

**For and on behalf of
Boningale Homes Limited**

PRELIMINARY ECOLOGICAL APPRAISAL REPORT

Land South of Albrighton

NGR: SJ 808 033

Prepared by
Cass Design Consultants Ltd
Liverpool

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1.0 INTRODUCTION

- 1.1 Cass Design Ltd (Cass) was commissioned by Boningale Homes Limited to carry out a Preliminary Ecological Appraisal (PEA) and Biodiversity Net Gain (BNG) Baseline Assessment at land south of Albrighton, Shropshire (hereafter referred to as the 'Site').
- 1.2 The work has been commissioned to inform proposals to develop the Site for mixed use. Detailed proposals are not available at the time of writing this report, however it is currently assumed that the majority of the habitats on Site will be lost to facilitate residential development.
- 1.3 The Site is c.63 hectares (ha) in total area, centred on Ordnance Survey Grid Reference SJ 80814 03343, and lies to the south of the town of Albrighton. The Site location is shown in Figure 1.

2.0 METHODS

- 2.1 A summary of the methodologies relevant to this assessment can be found in Appendix 1.
- 2.2 This Preliminary Ecological Appraisal Report (PEAR) includes an ecological data search and an 'Extended' Phase 1 Habitat Survey.
- 2.3 A PEA is an initial assessment of the ecological baseline for a proposed development site and establishes whether the Site is likely to be constrained by ecology, and whether more information is needed to establish an ecological baseline and determine the potential impacts arising from development.
- 2.4 The subsequent Preliminary Ecological Appraisal Report (PEAR) is intended to give guidance to a developer and assist with the early stages of project planning and design. Where a site is not complex or constrained, and no additional ecological input is necessary, the PEAR may be sufficient and suitable to support a planning application.
- 2.5 The Biodiversity Net Gain (BNG) baseline assessment provides an assessment of the existing biodiversity value of the Site using the Natural England (NE) Statutory Metric and associated methodologies.
- 2.6 At the time of writing this report no proposed masterplan or landscaping design was available, and as such this report currently only represents a presentation of the Site's baseline biodiversity value.

3.0 RESULTS

Desk Study

- 3.1 The assessment uses a 2km area of search around the Site for records of protected and notable species and locally or nationally designated wildlife sites. A data search was undertaken through Staffordshire Ecological Record (SER) and Telford & Wrekin Council's Ecological Data Service (EDS).

Site Context

- 3.2 The Site is located immediately to the south of the town of Albrighton. It comprises predominantly arable field units, with dividing hedgerows, scattered mature trees, scattered ponds and three small areas of woodland. The Site is bisected by two minor roads, and the southern boundary is immediately adjacent to the major highway; A41. The immediate surrounding area to the south, west and east comprises mixed use agricultural land, intersected by a network of hedgerows.
- 3.3 Further afield, habitats are similar in composition with abundant mixed-use farmland bordered by mature hedgerows and scattered small blocks of woodland.

Potential Wildlife Corridors

- 3.4 The Site is not directly linked to high quality wildlife corridors. Mature hedgerows are abundant within the local area which will provide connectivity for local wildlife.

Statutory Designations

- 3.5 A search has been made to identify any nationally designated sites within a 2km radius of the Site, or internationally designated sites within a 5km radius. The results are shown in the below table.

Table 1: Summary of Data Search Results for Statutory Sites within 5km of the Site

Site Name	Designation	Distance from Site	Summary Interest
Donnington & Albrighton	Local Nature Reserve (LNR)	0.8km north	Designated for historical interest for hosting 'St Cuthbert's Well'. Features broadleaved and willow carr woodland, a small meadow, standing open water and streams.

- 3.6 The above designations are considered sufficiently separated from the proposed development for any potential impacts to be ruled out.

SSSI Impact Risk Zones (IRZs)

- 3.7 The Site lies within the IRZ for Belvide Reservoir Site of Special Scientific Interest (SSSI), however the

Local Planning Authority (LPA) are not required to consult with Natural England in relation to potential impacts of residential developments.

Non-Statutory (biological) Designations

Table 2: *Summary of Data Search Results for Non-statutory Sites within 2km of the Site*

Site Name	Designation	Distance from Site	Summary Interest
Whiston Water Meadows	Local wildlife site (LWS)	1.5km west	Old water meadows with drier ridges. Sedge bed.
Patshull Golf Course and Hall	LWS	1.8km south	An ornamental park with mature trees and a lake, that is noted for woodland and water birds and is designated as a lowland wood-pasture.
Scott's Bank Plantation	Retained Biodiversity Alert Site (BAS)	1.7km south-east	A mixed woodland with sycamore, oak and sweet chestnut dominating. Lawsons cypress is locally very common as are large areas of Norway spruce.
Kingswood Common	BAS	1.8km east	Most of the Site consists of a pedunculate oak dominated maturing woodland.

- 3.8 Given the distance between Site the non-statutorily protected sites, it is considered highly unlikely that the development proposals will impact upon these sites.

Granted EPSM Licences

- 3.9 A single European Protected Species Mitigation (EPSM) licence is shown within 1km of the Site: This relates to a licence for the destruction of a non-breeding site for common pipistrelle *Pipistrellus pipistrellus* in 2020, 500m to the north of the Site.

Mapped Ancient Woodland

- 3.10 No ancient woodland is mapped within 15m of the Site.

Ponds

- 3.11 Six ponds are located onsite.
- 3.12 A further 23 ponds are present within 500m of the Site.

'Extended' Phase 1 Habitat Survey

- 3.13 The survey was carried out on the 24th, 25th and 26th February 2024¹ and followed the principles of Extended Phase 1 Habitat Survey methodology (JNCC, 2010). Habitats are classified according to the UK Habitat Classification System (UKHab Ltd, 2023), with secondary codes used where appropriate.
- 3.14 The survey was carried out by Alasdair Grubb BSc (Hons) ACIEEM on behalf of Cass Design. Alasdair has over 10 years of experience carrying out habitat surveys and holds a level 5 Botanical Society for Britain and Ireland (BSBI) Field Identification Skills Certificate (FISC), which certifies him as competent to undertake botanical and habitats surveys up to national vegetation classification (NVC) survey level.
- 3.15 Although carried out outside the optimal period for habitat surveys, a robust assessment of all habitats present on site was possible, allowing for an appropriate determination of the baseline ecological value of the Site at this stage.
- 3.16 Sufficient time was afforded for the surveyor to carry out the survey. The survey was not constrained by poor weather.

Habitats

- 3.17 The following habitat types, described in more detail below, were identified on and directly adjacent to the Site during the 'Extended' Phase 1 Habitat Survey:
- Other neutral grassland
 - Cereal crop
 - Non-cereal crop
 - Bramble scrub
 - Pond
 - Ditch
 - Hedgerows
 - Ecologically valuable line of trees
 - Rural tree

¹ This Report has been prepared during March 2024 following a visit to the Site in February 2024, and our findings are based on the conditions of the Site that were reasonably visible and accessible at that date. We accept no liability for any areas that were not reasonably visible or accessible, nor for any subsequent alteration, variation, or deviation from the Site conditions which affect the conclusions set out in this report.

- Other broadleaved woodland
- Urban: developed land sealed surface

3.18 The habitat descriptions provided below should be read in conjunction with Figures 5 and 6 and the photographs presented in Appendix 3.

Other neutral grassland (g3c) 10, 16

3.19 Three small areas of grassland are present across the Site, which are field corners of larger adjacent arable fields. They all appear to be unmanaged, offering a relatively diverse, tussocky sward structure. Common grasses are present such as cocksfoot *Dactylus glomerata*, false oat grass *Arrhenatherum elatius* and Yorkshire fog *Holcus lanatus*. Forb species include a relatively high incidence of tall ruderal herb species: broad-leaved dock *Rumex obtusifolius*, rosebay willowherb *Chamaenerion angustifolium*, willowherb *Epilobium spp.*, red campion *Silene dioica*, red dead-nettle *Lamium purpureum*, white dead-nettle *Lamium album*, stinging nettle *Urtica dioica*, creeping buttercup *Rannunculus repens*, common mouse-ear *Cerastium fontanum*, germander speedwell *Veronica chamaedrys*, cleavers *Galium aparine*, cow parsley *Anthriscus sylvestris*, common hogweed *Heracleum sphondylium*, creeping thistle *Cirsium arvense* and common ragwort *Jacobaea vulgaris*. Low levels of elder *Sambucus nigra* and hawthorn *Crataegus monogyna* scrub saplings are also present.

3.20 Given the time of year of walkover survey, the species richness could not be accurately assessed; as such, the condition assessment criterion relating to species richness has been passed on a precautionary basis.

Cereal Crop (c1c) 10, 12, 16, 32

3.21 Three large arable field units are present in the western section of the Site, which featured a recently sown cereal crop during the survey. There is a c.1m margin at the field boundary throughout. Some ephemeral plant species are present within the crop. The field margins are dominated by tall, rank grasses (cocksfoot, false oat grass, Yorkshire fog, common bent *Agrostis capilaris*, red fescue *Festuca rubra* and creeping bent *Agrostis stolonifera*) and abundant tall ruderal herbs such as stinging nettle, broad-leaved dock, cow parsley and common hogweed. Other species present include: red dead-nettle, ground ivy, red campion, creeping buttercup, forget-me-not sp. *Myosotis sp.*, greater willowherb *Epilobium hirsutum*, rosebay willowherb, hedge mustard *Sisymbrium officinale*, white dead-nettle, creeping thistle, common ragwort, nipplewort *Lapsana communis*, common sorrel *Rumex acetosa* and oxeye daisy *Leucanthemum vulgare*. There is a low density of scattered bramble *Rubus fruticosus* agg. scrub and bracken *Pteridium aquilinum*.

Non-cereal Crop; Winter stubble (c1d) 10, 16

- 3.22 The large arable field units in the eastern section of the Site feature a former *Brassica* crop which has been left over winter after harvesting. These fields also feature 1m field margins consistent in composition and species diversity to the cereal fields in the western section of the Site.

Bramble scrub (h3d)

- 3.23 A small (0.04ha) of dense bramble scrub is present in an uncultivated field corner in the centre of the Site. Frequent tall ruderal species are present growing through the bramble: rosebay willowherb, greater willowherb, stinging nettle, broad-leaved dock, cleavers.

