

Update Preliminary Ecological Walkover Survey

Brookside Farm

Dagbrook Lane

Henfield

West Sussex, BN5 9SH

NGR: TQ 20981 14913



11th May 2026

Sylvatica Ecology Ltd

Company Registration Number: 07705793

<https://se-planning.com>

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LIMITATIONS AND LIABILITIES

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It should be borne in mind that the behaviour of animals can be unpredictable and may not conform to standard patterns recorded in scientific literature. Therefore, this report cannot predict with absolute certainty that animal species will occur in apparently suitable locations or habitats, or that they will not occur in locations or habitats that appear unsuitable.

In order to minimise the likelihood of adverse effects on protected animal species over time, it is accepted good practice, in accordance with Natural England (NE) (formerly English Nature) guidance for ecological surveys to be repeated should works be deferred for over 12 months from the date of initial survey.

It is the duty of the landowner, developer and operations managers to act responsibly and to comply with current environmental legislation if protected species are suspected or found prior to, or during works.

The recommendations and information contained within this report are based on the information provided on the development works prior to the surveys being carried out. Should the development proposals change then the findings and recommendations contained within would potentially require revision.

The findings within this report do not constitute legal advice. Should this be required, then a suitably qualified professional practitioner should be contacted.

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1.0 SUMMARY

- 1.1 This report presents the findings of a Preliminary Ecological Assessment (PEA) of Brookside Farm, Dagbrook Lane, Henfield, West Sussex, BN5 9SH (NGR TQ 20981 14913). The site comprises a working equestrian centre of 0.2860 ha. Walkover surveys were undertaken on 14 June 2024 and 8 May 2026, in accordance with BS 42020 and CIEEM Guidelines for Baseline Ecological Assessment, with habitats classified under the UK Habitat Classification System.
- 1.2 No statutory designated sites lie within 5.0 km (international) or 2.0 km (national) of the site. Deciduous woodland, floodplain grazing marsh, recent tree planting and orchard occur within 500 m.
- 1.3 The site supports a small, isolated patch of mixed scrub on the eastern edge, dominated by hawthorn, blackthorn and bramble with dog rose and elder; areas of ruderal and ephemeral vegetation (common sorrel, creeping buttercup, nettle and rosebay willowherb) around the periphery of the site; two buildings, comprising an open-sided barn and a larger barn used as a stable; and a large area of concrete hardstanding used for parking and vehicle access. No invasive non-native plants listed on Schedule 9 of the Wildlife and Countryside Act 1981 were recorded.
- 1.4 Biological records within the 2.0 km search radius include all three common reptile species, great crested newt, hedgehog, badger, brown hare, harvest mouse, otter, and eight bat species including the locally rare western barbastelle. Three EPS Mitigation Licences were returned (two for great crested newt, one for pipistrelles); no records or licences relating to hazel dormouse were returned.
- 1.5 The buildings offer negligible bat roost potential; the surrounding landscape offers moderate-value bat foraging habitat. The barn buildings have the potential to support nesting birds, notably swift and swallow, and the more sheltered barn could potentially support barn owl. Eight common bird species were recorded on or adjacent to the site. The Natural England great crested newt rapid risk assessment returned a Green result (offence highly unlikely), reflecting the small site area and 228 m distance to the nearest pond; great crested newt is not considered a constraint. The site does not present habitat suitable to support a viable reptile population, with hardstanding, dense scrub understory and ruderal vegetation offering limited basking or foraging value. The isolated patch of mixed scrub on the eastern edge offers habitat features that could in principle support hazel dormouse; however, the patch is not connected to any larger block of broadleaved woodland or wider hedgerow network and is unlikely to support a viable population. Hazel dormouse is therefore not considered a significant constraint at this location, although a precautionary approach is adopted below. Badger is not considered a constraint, and hedgehog may be present and should be safeguarded during the works.
- 1.6 The principal recommendations of this assessment are that:
- *The eastern scrub patch is retained where reasonably practicable, with protective fencing installed prior to works and a minimum 5.0 m buffer maintained where retention is possible, within which no storage, plant, refuelling, welfare or lighting is permitted;*
 - *Vegetation clearance is undertaken outside the bird breeding season (1 March – 31 August inclusive) and, where reasonably practicable, outside the hazel dormouse peak breeding period (late May – end August), or, where unavoidable, preceded by a pre-clearance check by a suitably qualified ecologist within 24 hours of works, with a 10 m exclusion zone around any active bird nest;*
 - *Any unavoidable clearance of the mixed scrub is undertaken by hand, under the supervision of an ecologist holding a Natural England dormouse class licence, with a pre-clearance hand search of the litter and lower stem layer and a two-stage graded cut directed away from any retained vegetation;*
 - *A single internal/external check of both buildings for swift, swallow and barn owl is undertaken during the main nesting season (May to July) in advance of any building works, with appropriate mitigation and compensation provided should breeding be confirmed;*
 - *External lighting complies with the BCT/ILP (2023) Guidance Note 08/23 (warm white < 2700 K, no UV, downward direction with no upward tilt, short-timer motion sensors, minimised column heights), with no spill onto retained scrub or onto adjacent linear features used by foraging and commuting bats;*
 - *Excavations are fitted with a mammal ladder to prevent the entrapment of hedgehog and other small mammals; and*
 - *Ecological enhancements include native tree, shrub and herbaceous planting to deliver a measurable net gain in biodiversity, with hazel forming a meaningful proportion (≥ 20 %) of any new woody planting alongside hawthorn, blackthorn, dog rose and field maple, together with the installation of integral bat and bird boxes on the new buildings.*

