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ECOLOGY

Report Type: Preliminary Ecological Appraisal

Client Name: [REDACTED]

Site Address: Land North of Brymbo Road
Bwlchgwyn
Wrexham
LL11 5TY

Report Reference: PEA BJ24-045.1

Date of Issue: 4th April 2024

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Report Details	
Classification	Preliminary Ecological Appraisal
Status	Final
Reference	PEA BJ24-045.1

Version History	
Report Reference	Date of Revision
PEA BJ24-045.1	4 th April 2024

Quality Assurance		
	Name	Date
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Reviewed by:	D. Cook BSc(hons) QCIEEM Experienced Ecologist	3 rd April 2024

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The report should be read in its entirety. Questions arising from the survey report should be directed to the author of the report who will be pleased to clarify any technical issues raised.

Whilst surveyors make every reasonable effort, Ben Jones Ecology cannot guarantee that all protected species have been identified and survey results are definitive. Many species are cryptic and transitional in habit.

Reports are considered valid for two years for planning purposes, after which time further survey information may be required.

Ben Jones Ecology can provide advice and support for recommendations and planning conditions.

The use of this report or survey data for any form of formal submission to an NGO or other authority implicitly implies acceptance of the terms and conditions.

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1 Executive Summary

1.1 Purpose of the Report

Ben Jones Ecology was commissioned by Simon Smith of En-Plan on behalf of the client, Mr Gareth Kelly, to undertake a preliminary ecological appraisal of land to the north of Brymbo Road to provide supporting information for a planning application for two stable blocks.

The survey report has these principal aims:

- To provide an initial assessment of the ecological value of the site in local context.
- To provide details supporting further surveys that may be required.
- To identify potential ecological constraints relating to the development, and recommend measures to avoid, reduce or manage negative effects, and to provide a net ecological gain.

1.2 Methodology

The appraisal included a desktop study for nearby designated sites and previously recorded protected species purchased from Cofnod, and a site visit undertaken at the site, OS grid reference SJ27495326 on 18th March 2024 by Ben Jones.

1.3 Key Impacts and Mitigation Measures

The site comprises an equine pasture, limited to the northern half of the field by a stockproof fence. The development is limited to a new agriculture and stable building toward the eastern end of the field. There is no formal boundary along the west of the red line boundary, the stockproof fence forms the southern boundary, and the remaining boundaries are native species hedgerows and trees which are being retained.

There are no bodies of water shown on OS maps within the zone of influence around this site. The field is of very low value for amphibians in their terrestrial phase and no further study is required.

The trees on the site boundaries were of negligible roost potential. Some mature trees further west along the northern boundary were mature and had some features suitable for roosting bats but these are being retained and are an appreciable distance from the development. The rest of the site is of very low value, and even then, only for foraging bats. No negative impact is expected from the development as proposed.

No sign of terrestrial mammals such as badger was found on site – no latrines, pathways, prints, snuffle holes, tracks or sett entrances were seen.

1.4 Conclusion

There is limited scope for enhancements for biodiversity with only one agricultural building, but the eaves on the gable ends will be high enough to support a bat box and a bird box. There is opportunity to enhance the landscaping by planting new native species hedgerows and trees on currently unvegetated site boundaries, though this may not be appropriate if current boundaries are temporary or informal. Existing hedgerows will be managed and gapped up.

There are no ecological constraints to the development as currently proposed.

2 Introduction

This report has been compiled by Ben Jones BSc (hons) MSc who has 9 years' experience conducting ecological appraisals.

For full details of surveyors and licences please see Appendix A.

2.1 Project Background

Ben Jones Ecology was commissioned by En-Plan to conduct a survey to determine the presence of protected species and potential for the damage or destruction of habitats of value. This forms part of the planning application for the erection of an agricultural and stable building in a field north of Brymbo Road.