Pond 10, 16, 32, 42

- 3.24 There are six onsite ponds as described in the table below:

Table 3: Summary of Ponds on Site

Name	Size (m ²)	Description	Condition assessment	Criteria passed	Criteria failed
Pond 1	557	Woodland preset on S, E and W edge, but open to arable field on N. Willow <i>Salix sp.</i> scrub encroachment throughout. Some marginal species visible on Northern edge: soft rush <i>Juncus effusus</i> , greater willowherb, willowherb sp., hemlock water dropwort <i>Oenanthe crocata</i> , water starwort <i>Callitriche sp.</i>	Moderate	C-G	A, B
Pond 2	247	Within arable field. Surrounded by encroaching willow scrub. Ground flora surrounding pond is dominated by stinging nettle. Turbid water. Shaded by surrounding trees and scrub. Very little submerged /emergent veg.	Moderate	C-H	A, B, I
Pond 3	342	Pond in centre of arable field. Encroached by goat willow <i>Salix caprea</i> scrub. Shaded by line of trees on southern and eastern edge.	Moderate	A, C, D, E, F, G	B, H, I
Pond 4	584	Surrounded by mature willow scrub: sparse at northern end, but denser at southern end. Marginal vegetation is limited due to shade: soft rush, broad-leaved dock, creeping buttercup, greater willowherb.	Moderate	A, C, D, E, F, G,	B, H, I
Pond 5	188	Small woodland copse, close to arable field. Appears to be artificially created, but not obviously linked to P6. Shaded by surrounding trees. Limited marginal vegetation. No emergent vegetation visible.	Moderate	All except B	B
Pond 6	514	Pond within small woodland copse. Shaded. Artificial pipework present in SE corner. No vegetation visible within pond.	Poor	A, C, F, G	B, D, E

- 3.25 The ponds' priority status cannot be fully determined without further survey.

Ditch 50

- 3.26 Numerous field drainage ditches are present at the field boundaries, associated with boundary hedgerows. Given their nature as field drains, they are likely to be dry for the majority of the year. As such, they are not mapped as separate ditches or included within the biodiversity metric.

3.27 Only one of the ditches is considered likely to hold water for more than 4 months of the year: This ditch is associated with Hedge 11 and Line of Trees 2. It was flowing at the time of the survey. The channel depth is approximately 10cm, with deeper pools up to 30 cm. The substrate is silty. The channel is generally 1m wide, with steep banks (c.45degrees). The banks are well vegetated with species consistent with the adjacent arable field margin. Low incidences of marginal / emergent species are present within the channel such as soft rush, water starwort sp., greater willowherb, fool's watercress *Heliosciadium nodiflorum*, meadowsweet *Filipendula ulmaria* and pendulous sedge *Carex pendula*. Scattered scrub is present along the eastern bank top, encroaching from the adjacent hedge and line of trees. A number of small (c.5cm diameter) holes were identified at the bank top (Target note 6); these are likely attributable to brown rat *Rattus norvegicus* (given the bare ground surrounding the holes and high density of holes) however no evidence was identified.

Native Hedgerows (h2)

3.28 Thirty-four hedgerows were defined across the Site, as summarised in the Table below:

Table 4: Summary of Hedgerows on Site

Name	Length (m)	Hedge type	Description	Species
Hedge 1	59	Native hedgerow	2.5 x 1.5m. Trimmed.	Hawthorn, hazel, ivy
Hedge 2	221	Native hedgerow with trees	2x1.5m. Trimmed. Some canopy gaps (5%). Small elm trees resent at western end.	Elm (D), hawthorn, hazel, holly
Hedge 3	56	Non-native / ornamental hedgerow	6x2m. Ornamental cypress and box leaved honeysuckle hedge associated with adjacent residential/commercial property. 20% canopy gap in centre.	Cypress sp., box-leaved honeysuckle
Hedge 4	442	Native hedgerow with trees	2.5x1.5m. Trimmed. 30m gap in centre. Dead elm tree and irregular hawthorn trees scattered along length.	Holly, hazel, hawthorn, elm
Hedge 5	96	Non-native / ornamental hedgerow	1.5x1.5m. Trimmed at northern end. Ornamental hedge associated with adjacent residential property.	Red cedar, bamboo, buddleia, beech
Hedge 6	225	Species-rich native hedgerow	2x1.5m. Trimmed. Species rich, native. Mammal burrows at hedge base. approx. 20% canopy gaps through length.	Hawthorn, Hazel, elm, Blackthorn, dog rose
Hedge 7	85	Species-rich native hedgerow with trees	2.5x1.5m. Trimmed laterally. Multiple mature trees. Adjacent to residential property.	Hedge: hazel, hawthorn, holly. Trees: Pedunculate oak, holly, Norway maple
Hedge 8	310	Native hedgerow	3x1.5m. Trimmed.	Elm, field rose, hazel
Hedge 9	460	Native hedgerow with trees and bank / ditch	2x1.5m. Trimmed. Ditch present on eastern side, mostly dry, adjacent to road.	Hedge: hawthorn, elm, sycamore, lime. Trees: Ash, pedunculate oak, silver birch, hawthorn, holly.

Hedge 10	86	Native hedgerow with trees	2x1.5m, trimmed. Single semi-mature pedunculate oak present in centre. Gap at base.	Hawthorn (D), holly, elm, pedunculate oak.
Hedge 11	147	Species-rich native hedgerow with bank / ditch	5x2m. Shrubby hedge, fairly sparse. Gap at base. Adjacent to ditch.	Hedge: Hawthorn, Hazel, holly, elder, dog rose, honeysuckle, bramble. Trees: Poplar sp., pedunculate oak, ash
Hedge 12	246	Species-rich native hedgerow with trees	2.5x5m. Trimmed. Base gap at eastern end, but mostly dense. Ivy cover is dense. 2 pedunculate oak trees at northern end	Hawthorn, hazel, elm, holly, blackthorn, pedunculate oak
Hedge 13	55	Species-rich native hedgerow	1.5x1m. Trimmed. Associated with adjacent residential properties. Planted native species hedge.	Hawthorn, holly, hornbeam, dog rose, blackthorn
Hedge 14	81	Non-native / ornamental hedgerow	2.5x1.5m. Trimmed. Ornamental hedge associated with adjacent residential property.	Forsythia, buddleia, beech, holly, hazel
Hedge 15	67	Species-rich native hedgerow	2.5x1.5m. Trimmed.	Holly, hazel, hawthorn.
Hedge 16	26	Native hedgerow with trees	5x2m. Mature. Trimmed. Regular sycamore trees.	Holly, hawthorn, sycamore, ivy, bramble, lords and ladies
Hedge 17	167	Species-rich native hedgerow with trees and bank / ditch	4x2m. Shrubby unmanaged hedge. Bottom is grazed out and stock fence running through bottom. Associated with ditch. Mature pedunculate oak trees present in centre and to eastern end.	Hawthorn, hazel, elder, holly, willow sp. Dog rose, pedunculate oak
Hedge 18	185	Native hedgerow with trees and bank / ditch	5x4m. Shrubby and unmanaged. Spans ditch. Irregular oak trees.	Hawthorn, blackthorn, goat willow, pedunculate oak
Hedge 19	83	Species-rich native hedgerow with trees	2x2m. Trimmed. Lime trees	Hawthorn, elm, hazel, lime, willow sp., elder, bramble, ivy,
Hedge 20	235	Species-rich native hedgerow with trees	2x3m. Trimmed, adjacent to residential property at northern end. Ash, lime and pedunculate oak trees at regular intervals.	Hazel, hawthorn, holly, beech, elm, lime ash, pedunculate oak,
Hedge 21	208	Species-rich native hedgerow with trees	3x2m. Adjacent to residential property. Gap at base, and canopy gaps towards the eastern end. Irregular pedunculate oak and ash trees	Hazel, hawthorn, ash, garden privet, dog rose, ivy, holly, pedunculate oak
Hedge 22	171	Native hedgerow	5x2m. untrimmed vertically, laterally trimmed. Gap at base. Hawthorn dominant.	Hawthorn (D), elder, ash
Hedge 23	148	Species-rich native hedgerow with trees	5x2m, untrimmed vertically, but trimmed laterally. regular trees. Single specimen of buddleia	Hazel, hawthorn, elder, field maple, cherry plum, beech, holly, buddleia. Trees: ash, Norway maple, horse chestnut, silver birch, Corsican pine, pedunculate oak
Hedge 24	604	Native hedgerow with trees	2x2m. trimmed. dense structure as historically laid. southern section hawthorn dominated, eastern section hazel dominated. Irregular pedunculate oak, poplar sp. and ash trees.	Hawthorn, hazel, European gorse, pedunculate oak, ash, poplar sp.
Hedge 25	248	Species-rich native hedgerow	2.5x1.5m. Trimmed. Gap at base	Hawthorn, hazel, elder, blackthorn, field maple
Hedge 26	231	Species-rich native hedgerow with trees and bank / ditch	2x2m (though southern end is 4m height). Trimmed. Ditch present on E side. Pedunculate oak and holly trees at northern end	Hazel, hawthorn, holly, blackthorn, field rose, ash, dog rose, sycamore, pedunculate oak

Hedge 27	211	Species-rich native hedgerow with trees	6x2m. Unmanaged. Gap at base. Scattered mature trees along length	Hawthorn, dog rose, pedunculate oak, hazel, field maple, goat willow. Trees: Pedunculate oak, lime, field maple
Hedge 28	236	Species-rich native hedgerow with trees	Tall unmanaged hedge. canopy gaps, including some ornamental species. Adjacent to residential property	Beech, hawthorn, elder, blackthorn, elder, cherry plum, red cedar, prunus sp. Trees: Red cedar, rowan, ash, elm
Hedge 29	285	Native hedgerow	2x2m. Trimmed. gap at base. Species indicative of nutrient enrichment present at base. 5 native species, but hawthorn and hazel are co-dominant.	Hawthorn, hazel, elm, ash, wild privet
Hedge 30	65	Native hedgerow	3x2m. Gap at base. Nutrient enrichment at base	Elm, hawthorn, holly, wild privet
Hedge 31	478	Native hedgerow associated with bank / ditch	2x1.5m. Trimmed. Gap at base and canopy gaps. ditch present at northern end	Hawthorn, hazel, blackthorn, willow sp., pedunculate oak
Hedge 32	263	Species-rich native hedgerow with trees	Tall unmanaged hedge with gap at base. regular mature trees. Fence running through base.	Willow sp., alder, lime, hawthorn, hazel, crack willow, pedunculate oak
Hedge 33	306	Species-rich native hedgerow	3x2m trimmed. Holly is dominant in eastern section but diverse elsewhere.	Holly, elder, hawthorn, hazel, blackthorn, dog rose, elm, field rose
Hedge 34	338	Species-rich native hedgerow	2x2m. Trimmed. Adjacent to road.	Hazel, elm, hawthorn, dog rose, holly

Ecologically valuable line of trees 34

3.29 Two ecologically valuable lines of trees were identified across the Site, as summarised in the Table below:

Table 5: Summary of lines of trees on Site

Name	Length (m)	Hedge type	Description	Species
LoT 1	38	Ecologically valuable line of trees	2-5m wide strip of trees around southern and eastern edge of pond. 3 age classes present. Ecological niches present in mature trees. Nutrient enrichment at ground flora.	Canopy: Ash, Pedunculate oak. Understorey: goat willow, bramble. Ground flora: stinging nettle dominated, creeping buttercup, cocksfoot, lords and ladies
LoT 2	185	Ecologically valuable line of trees associated with bank / ditch	Line of mature trees over ditch and adjacent to arable field.	Pedunculate oak, ash, goat willow

Rural tree 32

3.30 Ten individual trees were identified across the Site, as summarised in the Table below:

Table 6: Summary of individual trees on Site

Name	DBH (m)	Height (m)	Species	Description
1	1.2	13	Pedunculate oak	Mature pedunculate oak adjacent to pond and arable field. Ecological niches present such as knot holes and deadwood. Healthy condition
2	0.9	13	Crack willow	Mature crack willow adjacent to pond and arable field. Ecological niches present such as knot holes and deadwood. Healthy condition
3	1.5	14	Pedunculate oak	Mature pedunculate oak adjacent to pond and arable field. Ecological niches present such as knot holes and deadwood. Healthy condition
4	1.9	16	Pedunculate oak	Large oak in centre of arable field. Offers PRFs for bats.
5	0.3	8	Sycamore	Semi-mature sycamore at field boundary. No ecological niches
6	0.5	7	Sycamore	Semi-mature sycamore at field boundary. No ecological niches
7	1.5	14	Pedunculate oak	Mature pedunculate oak in centre of arable field. Ecological niches present.
8	1.2	13	Pedunculate oak	Mature pedunculate oak tree in centre of arable field. Ecological niches present.
9	1.4	18	Pedunculate oak	Mature tree with ecological niches present. Adjacent to residential property and at arable field boundary
10	1.6	18	Pedunculate oak	Mature pedunculate oak in centre of arable field. 3m buffer between cultivated land and trunk. Ecological niches present.