2.0 INTRODUCTION

2.1 This report presents the findings of a Preliminary Ecological Assessment (PEA) at Brookside Farm, Dagbrook Lane, Henfield, West Sussex, BN5 9SH, centred on NGR: TQ 20981 14913.

2.2 **Figure 1: Site Survey Location**



Aim of this Report

2.3 The aim of this habitat survey was to assess the habitats present on and adjacent to the survey area and to evaluate the potential for protected species to be present. Recommendations on any further survey requirements, actions to preserve the habitats present and enhancements have been made as a result of the findings of this habitat survey.

2.4 These findings should be used within the planning phase of the proposals to minimise the impacts for biodiversity through careful planning to avoid negative effects where possible. The survey findings then enable a prediction of the potential impacts of any ecological receptors present to be made in each specific case.

3.0 METHODOLOGY

Ecological Survey

- 3.1 An initial preliminary ecological survey walkover was carried out at the Site on the 14th June 2024 with an update survey carried out on the 8th May 2026. The habitats were assessed in accordance to BS 42020 Biodiversity – Code of Practice for Planning and Development and broadly followed the ‘Extended Phase 1’ methodology as set out in the Chartered Institute of Ecology and Environmental Management (CIEEM) Guidelines for Baseline Ecological Assessment and the Handbook for Phase 1 Habitat Survey. This method of survey provides information on the habitats in the survey area and assesses the potential for legally protected species to occur on or adjacent to the Site. The habitats were classified according to the UK Habitat Classification system (Butcher *et al.* 2023).
- 3.2 Any faunal species identified during the survey were noted. Any evidence for the presence of, or potential for, protected species was also noted. In particular, species that were considered included were amphibians, bats, reptiles, mammals and breeding birds.
- 3.3 A search was carried out for evidence of the presence of invasive plants listed on Schedule 9 of the Wildlife and Countryside Act 1981 which are subject to strict legal control. The list of invasive plant species included on Schedule 9 of the Wildlife and Countryside Act 1981 (as amended) is extensive and these plants are found in a range of different habitats.

Designated Sites and Biological Records

- 3.4 Records of internationally designated statutory sites within 5.0km of the Site and nationally designated statutory sites within 2.0km were searched for using the Multi-Agency Geographic Information for the Countryside website (MAGIC) <http://www.magic.gov.uk>.
- 3.5 MAGIC was also searched for previously granted Natural England licence applications, which may give an indication of the presence of protected species in the local area. A search of species records within 2km was also made from the National Biodiversity Network.
- 3.6 An assessment of the potential of the property to support roosting and foraging bats was made and categorised according to Table 1 below (BCT 2023a). Only features that had potential for bats have been highlighted. If there is no category given or reference made to the feature, then assume this is of negligible potential.

Table 1: Bat Roost and Foraging Potential of Buildings and Trees (BCT 2023a)

Category	Roosting Habitat	Commuting and Foraging Habitat
Known Roost	Evidence of bat present (e.g.) droppings, live or dead bats and/ or desk study results.	N/A
High (PRF-M)	Building 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, protection, conditions and surrounding habitats.	Continuous, high-quality habitat that is well connected to the wider landscape that is likely to be used regularly by commuting bats such as river valleys, streams, hedgerows, lines of trees and woodland edge. High-quality habitat that is well connected to the wider landscape that is likely to be used regularly by foraging bats such as broadleaved woodland, tree-lined watercourses and grazed parkland. Site is close to and connected to known roosts.
Moderate (PRF-M)	Building or tree with one or more potential roosting features that could be used by several bats due to their size, shelter, protection, conditions and surrounding habitats, but unlikely to support a roost of high conservation concern.	Continuous habitat connected to the wider landscape that could be used by bats for commuting such as lines of trees and scrub or linked back gardens. Habitat that is connected to the wider landscape that could be used by bats for foraging such as trees, scrub, grassland or water.
Low (PRF-L)	Building or tree with one of more potential roost features that could be used by individual bats opportunistically. However, there	Habitat that could be used by small numbers of commuting bats for example, a fragmented hedgerow or un-vegetated stream, but isolated, i.e.