2.2 Purpose of the Report

This report aims to:

- Identify the key ecological constraints to the proposed development relating to priority habitats and species and protected species (HMSO, 1981).
- Inform planning to allow significant ecological effects to be minimised or avoided where possible.
- Allow any necessary mitigation or compensation measures to be developed following the mitigation hierarchy.
- Identify the opportunities offered by a project to deliver ecological enhancement (Ministry of Housing, Communities and Local Government, 2021).
- Provide information to assist landowners with avoiding committing legal offences in relation to wildlife (HMSO, 2000)

2.3 Site Context and Location

The site is located in open land east of Bwlchgwyn, OS grid reference SJ27495326. It is set in a rural environment surrounded by open farmland in all directions and scattered residential dwellings. The only connective features of value are the field boundary hedgerows, though these do not link areas of noteworthy value in the wider landscape.

3 Methodology & Constraints

Broad methodologies for data collection and interpretation were informed by PEA guidance (CIEEM, 2017). Full details can be found in Appendix B.

3.1 Desk Study

The desk study provides contextual information such as the site's proximity to designated areas and previously granted licences (Natural England, 2018). Previously recorded species in the vicinity are obtained from local records centres (Cofnod, 2024).

3.2 Field Survey

3.2.1 Date and Survey Conditions

Table 3.1. Survey conditions

Date	Time	Study Area	Equipment Used	Weather
18/03/2024	10:00	Whole site	Camera	Damp underfoot, clear sky, no rain
Comments	One surveyor used. Constraints: None All undated photographs in this document were taken on this date by the author unless otherwise stated.			

3.2.2 Habitats

The habitats on site were assessed for their potential to support protected species and therefore assist in the determination of site value.

3.3 Species Survey

3.3.1 Bats

An assessment of the suitability of site to support roosting bats was conducted following best practice guidance looking for evidence of roosting or potential access points (Collins, J. BCT, 2023). There were no constraints to this methodology.

3.3.2 Other Mammals

An assessment of the suitability of site and its surrounds to support badgers was conducted following best practice guidance looking for tracks, signs or setts (Scottish Badgers, 2018). There were no constraints to this methodology.

3.3.3 Birds

An assessment of the suitability of site and its surrounds to support nesting birds was conducted, looking for current/old nests and listening for bird calls. There were no constraints to this methodology.

3.3.4 Amphibians

An assessment of terrestrial habitats of site and its surrounds to support great crested newts was conducted by looking for potential shelter and commuting features (Langton, et al., 2001).

4 Baseline Ecological Conditions

4.1 Nearby Features of Importance

The map from Natural England presented in Figure 4.1 indicated that the site is not within 1km of any designated areas.

