

**SEVENOAKS GASHOLDER SITE,  
CRAMPTON'S ROAD, SEVENOAKS**

**PRELIMINARY ECOLOGICAL APPRAISAL**

A Report to: CBRE

Report No: RT-MME-152714-01-Rev B

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## REPORT VERIFICATION AND DECLARATION OF COMPLIANCE

This study has been undertaken in accordance with British Standard 42020:2013 "Biodiversity, Code of practice for planning and development".

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The information which we have prepared is true, and has been prepared and provided in accordance with the Chartered Institute of Ecology and Environmental Management's Code of Professional Conduct. We confirm that the opinions expressed are our true and professional bona fide opinions.

### DISCLAIMER

The contents of this report are the responsibility of Middlemarch Environmental Ltd. It should be noted that, whilst every effort is made to meet the client's brief, no site investigation can ensure complete assessment or prediction of the natural environment.

Middlemarch Environmental Ltd accepts no responsibility or liability for any use that is made of this document other than by the client for the purposes for which it was originally commissioned and prepared.

### VALIDITY OF DATA

The findings of this study are valid for a period of 24 months from the date of survey. If works have not commenced by this date, an updated site visit should be carried out by a suitably qualified ecologist to assess any changes in the habitats present on site, and to inform a review of the conclusions and recommendations made.

## NON-TECHNICAL SUMMARY

In July 2020, CBRE commissioned Middlemarch Environmental Ltd to undertake a Preliminary Ecological Appraisal of the site of a proposed development at Sevenoaks Gasholder Site on Crampton's Road in Sevenoaks, Kent. This assessment is required to inform a planning application associated with clearance of the site to allow for a new residential development.

The ecological desk study identified no European statutory site within 5 km of the survey area, four UK statutory sites within 2 km and nine ancient woodland sites within 2 km. The site is also located within 10 km of a statutory site designated for bats. The desk study also provided records of bats, [REDACTED] hedgehog, reptiles, amphibians, birds and invertebrates.

The walkover survey was undertaken on 22<sup>nd</sup> July 2020 by Indre Barsketyte (Principal Ecological Consultant). At the time of the survey the site as dominated by areas of hardstanding which have started to become colonised by ephemeral vegetation, with scrub, scattered trees and small areas of grassland located around the site boundaries.

The key ecological features on and surrounding the site in relation to the works proposed are Sevenoaks Gravel Pits SSSI, wall cotoneaster, bats, nesting birds, invertebrates and herpetofauna.

In order to ensure compliance with wildlife legislation and relevant planning policy, the following recommendations are made (see Chapter 7 for further details):

**R1 Sevenoaks Gravel Pits SSSI:** The proposed works could potentially directly or indirectly impact upon Sevenoaks Gravel Pits which is designated as a Site of Special Scientific Interest. To control potential construction-phase impacts, it is recommended that a Construction Environment Management Plan (CEMP) be compiled for the site.

*A further assessment of the potential for the proposed development to impact upon the SSSI has been undertaken, the results of which are detailed in Report RT-MME-154152, which should be read in conjunction with this Preliminary Ecological Appraisal.*

**R2 Habitat Retention and Protection:** The development proposals should be designed (where feasible) to allow for the retention of existing notable habitats including mature trees.

**R3 Biodiversity Enhancement:** A Biodiversity Enhancement Strategy should be developed for the site.

**R4 Roosting Bats:** Recommendations made in the Bat Survey Report (RT-MME-152714-02) should be followed.

**R5 Nesting Birds:** Vegetation and building clearance should be undertaken outside the nesting bird season. The nesting bird season is weather dependent but generally extends between March and September inclusive (peak period March-August).

**R6 Terrestrial Mammals including [REDACTED], Shrews, Fox and Hedgehog:** Any excavations that need to be left overnight should be covered or fitted with mammal ramps to ensure that any animals that enter can safely escape. Any open pipework with an outside diameter of greater than 120 mm must be covered at the end of each workday to prevent animals entering/becoming trapped.

**R7 Herpetofauna:** A reasonable avoidance method statement should be compiled detailing how the proposed works will be undertaken in a sensitive manner to avoid any potential breach of legislation. This document should describe working methods, timings and should detail any ecological control measures that will be implemented e.g. vegetation management and ecological supervision.

**R8 Wall Cotoneaster:** A Method Statement must be developed for the proposed works to ensure that they do not result in the spread of any invasive non-native species. This method statement should reflect established best management practices for the treatment of the species.

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## 1. INTRODUCTION

### 1.1 PROJECT BACKGROUND

In July 2020, CBRE commissioned Middlemarch Environmental Ltd to undertake a Preliminary Ecological Appraisal of the site of a proposed development at Sevenoaks Gasholder Site on Crampton's Road in Sevenoaks, Kent. This assessment is required to inform a planning application associated with clearance of the site to allow for a new residential development.

To assess the existing ecological interest of the site an ecological desk study was carried out, and a walkover survey was undertaken on 22<sup>nd</sup> July 2020. In addition, Middlemarch Environmental Ltd has been commissioned to undertake the following assessments:

- Bat Surveys: RT-MME-152714-02; and,
- Preliminary Arboricultural Assessment: RT-MME-152714-03.

### 1.2 SITE DESCRIPTION AND CONTEXT

The site under consideration is located at the former Sevenoaks gasholder site off Crampton Road, Sevenoaks, and centred at Ordnance Survey Grid Reference TQ 5286 5716. The site is located within a predominantly residential area on the northern fringes of Sevenoaks and Greatness. At the time of the survey the site was dominated by areas of hardstanding which have started to become colonised by ephemeral vegetation, with scrub, scattered trees and small areas of grassland located around the site boundaries.

The site is bordered by Crampton Road to the east, residential properties to the north, further residential and commercial properties to the south and Otford road to the west. The wider landscape is dominated by residential properties and agricultural land. Sevenoaks Wildfowl Reserve is located approximately 80 m west from the site.

### 1.3 DOCUMENTATION PROVIDED

The conclusions and recommendations made in this report are based on information provided by the client regarding the scope of the project. Documentation made available by the client is listed in Table 1.1.

Document Name / Drawing Number	Author
Sevenoaks Gasholder Location Plan / 0330_0050	Max Architects

**Table 1.1: Documentation Provided by Client**

## 2. METHODOLOGIES

### 2.1 DESK STUDY

An ecological desk study was undertaken to determine the presence of any designated nature conservation sites and protected species in proximity to the site. This involved contacting appropriate statutory and non-statutory organisations which hold ecological data relating to the survey area. Middlemarch Environmental Ltd then assimilated and reviewed the desk study data provided by these organisations.

The consultees for the desk study were:

- Natural England - *MAGIC* website for statutory conservation sites;
- Kent and Medway Biological Records Centre; and,
- Kent Bat Group.

The desk study included a search for European statutory nature conservation sites within a 5 km radius of the site (extended to 10 km for any statutory site designated for bats), UK statutory sites within a 2 km radius and non-statutory sites and protected/notable species records within a 1 km radius.

The data collected from the consultees is discussed in Chapter 4. Selected raw data are provided in Appendix 1. In compliance with the terms and conditions relating to its commercial use, the full desk study data is not provided within this report.

The desk study also included a review of relevant local planning policy with regard to biodiversity and nature conservation (see Chapter 3).

### 2.2 PHASE 1 HABITAT SURVEY

The walkover survey was conducted following the Phase 1 Habitat Survey methodology of the Joint Nature Conservation Committee (JNCC, 2010) and the Institute of Environmental Assessment (IEA, 1995). Phase 1 Habitat Survey is a standard technique for classifying and mapping British habitats. The aim is to provide a record of habitats that are present on site. During the survey, the presence, or potential presence, of protected species was noted.

Whilst every effort is made to notify the client of any plant species listed on Schedule 9 of the Wildlife and Countryside Act (1981, as amended) present on site, it should be noted that this is not a specific survey for these species.

Data recorded during the field survey are discussed in Chapter 5.

### 3. LEGISLATION AND POLICY

This chapter provides an overview of the framework of legislation and policy which underpins nature conservation and is a material consideration in the planning process in England. The reader should refer to the original legislation for the definitive interpretation.

#### 3.1 GENERAL BIODIVERSITY LEGISLATION AND POLICY

##### **Conservation of Habitats and Species Regulations 2017 (The Habitats Regulations 2017)**

The Habitats Regulations 2017 consolidate and update the Habitats Regulations 2010 (as amended). The Habitats Regulations 2017 are the principal means by which the EEC Council Directive 92/43 (The Habitats Directive) as amended is transposed into English and Welsh law.

The Habitats Regulations 2017 place duty upon the relevant authority of government to identify sites which are of importance to the habitats and species listed in Annexes I and II of the Habitats Directive. Those sites which meet the criteria are, in conjunction with the European Commission, designated as Sites of Community Importance, which are subsequently identified as Special Areas of Conservation (SAC) by the European Union member states. The regulations also place a duty upon the government to maintain a register of European protected sites designated as a result of EC Directive 79/409/EEC on the Conservation of Wild Birds (The Birds Directive). These sites are termed Special Protection Areas (SPA) and, in conjunction with SACs, form a network of sites known as Natura 2000. The Habitats Directive introduces for the first time for protected areas, the precautionary principle; that is that projects can only be permitted having ascertained no adverse effect on the integrity of the site. Projects may still be permitted if there are no alternatives, and there are imperative reasons of overriding public interest.

The Habitats Regulations 2017 also provide for the protection of individual species of fauna and flora of European conservation concern listed in Schedules 2 and 5 respectively. Schedule 2 includes species such as otter and great crested newt for which the UK population represents a significant proportion of the total European population. It is an offence to deliberately kill, injure, disturb or trade these species. Schedule 5 plant species are protected from unlawful destruction, uprooting or trade under the regulations.

##### **The Wildlife and Countryside Act (WCA) 1981 (as amended)**

The WCA, as amended, consolidates and amends pre-existing national wildlife legislation in order to implement the Bern Convention and the Birds Directive. It complements the Habitats Regulations 2017, offering protection to a wider range of species. The Act also provides for the designation and protection of national conservation sites of value for their floral, faunal or geological features, termed Sites of Special Scientific Interest (SSSIs).

