

# Land at Jayvid House, Blithbury, Rugeley

## PRELIMINARY ECOLOGICAL APPRAISAL

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## Site Details

|                           |   |
|---------------------------|---|
| Report                    | Preliminary Ecological Appraisal                  |
| Site Address              | Land at Jayvid House, Blithbury, Rugeley WS15 3JF |
| Central OS Grid Reference | SK 08360 20068                                    |
| Client                    | Jonathan Haines                                   |

## Document Control

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## EXECUTIVE SUMMARY

- Croft Ecology were commissioned by Jonathan Haines to undertake a Preliminary Ecological Appraisal of Land at Jayvid House, Blithbury.
- The survey involved identifying habitats and features of ecological interest within the Site, including the potential for supporting protected or notable species, to determine the key ecological constraints and opportunities associated with the proposed development. Any additional survey work and any possible mitigation requirements would also be identified.
- The survey was undertaken by appropriately qualified and experienced personnel on 14 December 2023.
- The Site comprised a section of existing hedgerow along Blithbury Road, and another section of hedgerow along its southern boundary which bordered a sheep-grazed pasture, with the majority of the Site a managed lawn. No evidence of protected species within the Site boundary was recorded and no further ecological surveys are considered necessary. There remains some potential for notable species to use the Site or protected species to pass through the Site on occasion.
- The proposed works will require the removal of two short sections of hedgerow and a small area of species-poor lawn.
- Avoidance, mitigation and compensation measures have been recommended in Section 4. These measures include both careful design and timing of works to ensure that no protected or notable species will be harmed during works and can continue to make use of the Site post-development.
- Proportionate enhancement measures are also included in Section 4 which would provide enhanced over-wintering opportunities post-development in accordance with the National Planning Policy Framework.

# CONTENTS

|          |  |           |
|----------|--|-----------|
| <b>1</b> | <b>INTRODUCTION .....</b>                        | <b>5</b>  |
| 1.1      | Aims .....                                       | 5         |
| 1.2      | Site Location .....                              | 5         |
| 1.3      | Planning and Legislative Context .....           | 6         |
| <b>2</b> | <b>METHODOLOGY.....</b>                          | <b>7</b>  |
| 2.1      | Personnel.....                                   | 7         |
| 2.2      | Data Search .....                                | 7         |
| 2.3      | Survey Date and Conditions .....                 | 7         |
| 2.4      | UK Hab Field Survey .....                        | 8         |
| 2.5      | Survey Limitations .....                         | 9         |
| 2.6      | Evaluation of Constraints and Opportunities..... | 9         |
| <b>3</b> | <b>RESULTS .....</b>                             | <b>10</b> |
| 3.1      | Designated Sites .....                           | 10        |
| 3.2      | Habitats .....                                   | 10        |
| 3.3      | Species.....                                     | 15        |
| <b>4</b> | <b>DISCUSSION AND RECOMMENDATIONS.....</b>       | <b>18</b> |
| 4.1      | Designated Sites .....                           | 18        |
| 4.2      | Habitats .....                                   | 18        |
| 4.3      | Species.....                                     | 19        |
| 4.4      | Summary of Further Surveys Required .....        | 19        |
| 4.5      | Mitigation Requirements .....                    | 19        |
| 4.6      | Compensation Requirements .....                  | 20        |
| 4.7      | Opportunities for Enhancement .....              | 20        |

|          |                         |           |
|----------|-------------------------|-----------|
| <b>5</b> | <b>CONCLUSION .....</b> | <b>20</b> |
| <b>6</b> | <b>REFERENCES .....</b> | <b>22</b> |
| <b>7</b> | <b>APPENDICES .....</b> | <b>24</b> |

Appendix A – Legislation

Appendix B – Baseline Habitats Map

## 1 INTRODUCTION

Croft Ecology were commissioned by Jonathan Haines to undertake a Preliminary Ecological Appraisal of Land at Jayvid House, Blithbury (central grid reference: SK 08360 20068) in relation to a proposed development for the construction of an access through an existing hedgerow and a track in order to serve the sheep-grazed pasture fields immediately south.