MAGiC

Designated Sites

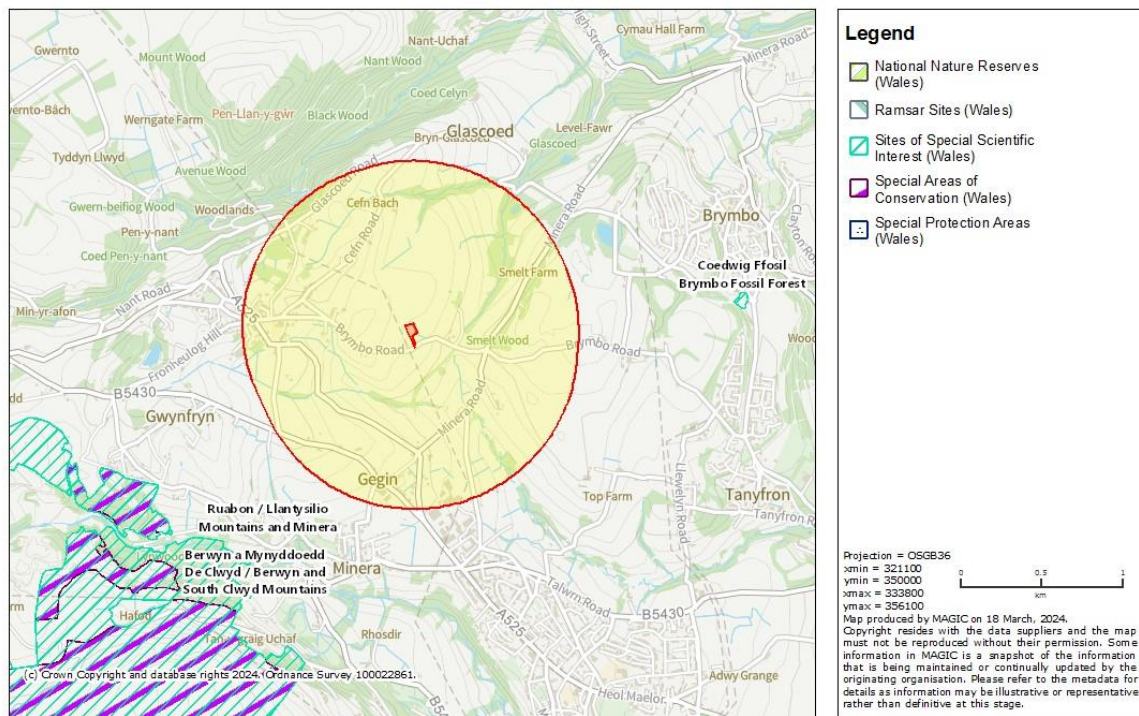


Figure 4.1. Identifying any designated areas near site, a 1km buffer is shown

4.2 Habitats on Site

The site comprises the northern half of a large field. The north and south halves are split by a new looking stockproof fence. The northern half is currently in use as an equine pasture shared by over half a dozen horses. The grass is well cropped and due to recent rain at the time of survey, the ground is churned up.



Figure 4.2. Horse-grazed pasture

The grassland is of no botanical interest, with the only species amongst the grassland being creeping buttercup (*Ranunculus repens*) and broad-leaved dock (*Rumex obtusifolius*).



Figure 4.3. Approximate location of newly proposed building

The hedgerows to the north and east are gappy and unmanaged. Young hedge plants are whippy and of little substance. There are some trees within the boundaries but none of mature age. Species found include sycamore (*Acer pseudoplatanus*) hawthorn (*Crataegus monogyna*), holly (*Ilex aquifolium*), blackthorn (*Prunus spinosa*) and oak (*Quercus robur*).



Figure 4.4. Northern boundary

4.3 Bats

4.3.1 Records

Records of bats within 1km include unidentified bats (*Chiroptera*) and whiskered bat (*Myotis mystacinus*) 0.9-1km away, Daubenton's bat (*Myotis daubentonii*) and lesser horseshoe bats (*Rhinolophus hipposideros*) between 1-1.5km away, and long-eared bats (*Plecotus sp*) almost 1.6km away. No records are closer than 900m away.

4.3.2 Field Observations

The site, including the immediate boundary features and the stable buildings, had no features of value for roosting bats. The trees in the boundary immediately around the site had no potential roost features (PRF) such as cracks or crevices. More mature trees further west along the northern boundary had some features of potential value, but these are beyond the red line area and well away from the new building.



Figure 4.5. Trees in boundary east of proposed building, no PRF



Figure 4.6. Mature trees off-site to northwest, some PRF

4.4 Other Mammals

4.4.1 Records

Records of non-bat mammals within 1km include hedgehog (*Erinaceus europaeus*), hare (*Lepus europaeus*), otter (*Lutra lutra*) and badger (*Meles meles*).

4.4.2 Field Observations

The site had no evidence of terrestrial mammals such as badger. No tracks, pathways, latrines, foraging signs, sett entrances or hairs caught in wire fences were seen.

4.5 Birds

4.5.1 Records

Records of birds within the area include ground-nesting species such as skylark (*Alauda arvensis*), curlew (*Numenius arquata*) and lapwing (*Vanellus vanellus*). Hedge and tree nesting species are more abundant, and include species such as long-tailed tit (*Aegithalos caudatus*), goldfinch (*Carduelis carduelis*), blue tit (*Cyanistes caeruleus*), great tit (*Parus major*) and wren (*Troglodytes troglodytes*). Raptor species recorded within 1km include little owl (*Athene noctua*), peregrine falcon (*Falco peregrinus*), red kite (*Milvus milvus*) and tawny owl (*Strix aluco*).

4.5.2 Field Observations

No evidence of nesting birds was seen in the unmanaged and gappy hedgerows around the field, stable buildings or the trees on site, though the survey was conducted in February before nesting was likely to begin. The stable buildings did not show signs of previous nesting, though these types of building are often used by species such as swallows.

