VIEW OF THE SITE SHOWING THE SITE BOUNDARY AND BUILDINGS SUBJECT TO SURVEY

2.3 The proposed development plan involves the conversion of existing office buildings to create 16 residential flats. Proposals are to impact on four buildings only, with no plans for changes to the grounds of the site. As such, the majority of the habitat area on site is unlikely to be negatively affected by these proposals. See Figure 3.

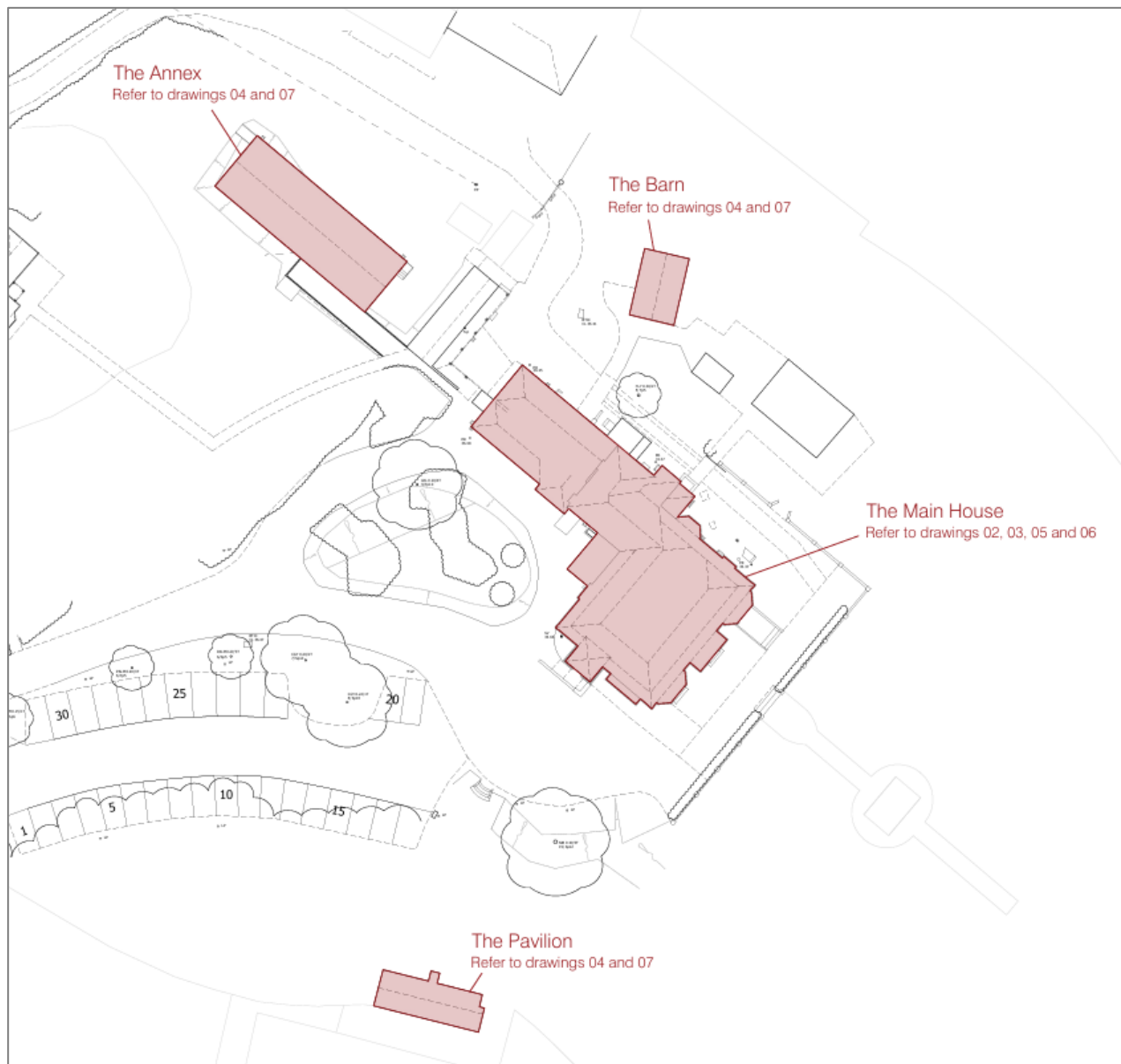


FIGURE 3: SHOWING THE PROPOSED PLANS (BUILDINGS SUBJECT TO WORKS).

Legislation

2.4 All species of bats are listed on *Schedule 5* of the *Wildlife and Countryside Act 1981 (as amended)* which affords them protection under *Section 9*, as amended. They are also protected under the *Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019*. In combination, this makes it an offence to:

- intentionally kill, injure or take (capture etc.);
- possess;
- intentionally or recklessly damage, destroy, obstruct access to any structure or place used by a scheduled animal for shelter or protection, or disturb any animal occupying such a structure or place; and

- sell, offer for sale, possess or transport for the purpose of sale (live or dead animal, part or derivative) or advertise for buying or selling such things.
- 2.5 A roost is defined as ‘any structure or place which a bat uses for shelter or protection’. As bats tend to reuse the same roosts, legal opinion is that a roost is protected whether or not bats are present.
- 2.6 Any disturbance of a bat occupying a roost can lead to prosecution. Disturbance can be caused by noise, vibration and artificial lighting. Penalties for breaking the law can include fines of £5,000 per bat, imprisonment and the seizure of equipment.
- 2.7 Furthermore, seven bat species (barbastelle, Bechstein’s, noctule, soprano pipistrelle, brown long-eared, lesser horseshoe and greater horseshoe) are also Species of Principal Importance in England under *Section 41* of the *Natural Environment and Rural Communities Act 2006*.

3. Methods

Desk Study

- 3.1 The Multi Agency Geographic Information for the Countryside (MAGIC) website provided by the Department for Environment, Food and Rural Affairs (Defra) was consulted to obtain information about any international or European level designated nature conservation sites within 2km of the site boundary, afforded protection either directly by the Conservation of Habitat and Species (Amendment)(EU Exit) Regulations 2019 or to the same level of protection through planning policy (the National Planning Policy Framework and Local Development Framework). Information regarding statutory designated sites, such as Sites of Special Scientific Interest (SSSI) within a 2km radius of the site, were also obtained from MAGIC.
- 3.2 Aerial photos of the site (Google Earth, 2022) were examined to determine habitats surrounding the site and hence species likely to be present in order to make appropriate recommendations in the wider landscape context.
- 3.3 Records of protected and notable species and non-statutory designated sites within 2km of the site were requested from the local biological records centre (Hampshire Biodiversity Information Centre).
- 3.4 Records were screened for relevance and age with only those from the last 10 years and of species that could occur on site considered further.
- 3.5 A search for waterbodies within 500m of the site boundary was undertaken using MAGIC mapping in order to assess their connectivity to the site.

Ecological Walkover Survey

- 3.6 A daytime ecological walkover assessment was carried out on the 24th June 2024 to evaluate the site for its potential to support protected species in addition to other species of conservation importance that could be relevant in respect of planning policies.