Schedules of the act provide lists of protected species, both flora and fauna, and detail the possible offences that apply to these species.

##### **The Countryside and Rights of Way (CRoW) Act 2000**

The CROW Act, introduced in England and Wales in 2000, amends and strengthens existing wildlife legislation detailed in the WCA. It places a duty on government departments and the National Assembly for Wales to have regard for biodiversity, and provides increased powers for the protection and maintenance of SSSIs. The Act also contains lists of habitats and species (Section 74) for which conservation measures should be promoted, in accordance with the recommendations of the Convention on Biological Diversity (Rio Earth Summit) 1992.

##### **The Natural Environment and Rural Communities (NERC) Act 2006**

Section 40 of the NERC Act places a duty upon all local authorities and public bodies in England and Wales to promote and enhance biodiversity in all of their functions. Sections 41 (England) and 42 (Wales) list habitats and species of principal importance to the conservation of biodiversity. These lists superseded Section 74 of the CRoW Act 2000.

##### **The Hedgerow Regulations 1997**

The Hedgerow Regulations make provision for the identification of important hedgerows which may not be removed without permission from the Local Planning Authority.

### **UK Post-2010 Biodiversity Framework**

The UK Biodiversity Action Plan (BAP), published in 1994, was the UK Government's response to signing the Convention on Biological Diversity (CBD) at the 1992 Rio Earth Summit. The new UK Post-2010 Biodiversity Framework replaces the previous UK level BAP. The UK Post-2010 Biodiversity Framework covers the period 2011-2020 and forms the UK Government's response to the new strategic plan of the United Nations Convention on Biological Diversity (CBD), published in 2010 at the CBD meeting in Nagoya, Japan. This includes five internationally agreed strategic goals and supporting targets to be achieved by 2020. The five strategic goals agreed were:

- Address the underlying causes of biodiversity loss by mainstreaming biodiversity across government and society;
- Reduce the direct pressures on biodiversity and promote sustainable use;
- To improve the status of biodiversity by safeguarding ecosystems, species and genetic diversity;
- Enhance the benefits to all from biodiversity and ecosystem services; and,
- Enhance implementation through participatory planning, knowledge management and capacity building.

The Framework recognises that most work which was previously carried out under the UK BAP is now focused on the four individual countries of the United Kingdom and Northern Ireland, and delivered through the countries' own strategies. Following the publication of the new Framework the UK BAP partnership no longer operates but many of the tools and resources originally developed under the UK BAP still remain of use and form the basis of much biodiversity work at country level. In England the focus is on delivering the outcomes set out in the Government's 'Biodiversity 2020: a Strategy for England's Wildlife and Ecosystem Services' (DEFRA, 2011). This sets out how the quality of our environment on land and at sea will be improved over the next ten years and follows on from policies contained in the Natural Environment White Paper.

### **Species and Habitats of Material Consideration for Planning in England**

Previous planning policy (and some supporting guidance which is still current, e.g. ODPM Circular 06/2005, now under revision), refers to UK BAP habitats and species as being a material consideration in the planning process. Equally many local plans refer to BAP priority habitats and species. Both remain as material considerations in the planning process but such habitats and species are now described as Species and Habitats of Principal Importance for Conservation in England, or simply priority habitats and priority species under the UK Post-2010 Biodiversity Framework. The list of habitats and species remains unchanged and is still derived from Section 41 list of the Natural Environmental and Rural Communities (NERC) Act 2006. As was previously the case when it was a BAP priority species hen harrier continues to be regarded as a priority species although it does not appear on the Section 41 list.

## **3.2 NATIONAL PLANNING POLICY FRAMEWORK AND PRACTICE GUIDANCE**

In February 2019, the National Planning Policy Framework (NPPF) was updated, replacing the previous framework published in 2012 and revised in 2018. The government circular 06/05: Biodiversity and Geological Conservation - Statutory Obligations and Their Impact within the Planning System, which accompanied PPS9, still remains valid. A presumption towards sustainable development is at the heart of the NPPF. This presumption does not apply however where developments require appropriate assessment under the Birds or Habitats Directives.

Chapter 15, on conserving and enhancing the natural environment, sets out how the planning system should contribute to and enhance the natural and local environment by:

- protecting and enhancing existing sites of biodiversity value;
- minimising impacts on and providing net gains for biodiversity; and,
- establishing coherent ecological networks.

If a proposed development would result in significant harm to the natural environment which cannot be avoided (through the use of an alternative site with less harmful impacts), mitigated or compensated for (as a last resort) then planning permission should be refused. With respect to development on land within or outside of a Site of Special Scientific Interest (SSSI) which is likely to have an adverse effect (either alone or in-combination with other developments) would only be permitted where the benefits of the proposed development clearly outweigh the impacts on the SSSI itself, and the wider network of SSSIs. Development resulting in the loss of deterioration of irreplaceable habitats (such as ancient woodland and ancient or



veteran trees) should be refused unless there are wholly exceptional reasons for the development, and a suitable compensation strategy is provided.

Chapter 15 identifies that development whose primary objective is to conserve or enhance biodiversity should be supported and opportunities to incorporate biodiversity improvements in and around development should be encouraged, especially where this can secure measurable net gains for biodiversity.

Chapter 11, making effective use of the land, sets out how the planning system should promote use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. Substantial weight should be given to the value of using suitable brownfield land within settlements for homes and other identified needs. Opportunities for achieving net environmental gains, including new habitat creation, are encouraged.

In March 2014 the Department for Communities and Local Government released guidance to support the National Planning Policy Framework (NPPF), known as the National Planning Practice Guidance (NPPG). This has been produced to provide guidance for planners and communities which will help deliver high quality development and sustainable growth in England.

The guidance includes a section entitled 'Natural Environment: Biodiversity, geodiversity and ecosystems and green infrastructure', which was updated in July 2019. This document sets out information with respect to the following:

- the statutory basis for seeking to conserve and enhance biodiversity;
- the local planning authority's requirements for planning for biodiversity;
- what local ecological networks are and how to identify and map them;
- how plan-making bodies identify and safeguard Local Wildlife Sites, including Standard Criteria for Local Wildlife Sites;
- the sources of ecological evidence;
- the legal obligations on local planning authorities and developers regarding statutory designated sites and protected species;
- definition of green infrastructure;
- where biodiversity should be taken into account in preparing a planning application;
- how policy should be applied to avoid, mitigate or compensate for significant harm to biodiversity and how mitigation and compensation measures can be ensured;
- definitions of biodiversity net gain including information on how it can be achieved and assessed; and,
- the consideration of ancient woodlands and veteran trees in planning decisions and how potential impacts can be assessed.

The NPPG July 2019 issue also includes a section entitled 'Appropriate assessment: Guidance on the use of Habitats Regulations Assessment' which provides information in relation to Habitats Regulations Assessment processes, contents and approaches in light of case law. This guidance will be relevant to those projects and plans which have the potential to impact on European Sites and European Offshore Marine Sites identified under the Conservation of Habitats and Species Regulations 2017 (as amended).

### 3.3 LOCAL PLANNING POLICY – SEVENOAKS DISTRICT COUNCIL

#### **The Core Strategy Development Plan Document (DPD)**

The Core Strategy is the key document in the Local Development Framework which draws together the objectives of a wide range of plans, programmes and strategies and provides the overarching principles that will deliver the essential development needs of the District. The Core Strategy was adopted by Full Council on 22 February 2011. With respect to ecology the relevant policies are:

**Policy SP 11 Biodiversity** states that *'The biodiversity of the District will be conserved and opportunities sought for enhancement to ensure no net loss of biodiversity. Sites designated for biodiversity value will be protected, with the highest level of protection given to nationally designated Sites of Special Scientific Interest, followed by Local Wildlife Sites and sites of local importance for biodiversity. Designated sites will be managed with the primary objective of promoting biodiversity whilst also providing for appropriate levels of public access. Opportunities will be sought for the enhancement of biodiversity through the creation,*

*protection, enhancement, extension and management of sites and through the maintenance and, where possible, enhancement of a green infrastructure network to improve connectivity between habitats.'*

**Saved policies of the Sevenoaks District Local Plan**

The Sevenoaks District Local Plan is in the process of being replaced by the new Local Development Framework (LDF). Only policies the Secretary of State agreed could be 'saved' continue to apply after 25 September 2007. Those relevant to ecology include:

**Policy EN1 Development Control: General Principles** states that *'Proposals for all forms of development and land use must comply with the policies set out in this Plan, unless there are overriding material considerations. The criterion relevant to ecology which is applied in the consideration of planning applications is as follows:*

- *The layout of the proposed development respects the topography of the site, retain important features including trees, hedgerows and shrubs, and enhance any established water courses or ponds. New landscaping and boundary treatment will be required in appropriate cases.'*

**Policy EN17B Nature Conservation** states that *'In areas of nature conservation interest, including SNCIs and LNRs, development will not be permitted if it is likely to cause a loss of wildlife habitats and other features of nature conservation interest, unless it can be shown that the need for the development overrides the particular interest and no suitable alternative site is available. Where harm arises adequate compensation or mitigation will be required.'*

**Policy NR10 Pollution Control** states that *'Proposals for all forms of development should minimise pollution of the environment through careful design and layout of any buildings or land uses.'* Potentially polluting activities must comply with a number of criteria; the criterion relevant to ecology is as follows:

*'The need to protect natural resources including sites of nature conservation importance, wildlife habitats and other sensitive environmental areas and to improve the physical environment.'*

## 4. DESK STUDY RESULTS

### 4.1 INTRODUCTION

The data search was carried out in July 2020 by Kent and Medway Biological Records Centre and the Kent Bat Group. All relevant ecological data provided by the consultees was reviewed and the results from these investigations are summarised in Sections 4.2 to 4.4. Selected data are provided in Appendix 1.

### 4.2 NATURE CONSERVATION SITES

Statutory and non-statutory nature conservation sites located in proximity to the survey area are summarised in Table 4.1.