4.6 Amphibians

4.6.1 Records

Records of amphibians in Cofnod's database includes one each of smooth newt (*Lissotriton vulgaris*), great crested newt (*Triturus cristatus*) and common toad (*Bufo bufo*). The two newts are approximately 315m away, and the toad is 1km away, all three in the early 1990s.

4.6.2 Field Observations

The site had limited features of value for amphibians in their terrestrial phase. No potentially suitable artificial cover objects were present on site to provide shelter. The grassland itself is closely grazed as typical of an equine pasture and does not contain tussocks that might shelter amphibians.

The hedge and tree bases may provide a degree of shelter but are well-away from the proposed building and will be retained.



Figure 4.7. Lack of shelter features

There are no ponds shown on OS maps within 250m, the nearest pond is approximately 260m northeast and was not previously accessible for assessment.

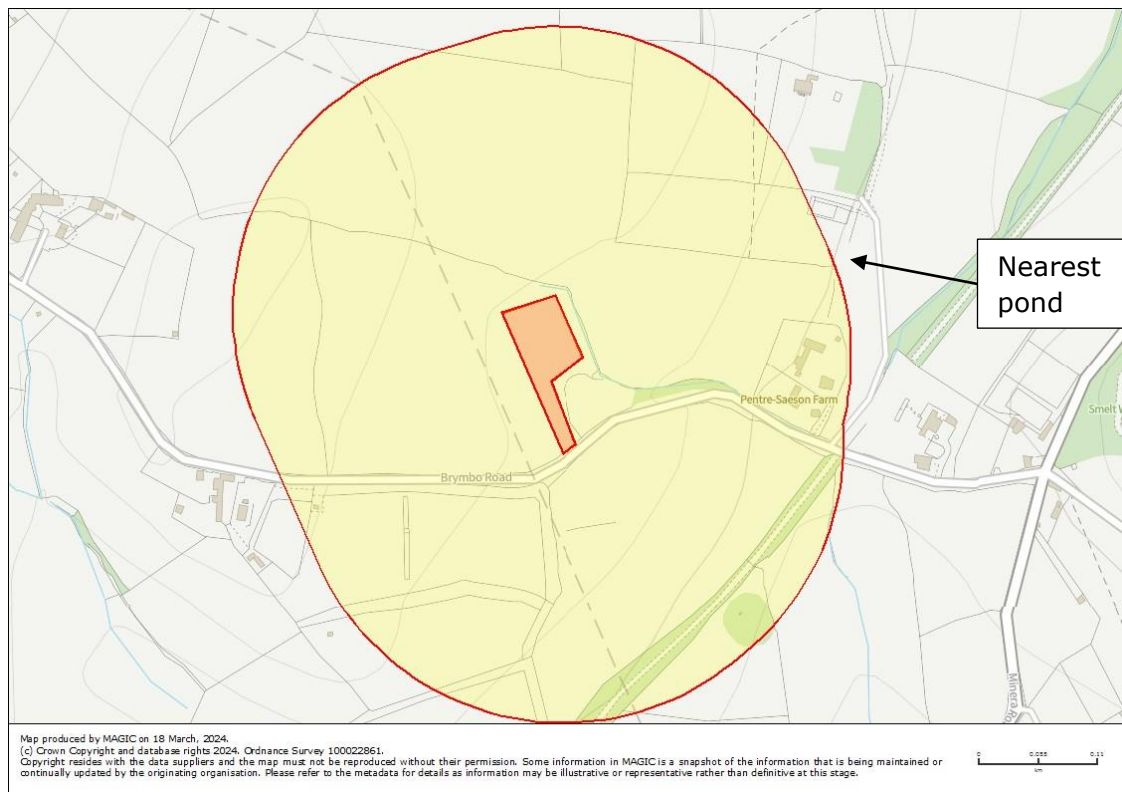


Figure 4.8. OS Map showing a 250m buffer around site, showing no ponds

5 Description of Proposed Development

The current plans are for the construction of a new agricultural and stable building within the field.



