



Newtown Court Farm Ecology Report

Prepared for Edge Architecture

November 2021

Revision 03

TURNSTONE ECOLOGY LIMITED

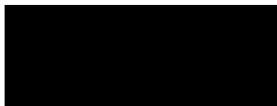
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SURVEY AND REPORT VALIDITY

It is important that planning decisions are based on up-to-date ecological reports and survey data. However, it is difficult to set a specific timeframe over which reports or survey data should be considered valid, as this will vary in different circumstances. In some cases there will be specific guidance on this (such as for the age of data which may be used to support an EPS licence application) but in circumstances where such advice does not already exist, the Chartered Institute of Ecology and Environmental Management (CIEEM) has provided the general advice set out below.

<i>Age of Data / Survey / Report</i>	<i>Validity</i>
Less than 12 months	Likely to be valid in most cases.
12-18 months	Likely to be valid in most cases with the following exceptions: Where a site may offer existing or new features which could be utilised by a mobile species within a short timeframe; Where a mobile species is present on site or in the wider area, and can create new features of relevance to the assessment; Where country-specific or species-specific guidance dictates otherwise.
18 months to 3 years	A professional ecologist will need to undertake a site visit and then review the validity of the report. Some or all of the other ecological surveys updated.
Protected Species Licensing	Licence applications usually only possible using data less than 2 years old

The likelihood of surveys needing to be updated increases with time and is greater for mobile species or in circumstances where the habitat or its management has changed significantly since the surveys were undertaken. Factors to be considered include (but are not limited to):

Whether the site supports, or may support, a mobile species which could have moved on to site, or changed its distribution within a site;

Whether there have been significant changes to the habitats present (and/or the ecological conditions/functions/ecosystem functioning upon which they are dependent) since the surveys were undertaken, including through changes to site management;

Whether the local distribution of a species in the wider area around a site has changed (or knowledge of it increased), increasing the likelihood of its presence.

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1 INTRODUCTION

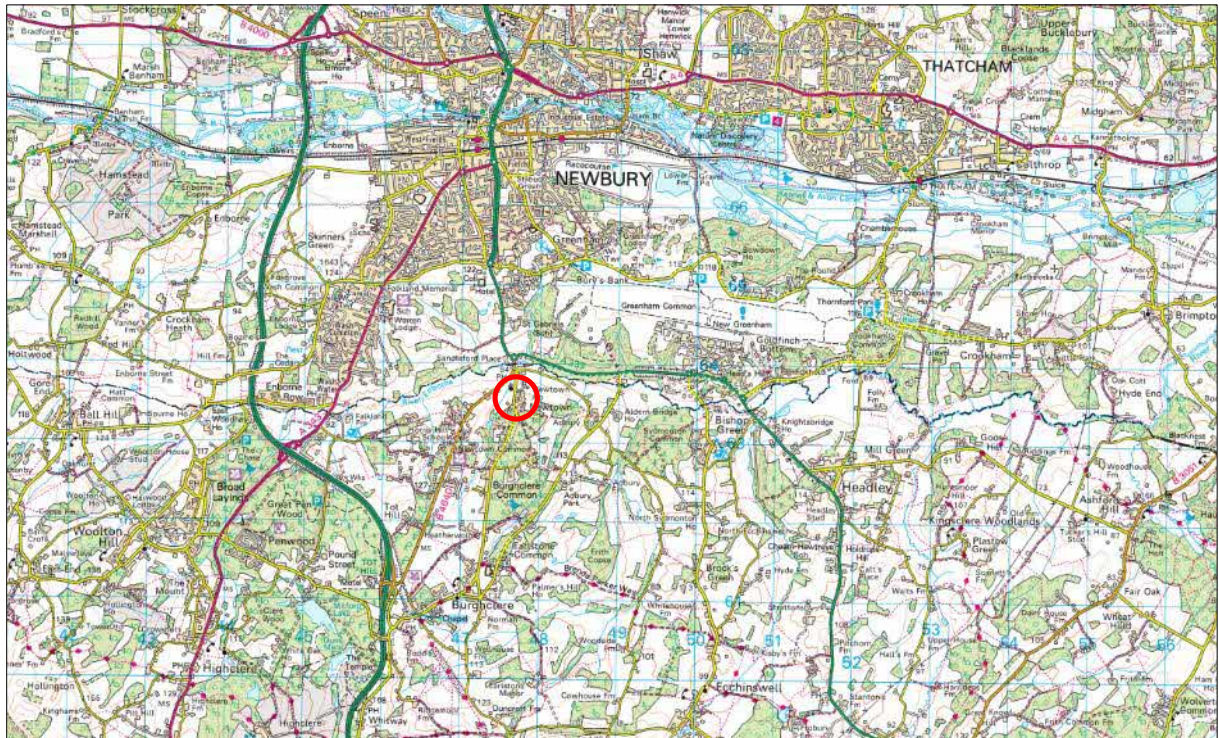
1.1 Purpose of Report

This report has been completed in connection with the proposed development at Newtown Court, Newtown, Newbury, Berkshire (OS Grid Location SU 4763 7657). The development (planning application reference 21/02301/FUL) comprises the construction of three residential dwellings and associated access, garages and landscaping. The existing residential dwelling will be retained, however the existing detached garage will be demolished and a new garage constructed to the north-west of the existing house. The location of the proposed development site is shown in *Figure 1*, the survey area is shown in *Figure 2* and the proposed development plans are fully detailed in *Section 4*.

A PRA and bat activity (two dusk emergence) surveys were previously undertaken of the existing residential dwelling in September 2019. A full site survey was carried out on 11th January 2021 and consisted of a Phase 1 Habitat Survey, protected species habitat suitability assessment and a Preliminary Roost Assessment (PRA) survey. Bat activity (two dusk emergence) surveys of the garage were undertaken in May and July 2021 during which an update count of the dwelling was undertaken. Although the dwelling will be retained the survey results and assessment are detailed in this report. All surveys were undertaken by Turnstone Ecology Limited.

This report details survey and assessment methodology and the results of a desk-based study and on-site surveys. It also provides an assessment of potential ecological impacts and appropriate mitigation to offset any ecological impacts associated with the proposal and to satisfy national and local planning policies.

Figure 1. Location of proposed development (© Microsoft 2021)



1.2 Ecological Context

1.3 Ecological Context

Newtown Court Farm is situated in Newtown, approximately 3 km south of Newbury. The site survey area comprises a detached dwelling with a detached garage and a large garden (Figure 2). The house and the garden are bordered by hedgerows or fences on all sides with trees on the northern, eastern and southern sides. It should be noted that the area that was surveyed also includes a separate application site (20/01744/FUL - Erection of detached dwelling with associated access and landscaping), at the western end of the survey area that is not part of this current application.

The property is located in a rural location accessed via Well Street, the main lane through the village. The village is immediately surrounded by agricultural land, extending slightly further to the southern and south-eastern areas of Newbury. Greenham and Crookham Commons are to the north-east, which have large areas of woodland and open heathland, and Newtown and Burghclere Commons and associated extensive woodland are to the south. The River Enborne and Newtown Pond are approximately 430m to the north. An overview of the surrounding area is shown in Figure 3.

