

Fastned UK Ltd.

# Balhaldie, Fastned

Preliminary Ecological Appraisal Report

2485662

**AUGUST 2023**

**RSK**  
**biocensus**  
EXPERTS IN ECOLOGY

# RSK GENERAL NOTES

---

**Project No.:** 2485662

**Title:** Balhaldie, Fastned - Preliminary Ecological Appraisal Report

**Client:** Fastned UK Ltd.


**Date:** August 2023

**Office:** Glasgow

**Status:** Rev 00

		<b>Technical and quality reviewer</b>	
<b>Author</b>	Lucy Cummings		Ruth Morton
Signature		Signature	
Date:	17.08.2023	Date:	22/08/2023

**Project manager** Victoria Brown

Signature 

Date: 07/09/2023

RSK Biocensus (RSK) has prepared this report for the sole use of the client, showing reasonable skill and care, for the intended purposes as stated in the agreement under which this work was completed. The report may not be relied upon by any other party without the express agreement of the client and RSK. No other warranty, expressed or implied, is made as to the professional advice included in this report.

Where any data supplied by the client or from other sources have been used, it has been assumed that the information is correct. No responsibility can be accepted by RSK Biocensus for inaccuracies in the data supplied by any other party. The conclusions and recommendations in this report are based on the assumption that all relevant information has been supplied by those bodies from whom it was requested.

No part of this report may be copied or duplicated without the express permission of RSK and the party for whom it was prepared.

Where field investigations have been carried out, these have been restricted to a level of detail required to achieve the stated objectives of the work.

This work has been undertaken in accordance with the quality management system of RSK Biocensus.

## EXECUTIVE SUMMARY

---

1. RSK Biocensus was commissioned by Fastned to undertake a preliminary ecological appraisal (PEA) including a preliminary roost assessment (PRA) comprising a background data search and UK Habitat survey with an assessment for protected species. The PEA was required in connection with the proposed installation of electric vehicle charging bays in an old Subway restaurant and carpark space in Balhaldie, Dunblane (Grid Reference: NN 81389 05405).
2. The survey was carried out on 12 July 2023. The area surveyed included the land within the red-line boundary (the site). The site and survey area are shown in Figure 1 and Figure 2.
3. There are four internationally designated sites within 10 km of the site boundary, these include Kippenrair Glen Special Area of Conservation (SAC) and Site of Special Scientific Interest (SSSI), South Tayside Goose Roosts Ramsar and Special Protection Area (SPA), Shelforkie Moss SAC and River Teith SAC. Due to the nature and scale of the proposed works, the absence of valuable habitat within the survey area, and the lack of connectivity to these internationally designated sites, it is considered that the sites and the species for which they are designated will not be significantly affected by this development and therefore a habitat regulations appraisal will not be necessary.
4. A total of two SSSI, three local nature conservation areas (LNCs) and nine areas of ancient woodland are within 2 km of the site boundary. Considering the distance of the proposed development and the lack of ecological connectivity to these sites, no impacts on these sites are expected.
5. Habitats recorded within the survey area included neutral grassland, native hedgerow, tree line, building, developed land, sealed surface and fence. None of the habitats recorded are considered locally notable or of significant botanical value.
6. The building on site is a modern, single-story brick building with PVC windows and a flat bitumen roof. A potential roost feature (PRF) was located within a wooden structure located on top of the roof, with a small gap recorded above the door. No evidence of roosting bats was found during an internal and external inspection of the building. The building is isolated with no suitable foraging or commuting lines present. Therefore, the building was assessed as having negligible to low potential to support roosting bats.
7. Swallow (*Hirundo rustica*) nests were recorded on the building and the tree line could also provide nesting habitat. Therefore, any work on site is recommended to take place outside of the nesting bird season (March – September, inclusive). Should this not be possible, a nesting bird check should be completed no more than 48 hours prior to works commencing.
8. Although no signs of badgers (*Meles meles*) were found during the survey, it is recommended to conduct a pre-construction survey due to the presence of suitable badger habitat in the surrounding environment.
9. The building on site was assessed as having negligible to low potential to support roosting bats. However, given that a PRF was located, it is recommended that a licenced bat ecologist inspects the PRF before any work on the building and that a soft strip of the PRF is carried out.

# CONTENTS

---

<b>1.0 INTRODUCTION .....</b>	<b>1</b>
1.1 Purpose of this report .....	1
1.2 Landscape context .....	1
1.3 Development Proposals .....	1
<b>2.0 METHODS.....</b>	<b>2</b>
2.1 Overview .....	2
2.2 Background data search (BDS) .....	2
2.3 UK Habitat Survey .....	4
2.3 Invasive plant species .....	4
2.3 Habitat assessment for protected vertebrates .....	4
General .....	4
Badger .....	5
Bats .....	5
<i>Ground-Level Tree Surveys</i> .....	6
Nesting birds .....	7
Reptiles .....	7
Other species of principle importance .....	7
2.3 Survey constraints .....	7
<b>3.0 RESULTS .....</b>	<b>9</b>
2.1 Background data search .....	9
2.3 Designated sites .....	9
Statutory and internationally designated sites .....	9
Non-statutory sites .....	10
Other notable sites .....	11
Protected and noteworthy species .....	11
2.3 Plants and habitats .....	11
UK Habitat Survey .....	11
<i>Native Hedgerow</i> .....	11
<i>Tree line</i> .....	11
<i>Building</i> .....	12
<i>Developed land, sealed surface (u1b)</i> .....	12
<i>Fence</i> .....	12
2.3 Protected and notable Species .....	12
Badgers.....	12
Bats (PRA) .....	12
Birds .....	13
Reptiles .....	13
Other species of principle importance .....	13
<b>4.0 RECOMMENDATIONS .....</b>	<b>14</b>
4.1 Designated sites .....	14
Internationally designated sites .....	14
Nationally designated sites .....	14
Non-statutory designated sites .....	14
2.3 Habitats and plants .....	14

Habitats .....	14
Plants .....	15
<b>4.3 Assessment for protected vertebrates.....</b>	<b>15</b>
Nesting Birds .....	15
Badgers.....	15
Bats .....	15
Other species of principal importance .....	16
<b>REFERENCES.....</b>	<b>17</b>
<b>FIGURES .....</b>	<b>18</b>
<b>APPENDIX A – NATURE CONSERVATION LEGISLATION AND POLICY .....</b>	<b>20</b>
<b>International Legislation .....</b>	<b>20</b>
<b>National Legislation.....</b>	<b>21</b>
<b>APPENDIX B – PHOTOGRAPHS.....</b>	<b>25</b>
<b>APPENDIX C – PROTECTED AND NOTEWORTHY SPECIES RECORDS .....</b>	<b>33</b>

**TABLES**

Table 1: Data Sources .....	2
Table 2: Scottish Badger Sett Classification .....	5
Table 3 Categorisation of roosting habitats (adapted from Collins, 2016). .....	6
Table 4: International statutory sites within 10 km of the site boundary .....	9
Table 5: Statutory sites within 2 km of the site boundary .....	10
Table 6: Non-statutory sites within 2 km of the site boundary .....	10
Table 7: Protected species records within 2 km of the site boundary .....	33
Table 8: Noteworthy species records within 2 km of the site boundary .....	33

**FIGURES**

Figure 1. Site Location Plan .....	18
Figure 2. UK Habitat Survey .....	19

# 1.0 INTRODUCTION

---

## 1.1 Purpose of this report

- 1.1.1 RSK Biocensus was commissioned by Fastned to undertake a preliminary ecological appraisal (PEA) in connection with the proposed installation of electric vehicle charging bays at an old Subway restaurant and carpark in Balhaldie, Dunblane (Grid Ref: NN 81389 05405)
- 1.1.2 This report presents the results of the PEA, comprising a background data search and a UK Habitat survey, with an assessment for protected or otherwise notable species.
- 1.1.3 The survey was carried out on 12 July 2023, the area surveyed included the land within the red-line boundary (the site). The site is shown in Figure 1 and Figure 2.

## 1.2 Landscape context

- 1.1.1 The site is located on the A9 between Perth and the M80/M9 near the village of Balhaldie. The site is on the northbound side of the A9 and is opposite an existing Shell petrol station and Starbucks café. The site consists of a car park and a building that was previously used as a Subway cafe.
- 1.2.2 The wider landscape consists of agricultural land which is primarily used for grazing with isolated blocks of broadleaved woodland and patches of scrub. Field boundaries mostly consist of fence lines. There are no watercourses on site with the nearest watercourse located 120 m to the southwest, which is a small tributary flowing north into the Allan Water.

## 1.2 Development Proposals

- 1.3.1 The development proposal includes the installation of 10 parking/charging bays with modular photovoltaic canopies (~6 m total height) and 5 fast (400kWH) chargers. Canopies will be split into blocks of two and three modules. The existing building at the front of the site will be renovated into a cafe.