	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 larger numbers of bats. (<i>i.e.</i> unlikely to be suitable for maternity or hibernation).	not very well connected to the surrounding landscape by other habitat.
		Suitable, but isolated habitat that could be used by small numbers of foraging bats such as a lone tree (not in a parkland situation) or a patch of scrub.
Negligible	Building or tree with no potential to support bats.	Negligible habitat features on site likely to be used by commuting or foraging bats.

Habitat Mapping and Pond Distance Calculation Methods

- 3.8 The mapping was carried out using QGIS V 3.22.14-Bailowieza for MasOS 14.1. Habitat areas and waterbody distances from site were calculated using this QGIS software.

Qualification of Author

- 3.9 The survey work and reporting has been led by Richard Law BSc MRes CEnv MCIEEM FLS. Richard has been undertaking ecological survey work within the last 18 years on a number of differing locations throughout the United Kingdom for a variety of protected species, including bats (Class 2 2015-12576-CLS-CLS), reptiles, amphibians including great crested newt (*Triturus cristatus*) (Class 1 2016-20290-CLS-CLS) and terrestrial mammals including dormice (*Muscardinus avellanarius*) (Class 1 2015-13188-CLS-CLS) and birds including barn owl (*Tyto alba*) licence (CL29/00236). Richard is also qualified in track and sign and trailing *via* an international system of assessment (www.trackercertification.com).

4.0 RESULTS

- 4.1 This section describes the habitats identified during the habitat survey. All the plant species names follow the nomenclature of Stace 1997.

Designated Sites

- 4.2 There were not any statutory internationally designed sites within 5.0km and statutory nationally designated sites within 2.0km of the site.

Species Records from the National Biodiversity Network

Bats

- 4.3 **Table 2: Bat Species Records**

Common Name	Latin Name	Records
<i>Plecotus auritus</i>	Brown Long Eared Bat	2
<i>Pipistrellus pipistrellus</i>	Common Pipistrelle	25
<i>Pipistrellus pygmaeus</i>	Soprano Pipistrelle	18
<i>Myotis nattereri</i>	Natterer's Bat	6
<i>Eptesicus serotinus</i>	Serotine	5
<i>Barbastella barbastellus</i>	Western Barbastelle	4
<i>Nyctalus noctula</i>	Noctule	2
<i>Myotis daubentonii</i>	Daubenton's Bat	1

- 4.4 Biological records returned eight bat species within the 2.0 km search radius. The most frequently recorded were common pipistrelle (25 records) and soprano pipistrelle (18), followed by Natterer's bat (6), serotine (5), western barbastelle (4), brown long-eared bat (2), noctule (2) and Daubenton's bat (1).

4.5 **Table 3: Terrestrial and Riparian Mammal Records**

Latin Name	Common Name	Number of Records
<i>Erinaceus europaeus</i>	Hedgehog	66
<i>Lepus europeus</i>	Brown Hare	3
<i>Micromys minutus</i>	Harvest Mouse	2
<i>Meles meles</i>	Badger	46
<i>Lutra lutra</i>	Otter	1

4.6 Biological records returned five terrestrial mammal species within the 2.0 km search radius. Hedgehog (66 records) and badger (46) were well represented, while brown hare (3 records), harvest mouse (2) and otter (1) were each returned at low frequency.

Amphibians and Reptiles

4.7 **Table 4: Reptile and Amphibian Records**

Latin Name	Common Name	Number of Records
<i>Anguis fragilis</i>	Slow Worm	72
<i>Zootoca vivipara</i>	Common Lizard	15
<i>Natrix helvetica</i>	Grass Snake	36
<i>Lissotriton helveticus</i>	Palmate Newt	65
<i>Triturus cristatus</i>	Great Crested Newt	20
<i>Bufo bufo</i>	Common Toad	73
<i>Rana temporaria</i>	Common Frog	146
<i>Lissotriton vulgaris</i>	Smooth Newt	20

4.8 Biological records returned eight reptile and amphibian species within the 2.0 km search radius. Reptile records comprised slow worm (72 records), grass snake (36) and common lizard (15). Amphibian records were dominated by common frog (146), with common toad (73), palmate newt (65), great crested newt (20) and smooth newt (20) also returned. Adder was not recorded within the search area.