Figure 2. Site survey area (note that this area also includes the footprint of a separate application - 20/01744/FUL, at the western end of the survey area)

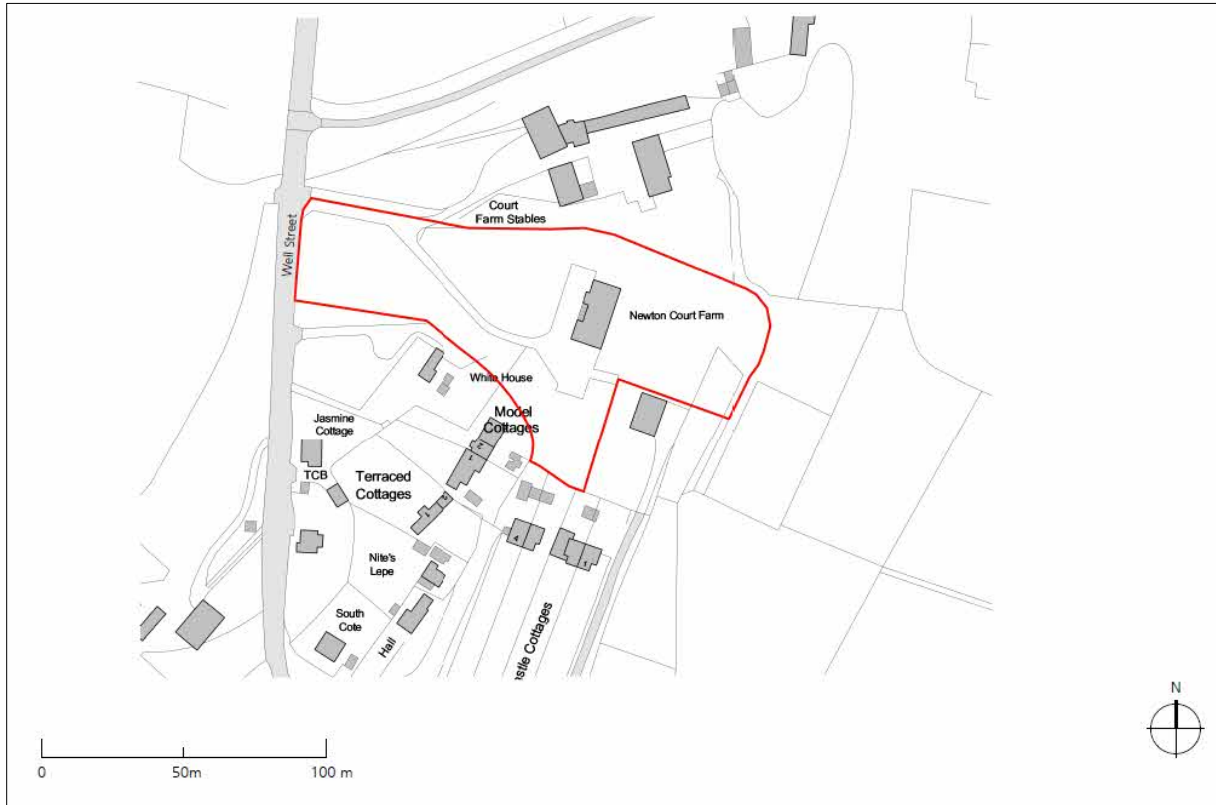


Figure 3. Overview of the proposed development site and surrounding area



2 METHODS

2.1 Desk-based Study

Information relating to designated sites, sites where European Protected Species (EPS) Licences have been granted between 2009 and 2019 and historic records of protected species within 2 km of the proposed development site were updated for this report and obtained from Magic (www.magic.gov.uk) and other freely available information on the internet, such as planning portals.

A data request for biodiversity records was not undertaken as the site is small, the habitats that will be impacted are limited and it is very unlikely that the records obtained would affect the site assessment and mitigation proposed.

Any species-specific historic records are detailed within the relevant species accounts in the *Results* section.

2.2 Phase 1 Habitat Survey

The survey methods were based on the Phase 1 Habitat Survey approach (Joint Nature Conservation Committee 2003), which is a standardised method to survey main habitat types. Plant nomenclature in this report follows Rose (*Revised Edition 2006*) for native, naturalised and garden varieties of vascular plant. Introduced species and garden varieties are not always identified.

2.3 Protected Fauna Survey and Assessment

The habitats on site were assessed for suitability for protected fauna that occur in the region and obvious signs and incidental sightings of protected species were noted where present. Taking into consideration the geographical region and habitat types on and adjacent to site, the protected species and species groups that could be encountered are listed below.

- Badger
- Bats
- Dormouse
- Nesting birds
- Great Crested Newt
- Reptiles

Details of initial survey methods for each relevant species are given below.

2.3.1 Badger

Where access allowed a comprehensive assessment was carried out to identify areas that are used by Badgers (*Meles meles*) for foraging and sett digging. Signs of Badgers including setts, foraging signs, paths and latrines, are recorded where present.

2.3.2 Bats

General

Habitats within and immediately adjacent to site were assessed for their suitability for use by foraging or commuting bats. Areas of particular interest vary between species, but generally include sheltered areas and those habitats with good numbers of insects, such as woodland, scrub, hedges, watercourses, ponds, lakes and more species-rich or rough grassland.

Preliminary Roost Assessment

The existing dwelling and detached garage were surveyed separately, in 2019 and 2021 respectively.

The buildings were assessed for potential to support bat roosts. The assessment involves a consideration of various factors including;

- Light levels;
- Temperature regime and protection from weather;
- Access to the interior of the building or to other suitable roost sites;
- Potential roost sites;
- Building construction;
- Tree structure; and
- Habitat context.

Based on these factors, an assessment was made of whether the buildings affected by the proposals might support bats and the type and number of roosts that might be present.

A detailed inspection was made of the exterior and interior of the buildings within the proposed development boundary for any evidence of bat use, such as live or dead bats, droppings, scratch marks, staining and prey remains, and in some cases the absence of cobwebs. Large quantities of cobwebs in roof voids or at access points tend to be suggestive of no bat use, although this evidence is not conclusive.

Features identified as possible bat access points or potential roosting locations were thoroughly searched where possible, using powerful torches and binoculars to facilitate the process. An endoscope and ladders were also used to enable more detailed inspection of cracks and crevices as far as access allowed.

The survey was undertaken in good light conditions and access to all areas of the building was possible. This type of survey can be completed at any time of year though the optimal period for completion is at

times when bats are most likely to be present in buildings (April-October). That said evidence of bats, if present in sheltered locations, is likely to persist well beyond this period.

Buildings and trees are categorised according to their suitability for roosting bats as follows (taken from Bat Survey Guidelines, 3rd Edition)¹:

Negligible – Habitat features on site with very low suitability to be used by roosting bats.

Low – A structure with one or more potential roost sites that could be used by individual bats opportunistically. However, these potential roost sites do not provide enough space, shelter, protection, appropriate conditions and/or suitable surrounding habitat to be used on a regular basis or by larger numbers of bats (*i.e.* unlikely to be suitable for maternity or hibernation).

Moderate – A structure or tree with one or more potential roost sites that could be used by bats due to their size, shelter, protection, conditions and surrounding habitat but unlikely to support a roost of high conservation status (with respect to roost type only).

High – A structure or tree with one or more potential roost sites that are obviously suitable for use by larger numbers of bats on a more regular basis and potentially for longer periods of time due to their size, shelter, protection, conditions and surrounding habitat. They could be suitable for maternity roosts or hibernation sites.

Confirmed – Roosting bats confirmed as being present, either by the discovery of live or dead bats, droppings, prey remains, scratching or fur-staining.

Bat Activity Surveys

Based on the results of the PRA survey undertaken on the dwelling in 2019, dusk emergence/activity surveys were completed on 12th and 26th September 2019 with survey timings and conditions shown in *Table 1* below. An update to the dwelling was carried out on 1st July 2021. Surveys on the Garage were carried out on 19th May 2021 and 1st July 2021 with survey timings and conditions shown in *Table 2* below.

Evening emergence and dawn re-entry surveys are the primary methods for locating roosts in trees, buildings or built structures, as bats are not always found by internal and external inspection surveys (*e.g.* if the bats roost in areas that cannot be searched and/or leave little or no visible trace). These surveys can also give a reasonable estimate of the number of bats present.

The surveys were carried out by a principal ecologist and an ecologist from Turnstone Ecology on each building who are experienced at completing bat surveys. The surveyors used Echo Meter Touch 2 Pro

¹ Bat Conservation Trust (2016). *Bat Surveys for Professional Ecologists: Good Practice Guidelines (3rd edition)*. Bat Conservation Trust, London.

Bat Detectors and noted information on time, species and behaviour on to survey forms. Bat calls were continually recorded for the duration of the survey to ensure all bat activity was saved. Audio tracks were downloaded and assessed using the appropriate software to confirm the identity of bats noted during the survey.