Mixed broadleaved woodland (w1g) 16, 30, 42

- 3.31 There are four small patches of woodland identified across the Site.
- 3.32 Woodland 1 is adjacent to a main highway at the southern Site boundary and an arable field unit. It extends northwards to partially surround Pond 1. The canopy features pedunculate oak *Quercus robur*, ash *Fraxinus excelsior* and hawthorn. The understorey is dense with shrubs: hawthorn, hazel *Corylus avellana*, goat willow, grey willow *Salix cinerea*, holly *Ilex aquifolium*, elder and elm *Ulmus sp.* The ground flora features: stinging nettle, broad-leaved dock, common hogweed, daffodil *Narcissus sp.*, creeping buttercup and lords and ladies *Arum maculatum*.
- 3.33 Woodland 2 is a small patch of mature willows and shrub species at the boundary of an arable unit. The height of the canopy is c.7m, so has been mapped as woodland. Canopy species include crack willow, and goat willow. Understorey species feature: elm, blackthorn *Prunus spinosa* and bramble. Ground flora species include lords and ladies, creeping buttercup, stinging nettle, ivy and snowdrop.
- 3.34 Woodland 3 is a mature woodland block within an arable field complex in the centre of the Site. It features a diverse age structure, however the understorey is sparse. Two ponds are present within the woodland. Canopy species include pedunculate oak, alder *Alnus glutinosa* and crack willow. Understorey species include goat willow, grey willow, hawthorn, elder, spindle *Euonymus europaeus*, blackthorn and wild cherry *Prunus avium*. The ground flora shows signs of nutrient enrichment due to the dominance of stinging nettle. Broadleaved dock and common hogweed are abundant.

- 3.35 Woodland 4 is located adjacent to a road that bisects the Site. It may be associated with an adjacent residential property due to the presence of scattered debris within. Holly is abundant and pedunculate oak is frequent. The understorey features hawthorn, hazel, elder and bramble, with some open areas featuring stinging nettle and common grass species. Small areas of damaged / bare ground are present.

Urban: developed land; sealed surface (u1b) 839

- 3.36 Access track to offsite residential properties.

Protected, BAP and other Notable Fauna and Flora

- 3.37 The following section discusses only the groups and species that could be reasonably expected to be found on the type of habitats present on, or adjacent to, the Site.

Amphibians

- 3.38 Records were returned for common toad, common frog, smooth newt, and great crested newt (GCN) within 2km. The closest GCN record is 1.6km from the Site from 2013.
- 3.39 Terrestrial habitats on Site are mostly of low value to amphibians; the arable fields are subjected to regular ground disturbance and will support a relatively low diversity and density of invertebrates. The hedgerows, woodlands and field margins offer potential foraging, commuting and sheltering opportunities, as well as offer connectivity to the wider area.
- 3.40 The 6 ponds on Site were subjected to assessment relative to the Habitats Suitability Index as summarised in the table below.

Table 7: A summary of the 6 ponds on Site

Name	HSI Score	HSI Assessment
Pond 1	0.75	Good
Pond 2	0.61	Average
Pond 3	0.70	Good
Pond 4	0.82	Excellent
Pond 5	0.68	Average
Pond 6	0.79	Excellent

- 3.41 All the on-Site ponds offer suitability to support breeding GCNs and other amphibians.
- 3.42 The off-Site ponds were not fully surveyed during the site walkover due to access. There are 23 ponds present within 500m of the Site.

Bats

- 3.43 Records were returned of common pipistrelle, soprano pipistrelle, noctule, Leisler's, whiskered and brown long-eared bat. Two common pipistrelle records are from immediately adjacent to the Site boundary.
- 3.44 The woodland, ponds, boundary hedgerows and mature trees are likely to provide value to local populations of foraging / commuting bats. The hedgerows will provide good connectivity for bats to the wider landscape. The Site is assessed as being of 'moderate value' to foraging / commuting bats.

- 3.45 The mature trees on Site contain features which may offer potential roosting opportunities for bats. The various residential and agricultural buildings in the local area are likely to present alternative opportunities for roosting bats.

Birds

- 3.46 Records were returned of common and widespread bird species, including numerous listed as species of conservation concern.
- 3.47 The habitats on Site have the potential to support common and widespread species of nesting birds: hedgerows, trees, field margins and the arable fields.
- 3.48 Though a targeted bird survey was not undertaken during the survey the following birds were identified singing on or immediately adjacent to the Site: skylark *Alauda arvensis*, mistle thrush *Turdus piscivorus*, goldcrest *Regulus regulus*, dunnock *Prunella modularis*, song thrush *Turdus philomelos*, blue tit *Cyanistes caeruleus*, wren *Troglodytes troglodytes*, green woodpecker *Picus viridis*, great-spotted woodpecker *Dendrocopus major*, goldfinch *Carduelis carduelis*, and blackbird *Turdus merula*.
- 3.49 Wren, song thrush and dunnock are listed as Amber species on the Birds of Conservation Concern 5 List, whereas mistle thrush and skylark are listed as Red list species. Skylark, song thrush and dunnock are also listed in Section 41 of the NERC Act 2006 (as species of principle importance in England).

Badgers

- 3.50 Multiple records of badger *Meles meles* were returned from within 2km of the Site, including setts.
- 3.51 The hedgerows, woodlands and arable field margins offer suitability for foraging and commuting badgers.
- 3.52 No definitive evidence of badgers was identified on site or within 30m of the Site boundary, however a number of mammal holes were identified across the Site which are of dimension consistent with badger.

Otter

- 3.53 A single record of otter was returned: 2km to the south of the Site, from 2000.
- 3.54 The single ditch (associated with Hedge 11 and LoT2) is too narrow and shallow to support sufficient fish abundance to support otters. Furthermore, it is culverted where it enters and exits the Site, reducing its connectivity to other suitable habitats. The other ditches at the field boundaries

(associated with hedgerows) are assessed as not likely to hold water for more than 4 months of the year; therefore, they are not of significant value to otters.

- 3.55 The on-site ponds are not linked to other water bodies and are unlikely to support significant fish populations.
- 3.56 No habitat of value to otter is found on Site and the likely absence of this species can be reasonably concluded.

Water Vole

- 3.57 A single record of water vole was returned from 1.1km to the north of the Site in 2006. No other records were returned.
- 3.58 The single ditch (associated with Hedge 11 and LoT2) features a low density of aquatic / marginal vegetation, which is suboptimal for water voles. The ditch is relatively shallow (c.10cm deep) and is culverted where it enters and exits the Site; this reduces the suitability for water voles. A number of small (c.5cm diameter) holes were identified at the bank top (Target note 6); although superficially these holes are of suitable dimension for water vole, their general appearance is more likely attributable to brown rat (bare ground around entrances and high density of holes); no evidence of either species was identified.
- 3.59 The on-site ponds are not linked to other water bodies and do not feature dense aquatic vegetation.
- 3.60 Given the low suitability of the single ditch and ponds on site for water voles, lack of connectivity to areas of value off-Site, absence of records from within 1km, and lack of evidence found during the survey the likely absence of this species can be reasonably concluded.

White clawed crayfish

- 3.61 Two records of white-clawed crayfish were returned, c.1.6km to the north-west, from 2001.
- 3.62 The ditch associated with Hedge 11 and LoT2 offers suitable habitats for white-clawed crayfish. It is culverted north and south of the Site, which will reduce connectivity.

Reptiles

- 3.63 No records of reptiles were returned from 2km.
- 3.64 The field margins and woodland edge may offer foraging / commuting opportunities for reptiles, however the majority of the Site comprises arable field units which are of low value. The Site is linked to other suitable areas within the local landscape by mature hedgerows and woodland, albeit across

main roads.

Hedgehog

- 3.65 Five records of hedgehog were returned from within 2km, including from within the Site boundary.
- 3.66 The hedgerows, field margins and woodland will offer foraging, commuting and sheltering opportunities for hedgehogs as well as provide connectivity through the wider landscape.

Invasive Non-Native Species (INNS)

- 3.67 No INNS were recorded on or immediately adjacent to the Site.

4.0 BIODIVERSITY NET GAIN

Baseline

- 4.1 The assessment of the baseline Biodiversity Units (BUs) for the Site is based on the habitats as presented above and in Figures 5 and 6. An assessment is made of the baseline for area BUs, linear BUs, and watercourse BUs.
- 4.2 The Site survey was undertaken at a time of year when not all plants are readily identifiable. The majority of habitats could be fully condition assessed, with the exception of the grasslands. These should be subjected to updated surveys to confirm species richness data.
- 4.3 The condition assessments of the baseline habitats are included within the tables below.
- 4.4 The tables below summarise the baseline BUs for area habitats and linear features.
- 4.5 The habitats found on Site are not currently assessed as being 'Strategically Significant'.