## 2.0 METHODS

### 2.1 Overview

- 1.1.2 The PEA was undertaken in line with guidance from the Chartered Institute of Ecology and Environmental Management (CIEEM, 2017), which includes:
- a desk study, (gathering information from national websites; local record centres (TBC), councils, local wildlife groups, published material, previous reports etc.) here called a background data search (BDS); and
  - a field survey with a scope that includes the mapping of habitats, an assessment of the possible presence of protected or priority species and the likely importance of habitat features, and notes including mapping of any incidental sightings of non-native invasive plant species and protected or priority species.
- 2.1.2 The PEA results provide an ecological description of the survey area and information about species that may occur there. It either allows evaluation of the ecological importance of the site, or - if insufficient to do so - indicates what further surveys are required.
- 2.1.3 The survey was carried out on 12 July 2023 by Leanne Cooke and Lucy Cummings of RSK Biocensus Ltd. Leanne is a principal ecological consultant, experienced in conducting PEAs and a full member of the Chartered Institute of Ecology and Environmental Management (CIEEM). Lucy is a graduate ecological consultant.
- 2.1.4 The UK Habitat survey and the protected species survey included the site which is referred to as the 'survey area' in this report.

### 2.2 Background data search (BDS)

- 1.1.2 A search BDS was made in July 2023 for data sources and reference materials relating to the ecology of the site, and a list of sources is given in Table 1.

**Table 1: Data Sources**

Information Obtained	Available From
Protected and noteworthy species records	The Wildlife Information Centre
	NBN Atlas
	Joint Nature Conservation Committee
	Scottish Wildlife Trust
	British Trust for Ornithology
Designated site locations and citations	NatureScot
Designated site locations and citations	Joint Nature Conservation Committee (JNCC) website
Designated site locations and citations	The Wildlife Information Centre

	NBN Atlas	Joint Nature Conservation Committee Scottish Wildlife Trust British Trust for Ornithology
Designations and legal protection of noteworthy species	Joint Nature Conservation Committee (JNCC) website	
Areas / Habitats of Strategic Significance	Biodiversity and Landscape Supplementary Guidance Stirling Council	

2.1.2 International and national statutory designated sites of ecological importance were identified within 10 km of the site boundary: Ramsar sites, special areas of conservation (SAC), special protection areas (SPA)<sup>1</sup>, and within 2 km for sites of special scientific interest (SSSI).

2.1.3 Non-statutory designated sites (often important in a local context) were identified within 2 km of the site boundary, this information will be supplied separately following the submission of this report due to the record centre delays. Ancient woodland sites were also identified within 2 km of the site boundary.

2.1.2 The BDS included a search for records within 2 km of the site boundary of noteworthy species, which might pose a constraint to the proposed development. All species records will be supplied separately following the submission of this report due to the record centre delays. Species included in the search were:

- European protected species (listed on Schedule 2 and 4 of the Conservation (Natural Habitats, & c.) Regulations 1994 (as amended);
- nationally protected species under Schedules 1, 5 and 8 of The Wildlife & Countryside Act 1981 as amended by The Wildlife and Natural Environment (Scotland) Act 2011 and The Protection of Badgers Act 1992;
- species listed as critically endangered, endangered, or vulnerable on the IUCN Red List;
- all species listed on the RSPB Birds of Conservation Concern 5 red or amber;
- nationally rare or nationally scarce species;
- notable invertebrates; and;
- species that have action plans under the Scottish biodiversity list (SBL) or are priority species under the local biodiversity action plan (LBAP).

---

<sup>1</sup> SACs and SPAs were formerly called 'European Sites' and part of the Natura 2000 network; post-'Brexit', they are now considered part of the UK's 'national site network'. Ramsar sites are sites of international importance. See *Appendix A* for details. Note that SPAs, SACs and Ramsar sites are also underpinned by SSSI designations whose citations/boundaries may be slightly different.



## 2.2 UK Habitat Survey

2.3.1 The field survey was based on the UK Habitats (UK Hab) classification methodology (Version 1.1; Butcher *et al.* 2020). This field survey was undertaken in line with CIEEM 2017 and involved the following elements:

habitat mapping using a set of standard colour codes to indicate habitat types on a UK habitat map; and

a description of features of possible ecological or nature conservation interest in notes relating to numbered locations on the habitat map, called 'target notes'.

2.1.3 Vascular plant species were recorded, although no attempt was made to produce an exhaustive species list (additional species would almost certainly be found during more detailed surveys or repeat surveys at various times of the year).

2.1.3 Plant nomenclature in this report follows Stace (2019) for native and naturalised species of vascular plant and mosses and liverworts follow Hill *et al.* (2008). Introduced species and garden varieties were identified using the relevant texts. Common names are provided first with the scientific name following in brackets in the first instance of each name.

## 2.2 Invasive plant species

1.1.3 The UK Habitat survey does not involve exhaustive surveying for individual plant species, and various invasive species may be little in evidence at various times of year (depending on the species). A survey seeking to identify habitat types cannot therefore be relied upon to provide firm information about the presence or extent of any invasive non-native species (INNS). However, any INNS (plants and animals) that were encountered would be noted.

## 2.2 Habitat assessment for protected vertebrates

### General

2.3.1 The habitats were assessed for their suitability to support legally protected species which may be affected by the development. Taking into account the geographic location, connectivity to natural habitats in the wider landscape, and the nature and extent of habitats within the survey area, specific assessment was also carried out for the following species:

badger (*Meles meles*);

bats;

nesting birds;

reptile species; and

other notable species.

2.1.3 Red squirrel (*Sciurus vulgaris*) was scoped out of the assessment as there is only a small line of trees within the survey area which are too sparse to support a population.

Furthermore, the BDS did not return any records for red squirrel within 1 km of the site boundary.

- 2.1.3 Due to the absence of waterbodies and watercourses within the survey area with no ponds within 500 m of the site boundary, all semi-aquatic protected species, including great crested newt (*Triturus cristatus*), water vole (*Arvicola amphibius*) and otter (*Lutra lutra*), were also scoped out of the assessment.

### Badger

- 2.1.3 An initial assessment was carried out to identify areas that might be used by badgers for commuting, foraging or sett building. The area in which badgers or setts could be affected by works was systematically searched for signs of badgers including setts, foraging signs, paths (runs), latrines (dung pits), footprints and hairs. Where possible, the category of sett (main, subsidiary, annex, or outlier) and levels of activity visible at each sett was recorded.
- 2.1.3 Sett activity status was categorised using the Scottish Badgers (2018) terminology. The terminology is described below in Table 2.

**Table 2: Scottish Badger Sett Classification**

Classification	Description
Well Used	Are clear of debris and vegetation, sides worn smooth but not necessarily excavated recently.
Partially Used	Are not in regular use and have debris e.g., twigs and leaves in the entrance. They could be used after only a minimal amount of clearance.
Disused	Not in use for some time, are partially blocked and could not be used without considerable effort. Rabbits and foxes may take over part of a sett and keep disused entrances open.
Collapsed	Where a tunnel has collapsed.
Air Hole	Where badgers have made a small hole in a tunnel roof from below.

### Bats

- 2.1.3 A preliminary roost assessment (PRA) was carried out on the building which followed best practice guidelines (Collins, 2016). The external and internal aspects of the building were surveyed for features and characteristics that may be used by roosting bats. Potential access points into the roof voids were noted as well as any crevices and voids in the external structure which could provide roosting opportunities. Internally the building was search for any attic voids and signs of bats. Evidence of roosting bats includes droppings, urine stains, staining from fur-oils, wear marks, feeding remains, dead bats, odour, squeaking and chattering, and in some cases the absence of cobwebs. Bat droppings can prove beyond doubt that bats use a building and can help to identify roosting locations because piles often accumulate beneath roosting sites or entrance points.
- 2.1.3 The building was assessed according to the following factors that influence the likelihood of bats roosting:

Surrounding habitat: whether there are potential flight-lines and foraging areas for bats nearby.

Construction detail: the type and construction of architectural features such as attics, soffit boxes, lead flashing and hanging tiles that could be used by roosting bats.

Building condition: whether disrepair has opened potential bat-access points (especially in roofs).

Potential bat-access points: whether there is flight and crawl access.

Potential roosting locations: description of all bat-accessible voids, cracks, and crevices.

2.1.3 The criteria shown in

2.1.3 Table 3 was used to categorise the building according to its suitability for roosting bats.

**Table 3 Categorisation of roosting habitats (adapted from Collins, 2016).**

Category	Description
Negligible Suitability	Negligible habitat features on the site likely to be used by roosting bats.
Low Suitability	A structure with one or more potential roost sites that could be used by individual bats opportunistically. However, these potential roost sites do not provide enough space, shelter, protection, appropriate conditions and/or suitable surrounding habitat to be used on a regular basis or by a larger number of bats (i.e., unlikely to be suitable for maternity or hibernation).
Moderate Suitability	A structure 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 for a roost of high conservation status (with respect to roost type only – the assessments in this table are made irrespective of species conservation status, which is established after presence is confirmed).
High Suitability	A structure with one or more potential roost sites that are obviously suitable for 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.

2.5.10 Habitats were assessed in respect of their suitability to support roosting bats (*Chiroptera* sp.) in addition to foraging and commuting habitat. Areas of particular interest vary between species, but generally include sheltered areas and habitats with good numbers of insects, such as woodland, scrub, rivers and species-rich or rough grassland.