Granted Mitigation Licences

4.9 **Table 5: Granted Bat Mitigation Licence Applications within 2.0km**

Licence Number	Distance and Direction	Species	Type	Date	NGR
EPSM2009-1258	0.7km south	Great Crested Newt	Damage and Destruction of a Resting Place and Breeding Site	30/04/2010 to 29/04/2012	TQ 2161 1427
2015-17216-EPS-MIT	1.5km northwest	Great Crested Newt	Damage and Destruction of a Resting Place	01/01/2016 to 01/08/2019	TQ 2041 11620
2017-29484-EPS-MIT	1.4km northeast	Common Pipistrelle and Soprano Pipistrelle	Destruction of a Resting Place	26/05/2017 to 30/09/2017	TQ 2239 1569

- 4.10 Three records were returned from the Natural England EPS Mitigation Licence register within the 2.0 km search radius. Two of these relate to great crested newt, located 0.8 km to the south (EPSM2009-1258, 2010–2012, covering damage and destruction of a resting place and breeding site) and 1.8 km to the north-west (2015-17216-EPS-MIT, 2016–2019, covering damage and destruction of a resting place). The third record relates to common and soprano pipistrelle 1.2 km to the north-east (2017-29484-EPS-MIT, 2017, covering destruction of a resting place). No EPS Mitigation Licences relating to hazel dormouse, or to any other European protected species, were returned within the search radius.

Summary of Habitats Present on Site

- 4.11 This site comprised a stable unit and barn building that was in used as a working equestrian centre. The buildings were used to house animals and for the storage of materials with a large area of concrete hardstanding used for parking and vehicle access. There was a small area of mixed scrub to the east and areas of ruderal vegetation around the periphery of the site. The site survey area was 0.2860ha in size.

Habitats Present on Site within the Survey Boundary

- 4.12 **Mixed Scrub (H3H)** – There was a small patch of this habitat type situated on the eastern edge of the site. This habitat was entirely isolated and not connected to any other similar habitat. The dominant species within this habitat type were hawthorn (*Crataegus monogyna*),

blackthorn (*Prunus spinosa*) and bramble (*Rubus fruticosus agg.*). Some dog rose (*Rosa canina*) and elder (*Sambucus nigra*) was also present within this habitat.

4.13 **Ruderal/ Ephemeral Vegetation** - There were areas of this habitat around the periphery of the buildings and site survey area. This is potentially indicative of a greater input of nutrient/wetter ground. Common sorrel (*Rumex acetosa*), creeping buttercup (*Ranunculus repens*), nettle (*Urtica dioica*) and rosebay willow herb (*Chamaenerion angustifolium*). Some bramble scrub had started to develop, with this habitat likely to become dominant if this area was to be left unmanaged.

4.14 **Buildings:** There were two large structures present within the site survey area. Building 1 comprised of an open sided barn, with a single wall to the south. The roof and wall were constructed out of corrugated sheeting and the supporting beams were metal. The roof was curved corrugated metal, all of which was single layered. Building 2 was a larger barn, which was in use as a stable. The walls were constructed out of a mixture of concrete walls with an upper layer of corrugated sheeting.

4.15 **Urban Development Land Sealed Surface:** The main area of this site comprised of hard standing car parking and access.

Invasive Species

4.16 No evidence of invasive species was observed within the site boundary.

5.0 POTENTIAL FOR PROTECTED SPECIES

Breeding Birds

5.1 The survey was conducted at a time when birds are active in the breeding season. The following species were observed within the vegetation within the site boundary and within close proximity to the site. These species were: robin *Erithacus rubecula*, blue tit *Cyanistes caeruleus*, great tit *Parus major*, wren *Troglodytes troglodytes*, blackbird *Turdus merula*, dunnoek *Prunella modularis* and chaffinch *Fringilla coelebs*.

5.2 The barn buildings had the potential to support nesting birds, notably swift (*Apus apus*) and swallow *Hirundo rustica*. Barn owl *Tyto alba* could also potentially occupy the more sheltered barn building.

Bats

- 5.2 The buildings present on site did not exhibit any features that could potentially support roosting bats. Therefore, all the buildings, can be considered as **negligible** potential to support roosting bats.
- 5.3 The surrounding a landscape comprised of open field with some hedgerow margins and deciduous trees. This could potentially provide foraging habitat, notably, as a result, of invertebrate assemblages associated within animal droppings. This surrounding landscape can be considered as provide a moderate value bat foraging habitat.