Table 8: Baseline Area Habitat Summary

Habitat Type	Area (Ha)	Distinctiveness	Condition assessment	Strategic Significance	Total Habitat Units
Cereal crops	21.4131	Low	N/A	Low	42.8262
Non-cereal crops	39.8808	Low	N/A	Low	79.7616
Other neutral grassland	0.2454	Medium	Good	Low	2.9448
Ponds (priority habitat)	0.1919	High	Moderate	Low	2.302497353
Ponds (priority habitat)	0.0514	High	Poor	Low	0.308636
Bramble scrub	0.0396	Medium	N/A	Low	0.1584
Developed land; sealed surface	0.0801	V.Low	N/A	Low	0
Other woodland; broadleaved	0.4639	Medium	Good	Low	5.567178723
Other woodland; broadleaved	0.1522	Medium	Moderate	Low	1.217424642
Rural tree	0.0529	Medium	Moderate	Low	0.4232
Rural tree	0.5718	Medium	Good	Low	6.8616
Total	63.14				142.37

Table 9: Baseline Linear Habitat Summary

Habitat Type	Length (km)	Distinctive-ness	Condition	Strategic Significance	Total Habitat Units
Ecologically valuable line of trees	0.0382	Medium	Moderate	Low	0.3056
Ecologically valuable line of trees - associated with bank or ditch	0.1854	Medium	Moderate	Low	1.4831
Native hedgerow	0.8904	Low	Good	Low	5.3423
Native hedgerow - associated with bank or ditch	0.4784	Medium	Moderate	Low	3.8268
Native hedgerow with trees	1.3788	Medium	Good	Low	5.3423
Native hedgerow with trees - associated with bank or ditch	0.6446	High	Good	Low	11.6030
Non-native and ornamental hedgerow	0.2331	V. Low	Poor	Low	0.2369
Species-rich native hedgerow	1.2388	Medium	Good	Low	14.8661
Species-rich native hedgerow - associated with bank or ditch	0.1468	High	Good	Low	2.6432
Species-rich native hedgerow with trees	1.7143	High	Good	Low	29.6120
Species-rich native hedgerow with trees - associated with bank or ditch	0.3976	V.High	Good	Low	9.5435
Total	7.35				96.00

Table 10: Baseline Watercourse Summary

Habitat Type	Length (km)	Distinctiveness	Condition assessment	Encroachment ²	Riparian encroachment	Strategic Significance	Total Habitat Units
Ditch	0.233	Medium	Poor	None	None	Low	0.93
Total	0.23						0.93

Post Development

- 4.6 At the time of writing this report detailed landscape design and species schedules were not available, and as such an assessment of the anticipated post development BUs has not been carried out.

² Encroachment values assumed worst case scenario – this will be updated following future survey.

5.0 DISCUSSION AND RECOMMENDATIONS

Designations

- 5.1 Given the distance from any statutory and non-statutorily protected sites, it is considered the proposals are highly unlikely to have an adverse effect on any designated sites.

Habitats

- 5.2 The majority of the Site comprises large arable field units which are of limited ecological value and do not represent a constraint to development (notwithstanding the value attributed to it through BNG).
- 5.3 Hedgerow is a priority habitat and should be retained and protected through development where possible. Where not possible, loss should be minimised and mitigated via species rich native hedgerow planting.
- 5.4 The retention and protection of the on-site woodlands, ponds, ditch and individual trees should be explored in the development of the masterplan. Where loss is required to facilitate development, this requirement should be evidenced, and the loss should be suitably mitigated via pond creation (at least 2 for 1 replacement) and planting of native species in available landscaping.
- 5.5 Where habitats are retained, they should be adequately protected throughout the construction phase of the development. These measures can be detailed within a Construction Environmental Management Plan (CEMP) secured by an appropriately worded planning condition.

Biodiversity Net Gain (BNG)

- 5.6 The project will be required to demonstrate delivery of a minimum 10% net gain in biodiversity under the Environment Act (2021).
- 5.7 The Site supports 142.37 habitat Biodiversity Units (BUs). The majority of this value is attributable to Cereal crop, a habitat of 'Low Distinctiveness'.
- 5.8 The Site supports 96.00 linear BUs as a result of the hedgerows and lines of trees.
- 5.9 The Site supports 0.93 watercourse BUs as a result of the single ditch assessed as likely holding water for more than 4 months of the year.
- 5.10 The proposals should look to avoid, and then minimise losses in biodiversity where viable, and then enhance retained habitat and create new high valuable habitat within the Site boundary as far as is

feasible.

- 5.11 If, when the value of the on Site retained or created habitats is maximised, a net loss is still anticipated, then one of or a combination of the below will be required to achieve BNG –
- Management of land local to the Site to generate BUs³.
 - Purchase of BUs from a local provider.
 - Purchase of Statutory Credits from the government⁴.
- 5.12 A 'Biodiversity Gain Plan' will be required to be submitted which demonstrates how the development will achieve 10% BNG, including a Habitat Management & Monitoring Plan (HMMP). The Biodiversity Gain Plan will need to be submitted and approved by the LPA prior to the commencement of development to discharge the statutory condition applied to the approval.

Protected and Notable Fauna

Bats

- 5.13 The Site has been assessed as being of 'moderate value' to foraging bats. As such, it is recommended that bat activity surveys are undertaken to further determine the value of the Site to bats and determine how bats are using the Site. These surveys will inform any mitigation or compensation measures required.
- 5.14 The developing proposals should aim to design potential impacts on the value of the Site to bats out of the scheme. This should include the production of a lighting strategy which details how effects on bats using features of value (hedgerow, woodland, ponds etc.) will be minimised through appropriately lighting design⁵.
- 5.15 The mature trees on Site may contain potential roosting features for bats. If these are to be directly affected by the development proposals, further bat tree assessment surveys should be undertaken to fully assess their suitability for roosting bats (None, PRF-I or PRF-M). Further mitigation measures may be required with regard to bats, following these surveys.
- 5.16 Bat tree assessments can be undertaken at any time of year, however they should ideally be undertaken between May and September, when evidence of bat presence (such as droppings) is more likely to be visible. These surveys should be undertaken by a licenced bat surveyor.

³ A minimum management term of 30 years will be required.

⁴ Purchase of credits is considered a last resort and for this to be pursued it must have been demonstrated that other options are not viable.

⁵ The Bat Conservation Trust Guidance Note GN18/23 provides recommendations for lighting design for bats.

Amphibians

- 5.17 The six ponds on Site are suitable for breeding GCNs and other amphibians, and GCN presence is known within the local area.
- 5.18 Further assessment of the onsite ponds and all ponds within 250m of the Site (where access is possible) should be undertaken to determine whether they offer suitability for breeding amphibians. This assessment should include water sampling to search for GCN eDNA which is an approved method for ascertaining GCN presence / likely absence. These surveys may only be undertaken between mid-April and June (inclusive).
- 5.19 The results of this survey will further advise on recommendations for mitigation with regard to amphibians, and the requirement for licencing.

Badger

- 5.20 The Site supports habitats suitable for foraging and commuting badgers, however no definitive evidence of badgers was identified during the Site walkover. A number of mammal holes were identified with dimensions consistent with badger use.
- 5.21 Given the likely length of time between the outline planning application and likely commencement date on Site, an updated walkover survey to search for badger activity is recommended prior to commencement; this may include monitoring of the mammal holes identified.

Birds

- 5.22 Given the presence and habitat suitability for breeding species of conservation concern (such as skylark), a breeding bird survey is recommended to determine the likely effect of the development proposals on birds. This survey should be undertaken between March and July. The results of this survey will further advise on recommendations for mitigation / compensation with regard to breeding birds.

Reptiles

- 5.23 Given the presence of suitable habitats for reptiles on Site, further surveys are recommended to determine whether reptiles are present on Site and inform mitigation design.

White clawed crayfish

- 5.24 Given historical records of white-clawed crayfish within 2km of the Site and suitability of a single ditch on site for this species, it is recommended that further surveys should be undertaken to determine presence / likely absence onsite. This survey should include water sampling to search for

white-clawed crayfish eDNA which is an approved method for ascertaining presence / likely absence. These surveys may only be undertaken between mid-April and late-October (inclusive).

- 5.25 The results of this survey will further advise on recommendations for mitigation with regard to white-clawed crayfish.

Opportunities

- 5.26 Potential ecological opportunities at the Site include:

- Creation of ecologically valuable habitats within in available Public Open Space (POS).
- Enhancement of on-site ponds and woodlands and extend their surrounding habitats to provide an ecological buffer
- Creation of new hedgerow within developed site
- Maintenance of connectivity through residential gardens for hedgehog and creation of 'hedgehog highways'⁶.
- Installing roosting or nesting features on or within new buildings.

- 5.27 A Biodiversity Enhancement and Management Plan (BEMP) or similar should be produced to detail how the Ecological value of the Site will be maximised. This can be delivered through a condition of planning.