Two surveyors on each building were considered sufficient to ensure that suitable roosting features were fully covered during each visit with the surveyors able to position themselves, so any activity could be clearly observed. General activity around the site could also be recorded from the surveyor’s location.

Table 1. Survey timings and conditions (Dwelling in 2019)

	Dusk Survey 12/09/2019		Dusk Survey 26/09/2019	
	Start	End	Start	End
Time	19:12	20:57	18:35	20:25
Temp (°C)	19°	17°	12°	11°
Wind (Bft)	1	1	1	0
Cloud (Octas)	8	8	8	8
Precipitation	Dry		Dry	
Sunset/rise	19:27		18:55	

Table 2. Survey timings and conditions (Dwelling and Garage in 2021)

	Dusk Survey 19/05/2021		Dusk Survey 01/07/2021	
	Start	End	Start	End
Time	20:40	22:26	21:10	22:55
Temp (°C)	13°	11°	19°	17°
Wind (Bft)	1	1	0	0
Cloud (Octas)	0	0	7	8
Precipitation	Dry		Dry	
Sunset/rise	20:56		21:25	

2.3.3 Dormouse

Habitats were assessed for their general suitability for use by Dormouse (*Muscardinus avellanarius*), which generally use areas of dense woody vegetation cover. Dormice are most likely to be found where there is a wide diversity of woody species contributing to three-dimensional habitat complexity, a number of food sources, plants suitable for nest-building material and good connectivity to other areas of suitable habitat.

2.3.4 Nesting birds

Habitat that might be used by nesting birds was identified and actively nesting birds or evidence of nesting birds noted where present.

Different bird species use buildings, trees and shrubs, undergrowth or even open fields for nesting and suitability of the site for use by a range of nesting bird species was considered.

2.3.5 Great Crested Newt

The suitability of any aquatic and terrestrial habitat on the site, and in the immediate vicinity, was assessed for suitability for use by Great Crested Newts (*Triturus cristatus*). Great Crested Newts are known to travel up to 500m between breeding ponds and suitable terrestrial habitat, however, are only likely to travel up to 250m away from a breeding pond if there is suitable terrestrial habitat within that distance. Therefore, a desk-based search was undertaken for any ponds up to 250m from the site using OS maps and aerial imagery. The terrestrial habitat between the site and these ponds, and therefore connectivity to the site, was also considered.

2.3.6 Reptiles

The site was assessed for suitability for use by widespread species of reptiles, with particular attention paid to those features that could be used as basking areas (*e.g.* south-facing slopes), hibernation sites (*e.g.* banks, walls, piles of hardcore) and opportunities for foraging (*e.g.* rough grassland and scrub). The site was assessed for its suitability for the commoner reptile species which have broadly similar habitat requirements, but more specific requirements include those shown below (Beebee & Griffiths 2000).

Common Lizards (*Zootoca vivipara*) use a variety of habitats from woodland glades to walls and pastures, although one habitat they use is brownfield sites;

Slow-worms (*Anguis fragilis*) use similar habitats to Common Lizards, and are often found in rank grassland, gardens and derelict land;

Grass Snakes (*Natrix natrix*) have broadly similar requirements to Common Lizards but with a greater reliance on ponds and wetlands, where they prey on amphibians;

Adder (*Vipera berus*) use a range of fairly open habitats with some cover but are most often found in dry heath.

2.4 Constraints

January is not an ideal time to be undertaking Phase 1 surveys however given the scale and nature of the development and that all areas of the site and buildings could be accessed. It is not considered that this would have had an impact on the results of the survey and the assessment of the site.

Previous bat surveys were undertaken during September, which is outside of the period of peak activity and in particular typically outside of the maternity season. However, the weather conditions during

surveys were suitable and results of the PRA and recorded bat activity make it possible to make a full assessment of roost significance. Additionally, an update survey was undertaken in July 2021 to confirm and validate the results of the previous surveys.

2.5 Criteria for Assessment

The scientific value of habitats for nature conservation is assessed according to widely accepted criteria of which the most important are naturalness, extent, rarity, and diversity.

The assessment of impacts is based on the principles within Chartered Institute of Ecology and Environmental Management (CIEEM) Environmental Impact Assessment (EIA) Guidance (2018) which assesses the impacts of the proposal on ecological receptors taking into consideration extent, duration, reversibility, timing, frequency and certainty.

Mitigation and enhancement are designed to reduce the level of impact upon receptors and provide ecological enhancement in order to meet current legislation and planning policy. The information below has therefore been considered during assessment.

- Criteria that have been developed to assist in the identification of statutory Sites of Special Scientific Interest (SSSIs) (JNCC 2013)

- Habitats and species of Principal Importance included under Section 41 (England) and Section 42 (Wales) of the Natural Environment and Rural Communities (NERC) Act 2006

- The legal status of habitats and species according to The Conservation of Habitats and Species Regulations 2017 (as amended)

- CIEEM Guidelines (2018) for assessing the value of ecological receptors within a defined geographical context using the following categories: international (*i.e.* Europe); UK and national (England); regional; county; Unitary Authority; local or parish; and zone of influence.

- Receptors are identified as ‘important’ at these levels, or as ‘not important’

- Species protected by European directives

- Species protected by the *Wildlife and Countryside Act 1981* (as amended)

- Other species listed as scarce or notable in literature issued by conservation organisations or learned societies *e.g.* vascular plant species listed in Stewart *et al.* (1994) and Red and Amber List Birds of Conservation Concern (Eaton *et al.* 2015)

- Local Wildlife Site selection criteria

- National Policy Planning Framework (NPPF), 2019

- BS42020:2013 – Biodiversity Code of practice for planning and development

- Protected species handbooks and best practice guidelines

- The Berkshire Biodiversity Action Plan (BAP).

3 RESULTS

3.1 Desk Study

3.1.1 Statutory Designated Sites

There are two statutory designated sites within 2 km of the proposed development site;

Greenham and Crookham Commons Site of Special Scientific Interest (SSSI) is approximately 425m to the north-east at its closet point. The sites are designated for the habitats they support (an extensive complex of heathland, grassland, gorse scrub, broad leaved woodland and alder-lined gullies) and in particular the flora they support. There is also notable fauna, with particular interest in invertebrates, breeding birds, reptiles and amphibians; and

Herbert Plantation Local Nature Reserve (LNR) is 900m to the south. Herbert Plantation is a mixed woodland of oak, birch, alder and pine.

3.1.2 European Protected Species Licence Sites

There have been three European Protected Species (EPS) mitigation licences that have been granted between 2009 and 2019 within 2 km of the proposed development site;

2016-19353-EPS-MIT was granted for a site approximately 1.58 km south-east of the proposed development site for the destruction of a breeding site of Common Pipistrelle (*Pipistrellus pipistrellus*), Soprano Pipistrelle (*Pipistrellus pygmaeus*), Brown Long-eared Bat (*Plecotus auritus*), Daubenton's Bat (*Myotis daubentonii*) and Natterer's Bat (*Myotis nattereri*);

EPSM2012-4655 was granted for a site approximately 1.8 km south of the proposed development site for the destruction of a resting place of Common Pipistrelle and Brown Long-eared Bat; and

EPSM2009-1101 was granted for a site approximately 1.8 km north-east of the proposed development site for the destruction of a breeding site for Great Crested Newts.

3.2 Ecological Surveys

Phase 1 habitat types that were recorded within and immediately adjacent to the proposed development sites are listed below and can be seen in *Figure 4*.