- 3.7 An assessment was made of habitat suitability in and around the site for those protected species that occur in the region. Obvious signs and incidental sightings of protected species are noted when encountered, but walkover surveys do not usually confirm species presence or absence.
- 3.8 Taking into consideration the geographical region and habitat type, species that could be encountered are:
- badger;
 - barn owl;
 - bats;
 - breeding birds;
 - great crested newt;
 - hazel dormice;
 - otter;
 - reptiles;
 - water vole;
 - other mammals; and
 - other Species of Principal Importance (SPI) (e.g. hedgehog, stag beetle etc).
- 3.9 In addition, observations of any invasive species, important plant communities, plant species of note, Habitats of Principal Importance (HPI) or other valuable ecological features will be recorded and detailed.
- 3.10 Details of the initial survey method for each species are given below.
- 3.11 **Badger** – an initial assessment was carried out to identify areas that might be used by badgers (*Meles meles*). Signs of badgers including setts, incidental foraging signs, runs, hairs and latrines are recorded if encountered during the survey. Where possible the area within 30m of the site is also searched for badger setts.
- 3.12 **Barn owl** – The buildings were subject to a full external and internal inspection for evidence of use by barn owl, namely live/dead owls, pellets, droppings, feathers, nest debris, nestling fluff and eggs or eggshells.
- 3.13 **Breeding Birds** - habitats were assessed for their suitability for nesting birds. This would centre on birds that favour hedgerows, areas of longer grassland, scrub, trees as well as buildings.
- 3.14 **Great Crested Newt** - initial surveys centre on identifying suitable habitat within the site. If breeding ponds are present within the locality, then great crested newt (*Triturus cristatus*) could potentially be using the terrestrial habitat on the site. Maps are used to identify any ponds (that are not isolated by unsuitable habitat or physical barriers) within 500 metres of the site. A Habitat Suitability Index (HSI) is used to quantifiably assess whether a pond is suitable, this is undertaken for any onsite ponds during the walkover survey.
- 3.15 **Hazel Dormice** – scrub and areas of dense vegetation are assessed for their suitability for foraging and nesting hazel dormice (*Muscardinus avellanarius*). Favoured berry and nut bearing species such as hawthorn, hazel and bramble were looked for in particular. Additionally, the connectivity of this habitat and to suitable habitat beyond the site is also assessed. If hazel nuts are present a brief search for

nuts that have been chewed by hazel dormouse (i.e. displaying the characteristic smooth round hole) was conducted.

- 3.16 **Otter** - initial surveys aim to assess the site for watercourses suitable for otters (*Lutra lutra*). If suitable watercourses are present on site, evidence of otter is searched for. Signs of otter includes spraints, feeding remains and sightings are recorded if encountered during the survey.
- 3.17 **Reptiles** - the site was assessed for habitat suitable for reptiles, such as long grassland and areas of scrub, with particular attention paid to those features that provide suitable basking areas (e.g. south-facing slopes and walls), hibernation sites (e.g. banks, log piles and piles of rotting vegetation) and opportunities for foraging (e.g. rough grassland and scrub).
- 3.18 **Water vole** - initial survey aims to assess the site for watercourses that may be suitable for water voles (*Arvicola amphibious*). If suitable watercourses are present on site, evidence of water voles is searched for. Signs of water voles includes faeces, latrines, feeding stations, burrows, footprints, runs or pathways and sightings which are recorded if encountered during the survey.
- 3.19 **Other mammals** – any signs of occupancy by other mammals (e.g. Rabbit warrens) are recorded.
- 3.20 **Other Species of Principal Importance (SPI)** – the habitats present on site were assessed for the likelihood of presence for species of regional and national importance.
- 3.21 **Invasive species** - Any invasive plant or animal species identified during the site walkover are recorded.
- 3.22 **Plant species of note** – Any plant species of conservation concern found on the site are recorded.
- 3.23 **Habitats of Principal Importance** - Habitats of Principal Importance within or adjacent to the site (such as arable field margins, traditional orchards, ponds, rivers, wet woodlands) are recorded.
- 3.24 **Other valuable ecological features** - Other ecological features e.g. ancient woodland, veteran trees, bird feeding stations etc, habitat enhancements etc. within or adjacent to the site are recorded.

Daytime Bat Assessment

- 3.25 A detailed bat building inspection was undertaken on the 24th June 2024 by Natalie Arscott and Daniel Whitby, both Natural England licensed bat ecologists.
- 3.26 A systematic internal inspection of the four buildings to be impacted was conducted using a high-powered torch to illuminate all areas thought to be suitable for roosting bats. Additionally, an external search around the perimeter of the buildings was conducted and any possible access points i.e. gaps and crevices were noted and surveyed with a high-powered torch and ladder as appropriate.

- 3.27 The buildings' suitability for bat roosting was assessed by examining structural features that may influence the suitability of a building to support roosting bats; these include the presence of a roof void, the presence of access points into the building (including gaps beneath barge boards, weatherboarding, soffits and fascias, gaps under lead flashing, gaps within masonry and under loose tiles, gaps between tenon and mortise joints), the complexity and size of any roof void and daytime light levels in the roof void.
- 3.28 The buildings' suitability for roosting bats was also assessed by examining the surrounding habitat. Important habitat features surrounding the structure which may influence roost potential include whether the structure is in a semi-rural or parkland location, its proximity to a significant linear habitat features such as a watercourse, mature hedgerow, wooded lanes or an area of woodland.
- 3.29 All surfaces were also surveyed for signs of bat presence. Features of potential value to bats were surveyed not only for the presence of bats but also for signs that could indicate use by bats, such as:
- bat droppings that are dry and do not putrefy, but can crumble away to dust;
 - staining of access points used by bats to enter the structure; and
 - feeding remains such as moth and butterfly wings.
- 3.30 Taking account of these architectural, habitat features and signs of presence, the buildings were then assigned a level of roost suitability based the criteria given in the Bat Conservation Trust's Bat Surveys: Good Practice Guidelines (Collins, 2023) and professional judgement. The primary objective of this exercise was to identify the need for further detailed bat survey later in the year, or alternatively to obtain sufficient information that would dismiss the need for further assessment.

4. Constraints/Limitations

- 4.1 An initial site assessment such as this is only able to act as a snapshot to record any flora or fauna that is present at the time of the survey. It is therefore possible that some species may not have been present during the survey but may be evident at other times of the year. For this reason, habitats are assessed for their potential to support some species, even where no direct evidence (such as droppings) has been found.
- 4.2 Bats are difficult to locate in large structures, with so many potential roosting areas, particularly in inaccessible areas such as large buildings, finding the exact roosting site can be difficult, especially male/single bat roosting sites. It should be noted that it is not always possible to identify bat presence by examining externally around buildings as poor weather conditions may have washed away droppings which were deposited on exposed surfaces.
- 4.3 Bats can have seasonal use of buildings and being so mobile may arrive and start using a site after it has been surveyed, or roost somewhere else during the period it was surveyed. For this reason, bats may potentially be present but remain undetected, particularly during daytime assessment.

- 4.4 It was not possible to fully access and inspect the loft void of The Pavillion due to the structural instability of the building. The loft void could however be viewed and assessed from the open hatch.

5. Results and Evaluation

Desk Study

Sites and Habitats

Statutory Designated Sites

- 5.1 There are seven statutory designated sites located within 2km of the proposed site. The nearest statutory designated site is Upper Hamble Estuary and Woods Site of Special Scientific Interest (SSSI), located 200m to the northeast at its closest point. Solent and Southampton Water Special Protection Area (SPA), Solent Maritime Special Area of Conservation (SAC), Solent and Southampton Water RAMSAR, and Manor Farm Local Nature Reserve (LNR) are all situated within 1km of the site, located to the north, northeast, and east. Over 1km to the south are Hackett's Marsh LNR and Lincegrove and Hackett's Marshes SSSI, however these are separated from the site by the M27 which reduces connectivity between the proposed site and the designated sites.

Non-statutory Designated Sites

- 5.2 There are 34 Sites of Importance for Nature Conservation (SINCs) and nine Wader and Brent Goose Strategy Sites located within 2km of the proposed site. The nearest non-statutory designated site is Land North of Bridge Road SINC, located 360m to the south at its closest point, however the M27 reduces connectivity between the proposed site, and this designated site.

Habitats of Principal Importance

- 5.3 Habitats data available via MAGIC was reviewed for the presence of Habitats of Principal Importance (HPI). There are no HPI mapped within or immediately adjacent to the site. There is deciduous woodland priority habitat, including ancient and semi-natural woodland, and coastal and floodplain grazing marsh priority habitat in the wider surrounding landscape. See Figure 4.