⁶ See hedgehogstreet.org

FIGURES

Figure 1: Site Location

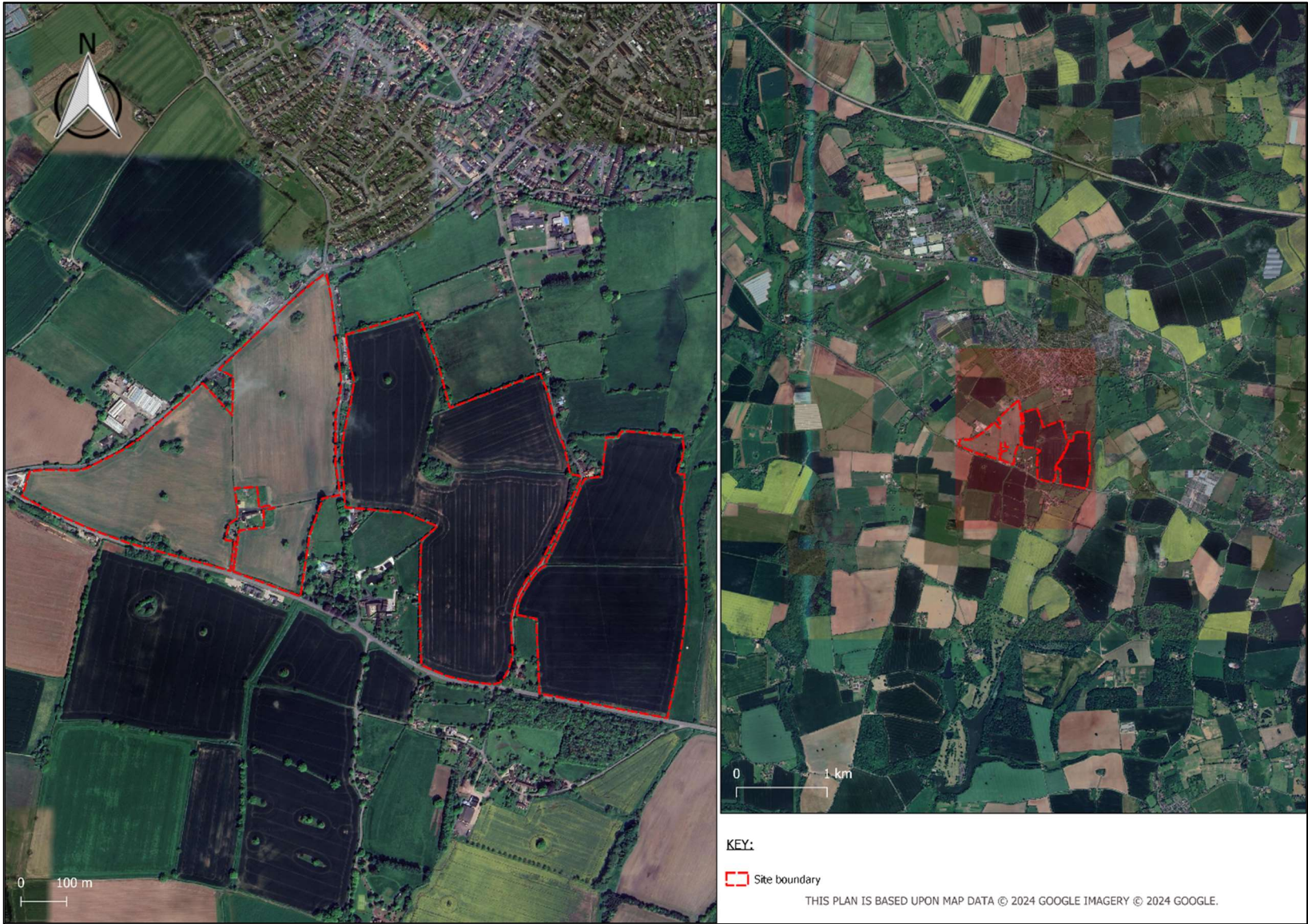


Figure 2: Statutory designations within 5km

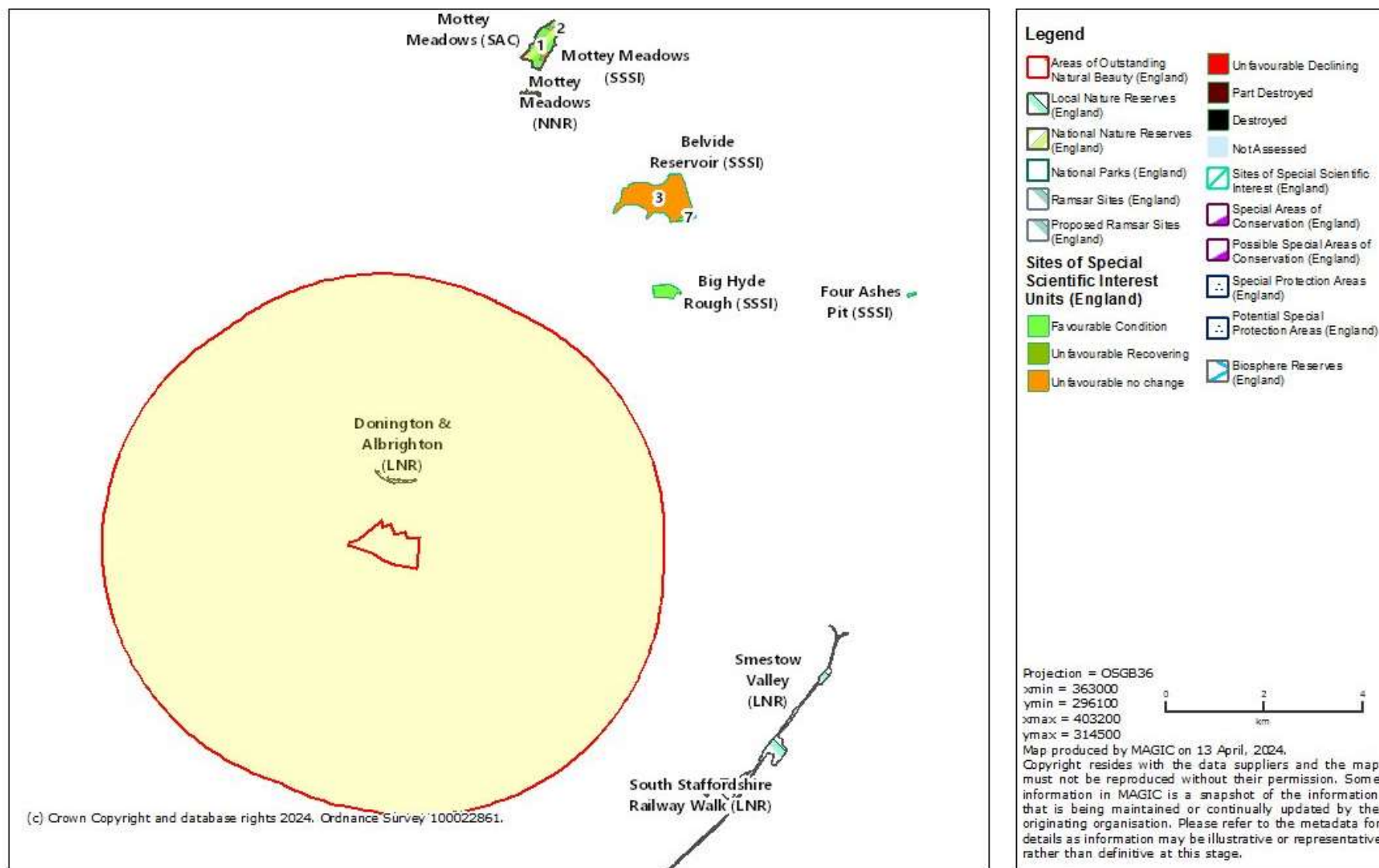


Figure 3: Non-statutory designations within 2km (SER) (1/2)

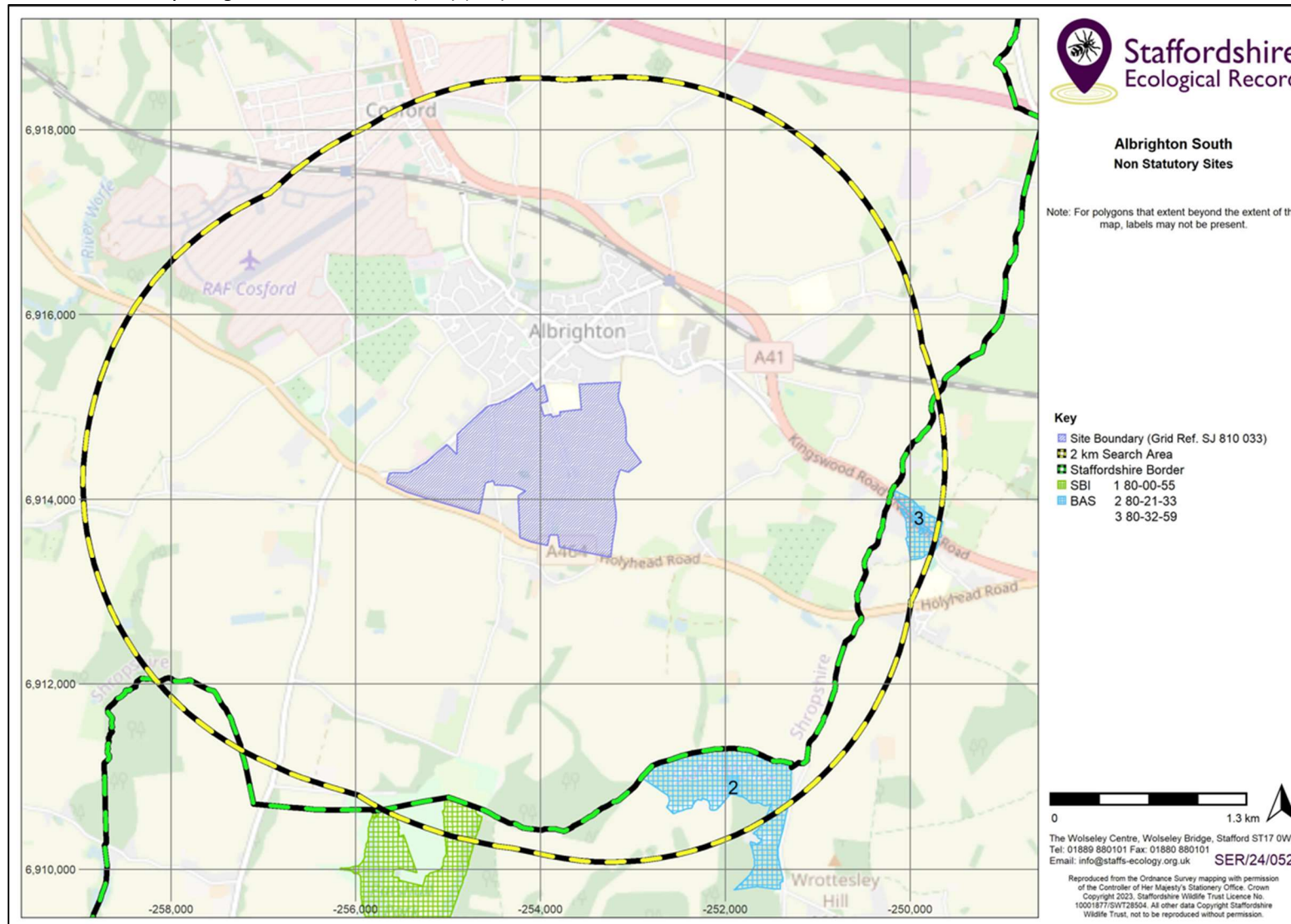


Figure 4: Non-statutory designations within 2km (TEDS) (2/2)