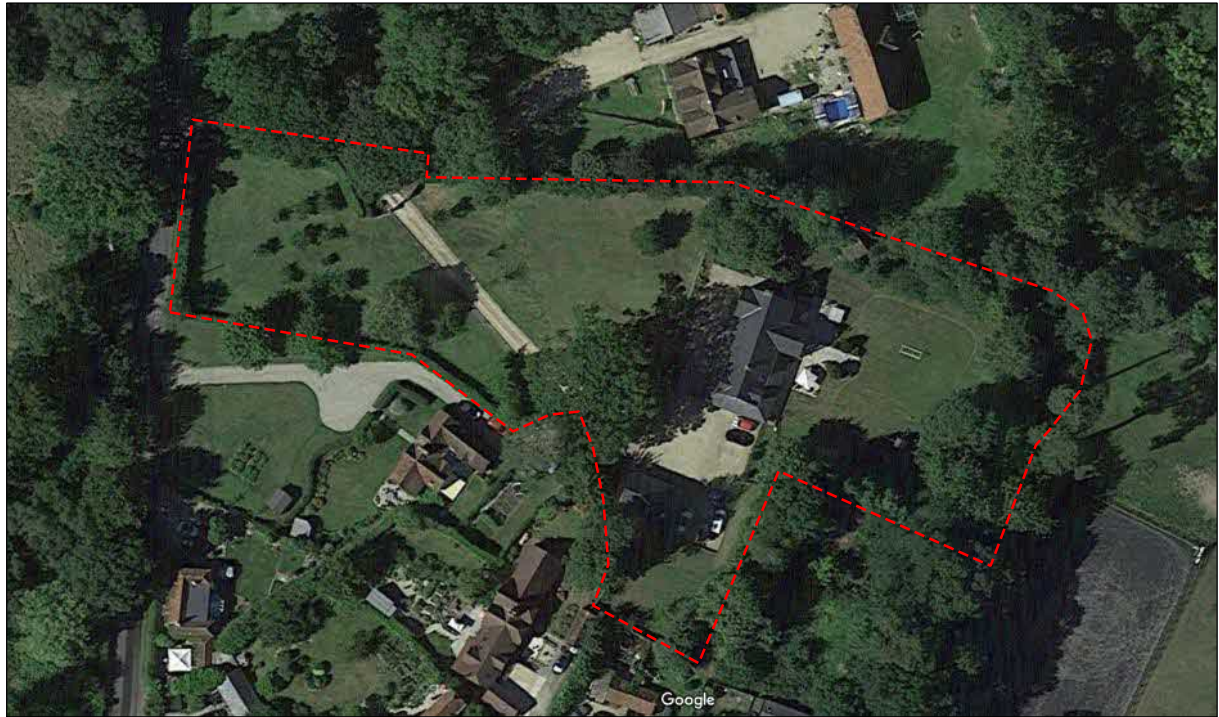
- Amenity grassland
- Buildings and hard-standing
- Hedgerow
- Ornamental planting
- Trees and shrubs
- Pond

The site or immediately adjacent areas contain habitat suitable for the protected species listed below.

- Badger

- Bats
- Dormouse
- Nesting birds
- Great Crested Newt
- Reptiles

Figure 4. Site survey area overview



3.3 Phase 1 Habitat Survey

3.3.1 Amenity grassland

Amenity grassland takes up the majority of the area of the proposed development site (*Plates 1 to 3*). The grassland is very well maintained and mown to a short sward, meaning it has extremely low ecological value. Identifiable plants were very common species associated with amenity grassland.

Plate 1. Amenity grassland at the front, west, of the house (looking south)



Plate 2. Amenity grassland at the rear, east, of the house (looking east)



Plate 3. Amenity grassland to the side, south, of the house and garage (looking south)



3.3.2 Buildings and hard-standing

A large residential dwelling is located in the centre of the site with a detached garage to the south and a wooden shed/summerhouse to the north-east. The buildings are described in detail in *Section 3.4.2*.

A large area of the proposed development site is taken up by an existing gravel entrance road and parking area, currently providing access to the site from Well Street to the west (*Plate 4*). Immediately around the existing house there is further hardstanding patio and gravel areas (*Plates 5 and 6*).

Plate 4. Existing gravel entrance road (looking west)



Plate 5. Gravel and flower beds at the front, west, of the house



Plate 6. Patio area (and ornamental planting) at the rear, east, of the house



3.3.3 Hedgerows

Hedgerows are present along parts of the northern, southern and western boundaries of the site, as well as the fences, shown in *Plate 7* and various other plates throughout.

The hedgerow along the northern boundary is dominated by Hazel (*Corylus avellana*) with Holly (*Ilex aquifolium*) and Dogrose (*Rosa canina*) and the hedgerow along the southern and western boundaries are dominated by Beech (*Fagus sylvatica*) with Hazel and Holly.

Plate 7. Section of hedgerow along the northern boundary of the site



3.3.4 Ornamental planting

Around the edges of both the front and rear gardens, but mostly the rear garden to the north and north-west of the house, there are planted borders. These are planted sparsely with ornamental shrubs and having low ecological value (*Plates 5, 6, 8 and 9*).

Plate 8. Ornamental planting at the northern boundary of the rear garden



Plate 9. Ornamental planting at the north-eastern boundary of the rear garden



3.3.5 Trees and shrubs

There are several mature trees around the site and numerous immature trees and shrubs, forming part of the borders of the site or as ornamental planting. There is a large mature Oak (*Quercus sp.*) tree and Holly bush immediately to the south-west of the house (*Plate 10*) and a large mature Horse Chestnut (*Aesculus hippocastanum*) to the north of the house (*Plate 11*). At the eastern boundary of the site, there is a mature Beech tree, a mature Horse Chestnut tree, 5-6 semi-mature and mature Pine (*Pinus sp.*) trees and further immature trees such as Holly (*Plate 12* and also shown in *Plate 2*).

There is a line of mature Leylandii (*Cupressus × leylandii*) along the border of the site to the south-east of the house (*Plate 13*) and semi-mature Maple (*Acer sp.*) and Willow (*Salix sp.*) within the lawn to the south-west of the house (*Plate 14*). Within the lawn to the south-west of the house there is a group of 10 immature fruit (*Malus sp.*) trees and along the northern side of the driveway a line of 5 fruit (*Prunus sp.*) trees (*Plates 15* and *16*). Immature Hazel, Holly, Dogwood (*Cornus sanguinea*), Sycamore (*Acer pseudoplatanus*) and Elder (*Sambucus nigra*) trees and shrubs are also around the southern border of the site (*Plate 17*).

Plate 10. Mature Oak and Holly bush to the south-west of the house



Plate 11. Mature Horse Chestnut to the north of the house (with bat box)



Plate 12. Mature Beech and Pines at the eastern boundary of the site



Plate 13. Line of Leylandii trees to the south-east of the house



Plate 14. Semi-mature Maple and Willow trees in the front, eastern, garden



Plate 15. Fruit trees in the front, eastern, garden south of the driveway



Plate 16. Prunus sp. fruit trees in the front, eastern, garden lining the north edge of the driveway



Plate 17. Shrubs around the border of the southern area of garden, south of the house and garage



3.3.6 Pond

There is a small ornamental pond just to the west the house (*Plate 18*). The pond is concrete lined and shallow, with minimal vegetation. There is a tap at the pond side and the site owner informed the surveyor that the pond is only seasonally wet (during the winter) and dries up in the spring and through the summer.

Plate 18. Small ornamental pond



3.4 Protected Fauna

3.4.1 Badger

The presence of Badger in the wider area of the site is assumed to be likely. There were no field signs of Badger within or immediately adjacent to the proposed development site. The sites habitats are very well maintained and offer limited foraging opportunity for Badger but it is very unlikely that setts would be excavated within the site due to them being well used and frequently disturbed.

3.4.2 Bats

There are records of bats and bat roosts within 2 km of the proposed development, including Common Pipistrelle, Soprano Pipistrelle, Brown Long-eared Bat, Natterer's Bat and Daubenton's Bat.

The gardens of the proposed development site are suitable for use by foraging bats, particularly the rear garden that is surrounded by tall trees, although the open amenity grassland and ornamental planting is unlikely to be of significant use to foraging bats. The site is also directly linked to other gardens and tree lines that would allow them to commute to and from the garden to nearby woodlands, therefore it is assumed that any species present within wider area may also be present on site.