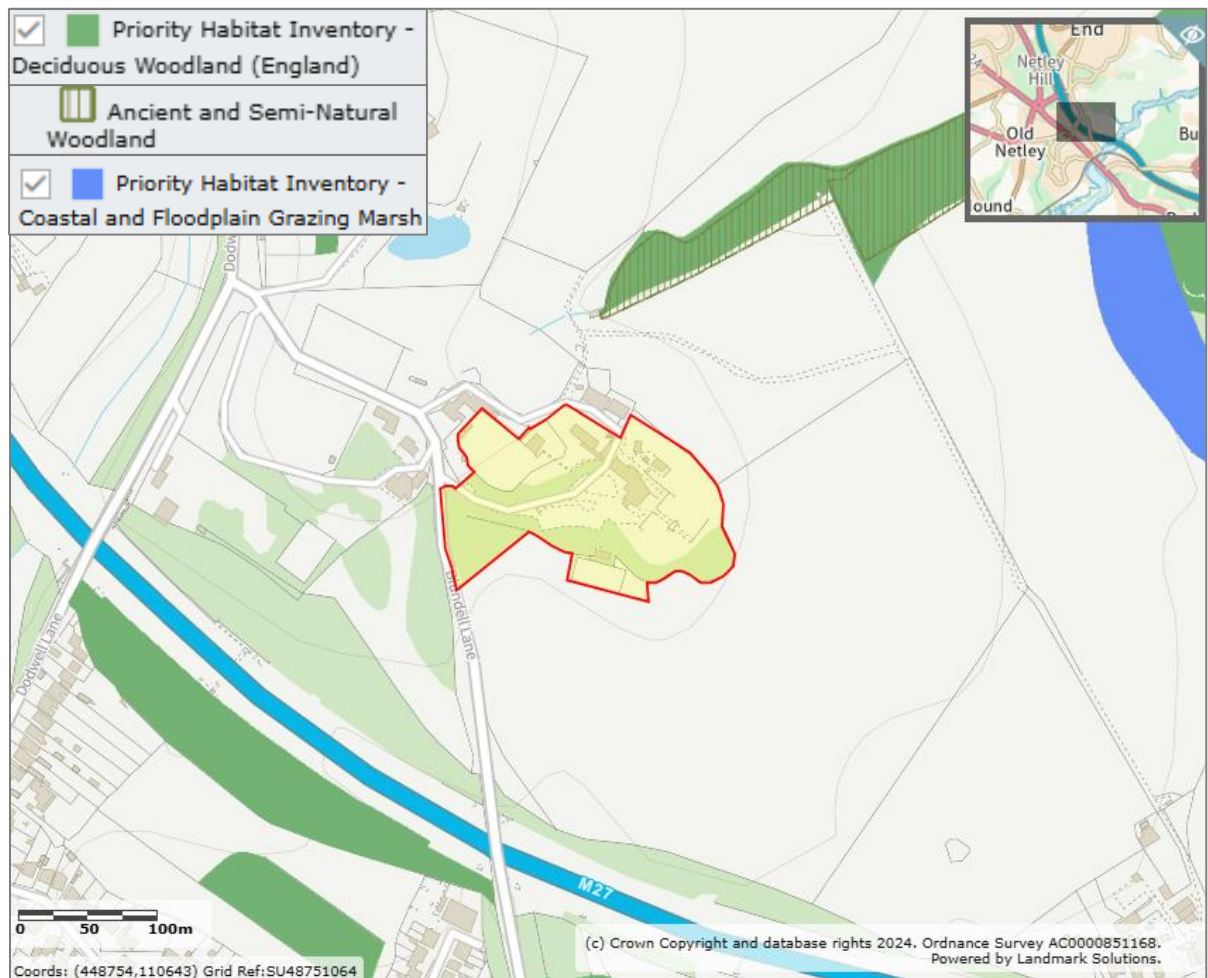


Figure 4: Habitats of principal importance on and adjacent to the site

Waterbodies within 500m of the site boundary

- 5.4 The Ordnance Survey map available via MAGIC was reviewed for ponds within the accepted dispersal distance of 500m that are not separated from the site by significant barriers to dispersal such as main roads. One pond was found, located 120m to the northwest within a private garden. See Figure 5.

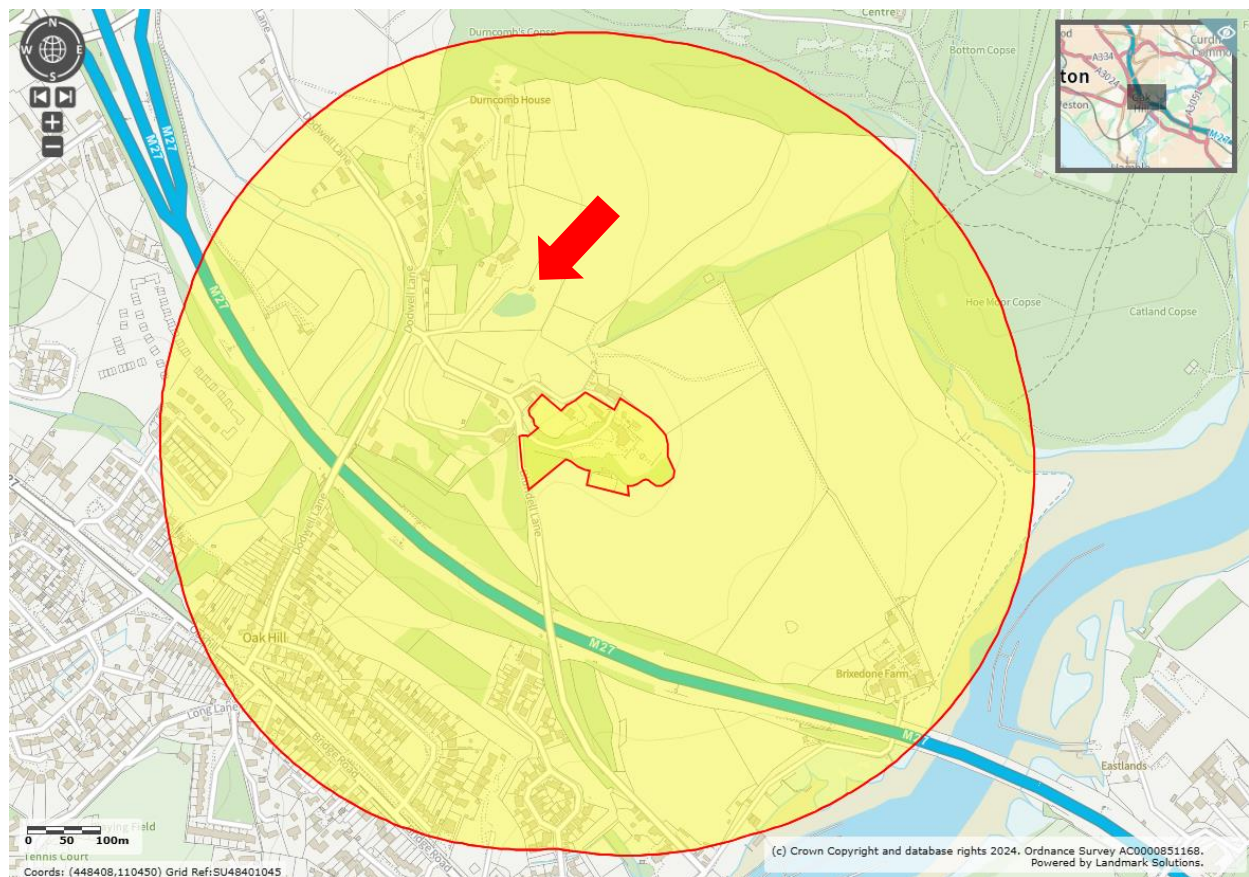


Figure 5: Waterbodies within 500m

Protected Species

Badger

- 5.5 Six records of badger were recorded within 2km of the site in the past 10 years.

Barn owl

- 5.6 Four records of barn owl were recorded within 2km of the site in the past 10 years.

Bats

- 5.7 Records of 11 bat species including serotine (*Eptesicus serotinus*), Bechstein's bat (*Myotis bechsteinii*), Daubenton's bat (*Myotis daubentonii*), whiskered bat (*Myotis mystacinus*), Natterer's bat (*Myotis nattereri*), Leisler's bat (*Nyctalus leisleri*), noctule bat (*Nyctalus noctula*), Nathusius' pipistrelle (*Pipistrellus nathusii*), common pipistrelle (*Pipistrellus pipistrellus*), soprano pipistrelle (*Pipistrellus pygmaeus*), and brown long-eared bat (*Plecotus auritus*), as well as bats from the genus long-eared (*Plectous* sp.) and myotis (*Myotis* sp.) that had not been identified to species level, were recorded within 2km of the site.