### 1.1 Aims

The aims of this report are to:

- identify key ecological features (habitats, species, ecosystems) within the Site;
- identify any further surveys that may be required to fully understand the likely impact on a given ecological feature;
- identify any mitigation measures likely required; and
- identify any opportunities for biodiversity enhancements.

### 1.2 Site Location

The land within the red line boundary of Figure 1 below is hereafter referred to as the 'Site'.

The Site was located some 4.5km north-east of Rugeley in the small rural village of Blithbury, Staffordshire. It formed part of an existing garden with hedgerows to the Blithbury Road to the northern boundary and a hedgerow to a sheep-grazed field immediately south.



*Figure 1.1 Site boundary*

### 1.3 Planning and Legislative Context

Both UK legislation together with national and local planning policies provide varying levels of protection to sites of ecological interest and species of conservation concern. Where relevant, this report takes into account the afforded protection for specific habitats and species likely to be found on the Site.

Further information on wildlife legislation and planning policy is provided in Appendix A.

## 2 METHODOLOGY

### 2.1 Personnel

The survey and assessment were undertaken by Anna Scott-Swift MCIEEM, Owner and Principal Ecologist at Croft Ecology. Anna has over 20 years of experience working in the field of ecology and has undertaken and reviewed dozens of Preliminary Ecological Appraisals and Ecological Impact Assessments. Anna also holds protected species survey licences for bats, great crested newts, and barn owls.

### 2.2 Data Search

The Government's website MAGIC ([www.magic.gov.uk](http://www.magic.gov.uk)) was accessed on 09 January 2024 to conduct an initial search for the presence of designated sites, priority habitats, protected species mitigation licences issued within 1km of the Site, and to assess whether the Site was located within a SSSI impact risk zone. Staffordshire Ecological Record were also contacted for details on statutory and non-statutory sites as well as protected, notable and invasive species records within a 1km radius of the Site boundary. Additionally, aerial photography was viewed to assess habitat connectivity around the Site's locale, which may be important to ecological features present on Site and for the consideration of suitable ecological enhancements.

### 2.3 Survey Date and Conditions

The Site was visited on 14 December 2023 and included all land within the red line boundary (see Figure 1) together with a brief assessment of those habitats bordering the Site. Weather conditions at the time of survey were sunny with 20% cloud cover, no rain, no breeze and a temperature of 6°C.



## 2.4 UK Hab Field Survey

A UK Hab<sup>1</sup> Field Survey was undertaken in accordance with the methodology described within v2.0 documentation (2023) and was used as the basis for subsequent assessment in line with the standards and methods described within the Guidelines for Ecological Impact Assessment in the UK and Ireland (CIEEM, 2018) and Guidelines for Ecological Report Writing (CIEEM, 2017).

A fine-scale minimum mapping unit (of 25m<sup>2</sup> or 5m) was deemed appropriate for use at the Site given its relatively small scale, consequently only habitats with an area of 25m<sup>2</sup> or greater, or linear features 5m in length or greater, were mapped.

The UK Hab uses primary codes whereby habitats are categorised by an increasingly detailed hierarchy until a match is discovered. Secondary codes describe environmental factors that provide additional information such as management regime, hydrology or similar. In this case, each habitat was assigned a Primary Code<sup>1</sup> at the Level 4 hierarchy and secondary codes were applied where these could provide greater context.

During the field survey, all habitats within the Site were thoroughly observed, described, and mapped. A DAFOR abundance (D = dominant, A = abundant, F = frequent, O = occasional, R = rare) was assigned to each botanical species identified in each habitat and nomenclature followed Stace (Stace, 2019).