Terrestrial and Riparian Mammals

- 5.4 There was not any evidence of terrestrial or riparian mammals present within the site boundary or within a 30m zone around the site. There was not any connectivity to this location from any large areas of woodland that could enable dormice to be present. Hedgehog could be present in the ornamental planting. There was not any habitat that could support riparian mammals within the immediate surroundings of the site survey area.

Reptile and Amphibian

- 5.5 There were some areas of ruderal vegetation and mixed scrub, but these were not extensive and clear enough to support a reptile vegetation as these had a dense understory. The hardstanding was also not likely to support a reptile population at this location.
- 5.6 The habitats at this location did also not present the types that could potentially support a population of great crested newt. However, a risk assessment calculation has been conducted as there are a number of ponds within the surrounding landscape. The closest being 228m away.
- 5.7 The great crested newt risk assessment calculator, with the assumption that the most proximal pond could potentially support a breeding population of great crested newt, with the size of the site being 0.2860ha in size. The risk assessment category is given as Green: Offence Highly Unlikely. Therefore, great crested newt are not considered as a potential constraint.

- 5.8 **Table 6: Great Crested Newt Impact Risk Calculator (from Natural England)**

Component	Likely Effect	Notional Offence Probability Score
Great crested newt breeding pond(s)	No effect	0

Land within 100m of any breeding pond(s)	No effect	0
Land 100-250m from any breeding pond(s)	0.1 – 0.5ha lost or damaged	0.1
Land >250m from any breeding pond(s)	No effect	0
Individual great crested newts	No effect	0
Maximum:		0.1

Rapid risk assessment result:

GREEN: OFFENCE HIGHLY UNLIKELY

6.0 DISCUSSION AND RECOMMENDATIONS

Designated Sites and Habitats

- 6.1 The site was not within 5.0km of internationally designated sites or 2.0km within nationally statutory designated site. The habitats on site are not considered to be ecological valuable.
- 6.2 There were blocks of deciduous woodland and floodplain grazing grassland within 500m of the application site. There were also areas of recent tree planting and orchard habitat.

Breeding Birds

- 6.3 Throughout the survey area, there was potential for breeding birds to be present within the vegetation and buildings. Breeding birds are protected, making it an offence to intentionally (or recklessly) kill, injure or take any wild bird, and to 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. As a result, any vegetation clearance should avoid the breeding season (March to August inclusive). Nests are protected throughout the year, not just within the specified nesting season.
- 6.4 If this were not possible, a suitably experienced ecologist would be required to check areas of vegetation, immediately prior to works being carried out (within 24hrs). If birds were found to be breeding at this time in these locations, clearance works would not be permitted to proceed until the young had fledged the nest and at least a 10m works exclusion zone be placed around the nest. If any vegetation is cleared outside of the bird nesting season, then all

resultant brash should be removed from site to ensure that it does not provide suitable nesting habitat.

- 6.5 A check of the buildings during the main nesting season for swift, swallow and barn owl is recommended. This would normally be between May to July and would identify any nesting and breeding activity of these species. Should these species be identified as being present, then suitable mitigation and compensation would be recommended should the location of breeding and nesting be impacted by the works.

Bats

- 6.6 To account for the foraging activity of bat species within the local area any lighting installed at the property will conform to the specifications which are outlined within BCT Guidance Note (2018). This will reduce any light pollution would have on nocturnal activity of fauna, namely bat species, some of which are extremely sensitive to light pollution. Light spill into adjacent habitats will be reduced and avoided by the following:

- All luminaries will lack UV elements; metal halide and fluorescent sources will be avoided,
- A warm white light spectrum on external lighting will be adopted (<2700kelvin) to reduce the blue light component,
- LED luminaries will be used where a sharp cut off is required to avoid light spill into adjacent habitat,
- External luminaries will feature wavelengths higher than 550nm to avoid the component of light most disturbing to bats,
- Column heights of external lighting will be limited,
- Luminaries will be mounted on the horizontal plane, with no upwards tilt,
- Security lighting will be set on motion sensors and on short timers (<1min.)

Terrestrial Mammals

- 6.7 The presence of badger or dormice is not considered a constraint at this location. Hedgehog could potentially be present and found during the works. These can be moved out or harms way and placed in a sheltered location, if found. To ensure that mammals don't become trapped in any excavation over-night, a suitable 'mammal ladder' would be installed. This would simply comprise a plank of wood at a shallow angle, which would enable anything to escape should it fall into an excavation.