Site Name	Designation	Proximity to Survey Area	Description
<b>UK Statutory Sites</b>			
Sevenoaks Gravel Pits	SSSI	40 m west	The interest of this group of lakes, formed by the flooding of the former gravel workings and fed by the River Darent, centres on its breeding bird populations. Extensive landscaping to create shallows, spits and islands, and the planting of trees and aquatic plants have provided conditions suitable for both breeding and wintering birds.
Greatness Brickworks	SSSI	630 m north-east	This pit is a classic Cretaceous ammonite locality and is of vital importance in biostratigraphic research on the Gault of the Weald. The celebrated and extremely fossiliferous 'lautus Zone nodule bed' which represents local condensation (thin, very slowly deposited beds), and containing faunal elements of nitidus, daviesi and cristatum Subzone ages, is well exposed near the top of the succession. The lautus Zone Gault is absent or greatly attenuated over much of the Weald and therefore its presence here fills a considerable gap in the local succession.
Knole Park	SSSI	1.9 km south	Knole Park Site of Special Scientific Interest includes areas of acidic grassland, parkland, woodland and several ponds. It was a dead wood and ancient woodland invertebrate fauna which is regarded as the finest in Kent and supports a rich fungus flora.
Westerham Mines	SSSI	8.2 km south-west	The principal interest of this site is the use of its abandoned ragstone mines by a variety of hibernating bats. The surrounding area is chiefly mixed secondary woodland on former heathland, with pockets of remnant heath. Five species have been recorded hibernating here: whiskered bat <i>Myotis mystacinus</i> , Brandt's bat <i>M. brandti</i> , Daubenton's bat <i>M. daubentoni</i> , Natterer's bat <i>M. nattereri</i> and long-eared bat <i>Plecotus auritus</i> .
<b>Ancient Woodland Sites</b>			
Ancient Semi Natural Woodland	ASNW	130 m west	No information provided
Oak Plantation Close Rye Wood and Shaw	ASNW	1.1 km west	No information provided.
Ancient Semi Natural Woodland	ASNW	1.2 km west	No information provided.
Ancient Semi Natural Woodland	ASNW	1.4 km north-east	No information provided.
Ancient Semi Natural Woodland	ASNW	1.5 km south-east	No information provided.
Ancient Semi Natural Woodland	ASNW	1.5 km east	No information provided.

**Table 4.1: Summary of Nature Conservation Sites (continues)**

Site Name	Designation	Proximity to Survey Area	Description
Ancient Semi Natural Woodland	ASNW	1.6 km north-west	No information provided.
Ancient Semi Natural Woodland	ASNW	1.7 km east	No information provided.
Darnet spring	ASNW	1.8 km north-west	No information provided.
<b>Key:</b> SSSI: Site of Special Scientific Interest ASNW: Ancient Semi-Natural Woodland			

**Table 4.1: Summary of Nature Conservation Sites (continued)**

The survey area falls within three SSSI Impact Risk Zones (see Appendix 1). It is likely that these SSSI Impact Risk Zones are associated with Sevenoaks Gravel Pits SSSI located 40 m west, Knole Park SSSI located 1.9 km south and Oldbury and Seal Chart SSSI located 3 km south-east.

### 4.3 PROTECTED / NOTABLE SPECIES

Table 4.2 and the following text provide a summary of protected and notable species records within a 1 km radius of the study area. It should be noted that the absence of records should not be taken as confirmation that a species is absent from the search area.

Species	No. of Records	Most Recent Record	Proximity of Nearest Record to Study Area	Species of Principal Importance?	Legislation / Conservation Status
<b>Mammals – Bats</b>					
Common pipistrelle <i>Pipistrellus pipistrellus</i>	7	2013	190 m north-east	-	ECH 4, WCA 5, WCA 6
Daubenton's bat <i>Myotis daubentonii</i>	8	2014	510 m west	-	ECH 4, WCA 5, WCA 6
Pipistrelle <i>Pipistrellus</i> sp.	5	2015	510 m west	#	ECH 4, WCA 5, WCA 6
Long-eared bat <i>Plecotus</i> sp.	2	2012	520 m south-east	#	ECH 4, WCA 5, WCA 6
Soprano pipistrelle <i>Pipistrellus pygmaeus</i>	6	2014	740 m south	✓	ECH 4, WCA 5, WCA 6
Nathusius's Pipistrelle <i>Pipistrellus nathusii</i>	1	2014	900 m south-west	-	ECH 4, WCA 5, WCA 6
Noctule <i>Nyctalus noctula</i>	3	2014	900 m south-west	✓	ECH 4, WCA 5, WCA 6
Brown long-eared bat <i>Plecotus auritus</i>	1	1992	Potentially within 1 km**	✓	ECH 4, WCA 5, WCA 6
Natterer's bat <i>Myotis nattereri</i>	1	1998	Potentially within 1 km**	-	ECH 4, WCA 5, WCA 6
<b>Mammals - Others</b>					
Common shrew <i>Sorex araneus</i>	21	2011	510 m west	-	WCA 6
Pygmy shrew <i>Sorex minutus</i>	8	2011	510 m west	-	WCA 6
Hedgehog <i>Erinaceus europaeus</i>	3	2006	570 m south-west	✓	WCA 6
Water vole <i>Arvicola amphibius</i>	2	2003	Potentially within 1 km*	✓	WCA 5

**Table 4.2: Summary of Protected/Notable Species Records Within 1 km of Survey Area (Continues)**

Species	No. of Records	Most Recent Record	Proximity of Nearest Record to Study Area	Species of Principal Importance?	Legislation / Conservation Status
<b>Amphibians</b>					
Common frog <i>Rana temporaria</i>	11	2009	110 m south	-	WCA 5 S9(5)
Common toad <i>Bufo bufo</i>	10	2017	290 m south	✓	WCA 5 S9(5)
Great crested newt <i>Triturus cristatus</i>	40	2015	510 m west	✓	ECH 2, ECH 4, WCA 5
Smooth newt <i>Lissotriton vulgaris</i>	54	2015	510 m west	-	WCA 5 S9(5)
<b>Reptiles</b>					
Common lizard <i>Zootoca vivipara</i>	27	2017	120 m south-west	✓	WCA 5 S9(1) WCA 5 S9(5)
Grass snake <i>Natrix natrix</i>	69	2018	120 m south-west	✓	WCA 5 S9(1) WCA 5 S9(5)
Slow worm <i>Anguis fragilis</i>	381	2017	120 m south-west	✓	WCA 5 S9(1) WCA 5 S9(5)
Adder <i>Vipera berus</i>	1	2002	510 m west	✓	WCA 5 S9(1) WCA 5 S9(5)
<b>Birds</b>					
Little bittern <i>Ixobrychus minutus</i>	1	2012	1 km west	-	WCA1i
Avocet <i>Recurvirostra avosetta</i>	3	2013	Potentially within 1 km*	-	WCA1i
Bewick's swan <i>Cygnus columbianus</i>	2	2014	Potentially within 1 km*	✓	WCA1i
Bittern <i>Botaurus stellaris</i>	99	2013	Potentially within 1 km*	✓	WCA1i
Black necked grebe <i>Podiceps nigricollis</i>	56	2016	Potentially within 1 km*	-	WCA1i
Black-tailed godwit <i>Limosa limosa</i>	16	2016	Potentially within 1 km*	✓	WCA1i
Black-throated diver <i>Gavia arctica</i>	9	1994	Potentially within 1 km*	-	WCA1i
Brambling <i>Fringilla montifringilla</i>	25	2013	Potentially within 1 km*	-	WCA1i
Cetti's warbler <i>Cettia cetti</i>	37	2016	Potentially within 1 km*	-	WCA1i
Common scoter <i>Melanitta nigra</i>	6	1996	Potentially within 1 km*	✓	WCA1i
Crossbill <i>Loxia curvirostra</i>	9	2013	Potentially within 1 km*	-	WCA1i
Eurasian hobby <i>Falco subbuteo</i>	58	2016	Potentially within 1 km*	-	WCA1i
Fieldfare <i>Turdus pilaris</i>	322	2012	Potentially within 1 km*	-	WCA1i
Firecrest <i>Regulus ignicapilla</i>	11	2015	Potentially within 1 km*	-	WCA1i
Garganey <i>Anas querquedula</i>	76	2015	Potentially within 1 km*	-	WCA1i

Table 4.2: Summary of Protected/Notable Species Records Within 1 km of Survey Area (Continues)

Species	No. of Records	Most Recent Record	Proximity of Nearest Record to Study Area	Species of Principal Importance?	Legislation / Conservation Status
Goldeneye <i>Bucephala clangula</i>	339	2011	Potentially within 1 km*	-	WCA 1i
Goshawk <i>Accipiter gentilis</i>	5	2016	Potentially within 1 km*	-	WCA 1i
Green sandpiper <i>Tringa ochropus</i>	702	2017	Potentially within 1 km*	-	WCA1i
Greenshank <i>Tringa nebularia</i>	27	2017	Potentially within 1 km*	-	WCA1i
Greylag goose <i>Anser anser</i>	3	2006	Potentially within 1 km*	-	WCA1ii
Hen harrier <i>Circus cyaneus</i>	3	2015	Potentially within 1 km*	✓	WCA1i
Honey-buzzard <i>Pernis apivorus</i>	3	2014	Potentially within 1 km*	-	WCA1i
Kingfisher <i>Alcedo atthis</i>	101	2017	Potentially within 1 km*	-	WCA1i
Little ringed plover <i>Charadrius dubius</i>	688	2017	Potentially within 1 km*	-	WCA1i
Mediterranean gull <i>Larus melanocephalus</i>	28	2017	Potentially within 1 km*	-	WCA1i
Merlin <i>Falco columbarius</i>	4	2017	Potentially within 1 km*	-	WCA1i
Osprey <i>Pandion haliaetus</i>	28	2017	Potentially within 1 km*	-	WCA1i
Peregrine <i>Falco peregrinus</i>	30	2017	Potentially within 1 km*	-	WCA1i
Pintail <i>Anas acuta</i>	33	2017	Potentially within 1 km*	-	WCA1ii
Red kite <i>Milvus milvus</i>	23	2017	Potentially within 1 km*	-	WCA1i
Redwing <i>Turdus iliacus</i>	595	2012	Potentially within 1 km*	-	WCA1i
Ruff <i>Calidris pugnax</i>	1	2013	Potentially within 1 km*	-	WCA1i
Scaup <i>Aythya marila</i>	5	2005	Potentially within 1 km*	✓	WCA1i
Slavonian grebe <i>Podiceps auritus</i>	6	1998	Potentially within 1 km*	-	WCA1i
Whimbrel <i>Numenius phaeopus</i>	5	2011	Potentially within 1 km*	-	WCA1i
Whooper swan <i>Cygnus cygnus</i>	3	2009	Potentially within 1 km*	-	WCA1i
Barn owl <i>Tyto alba</i>	6	2008	Potentially within 1 km**	-	WCA1i