The UK Hab field survey was extended to identify any protected or priority species per CIEEM's Guidelines for Preliminary Ecological Appraisal (2017). A thorough search was conducted to detect the presence, or potential presence, of notable and protected species, including breeding birds, badger *Meles meles*, bats, dormice *Muscardinus avellanarius*, reptiles and amphibians, notable mammals, invertebrates and any invasive species listed on Schedule 9 of the Wildlife and Countryside Act 1981 (as amended).

Water vole and otter were not considered further as they did not appear on the data search and there were no watercourses or waterbodies in the immediate vicinity.

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<sup>1</sup> UKHab Ltd (2023) <https://www.ukhab.org/>

Dormice were also not considered further as the only previously known population in the county was some 35km north of the Site and according to a PTES report (2019), have not been recorded there since 2009. The State of Britain's Dormice PTES (2023) report indicates that dormice are now considered locally extinct in Staffordshire.

## 2.5 Survey Limitations

There were no limitations at the time of survey.

## 2.6 Evaluation of Constraints and Opportunities

All potential ecological constraints to the development were identified. In the context of the Mitigation Hierarchy<sup>2</sup>, consideration was then given as to how any significant effects could be avoided, minimised or mitigated. Following this, appropriate compensation and enhancement measures were outlined. Where additional surveys are required to better understand the likely presence of, and hence impact of the proposed development on, a given ecological feature, these are detailed in Section 4. Lastly, opportunities for enhancements and biodiversity net gain have been provided.

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<sup>2</sup> *"The overarching aims of ecological work used to inform the planning process are to minimize harm and to maximize benefits for biodiversity resulting from development. The generally accepted way of doing this, now embedded within the planning system, is to follow the "mitigation hierarchy". This seeks as a preference to avoid impacts then to mitigate unavoidable impacts, and, as a last resort, to compensate for unavoidable residual impacts that remain after avoidance and mitigation measures."* Biodiversity: Code of practice for planning and development (BS 42020:2013)

### 3 RESULTS

#### 3.1 Designated Sites

The data search revealed no statutory designated sites within a 1km radius of the Site. Whilst the Site boundary was within a SSSI impact risk zone, the nature of the proposals did not meet any of the criteria that would warrant any further investigation.

A single non-statutory site was recorded within a 1km radius, namely Pipe Wood LWS. This was an area of semi-natural broad-leaved woodland and a Local Wildlife Site. It benefited from a good amount of tree regeneration and supported a small pond. It was c.370m south-east of the Site.

#### 3.2 Habitats

The Site boundary comprised a vegetated garden and two sections of hedgerow; one hedgerow bordered Blithbury Road to the north and the other an agricultural field to the south. A UK Hab Baseline Habitats Map of the Site can be found at Appendix B.

##### 3.2.1 *Native hedgerow*

H1 was a native hedgerow that ran along the northern boundary of the Site bordering Blithbury Road. In total, it was approximately 131m in length to its intersection with H2, with approximately 7m of this falling within the red line boundary. Its height was c.3m with a width of 1.5m and it had been recently managed.

It comprised three native woody species (see Table 1), with an average of two species per 30m section; consequently, the hedgerow does not qualify as 'Important' under the Wildlife and Landscape section of the Hedgerow Regulations.

The hedgerow was largely intact, with gaps constituting less than 10% of its total length, although gaps were starting to appear near its base. Hawthorn dominated this hedgerow with occasional holly and rarely recorded dog rose. Snowberry (a non-native species) was also recorded rarely, whilst bramble and ivy were occasional and frequent respectively. No standard trees were present within H1, though an outgrown hawthorn was present just outside of the red line boundary. Within the Site itself, only hawthorn and bramble were recorded.

The field layer at the base of the hedgerow extended no more than 0.5m beyond the canopy of the hedgerow, and only on the roadside before it met the footpath. It comprised largely rough grasses and ruderal species (see Table 1).