### **Ground-Level Tree Surveys**

2.5.11 All trees were surveyed from ground level. Features that might be used by roosting bats were described and categorised according to accepted guidelines (Collins, 2016), where each tree is assigned a category of low, moderate, or high suitability for bats.

- 2.5.10 Trees may also be categorised as having ‘unknown potential’ if the surveyor’s view of the tree is obscured. This can be caused by dense Ivy (*Hedera helix*) covering the tree’s trunk and major limbs so as to conceal potential roosting features from view.

### **Nesting birds**

- 2.5.10 Areas of suitable habitat within the survey area were assessed for their potential to support breeding birds. Birds can nest in a wide variety of places and habitats including scrub, woodland, hedges and trees, open ground, and man-made structures.

### **Reptiles**

- 2.5.10 Habitat was assessed for its suitability for the three most widespread reptile species, with particular attention given to those features that provide suitable basking areas (e.g., south-facing slopes), hibernation sites (e.g., banks, piles of rotting vegetation) and opportunities for foraging (e.g., rough grassland and scrub).
- 2.5.10 Specific habitat requirements differ between species. Common lizards (*Zootoca vivipara*) use a variety of habitats from woodland glades to walls and pastures, although one of their favoured habitats is rough grassland. Slow worms (*Anguis fragilis*) use similar habitats to common lizards, and are often found in rank grassland, gardens, and derelict land. Adders (*Vipera berus*) prefer open habitats such as heathland, moorland, open woodland, and sea cliffs, typically on free-draining soils such as chalk or sand.

### **Other species of principle importance**

- 2.5.10 The UK countries of England, Wales, Scotland, and Northern Ireland are obliged by their individual laws to maintain lists of species and habitats of principal importance for biodiversity conservation. In Scotland, these species are listed within the SBL. An assessment of the suitability and likelihood of the survey area to support such species was made (for example, hedgehog (*Erinaceus europaeus*)).

## **2.2 Survey constraints**

- 2.3.1 Unless the survey area changes significantly, the surveys carried out for this report should remain valid for at least 18 months (CIEEM 2019), though an updated survey for certain species may need to be carried out immediately before the start of works (as close as possible).
- 2.1.3 Field signs for protected and valuable species are often difficult to find or are absent from a site. The survey conducted was not intended to be a comprehensive presence/absence survey for all species, but rather to provide an indication of the likely presence of such species based on the field signs found, and the nature of the habitats present. Therefore, if signs for protected species were not recorded within the survey area, this does not necessarily indicate absence from the survey area during this period.
- 2.1.3 The background data search is third party controlled data which was purchased for the purposes of this report only. RSK Biocensus cannot vouch for its accuracy and cannot be held liable for any error(s) in these data.

- 2.1.3 All recommendations made in this report are based on the proposed survey area layout plan provided at the time of survey (July 2023). If the plans change, then an ecologist must be consulted, and further surveys may be required.
- 2.1.3 No other constraints were recorded which may affect the robustness of the data or the conclusions made.

## 3.0 RESULTS

### 2.1 Background data search

3.1.1 The background data search was carried out in July 2023, the information obtained was from The Wildlife Information Centre, this includes internationally designated statutory sites within a distance of 10 km, all statutory designated sites within 2 km, non-statutory designated sites within 2 km and ancient woodland within 2 km.

#### Formal Local Biodiversity Action Plans and Strategies

1.2.2 The Stirling Council local biodiversity and landscape plan lists the following habitats as local formal targets:

- mixed woodland;
- open water;
- fen;
- grassland;
- raised bog;
- heath; and
- trees, woodland, and hedgerows.

1.2.2 The site is not within an area that has been identified as ecologically desirable by the informal strategies and datasets searched.

### 2.2 Designated sites

#### Statutory and internationally designated sites

3.1.1 There are four internationally designated sites within 10 km of the site boundary: Kippenrait Glen SAC, South Tayside Goose Roosts SPA & Ramsar, Shelforkie Moss SAC) and River Teith SAC. These sites are listed in order of ascending distance from the site boundary in Table 4.

**Table 4: International statutory sites within 10 km of the site boundary**

Site Name	Designation	Distance (m) and orientation
Kippenrait Glen	SAC	4900 S
<b>Qualifying Features / Reason for Designation</b> Kippenrait Glen consists mainly of base-rich mixed valley woodland of ancient/long-established origin and is the largest woodland of this type in Stirling district. The wood is relatively undisturbed and has an extremely high diversity of woodland plant species.		
South Tayside Goose Roosts	Ramsar and SPA	4989 NE
<b>Qualifying Features / Reason for Designation</b> The South Tayside Goose Roosts Ramsar & SPA site comprises seven lochs, a number of smaller water bodies and other wetland habitats in Strathearn and Strathallan to the west of Perth in eastern Scotland. The site is overlapped completely by parts of three Sites of Special Scientific Interest (SSSI): Carsebreck and Rhynd Lochs SSSI, Drummond Lochs SSSI, and Dupplin Lakes SSSI. The South Tayside Goose Roosts Ramsar and SPA site qualifies by supporting bird species		

Site Name	Designation	Distance (m) and orientation
of European importance such as; Wigeon ( <i>Anas penelope</i> ), pink-footed goose ( <i>Anser brachyrhynchus</i> ) and greylag goose ( <i>Anser anser</i> ). The South Tayside Goose Roosts site further qualifies under by regularly supporting waterbirds in numbers of 20,000 individuals or more.		
Shelforkie Moss	SAC	4990 NE
<b>Qualifying Features / Reason for Designation</b> Shelforkie is an active raised bog. The site itself is relatively extensive and although now affected by past drainage, continues to support typical bog communities. The bog-moss <i>Sphagnum magellanicum</i> is frequent, and occasionally abundant, over much of the site. <i>S. cuspidatum</i> pools occur scattered across the bog.		
River Teith	SAC	5780 W
<b>Qualifying Features / Reason for Designation</b> The River Teith is the most significant tributary of the River Forth and young sea lampreys have been recorded throughout the lower reaches of the main river. The conservation importance of the River Teith is increased by the fact that, unlike many British rivers, it supports populations of all three lamprey species and Atlantic salmon ( <i>Salmo salar</i> ).		

- 1.2.2 There are two statutory designated sites within 2 km of the site boundary; Quoigs Meadow SSSI and Kippenrait Glen SSSI. These sites are listed order of ascending distance from the site boundary in Table 5.

**Table 5: Statutory sites within 2 km of the site boundary**

Site Name	Designation	Distance (m) and orientation
Quoigs Meadow	SSSI	1439 E
<b>Qualifying Features / Reason for Designation</b> Quoigs Meadow is located approximately 1.5 km south of Greenloaning on the lower slopes on the north side of the Ochil Hills. It is an area of spring fen habitat which is now a rare habitat in lowland Perth and Kinross. The main interest lies in the springs and flushes where water rich in calcium comes to the surface, and flows through the soil creating areas of rush and sedge pasture.		
Kippenrait Glen	SSSI	4900 S
<b>Qualifying Features / Reason for Designation</b> This large woodland SSSI consists mainly of base-rich, mixed valley woodland of ancient/long-established origin. Wet upland ash ( <i>Fraxinus excelsior</i> ) woodlands are uncommon in the Stirling Council area and this site is the largest woodland of its type in the area.		

### Non-statutory sites

- 1.2.2 There are three non-statutory sites which are all local nature conservation sites (LNCs) within 2 km, as shown in Table 6.

**Table 6: Non-statutory sites within 2 km of the site boundary**

Site Name	Designation	Distance (m) and orientation
Kinbuck-muir	LNC	632 W
<b>Qualifying Features / Reason for Designation</b> Kinbuck-muir has been identified as a potential LNC, no further information was provided		
Kinbuck	LNC	1585 W
<b>Qualifying Features / Reason for Designation</b> Kinbuck has been identified as a potential LNC, no further information was provided		
Black hill	LNC	1970 SE
<b>Qualifying Features / Reason for Designation</b> Blackhill has been identified as a potential LNC, no further information was provided		

### Other notable sites

There are nine areas of ancient semi-natural woodland within 2 km of the site boundary. The closest area of ancient woodland is ancient semi-natural woodland that is approximated 204 m north-east of the site boundary.

### Protected and noteworthy species

- 1.2.2 There are 20 records of legally protected species and an additional 56 records of noteworthy species from places within 2 km of the site.
- 2.1.3 Of these, 72 records are of birds and 4 are mammals. Species that are protected by law under Schedule 2 Regulations 1994 (as amended), Schedules 1, and 5 of The Wildlife and Countryside Act 1981 (as amended) are highlighted in the full species list is given in Appendix C. Those of relevance to the site and the current proposals are discussed in Sections 4.2 and 4.3.

## 2.2 Plants and habitats

### UK Habitat Survey

- 3.1.1 The UK Habitat map is provided in Figure 2, with photographs of the site shown in Appendix B.