Table 4.2: Summary of Protected/Notable Species Records Within 1 km of Survey Area (Continues)

Species	No. of Records	Most Recent Record	Proximity of Nearest Record to Study Area	Species of Principal Importance?	Legislation / Conservation Status
<b>Invertebrates</b>					
White-clawed crayfish <i>Austropotamobius pallipes</i>	8	2001	450 m north	✓	ECH 2, WCA 5 S9(1) WCA 5 S9(5)
Jersey tiger moth <i>Euplagia quadripunctaria</i>	2	2016	710 m west	-	ECH 2
<b>Key:</b>					
#: Dependent on species.					
*: Grid reference provided was four figures only.					
**: Grid reference provided was two figures only.					
ECH 2: Annex II of the European Communities Council Directive on the Conservation of Natural Habitats and Wild Fauna and Flora. Animal and plant species of community interest whose conservation requires the designation of Special Areas of Conservation.					
ECH 4: Annex IV of the European Communities Council Directive on the Conservation of Natural Habitats and Wild Fauna and Flora. Animal and plant species of community interest in need of strict protection.					
PBA: Protection of Badgers Act 1992.					
WCA 1i: Schedule 1 Part 1 of Wildlife and Countryside Act 1981 (as amended). Birds protected by special penalties at all times.					
WCA 1ii: Schedule 1 Part 2 of Wildlife and Countryside Act 1981 (as amended). Birds protected by special penalties during close season.					
WCA 5: Schedule 5 of Wildlife and Countryside Act 1981 (as amended). Protected animals (other than birds).					
WCA 5 S9(1): Schedule 5 Section 9(1) of Wildlife and Countryside Act 1981 (as amended). Protected animals (other than birds). Protection limited to intentional killing, injury or taking.					
WCA 5 S9(5): Schedule 5 Section 9(5) of Wildlife and Countryside Act 1981 (as amended). Protected animals (other than birds). Protection limited to selling, offering for sale, processing or transporting for purpose of sale, or advertising for sale, any live or dead animal, or any part of, or anything derived from, such animal.					
WCA 6: Schedule 6 of Wildlife and Countryside Act 1981 (as amended). Animals which may not be killed or taken by certain methods.					
Note. This table does not include reference to the Berne Convention (Convention on the Conservation of European Wildlife and Natural Habitats), the Bonn Convention on the Conservation of Migratory Species of Wild Animals or the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES).					

**Table 4.2: Summary of Protected/Notable Species Records Within 1 km of Survey Area (Continued)**

### Birds

The desk study provided records of 28 bird species listed as Species of Principal Importance, comprising: bullfinch *Pyrrhula pyrrhula*, cuckoo *Cuculus canorus*, curlew *Numenius arquata*, dark-bellied brent goose *Branta bernicla*, dunnock *Prunella modularis*, grasshopper warbler *Locustella naevia*, herring gull *Larus argentatus*, house sparrow *Passer domesticus*, Iceland gull *Larus glaucooides*, lapwing *Vanellus vanellus*, lesser redpoll *Acanthis cabaret*, lesser spotted woodpecker *Dendrocopos minor*, linnet *Linaria cannabina*, marsh tit *Poecile palustris*, reed bunting *Emberiza schoeniclus*, ringed ouzel *Turdus torquatus*, skylark *Alauda arvensis*, song thrush *Turdus philomelos*, spotted flycatcher *Muscicapa striata*, starling *Sturnus vulgaris*, turtle dove *Streptopelia turtur*, tree sparrow *Passer montanus*, twite *Linaria flavirostris*, white-fronted goose *Anser albifrons*, willow tit *Poecile montana* yellow wagtail *Motacilla flava*, wood warbler *Phylloscopus sibilatrix* and yellowhammer *Emberiza citrinella*

The desk study provided records of 11 bird species which are under the RSPB Red List, comprising: grey wagtail *Motacilla cinerea*, kittiwake *Rissa tridactyla*, mistle thrush *Turdus viscivorus*, nightingale *Luscinia megarhynchos*, pied flycatcher *Ficedula hypoleuca*, pochard *Aythya ferina*, red-necked grebe *Podiceps grisegena*, ringed plover *Charadrius hiaticula*, shag *Phalacrocorax aristotelis*, whinchat *Saxicola rubetra* and woodcock *Scolopax rusticola*.

The desk study provided records of 42 bird species listed under the RSPB Amber List, comprising: arctic tern *Sterna paradisaea*, barnacle goose *Branta leucopsis*, bar-tailed godwit *Limosa lapponica*, bean goose *Anser fabalis*, black-headed gull *Chroicocephalus ridibundus*, caspian gull *Larus cachinnans*, common gull *Larus canus*, common sandpiper *Actitis hypoleucos*, common tern *Sterna hirundo*, dunlin *Calidris alpina*, eider

*Somateria mollissima*, gadwall *Anas strepera*, gannet *Morus bassanus*, glaucous gull *Larus hyperboreus*, great black-backed gull *Larus marinus*, grey plover *Pluvialis squatarola*, house martin *Delichon urbicum*, kestrel *Falco tinnunculus*, lesser black-backed gull *Larus fuscus*, mallard *Anas platyrhynchos*, meadow pipit *Anthus pratensis*, mute swan *Cygnus olor*, oystercatcher *Haematopus ostralegus*, pink-footed goose *Anser brachyrhynchus*, redstart *Phoenicurus phoenicurus*, redshank *Tringa tetanus*, sanderling *Calidris alba*, sandwich tern *Sterna sandvicensis*, shelduck *Tadorna tadorna*, shoveler *Anas clypeata*, smew *Mergellus albellus*, snipe *Gallinago gallinago*, spotted redshank *Tringa erythropus*, stock dove *Columba oenas*, swift *Apus apus*, teal *Anas crecca*, turnstone *Arenaria interpres*, water pipit *Anthus spinoletta*, wigeon *Anas penelope*, willow warbler *Phylloscopus trochilus*, and yellow-legged gull *Larus michahellis*.

#### 4.4 INVASIVE SPECIES

Table 4.3 provides a summary of invasive species records within a 1 km radius of the study area. It should be noted that the absence of records should not be taken as confirmation that a species is absent from the search area.

Species	No. of Records	Most Recent Record	Proximity of Nearest Record to Study Area	Legislation / Conservation Status
Nuttall's waterweed <i>Elodea nuttallii</i>	4	2002	210 m west	WCA 9
Japanese knotweed <i>Fallopia japonica</i>	6	2016	510 m west	WCA 9
Montbretia <i>Crocsmia x crocosmiiflora</i>	3	2000	510 m west	WCA 9
New Zealand pigmyweed <i>Crassula helmsii</i>	6	2018	510 m west	WCA 9
Giant hogweed <i>Heracleum mantegazzianum</i>	3	2008	930 m south-west	WCA 9
Duck potato <i>Sagittaria latifolia</i>	1	2017	Potentially within 1 km*	WCA 9
Himalayan cotoneaster <i>Cotoneaster simonsii</i>	3	2019	Potentially within 1 km*	WCA 9
Rhododendron <i>Rhododendron ponticum</i>	2	2016	Potentially within 1 km*	WCA 9
Cotoneaster <i>Cotoneaster horizontalis</i>	2	2019	Potentially within 1 km*	WCA 9
Yellow archangel <i>Lamiastrum galeobdolon</i> subsp. <i>argentatum</i>	2	2018	Potentially within 1 km*	WCA 9
Canadian waterweed <i>Elodea canadensis</i>	1	2000	Potentially within 1 km**	WCA 9
False Virginia creeper <i>Parthenocissus inserta</i>	1	1999	Potentially within 1 km**	WCA 9
<b>Key:</b> *: Grid reference provided was four figures only. **: Grid reference provided was two figures only. WCA9: Schedule 9 of Wildlife and Countryside Act 1981 (as amended). Invasive, non-native, plants and animals.				

**Table 4.3: Summary of Invasive Species Records Within 1 km of Survey Area**



## 5. PHASE 1 HABITAT SURVEY

### 5.1 INTRODUCTION

The results of the Phase 1 Habitat Survey are presented in the following sections. An annotated Phase 1 Habitat Survey Drawing (Drawing C152714-01-02) is provided in Chapter 8. This drawing illustrates the location and extent of all habitat types recorded on site. Any notable features or features too small to map are detailed using target notes. Photographs taken during the field survey are presented in Chapter 9.

The survey was carried out on 22<sup>nd</sup> July 2020 by Indre Barsketyte (Principal Ecological Consultant). Table 5.1 details the weather conditions at the time of the survey.

Parameter	Condition
Temperature (°C)	20
Cloud (%)	50
Wind (Beaufort)	F0
Precipitation	None

**Table 5.1: Weather Conditions During Field Survey**

### 5.2 SURVEY CONSTRAINTS AND LIMITATIONS

No constraints were experienced.

### 5.3 HABITATS

The following habitat types were recorded on site during the field survey:

- Buildings;
- Dense scrub;
- Ephemeral / short perennial vegetation;
- Fence;
- Hardstanding;
- Improved grassland;
- Scattered scrub; and,
- Scattered trees.

These habitats are described below. They are ordered alphabetically, not in order of ecological importance.

#### **Buildings**

A number of small single storey, flat roofed brick buildings have been located along the boundaries of the eastern section of the site. One of the buildings located along the southern boundary of the site was in poor state of repair with damaged fascia and gaps around doorways (Plate 9.1). Please refer to Bat Survey Report RT-MME-152714-02 for full details.