Figure 5.1.1 Proposed block plan

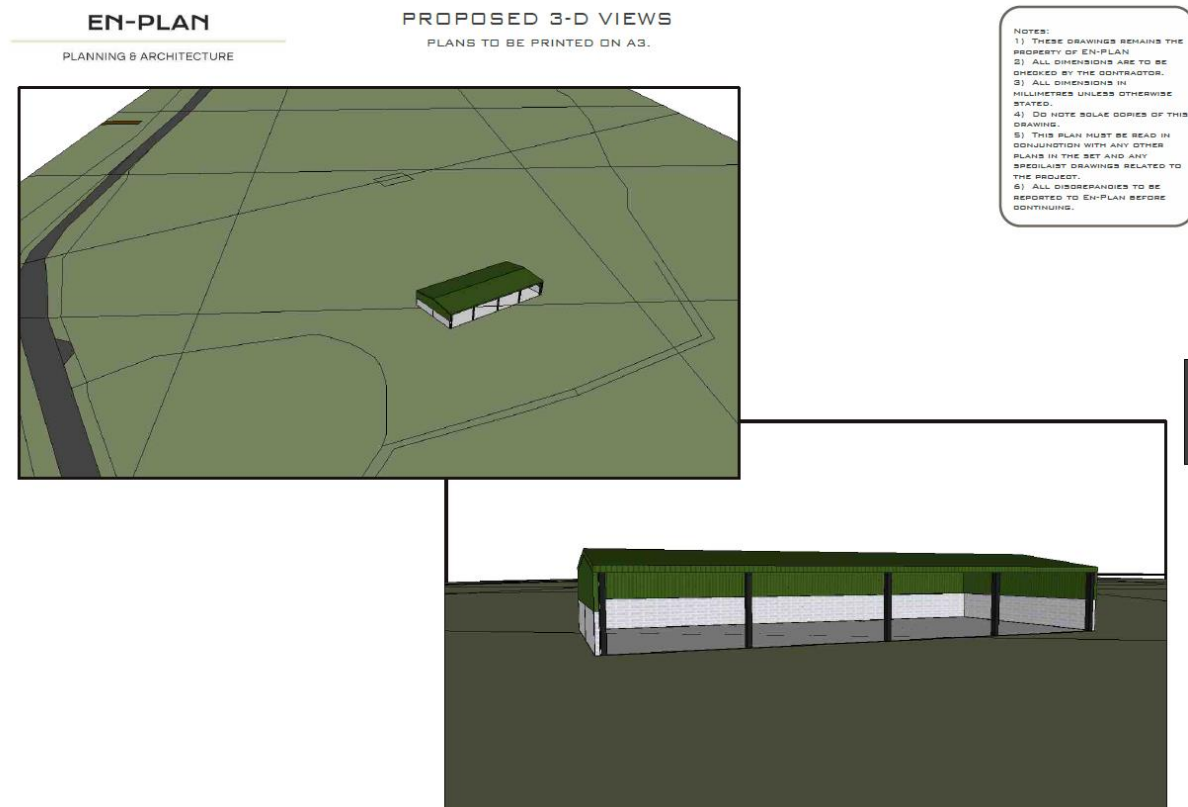


Figure 5.2. Proposed 3D view

6 Impacts, Enhancements and Mitigation

6.1 Nearby Features of Importance

No designated sites were recorded within 1km of the proposed development. No impact to designated sites is anticipated and no mitigation or further consideration is required.

6.2 Habitats on Site

6.2.1 Impacts

As the site is not comprised of any habitats of principal importance listed in Section 7 of the Environment (Wales) Act (HMSO, 2016), mitigation will be delivered at a species level.

6.2.2 Enhancements

In order to obtain an ecological net gain for the site, the remaining green spaces and site boundaries will require enhancement for local wildlife.

It is recommended that the development will include some hedge planting to gap up existing defunct hedgerows to enhance the area for biodiversity.

Plants to use for landscaping and gapping-up of existing boundaries will include locally sourced native species. These will be planted in accordance with BS3936 (part 1, 1992, Nursery Stock, Specifications for trees and shrubs). Planting will occur between November and April depending on the timing of the development.