#### **Neutral Grassland**

- 1.2.2 Neutral grassland surrounds the car park and building (photo 3). This grassland is not actively managed and appears to be improved with nutrient-rich soil. The dominant grass species are Yorkshire-fog (*Holcus lanatus*) and cocksfoot (*Dactylis glomerata*). Other species present include white clover (*Trifolium repens*), broadleaved dock (*Rumex obtusifolius*), dandelion (*Taraxacum*), spear thistle (*Cirsium vulgare*), creeping thistle (*Cirsium arvense*), willowherb (*Epilobium*), pineapple weed (*Matricaria discoidea*), nettle (*Urtica*), knapweed (*Centaurea scabiosa*) and hogweed (*Heracleum sphondylium*).
- 1.2.2 On the northern side of the building, the grassland is more diverse, with the grass growing tall at c.1 meter high (photo 4 and target note 1). The area is abundant with creeping thistle, hogweed, horsetail (*Equisetum* sp.), false oat grass (*Arrhenthelum elatius*), Yorkshire fog and knapweed.

#### **Native Hedgerow**

- 1.2.2 On the north-eastern boundary of the site, there is a native hedge made up of beech (*Fagus sylvatica*) and hawthorn (*Crataegus monogyna*) (photo 6). The height of this hedgerow is c.1.2 m. This hedge has been managed in the past but has not been cut recently. Additionally, there are other species growing within the hedge, such as dogrose (*Rosa canina*).

#### **Tree line**

- 2.1.3 There is a row of semi-mature Sitka spruce (*Picea sitchensis*) trees located along the north-western boundary (photo 7).



### ***Building***

- 1.2.2 There is a modern, single-story brick building on the site with PVC windows and a flat bitumen roof (photo 11). Two structures at the back of the main building were recorded and classified as buildings.

### ***Developed land, sealed surface (u1b)***

- 1.2.2 This area consists of a tarmac surface for parking and walkways, with no plants present.

### ***Fence***

- 2.1.3 Fencing around the site consists of wooden fencing along the perimeter of the building and site.

## **2.2 Protected and notable Species**

- 3.1.1 No evidence of any protected species was found on the site. This is likely due to the site's isolated and exposed nature, which provides very little cover for wildlife, as well as high levels of disturbance caused by the nearby A9.

### **Badgers**

- 1.2.2 The BDS returned no records of badgers within the search area.
- 1.2.2 No evidence of badger was found during the survey and there is minimal suitable habitat present within the survey area. The grassland provides some foraging habitat for badger but due to the high level of disturbance in the area and fragmented landscape, it is unlikely that badger would use the site for foraging.

### **Bats (PRA)**

- 1.2.2 The BDS returned no records of bat species within the search area.
- 2.1.3 The building on site is of a modern structure, it is a single-story brick building with PVC windows and a flat bitumen roof. The flat roof structure indicates the absence of a roof void with none located during the survey. The external aspects of the building appeared well maintained, with the bricks and pointing in good condition and the roof in a good state of repair. No bat droppings or indications of their presence were found either inside or outside of the building. A potential roost feature (PRF) was located within a wooden structure located on top of the roof (photo 11), which was being used for storage, with a small gap located above the door. The inside of the building had gaps located between the dry wall and the wall which bats could use as a roost.
- 1.2.2 No evidence of bats was recorded. The site is located along the A9 in a fragmented habitat with no suitable foraging or commuting lines present on site. It is therefore considered that the building has a negligible to low potential to support roosting bats.
- 1.2.2 The trees on site did not contain any potential bat roost features such as cracks and cavities and have negligible suitability to support roosting bats.

## **Birds**

- 2.1.3 The BDS revealed 72 records of protected and notable bird species from the 2 km radius around the site.
- 2.1.3 A number of swallow (*Hirundo rustica*) nests were located on the north-western side of the building (photo 9). These nests were not active, and some had become disused and fallen. The line of trees on site could offer nesting opportunities to species that are more tolerant of disturbance such as corvids.
- 2.5.10 It is recommended that a nesting bird check is completed within 48 hours of works to search for nests on the building and within the trees on site.

## **Reptiles**

- 2.5.11 The BDS revealed no records of reptiles within the search area.
- 2.5.10 No reptiles were recorded during the survey and very limited suitable habitat to support reptile species was recorded; therefore, they are not considered further in this report.

## **Other species of principle importance**

- 2.5.10 No evidence of other notable species, such as hedgehogs, was recorded and no suitable habitat for these species is available within the survey area due to the limited cover and high levels of disturbance (e.g., from the adjacent highway).
- 2.5.10 Habitats within the survey area are likely to support invertebrate species typical of neutral grassland habitats.

## 4.0 RECOMMENDATIONS

---

### 4.1 Designated sites

#### Internationally designated sites

- 1.1.2 SACs and SPAs are part of the 'national site network' and are afforded protection under the provisions of The Conservation of Habitats and Species Regulations 2017 (as amended) (the 'Habitats Regulations') or their equivalents in the devolved administrations (refer to Appendix A). These sites are designated as being of international importance for ecology and nature conservation. Furthermore, Ramsar sites are also of international importance, being wetlands that have been designated under the criteria of the Ramsar Convention on Wetlands for containing representative, rare, or unique wetland types or for their importance in conserving biological diversity (see Appendix A).
- 2.1.2 There are four international statutory designated sites within 10 km of the site boundary, these are the Kippenrait Glen SAC (4,900 m), South Tayside Goose Roosts SPA and Ramsar (4,989 m), Shelforkie Moss SAC (4,900 m) and River Teith SAC (5,780 m).
- 2.1.3 Based on the nature and scale of the proposed works, it is considered that the designated sites and their corresponding species will not experience significant impact. This is due to the absence of suitable habitat for the species within the survey area and lack of ecological connectivity to the designated sites. As a result, a habitat regulations appraisal (HRA) is therefore not considered necessary.

#### Nationally designated sites

- 2.1.2 Two designated sites are within 2 km of the site boundary: Quoigs SSSI (1,439 m) and Kippenrait Glen SSSI (4,900 m). Considering the distance and the lack of ecological connectivity of the proposed development to these designated sites, it is expected that there would be no impacts on these designated sites.

#### Non-statutory designated sites

- 2.1.3 There are three non-statutory sites and nine areas of ancient semi-natural woodland located within 2 km of the proposed site boundary: Kinbuck Muir LNC (632 m), Kinbuck LNC (1,585 m) and Black Hill LNC (1,970 m). Considering the lack of ecological connectivity to these designated sites, no impacts on them is predicted.

### 4.2 Habitats and plants

#### Habitats

- 1.1.2 Neutral grassland, which is grass dominated, makes up a large portion of the habitats recorded within the survey area. Neutral grassland of this type is locally common and species-poor with limited value for wildlife. This habitat is widespread and very common throughout the lowlands of Scotland and the UK as a whole.

- 2.1.2 Due to the extent of neutral grassland along the carpark verge, it is likely that some of this habitat will be directly affected by the proposed EV charging bays. Where this habitat is directly affected, the working width in this area should be kept at a minimum and this habitat should be re-instated following completion of works where possible.
- 2.1.3 As the hedgerow present is species-poor, it is not considered to be of high value and do not qualify as a UK BAP or SBL priority habitat.

### **Plants**

- 2.1.4 All of the plants found within the survey area are common, found elsewhere in the surrounding landscape and are listed as least concern on the GB red list.

## **4.2 Assessment for protected vertebrates**

- 2.3.1 Habitats with the potential to support nesting birds, badgers and bats were recorded. The following section outlines recommendations for further surveys and mitigation.

### **Nesting Birds**

- 2.1.3 Suitable habitat is present on site with swallow nests recorded on the building and the line of trees provides nesting opportunities.
- 2.1.3 Active bird nests are protected by law from destruction. It is therefore recommended that any work to building of trees on site is carried out outside of the nesting season (March – September, inclusive).
- 2.1.3 Should this not be possible then a nesting bird check should be completed by an experienced ecologist no more than 48 hours prior to works commencing. If active nests are found, then the nests must be protected by a species-specific buffer so that they remain undisturbed until all the young have fledged. A temporary pause of works may also be required in order to identify the species and monitor for any signs of disturbance, as different species have different tolerances to disturbance.

### **Badgers**

- 2.1.3 No evidence of badger was found during the survey and there are minimal suitable habitats present within the survey area.
- 4.3.6 Although no badger signs were found during the survey and the site is considered to have low suitability for badger, it is advisable to conduct a pre-construction badger survey. This is because badgers are a mobile species and any work within a 30 m radius of a badger sett is considered disturbance and it a punishable offence. Pre-construction surveys should be completed as close to the construction period as possible, and no more than 3 months before the start of works.

### **Bats**

- 2.1.3 The building on site has been assessed as having negligible to low potential to support roosting bats. However, given that a PRF was located, it is recommended as a precaution, that any works to the PRF are carried out under the supervision of a bat licenced ecologist, to prevent against accidental harm/disturbance occurring to bats.