#### **Dense scrub**

Small areas of dense scrub were present along site boundaries. This was unmanaged and varied in height from 0.3 m to 2 m. Species present include bramble *Rubus fruticosus*, dog rose *Rosa canina*, dogwood *Cornus sanguinea*, butterfly-bush *Buddleja* sp., willow *Salix* sp., hawthorn *Crataegus monogyna* and wall cotoneaster *Cotoneaster horizontalis*. (Target note T1, Plate 9.2).

#### **Ephemeral/short perennial vegetation**

Ephemeral / short perennial vegetation dominated the site, where it has started to overtake areas of hardstanding (Plate 9.3). This habitat was unmanaged with height of up to 0.5m. Species present include sow-thistle *Sonchus* sp., bird's-foot trefoil *Lotus corniculatus*, thistle *Cirsium* sp., dandelion *Taraxacum* sp., yarrow *Achillea millefolium*, fat hen *Chenopodium album*, ribwort plantain *Plantago lanceolata*, greater plantain *Plantago major*, red clover *Trifolium pratense*, dock *Rumex* sp., roseby willowherb *Chamerion angustifolium*, horsetail *Equisetum* sp., teasel *Dipsacus* sp., and mayweed *Matricaria* sp..

### **Fence**

A 2 m chain-link and barbed wire fence surrounded the site as well as separate sections within the site. This habitat was largely free of vegetation.

### **Hardstanding**

Areas of gravel and tarmac were present throughout the site. Ephemeral vegetation and scrub have started to overtake large sections of it.

### **Improved grassland**

Small sections of improved grassland were present along the fence lines, particularly under scattered trees (Plate 9.4). This habitat was largely unmanaged and up to 0.5 m in height. Species present include Yorkshire-fog *Holcus lanatus*, cock's-foot *Dactylis glomerata*, dandelion, red clover, thistle, yarrow and dock.

### **Scattered scrub**

Patches of low laying, sparse bramble were present throughout the site.

### **Scattered trees**

A number of scattered trees varying in age from young to mature were present along the site boundaries. Species present include Lombardy poplar *Populus nigra*, silver birch *Betula pendula*, sycamore *Acer pseudoplatanus*, lawson cypress *Chamaecyparis lawsoniana* and field maple *Acer campestre*. Trees on site were generally in good condition with potential roosting feature in a form of hollow stem noted only on the mature poplar located in the north eastern corner of the site (Plate 9.5).

## **5.4 FAUNA**

During the survey field signs of faunal species were recorded. The time of year at which the survey is undertaken will affect species or field signs directly recorded during the survey.

### **Birds**

The following bird species were observed on site during the field survey: blackbird *Turdus merula*, robin *Erithacus rubecula* and woodpigeon *Columba palumbus*.

## **5.5 INVASIVE PLANT SPECIES**

Two small stands of wall cotoneaster were noted within eastern half of the site within the scrub habitat (Target note T1).

## 6. DISCUSSIONS AND CONCLUSIONS

### 6.1 SUMMARY OF PROPOSALS

It is proposed the site will be cleared to allow for residential development however some scattered trees will be retained.

### 6.2 NATURE CONSERVATION SITES

The desk study exercise identified no European statutory sites within 5 km of the survey area, three UK statutory sites and nine ancient woodland sites within 2 km and no non-statutory sites within 1 km. The site is located within 10 km of a statutory site designated for bats (Westerham Mines). The significance of these sites to the proposed development is discussed below.

#### UK Statutory Sites

Sevenoaks Gravel Pits Site of Special Scientific Interest (SSSI) is located 40 west from the site. Due to close proximity between this SSSI and the site, the proposed works have potential to have a direct and indirect negative impact on this protected area through noise, dust and light pollution as well as increased number of visitors to the SSSI after the development is complete. Therefore, a recommendation has been made in Chapter 7.1.

Westerham Mines SSSI which is designated for bats is located 8.2 km south-west from the site. However, due to the distance and intervening habitats between the SSSI and the development, no negative impacts on this protected site are anticipated.

The remaining UK statutory sites are more than 600 m away from the site and have no connectivity to the site as such are considered not a notable consideration for this development.

#### Non-Statutory Sites

The desk study provided records of nine ancient semi-natural woodlands within 2 km radius of the site. The closest being 130 m west from the site and appears to be part of the Sevenoaks Gravel Pits SSSI. Due to close proximity between this ancient woodland and the site, the proposed works have potential to have a direct and indirect negative impact on this protected area through noise, dust and light pollution as well as increased number of visitors after the development is complete. A recommendation regarding the SSSI, which is also of relevance to the ancient woodland within this SSSI, has been made in Section 7.1.

### 6.3 HABITATS

The ecological importance of the habitats present on site is determined by their presence on the list of Habitats of Principal Importance in England and on the Local BAP. It also takes into account the intrinsic value of the habitat. Those habitats which are considered to be of intrinsic importance and have the potential to be impacted by the site proposals are highlighted as notable considerations.

A discussion of the implications of the site proposals with regard to the habitats present on site is provided in the text below. A separate discussion of the value of the habitats on site to protected or notable species is provided in Section 6.4.

#### Scattered trees

The semi-mature and mature trees on site are of intrinsic value as they cannot be easily replaced in the short to medium term. Scattered trees are therefore a notable consideration in relation to the proposed development and should be retained and protected where possible. If loss of this habitat cannot be avoided, then appropriate mitigation and compensation measures will need to be implemented. Recommendations are provided in Section 7.2.

#### Buildings, ephemeral / short perennial vegetation, hardstanding, dense scrub, scattered scrub, fence and improved grassland

All the habitats on site are well represented locally, have low species diversity or can be easily recreated post development. Any loss of these habitats would be considered to have minimal impact on the ecology of the local area. These habitats are therefore not considered to be notable consideration.

Habitats considered to be of relevance to the proposed development are summarised in Table 6.1

Habitat Type	Habitat of Principal Importance?	Local BAP Habitat?	Summary of Potential Impacts
Scattered trees	✓	-	Direct loss, root compaction,

**Table 6.1: Summary of Potential Impacts on Notable Habitats**

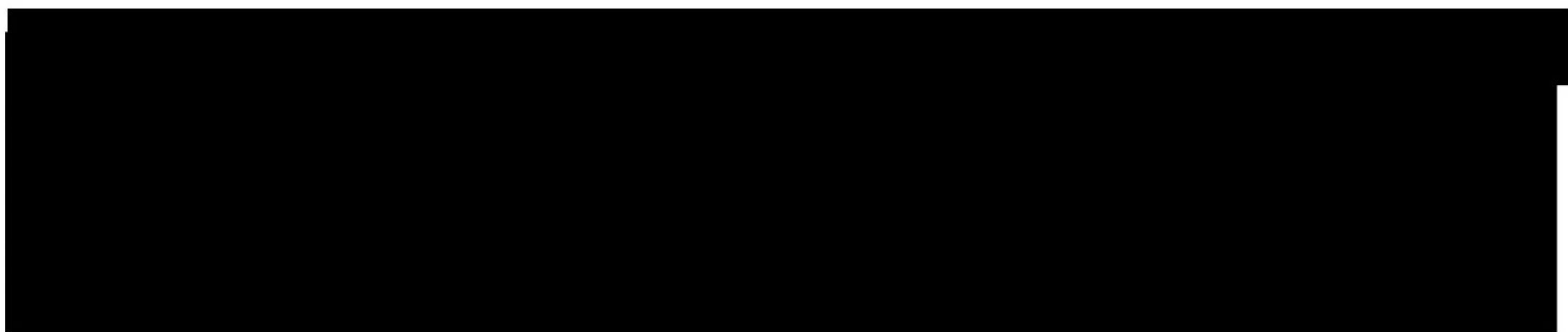
**6.4 PROTECTED/NOTABLE SPECIES**

The following paragraphs consider the likely impact of the site proposals on protected or notable species. This is based on those species highlighted in the desk study exercise (Chapter 4) and other species for which potentially suitable habitat occurs within or adjacent to the survey area.

**Mammals**

Bats

The desk study provided 34 records of at least seven species of bat within a 1 km radius of the site. The closest record being that of a common pipistrelle 190 m north east from the proposed route. The site provides moderate quality foraging and commuting habitat to a range of bat species in a form of dense scrub, scattered scrub, scattered trees and grassland. One of the buildings on site as well as poplar tree in the north eastern corner of the site have been classed as having high potential to support roosting bats. Bats are therefore a notable consideration with regards to the proposed works and a recommendation has been provided in Section 7.3.



Hedgehog

The desk study provided three records of hedgehog within a 1 km radius of the survey area. The dense scrub, grassland and scattered tree habitat provides favourable foraging habitat for hedgehog with refuge opportunities present in the form of pockets of scrub. It is considered likely that hedgehogs may use the site. To prevent any harm coming to the species during the construction phase, a recommendation regarding foraging and commuting terrestrial mammals, as well as sensitive vegetation clearance, has been made in Section 7.3.

Common shrew and pigmy shrew

The desk study provided 21 records of common shrew and 8 records of pigmy shrew within a 1 km radius of the survey area. The dense scrub, grassland and scattered tree habitat provides suitable foraging and refuge habitat for shrews. It is considered likely that shrews may use the site. To prevent any harm coming to the species during the construction phase, a recommendation regarding foraging and commuting terrestrial mammals, as well as sensitive vegetation clearance, has been made in Section 7.3.

**Amphibians**

The desk study provided records of common toad, common frog, smooth newt and great crested newt within 1 km radius of the proposed route. Closest one being that of a common frog 110 m south from the site. Closest record of great crested newt was located 510 west from the site. Ordnance Survey mapped data and aerial imagery indicates that there are four waterbodies within a 500 m radius of the site, the closest located 160 m south west from the site. The site is surrounded by residential development and kerbed roads and as such is isolated from the wider landscape. Furthermore, although the site provides some suitable terrestrial habitat to amphibians in a form of grassland and scrub, its limited in size and is isolated. As such, possibility of great crested newt being present on site is very low and if Reasonable Avoidance Measures are implemented, works can be undertaken without impacting on great crested newts. As such, a recommendation has been made in Section 7.3.

**Reptiles**

The desk study provided records of all four common reptile species within a 1 km radius of the survey area, the closest of which being slow worm, common lizard and grass snake, located 120 m south west of the site. Although the habitats on site offer some limited suitable habitat for reptiles in a form of scrub and grassland, the site is isolated from wider landscape by kerbed roads and residential properties. Therefore, possibility of reptiles being on site is considered very low and as such, if Reasonable Avoidance Measures are implemented, works can be undertaken without impacting on reptiles. As such, a recommendation has been made in Section 7.3.

