

Client Name: Axis PED
Site Name: Legacy BESS
Project Ref: AxisL-043-1215
Date: 15th March 2023

Legacy BESS – Summary of Changes

Overview

Avian Ecology Ltd. were commissioned by Axis PED to undertake a ground truthing exercise in relation to a proposed battery storage development (the 'Proposed Development') on land to the north of Legacy Substation (the 'Site'), as shown on **Figure 1**.

An application has previously been approved for a battery storage scheme at this location (Planning Application Reference: P/2021/0441), however due to design changes, an updated application is required to reflect a slightly amended red line boundary. Design changes are minor, involving the extension of the red line boundary south into the existing Legacy Substation.

Due to the time elapsed since the previous assessments, and reflecting CIEEM guidance on the lifespan of ecological reporting¹ a ground-truthing exercise was undertaken to identify changes to the habitats present and to identify changes to the local distribution of protected and notable species within the Site and immediate surrounds.

The objectives of this report are to present the results of the ground truthing exercise and to identify any changes to the previously submitted ecological baseline and assessment for the consented battery storage scheme.

This report should be read in conjunction with the following ecological reports:

- Legacy Battery Storage Facility Ecological Assessment Report²
- Legacy Battery Storage Full Great crested Newt Mitigation Strategy³

Methodology

A ground truthing exercise was undertaken on 22nd February 2023 by Ms. S. Turner *BSc (Hons.)*, a suitably experienced ecologist and the same surveyor as undertook surveys at the Site in 2019 and 2020. The survey utilised existing data collected during habitat and botanical surveys in September 2019 and May 2020. The Site and surrounding accessible areas were walked and were assessed against this previous survey data to highlight any changes to the habitats present, broadly following Joint Nature Conservation Committee (JNCC) Phase 1 Habitat Methodology (JNCC, 2010).

The survey was extended to include the addition recording of specific features indicating the presence, or likely presence, of protect species, invasive species and other species of conservation significance.

¹ <https://cieem.net/wp-content/uploads/2019/04/Advice-Note.pdf>

² Avian Ecology (2021) Legacy Battery Storage Facility: Ecological Assessment Report

³ Avian Ecology (2023) Legacy Battery Storage Facility: Full Great Crested Newt Mitigation Strategy

Limitations of Survey

The survey was undertaken in February 2023, outside of the optimum botanical survey season. A detailed botanical assessment was undertaken in May 2020, within the optimum botanical survey season. Taking into account the existing baseline information, it is considered that the survey effort and timings are sufficient to identify any broad changes to the habitats present.

Survey Results and Assessment

Designated Sites

The Site is located within the Legacy Substation Local Wildlife Site (LWS), designated for the range of habitats present, including scrub, semi-improved grassland and semi-natural broad-leaved woodland. Notable species present include bee orchid *Ophrys apifera*, yellow-wort *Blackstonia perfoliata* and common centuary *Centaureum erythraea*.

While efforts have been made to minimise impacts to the Legacy Substation LWS, it will be directly impacted by the Proposed Development with an area of approximately 0.4ha direct habitat loss comprising species-rich grassland, semi-improved grassland of lower diversity and a small area of scrub.

Following from the previously submitted EAR, the available land for habitat mitigation has been reduced. It is now proposed to enhance two areas of land totalling approximately 0.27ha around Ponds P1 and P2, to including the following measures as outlined within the Full GCN Mitigation Strategy for the Scheme:

- Selective translocation of species-rich grassland turves from within the construction footprint to prepared receptor areas;
- Translocation of notable plant species, including orchids;
- Re-wetting of P2;
- Improvements for amphibians and reptiles, including creation of hibernacula; and,
- Long term management of scrub.

In addition, the following biodiversity enhancement measures will be implemented within the Wider LWS:

- Installation of five bird boxes and six bat boxes within the LWS;
- Three insect hotels/refugia (for range of species from solitary bees to ground dwelling species); and,
- Three hedgehog refuge/hibernation boxes.
- Selective scrub clearance within the north embankment to the site within the LWS to encourage grassland species. This would be undertaken, when necessary, every 3-5 years.

Habitats

The survey indicated that habitats within the Site are broadly the same as those observed during the 2019 and 2020 surveys, consisting of relatively species rich, semi-improved neutral grassland

encroached by scattered scrub. An area of more dense scrub was present to the north-west of the Site. Photographs of the Site are provided as **Appendix 1**.

Pond 1, located approximately 100m east of the site, was noted as having a reduced cover of invasive *Crassula helmsii* compared to previous surveys, however new regrowth was observed. Pond 2, located approximately 290m south of the Site, was observed to be in a similar condition to previous surveys, being entirely dry and considered to rarely hold water, if ever.

Newly included habitats resulting from the changed Site boundary consist entirely of hardstanding associated with the existing Legacy Substation Site.

Protected and Notable Species

During the update survey evidence of badger activity (fresh latrines and foraging signs) was noted within land immediately adjacent to the Site, and it is considered likely that badger also use the Site itself for foraging. No setts were observed. It is not considered that the loss of a small area of foraging habitat would adversely affect this species.

A pre-construction survey will be undertaken to confirm no new badger setts have been created before commencement of works. Should badger presence be confirmed, suitable protection, avoidance or mitigation measures will be implemented under the advice of an ecologist.

The baseline conditions for all other protected and notable species is unchanged.

Conclusion

A ground truthing survey was undertaken in February 2023 to identify any changes to the habitats present within and adjacent to the proposed Legacy Battery Storage Facility Site since surveys in 2019 and 2020. The survey was extended to identify signs indicating the presence or potential presence of protected and notable species within the Site.

The habitats and species baseline is largely the same as that reported within the Ecological Assessment Report, with the changes consisting of a reduced cover of invasive *Crassula helmsii* in Pond 1 and the confirmed presence of foraging badger on land in proximity to the Site. Additional habitats encompassed by the enlarged red line consist of hardstanding only of negligible biodiversity value.

Mitigation and enhancement options in relation to the Legacy Substation LWS have been reduced since the submission of the previous EAR, however proposed measures will enhance the Site for a range of protected and notable species for a period of at least 25 years. Efforts will be made to translocate species rich grassland turves and notable plant species, and periodically manage scrub encroachment; however, it is acknowledged there will however be an overall loss of habitat.

Notwithstanding the above changes regarding the Legacy substation LWS and associated habitats, with regards to protected and notable species, it is considered that the conclusions within the Ecological Assessment Report remain valid.

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Appendix 1: Photographs



Photo 1. Grassland within the Site looking east.



Photo 2. Grassland within the Site looking south-west.



Photo 3. Grassland within the Site looking north.



Photo 4. Ash saplings within the south-west of the Site.



Photo 5. Overview of the Site.



Photo 6. Overview of the Site.



Pond 7. P1 to the east of the Site.



Pond 8. P2 to the south-east of the Site.

Figure 1: Botanical Survey Plan (May 2020)