2.1.3 The following measures are to be followed to prevent against accidental harm/disturbance occurring to bats and must be implemented on site by a bat licensed ecologist;

toolbox talk on bats given by on-site by ecologist;

soft strip protocol to be followed when working on the wooden structure on top of the roof which recorded a PRF;

all contractors to be briefed on best practice methods and protocol in the event that a bat is located; and

a full inspection of the PRF before works start.

2.1.3 When the PRF has been removed to the ecologist's satisfaction, then work may continue unsupervised. However, should a bat be encountered during remaining works, then all works should stop, and the ecologist consulted.

2.5.10 While it is unlikely that the site represents a foraging or commuting resource for bats, a sensitive lighting scheme should be maintained during the course of works to maintain dark commuting corridors, particularly along the southern site boundary.

#### **Other species of principal importance**

2.5.11 All excavation pits should be filled at the end of each day or otherwise covered over to prevent animals falling in and becoming entrapped (e.g., foxes). If this is not possible, adequate means of escape should be provided (i.e., a ramp or gently graded side walls or equivalent).

#### **Opportunities for enhancement**

2.5.10 The planting of native species including wildflower grassland and berry and fruit-bearing native species such as rowan (*Sorbus aucuparia*), holly (*Ilex aquifolium*), spindle (*Euonymus europaeus*), elder (*Samucus nigra*) and hawthorn, within the site boundary would benefit invertebrates and bird species.

2.5.10 Bird boxes could be placed on the building with bird boxes suitable for swift, house sparrow and/or starling, which are all species of conservation concern.

## REFERENCES

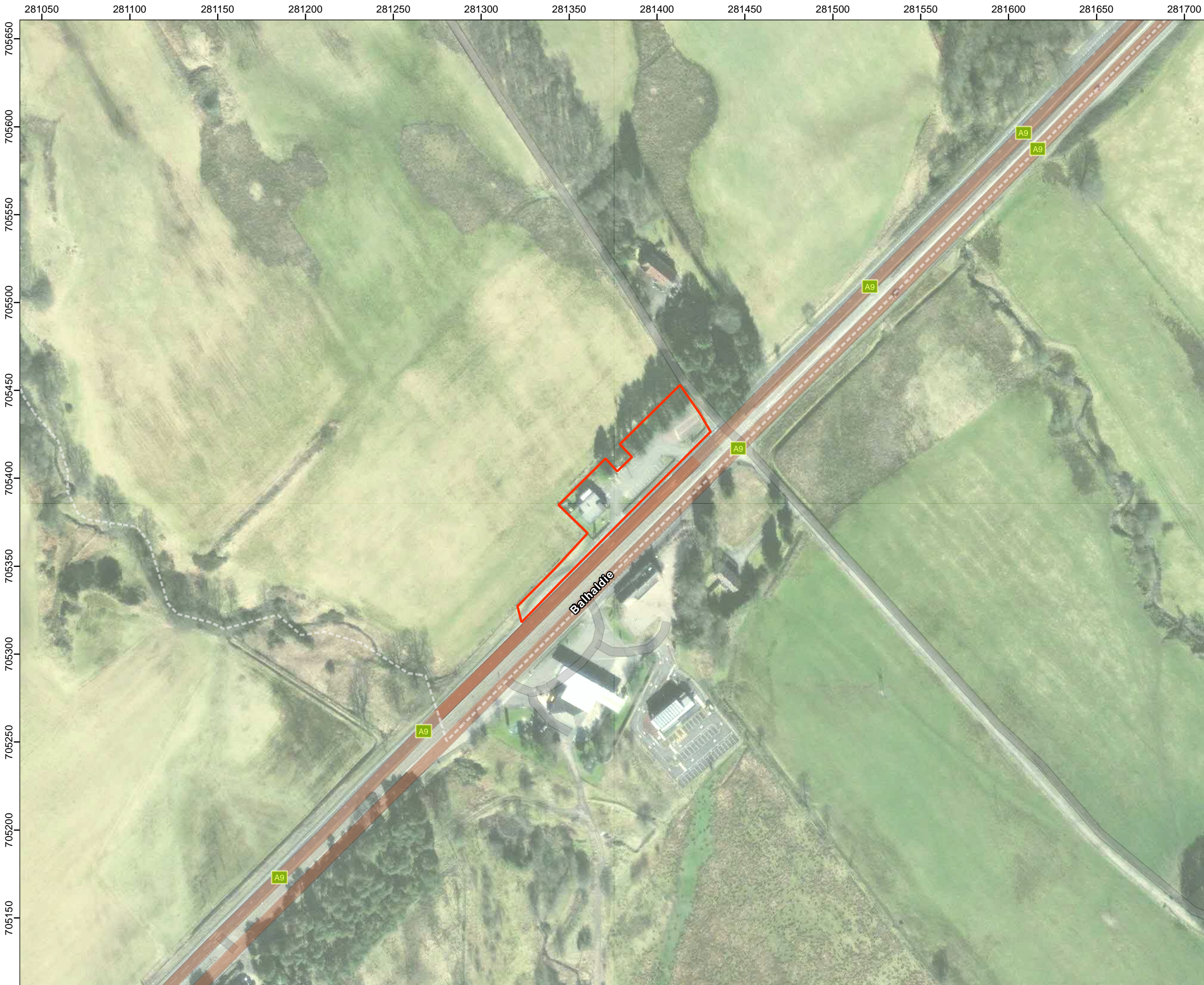
---

- Butcher, B., Carey, P., Edmonds, R., Norton, L. and Treweek, J. (2020), *UK Habitat Classification – Habitat Definitions V1.1* at <http://ukhab.org>
- Chartered Institute of Ecology and Environmental Management (2017). *Guidelines for Preliminary Ecological Appraisal*. Technical Guidance Series, [www.cieem.net/gpea.asp](http://www.cieem.net/gpea.asp).
- Chartered Institute of Ecology and Environmental Management (2019). *Advice Note on the Lifespan of Ecological Reports & Surveys*. CIEEM, Winchester, Hampshire.
- Collins, J. (2016). *Bat Surveys for Professional Ecologists: Good Practice Guidelines* (3rd edition). The Bat Conservation Trust, London.
- Hill, M.O., Blackstock, T.H., Long, D.G. and Rothero, G.P. (2008). *A checklist and census catalogue of British and Irish bryophytes*. Middlewich: British Bryological Society.
- Scottish Badgers (2018). *Surveying for Badgers: Good Practice Guidelines*. Version 1.
- Stace, C.A. (2019). *New Flora of the British Isles* (4th edition). C & M Florisitics, Middlewood Green.