Birds

- 5.8 Records of 89 species of bird were recorded within 2km of the site, including song thrush (*Turdus philomelos*), cuckoo (*Cuculus canorus*), house sparrow (*Passer domesticus*), and starling (*Sturnus vulgaris*).

Great crested newt

- 5.9 Three records of great crested newts were recorded within 2km of the site in the past 10 years, the closest record being just over 200m to the southwest in 2021. The other two records were both from over 1km from the site.

Hazel dormice

- 5.10 Two records of hazel dormouse were recorded within 2km of the site, both located over 1km to the northwest.

Otter

- 5.11 No records of otter were found within 2km of the site in the past 10 years.

Reptiles

- 5.12 Records of slow-worm (*Anguis fragilis*), grass snake (*Natrix helvetica*), common lizard (*Zootoca vivipara*), and adder (*Vipera berus*) were recorded within 2km of the site. All of the reptile records are from over 1km from the site, except for one record of slow-worm from just over 600m from the site.

Water vole

- 5.13 No records of water vole were found within 2km of the site.

Other Mammals

- 5.14 No records of other mammals were found within 2km of the site.

Other Species of Principal Importance (SPI)

- 5.15 Records of harvest mouse (*Micromys minutus*), west European hedgehog (*Erinaceus europaeus*), and a range of invertebrates were recorded within 2km of the site.

Walkover Survey

Habitat Summary

- 5.16 The site contains several buildings, four of which are to be impacted by the proposals and these are described in detail in the 'Bat Assessment' section below. Most of the buildings are surrounded by hardstanding. There is also an access road leading from the western boundary into the centre of the site, a car park, and hardstanding paths in the formal garden to the southeast.
- 5.17 The areas surrounding the buildings predominantly comprise modified grassland, which is short mown and maintained as garden lawn, limiting its ecological value and potential to support wildlife. The only exception to this is the area of grassland in the northwest of the site, within the garden of a residential dwelling, which has areas of long-sward grassland with mown paths in between. There are ornamental shrubs in some of the grass lawn areas.
- 5.18 To the north of the access road is a narrow belt of woodland. This has become overcrowded with invasive rhododendron (*Rhododendron* sp.) and cherry laurel (*Prunus laurocerasus*). Mature pedunculate oak (*Quercus robur*), beech (*Fagus sylvaticus*), hazel (*Corylus avellana*), and sycamore (*Acer pseudoplatanus*) are present. In the southwest and southeast of the site are small blocks of woodland, composed of pine (*Pinus* sp.), lime (*Tilia* sp.), hazel, sycamore, horse chestnut (*Aesculus hippocastanum*), sweet chestnut (*Castanea sativa*), and pedunculate oak, with ivy (*Hedera helix*), common nettle (*Urtica dioica*), and bracken (*Pteridium aquilinum*) dominating the ground flora.

- 5.19 Within the formal garden in the southeast of the site is a small ornamental pond. This has sheer sides created by stacked timber boards, the water was found to be stagnant, and no aquatic vegetation was present, with potted plants at the water edge only.
- 5.20 There are a small number of individual mature trees scattered around the site within the lawn areas.
- 5.21 There are native hedgerows along the northeastern boundaries, composed of hawthorn (*Crataegus monogyna*), field maple (*Acer campestre*), and holly (*Ilex aquifolium*), with occasional hornbeam (*Carpinus betulus*), pedunculate oak, ash (*Fraxinus excelsior*), and hawthorn trees. On the southern boundary, to the south of the Pavilion, is an ornamental garden privet (*Ligustrum ovalifolium*) hedge. A line of holm oak (*Quercus ilex*) trees connects this hedge to the woodland in the southwest of the site.

Badger

- 5.22 No badger setts were identified present on site. No evidence of badger activity such as latrines, tracks, guard hairs or snuffle holes were observed on or directly adjacent to the site, which would suggest that the site is otherwise used for foraging. It is considered unlikely that any badger setts are present within 30m of the site boundary as no evidence of badger activity was identified during the survey.

Barn owl

- 5.23 Three of the buildings to be impacted hold no suitability for barn owls due to a lack access or suitable perches for barn owls.
- 5.24 The Pavilion has a missing windowpane on the southern elevation and an open hatch into the loft void which could be used for nesting. However, no evidence of barn owl activity was found, and it is considered that barn owls would be unlikely to enter through an open window and fly through the ground floor living space to access their nesting site.

Breeding birds

- 5.25 There is habitat suitable for breeding birds on the site within the woodland, individual trees, and hedgerows. There would also be suitable access and nesting opportunities for birds within the Pavilion and the Barn.

Great Crested Newt (GCN)

- 5.26 The site is considered to have some suitable habitat for terrestrial GCN within the woodland, hedgerows, and long-sward grassland in the northwest of the site. The mown lawn areas, including the areas around the buildings to be impacted, are unlikely to provide sufficient vegetation cover to support GCN.
- 5.27 One ornamental pond was recorded within the site boundary (referred to as pond 1 here) and one pond was identified within 500m of the site, located to the northwest (pond 2). Both ponds were subject to HSI assessment, and neither are considered suitable for GCN given HSI scores of 0. See Table 1. This has been driven by a total absence of macrophytes in either pond, as well as pond 2 supporting a high density of large fish. Pond 1 also has sheer walls created by timber boards, which would likely reduce access opportunities to the pond.

Table 1 – HSI calculations

Pond ref	1	2
SI¹ - Location	1	1
SI² - Pond area	0.05	0.895
SI³ - Pond drying	0.9	0.9
SI⁴ - Water quality	0.33	0.33
SI⁵ - Shade	1	1
SI⁶ - Fowl	1	1
SI⁷ - Fish	0.7	0
SI⁸ - Ponds	0.84	0.9
SI⁹ - Terrestrial habitat	0.67	0.67
SI¹⁰ - Macrophytes	0	0
HSI Score	0	0
HSI Category	Poor	Poor

- 5.28 Given the unsuitability of the onsite pond and only other pond within 500m of the site, it is considered unlikely that the site would support terrestrial or breeding GCN. It is noted that a GCN has been recorded just over 200m to the south of the site, however this may have been an individual on the edge of its range using breeding ponds further to the south. The M27 also likely acts as a dispersal barrier to GCN using habitats to the south of this motorway.

Hazel dormice

- 5.29 The woodland and hedgerows on site are considered to have suitability to support hazel dormouse since they offer foraging opportunities and are well connected to other suitable habitat in the wider landscape. The remainder of the site, including the areas to be impacted by development, is unsuitable for dormice.

Otter

- 5.30 The closest watercourse is the River Hamble, located 500m to the southeast of the site at its closest point, with no other riparian habitat between this and the site. Otters typically stay within 100m of a watercourse and therefore it is highly unlikely that they would use the site.

Reptiles

- 5.31 The site is considered to have some suitable habitat for common reptiles, such as slow worms, common lizards and grass snakes, within the woodland, hedgerows, and long-sward grassland in the northwest of the site. The mown lawn areas, including the areas around the buildings to be impacted, are unlikely to provide sufficient vegetation cover to support reptiles.

Water vole

- 5.32 The closest watercourse is the River Hamble, located 500m to the southeast of the site at its closest point, with no other riparian habitat between this and the site. Water voles typically stay within very close proximity of a watercourse and therefore it is highly unlikely that they would use the site.

Other Mammals

5.33 No evidence of other mammals was recorded within the site.

Other Species of Principal Importance

5.34 There is potential for the site to support hedgehogs in the woodland and hedgerows, and they may commute across the site. The site does not appear to have suitability for other SPI such as harvest mice or rare invertebrates.

Invasive species

5.35 Rhododendron was seen on the site within the woodland and ornamental shrubs. *Rhododendron ponticum* is listed as invasive on Schedule 9 of the Wildlife and Countryside Act.

5.36 There was also cherry laurel across the site, including within the woodland. This species is not listed on Schedule 9 but does have invasive tendencies.