House

The existing dwelling is a detached two-storey brick-built building (*Plates 19 to 21*). The house has a central section which has been extended with a two-storey extension (single floor up to the second-floor ceiling) to the rear and a two-storey extension to the south. The house has brick showing in some areas with the southern gable end of the extension and sides of dormer windows weather boarded but the

majority is rendered. The brickwork and render are generally in a good condition but gaps are present at the weatherboarding and lead flashing as well as at lead flashing around dormers and the chimneys.

The roof is pitched and is covered in slates and concrete ridge tiles. The slates are generally in good condition with a few lifted at the eastern gable end however the ridge has gaps at numerous locations. A wooden soffit is present and this is in generally good condition however a large hole is present at the northern gable end adjacent to the chimney. Access and roosting locations suitable for bat use are present at gaps at;

- hole in soffit at northern gable end (*Plate 22*);
- weatherboarding at southern gable end (*Plate 20*) and dormers (*Plate 23*);
- lead flashing around two chimneys and dormers (*Plate 23*); and
- gaps at ridge tiles throughout (*Plate 23*).

Evidence of bats was recorded in 2019 externally on the northern gable wall with approximately 50 droppings characteristic of Pipistrelle species present, scattered down the wall immediately below the gap in the soffit. The same evidence was recorded in 2021.

Plate 19. Eastern elevation



Plate 20. South-western elevations



Plate 21. North-eastern elevations



Plate 22. Hole in soffit at northern gable end adjacent to chimney



Plate 23. Example of gaps at weatherboarding, lead flashing and ridge tiles



Loft voids are present above the original house (Loft 1) and the addition to the east (Loft 2) and the voids are not joined in any way that bats can move between them internally.

Loft 1 (*Plate 24*) is approximately 3m to ridge and 6m x 11m in area. A small dormer section is present over the rear extension to the north although this is small as this extension is mostly from ground to roof height. The construction is a wooden trada truss, although in general there is good flight space present within the void. The gable walls are concrete building block internally. The slates are lined with a

Breathable Roof Membrane which appears has likely to have been present since extension works were carried out at the house (believed to be approximately 7 years ago based on householder comment).

Loft 2 (*Plate 25*) is approximately 1.75m to ridge and 3.5m x 6m in area. The gable walls are red brick in this section internally. The slates are lined with a Breathable Roof Membrane.

Plate 24. Loft 1



Plate 25. Loft 2



Evidence of bats from the Loft 1 included;

approximately 1000 droppings characteristic of Pipistrelle species at the base of the northern gable wall (*Plate 26*) as well as droppings scattered on the northern gable wall;

high levels of urine staining were present on the BRM lining at the northern end of the loft (*Plate 27*) and chattering of bats behind the lining (between lining and slates) could be heard when stood within the loft;

approximately 300 droppings characteristic of pipistrelle species at the base of the southern gable wall as well as droppings scattered on the southern gable wall; and

low numbers of droppings characteristic of pipistrelle species were scattered within the loft void but not directly associated with any roost features.

No evidence of bats was present in Loft 2.

Plate 26. Droppings at northern gable end of Loft 1



Plate 27. Extensive bat urine staining at northern gable end of Loft 1



Garage

The Garage is detached from the house to the south. It is a two-storey pitched roof treble garage, with three large vehicular access doors to the north and a pedestrian access door to the east. The roof has slate tiles and a ridge tiles. There is 'living' space above the garage that could not be accessed at the time of the survey, but the surveyor was informed that there is no internal loft void and the roof is well sealed.

It is brick with a mostly rendered exterior but there is weather boarding at the upper half of the gable end walls. The external of the garage is generally very well sealed with no apparent internal access. There are gaps under the ridge tiles and under the weather boarding that provide features for use by roosting bats. There is a bat box on the western gable end wall, where three bats (Pipistrelle species) were present during the 2021 PRA survey.

The interior is very well sealed, clean and regularly used for storage. There is light (coming from the windows) and it is unlikely that the internal of the garage would be used by roosting bats.

Plate 28. Front (northern aspect) of the Garage



Plate 29. Rear (southern aspect) of the Garage



Plate 30. Western end of the Garage, showing weather boarding (and bat box)



Plate 31. Three Pipistrelle sp. bats in the bat box on the garage



Plate 32. Internal of the Garage



Shed/Summer house

There is shed/summer house to the north-east of the house (also shown in *Plate 8*). This building is wooden framed with hanging tiles on the external walls and a pitched tiled roof. There are some external gaps under the hanging and roof tiles, however all of the gaps inspected were clogged with cobwebs and other debris. There does not appear to be any internal access and the interior was very clean and well used for storage. This building has *Negligible* suitability for use by roosting bats.

Plate 33. Side, eastern aspect, of the shed/summer house



Plate 34. Internal of the shed/summer house



3.5 Bat Activity Surveys

Due to the results of the PRA surveys, two evening emergence surveys were completed in 2019 and two in 2021 in an attempt to confirm how bats are using the buildings for roosting.

Dwelling

During the dusk emergence survey on 12th September 2019, 29 Soprano Pipistrelle bats were recorded emerging from the hole in the soffit on the northern elevation (adjacent to the large area of BRM lining staining). No other bats were recorded emerging on this visit. There was regular activity in the area of Soprano Pipistrelle as well as lower activity of Common Pipistrelle and individual flights of Noctule (*Nyctalus noctula*), Brown Long-eared and Serotine (*Eptesicus serotinus*).

During the dusk emergence survey on 29th September 2019, an individual Soprano Pipistrelle bat was recorded emerging from the hole in the soffit on the northern elevation, two Soprano Pipistrelle bats emerged from the southern apex of the main loft at the flashing around the chimney and an individual silent bat (likely to be pipistrelle species from the early time of emergence and flight characteristics) emerged from the weatherboarding on the southern apex of the building. During this survey activity was generally low compared to the first survey with low numbers of recordings of Soprano Pipistrelle and Common Pipistrelle and a single pass of Brown Long-eared Bat.

A summary of emergence/re-entry activity from 2019 is shown in *Table 3* with emergence / re-entry locations shown in *Plates 35* and *36*.

During the dusk emergence survey on 1st July 2021, 131 Soprano Pipistrelle were recorded emerging from the hole in the soffit on the northern elevation. A summary of emergence/re-entry activity from 2021 is shown in *Table 4* with emergence location shown in *Plate 35*.

Garage

During the dusk emergence survey on 19th May 2021, 10 Soprano Pipistrelle bats were recorded emerging from the apex at the eastern gable end of the garage. There was regular activity in the area of Soprano Pipistrelle as well as lower activity of Common Pipistrelle, Serotine, Brown Long-eared and individual flights of Noctule (*Nyctalus noctula*) and a myotis.

During the dusk emergence survey on 1st July 2021, 11 Soprano Pipistrelle bats were recorded emerging from the apex, and toward the northern verge, at the eastern gable end of the garage. There was activity in the area of Soprano Pipistrelle Common Pipistrelle and an individual pass of Daubenton’s bat at the end of the survey.

Table 3. Summary of emergence activity 2019

Date	Time	Recorded Activity	Figure / Plate Reference
12/09/2019	19:20 - 19:31	29 Soprano Pipistrelle emerged from the hole in the soffit on the northern elevation	<i>Plate 35</i>
26/09/2019	19:01	1 Pipistrelle sp. bat emerged from weatherboarding at southern elevation of Loft 2	<i>Plate 36 (red arrow)</i>
26/09/2019	19:04	1 Soprano Pipistrelle emerged from the hole in the soffit on the northern elevation	<i>Plate 35</i>
26/09/2019	19:07	1 Soprano Pipistrelle emerged from apex at southern elevation of Loft 1	<i>Plate 36 (yellow arrow)</i>
26/09/2019	19:10	1 Soprano Pipistrelle emerged from apex at southern elevation of Loft 1	<i>Plate 36 (yellow arrow)</i>

Table 4. Summary of emergence activity 2021

Date	Time	Recorded Activity	Figure / Plate Reference
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19/05/2021	20:39 - 21:06	10 Soprano Pipistrelle emerged from the apex eastern gable end of the Garage	Plate 37 (yellow arrow)
01/07/2021	21:36 - 21:43	11 Soprano Pipistrelle emerged from the apex and towards northern verge of the eastern gable end of the Garage	Plate 37 (red arrow)
01/07/2021	21:14- 22:02	131 Soprano Pipistrelle emerged from the hole in the soffit on the northern elevation	Plate 35

Plate 35. Emergence locations 12th and 26th September 2019 and 1st July 2021 (northern end)



Plate 36. Emergence locations 26th September 2019 (southern end)



Plate 37. Emergence locations 2021 (eastern end)



3.5.1 Dormouse

Dormouse are known to be present in the geographical location of the site and based on some of the habitats in the wider area it is possible that they are present within 2 km of the development site.