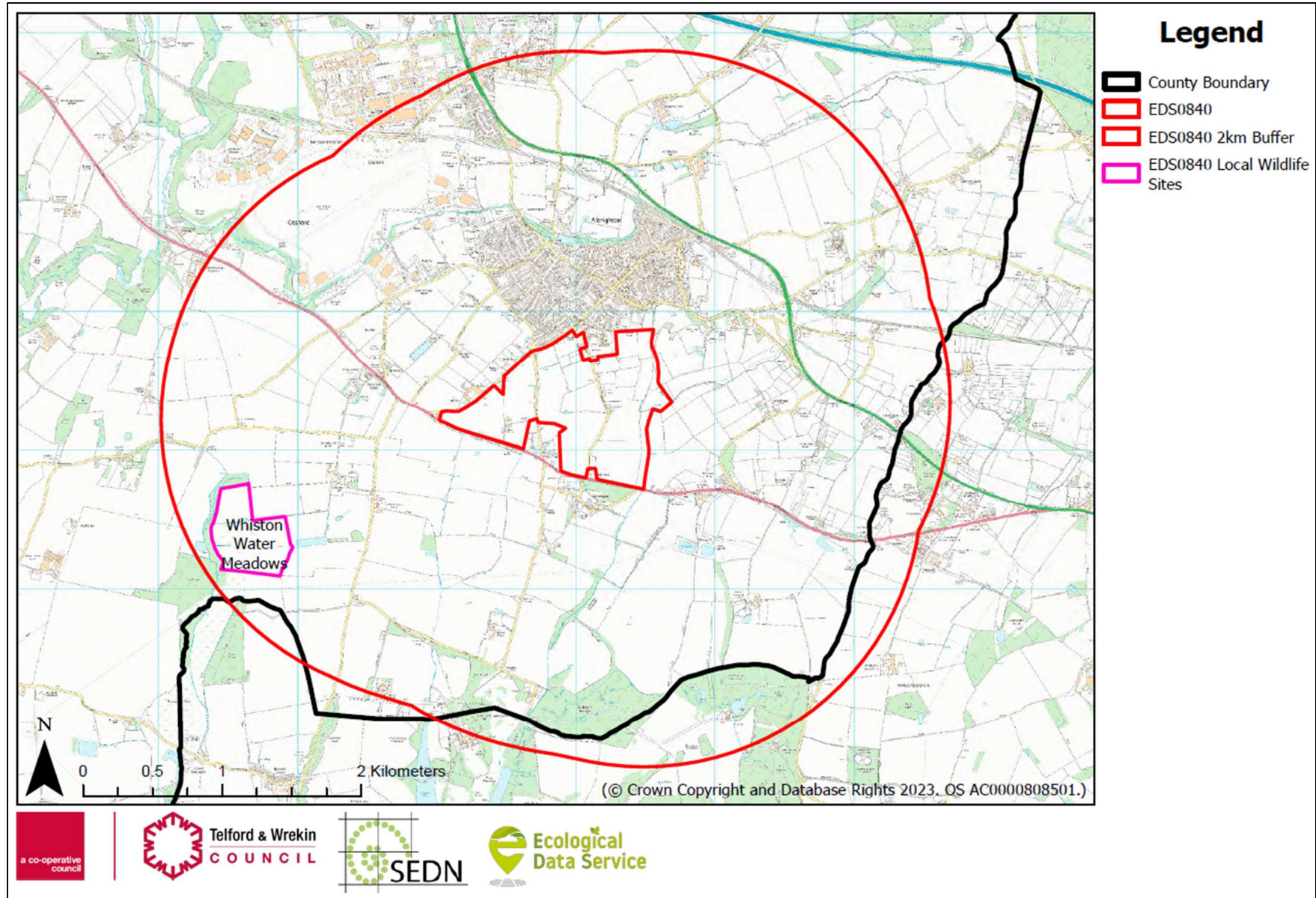


Figure 5: Habitat Features (1/2)

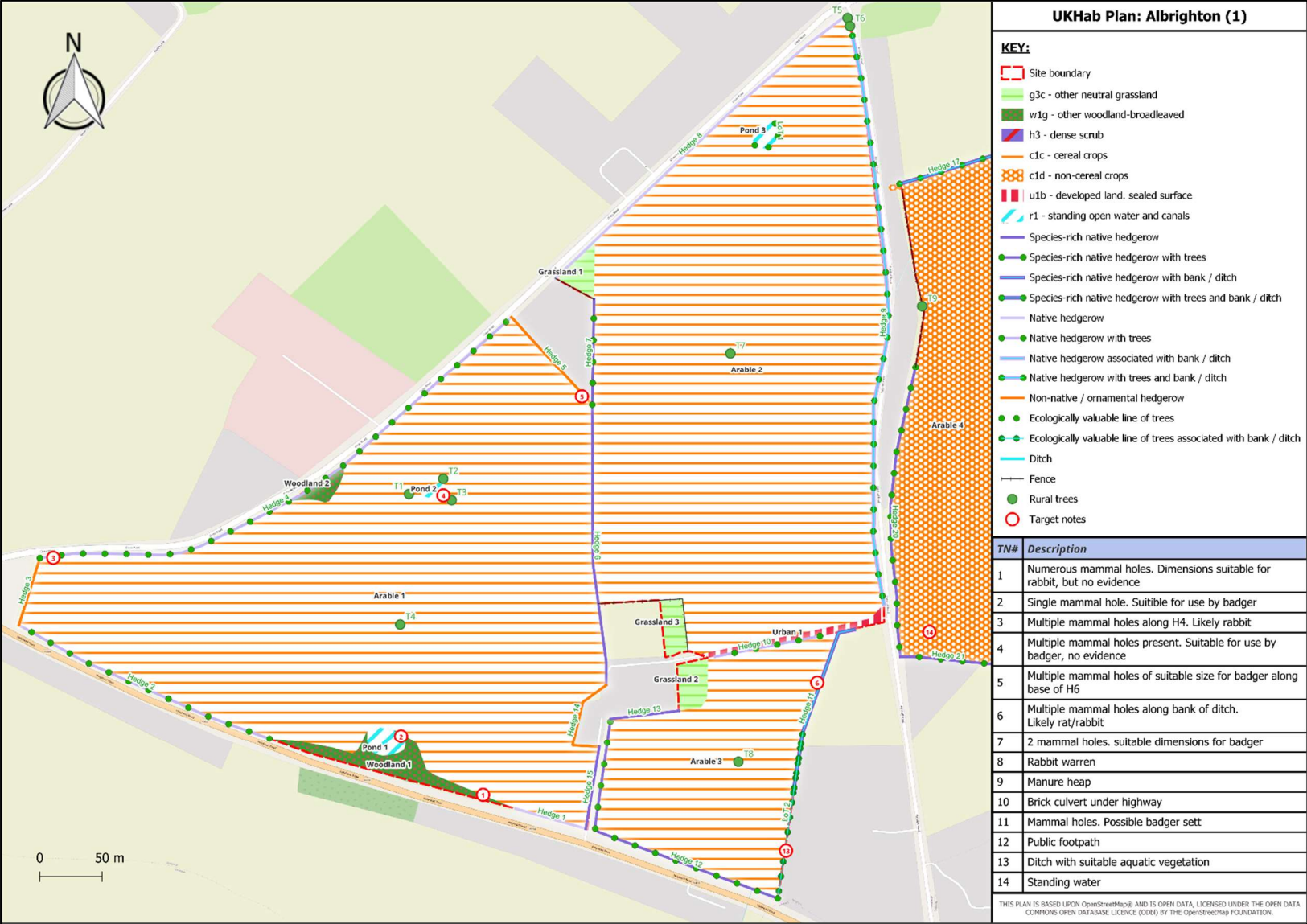
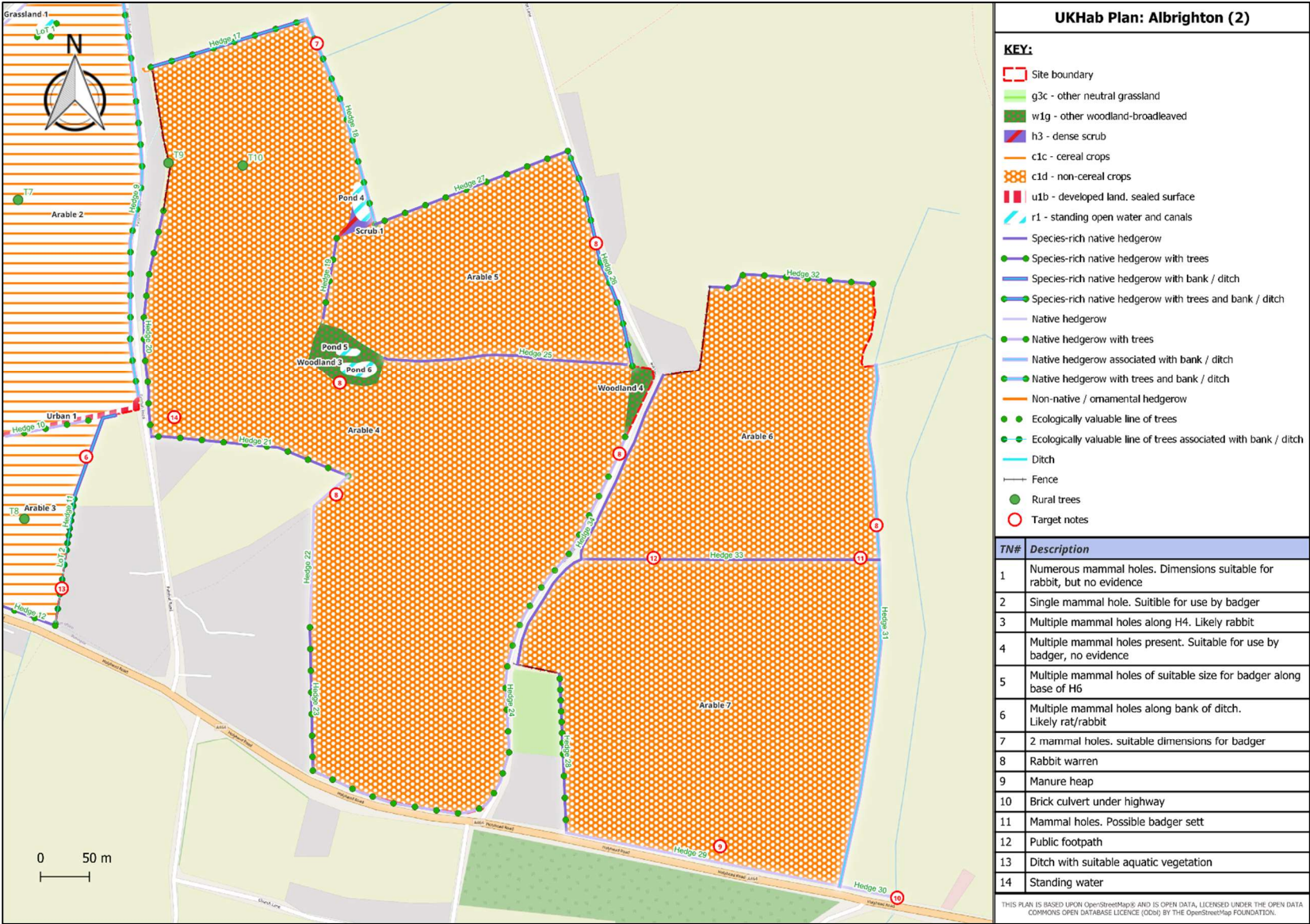


Figure 6: Habitat Features (2/2)



APPENDICES

APPENDIX 1 METHODOLOGY

Ecological Data Search

- A1.1 The aim of the ecological data search is to collate existing ecological records for the Site and adjacent areas. Obtaining existing records is an important part of the evaluation process, as it provides additional information that may not be apparent during a site survey.
- A1.2 Records of notable species supplied from a 2km area of search by Staffordshire Ecological Record (SER) and Telford & Wrekin Council's Ecological Data Service (EDS) are used to inform this appraisal.
- A1.3 Records of important statutory and non-statutory sites designated for their nature conservation value within 10km of the Site were also searched for on the Multi-Agency Geographic Information for the Countryside (MAGIC)⁷.
- A1.4 In addition, Habitats of Principle Importance (HoPI) and Species of Principle Importance (SoPI) listed under Section 41 (S41) of the NERC Act, as well as Habitat Action Plans (HAPs) and Species Action Plans (SAPs) were consulted.

'Extended' Phase 1 Habitat Survey

- A1.5 Phase 1 habitat survey methodology (JNCC, 2010). This involves walking the site, mapping and describing different habitats (for example: woodland, grassland, scrub). The survey method was "Extended" in that evidence of fauna and faunal habitat was also recorded (for example droppings, tracks or specialist habitat such as ponds for breeding amphibians). This modified approach to the Phase 1 survey is in accordance with the approach recommended by the Guidelines for Baseline Ecological Assessment (IEA, 1995) and Guidelines for Preliminary Ecological Appraisal (CIEEM 2017).