Plant species of note

5.37 No plant species of note were identified.

Habitats of Principal Importance

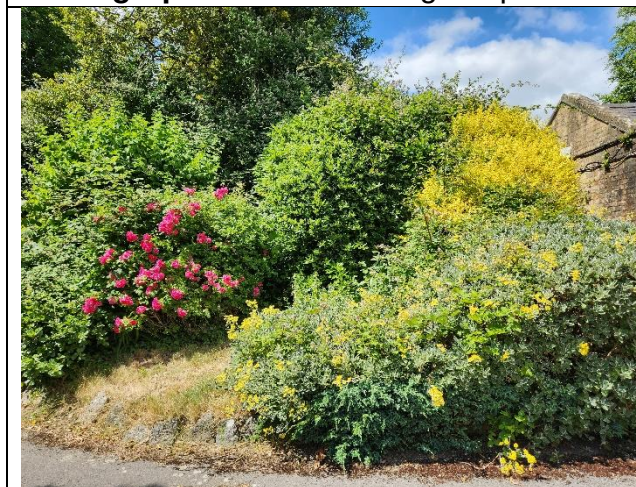
5.38 The following HPI were noted on the site: deciduous woodland and native hedgerow.



Photograph 1: Hardstanding car park.



Photograph 2: Short mown grass lawn.



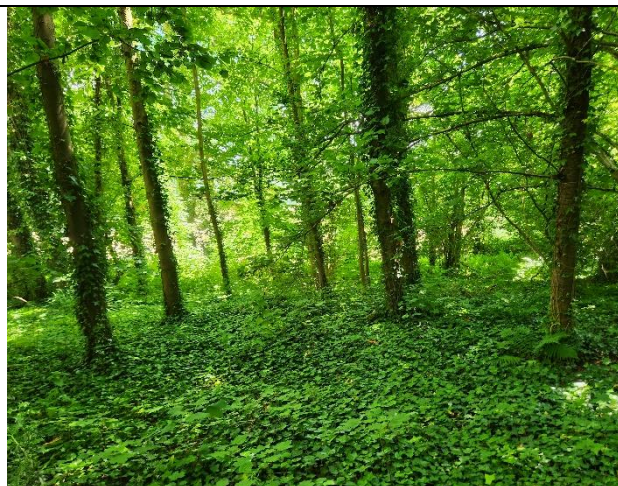
Photograph 3: Ornamental shrubs.



Photograph 4: Longer sward grassland in the northwest of the site.



Photograph 5: Woodland belt with rhododendron.



Photograph 6: Woodland in the southwest of the site.



Photograph 7: Individual trees in the garden area.



Photograph 8: Native hedgerow on the northeastern boundary.



Photograph 9: The onsite pond (pond 1).



Photograph 10: The offsite pond (pond 2).

Daytime Bat Assessment

The Main House

5.39 The main house is a large, brick-built building with cross hipped roofs supporting slate tiles. The building is predominantly two storey, except for a three storey tower on the southwestern elevation and a single storey extension to the northwest.

- 5.40 The external brick walls are in excellent condition and no cracks or other crevice features were identified.
- 5.41 The roofs are mostly in very good condition, with tightly fitting slate tiles. A small number of potential crevice roosting features were identified associated with the roof, including slipped or broken slate tiles, lifted lead flashing, and mortar gaps under ridge tiles. These could be utilised by crevice-dwelling species of bat.
- 5.42 Under the eaves appeared well sealed throughout the building, with the soffit boards fitting tightly against the walls and no damage seen.
- 5.43 The loft voids are shallow and lined with timber sarking, which is undamaged and sits flush against the slate roof tiles. As a result of the timber sarking, the loft voids are well sealed and no potential access points for bats were identified.
- 5.44 The loft voids were cobwebbed at the rafters, indicating an absence of recent bat activity here. No evidence of bats, such as droppings, was found.
- 5.45 It is overall considered that the building has potential in its exterior structural features to support crevice-dwelling species of bat but has negligible potential to support void-dwelling species of bat due to the absence of potential access points to the loft voids.



Photograph 11: The Main House, viewed from the southwest.



Photograph 12: The Main House, viewed from the east.



Photograph 13: The Main House, viewed from the northwest.



Photograph 14: Tightly fitting slate tiles across most of the roof.



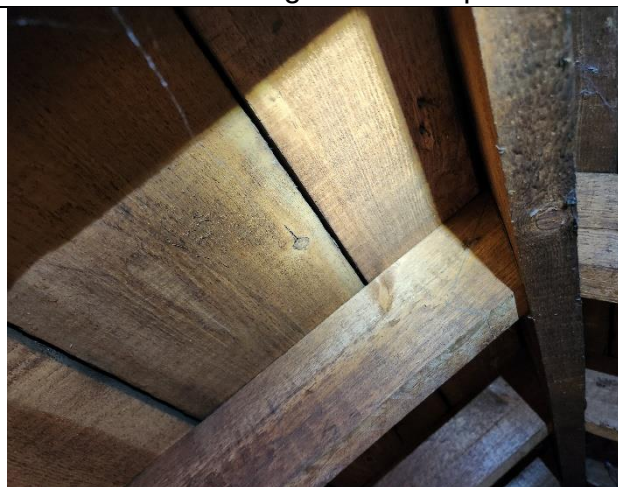
Photograph 15: Broken roof tile on the Main House creating a crevice space.



Photograph 16: Lifted lead flashing on the Main House creating a crevice space.



Photograph 17: Cobwebbed roof void within the Main House.



Photograph 18: Timber sarking creating well sealed roof voids in the Main House.

The Annexe

- 5.46 The Annexe is a single storey rectangular building with a shallow gable roof covered by bitumen felt and timber cladding covering the exterior walls. A section of the building on the southwest elevation has a sloping corrugated metal sheet roof. There is no enclosed roof void internally.
- 5.47 The timber cladding is all tightly fitting to the building with no damaged section and does not provide any crevice spaces or access into a cavity.
- 5.48 The bitumen felt covering the roof has been sealed around a timber board, and there is therefore no cavity space associated with the roof. The bitumen felt is in good condition with no damage or lifted sections that may provide a crevice space seen. The gutter also blocks access to the lip of the bitumen felt on the southwest and northeast elevations.
- 5.49 There are plastic fascia boards at the eaves, with a very shallow gap of less than 1 inch depth beneath these before meeting further plastic which seals tightly to the timber cladding. This gap has insufficient depth to support roosting bats.
- 5.50 No evidence of bats was found in association with the Annexe.

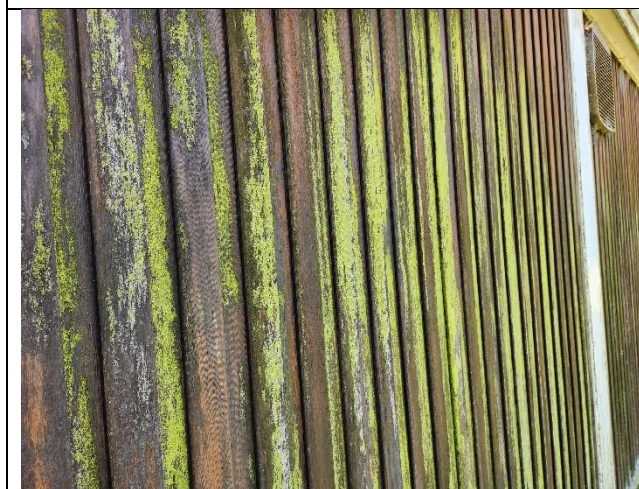
5.51 It is overall considered that the building has negligible potential to support roosting bats due to a complete absence of potential roosting features.



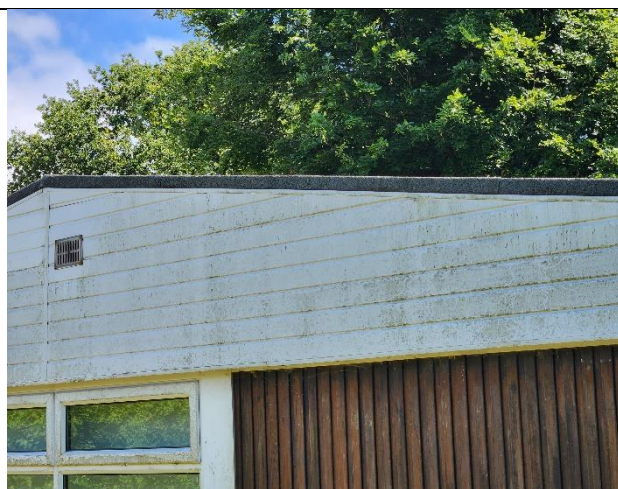
Photograph 19: The Annexe, viewed from the northwest.