Table 1: Species composition of H1 along Blithbury Road

| Common name        | Latin name                   | Abundance<br>(D = dominant; A = abundant; F = frequent; O = occasional; R = rare; | Present within red line boundary? |
|--------------------|------------------------------|---|-----------------------------------|
| Bramble            | <i>Rubus fruticosus agg.</i> | F   | Yes                               |
| Dog rose           | <i>Rosa canina</i>           | R   |                                   |
| Hawthorn           | <i>Crataegus monogyna</i>    | D   | Yes                               |
| Holly              | <i>Ilex aquifolium</i>       | O   |                                   |
| Ivy                | <i>Hedera helix</i>          | F   | Yes                               |
| Snowberry          | <i>Symphoricarpos albus</i>  | R   |                                   |
| <i>Field layer</i> |                              |   |                                   |
| Cock's foot        | <i>Dactylis glomerata</i>    | A   | Yes                               |
| Common nettle      | <i>Urtica dioica</i>         | F   | Yes                               |
| Cow parsley        | <i>Anthriscus sylvestris</i> | F   | Yes                               |
| Creeping thistle   | <i>Cirsium arvense</i>       | F   |                                   |
| False oat-grass    | <i>Arrhenatherum elatius</i> | F   | Yes                               |



*Photo 1: Hedgerow along Blithbury Road*



*Photo 2: Hedgerow along Blithbury Road at location of proposed site access (looking north from within the garden)*

H2 – This was a native hedgerow that ran along the southern boundary of the Site bordering sheep-grazed pasture. In total, it was approximately 95m in length to its intersection with H1, with approximately 5m of this falling within the red line boundary. Its height was c.2m with a width of 1.5m and it had been recently managed.

It comprised three native woody species (see Table 2), with an average of three species per 30m section; consequently, the hedgerow does not qualify as ‘Important’ under the Wildlife and Landscape section of the Hedgerow Regulations.

The hedgerow was largely intact, with gaps constituting less than 10% of its total length. Hawthorn and blackthorn were both frequently recorded together with occasional elder and frequent ivy, with all such species present within the 5m strip within the red line boundary. No standard trees were present within H2, though an outgrown hawthorn was present together with a mature leylandii immediately adjacent to H2 just outside of the red line boundary close to Jayvid House.

There was no field layer to the base of the hedgerow.

*Table 2: Species composition of H2 along southern Site boundary*

| Common name        | Latin name               | Abundance<br>(D = dominant; A = abundant; F = frequent; O = occasional; R = rare; L | Present within red line boundary? |
|--------------------|--------------------------|---|-----------------------------------|
| Blackthorn         | <i>Prunus spinosa</i>    | F   | Yes                               |
| Elder              | <i>Sambucus nigra</i>    | O   | Yes                               |
| Hawthorn           | <i>Crtaegus monogyna</i> | F   | Yes                               |
| Ivy                | <i>Hedera helix</i>      | F   | Yes                               |
| <i>Field layer</i> |                          |   |                                   |
| None               |                          |   |                                   |



*Photo 3. H2 viewed from the pasture looking north*



*Photo 4. H2 viewed from the pasture looking towards Jayvid House in the west*

### 3.2.2 *Vegetated garden*

The majority of the Site was comprised of an area of regularly mown lawn, which formed the garden to Jayvid House. This comprised dominant perennial rye grass *Lolium perenne* which had a sward height of c.5cm at the time of survey.



*Photo 5: Vegetated garden/well-managed lawn to the rear of Jayvid House*

### 3.2.3 *Developed land, sealed surface*

Along the northern boundary of the Site was a tarmac footpath (adjacent to H1) and Blithbury Road.

## 3.3 Species

### 3.3.1 *Badger*

The data search returned two records of badger road casualties some 450m and 1km from the Site in 2003 and 2009 respectively.



The occasional mammal path was noted passing both along and through H1 and H2 and whilst these did appear the right size for badger, no badger hairs were found at the time of survey. Likewise, a search along both hedgerows on both sides and beyond 30m of the red line boundary revealed no badger setts, hairs or latrines and no foraging signs within the garden or the neighbouring pasture.