Faunal Appraisal

- A1.6 This section first looks at the types of habitats found on Site or within the sphere of influence of potential development, then considers whether these could support protected, scarce, or NERC Act 2006 Section 41 species (referred to collectively as 'notable species').
- A1.7 Records of notable species supplied from a 2km area of search by Staffordshire Ecological Record (SER) and Telford & Wrekin Council's Ecological Data Service (EDS) are used to inform this appraisal.
- A1.8 We discuss further only notable species or groups which could be a potential constraint due to the presence of suitable habitat and their presence (or potential presence) in the wider area. We screen out and do not present accounts of notable species or groups which do not meet these criteria – in some cases it may be necessary to explain this reasoning.

Bats

- A1.9 Bat roosting potential is classified according to the following criteria set out below, taken from the Bat Conservation Trust Good Practice Guidelines (2023).

⁷ Magic.defra.gov.uk. (2014). Magic. [online] Available at: <http://magic.defra.gov.uk/> [Accessed October 2023].

Bat Roosting Suitability of Buildings and Trees

Suitability	Criteria
Negligible	Negligible habitat features on site likely to be used by roosting bats.
Low	A structure with one or more potential roost sites that could be used by individual bats opportunistically. However, these potential roost sites do not provide enough space, shelter, protection, appropriate conditions, and/or suitable surrounding habitat to be used on a regular basis or by a larger numbers of bats (i.e. unlikely to be suitable for maternity or hibernation). A tree of sufficient size and age to contain PRFs but with none seen from the ground or features seen with only very limited roosting potential.
Moderate	A structure or tree with one or more potential roost sites that could be used due to their size, shelter, protection, conditions, and surrounding habitat but unlikely to support a roost of high conservation status (with respect to roost type only – the assessments in this table are made irrespective of species conservation status, which is established after presence is confirmed).
High	A structure or tree with one or more potential roost sites that are obviously suitable for use by larger numbers of bats on a more regular basis and potentially for longer periods of time due to their size, shelter, protections, conditions and surrounding habitats.

Evaluation

A1.10 In evaluating the Site, the ecologist will take into account a number of factors in combination, such as:

- the baseline presented above,
- the site's position in the local landscape,
- its current management and
- its size, rarity or threats to its integrity.

A1.11 There are a number of tools available to aid this consideration, including established frameworks such as Ratcliffe Criteria or concepts such as Favourable Conservation Status. Also of help is reference to Biodiversity Action Plans in the form of the Local BAP and Section 41 of the NERC Act (2006) to determine if the site supports any Priority habitats or presents any opportunities in this respect.

A1.12 The assessment of impacts considers the generic development proposals from which potential effects include:

- Vegetation and habitat removal
- Direct effects on significant faunal groups or protected species
- Effects on adjacent habitats or species such as disturbance, pollution and severance
- Operational effects on wildlife such as noise and light disturbance

Biodiversity Net Gain Statutory Metric (BNG)

A1.13 A Biodiversity Net Gain (BNG) assessment involves making a comparison between the biodiversity value of habitats present within a site prior to development (i.e., the 'baseline') and the predicted biodiversity value of habitats following the completion of the development (i.e., 'post-development'). The comparison is made in terms of 'biodiversity units', with a 'biodiversity metric' providing the mechanism to allow biodiversity values to be calculated and compared.

A1.14 Biodiversity Metric calculates the overall loss or gain of biodiversity for development projects by assessing the distinctiveness (i.e., type of habitat and its value), condition, extent, and strategic significance of habitats on

site pre- and post-development. To achieve biodiversity net gain, the biodiversity unit score must have a post-development score higher than the baseline score.

- A1.15 The metric assesses and generates separate outputs for area-based habitats (measured in habitat units), linear based habitats including hedgerows (measured in hedgerow units) and watercourses (measured in watercourse units). A development cannot claim to achieve an overall net gain unless this is predicted across all area-based and linear assessments (where applicable).
- A1.16 When calculating the post-development biodiversity units, the metric includes a series of standard 'risk multipliers' to account for the inherent risk of creating and restoring habitats, the time taken to establish habitats and the location of the mitigation in relation to the habitats lost on site. The risk multipliers have the effect of reducing the value of the proposed habitats, which means larger areas, habitats of higher distinctiveness, and / or condition are required to achieve comparable gains in Biodiversity Units.

Condition

- A1.17 The condition of each habitat is assessed using the methods set out in the Statutory Biodiversity Metric Condition Assessment methodology.
- A1.18 This approach assesses a habitat based on a set of broad condition criteria depending on the habitat type being assessed.
- A1.19 Some habitats are allocated a fixed condition score in the metric. These habitats do not require a condition assessment for the metric to be completed. It may still be appropriate to survey these habitats for species or other environmental importance.
- A1.20 There is a separate condition assessment methodology for watercourses as set out in the watercourse unit module.

Condition Category	Condition Score Applied in the Metric
Good	3
Fairly Good	2.5
Moderate	2
Fairly Poor	1.5
Poor	1
Condition Assessment N/A	1
N/A - Other	0

Strategic Significance

- A1.21 Strategic significance is the local significance of the habitat based on its location and habitat type. A strategic significance category for each individual habitat parcel both at baseline and at post-intervention is assigned based on published plans, strategies or policies which are relevant to the habitat's location.

Strategic Significance Category	Score Applied in the Metric	Description
High	1.15	Where the location has been identified within a local plan, strategy or policy as being ecologically important for the specific habitat type or where that habitat has been identified as being locally ecologically important.
Medium	1.10	Where there is no relevant plan, strategy or policy in place, professional judgement may be used to justify the use of the medium strategic significance category. This judgement should consider the importance of that habitat in providing a linkage between other strategic locations.
Low	1.0	If the habitat is not included in local plans, strategy or policy, and there is no evidence to suggest that the habitat is of medium strategic significance.

Risk Multipliers

- A1.22 The metric applies three risk multipliers to post-development enhancement and creation interventions:

- difficulty of creation or enhancement
- temporal risk
- spatial risk

Difficulty of Creation or Enhancement

- A1.23 This multiplier represents the uncertainty in the effectiveness of techniques to create or enhance habitats. The metric automatically assigns the delivery risk and score for each habitat, based on its habitat intervention category (creation or enhancement).
- A1.24 Despite this partial accounting for risk in the metric, proposals must still be based on sound ecological judgement and should consider the ecological context of the change.

Temporal Risk

- A1.25 The temporal risk multiplier accounts for the average time lag, measured in years, between the start of habitat creation or enhancement works and the target outcome. This is known as 'time to target condition'. This multiplier is automatically applied by the metric and changes depending on data input.

Spatial Risk

- A1.26 Where a project cannot achieve a net gain in biodiversity units on-site, then off-site units can be used. All off-site data should be entered into the off-site sheets of the metric.
- A1.27 The spatial risk multiplier reflects the relationship between the location of on-site biodiversity loss and the location of off-site habitat compensation. It affects the number of biodiversity units provided to a project by penalising proposals where off-site habitat is located at distance from the impact site.

APPENDIX 2 PLANNING POLICY AND SUMMARISED FLORA AND FAUNA LEGISLATION

National Planning Policy

National Planning Policy Framework, 2023

- A2.1 The National Planning Policy Framework⁸ (NPPF) was published in March 2012. Section 11 (outlined below) of the NPPF, 'Conserving and Enhancing the Natural Environment', effectively replaces former Planning Policy Statement 9: Biodiversity and Geological Conservation. However, Government Circular 06/2005⁹ - Biodiversity and Geological Conservation: Statutory Obligations and Their Impact within the Planning System, remains valid and is referenced within the NPPF.
- A2.2 The NPPF encourages the planning system to contribute to and enhance the natural and local environment. This should be achieved by:
- *"protecting and enhancing valued landscapes, geological conservation interests and soils;*
 - recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland;
 - maintaining the character of the undeveloped coast, while improving public access to it where appropriate;
 - minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures
 - preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans; and
 - remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate".
- A2.3 The NPPF also stipulates that Local Planning Authorities (LPAs), when determining planning applications, should seek to conserve and enhance biodiversity, by applying the following principles:
- "if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused
 - 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".
 - development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional

⁸ Department of Communities and Local Government. (2023). National Planning Policy Framework

⁹ Department of Communities and Local Government. (2005). Circular 06/05: Biodiversity and Geological Conservation – Statutory Obligations and their Impact within the Planning System.

reasons and a suitable compensation strategy exists; and

- development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to improve biodiversity in and around developments should be integrated as part of their design, especially where this can secure measurable net gains for biodiversity or enhance public access to nature where this is appropriate.”

National Planning Practice Guidance, 2023

- A2.4 The Government’s National Planning Practice Guidance¹⁰ (NPPG) is intended to provide guidance to local planning authorities and developers on the implementation of the planning policies set out within the NPPF. The guidance of most relevance to ecology and biodiversity is the Natural Environment Chapter, which explains key issues in implementing policy to protect biodiversity, including local requirements.

Local Planning Policy

Biodiversity Action Plans

UK Post-2010 Biodiversity Framework

- A2.5 The Environment Departments of all four governments in the UK work together through the Four Countries Biodiversity Group. Together they have agreed, and Ministers have signed, a framework of priorities for UK-level work for the Convention on Biological Diversity. Published on 17 July 2012, the 'UK Post-2010 Biodiversity Framework'¹¹ covers the period from 2011 to 2020. This now supersedes the UK Biodiversity Action Plan (UK BAP)¹². However, many of the tools developed under UK BAP remain of use, for example, background information about the lists of priority habitats and species. The lists of priority species and habitats agreed under UK BAP still form the basis of much biodiversity work in the countries.
- A2.6 Although the UK Post-2010 Biodiversity Framework does not confer any statutory legal protection, in practice many of the species listed already receive statutory legal protection under UK and / or European legislation. In addition, the majority of Priority national (English) BAP habitats and species are now those listed as Habitats of Principal Importance (HoPI) and Species of Principal Importance (SoPI) in England listed under Section 41 (S41) of the NERC Act 2006. For the purpose of this report, habitats and species listed under S41 of the NERC Act are referred to as having superseded the UK BAP. All public bodies have a legal obligation or 'biodiversity duty' under Section 40 of the NERC Act 2006 to conserve biodiversity by having particular regard to those species and habitats listed under S41.

Local Policy

- A2.7 At a local level, consideration is given to Core Policy 2 (Protecting and Enhancing the Natural and Historic Environment), and Policy EQ1 (Protecting, Enhancing and Expanding Natural Assets) in the South Staffordshire Local Plan.

Guidance

Biodiversity 2020: A strategy for England’s wildlife and ecosystem services

- A2.8 In October 2010, over 190 countries signed an historic global agreement in Nagoya, Japan to take urgent and effective action to halt the alarming global declines in biodiversity. This agreement recognised just how important it is to look after the natural world. It established a new global vision for biodiversity, including a set of strategic goals and targets to drive action. England’s response to this agreement was the publication of

¹⁰ Department for Communities and Local Government. (2023). National Planning Practice Guidance. DCLG, London.