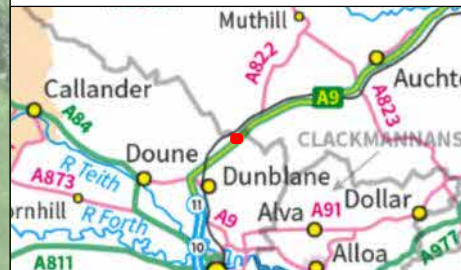
# FIGURES

---

**Figure 1. Site Location Plan**



**Legend:**  
 Site Boundary

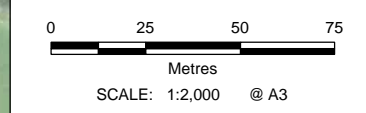


Rev	Date	Description	Drn	Chk	App
00	18/07/2023	2485662	EC	RJ	LC

**PEA Askew Road and Balhaldie**



TITLE: Figure 1:  
 Balhaldie Site Location Plan

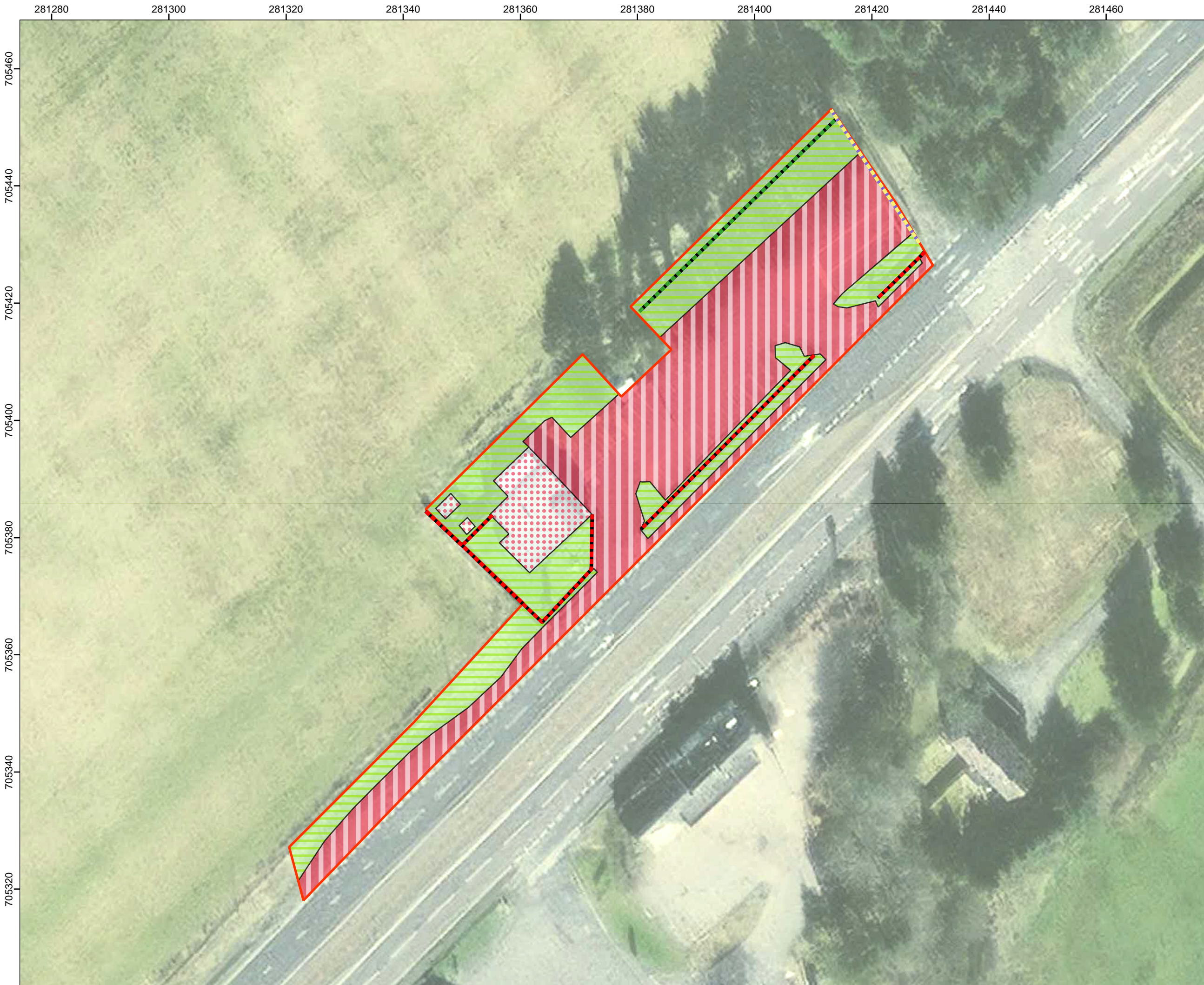


REV 00

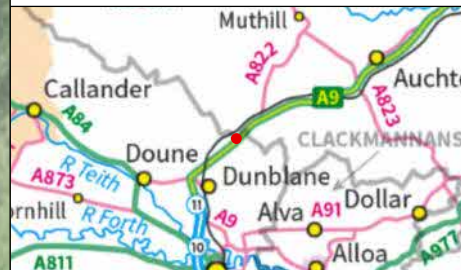
Contains Ordnance Survey data © Crown copyright and database right 2023  
 World Imagery: Maxar, Microsoft  
 Hybrid Reference Layer: Esri Community Maps Contributors, Esri UK, Esri, HERE, Garmin, Foursquare, GeoTechnologies, Inc, MET/NASA, USGS  
 OS Open Rasters: Contains OS data © Crown Copyright and database right 2022



**Figure 2. UK Habitat Survey**



- Legend:**
- Site Boundary
  - UKHab Classification**
  - Building
  - Developed Land; Sealed Surface
  - Other Neutral Grassland
  - Fence
  - Line of Trees
  - Native Hedgerow

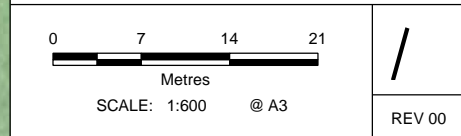


Rev	Date	Description	Drn	Chk	App
00	18/07/2023	2485662	EC	RJ	LC

**PEA Askew Road and Balhaldie**



TITLE: Figure 2:  
Balhaldie UK Habitat Survey



# APPENDIX A – NATURE CONSERVATION LEGISLATION AND POLICY

---

## International Legislation

The following international conventions and directives apply to biodiversity protection in the UK. Post-‘Brexit’, even though European Union (EU) directives no longer directly apply to the UK, the provisions there in are enshrined in both domestic legislation and international agreements. Legislation has been enacted to ensure the regulations derived from these remain in force<sup>2</sup>.

### **The Convention on Biological Diversity 1992 *et seq.***

This multilateral treaty (<https://www.cbd.int/doc/legal/cbd-en.pdf>), signed by 150 government leaders at the 1992 Rio Earth Summit, has three main goals, of which one is the conservation of biological diversity. Article 6 requires countries to develop national biodiversity strategies, plans or programmes. In response, the UK developed the UK Biodiversity Action Plan (BAP) 1994 (<https://jncc.gov.uk/our-work/uk-bap/>) as well as county-specific BAPs. Subsequent to this, parties of the convention agreed the supplementary Nagoya Protocol 2010 (available at <https://www.cbd.int/abs/doc/protocol/nagoya-protocol-en.pdf>), adopting the Strategic Plan for Biodiversity 2011-2020. The purpose of this Strategic Plan was to provide a framework for establishing national and regional biodiversity targets (<https://www.cbd.int/doc/strategic-plan/2011-2020/Aichi-Targets-EN.pdf>).

### **Directive 2009/147/EC of the European Parliament and of the Council on the conservation of wild birds (Birds Directive) 2009**

<https://www.legislation.gov.uk/eudr/2009/147>

The Birds Directive 2009 relates to the conservation of all species of naturally occurring birds in their wild state in the territory of the EU Member States (MSs) to which the treaty applies. Under the Birds Directive, the most suitable areas of conservation of the Annex I species are to be designated as Special Protection Areas (SPAs), as part of the European Natura 2000 network. Post Brexit, SPAs are no longer considered part of Natura 2000 and are instead components of the UK’s ‘national site network’, but their highly protected status is unchanged. Maintaining a coherent network of protected sites with overarching conservation objectives is still required in order to fulfil the commitment made by government to maintain environmental protections and continue to meet the UK’s international legal obligations.

### **Council Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora (Habitats Directive) 1992**

<https://www.legislation.gov.uk/eudr/1992/43>

The Habitats Directive 1992 requires EU MSs to maintain or restore, at favourable conservation status, natural habitats and species of wild fauna and flora of community interest, which are listed under Annex I, II, IV and/or V. Species listed under Annex IV are known as ‘European Protected Species’ (EPS), and have retained their protected status in UK domestic legislation post-Brexit.

---

<sup>2</sup> Further information relating to England and Wales can be found here: <https://www.gov.uk/government/publications/changes-to-the-habitats-regulations-2017/changes-to-the-habitats-regulations-2017>. A similar exercise has been undertaken in Scotland and Northern Ireland.

Under the Habitats Directive, EU Member States are required to contribute to the Natura 2000 network through the designation of Special Areas of Conservation (SACs) for natural habitat types listed in Annex I and habitats of species listed in Annex II. Post Brexit, SACs are no longer considered part of the European Natura 2000 network and are instead components of the UK's 'national site network', but their highly protected status is unchanged.

### **Habitats Regulations Assessment (HRA): a note**

There is a requirement under the EU nature directives and enshrined in country-specific domestic legislation<sup>3</sup> (see below), to undertake a screening exercise to determine whether any sites that form part of the 'national site network' (formerly Natura 2000) are likely to be significantly affected by any proposal (project or plan). The assessment must consider the proposals alone and also in combination with other plans and projects, if they result from activities that are not directly connected with, or necessary to, the management of the designated sites. If significant effects are likely, an Appropriate Assessment (AA) will need to be carried out. The screening, any AA, and any subsequent assessment, are collectively known as a Habitats Regulations Assessment (HRA). The HRA needs to take into account each of the 'Qualifying Features' (habitats or species) that justified the site being designated. Ramsar sites are treated in the same way as SACs and SPAs in HRAs, as are sites which have not been fully adopted i.e. candidate SACs (cSACs) and potential SPAs (pSPAs).

### **The Convention on the Conservation of European Wildlife and Natural Habitats (Bern Convention) 1979**

<https://www.coe.int/en/web/bern-convention>

The principal aims of the Bern Convention 1979 are to ensure the conservation and protection of wild plant and animal species and their natural habitats (listed in Appendices I and II of the Convention), to increase cooperation between contracting parties, and to regulate the exploitation of those species (including migratory species) listed in Appendix III. To this end, the Bern Convention imposes legal obligations on contracting parties, protecting over 500 wild plant species and more than 1,000 wild animal species. The UK Government ratified the Bern Convention in 1982.

## **National Legislation**

The following pieces of domestic legislation apply to biodiversity protection in the UK.

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

<https://www.legislation.gov.uk/ukpga/1981/69>

The Wildlife and Countryside Act 1981 (as amended) is the primary piece of legislation relating to nature conservation in the UK, though it has been adapted in different ways in the devolved administrations. It was initially enacted to implement the Bern Convention, Bonn Convention and the Birds Directive (described above).

---

<sup>3</sup> In England and Wales: the Conservation of Habitats and Species Regulations 2017 (as amended).  
 In Scotland: the Conservation (Natural Habitats &c.) Regulations 1994 (as amended).  
 In Northern Ireland: the Conservation (Natural Habitats, &c) Regulations (Northern Ireland) 1995 (as amended).  
 In the UK offshore area: the Conservation of Offshore Marine Habitats and Species Regulations 2017 (as amended).