No badger sett was present at the time of survey and given the lack of other evidence, it is likely that mammal paths noted on Site are used by badger only on occasion when passing through the Site foraging or commuting.

### 3.3.2 Bats

The desk study returned several bat roosts records from the nearby school approximately 360m from the Site, close to Pipe Wood. This included a roost of 30-40 Brandt's bats, as well as day roosts of whiskered bat, common pipistrelle and soprano pipistrelle. Daubenton's, Natterer's, brown long-eared and noctule bats have all also been recorded in the area foraging and/or commuting. Additionally, there was a bat mitigation licence issued for the destruction of a breeding roost of Brandt's, presumably at or near the school, in 2017, and running until 2027.

There were no features suitable for roosting bats, with a lack of buildings or suitable trees or other structures within the Site. The species-poor garden offered little value to foraging bats, but the native hedgerows along the northern and southern boundaries do connect to Pipe Wood some 430m south-east and will likely offer moderate value to local bats for foraging and commuting.

### 3.3.3 Birds

The desk study returned a record for a barn owl approximately 450m from the Site boundary in 2018. Whilst this Schedule 1 bird enjoys additional protection during nesting, the Site did not support any features suitable for this purpose. The grassland thatch was virtually absent and did not offer any shelter for small mammals, hence there was no foraging potential for barn owl either.

Several other bird records were returned by the data search comprising raptors red kite and merlin, and wildfowl, none of which would be found on Site. However, there were records for nesting yellowhammer, a priority species, some 450m from the Site in 2018 and this species

regularly nest in native hedgerows and could be found on Site. Consequently, the full length of the hedgerows would likely offer high value to such birds, but as only 5-7m of such hedgerows exist within the Site, this is downgraded to low-moderate value.

### *3.3.4 Amphibians and Reptiles*

The data search revealed no records of amphibians or reptiles within 1km of the Site boundary. The Magic website search revealed a great crested newt record from 650m north-east of the Site in 2017.

There were no ponds within the Site and any ponds present within a 1km radius were typically located over 600m from Site, with the exception of two to the south, one in Pipe Wood and the other at a farm 400m south that appears likely to be a fishing lake or to support wildfowl. The only route between these ponds and the Site is via the network of hedgerows (including H1 and H2 on-site) as the pasture fields are too well grazed and exposed. This is very likely to be at the extent of the range of any great crested newts, particularly as there is no moderate-good value habitat for newts in the immediate vicinity of the Site. Therefore, great crested newt and common amphibians may make use of the hedgerow only on a rare basis.

The Site offered some potential for grass snake or slow worm to move through the Site (both of which travel further than common lizard and are most likely to be found using habitats in the locale), but the garden and its short-mown lawn offered no shelter and limited foraging. The Site could not support a viable population of reptiles due to limited basking opportunities, limited shelter and no egg-laying features, hence it is likely that such animals would only pass through the Site on occasion and the Site would offer low value to this taxa.

### *3.3.5 Invertebrates*

The desk study revealed no records for notable invertebrates within 1km of the Site and as the Site supported species-poor mown lawn and only two short sections of hedgerow, it is very unlikely to support a significant population of any notable invertebrate.

### *3.3.6 Other mammals*

The desk study revealed no records for any notable mammals.

Whilst no evidence of hedgehog was found during the site visit, the hedgerows offered a good leaf litter layer at their base for commuting or sheltering hedgehogs and it is possible that they may pass through the Site on occasion.

### 3.3.7 *Invasive species*

The desk study revealed no records for invasive botanical or faunal species within 1km of the Site; likewise no such evidence was recorded during the site visit and such species are not anticipated to be present on-site.

## 4 DISCUSSION AND RECOMMENDATIONS

### 4.1 Designated Sites

There were no statutory designated sites within 1km of the Site and the proposed development would not meet any criteria for the SSSI impact risk assessment. Additionally, Pipe Wood LWS was some 370m south-east of the Site and hence too far to consider any adverse impacts given the proposed development was so limited in its extent.