Photograph 20: The Annexe, viewed from the northeast.



Photograph 21: Tightly fitting timber cladding on the Annexe.



Photograph 22: Tightly fitting bitumen felt on the Annexe roof.

The Barn

5.52 The Barn is a small, single storey building with a gable roof covered by corrugated metal sheeting and timber weatherboards covering the exterior walls.

5.53 The timber weatherboards on the exterior walls are tightly fitting and did not create any gaps. No crevice features were identified anywhere on the building's exterior.

5.54 There are potential routes of access into the building for bats through gaps above the double doors on the western elevation and through small holes in the walls where there has been damage and degradation. The eaves appeared well sealed.

5.55 Internally there is a small, partially enclosed roof void in the northern end of the building, with the remainder being open to the rafters. The roof is lined with timber sarking, which is in good condition and tightly fitting.

5.56 No crevice features were identified in the building's interior.

5.57 The rafters were cobwebbed, indicating an absence of recent bat activity, and no evidence of bats was found. The building has high interior light levels during the day due to the presence of windows on the eastern elevation, and this includes within the small loft void section since this is open-ended into the remainder of the building. The high light levels would reduce the likelihood of void-dwelling species of bat using this space for day roosting.

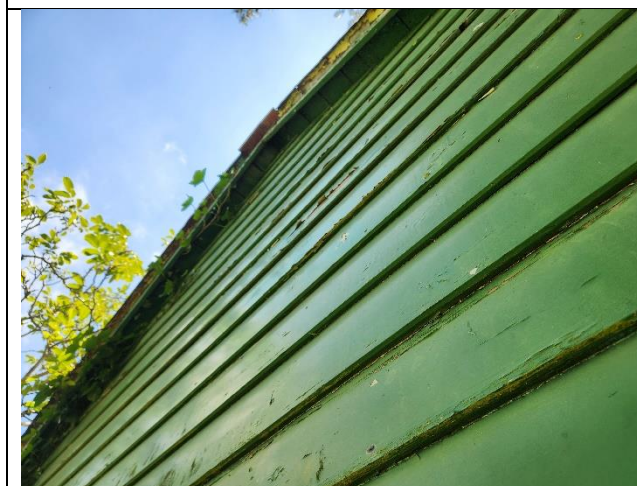
5.58 It is overall considered that the building has negligible potential to support crevice-dwelling species of bat due to a complete absence of potential roosting features. There is potential access into the building for void-dwelling species of bat, however there is no evidence that bats have ever roosted in the building and the high light levels reduce its suitability, so it is considered highly unlikely that the building supports void-dwelling roosting bats.



Photograph 23: The Barn, viewed from the southwest.



Photograph 24: The Barn, viewed from the east.



Photograph 25: Tightly fitting timber weatherboards on the Barn.



Photograph 26: Gap into the Barn through a damaged wall.



Photograph 27: The partially enclosed loft void at the northern end of the Barn.



Photograph 28: The southern end of the Barn, open to the rafters.

The Pavilion

- 5.59 The Pavilion is a small, single storey building with a hipped roof supporting clay tiles and concrete rendered walls. Much of the building's exterior has become smothered by climbing vegetation. The building has fallen into a state of disrepair.
- 5.60 The exterior walls are in good condition and no crevice features were identified here.
- 5.61 There are several lifted, slipped, and missing clay roof tiles which would provide access inside the building. It is unlikely that these would provide crevice roosting opportunities since the roof is unlined, and therefore the overlap between tiles would provide the only crevice space and this is very shallow. No gaps were seen beneath the ridge tiles, which appeared well sealed. Most of the northern, eastern, and western roof pitches are covered by moss and climbing vegetation, blocking access to most of the tile gaps, however the southern roof pitch provides open access.
- 5.62 There is a missing windowpane on the southern elevation which would also provide access into the building.
- 5.63 Internally there is an enclosed loft void accessed through a hatch which is permanently open. The roof is timber framed and unlined.
- 5.64 The rafters were very heavily cobwebbed, indicating an absence of recent bat activity, and no evidence of bats was found. Vegetation has also encroached into the loft void through gaps in the roof, creating a cluttered space and reducing its suitability for void-dwelling species of bat. The building has high interior light levels during the day due to the presence of large windows on the southern elevation with an open hatch into the loft void, where there are also missing tiles which allow light ingress. The high light levels would reduce the likelihood of void-dwelling species of bat using this space for day roosting.
- 5.65 No crevice features were identified in the building's interior.
- 5.66 It is overall considered that the building has negligible potential to support crevice-dwelling species of bat due to an absence of suitable potential roosting features. There is potential access into the building for void-dwelling species of bat, however there is no evidence that bats have ever roosted in the building and the high light

levels and vegetation encroachment reduce its suitability, so it is considered highly unlikely that the building supports void-dwelling roosting bats.



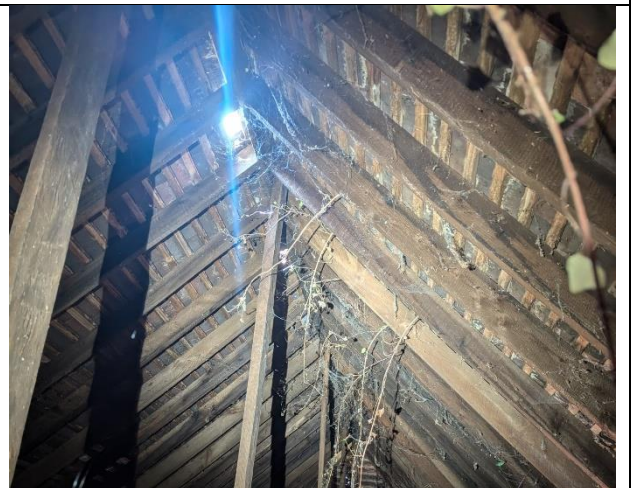
Photograph 29: The Pavilion, viewed from the north.



Photograph 30: The Pavilion, viewed from the south.



Photograph 31: Gaps in the southern roof pitch.



Photograph 32: The enclosed loft void.

6. Conclusions & Recommendations

- 6.1 In line with Natural England's Standing Advice, where further survey for protected species is recommended these should be conducted prior to submitting a planning application and appropriate mitigation measures be incorporated into the development design.

Habitat evaluation

- 6.2 The habitats onsite are common and widespread. Most of the habitat onsite, such as the modified grassland managed as lawn and areas of ornamental planting, has been modified by human activity and is of low ecological value. There is higher ecological value within the areas of woodland, scattered mature trees, and boundary hedgerows. It is noted that no impacts on these habitats are proposed.

Badger

- 6.3 The survey did not identify any evidence of badgers on the site and it is considered unlikely that there is a sett present within 30m. No further surveys for badgers are considered necessary.
- 6.4 **As badgers could potentially be present in the wider area, good building practice should be followed to prevent animals from becoming trapped, such as covering trenches at night or providing a ramp to allow animals to escape.**

Barn owl

- 6.5 The survey did not identify any evidence of barn owls on the site.
- 6.6 The Pavilion would offer suitable access for barn owls and opportunities for owls to perch and roost. However, an inspection of the building did not identify any evidence of barn owl activity and the lack of disturbance to heavy cobwebbing within the loft void indicates that this has not been used by owls to perch or roost for some time, if ever.
- 6.7 **The status of barn owl within a site can change at any time, therefore a pre-works survey must be carried out within 48 hours prior to the commencement of works to the Pavilion. If the status of barn owl within the site has changed (e.g. a roosting pair or nesting barn owl are present) works will need to be postponed and the advice of a licenced ecologist obtained.**

Breeding birds

- 6.8 **Vegetation or tree removal must be undertaken outside the breeding bird period from March to August. Should any vegetation clearance be scheduled to take place between the beginning of March and the end of August, this must be immediately preceded by a survey to check for nesting birds. No vegetation can be cleared whilst a nest is occupied, regardless of species.**
- 6.9 **The interiors of the Barn and the Pavilion must be inspected immediately prior to works commencing if these are carried out during the breeding bird period, since both buildings offer access for nesting birds. Should any active nests be identified then the works would need to be delayed until the young birds have fledged.**

Great Crested Newt (GCN)

- 6.10 Due to the lack of potentially suitable breeding ponds within 500m, with the two ponds assessed being assigned an HSI score of 0, it is considered that the site is highly unlikely to be used by GCN. It is also noted that the areas immediately surrounding the buildings, where works will be carried out, do not provide sufficient vegetation cover to support terrestrial GCN and therefore no impacts would be likely even if GCN were present onsite. Therefore, no further surveys or mitigation for this species is required.