The hedgerows, ornamental planting and trees and shrubs that are present on site are suboptimal habitat for use by Dormouse. It is considered unlikely that Dormouse would be present or use the habitats within the proposed development site and therefore there would be no risk to Dormouse or the habitat they use. Possible risks to Dormouse from the proposed work are not considered further in this assessment.

3.5.2 Nesting birds

The proposed development site has habitats that has potential to be used by nesting birds. The hedgerows, ornamental planting and trees and shrubs are all suitable for use by nesting birds and are most likely to only be used by common garden bird species. The open grassland of the site is unsuitable for use by ground nesting birds as it is very well managed and frequently disturbed.

3.5.3 Great Crested Newt

There are positive records of Great Crested Newt within 2 km of the proposed development where Great Crested Newts have been found during surveys using the NE class licence for surveying and there is a site that has been granted a Great Crested Newt mitigation licence.

There is a small ornamental pond within the proposed development site but otherwise no other ponds were identified within 250m of the site, with the closest identified being 260m away to the south-west.

The small ornamental pond has concrete lined sides, minimal vegetation and is reported to only be seasonally wet – during the winter and is accordingly unsuitable for use by the species.

The terrestrial habitats within the proposed development site are of low potential for use by Great Crested Newts. The grassland is very well maintained with a short sward providing opportunity for use by commuting newts only. The ornamental planting at the borders of the gardens is sparse and offers limited cover and foraging opportunity for newts.

The ecological connectivity to more optimal habitats in the wider area is reasonable. However, the ponds identified in the wider area appear to be in areas very good for use by terrestrial Great Crested Newts and it is considered very unlikely that newts would travel far away from those ponds and the good terrestrial habitat that surrounds them meaning they are unlikely to be present on site.

3.5.4 Reptiles

Common reptile species are assumed to be present in the wider area of the proposed development.

The terrestrial habitats within the proposed development site are of low potential for use by reptiles. The grassland is very well maintained with a short sward providing opportunity for use by commuting reptiles only. The ornamental planting at the borders of the gardens is sparse and offers limited cover and foraging opportunity for reptiles.

The ecological connectivity to more optimal habitats in the wider area is good and it is considered mobile species, such as Grass Snake, could travel through the proposed development site but are unlikely to use the habitats long-term.

4 EVALUATION

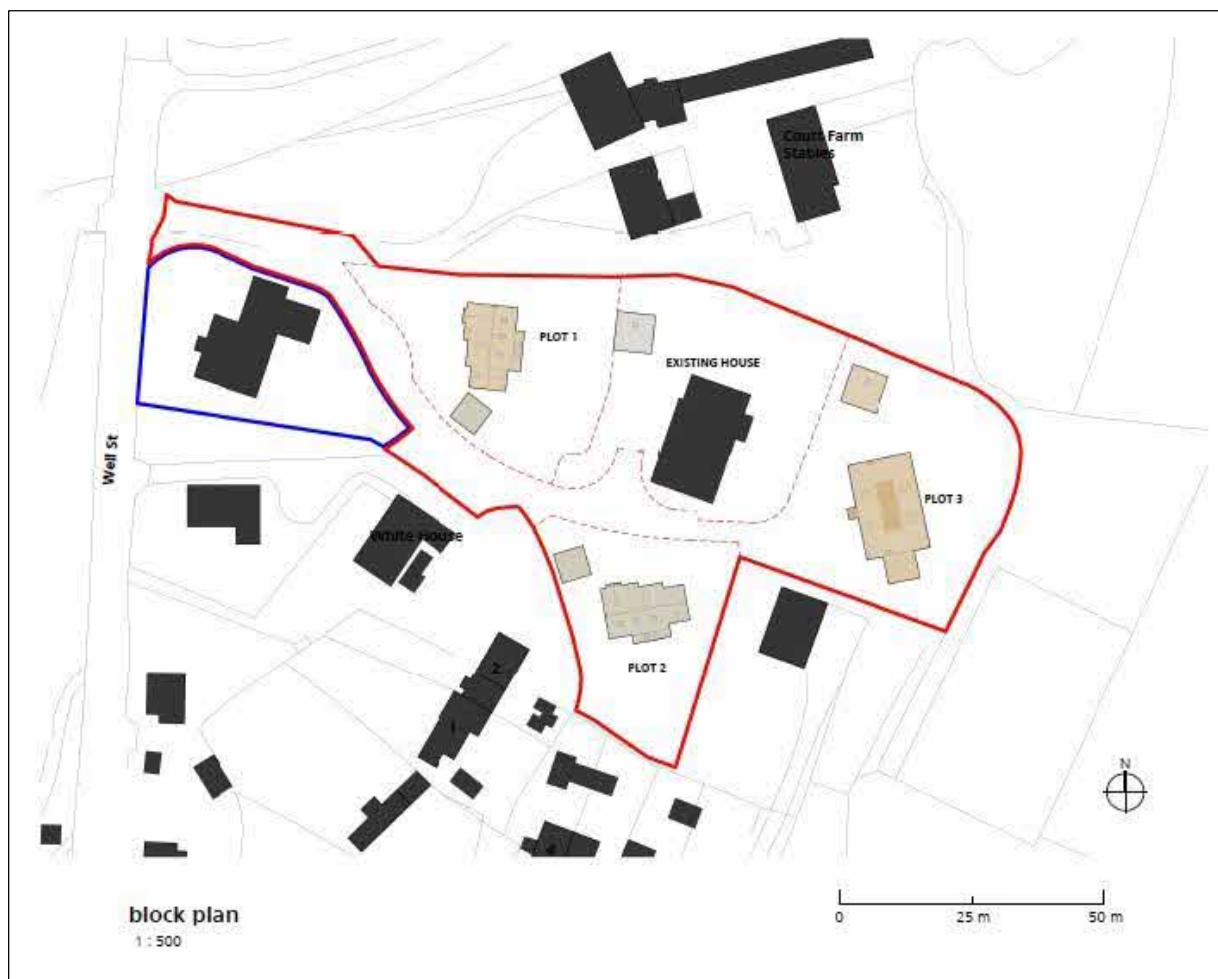
4.1 Summary of Proposals

The proposed development work (*Figure 5*) involves the demolition of the existing garage and the construction of three additional residential dwellings and associated garages. The existing residential dwelling will be retained and a new garage will be constructed to the north-west of the existing dwelling.

The proposal will involve the removal of two confirmed bat roosts in the garage, in the bat box on the western end of the garage and behind the wooden cladding/under the roof tiles at the eastern end of the garage.

The proposal would also involve the damage/removal of amenity grassland, hardstanding, ornamental planting, a small number of immature fruit and coniferous trees and an ornamental pond. It is assumed that the mature trees within the site and most of the habitat at the edges of the site, including hedgerows, mature trees and shrubs will be retained where possible.

Figure 5. The proposed development plan, red line boundary (note a separate application 20/01744/FUL within the blue line boundary to the west)



4.2 Designated Sites

4.2.1 Statutory Sites

There are two statutory designated sites within 2 km of the proposed development, Greenham and Crookham Commons SSSI and Herbert Plantation LNR. There is no ecological connectivity between the proposal site and the designated sites and the size and scale of the proposals would have no impact on the sites or the habitats or species that they support, therefore there will be no impact on the designated sites from the development proposal.