Table 6.1. New hedge planting scheme

Common Name	Latin Name	Distribution (%)
Hawthorn	<i>Crataegus monogyna</i>	35%
Blackthorn	<i>Prunus spinosa</i>	35%
Hazel	<i>Corylus avellana</i>	10%
Holly	<i>Ilex aquifolium</i>	10%
Wild Service Tree	<i>Sorbus torminalis</i>	10%

Table 6.2. Fruiting plant enhancement

Common Name	Latin Name
Crab Apple	<i>Malus sylvestris</i>
Wild Cherry	<i>Prunus avium</i>
Wild Pear	<i>Pyrus communis</i>

6.2.3 Monitoring

All habitat enhancements will be monitored post-development and any failing plants or features will be addressed as appropriate to maintain the value of the enhancement.

6.3 Bats

6.3.1 Impacts

Even without consideration there is unlikely to be any loss or damage of roosts, nor the risk of death or damage of individual bats.

There is opportunity to include roost features for bats as an enhancement to create a positive impact from the development.

6.3.2 Enhancements

It is recommended that provision be made for roosting opportunities for bats with the erection of at least one woodcrete bat box on the southern gable end of the new building at a height of 3-4m.



Figure 6.1. Example woodcrete bat box: Schwegler 1FF & Beaumaris Bat Box Midi

6.4 Other Mammals

Even without consideration there is unlikely to be any negative impact on local non-bat mammals. There is limited scope for enhancements and so no further consideration is required.

6.5 Birds

6.5.1 Impacts

Work at this site will not include anything that might impact local birds. No further survey is required.

6.5.2 Enhancements

It is recommended that a range of woodcrete boxes are erected on and in the new building to provide an enhancement for passerine birds, and a selection of the following would be appropriate.

- a. 26/32mm hole nest boxes (e.g. Schwegler 1b) should be installed at a minimum height of 3m in a westerly, northerly or easterly aspect.
- b. Swallow cups should be installed on the interior of the building at eaves height within an open and accessible area. The proposed 3D plans suggest that one side of the building will be open, providing an ideal placement.



Figure 6.2. Bird boxes

6.5.3 Monitoring

Failing boxes or enhancements will be replaced at the cost of the developer if deterioration or damage is noted within five years post-development.

6.6 Amphibians

There are no ponds within 250m, the nearest record of great crested newt is over 300m away, and the site is of no notable value for amphibians in their terrestrial phase. No negative impact is expected, and no further consideration is required.

7 Concluding Remarks

The survey has focussed on the potential habitats or protected species to be damaged or destroyed as part of this development.

No habitats of significant value were identified on site, and no signs of use by any protected species was seen.

There is opportunity to enhance the site with new planting and the inclusion of artificial roost and nest boxes for bats and birds respectively.

The development can proceed without the loss of habitat of significant value, and without the loss of the favourable conservation status of any protected species. As there is no evidence of protected species within and around the development site, there is no requirement to address the three tests under Regulation 55 of The Conservation of Habitats and Species (HMSO, 2019).

There are no ecological constraints to the development as currently proposed.

Appendix A – Surveyor Details

Table A.1. Details of surveyors' experience and licences held

Name	Membership of associations/ experience	Licenses
Ben Jones BSc(hons) MSc	Senior Consultant MCIEEM Ben has a degree in Marine and Freshwater biology and a Master's degree in "Managing the Environment". He has 9 years' experience conducting environmental appraisals and phase 2 surveys for bats and newts in England and Wales. As a member of the CIEEM he is bound by professional conduct.	Holder of survey licenses for bats and newts in England and Wales. <u>England:</u> Bats - 2017-29112-CLS-CLS GCN - 2016-25209-CLS-CLS <u>Wales:</u> Bats - S091847/1 GCN - S091242/1
Demi Cook BSc(hons) QCIEEM	Demi has a degree in Zoology with Herpetology from Bangor University. She has 9 years' experience working with bats and newts in England and Wales. As a member of the CIEEM she is bound by professional conduct.	Holder of survey licence for bats in England – 2022-10571-CL17-BAT