**Birds**

The desk study provided records of 38 bird species listed under Schedule 1 of the Wildlife and Countryside Act 1981 (as amended) within a 1 km radius of the survey area. The desk study also provided records of 28 Species of Principal Importance, 11 bird species which are under the RSPB Red List and 42 bird species listed under the RSPB Amber List, within a 1 km radius of the survey area. The scattered trees, grassland and buildings on site offers some suitable habitat for a range of bird species. Therefore, if the works are to be undertaken during the bird nesting season, then there is a potential for impact upon nesting birds. A recommendation has therefore been made within Section 7.3. However, due to the presence of alternative nesting and foraging features within the local vicinity, it is considered that the works will not impact upon birds in the long term. Potential habitat enhancement measures are detailed in Section 7.2.

**Invertebrates**

The desk study provided records of white-clawed crayfish and Jersey tiger moth within 1km radius of the site. The site offers no suitable habitat for white-clawed crayfish. The site offers some suitable food plants for Jersey tiger moth larva in a form of ephemeral vegetation which includes plantains. However, the extent of suitable habitat is limited and due to the presence of alternative features within the local vicinity, it is, therefore, considered that the works will not impact upon invertebrates in the long term and the loss of suitable habitat can be mitigated by appropriate post development planting. As such, a recommendation has been made in Section 7.2.

**Other Species**

The following protected species are not considered to be material considerations due to the lack of desk study records and / or absence of suitable habitats within the development site and its surroundings: water vole *Arvicola amphibious*, brown hare *Lepus europaeus*, polecat *Mustela putorius*, pine marten *Martes martes* and otter *Lutra lutra*.

**Summary**

Species considered to be of relevance to the proposed development are summarised in Table 6.2.

Species / Species Group	Species of Principal Importance?	Summary of Potential Impacts
Bats	✓	Disturbance, loss of suitable habitat, direct harm or injury.
Hedgehog	✓	Direct harm or injury.
Common shrew	-	Direct harm or injury.
Pigmy shrew	-	Direct harm or injury.
Reptiles	#	Direct harm or injury.
Amphibians including great crested newt	#	Direct harm or injury.
Nesting Birds	#	Loss of suitable habitat, direct harm or injury.
Invertebrates	-	Loss of suitable habitat, direct harm or injury.
<b>Key:</b>		
#: Dependent on species.		

**Table 6.2: Summary of Potential Impacts on Notable Species**

**6.5 INVASIVE PLANT SPECIES**

The desk study provided records of 12 invasive plant species within 1 km radius of the site. Wall cotoneaster has been recorded within site boundary. As such invasive plant species is notable consideration and a recommendation has been made in Section 7.4.

## 7. RECOMMENDATIONS

All recommendations provided in this section are based on Middlemarch Environmental Ltd's current understanding of the site proposals, correct at the time the report was compiled. Should the proposals alter, the conclusions and recommendations made in the report should be reviewed to ensure that they remain appropriate.

The ecological mitigation hierarchy should be applied when considering development which may have a significant effect on biodiversity. The ecological mitigation hierarchy, as set out in the National Planning Policy Framework (NPPF), and the National Planning Practice Guidance (NPPG) should follow these principles:

- **Avoidance** – development should be designed to avoid significant harm to valuable wildlife habitats and species.
- **Mitigation** – where significant harm cannot be wholly or partially avoided, it should be minimised by design or through the use of effective mitigation measures.
- **Compensation** – where, despite whatever mitigation would be effective, there would still be significant residual harm, as a last resort, compensation should be used to provide an equivalent value of biodiversity.

### 7.1 NATURE CONSERVATION SITES

The following recommendation is made regarding nature conservation sites:

- R1 Sevenoaks Gravel Pits SSSI:** The proposed works could potentially directly or indirectly impact upon Sevenoaks Gravel Pits which is designated as a Site of Special Scientific Interest.

To control potential construction-phase impacts, it is recommended that a Construction Environment Management Plan (CEMP) be compiled for the site. The aim of the CEMP is to minimise the potential impact of the construction phase of the development on the existing ecology of the site and off-site receptors, and ensure works proceed in accordance with current wildlife legislation. This document should be agreed with Natural England and Local Planning Authority prior to any works commencing.

*A further assessment of the potential for the proposed development to impact upon the SSSI has been undertaken, the results of which are detailed in Report RT-MME-154152, which should be read in conjunction with this Preliminary Ecological Appraisal.*

### 7.2 HABITATS

The following recommendations are made regarding the habitats present on site:

- R2 Habitat Retention and Protection:** The development proposals should be designed (where feasible) to allow for the retention of existing notable habitats including mature trees. Protection measures comprise:
- **Trees:** Any trees on or overhanging the site, which are retained as a part of any proposed works should be protected in accordance with British Standard 5837: 2012 "Trees in relation to design, demolition and construction - recommendations". Protection should be installed on site prior to the commencement of any works on site.

If retention is not possible, appropriate replacement planting should be incorporated into the soft landscape scheme in accordance with the ecological mitigation hierarchy. Only native and/or wildlife attracting species should be planted.

- R3 Biodiversity Enhancement:** In accordance with the provision of Chapter 15 of the National Planning Policy Framework (Conserving and Enhancing the Natural Environment) and Local Planning Policy, biodiversity enhancement measures should be incorporated into the landscaping scheme of any proposed development to work towards delivering net gains for biodiversity. As such, A Biodiversity Enhancement Strategy should be developed for the site.

### 7.3 PROTECTED / NOTABLE SPECIES

To ensure compliance with wildlife legislation and relevant planning policy, the following recommendations are made:

**R4 Roosting Bats:** Recommendations made in the Bat Survey Report (RT-MME-152714-02) should be followed.

**R5 Nesting Birds:** Vegetation and building clearance should be undertaken outside the nesting bird season. The nesting bird season is weather dependent but generally extends between March and September inclusive (peak period March-August). If this is not possible then any vegetation/buildings to be removed or disturbed should be checked by an experienced ecologist for nesting birds immediately prior to works commencing. If birds are found to be nesting any works which may affect them should be delayed until the young have fledged and the nest has been abandoned naturally, for example via the implementation of an appropriate buffer zone (species dependent) around the nest in which no disturbance is permitted until the nest is no longer in use.

**R6**



**R7 Herpetofauna:** A reasonable avoidance method statement should be compiled detailing how the proposed works will be undertaken in a sensitive manner to avoid any potential breach of legislation. This document should describe working methods, timings and should detail any ecological control measures that will be implemented e.g. vegetation management and ecological supervision.

### 7.4 INVASIVE PLANT SPECIES

The following recommendation is made regarding invasive plant species:

**R8 Wall Cotoneaster:** A Method Statement must be developed for the proposed works to ensure that they do not result in the spread of any invasive non-native species. This method statement should reflect established best management practices for the treatment of the species.

## 8. DRAWINGS

Drawing C152714-01-01-Rev A – Phase 1 Habitat Map





C152714-01-01\_RevA

**Legend**

- - - Site boundary
- x Scattered scrub
- Scattered tree
- Fence
- Building
- Dense scrub
- Ephemeral/short perennial
- Hardstanding
- Improved grassland
- No access
- Target note
- 1. Wall cotoneaster

Project		Sevenoaks Gasholder Site	
Drawing		Phase 1 Habitat Map	
Client		CBRE	
Drawing Number	C152714-01-01_RevA	Revision	Rev A
Scale @ A3	1:500	Date	March 2021
Approved By	VA	Drawn By	CD

**MIDDLEMARCH ENVIRONMENTAL**

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 E:admin@middlemarch-environmental.com

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## 9. PHOTOGRAPHS



**Plate 9.1: Building with Bat Potential**



**Plate 9.2: Wall Cotoneaster**



**Plate 9.3: Ephemeral Vegetation**



**Plate 9.4: Improved Grassland**



**Plate 9.5: Poplar Tree with Hollow Stem**

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## APPENDICES

APPENDIX 1: Summary of Statutory Nature Conservation Sites

APPENDIX 2: Overview of Relevant Species Specific Legislation

APPENDIX 1

Summary of Statutory Nature Conservation Sites

UK Statutory Sites

**Ancient Woodland (England)**

**Wood Name**

**Theme Name**

Ancient & Semi-Natural Woodland

**Theme ID**

1500205

**Area (Ha)**

0.97624

**Wood Name**

**Theme Name**

Ancient & Semi-Natural Woodland

**Theme ID**

1499997

**Area (Ha)**

0.192866

**Wood Name**

**Theme Name**

Ancient & Semi-Natural Woodland

**Theme ID**

1499838

**Area (Ha)**

0.290635

**Wood Name**

**Theme Name**

Ancient & Semi-Natural Woodland

**Theme ID**

1499839

**Area (Ha)**

0.505171

**Wood Name**

**Theme Name**

Ancient & Semi-Natural Woodland

**Theme ID**

1499845

**Area (Ha)**

1.160824

**Wood Name**

**Theme Name**

Ancient & Semi-Natural Woodland

**Theme ID**

1499854

**Area (Ha)**

0.554852

**Wood Name**

**Theme Name**

Ancient & Semi-Natural Woodland

**Theme ID**

1500164

**Area (Ha)**

0.415244

**Wood Name**

Darnets Spring

**Theme Name**

Ancient & Semi-Natural Woodland

**Theme ID**

1499852

**Area (Ha)**

0.881686

**Wood Name**

Oak Plantation Close Rye Wood & Shaw

**Theme Name**

Ancient & Semi-Natural Woodland

**Theme ID**

1499381

**Area (Ha)**

1.445601

**Sites of Special Scientific Interest (England)**

**Name**

Sevenoaks Gravel Pits SSSI

**Reference**

1000321

**Natural England Contact**

Conservation Delivery Team

**Natural England Phone Number**

0845 600 3078

**Hectares**

73.7

**Citation**

1001202

**Hyperlink**

<http://designatedsites.naturalengland.org.uk/SiteDetail.aspx?SiteCode=s1001202>

**Name**

Greatness Brickworks SSSI

**Reference**

1000281

**Natural England Contact**

Abbi Bamping

**Natural England Phone Number**

0845 600 3078

**Hectares**

7.78

**Citation**

1003761

**Hyperlink**

<http://designatedsites.naturalengland.org.uk/SiteDetail.aspx?SiteCode=s1003761>

**Name**

Knole Park SSSI

**Reference**

1000292

**Natural England Contact**

KRISTOFFER HEWITT

**Natural England Phone Number**

0845 600 3078

**Hectares**

383.37

**Citation**

1004530

**Hyperlink**

<http://designatedsites.naturalengland.org.uk/SiteDetail.aspx?SiteCode=s1004530>

**Local Nature Reserves (England)**

No Features found

**National Nature Reserves (England)**

No Features found

OK Cancel Print

**SSSI Impact Risk Zones**

**SSSI Impact Risk Zones - to assess planning applications for likely impacts on SSSIs/SACs/SPAs & Ramsar sites (England)**

**1. DOES PLANNING PROPOSAL FALL INTO ONE OR MORE OF THE CATEGORIES BELOW?**

2. IF YES, CHECK THE CORRESPONDING DESCRIPTION(S) BELOW. LPA SHOULD CONSULT NATURAL ENGLAND ON LIKELY RISKS FROM THE FOLLOWING:

**All Planning Applications**

ALL PLANNING APPLICATIONS - EXCEPT HOUSEHOLDER APPLICATIONS.