4.3 Habitats

4.3.1 General

The proposed development will directly affect buildings (the garage and shed/summer house) and a large area of amenity grassland. Smaller areas of hardstanding, ornamental planting, a small number of fruiting and coniferous trees and an ornamental pond will also be impacted (*Figure 6*). None of which are listed as priority habitats in this area. The extent and quality of these habitats are of limited ecological importance and the loss of these habitats does not require any mitigation.

Any proposed landscaping (*Figure 6*) for the new plots (trees, new hedgerows and planted borders) are to include locally occurring native species that will be of benefit to native fauna. Where possible plants will be locally sourced local stock.

Figure 6. The proposed development plan, landscaping changes



4.4 Protected Fauna

In order to protect species of note and maintain and increase biodiversity of the site, the following mitigation measures and safe working methods will need to be incorporated into the proposals.

4.4.1 Bats

Evaluation

There are records of bats and bats roosts for several common and wide-ranging species of bats within 2 km of the proposed development site. The garden is suitable for use by foraging bats and is directly linked to other gardens and tree lines that would allow them to commute to and from the garden, therefore it is assumed that any species present within this region could be present in the vicinity of the site. Suitable foraging and commuting habitats on site are very unlikely to be negatively impacted by the proposed development.

The existing house is a *Confirmed* bat roost and the surveys undertaken in 2019 and 2021 evidence that the house contains a maternity colony of Soprano Pipistrelle bats as well as other roosting locations used by individual Soprano Pipistrelle and possibly an individual Common Pipistrelle.

The garage is also a *Confirmed* bat roost and the surveys undertaken 2021 evidence that the garage contains a day roost of small numbers of a Pipistrelle sp. (assumed to be Soprano Pipistrelle) in the bat box on the western gable end wall and a satellite roost (of the maternity colony in the house) of Soprano Pipistrelle bats at the eastern end of the garage behind weather boarding/under the roof tiles.

The mature trees and a bat box on the Horse Chestnut to the north of the house will be retained in situ, with no disturbance.

Impact Assessment

The existing house will be retained and there will be no direct impact on the Soprano Pipistrelle maternity roost and occasional Soprano/Common Pipistrelle individual day roosts as a result of the proposals. However, the house roof is lined with breathable roof membrane which is heavily stained with bat urine (and likely not functioning properly anymore) and potentially causing bats to become entangled in the fibres of the membrane material. Therefore, it is proposed that as enhancement for the site the house is re-roofed with a more traditional 1F bitumen type underfelt non-breathable roof membrane. During surveys in 2019 bats leaving the roost immediately travelled north to the closest boundary feature and this route will not be impacted by the proposed development works.

The existing garage will be demolished as part of the proposals, so there will be the requirement to relocate the bat box (which is confirmed as an occasional day roost of Pipistrelle species) and the destruction of a satellite roost (of the maternity colony in the house) of Soprano Pipistrelle bats.

Soprano Pipistrelle and Common Pipistrelle bats are common bat species in the United Kingdom. For the purpose of this project the species are considered to be common on a regional scale (with the scale stretching through common, rarer to rarest species).

In accordance with the Bat Mitigation Guidelines² the requirement for mitigation for a maternity colony of Soprano Pipistrelle bats includes;

- Timing constraints;
- More or less like-for-like replacement;
- Bats not to be left without a roost;
- must be given time to find the replacement; and
- monitoring for minimum two years.

In accordance with the Bat Mitigation Guidelines the requirement for mitigation for small numbers of Common Pipistrelles includes;

- Flexibility over provision of bat boxes, access to new buildings *etc.*; and
- No conditions about timing or monitoring.

² Bat Mitigation Guidelines. 2004. Natural England.

Mitigation and Enhancement

The proposed strategy below will be appropriate as mitigation for the loss of confirmed roosts in the garage and also the proposed enhancement for the site for the modification of the maternity colony in the house.

Modification of the confirmed Soprano Pipistrelle maternity colony and the destruction of the bat roost locations in the garage will need to be undertaken after Natural England have granted a European Protected Species (EPS) mitigation licence.

Full details of the mitigation will be agreed during the application for the licence, but a provisional method of working to be followed is detailed below.

Works to commence following receipt of an EPS licence from Natural England.

Work to modify the Soprano Pipistrelle maternity roost in the house and to destroy the Soprano Pipistrelle Satellite roost in the garage will be undertaken at the end of the maternity season (Sept/Oct) when it is least likely to impact the maternity roost and give time for the work to be undertaken well before the start of the next maternity season.

Work to relocate the bat box from the garage will not be constrained by specific timing but will aim to avoid the most sensitive times of year.

Works to exclude suitable features and access/egress holes will only take place during the active bat season (if possible) and under supervision of a licenced bat worker.

Bat boxes already present/relocated in locations away from the work site that will not be impacted during the further demolition or construction work.

Prior to the start of works a suitably qualified ecologist will deliver a toolbox talk to contractors and staff on site, informing them of the likelihood of encountering bats, what to do if they find bats and give a brief overview of the licence documents.

Pre-works check by a licenced ecologist of all known and potential roosting locations around the building. If the entirety of a feature can be searched and found to be empty these will be blocked (using newspaper or expanding foam). If the feature cannot be fully searched it will be excluded using folded acetate or similar to allow bats to leave the feature but not re-enter. If exclusions are used, they will be left in place for a minimum of five nights in suitable weather conditions. Following this they will be permanently filled using the same methods as above.

Removal of the known roosting features will be completed under the watching brief of a licenced ecologist.

If bats are found during works, they will be caught by a licensed ecologist who will be wearing suitable gloves. The bat will be placed into a cloth bag and carefully placed into the bat box previously erected on site.

Further enhancement through the provision of permanent roosting locations in the proposed development with a minimum of six integrated bat boxes or tubes (such as a Schwegler 1FR bat tube or similar and performing appropriate functions) will be built into the new residential dwellings/garages,

on various aspects to maximise seasonal use by bats. Additional planting will also increase foraging areas on site.

Roof linings of the new buildings will be properties will be 1F bitumen type underfelt only as this is known not to cause harm to roosting bats through entanglement. Breathable membranes must not be used.

No new external lighting is proposed, however any new lighting will reflect the Bat Conservation Trust Bats and Lighting in the UK guidance (2018) and will include directing lighting away from all existing or new roost locations on the site and the use of downlighting to ensure that suitable foraging and commuting habitats remain unlit.

4.4.2 Other species

Badger presence around the site cannot be ruled out, however there were no signs of Badger on site or in the immediately surrounding habitats. The loss of amenity grassland and ornamental planting is unlikely to have a significant negative impact on foraging Badgers, however, it is recommended a precautionary pre-works check for setts prior to the start of works is completed and if required appropriate mitigation carried out which may involve application for a licence from Natural England to be able to undertake any work on site. To ensure foraging Badgers do not become trapped within any excavation works these should either not be left uncovered overnight or ways of escape for Badgers provided (wooden planks or graded earth banks).

The gardens provide habitats with the potential to support a limited range of garden nesting birds, but the size of the site makes the presence of large or important breeding bird assemblages unlikely. Works that would impact nesting bird habitat will take place outside of bird nesting season or after a survey by a suitably qualified ecologist. If nesting birds are identified a suitable buffer around the nesting site to ensure it is not damaged or disturbed will be established and work will not be carried out in the area until nesting is completed or has ceased naturally. Nesting opportunities will be enhanced through the provision of a minimum of three medium hole nest boxes suitable for use by House Sparrow (*Passer domesticus*) or Common Starling (*Sturnus vulgaris*) on the external walls of the buildings or integrated into the buildings.

The habitats on site have some limited suitability for use by Great Crested Newts and reptiles. There is one ornamental pond on site that is considered to be unsuitable for Great Crested Newts due to the lack of water in the spring and summer and suboptimal terrestrial habitat suitable for commuting animals and some limited potential for foraging and refuge in the boundaries of the area. There are records of Great Crested Newt and reptiles in the wider area, however considering a limited ecological connectivity to more suitable habitat/ponds in the wider area, it is unlikely that Great Crested Newt or reptiles would be present on site. However, a precautionary approach should be undertaken to ensure that if they are present there is no impact.