Appendix B – Methodology

Desk Study

Table B.1. Data sources

Organisation/Resource	Information Assessed
Local Records Centre - Cofnod	- Protected/Priority Species records (1km) - INNS - Statutory and Non-Statutory designated site (1km)
MAGIC website	International statutory designations (1km) - Special Protection areas (SPA) - Special Areas of Conservation (SAC) - RAMSAR sites National statutory designations (1km) - Sites of Special Scientific Interest (SSSI) - National Nature Reserves (NNR)

A data search was purchased from Cofnod using package A1 - **1km Species, Sites, Habitats** – *Protected & Priority Species, INNS, Stat & Non-stat Sites, Phase 1 Habitats, Documents.*

A search on Multi Agency Geographic Information for the Countryside (Magic Maps) determined nearby designated areas. The map is presented in Section 4.1.

Field Survey

Determination of Ecological Value is based on the general criteria provided by CIEEM (2017).

Table B.2. Criteria of ecological values

Ecological Value	Description and Examples
High	Habitats or features that have high importance for nature conservation, such as statutory designated nature conservation sites of international or national importance or sites maintaining viable populations of species of international or national importance (e.g. Red Data Book species; European protected species).
Medium	Sites designated at a county or district level, e.g. Local Wildlife Site (LWS), ancient woodland site, ecologically 'important' hedgerows or ecological features that are notable within the context of a region, county or district (e.g. a viable area of a Priority Habitat or a site that supports a viable population of a priority species).
Low	Sites of nature conservation value within the context of a parish or neighbourhood, low-grade common habitats, such as arable fields and improved grasslands and sites supporting common, widespread species.

Species Surveys

Bats

Features on site were assessed for potential for bat roosts, foraging and commuting.

All trees were assessed from ground level (BTHK, 2018). All trees examined were categorised on their potential roost features (PRF). These features include cracks, splits in limbs, cavities, loose bark and thick stemmed ivy. Where appropriate and accessible these features were assessed using binoculars and/or endoscopes.

Table B.3. Categorisation of trees for bats

Value for Bats	Example Features
NONE	Either no PRFs in the tree or highly unlikely to be any
FAR	Further assessment required to establish if PRFs are present in tree
PRF	A tree with at least one PRF present

Evidence for the presence of bats includes:

- Holes, cracks and rot holes used as roosts, marked by streaks of urine and faeces.
- Smoothed, darkened edges where bats have rubbed and left natural body oils when entering and exiting a space.
- Feeding signs such as discarded insect wings under a feeding point.
- Presence of roosting or dead bats in or behind any object.

Badgers

Surveys were conducted in line with Harris, S., Cresswell, P. and Jefferies, D. (1989) Surveying Badgers. Mammal Society - No9.

Daytime surveys for badgers involved looking for:

- Scrapings where badgers have dug for food or used as latrines.
- Signs of a sett, including signs of use such as presence of badger hair.
- Tracks and prints.

Birds

Searching for evidence of nesting birds, including barn owls, involved looking for:

- Presence of nests
- Collections of droppings and/or feathers
- Highly distinctive droppings or splats under roosting points.
- Presence of owl pellets/feathers
- Listening for bird song
- Recording bird activity

Amphibians

The terrestrial habitats at the application site were surveyed and assessed for their suitability and potential value for the support of GCN. The general topography, ground conditions and presence or absence of vegetation were recorded. A refugia search was conducted for amphibians by looking under any logs, large stones and other debris.