### 4.2 Habitats

The hedgerows and mown garden within the Site are both widespread habitats, and both are species poor. The hedgerows did not qualify as 'important', nevertheless, they did offer moderate potential for nesting birds, including the priority species yellowhammer, and some shelter for animals such as amphibians and hedgehogs commuting through the landscape, together with a potential foraging and commute route for bats, particularly given the link to Pipe Wood LWS.

According to drawing 'Proposed Site Access' 25383-01c Jan 24, the proposed access would puncture a small gap through both hedgerows in a section that was largely dominated by hawthorn. No standard trees would be impacted by this action. Whilst a gap would be created in the hedgerows, it is unlikely to be large enough to deter any animals from crossing as it will be 7m or less and replacement hedgerow planting is included as part of the proposals to ensure no net loss of linear features. Additionally, it will be important to include sensitive lighting measures to allow for the continued use of the hedgerow by protected or notable species.

### 4.3 Species

No evidence of protected or notable species using the Site was confirmed during the site visit although field signs recorded, together with data search records, suggest that the hedgerow would likely be used by nesting birds such as yellowhammer, and potentially by commuting bats (pipistrelle, Brandt's bat, whiskered bat, noctule, Natterer's and brown long-eared have all been recorded within 360m of the Site), as well as commuting or foraging hedgehog, and possible occasional use by reptiles, amphibians and badger. The mown lawn is unlikely to be used by notable species and is of limited ecological value.

The proposed access through the hedgerows is small and provided these works are undertaken carefully and sensitively there should be no animals harmed during the course of works. The small gap in the hedgerows post-development is unlikely to deter commuting bats (horseshoe bats tend to avoid gaps but are unlikely to be in the area) provided any lighting is sensitively designed. Currently only a single streetlight is present on the opposite side of Blithbury Road, so the hedgerows will remain mostly unlit at night. The small hedgerow gap post-development is likely to still be crossed by any other animals that use this feature for commuting and is unlikely to have a significant impact on available nesting bird habitat or sheltering habitat for hedgehog.

The loss of a strip of mown lawn that is species poor is of negligible impact.

### 4.4 Summary of Further Surveys Required

No further surveys are required.

### 4.5 Mitigation Requirements

- Hedgerow removal works should ideally be undertaken during September-October to avoid both the typical bird nesting season of March-August and the hibernation season of November-March.
- If this is not possible, hedgerow removal works during March-August must be preceded by a nesting bird check by a competent person to ensure that no birds are in the process of nest-building or rearing chicks within a 5-10m buffer of the section to be removed.
- Likewise, if hedgerow removal works are to take place between November-March, they must be preceded by a hand search by a competent ecologist to check for any evidence

of sheltering or overwintering hedgehogs. If a sheltering animal is found during this check, the ecologist will issue advice on the protection of the existing nest/hibernacula wherever possible, which would likely involve applying a set boundary around it until such times that the hedgehog has vacated the site. If this is not possible, a hedgehog box will be placed at the eastern end of the garden, furthest away from the works and the hedgehog will be carefully moved to it. Dog or cat food (with high meat content) and fresh water will be left by the hedgehog box for the subsequent few days such that should the animal wake, it can replenish its energy reserves.

- No night-time work is anticipated. As the area is currently largely unlit, every effort should be made to maintain a 'dark corridor' at night. If this is not possible, any lighting to be installed as part of the scheme should use warm white LEDs to reduce the blue light component. Further advice in relation to light-spill, column height and glare should be discussed and agreed with a lighting professional and an ecologist.

#### 4.6 Compensation Requirements

- Native hedgerow planting is proposed either side of the access track and its total length will be c.30m, exceeding that to be removed (c.12m) to facilitate the development. A biodiversity net gain in hedgerows could be achieved if native tree and shrub species were planted to include hawthorn, blackthorn, wild cherry *Prunus avium*, field maple *Acer campestre* and guelder rose *Viburnum opulus*.