**Infrastructure**

**Wind & Solar Energy**

**Minerals, Oil & Gas**  
**Rural Non Residential**  
**Residential**  
**Rural Residential**  
**Air Pollution**  
**Combustion**  
**Waste**  
**Composting**  
**Discharges**  
**Water Supply**  
**Notes 1**  
**Notes 2**

**GUIDANCE - How to use the Impact Risk Zones**

[/Metadata\\_for\\_magic/SSSI IRZ User Guidance MAGIC.pdf](#)

**1. DOES PLANNING PROPOSAL FALL INTO ONE OR MORE OF THE CATEGORIES BELOW?**

2. IF YES, CHECK THE CORRESPONDING DESCRIPTION(S) BELOW. LPA SHOULD CONSULT NATURAL ENGLAND ON LIKELY RISKS FROM THE FOLLOWING:

**All Planning Applications**

All planning applications (except householder) outside or extending outside existing settlements/urban areas affecting greenspace, farmland, semi natural habitats or landscape features such as trees, hedges, streams, rural buildings/structures.

**Infrastructure**

Pipelines, pylons and overhead cables. Any transport proposal including road, rail and by water (excluding routine maintenance). Airports, helipads and other aviation proposals.

**Wind & Solar Energy**

Solar schemes with footprint > 0.5ha, all wind turbines.

**Minerals, Oil & Gas**

Planning applications for quarries, including: new proposals, Review of Minerals Permissions (ROMP), extensions, variations to conditions etc. Oil & gas exploration/extraction.

**Rural Non Residential**

Large non residential developments outside existing settlements/urban areas where net additional gross internal floorspace is > 1,000m<sup>2</sup> or footprint exceeds 0.2ha.

**Residential**

Residential development of 10 units or more.

**Rural Residential**

Any residential development of 10 or more houses outside existing settlements/urban areas.

**Air Pollution**

Any industrial/agricultural development that could cause AIR POLLUTION (incl: industrial processes, livestock & poultry units with floorspace > 500m<sup>2</sup>, slurry lagoons > 200m<sup>2</sup> & manure stores > 250t).

**Combustion**

General combustion processes >20MW energy input. Incl: energy from waste incineration, other incineration, landfill gas generation plant, pyrolysis/gasification, anaerobic digestion, sewage treatment works, other incineration/ combustion.

**Waste**

Landfill. Incl: inert landfill, non-hazardous landfill, hazardous landfill.

**Composting**

Any composting proposal with more than 75000 tonnes maximum annual operational throughput. Incl: open windrow composting, in-vessel composting, anaerobic digestion, other waste management.

**Discharges**

Any discharge of water or liquid waste that is discharged to ground (ie to seep away) or to surface water, such as a beck or stream (NB this does not include discharges to mains sewer which are unlikely to pose a risk at this location).

**Water Supply**

Large infrastructure such as warehousing / industry where net additional gross internal floorspace is > 1,000m<sup>2</sup> or any development needing its own water supply .

**Notes 1**

**Notes 2**

**GUIDANCE - How to use the Impact Risk Zones**

[/Metadata\\_for\\_magic/SSSI IRZ User Guidance MAGIC.pdf](#)

**1. DOES PLANNING PROPOSAL FALL INTO ONE OR MORE OF THE CATEGORIES BELOW?**

2. IF YES, CHECK THE CORRESPONDING DESCRIPTION(S) BELOW. LPA SHOULD CONSULT NATURAL ENGLAND ON LIKELY RISKS FROM THE FOLLOWING:

**All Planning Applications**

All planning applications (except householder) outside or extending outside existing settlements/urban areas affecting greenspace, farmland, semi natural habitats or landscape features such as trees, hedges, streams, rural buildings/structures.

**Infrastructure**

Pipelines, pylons and overhead cables. Any transport proposal including road, rail and by water (excluding routine maintenance). Airports, helipads and other aviation proposals.

**Wind & Solar Energy**

Solar schemes with footprint > 0.5ha, all wind turbines.

**Minerals, Oil & Gas**

Planning applications for quarries, including: new proposals, Review of Minerals Permissions (ROMP), extensions, variations to conditions etc. Oil & gas exploration/extraction.

**Rural Non Residential**

Large non residential developments outside existing settlements/urban areas where net additional gross internal floorspace is > 1,000m<sup>2</sup> or footprint exceeds 0.2ha.

**Residential**

Residential development of 10 units or more.

**Rural Residential**

Any residential development of 10 or more houses outside existing settlements/urban areas.

**Air Pollution**

Livestock & poultry units with floorspace > 500m<sup>2</sup>, slurry lagoons > 750m<sup>2</sup> & manure stores > 3500t.

**Combustion**

General combustion processes >50MW energy input. Incl: energy from waste incineration, other incineration, landfill gas generation plant, pyrolysis/gasification, anaerobic digestion, sewage treatment works, other incineration/ combustion.

**Waste**

Landfill. Incl: inert landfill, non-hazardous landfill, hazardous landfill.

**Composting**

**Discharges**

Any discharge of water or liquid waste that is discharged to ground (ie to seep away) or to surface water, such as a beck or stream (NB this does not include discharges to mains sewer which are unlikely to pose a risk at this location).

**Water Supply**

Large infrastructure such as warehousing / industry where net additional gross internal floorspace is > 1,000m<sup>2</sup> or any development needing its own water supply .

**Notes 1**

**Notes 2**

**GUIDANCE - How to use the Impact Risk Zones**

[/Metadata for magic/SSSI IRZ User Guidance MAGIC.pdf](#)

OK

**European Statutory Sites**

**Ramsar Sites (England)**

No Features found

**Proposed Ramsar Sites (England)**

No Features found

**Special Areas of Conservation (England)**

No Features found

**Possible Special Areas of Conservation (England)**

No Features found

**Special Protection Areas (England)**

No Features found

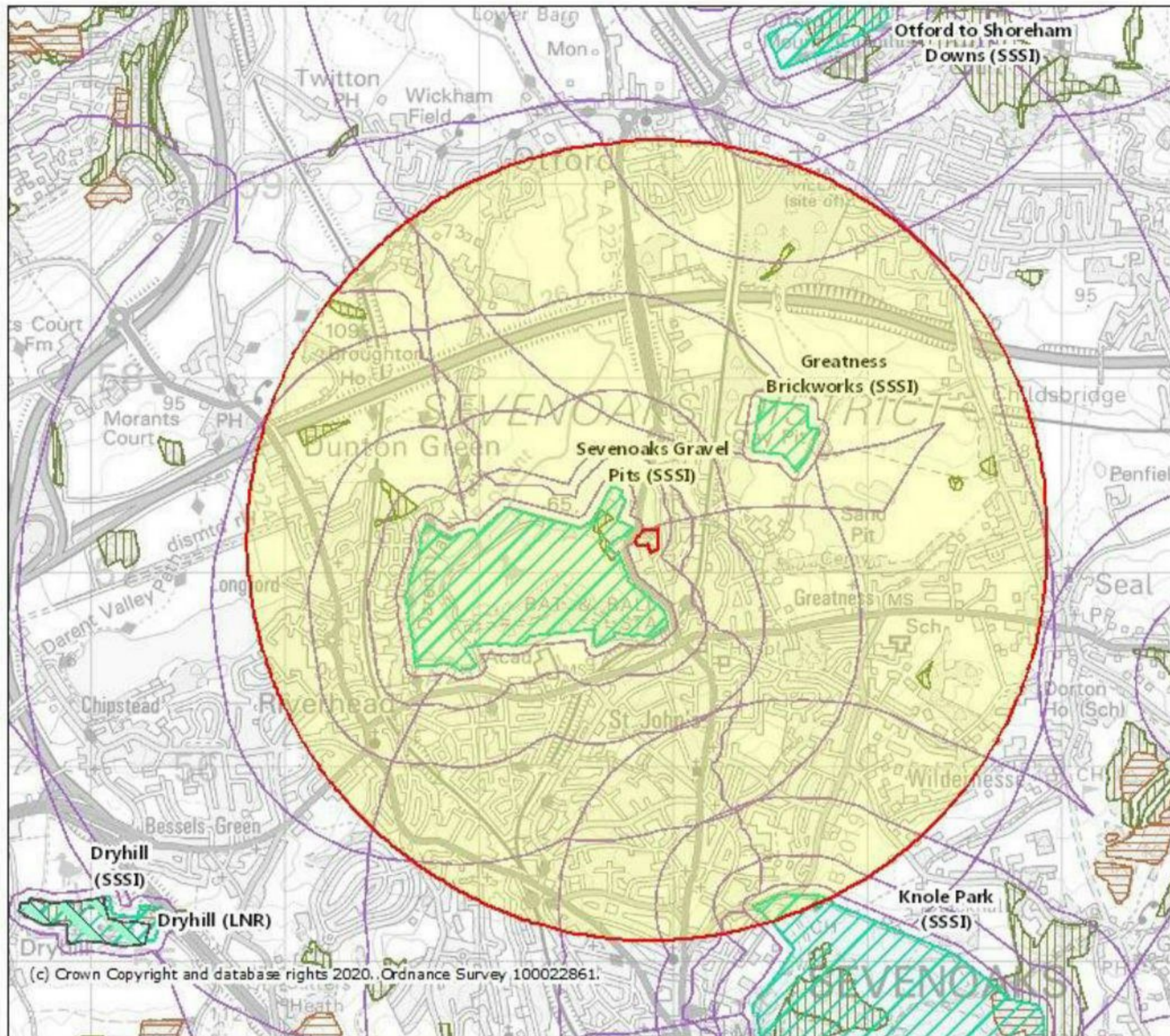
**Potential Special Protection Areas (England)**