The act is supplemented by provisions in the Countryside and Rights of Way (CRoW) Act 2000 and the Natural Environment and Rural Communities (NERC) Act 2006, and extended in Scotland by the Nature Conservation (Scotland) Act 2004 and the Wildlife and Natural Environment (Scotland) Act 2011). In addition to the Habitat Regulations (described below), the WCA provides protection for species listed in Schedules 1 (birds), 5 (other animals) and 8 (plants) of the Act. It provides for the notification and confirmation of Sites of Special Scientific Interest (SSSIs) in England and Wales<sup>4</sup>. It also sets out, in other schedules, important and invasive species which are legally protected or require management.

All species of bird are protected under the WCA. 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.

Those species of birds listed on Schedule 1 of the WCA are afforded additional protection, which deems it an offence to intentionally or recklessly disturb any wild bird included in Schedule 1 while it is building a nest or is in, on or near a nest containing eggs or young; or disturb dependent young of such a bird.

Under Section 9 of the WCA, for animals listed on Schedule 5, it is an offence in England and Wales to intentionally or recklessly:

- kill, injure or take any wild animal listed on Schedule 5\*;
- possess or control any live or dead those wild animals or anything derived from it\*;
- damage or destroy any structure or place which wild animals listed on Schedule 5 uses for shelter or protection\*;
- disturb any such animal while it is occupying a structure or place of shelter or protection;
- obstruct access to any structure or place used by any such animal for shelter or protection;
- and
- sell, offer or expose for sale, or have in their possession or transports for the purpose of sale, any live or dead wild animal listed on Schedule 5 or any part of, or anything derived from such an animal.

As noted above, there are minor differences between the offences in England and Wales outlined above, and those in Scotland / Northern Ireland. The three clauses marked with asterisks do not apply to EPS in England and Wales, as these offences are included in the 'Habitats Regulations' (see below). In addition, the Wildlife and Countryside Act 1981 is no longer relevant to EPS in Scotland or Northern Ireland, which instead are afforded full protection by the 'Habitats Regulations' (see below).

In addition to EPS, species commonly found on development sites include water voles (*Arvicola amphibius*) and widespread species of reptiles: common lizard (*Zootoca vivipara*); slow worm (*Anguis fragilis*); grass snake (*Natrix helvetica*); and adder (*Vipera berus*). These four reptile species receive partial protection, which prevents the intentional or deliberate killing and injuring of reptiles or offering them for sale.

Section 14(2)<sup>5</sup> states that it is an offence to plant or otherwise cause to grow any plant in the wild at a place outside its native range.

---

<sup>4</sup> Duty replaced by the Nature Conservation (Scotland) Act 2004 (as amended) and the Nature Conservation and Amenity Lands (Northern Ireland) Order 1985 (as amended) in those countries.

<sup>5</sup> In Scotland, as amended by Section 14 of the Wildlife and Natural Environment (Scotland) Act 2011.

There is no provision within the Act for derogation licences to be issued for the purposes of development, although Section 10 provides a defence in cases that may be considered to be: “*the incidental result of a lawful operation and could not reasonably have been avoided*” if certain conditions are met.

Section 16(i) of the Act does make provision for derogation licences to be issued “*for the purposes of preserving public health or public ... safety*”. For confirmation of this, it would be appropriate to consult the relevant statutory nature conservation body (SNCB)<sup>6</sup>.

#### **The Conservation (Natural Habitats, &c.) Regulations 1994**

<https://www.legislation.gov.uk/ukxi/1994/2716/contents/made> Scotland<sup>7</sup> (as amended, notably by The Conservation (Natural Habitats, &c.) Amendment (Scotland) Regulations 2007).

#### **The Nature Conservation (Scotland) Act 2004**

<https://www.legislation.gov.uk/asp/2004/6>

The Nature Conservation (Scotland) Act 2004 sets out a series of measures which are designed to conserve biodiversity and to protect and enhance the biological natural heritage of Scotland. It provides the principal legislative components for nature conservation within Scotland and places a duty on public bodies to further the conservation of biodiversity. Part 2 of the Act sets out a system for conserving and enhancing particular areas of Scotland, which are considered to be of particularly high quality in terms of their natural heritage. The provisions within this Part are based upon, but extend and develop further, the provisions of the Wildlife and Countryside Act 1981 regarding the establishment of SSSIs. Part 3 of the Act includes amendments to the provisions of Part I of the Wildlife and Countryside Act 1981, relating to the protection of birds, animals and plants. Section 2(4) of the Act requires the establishment of a list of habitats and species which are of principal importance for the purpose of maintaining and enhancing biodiversity (the list can be found here: <https://www.nature.scot/scottish-biodiversity-list>).

#### **Wildlife and Natural Environment (Scotland) Act 2011**

<https://www.legislation.gov.uk/asp/2011/6>

The Wildlife and Natural Environment (Scotland) Act 2011 introduces in Scotland amendments to the Wildlife and Countryside Act 1981. The Act introduces a new offence of intentionally or recklessly killing, injuring or taking wild and brown hares in their close season. It also permits the granting of licences to undertake activities for social or economic purposes which would otherwise be an offence under particular provisions of the Wildlife and Countryside Act 1981. However, the activity authorised must give rise to, or contribute towards the achievement of, a significant social, economic or environmental benefit and there must be no other satisfactory solution.

#### **Protection of Badgers Act 1992**

<https://www.legislation.gov.uk/ukpga/1992/51>

Badgers and their setts are protected under the Protection of Badgers Act 1992 (England, Wales and Scotland). The key part of this legislation in relation to the proposed development are in Section 3, which deems it an offence to:

- damage a badger sett or any part of it;
- destroy a badger sett;

---

<sup>6</sup> SNCBs are - in England: Natural England; in Wales: Natural Resources Wales; in Scotland: NatureScot; in Northern Ireland: Department of Agriculture, Environment and Rural Affairs (DAERA).

<sup>7</sup> This is the original text, and that amendments relevant to Scotland can be found here: <https://www.nature.scot/professional-advice/protected-areas-and-species/protected-species/legal-framework/habitats-directive-and-habitats-regulations/habitats-regulations>

obstruct access to, or any entrance of, a badger sett;  
disturb a badger when it is occupying a badger sett,  
intend to do any of those things or be reckless as to whether those actions would have any of the consequences listed above.

Derogation licences may be obtained from the relevant SNCB<sup>6</sup> under Section 10 of the Act for the purpose of development, to permit activities which would otherwise be unlawful.

Note: there are additional provisions relating to badgers under the WCA Section 11 (Prohibition of certain methods of killing or taking wild animals).

**The Wild Mammals (Protection) Act 1996**  
<https://www.legislation.gov.uk/ukpga/1996/3>

All wild mammals are protected by The Wild Mammals (Protection) Act 1996 (as amended). This makes it an offence to mutilate, kick, beat, nail, or otherwise impale, stab, burn, stone, crush, drown, drag or asphyxiate any wild mammal.

**Invasive Alien Species (Enforcement and Permitting) Order 2019**  
<https://www.legislation.gov.uk/uksi/2019/527/contents/made>




The Invasive Alien Species (Enforcement and Permitting) Order applies principally in England and Wales and the UK's offshore marine area, but also controls imports and exports from the UK (including Scotland and Northern Ireland). It lists species of concern which cannot be imported, kept, bred/grown, transported, sold, used, allowed to reproduce, or released into the environment. This Order replaces some elements relating to invasive species in the Wildlife and Countryside Act 1981 (as amended).