#### 4.7 Opportunities for Enhancement

- The brash that will be generated from the removal of a section of the hedgerows could be repurposed to provide a hibernaculum on the field-side of H2 or at the eastern extent of the garden to Jayvid House. Such log/brash piles can benefit any overwintering animals that may use the Site, in particular hedgehogs.

## 5 CONCLUSION

The proposed access track through small sections of hedgerow will not impact any features of high ecological interest and with the inclusion of the avoidance, mitigation and compensation measures above, this will ensure that any protected or notable species that may occasionally use the Site, will continue to be able to do so post-development. In addition, the recommended

brash/log pile and additional native hedgerow planting will provide biodiversity enhancements in line with the National Planning Policy Framework<sup>3</sup> (NPPF, 2023).

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<sup>3</sup> Paragraph 174 (d) of the National Planning Policy Framework (NPPF) states: “*Planning policies and decisions should contribute to and enhance the natural and local environment by: ... (d) minimising impacts on and providing net gains for biodiversity...*”.

## 6 REFERENCES

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## **7 APPENDICES**

### **APPENDIX A – Legislation and Planning Policy**

## APPENDIX A – LEGISLATION AND PLANNING POLICY

### Summary

Habitats and species receive various levels of protection under UK legislation and national and local planning policies. Those that are potentially relevant to the Site are listed below

Note: Although summaries are provided, it is recommended to seek the full legal or policy wording separately for more information.

- The Wildlife and Countryside Act 1981 (as amended)
- The Environmental Protection Act 1990
- The Badgers Act 1992
- The Hedgerow Regulations 1997
- The Countryside and Rights of Way (CRoW) Act 2000
- The Natural Environment and Rural Communities (NERC) Act 2006
- The Conservation of Habitats and Species Regulations 2017 (as amended)
- The Environment Act 2021
- National Planning Policy Framework (NPPF) revised in 2021
- Lichfield District Council Local Plan 2008-2029
- Lichfield District Council Biodiversity and Development Supplementary Planning Document 2016

### UK Legislation

In Britain, the Wildlife and Countryside Act 1981 serves as the main tool for safeguarding wildlife. Part 1 of the Wildlife and Countryside Act (WCA) deals with the protection of wildlife, including birds, animals, and plants. The Schedules that hold the most significance in terms of planning are Schedule 1, which protects bird species, Schedule 5, which protects other animal species, and Schedule 8, which protects plant species. Schedule 9 lists species of plants and animals that are not native to Great Britain but have established themselves in the wild, posing a threat to the natural fauna and flora.

Additionally, the Conservation of Habitats and Species Regulations 2017 incorporates the EEC Council Directive 92/43/EEC, also known as the Habitats Directive, into UK legislation. This directive safeguards habitats and species of conservation concern throughout Europe, including those found in the UK.

### Planning Policy

The National Planning Policy Framework (NPPF) outlines the Government's planning policies for England and how local planning authorities should incorporate them into their own policies and plans. Chapter 15 of the NPPF contains several policies aimed at enhancing the natural environment. The updated NPPF 2021 now has a policy on biodiversity net gain that mandates development to improve biodiversity by achieving measurable gains.

Under the Environment Act 2021, all planning permissions granted in England (with a few exemptions) except for small sites will have to deliver at least 10% biodiversity net gain from January 2024. From April 2024, BNG will also be required for small sites.

### Designated Sites

In the UK, there are different types of statutory sites which are classified under various categories. These categories include Sites of Special Scientific Interest and National Nature Reserves which are established under national legislation. Special Areas of Conservation and Special Protection Areas (for birds) are designated protected areas under the Conservation of Habitats and Species Regulations 2017 (as amended). Meanwhile, Local Nature Reserves are sites that are protected, and designated, only at the local level.

The NPPF refers to non-statutory sites as Local Wildlife Sites. Although they do not have a formal level of protection, they are commonly included in local planning policies and therefore receive some level of protection at the local level.