No Features found





UK Statutory Sites within 2 km



**Legend**

- Local Nature Reserves (England)
- National Nature Reserves (England)
- Sites of Special Scientific Interest (England)
- SSSI Impact Risk Zones - to assess planning applications for likely impacts on SSSIs/SACs/SPAs & Ramsar sites (England)
- Ancient Woodland (England)**
- Ancient and Semi-Natural Woodland
- Ancient Replanted Woodland

Projection = OSGB36  
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 xmax = 558000  
 ymax = 159900

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## **APPENDIX 2**

### Overview of Relevant Species Specific Legislation

### BATS

Bats and the places they use for shelter or protection (i.e. roosts) receive European protection under The Conservation of Habitats and Species Regulations 2017 (Habitats Regulations 2017). They receive further legal protection under the Wildlife and Countryside Act (WCA) 1981, as amended. This protection means that bats, and the places they use for shelter or protection, are capable of being a material consideration in the planning process.

Regulation 41 of the Habitats Regulations 2017, states that a person commits an offence if they:

- deliberately capture, injure or kill a bat;
- deliberately disturb bats; or
- damage or destroy a bat roost (breeding site or resting place).

Disturbance of animals includes in particular any disturbance which is likely to impair their ability to survive, to breed or reproduce, or to rear or nurture their young, or in the case of animals of a hibernating or migratory species, to hibernate or migrate; or to affect significantly the local distribution or abundance of the species to which they belong.

It is an offence under the Habitats Regulations 2017 for any person to have in his possession or control, to transport, to sell or exchange or to offer for sale, any live or dead bats, part of a bat or anything derived from bats, which has been unlawfully taken from the wild.

Whilst broadly similar to the above legislation, the WCA 1981 (as amended) differs in the following ways:

- Section 9(1) of the WCA makes it an offence to *intentionally* kill, injure or take any protected species.
- Section 9(4)(a) of the WCA makes it an offence to *intentionally or recklessly\** damage or destroy, or *obstruct access to*, any structure or place which a protected species uses for shelter or protection.
- Section 9(4)(b) of the WCA makes it an offence to *intentionally or recklessly\** disturb any protected species *while it is occupying a structure or place which it uses for shelter or protection*.

\*Reckless offences were added by the Countryside and Rights of Way (CRoW) Act 2000.

As bats re-use the same roosts (breeding site or resting place) after periods of vacancy, legal opinion is that roosts are protected whether or not bats are present.

The following bat species are Species of Principal Importance for Nature Conservation in England: Barbastelle Bat *Barbastella barbastellus*, Bechstein's Bat *Myotis bechsteinii*, Noctule Bat *Nyctalus noctula*, Soprano Pipistrelle *Pipistrellus pygmaeus*, Brown Long-eared Bat *Plecotus auritus*, Greater Horseshoe Bat *Rhinolophus ferrumequinum* and Lesser Horseshoe Bat *Rhinolophus hipposideros*.

The reader should refer to the original legislation for the definitive interpretation.

### BIRDS

The Conservation of Habitats and Species Regulations 2017 places a duty on public bodies to take measures to preserve, maintain and re-establish habitat for wild birds.

Nesting and nest building birds are protected under the Wildlife and Countryside Act WCA 1981 (as amended).

Subject to the provisions of the act, if any person intentionally:

- kills, injures or takes any wild bird;
- takes, damages or destroys the nest of any wild bird while that nest is in use or being built; or
- takes or destroys an egg of any wild bird, he shall be guilty of an offence.

Some species (listed in Schedule 1 of the WCA) are protected by special penalties. Subject to the provisions of the act, if any person intentionally or recklessly:

- disturbs any wild bird included in Schedule 1 while it is building a nest or is in, on or near a nest containing eggs or young; or
- disturbs dependent young of such a bird, he shall be guilty of an offence.

Several bird species are Species of Principal Importance for Nature Conservation in England, making them capable of being material considerations in the planning process.

#### HEDGEHOG

Hedgehogs receive some protection under Schedule 6 of the Wildlife and Countryside Act 1981 (as amended); this section of the Act lists animals which may not be killed or taken by certain methods, namely traps and nets, poisons, automatic weapons, electrical devices, smokes/gases and various others. Humane trapping for research purposes requires a licence.

Hedgehogs are a Species of Principal Importance for Nature Conservation in England and are thus capable of being material considerations in the planning process.

#### COMMON AMPHIBIANS

Common frogs, common toad, smooth newt and palmate newt are protected in Britain under Schedule 5 of the Wildlife and Countryside Act (1981, as amended) with respect to sale only. They are also listed under Annex III of the Bern Convention 1979. Any exploitation of wild fauna specified in Appendix III shall be regulated in order to keep the populations out of danger. The convention seeks to prohibit the use of all indiscriminate means of capture and killing and the use of all means capable of causing local disappearance of, or serious disturbance to, populations of a species.

Common toad is listed as a Species of Principal Importance for Nature Conservation in England.

#### GREAT CRESTED NEWT

Great crested newts (GCN) and the places they use for shelter or protection receive European protection under The Conservation of Habitats and Species Regulations 2017, (Habitats Regulations 2017). They receive further legal protection under the Wildlife and Countryside Act (WCA) 1981, as amended. This protection means that GCN, and the places they use for shelter or protection, are capable of being a material consideration in the planning process.

Regulation 41 of the Habitats Regulations 2017, states that a person commits an offence if they:

- deliberately capture, injure or kill a GCN;
- deliberately disturb GCN;

- deliberately take or destroy eggs of a GCN; or
- damage or destroy a GCN breeding site or resting place.

Disturbance of animals includes in particular any disturbance which is likely to impair their ability to survive, to breed or reproduce, or to rear or nurture their young, or in the case of animals of a hibernating or migratory species, to hibernate or migrate; or to affect significantly the local distribution or abundance of the species to which they belong.

It is an offence under the Habitats Regulations 2017 for any person to have in his possession or control, to transport, to sell or exchange or to offer for sale, any live or dead GCN, part of a GCN or anything derived from GCN, which has been unlawfully taken from the wild. This legislation applies to all life stages of GCN.

Whilst broadly similar to the above legislation, the WCA 1981 (as amended) differs in the following ways:

- Section 9(1) of the WCA makes it an offence to *intentionally* kill, injure or take any protected species.
- Section 9(4)(a) of the WCA makes it an offence to *intentionally or recklessly\** damage or destroy, or *obstruct access to*, any structure or place which a protected species uses for shelter or protection.
- Section 9(4)(b) of the WCA makes it an offence to *intentionally or recklessly\** disturb any protected species *while it is occupying a structure or place which it uses for shelter or protection*.

\*Reckless offences were added by the Countryside and Rights of Way (CRoW) Act 2000.

The reader should refer to the original legislation for the definitive interpretation.

#### INVASIVE SPECIES

The Wildlife and Countryside Act 1981 provides the primary controls on the release of non-native species into the wild in Great Britain. It is an offence under section 14(2) of the Act to 'plant or otherwise cause to grow in the wild' any plant listed in Schedule 9, Part II. This list contains 36 plant species and their hybrids and includes Rhododendron. The Infrastructure Act 2015 makes it possible, under certain circumstances, to compel landowners or occupiers to carry out control or eradication operations, or to allow them to be carried out by the issuing authority.

#### REPTILES

All of the UK's native reptiles are protected by law. The two rarest species – sand lizard (*Lacerta agilis*) and smooth snake (*Coronella austriaca*) – benefit from the greatest protection.

Common lizard (*Zootoca vivipara*), slow-worm (*Anguis fragilis*), adder (*Vipera berus*) and grass snake (*Natrix natrix*) are protected under the Wildlife and Countryside Act 1981 as amended from intentional killing or injuring.

Sand lizard and smooth snake are protected under the Wildlife and Countryside Act 1981 (as amended) and The Conservation of Habitats and Species Regulations 2017 which together make it illegal to kill, injure, capture, handle or disturb these animals. Places they use for breeding, resting, shelter and protection are protected from being damaged or destroyed. It is also illegal to obstruct these animals from using such areas.

In England and Wales, this Act has been amended by the Countryside and Rights of Way Act 2000 (CRoW), which adds an extra offence, makes species offences arrestable, increases the time limits for some prosecutions and increases penalties. All native reptiles are Species of Principal Importance for Nature Conservation in England.

The reader is referred to the original legislation for the definitive interpretation.

This is a simplified description of the legislation. In particular, the offences mentioned here may be absolute, intentional, deliberate or reckless. Note that where it is predictable that reptiles are likely to be killed or injured by activities such as site clearance, this could legally constitute intentional killing or injuring.

English Nature (2004) has stated that:

*Reptiles are likely to be threatened, and the law potentially breached, by activities such as the following:*

- *Archaeological and geotechnical investigations*
- *Clearing land, installing site offices or digging foundations*
- *Cutting vegetation to a low height*
- *Laying pipelines or installing other services*
- *Driving machinery over sensitive areas*
- *Storing construction materials in sensitive areas*
- *Removing rubble, wood piles and other debris.*

In general English Nature would expect reasonable avoidance to include measures such as altering development layouts to avoid key areas, as well as capture and exclusion of reptiles.

For sand lizards and smooth snakes, licences may be issued for some activities (such as disturbance and capture) that would otherwise be prohibited.