7.0 ECOLOGICAL COMPENSATION AND ENHANCEMENT

7.1 Development plans should maximise opportunities for enhancement, in order, to achieve a net increase in biodiversity. The measures outlined below provide the means to achieve this enhancement.

7.2 Tree and shrub planting of native species would provide an ecological enhancement. Herbaceous species could also be planted into newly landscape areas, providing a valuable nectar source for invertebrate species.

7.3 **Table 7: List of Recommended Plant Species for Native Tree and Shrub Planting**

Species Name	Common Name
<i>Carpinus betula</i>	Hornbeam
<i>Corylus avellana</i>	Hazel
<i>Crataegus monogyna</i>	Hawthorn
<i>Prunus avium</i>	Bird cherry
<i>Quercus robur</i>	Oak
<i>Sambucus nigra</i>	Elder
<i>Sorbus aucuparia</i>	Rowan

7.4 **Table 8: List of Recommended Plant Species for Native Herbaceous Species Planting**

Species Name	Common Name
<i>Hyacinthoides non-scripta</i>	Bluebell
<i>Digitalis purpurea</i>	Foxglove
<i>Myosotis arvensis</i>	Field forget me not
<i>Lavandula angustifolia</i>	English lavender
<i>Leucanthemum vulgare</i>	Oxeye daisy
<i>Origanum vulgare</i>	Wild marjoram
<i>Potentilla erecta</i>	Tormentil
<i>Primula veris</i>	Cowslip
<i>Silene dioica</i>	Red campion
<i>Silene latifolia</i>	White campion