Hazel dormice

- 6.11 There is potentially suitable habitat for hazel dormice within the woodland and boundary hedgerows onsite, however it is understood that these habitats will be unimpacted by the works, therefore no impacts on dormice are anticipated. No further surveys or mitigation for this species are required.

- 6.12 Should plans change to include any works to woodland or hedgerow, this must be discussed with a suitably qualified ecologist and further surveys and/or mitigation may be required.**

Otter

- 6.13 The site is considered highly unlikely to be used by otter and therefore no further surveys for this species are required.

Reptiles

- 6.14 The site provides suitable habitat for reptiles within the woodland, longer sward grassland in the northwest, and boundary hedgerows. However, the areas immediately surrounding the buildings where works are proposed do not offer sufficient vegetation cover for reptiles. It is therefore considered highly unlikely that reptiles would be impacted by the proposed development based on current plans, and as such no further surveys are required.

- 6.15 The areas of modified grassland immediately surrounding the buildings which may be impacted temporarily, for example through movement of machinery, should be maintained as a short sward in the interim before development commences and throughout construction works, to prevent this habitat from becoming suitable for reptiles.**

- 6.16 Should plans change to include impacts to the woodland, longer sward grassland in the northwest, or boundary hedgerows, this must be discussed with a suitably qualified ecologist and further surveys and/or mitigation may be required.**

Water vole

- 6.17 The site is considered highly unlikely to be used by water vole and therefore no further surveys for this species are required.

Other Mammals

- 6.18 No evidence of other mammals was identified and therefore no further action is required.

Other Species of Principal Importance

- 6.19 The west European hedgehog is an SPI, therefore it is recommended that any vegetation, such as the scrub and hedgerow, should be cleared sensitively by destructive search with a qualified ecologist present on site. If close board fencing is to be fitted it should be raised above ground level to allow hedgehogs to pass underneath, some habitat areas should also be left un-landscaped to provide shelter and foraging opportunities. Good building practice recommended for badgers above will ensure that any hedgehogs traversing through the site are not trapped during the works. Additional habitat for hedgehogs could be provided through relaxation of mowing and seeding with an appropriate wildflower meadow mix in some areas of the site.

Invasive species

- 6.20 Care must be taken to prevent the further spread of rhododendron and cherry laurel. Ideally efforts should be made to remove these from the site.**

Plant species of note

6.21 No plant species of note were identified therefore no further action is required.

Habitats of Principal Importance

6.22 The deciduous woodland and native hedgerow habitat within the survey area are HPI and therefore must be retained.

Bats

6.23 Initial observations consider the local area suitable for bats. Woodland and pasture in close proximity to the site with a network of connective tree and hedge lines provides excellent foraging and commuting habitat for a range of bat species. Buildings and trees within the local area additionally offer potential roosting opportunities.

6.24 The daytime assessment identified potential roosting features in the exterior structure of the Main House for crevice-dwelling species of bat, but it is considered highly unlikely that the Main House would support void-dwelling species of bat in the loft voids. It is understood that all works to the Main House will be internal only, therefore no impacts on roosting bats would be anticipated and no further surveys or mitigation are required.

6.25 **Should plans change to include external works to the Main House, this must be discussed with a suitably qualified ecologist and further surveys and/or mitigation may be required.**

6.26 The Annexe was considered to have negligible potential to support roosting bats and, as such, there are no known constraints regarding these species and the proposed development of this building.

6.27 The Barn and the Pavilion have negligible potential to support crevice-dwelling species of bat but could offer access and roosting opportunities to void-dwelling species of bat.

6.28 **All areas were inspected and no evidence of the presence of bats has been identified.**

6.29 **Due to the cobwebbing at the rafters and the absence of evidence of bats, it is considered that these buildings have not been used by bats recently, if ever. Both buildings also have features that reduce their potential suitability for bats, such as high light levels in both buildings and vegetation encroachment in the Pavilion. Therefore, it would be disproportionate to the level of potential to postpone works until an emergence survey has been carried out, as it is unlikely to alter the proposed mitigation.**

6.30 **In line with section 5.2.44 of the 4th edition Good Practice Guidelines it is considered that further surveys for the Barn and the Pavilion are not appropriate in this instance.**

6.31 **A lack of any mitigation could result in a negative impact on bats if present, through potential death, disturbance or loss of roost space, a mitigation plan is therefore required for works to proceed for the Barn and the Pavilion which is detailed in section 7 of this report.**

- 6.32 Lighting can have notable negative impacts on commuting bats, that are known to be present locally. There is potential for lighting during and post-development to cause indirect disturbance to bats within the local area. Additional external lighting should be avoided or kept to the minimum necessary, and preferably on a motion sensor to reduce lighting time.
- 6.33 Additional work lighting which may be required during the development must be positioned to ensure that it shines onto the area of works with minimal spread into the wider area.

7. Mitigation

Stage 1

- 7.1 Prior to works commencing the Barn and the Pavilion must be fully inspected by a licensed bat ecologist to check for presence of bats.

Stage 2

- 7.2 When works commence, a licensed bat worker will provide a toolbox talk for all workers on site, detailing the mitigation to be followed during this stage of the development and the procedure to follow in the unlikely event a bat is found during works (detailed below).
- 7.3 If in the unlikely event a bat is found present works must stop and be assessed by a licence natural England bat worker and a Natural England licence may be required for works to continue.
- 7.4 All areas with potential for bats will be soft-stripped under direct supervision of the licensed ecologist.
- 7.5 Stripping must only be conducted when the air temperature is sufficiently high (at least 8°C) and in the absence of strong wind and rain, so as to not risk harming bats which may be found.
- 7.6 Once all areas with suitability for bats have been soft-stripped, the remaining works can be undertaken without an ecologist present.

Stage 3

- 7.7 The roof of replacement buildings must not be lined with a modern breathable roofing membrane, it must have a traditional Bitumen Type 1F (with a hessian Matrix) roofing felt. Polypropylene filaments used in the manufacture of modern breathable underlays are known to entangle and kill bats and warranty can be invalidated; therefore, they must not be used in known or potential bat roosts.

8. Procedure to follow in the event a bat is found on site at unsupervised times.

- 8.1 Bats are present within the vicinity of the site and may be found at any location on, in or around the buildings. Bats are protected species, and these procedures must be followed to avoid committing an offence.
- 8.2 If a bat is found at any location around the site DO NOT TOUCH unless necessary for the safety of the bat.
- 8.3 If the bat was uncovered in a roosting location carefully replace covering ensuring the bat is not crushed or harmed. If this is not possible cover the animal with a loose covering.
- 8.4 Stop all work at that area and the immediate vicinity. Work may continue at other areas around the site.
- 8.5 Call the AEWC Ltd bat licensed project ecologist Daniel Whitby 07764813002, call the office on 08452 505585, or licensed ecologists Annika Binet 07528 956486 or Brigitte de Coriolis 07545130203.

Appendix 1 – Survey timetable

Species	Survey	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
Badger	Bait marking & sett search												
Bats	Roost assessments												
	Ground level tree assess												
	Emergence and activity												
	Hibernation												
	Trapping												
Birds	Wintering												
	Breeding												
Great crested newt	HSI												
	eDNA												
	Presence/absence & popn												
	Refugia												
Hazel dormouse	Tube												
	Nut search												
Otter	Field signs												
Reptiles	Refugia & search												
Water vole	Field signs												
Invertebrates	Presence & communities												
Vegetation	Phase 1 habitat & NVC												
	Optimal												
	Sub-optimal												
	Outside survey season												

Appendix 2 – Legal protection

General

This section briefly describes the legal protection afforded to protected species. It is for information only and is not intended to be comprehensive or to replace specialised legal advice. It is not intended to replace the text of the legislation but summarises the salient points.