All work on site will be undertaken following Reasonable Avoidance Measures (RAMs) to minimise the risk of Great Crested Newts and reptiles being on site and the risk of an offence occurring which will include:

All methods to be undertaken with regard to and within the requirements of any other species mitigation;

An experienced Ecological Clerk of Work (ECoW) present at the start of works to deliver a toolbox talk to all site staff, conduct a search for Great Crested Newts and reptiles, and oversee the initial works that may impact potential GCN and reptile habitat;

Drainage and removal of the ornamental pond will involve the following:

- Removal of any vegetation is to be done slowly and methodically. When removed it will be placed on the ground adjacent to the eastern boundary of the site to allow any animals in the vegetation to leave the vegetation.
- When all of the vegetation is removed the water will be drained slowly using a pump (if the pond is not dry at the time). The pump or pipe connected to the pump will have a net or mesh guard so that any animals cannot be drawn into the pump.
- If any amphibians are found during the process a further assessment of the process made to decide an appropriate way of continuing work. If it is a Great Crested Newt found all works must be stopped, if safe to do so, Natural England will be consulted and an appropriate working method will be confirmed before works can resume.

Grassland will be maintained at a short sward and any other vegetation that will be removed will be cut down and maintained at 100 mm prior to the commencement of the development and up to the start of construction. This will be undertaken using only hand tools and in the winter months (November to February) when amphibians and reptiles are least likely to be active and present on site;

No open excavations to be left overnight (*i.e.* back filled or covered), no excavated material to be stored within 5m of the site boundaries and all building materials to be stored a minimum of 5m away from site boundaries and raised on pallets; and

In the event of a Great Crested Newt or reptiles being found during works when an ecologist is not present, all work must stop immediately. An ecologist should be contacted, and an appropriated course of action agreed before works continue.

The following additional enhancements are recommended in order to enhance the site for a range of species which are suffering national declines:

Each boundary/fence line (if used) of the proposed dwellings should contain gravel boards with a gap measuring 13 cm by 13cm to allow Hedgehog (*Erinaceus europaeus*) to move freely between gardens and on to / off of site.

Installation of one bee brick (such as those manufactured by Green and Blue) within the wall of each new dwelling positioned on a south facing aspect at a minimum height of 1m above ground level in order to enhance the site for pollinating insects.

The supervised clearance of the vegetated areas should allow for species such as European Hedgehog and Common Toad (*Bufo bufo*) to be identified if present and moved in an

appropriate way. Any animals found should be captured carefully by hand and transported in a suitable bag/box to an area of the site that will not be impacted by the work being undertaken.

5 LEGAL PROTECTION

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

5.1 Badger

Badger is protected in Britain under the *Protection of Badgers Act 1992* and *Schedule 6 of the Wildlife and Countryside Act 1981* (as amended).

The legislation affords protection to Badgers and Badger setts, and makes it a criminal offence to:

- wilfully kill, injure, take, possess or cruelly ill-treat a Badger, or to attempt to do so;
- interfere with a sett by damaging or destroying it;
- to obstruct access to, or any entrance of, a Badger sett; or
- to disturb a Badger when it is occupying a sett.

5.2 Bats

All species of British bat are protected by *The Wildlife and Countryside Act 1981* (as amended) extended by the *Countryside and Rights of Way Act 2000*. This legislation makes it an offence to:

- intentionally kill, injure or take a bat;
- possess or control a bat;
- intentionally or recklessly damage, destroy or obstruct access to a bat roost; and
- intentionally or recklessly disturb a bat whilst it occupies a bat roost.

Bats are also European Protected Species listed on *Schedule 2 of the Conservation of Habitats and Species Regulations 2017* (as amended). This legislation makes it an offence to:

- deliberately capture, injure or kill a bat;
- deliberately disturb bats in such a way as to be likely to (a) impair their ability to: (i) to survive, to breed or reproduce, or to rear or nurture their young, or (ii) in the case of animals of a hibernating or migratory species, to hibernate or migrate; or b), to affect significantly the local distribution or abundance of the species to which they belong; and
- damage or destroy a breeding site or resting place of a bat; and
- possess, control, transport, sell, exchange a bat, or offer a bat for sale or exchange.

All bat roosting sites receive legal protection even when bats are not present.

Where it is necessary to carry out an action that could result in an offence under the regulations protecting bats and their roosts it is possible to apply for Mitigation Licence from Natural England (NE)

or Natural Resources Wales (NRW). Three tests must be satisfied before this licence (to permit otherwise prohibited acts) can be issued:

Regulation 55(1)(a) states that licences may be granted to “preserve public health or public safety or 55(6)(a) other imperative reasons of overriding public interest including those of a social or economic nature and beneficial consequences of primary importance for the environment.”

Regulation 55(2) and 55(7)(a) states that a licence may not be granted unless “there is no satisfactory alternative”.

Regulation 55(7)(b) states that a licence, in respect of imperative reasons of overring public interest (IROPI), cannot be issued unless the action proposed “will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range”.

5.3 Dormouse

The Dormouse is on *Schedule 5* of the *Wildlife and Countryside Act 1981* (as amended) and receives full protection under *Section 9*. This species is also listed as European Protected Species on *Schedule 2* of the *Conservation of Habitats and Species Regulations 2017* (as amended). Protection was extended by the *Countryside and Rights of Way Act 2000* (the CRow Act).

Under the above legislation it is an offence to:

- kill, injure or take an individual of such a species;
- possess any part of such species either alive or dead;
- intentionally or recklessly damage, destroy or obstruct access to any place or structure used by such species for shelter, rest, protection or breeding;
- intentionally or recklessly disturb such a species whilst using any place of shelter or protection; or
- sell or attempt to sell any such species.

Dormouse is included as a Priority Species in the UK Biodiversity Action Plan (UKBAP) and as a species of principal importance for the conservation of biological diversity in England under *Section 74* of the CRow Act.

5.4 Nesting Birds

All species of bird are protected under *Section 1* of the *Wildlife and Countryside Act 1981* (as amended). The protection was extended by the CRow Act.

The legislation makes it an offence to intentionally:

- kill, injure or take any wild bird;
- take, damage or destroy the nest of any wild bird while that nest is in use or being built; or

take or destroy an egg of any wild bird.

Certain species of bird are listed on *Schedule 1* of the *Wildlife and Countryside Act 1981* (as amended) and receive protection under *Sections 1(4)* and *1(5)* of the Act. The protection was extended by the CRow Act. The legislation confers special penalties where the above mentioned offences are committed for any such bird and also make it an offence to intentionally or recklessly:

disturb any such bird, whilst building its nest or it is in or near a nest containing dependant young; or

disturb the dependant young of such a bird.

5.5 Great Crested Newt

Great Crested Newt is listed on *Schedule 5* of the *Wildlife and Countryside Act 1981* (as amended), and receive full protection under *Section 9*. This species is also listed as European Protected Species on *Schedule 2* of the *Conservation of Habitats and Species Regulations 2017* (as amended). Protection was extended by the *Countryside and Rights of Way Act 2000* (the CRow Act).

Under the above legislation it is an offence to:

kill, injure or take an individual of such a species;

possess any part of such species either alive or dead;

intentionally or recklessly damage, destroy or obstruct access to any place or structure used by such species for shelter, rest, protection or breeding;

intentionally or recklessly disturb such a species whilst using any place of shelter or protection;

or

sell or attempt to sell any such species.

The Great Crested Newt is included as a Priority Species in the UK Biodiversity Action Plan (UKBAP) and also as a species of principal importance for the conservation of biological diversity in England under *Section 74* of the CRow Act.

5.6 Common Reptile Species

Common Lizard, Grass Snake, Slow-worm and Adder are listed under *Schedule 5* of the *Wildlife and Countryside Act 1981* (as amended), in respect of *Section 9(5)* and part of *Section 9(1)*. This protection was extended by the CRow Act.

Under the above legislation, it is an offence to:

intentionally or deliberately kill or injure any individual of such a species; or

sell or attempt to sell any part of the species alive or dead.