Silene noctiflora

Night-flowering catchfly

Succisa pratensis

Devil's-bit scabious

8.0 REFERENCES

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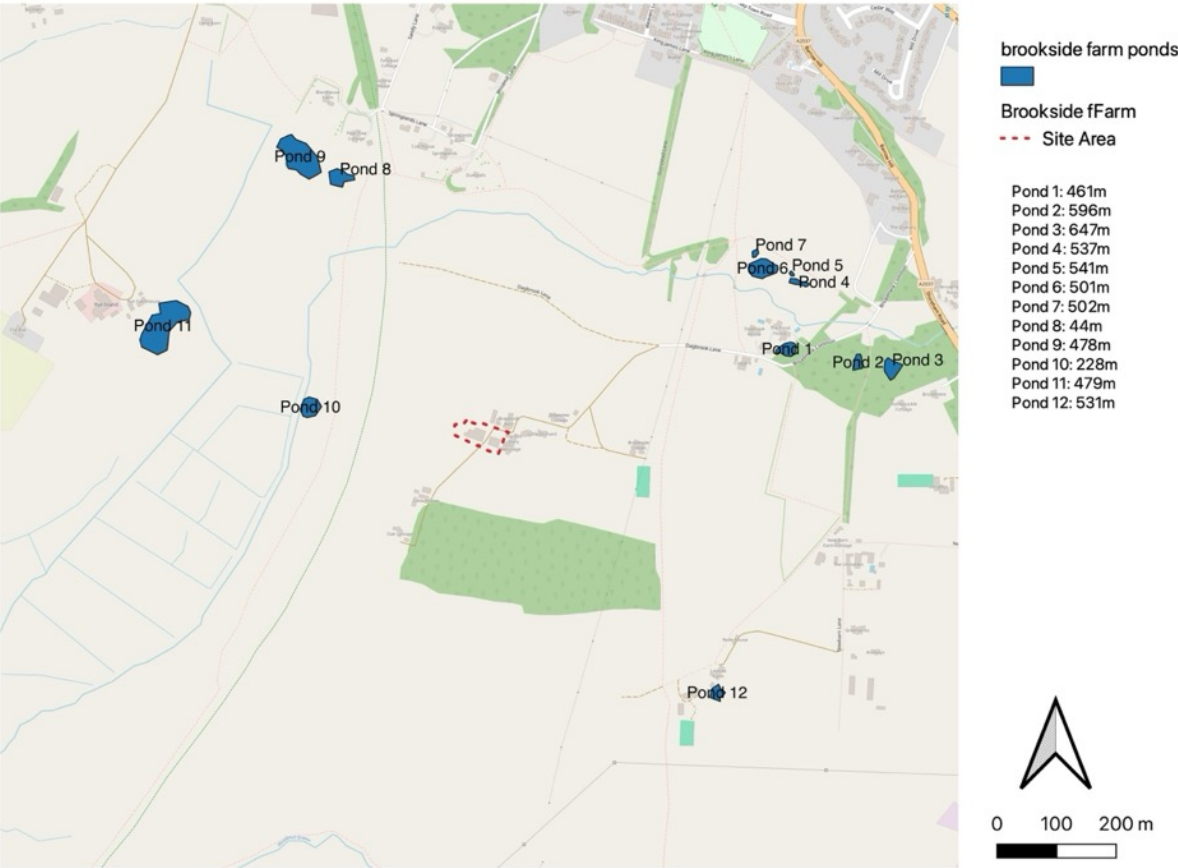
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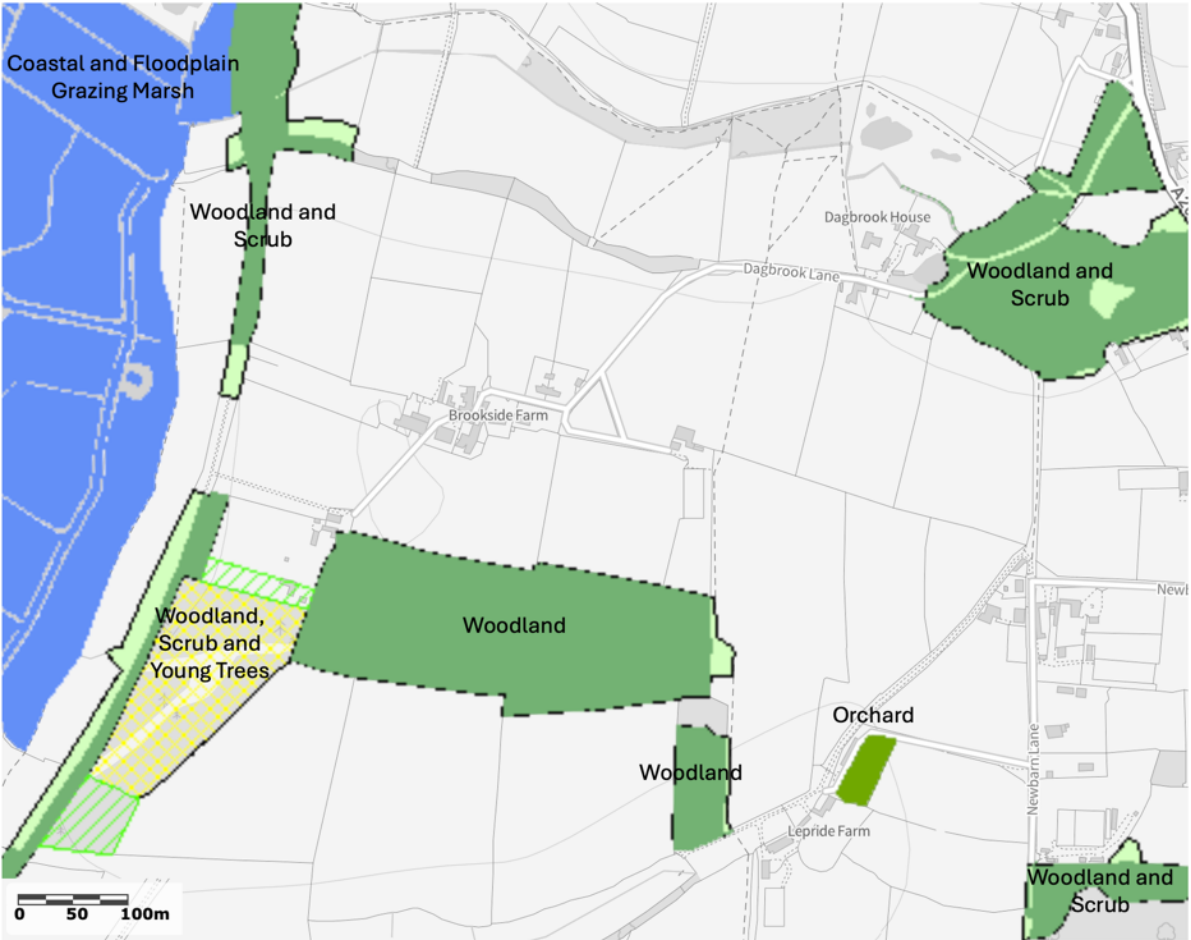
APPENDIX A: PRELIMINARY ECOLOGICAL WALKOVER SURVEY HABITAT MAP