Badger

Badgers are protected under the *Protection of Badgers Act 1992*. Under this legislation it is an offence to kill or injure a badger, to damage, destroy or block access to a badger sett, or to disturb badger in its sett. The Act also states the conditions for the protection of badger's licence requirements.

Barn Owl

Barn owls are listed on *Schedule 1* of the *Wildlife and Countryside Act 1981 (as amended)* which makes it an offence to:

- intentionally kill, injure or take (capture etc.);
- take, damage or destroy the nest while that nest is in use or being built;
- take or destroy the egg;
- disturb them while they are in, on, or near a nest containing eggs or young, or to disturb their dependent young;
- sell, offer for sale, possess or transport for the purpose of sale (live or dead animal, part or derivative) or advertise for buying or selling such things.

The penalty for an offence involving a barn owl, its nest, or egg, includes a fine of up to £5,000, or up to six months imprisonment, or both, per bird, nest or egg.

Bats

All species of bats are listed on *Schedule 5* of the *Wildlife and Countryside Act 1981 (as amended)* which affords them protection under *Section 9*, as amended. They are also protected under the *Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019*. In combination, this makes it an offence to:

- intentionally kill, injure or take (capture etc.);
- possess;
- intentionally or recklessly damage, destroy, obstruct access to any structure or place used by a scheduled animal for shelter or protection, or disturb any animal occupying such a structure or place; and
- sell, offer for sale, possess or transport for the purpose of sale (live or dead animal, part or derivative) or advertise for buying or selling such things.

A roost is defined as 'any structure or place which a bat uses for shelter or protection'. As bats tend to reuse the same roosts, legal opinion is that a roost is protected whether or not bats are present.

Furthermore, seven bat species (barbastelle, bechstein's, noctule, soprano pipistrelle, brown long-eared, lesser horseshoe and greater horseshoe) are also Species of Principal Importance in England under *Section 41* of the *Natural Environment and Rural Communities Act 2006*.

Breeding Birds

All species of wild bird are protected under Section 1 of the *Wildlife and Countryside Act 1981 (as amended)*. Protection was extended by the *Countryside and Rights of Way (CROW) Act 2000*. Under the above legislation, it is an offence 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; or
- take or destroy an egg of any wild bird.

Certain species are listed on *Schedule 1* of the *Wildlife and Countryside Act 1981 (as amended)* and receive protection under *Sections 1(4) and 1(5)*. There are special penalties where the offences listed above are committed for any *Schedule 1* species and it is also an offence to intentionally or recklessly:

- disturb any such bird when it is building its nest or while it is in or near a nest containing dependant young; or
- disturb the dependant young of any such bird.

Amphibians

Natterjack toad, northern pool frog and great crested newt are listed on *Schedule 5* of the *Wildlife and Countryside Act 1981 (as amended)* which affords them protection under *Section 9*, as amended. They are also protected under the *Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019*. In combination, this makes it an offence to:

- intentionally kill, injure or take (capture etc.);
- possess;
- intentionally or recklessly damage, destroy, obstruct access to any structure or place used by a scheduled animal for shelter or protection, or disturb any animal occupying such a structure or place; and
- sell, offer for sale, possess or transport for the purpose of sale (live or dead animal, part or derivative) or advertise for buying or selling such things.

Palmate newts and smooth newts are also afforded protection against sale only under *Schedule 5* of the *Wildlife and Countryside Act 1981 (as amended)*.

Natterjack toad, common toad, great crested newt and northern pool frog are also Species of Principal Importance in England under *Section 41* of the *Natural Environment and Rural Communities Act 2006*.

Hazel dormouse

Hazel dormouse is listed on *Schedule 5* of the *Wildlife and Countryside Act 1981 (as amended)* which affords them protection under *Section 9*, as amended. They are also protected under the *Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019*. In combination, this makes it an offence to:

- intentionally kill, injure or take (capture etc.);
- possess;
- intentionally or recklessly damage, destroy, obstruct access to any structure or place used by a scheduled animal for shelter or protection, or disturb any animal occupying such a structure or place; and
- sell, offer for sale, possess or transport for the purpose of sale (live or dead animal, part or derivative) or advertise for buying or selling such things.

Hazel dormouse is also a Species of Principal Importance in England under *Section 41* of the *Natural Environment and Rural Communities Act 2006*.

Otter

Otter is listed on *Schedule 5* of the *Wildlife and Countryside Act 1981 (as amended)*, which affords them protection under *Section 9*, as amended. They are also protected under the *Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019*. In combination, this makes it an offence to:

- intentionally kill, injure or take (capture etc.);
- possess;
- intentionally or recklessly damage, destroy, obstruct access to any structure or place used by a scheduled animal for shelter or protection, or disturb any animal occupying such a structure or place; and
- sell, offer for sale, possess or transport for the purpose of sale (live or dead animal, part or derivative) or advertise for buying or selling such things.

Otter is also a Species of Principal Importance in England under *Section 41* of the *Natural Environment and Rural Communities Act 2006*.

Reptiles

Common lizard (*Lacerta vivipara*), grass snake (*Natrix helvetica*), slow worm (*Anguis fragilis*), and adder (*Vipera berus*) are listed under *Schedule 5* of the *Wildlife and Countryside Act 1981 (as amended)*, in respect of *Section 9(5)* and part of *Section 9(1)*. This protection was extended by the *Countryside and Rights of Way (CROW) Act 2000*. Under the legislation, it is an offence to:

- intentionally or deliberately kill or injure any individual of these species; or
- sell or attempt to sell any part of these species either alive or dead.

Smooth snake (*Coronella austriaca*) and sand lizard (*Lacerta agilis*) are listed on *Schedule 5* of the *Wildlife and Countryside Act 1981 (as amended)*, which affords them protection under *Section 9*, as amended. They are also protected under the *Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019*. In combination, this makes it an offence to:

- intentionally kill, injure or take (capture etc.);
- possess;
- intentionally or recklessly damage, destroy, obstruct access to any structure or place used by a scheduled animal for shelter or protection, or disturb any animal occupying such a structure or place; and
- sell, offer for sale, possess or transport for the purpose of sale (live or dead animal, part or derivative) or advertise for buying or selling such things.

All UK reptile species are Species of Principal Importance in England under *Section 41* of the *Natural Environment and Rural Communities Act 2006*.

Water vole

Water vole (*Arvicola amphibious*) is listed on *Schedule 5* of the *Wildlife and Countryside Act 1981 (as amended)*, which affords them protection under *Section 9*, as amended. This makes it an offence to:

- capture, kill or injure;
- damage, destroy or block access to a place of shelter;
- disturb whilst in a place of shelter or possessing, and

- sell any part of a water vole, dead or alive.

Other Mammals

All mammals receive some protection under the *Wild Mammals (Protection) Act 1996*, which makes it an offence to crush or asphyxiate an animal (e.g. within its burrow).

Species and Habitats of Principal Importance

Section 41 of the Natural Environment and Rural Communities (NERC) (2006) requires the Secretary of State to publish a list of habitats and species which are of principal importance for the conservation of biodiversity in England. The S41 list has 56 Habitats of Principal Importance and 943 species of principal importance listed and has been drawn up in consultation with Natural England.

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

Invasive species

It is an offence to plant, or otherwise cause to grow in the wild non-native plant species listed under *Schedule 9 of the Wildlife and Countryside Act 1981 (as amended)*, for which *Section 14* of the Act applies. These include, but are not limited to:

- Himalayan balsam
- Cotoneaster sp.
- Japanese knotweed
- Giant hogweed.

Ancient woodland

The National Planning Policy Framework (2012) states that ‘*Planning permission should be refused for development resulting in the loss or deterioration of irreplaceable habitats, including ancient woodland and the loss of aged or veteran trees found outside ancient woodland, unless the need for, and benefits of, the development in that location clearly outweigh the loss*’. In addition, Natural England’s standing advice for ancient woodland states that *an appropriate buffer zone of semi-natural habitat [be in place] between the development and the ancient woodland (depending on the scale and impact of development), a minimum buffer should be at least 15 metres to avoid root damage and at least 50m for pollution or trampling*”.

Ancient woodlands, and ancient and veteran trees, may also be protected by Tree Preservation Orders.

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