Appendix C – Policy

The following areas of policy and legislation are of relevance to ecology and provide context to the surveys conducted. Findings presented in this report are in line with the following:

The Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019 – as listed in:

- Schedule 2. European protected species of animals
- Schedule 5. European protected species of plants

The Wildlife and Countryside Act (1981) – as listed in:

- Schedule 1. Birds protected by special penalties at all times
- Schedule 5. Protected animals
- Schedule 8. Protected plants

Countryside and Rights of Way Act (2000)

Environment Act (2021) – Part 6 – Nature and Biodiversity

The Protection of Badgers Act (1992)

Natural Environment and Rural Communities (NERC) Act (2006)

Planning Policy Wales 2002, updated Dec 2018

Section 6.4 – Biodiversity and Ecological Networks

The Nature Recovery Plan for Wales – Setting the course for 2020 and beyond (2015)

Environment Act (Wales) (2016)

Section 7

Wrexham Unitary Development Plan – EC6 Biodiversity Conservation

Bats

All bat species are protected under The Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019 which implements the EC Directive 92/43/EEC in the United Kingdom. It is an offence, with certain exceptions, to:

- Deliberately capture or kill any wild animal of a European Protected Species.
- Deliberately disturb any such animal.
- Damage or destroy a breeding site or resting place of such a wild animal.
- Keep (possess), transport, sell or exchange, or offer for sale or exchange, any live or dead wild animal or plant of a European Protected Species, or any part of, or anything derived from such a wild animal or plant.

A person found guilty of an offence is liable on summary conviction to imprisonment for a term not exceeding six months or to an unlimited fine or to both.

Seven bat species are on the UK Biodiversity Action Plan and are listed as Species of Principal Importance under the provisions of the Natural Environment and Rural Communities (NERC) Act 2006. The National Planning Policy Framework (NPPF) states that to minimise impacts on biodiversity and geodiversity, “*planning policies should... promote the preservation, restoration and re-creation of priority habitats, ecological networks and the protection and recovery of priority species populations*”.

Badgers

Badgers and their setts are specifically protected (HMSO, 1992). The act was primarily brought into force to prevent the deliberate injury to or death of badgers. Some aspects of the act affect developers. It is important that developers are aware of any badger setts located on the land they intend to develop.

All personnel working on sites where there are badgers should be aware of the Protection of Badgers Act 1992. Under this legislation it is an offence to:

- Damage a badger sett or any part of it.
- Destroy a badger sett.
- Obstruct access to, or any entrance of a badger sett.
- Causing a dog to enter a badger sett.
- Disturbing a badger when it is occupying a badger sett.

Birds

Under Section 1 of the Wildlife and Countryside Act 1981 (as amended), birds, their nests and young are all protected from damage, particularly during the breeding season. The Act allows for fines or prison sentences for every bird, egg or nest destroyed. It makes it an offence to:

- Intentionally kill, injure or take any wild bird.
- Take, damage or destroy the nest of any wild bird whilst it is in use or being built.
- Take damage or destroy the egg of any wild bird.
- To have in one's possession or control any wild bird, dead or alive or egg or any part of a wild bird or egg.

Some bird species are included in the UK and local BAPS and are recognised as species of principal importance for nature conservation in accordance with section 41 of the NERC Act 2006. Such species and their habitats receive protection through the provisions of the NPPF.

Amphibians

All species of amphibians receive a measure of protection under legislation.

The Wildlife and Countryside Act 1981 has been amended by the Countryside and Rights of Way Act (CROW) 2000. This applies to England and Wales only. The key relevant fact is:

- Section 9(4) is amended to create an additional offence of reckless damage to, destruction of, or obstruction of access to, any structure or place used for shelter or protection; and reckless disturbance while occupying such a structure or place.

Great Crested Newts

Great crested newts are protected under the Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019 which implements the EC Directive 92/43/EEC in the United Kingdom. It is an offence, with certain exceptions, to:

- Deliberately capture or kill any wild animal of a European Protected Species.
- Deliberately disturb any such animal.
- Deliberately take or destroy eggs of any such wild animal.
- Damage or destroy a breeding site or resting place of such a wild animal.
- Keep (possess), transport, sell or exchange, or offer for sale or exchange, any live or dead wild animal or plant of a European Protected Species, or any part of, or anything derived from such a wild animal or plant.

Great crested newts are listed as a priority species on the UK BAP and Section 41 of the Natural Environment and Rural Communities (NERC) Act 2006. The National Planning Policy Framework (NPPF) states that to minimise impacts on biodiversity and geodiversity, *“planning policies should... promote the preservation, restoration and re-creation of priority habitats, ecological networks and the protection and recovery of priority species populations”*.

Appendix D - Bibliography

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