APPENDIX B: PONDS WITHIN 500M



APPENDIX C: PRIORITY HABITATS



APPENDIX D: PHOTOS OF THE SITE

Plate 1: Eastern End of Site



Plate 2: Large Open barn



Plate 3: Eastern Boundary



Plate 4: Open Barn Building



Plate 5: Southern Hard-Standing



Plate 6: Adjacent Field to the South



Plate 7: Southern Facen of Building

Plate 8: Southen Face of Larger Building



Plate 9: Hard- Standing



Plate 10: Muck Heap



Plate 11: Scrub and Ruderal Vegetation



Plate 12: Open Barn Works Area



Plate 13: Barn and Hard-Standing



Plate 14: Western End of Site



APPENDIX E: PROTECTED SPECIES AND DESIGNATED SITE LEGISLATION SUMMARY (ENGLAND AND WALES)

Species	Legislation (England & Wales)	Offences	Licensing procedures (England & Wales)
Bats European protected species	Conservation of Habitats and Species Regulations 2019	Deliberately ¹ capture, injure or kill a bat; deliberate disturbance ² of bats; or damage or destroy a breeding site or resting place used by a bat. [The protection of bat roosts is considered to apply regardless of whether bats are present.]	A Natural England (NE) licence in respect of development is required in England. European Protected Species: Mitigation Licensing- How to get a licence (NE 2010) Bat Mitigation Guidelines (English Nature 2004) Bat Workers Manual (JNCC 2004) BCT Survey Guidelines (2016)
	Wildlife and Countryside Act 1981 (as amended) S.9	Intentionally or recklessly obstruct access to any structure or place used for shelter or protection or disturb a bat in such a place.	Licence from NE is required for surveys (scientific purposes) that would involve disturbance of bats or entering a known or suspected roost site.
Great Crested Newt European protected species	Conservation of Habitats and Species Regulations 2019	Deliberately ¹ capture, injure or kill a great crested newt; deliberate disturbance ² of a great crested newt; deliberately take or destroy its eggs; or damage or destroy a breeding site or resting place used by a great crested newt.	Licences issued for development by Natural England. European Protected Species: Mitigation Licensing- How to get a licence (NE 2010) Great Crested Newt Mitigation Guidelines (English Nature 2001)
	Wildlife and Countryside Act 1981 (as amended) S.9	Intentionally or recklessly obstruct access to any structure or place used for shelter or protection or disturb a great crested newt in such a place.	Licences issued for science (survey), education and conservation by Natural England.
Badger	Protection of Badgers Act 1992	Wilfully kill, injure or take a badger; or intentionally or recklessly damage, destroy or obstruct access to a badger sett or disturb a badger in its sett. [It is not illegal to carry out disturbance activities in the vicinity of setts that are not occupied.]	Where required, licences for development activities involving disturbance or sett interference or closure are issued by Natural England (NE). Licences for activities involving watercourse maintenance, drainage works or flood defences are issued under a separate process. Licences are normally not granted from December to June inclusive because cubs may be present within setts. Badgers & Development (NE 2007)

Species	Legislation (England & Wales)	Offences	Licensing procedures (England & Wales)
Birds	Wildlife and Countryside Act 1981 (as amended) S.1	Intentionally kill, injure or take any wild bird; intentionally take, damage or destroy the nest of any wild bird while that nest is in use or being built; intentionally take or destroy the nest or eggs of any wild bird. [Special penalties are liable for these offences involving birds on Schedule 1 (e.g. most birds of prey, kingfisher, barn owl, black redstart, and little ringed plover).] Intentionally or recklessly disturb a Schedule 1 species while it is building a nest or is in, on or near a nest containing eggs or young; intentionally or recklessly disturb dependent young of such a species.	No licences are available to disturb any birds in regard to development. Licences are available in certain circumstances to damage or destroy nests, but these only apply to the list of licensable activities in the Act and do not cover development. General licences are available in respect of 'pest species' but only for certain very specific purposes e.g. public health, public safety, air safety.
Adder Common lizard Grass snake Slow worm	Wildlife and Countryside Act 1981 S.9(1) (part); S.9(5)	Intentionally kill or injure any common reptile species.	No licence is required in England. However, an assessment for the potential of a site to support reptiles should be undertaken prior to any development works which have potential to affect these animals.
Rabbits, foxes and other wild mammals	Wild Mammals (Protection) Act 1996	Intentionally inflict unnecessary suffering to any wild mammal.	Natural England provides guidance in relation to rabbits (TIN003, Rabbits- management options for preventing damage, July 2007) and foxes (which are also protected under the Wildlife and Countryside Act 1981 from live baits and decoys, see TAN43 April 2005 and TAN08 April 2005) as well as other wild mammals; see Natural England's website for the list of 'Regulatory Guidance, Best Practice and Information'.