## APPENDIX B – PHOTOGRAPHS

ID	Notes	Photo
Photo 1	Overview of site	
Photo 2	Carpark	
Photo 3	Grassland	








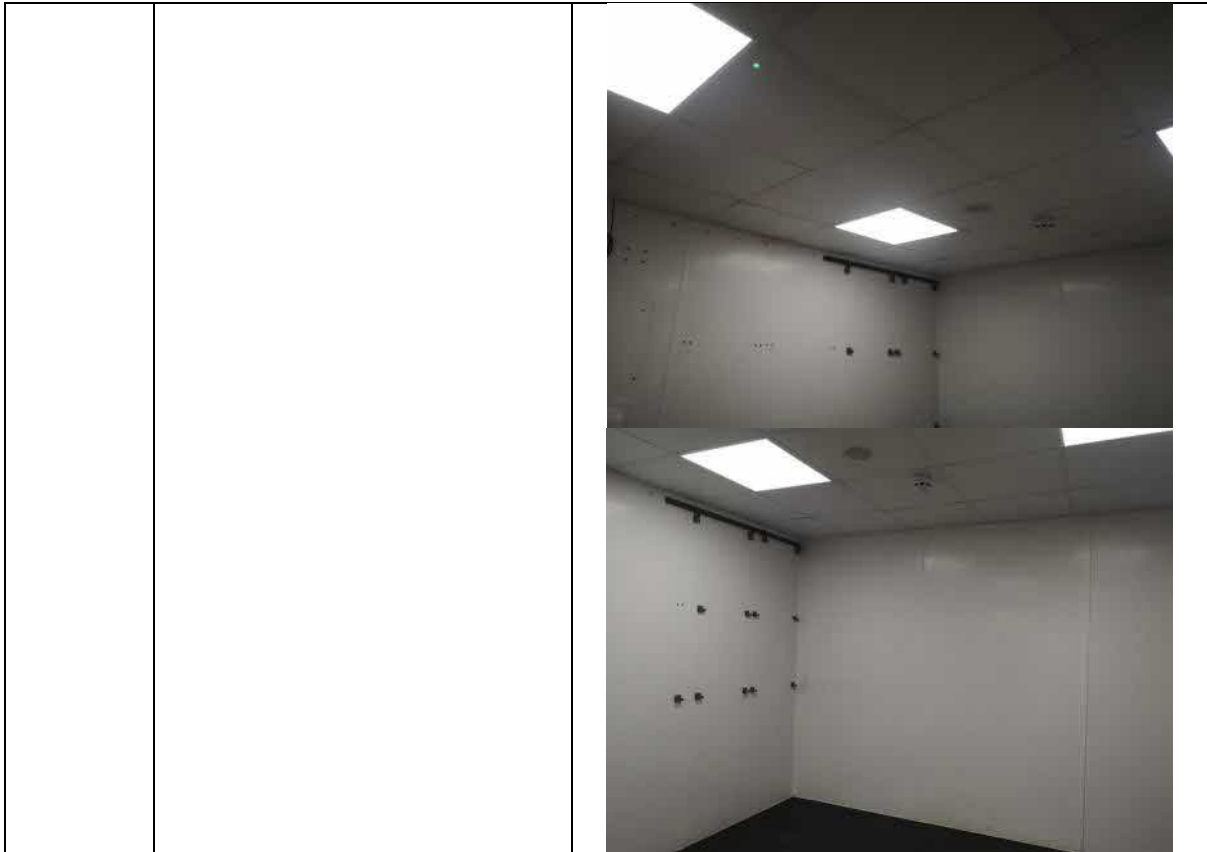
Photo 4	Tall grass	
Photo 5	Tank	
Photo 6	Hedgerow	

<p>Photo 7</p>	<p>Tree line</p>	
<p>Photo 8</p>	<p>Back of building</p>	

		
Photo 9	Swallow nest	
Photo 10	Front of building	

<p>Photo 11</p>	<p>Roof</p>	
<p>Photo 12</p>	<p>Inside building</p>	

		
Photo 13	Inside building - staff area	



# APPENDIX C – PROTECTED AND NOTEWORTHY SPECIES RECORDS

**Table 7: Protected species records within 2 km of the site boundary**

Latin Name	Common Name	Designation	Most Recent	Any Records in 100m
<b>Birds</b>				
<i>Accipiter gentilis</i>	goshawk	WCA1.1	2017	
<i>Alcedo atthis</i>	kingfisher	WCA1.1, SBL	2019	
<i>Anser anser</i>	greylag goose	WCA1.1, Amber	2019	
<i>Circus cyaneus</i>	hen harrier	WCA1.1, SBL, Red, GB RDB(VU)	2016	
<i>Coturnix coturnix</i>	quail	WCA1.1, Amber	2017	
<i>Cygnus cygnus</i>	whooper swan	WCA1.1, SBL, Amber, GB RDB(EN)	2017	
<i>Falco columbarius</i>	merlin	WCA1.1, SBL, Red, GB RDB(EN)	2014	
<i>Falco peregrinus</i>	peregrine	WCA1.1, SBL	2009	
<i>Falco subbuteo</i>	hobby	WCA1.1, SBL	2011	
<i>Fringilla montifringilla</i>	brambling	WCA1.1, SBL	2017	
<i>Loxia curvirostra</i>	crossbill	WCA1.1	2015	
<i>Milvus milvus</i>	red kite	WCA1.1, SBL	2017	
<i>Pandion haliaetus</i>	osprey	WCA1.1, SBL, Amber	2011	
<i>Tringa ochropus</i>	green sandpiper	WCA1.1, SBL, Amber, GB RDB(EN)	2016	
<i>Turdus iliacus</i>	redwing	WCA1.1, SBL, Amber, GB RDB(CR)	2017	
<i>Turdus pilaris</i>	fieldfare	WCA1.1, Red, GB RDB(CR)	2017	
<i>Tyto alba</i>	barn owl	WCA1.1, SBL	2018	
<i>Upupa epops</i>	hoopoe	WCA1.1	2010	
<b>Mammals</b>				
<i>Lutra lutra</i>	eurasian otter	HR-1994(Sch 2), SBL	1991	
<i>Sciurus vulgaris</i>	eurasian red squirrel	WCA5, SBL, GB RDB(EN)	2021	

**Table 8: Noteworthy species records within 2 km of the site boundary**

Latin Name	Common Name	Designation
<b>Birds</b>		
<i>Acanthis cabaret</i>	lesser redpoll	SBL, Red
<i>Accipiter nisus</i>	sparrowhawk	Amber



Latin Name	Common Name	Designation
<i>Actitis hypoleucos</i>	common sandpiper	Amber, GB RDB(VU)
<i>Alauda arvensis</i>	skylark	SBL, Red
<i>Anas crecca</i>	teal	Amber
<i>Anas platyrhynchos</i>	mallard	Amber
<i>Anser albifrons</i>	white-fronted goose	SBL, Red, GB RDB(CR)
<i>Anser brachyrhynchus</i>	pink-footed goose	Amber
<i>Anthus pratensis</i>	meadow pipit	Amber
<i>Anthus trivialis</i>	tree pipit	SBL, Red
<i>Apus apus</i>	swift	SBL, Red, GB RDB(EN)
<i>Asio flammeus</i>	short-eared owl	SBL, Amber, GB RDB(EN)
<i>Chloris chloris</i>	greenfinch	Red, GB RDB(EN)
<i>Chroicocephalus ridibundus</i>	black-headed gull	SBL, Amber, GB RDB(VU)
<i>Cinclus cinclus</i>	dipper	Amber
<i>Columba palumbus</i>	woodpigeon	Amber
<i>Corvus frugilegus</i>	rook	Amber
<i>Cuculus canorus</i>	cuckoo	SBL, Red, GB RDB(VU)
<i>Curruca communis</i>	whitethroat	Amber
<i>Delichon urbicum</i>	house martin	Red, GB RDB(VU)
<i>Emberiza citrinella</i>	yellowhammer	SBL, Red
<i>Emberiza schoeniclus</i>	reed bunting	SBL, Amber
<i>Falco tinnunculus</i>	kestrel	SBL, Amber, GB RDB(VU)
<i>Gallinago gallinago</i>	snipe	Amber
<i>Gallinula chloropus</i>	moorhen	Amber, GB RDB(VU)
<i>Haematopus ostralegus</i>	oystercatcher	Amber
<i>Larus argentatus</i>	herring gull	SBL, Red, GB RDB(EN)
<i>Larus canus</i>	common gull	Amber
<i>Larus fuscus</i>	lesser black-backed gull	Amber
<i>Larus marinus</i>	great black-backed gull	Amber, GB RDB(EN)
<i>Linaria cannabina</i>	linnet	SBL, Red
<i>Mareca penelope</i>	wigeon	Amber
<i>Motacilla cinerea</i>	grey wagtail	Amber
<i>Muscicapa striata</i>	spotted flycatcher	SBL, Red
<i>Numenius arquata</i>	curlew	SBL, Red, GB RDB(EN)
<i>Oenanthe oenanthe</i>	wheatear	Amber
<i>Passer domesticus</i>	house sparrow	SBL, Red
<i>Passer montanus</i>	tree sparrow	SBL, Red, GB RDB(VU)
<i>Perdix perdix</i>	grey partridge	SBL, Red, GB RDB(VU)
<i>Phylloscopus inornatus</i>	yellow-browed warbler	Amber
<i>Phylloscopus trochilus</i>	willow warbler	Amber
<i>Prunella modularis</i>	dunnock	SBL, Amber
<i>Pyrrhula pyrrhula</i>	bullfinch	SBL, Amber
<i>Saxicola rubetra</i>	whinchat	Red
<i>Scolopax rusticola</i>	woodcock	SBL, Red, GB RDB(VU)
<i>Spinus spinus</i>	siskin	SBL
<i>Strix aluco</i>	tawny owl	Amber

Latin Name	Common Name	Designation
<i>Sturnus vulgaris</i>	starling	Red, GB RDB(VU)
<i>Tadorna tadorna</i>	shelduck	Amber, GB RDB(EN)
<i>Tringa totanus</i>	redshank	Amber, GB RDB(VU)
<i>Troglodytes troglodytes</i>	wren	Amber
<i>Turdus philomelos</i>	song thrush	SBL, Amber
<i>Turdus viscivorus</i>	mistle thrush	Red, GB RDB(VU)
<i>Vanellus vanellus</i>	lapwing	SBL, Red, GB RDB(EN)
<b>Mammals</b>		
<i>Erinaceus europaeus</i>	west european hedgehog	SBL, GB RDB(VU)
<i>Lepus europaeus</i>	brown hare	SBL