### Priority Habitats and Species

Section 41 (s41) of the Natural Environment and Rural Communities Act 2006 requires the Secretary of State to publish a list of habitats and species of principal importance in England. These are known as Section 41 priority habitats and species and are considered to be most under threat or declining in the UK. The list is reviewed every six years.

There are currently 56 habitats on the list and 943 species from plants and fungi to invertebrates and mammals.

### Protected Species

#### *Bats & Great Crested Newt*

All British bat species (*Rhinolophidae* and *Vespertilionidae*) and great crested newts *Triturus cristatus* are legally protected in the UK under Schedule 5 of the Wildlife and Countryside Act 1981 (as amended) and are fully protected under Schedule 2 of The Conservation of Habitats and Species Regulations 2017 (as amended). The latter piece of legislation resulted in them being known as “European protected species”. This means that it is illegal to deliberately take, injure, or kill the animal; to intentionally or recklessly disturb the animal whilst they are in a 'place used for shelter or protection' or damage or destroy a breeding or resting place (even when the animal is not present). It is also illegal to intentionally or recklessly obstruct access to a place of shelter or protection; or to possess, control, sell, or transport live or dead individuals or their body parts. If you cannot avoid disturbing these species or damaging their habitats, you may apply to Natural England for a licence to carry out such works under the close supervision of a licensed ecologist.

### Common Amphibians

Common frog *Rana temporaria*, common toad *Bufo bufo*, smooth *Lissotriton vulgaris* and palmate newts *Lissotriton helveticus* are protected from sale only under Section 9(5) of the Wildlife and Countryside Act 1981 (as amended).

### Common Reptiles

Grass snake *Natrix natrix*, common lizard *Zootoca vivipara*, adder *Vipera berus* and slow-worm *Anguis fragilis* are listed under Schedule 5 of the Wildlife and Countryside Act 1981 (as amended) but only part of sub-section 9(1) and all of sub-section 9(5) apply. These species are protected against killing, injury and sale.

### Birds

In the UK, the law protects all wild bird species, as well as their eggs and nests, under the Wildlife and Countryside Act 1981 (as amended). Intentionally harming or taking wild birds, damaging or destroying their nests while in use or under construction, taking or destroying their eggs, or possessing, controlling, or transporting live or dead wild birds is considered an offence. Some birds (such as barn owl *Tyto alba*, kingfisher *Alcedo atthis*, and peregrine falcon *Falco peregrinus* amongst others) receive additional protection under Schedule 1, Part 1 of this Act and are protected by special penalties at all times. For these bird species, it is also an offence to disturb them while they are nesting, building a nest, near a nest with their young, or disturbing their dependent young.

### Badger

The Protection of Badgers Act 1992 safeguards badgers *Meles meles* and their setts. It is illegal to deliberately harm badgers by capturing, killing, or injuring them, or by damaging, destroying, or blocking access to their setts. Disturbing badgers in their setts, treating them cruelly, intentionally sending a dog into a sett, and baiting or digging for badgers are also prohibited.

### Invasive Species

The Wildlife and Countryside Act 1981 (as amended) Schedule 9 Part 2 provides controls on the release of non-native species into the environment, i.e., those considered to be invasive if they survive, thrive and spread rapidly within the environment. This prohibits the planting of such species or causing them to grow in the wild (plants), or the release/allowing to escape into the wild (animals).

## APPENDIX B – Baseline Habitats Map



 Red Line Boundary

Habitats Baseline

 Developed land; sealed surface

 Vegetated garden

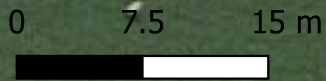
Hedgerow Baseline

 Native hedgerow

UKHab Secondary codes:

108 - frequently mown

517 - recent management



|               |                       |
|---------------|-----------------------|
| CLIENT        | Jonathan Haines       |
| PROJECT       | Land at Jayvid House  |
| DRAWING TITLE | Baseline Habitats Map |
| SURVEY DATE   | 14/12/2023            |