¹¹ JNCC and DEFRA (on behalf of the Four Countries’ Biodiversity Group). (2012). UK Post-2010 Biodiversity Framework.

¹² HMSO. (1994) Biodiversity The UK Action Plan.

*'Biodiversity 2020: A strategy for England's wildlife and ecosystem services'*¹³. The mission for this strategy is:

"to halt overall biodiversity loss, support healthy well-functioning ecosystems and establish coherent ecological networks, with more and better places for nature for the benefit of wildlife and people."

BS 42020: 2013 Biodiversity: Code of Practice for Planning and Development

- A2.9 The UK commitment to halt overall loss of biodiversity by 2020 in line with the European Biodiversity Strategy and UN Aichi targets¹⁴, is passed down to local authorities to implement, mainly through planning policy. To assist organizations affected by these commitments, BSI has published BS 42020 which offers a coherent methodology for biodiversity management.
- A2.10 This British Standard sets out to assist those concerned with ecological issues as they arise through the planning process in matters relating to permitted development and activities involved in the management of land outside the scope of land use planning, which could have site-specific ecological implications.
- A2.11 The standard has been produced with input from a number of organisations including the Chartered Institute of Ecology and Environmental Management (CIEEM) and the Association of Local Government Ecologists (ALGE) and provides:
- A2.12 Guidance on how to produce clear and concise ecological information to accompany planning applications;
- A2.13 recommendations on professional ethics, conduct, competence and judgement to give confidence that proposals for biodiversity conservation, and consequent decisions/actions taken, are sound and appropriate; and
- A2.14 direction on effective decision-making in biodiversity management a framework to demonstrate how biodiversity has been managed during the development process to minimize impact.

Legislation

- A2.15 Specific habitats and species receive legal protection in England under various pieces of legislation, including:
- The Conservation of Habitats and Species Regulations 2017¹⁵;
 - The Wildlife and Countryside Act (WCA) 1981 (as amended)¹⁶;
 - The Natural Environment and Rural Communities Act 2006¹⁷;
 - The Hedgerow Regulations 1997¹⁸;
 - The Protection of Badgers Act 1992¹⁹; and
 - Wild Mammals (Protection) Act 1996²⁰
- A2.16 Further details of legislation in respect of legally protected and notable flora and fauna of relevance to the Site are provided below.

¹³ Defra. (2011) Biodiversity 2020: A strategy for England's wildlife and ecosystem services.

¹⁴ <https://www.cbd.int/sp/targets/>

¹⁵ HMSO (2017) The Conservation of Habitats and Species Regulations 2017

¹⁶ HMSO (1981) 'Wildlife and Countryside Act 1981 (as amended)'

¹⁷ ODPM (2006) 'Natural Environment and Rural Communities Act (2006)'

¹⁸ ODPM (1997) 'The Hedgerow Regulations'

¹⁹ ODPM (1992) 'The Protection of Badgers Act'

²⁰ HMSO. (1996). Wild Mammals (Protection) Act.

Flora

- A2.17 Certain wild plants are protected under the WCA 1981 (as amended) and the Conservation of Habitats and Species Regulations 2017. In summary, the legislation prohibits the collecting or cutting of certain wild plants, in addition to the picking, uprooting, destroying, selling or transporting of such wild plants.
- A2.18 The legislation also prohibits the uprooting of any wild plant, unless the uprooting is carried out by the owner or occupier of the land on which the plant is growing, or by someone having their permission to do so, or unless the action is authorized in writing by the appropriate local authority. It is a defence if the damage done to a protected plant is the result of an otherwise lawful action and could not reasonably have been avoided.
- A2.19 A number of non-native invasive species are also listed under the WCA 1981 (as amended). Under the Act it is an offence to plant or otherwise cause the species to grow in the wild. In addition, any soil or plant material containing these species is likely to be classed as controlled waste.

Amphibians

- A2.20 Common species of amphibian (smooth newt *Lissotriton vulgaris*, palmate newt *L. helveticus*, common frog *Rana temporaria* and common toad *Bufo bufo*) are partially protected by the WCA 1981. This prohibits the trade (i.e. sale, barter, exchange, transporting for sale and advertising to sell or to buy) of these species.
- A2.21 Great crested newts *Triturus cristatus* are protected under the Conservation of Habitats and Species Regulations 2017 (as amended) and the WCA 1981 (as amended). In summary, taken together, it is an offence to deliberately, intentionally or recklessly:
- Kill, injure or capture a great crested newt;
 - Disturb great crested newts in such a way as to be likely significant to affect:
 - the ability of any significant group of great crested newts to survive, breed, or rear / nurture their young; or
 - the local distribution of great crested newts;
 - Damage or destroy any breeding or resting place used by great crested newts; or
 - Obstruct access to any place used by great crested newts for shelter or protection and disturbing great crested newts while occupying such as place.

Badger

- A2.22 The Protection of Badgers Act, 1992 aims to protect badgers meles from persecution, rather than being a response to an unfavourable conservation status. As well as protecting the animal itself, the 1992 Act makes the intentional or reckless destruction, damage, or obstruction of a badger sett an offence. A sett is defined as “any structure or place which displays signs indicating current use by a badger”. In accordance with Natural England guidance, ‘current use’ is not synonymous with current occupation²¹. In addition, the intentional elimination of sufficient foraging area to support a known social group of badgers may, in certain circumstances, be construed as an offence by constituting ‘cruel ill treatment’.

Bats

- A2.23 In summary, all UK bat species are protected by the Conservation of Habitats and Species Regulations 2017 and by the WCA 1981 (as amended). Taken together it is an offence to deliberately, intentionally or recklessly:

²¹ Natural England (2009): ‘Guidance on ‘Current Use’ in the definition of a Badger Sett’. Natural England

- Kill, injure or capture a bat;
- Disturb bats in such a way as to be likely significant to affect
 - the ability of any significant group of bats to survive, breed, or rear / nurture their young; or
 - the local distribution of that species;
- Damage or destroy any breeding or resting place used by bats; or
- Obstruct access to any place used by bats for shelter or protection and disturbing bats while occupying such as place.

Birds

- A2.24 The level of protection afforded to birds under the law varies from species to species. A few game and pest species may lawfully be hunted and killed, usually under licence, whilst the rarest species are listed on Schedule 1 of the WCA 1981 and are protected by special penalties for offences.
- A2.25 All of the native bird species of Britain are additionally covered by the European Union (EU) Directive on the Conservation of Wild Birds 2009²² ('The Birds Directive'). The Birds Directive applies to all wild birds, their eggs, nests and habitats, and provides for the protection, management and control of all species of birds naturally occurring within each member state of the European Union. It requires the UK to take measures to ensure the preservation of sufficient diversity of habitats to maintain populations of all wild birds at ecologically and scientifically sustainable levels. The requirements of the Birds Directive are implemented in the UK primarily through the WCA 1981 (as amended) and Conservation of Habitats and Species Regulations 2017.
- A2.26 Statutory protection is given to all nesting birds in the UK under the WCA 1981 (as amended), which makes it an offence to intentionally kill, injure or take any wild bird, take, damage or destroy its nest whilst in use or being built, or take or destroy its eggs. In addition to this, for species listed on Schedule 1 of the WCA 1981 (as amended), it is an offence to intentionally or recklessly disturb birds while they are nest building, or at or near a nest with eggs or young, or to disturb the dependent young of such a bird.
- A2.27 In addition to statutory protection, the bird species of Britain are also subject to various conservation designations intended to indicate their rarity, population status and conservation priority. These do not have statutory force but may be instrumental in determining local, regional and national planning and development policy. The main categories of designation comprise the British Trust for Ornithology (BTO) 'Species Alert' lists, the Royal Society for the Protection of Birds (RSPB) 'Birds of Conservation Concern' lists and species listed under Section 41 of the NERC Act 2006 and local Biodiversity Action Plans (BAPs).
- A2.28 The BTO Conservation Alert System lists of 'Birds of Conservation Concern' include a 'Red List' for birds of high conservation concern and an 'Amber List' for birds of medium conservation concern. Red List species are those that are globally threatened and Amber List species are those with an unfavourable conservation status in Europe, according to the International Union for Conservation of Nature (IUCN) criteria²³. An updated list of 'Red' and 'Amber List' species was published in 2009 (Eaton et al., 2009)²⁴.

Invertebrates

- A2.29 The majority of invertebrate species are not legally protected. However, a total of seventy-two terrestrial and aquatic invertebrate species are protected under the WCA 1981 (as amended). Certain species of invertebrate are also protected under the Conservation of Species and Habitats Regulations 2017.

²² Directive 2009/147/EC of the European Parliament and of the Council of 30 November 2009 on the conservation of wild birds

²³ IUCN (2000): 'The revised Categories and Criteria (IUCN Red List Categories and Criteria version 3.1)'.

²⁴ Eaton et al (2015): 'Birds of Conservation Concern 4: the population status of birds in the United Kingdom, Channel Islands and Isle of Man'. British Birds 108, 708–746.

Reptiles

- A2.30 All native British reptiles are protected in accordance with the WCA 1981 (as amended). There are two levels of protection afforded to reptiles through the WCA 1981 (as amended); these result from different parts of the Act applying to the different species.
- A2.31 In summary, common species of reptile such as common lizard *Zootoca vivipara*, slow worm *Anguis fragilis*, grass snake *Natrix natrix* and adder *Vipera berus* are partially protected under the WCA 1981 (as amended); this prohibits the intentional killing and injuring and trade (i.e. sale, barter, exchange, transporting for sale and advertising to sell or to buy). It is not an offence under the WCA 1981 (as amended) to disturb or possess these species.

Otter

- A2.32 In summary otters receive protection under both the Conservation of Habitats and Species Regulations 2017 and WCA 1981 (as amended). Taken together it is an offence to deliberately, intentionally or recklessly;
- Kill, injure or capture an otter;
 - Disturb an otter in such a way as to be likely significant to affect
 - the ability of otters to survive, breed, or rear / nurture their young; or
 - the local distribution of otter;
 - Damage or destroy any breeding or resting place used by otter; or
 - Disturb or obstruct access to any place used by otter for shelter or protection and disturbing otter while occupying such as place.

APPENDIX 3 PHOTOGRAPHS



Photo 1: Cereal crop typical of the western section of the Site.



Photo 2: Non-cereal crop typical of the eastern section of the Site.



Photo 3: Grassland1; typical of the small grassland parcels on site



Photo 4: Showing Hedge 11 and associated ditch



Photo 5: Showing Pond 3 and associated surrounding trees



Photo 6: Line of Trees 2 with associated ditch



Photo 7: Pond 1 where it is open to the adjacent arable field



Photo 8: Pond 5, within Woodland 3



Photo 9: Example of individual tree (adjacent to Pond 2)



Photo 10: Showing vegetation within the ditch associated with Hedge 11 and LoT2; TN16



Photo 11: TN5; example of mammal hole of suitable dimensions consistent with badger creation / use



Photo 12: TN12; public footpath across the eastern section of the Site



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landscape
conservation
sustainability

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