Lady Bay Primary School
Adbolton Lane, Lady Bay
West Bridgford, Nottingham

Playing Field Site

Preliminary Ecological Appraisal

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1. Executive Summary

SITE SUMMARY	
Location:	Lady Bay Primary School Playing Fields. Adbolton Lane, Holme Pierrepoint, West Bridgford Nottingham NG2 5AZ (OS grid ref SK 59757 38437, w3w scrap.risks.fetch)
Size:	Approximately 2.56 ha.
Site Description:	Large area of modified grassland used as a sports field to the north of Adbolton Lane and situated on the residential edge of Lady Bay. Playpark to the south with native hedgerow boundaries surrounding the Site and playground. A small substation lies to the south of the Site and a grass flood bund runs in an east to west direction to the north of the Site.
Proposed Development:	Provision of a temporary classroom with subsequent construction of a permanent sports changing facility building. Access road and carpark with entrance from Adbolton Lane to the south.

ECOLOGICAL RECEPTOR	CONSTRAINTS/POTENTIAL IMPACTS	RECOMMENDATIONS including likely implementation period →	Pre- Planning Application		Post- Planning Application		
			Further Surveys	Design Improvement	Planning Condition	Construction Phase	Operational Phase
Designated Sites	• The Site and the land directly adjacent to it is not located within the boundary of a statutory designated site for nature conservation. • A non-statutory designated Local Wildlife Site Adbolton Ponds (Pinder's Pond) LWS lies adjacent to the northern boundary of the Site.	• Construction Environmental Management Plan (CEMP) to include appropriate mitigation measures to control indirect impacts to designated sites as well as on site habitats.	-	-	✓	✓	-
Habitats - BNG	• The Proposed Development will not directly or indirectly affect Priority Habitats within the Site.	• A Biodiversity Net Gain (BNG) Assessment should be carried out using the Statutory Biodiversity Metric to set out how the Proposed Development will deliver the statutory requirement for 10% BNG.	-	✓	✓	✓	-

ECOLOGICAL RECEPTOR	CONSTRAINTS/POTENTIAL IMPACTS	RECOMMENDATIONS including likely implementation period →	Pre- Planning Application		Post- Planning Application		
			Further Surveys	Design Improvement	Planning Condition	Construction Phase	Operational Phase
	• The Proposed Development will be located within an area of modified grassland currently maintained as a sports field.	• The BNG Assessment must be submitted with the planning application for the Proposed Development. • The specific detail on how the Proposed Development will secure 10% BNG will be set out within the Biodiversity Gain Plan which must be secured through a pre-commencement habitat condition.					
Habitat enhancement opportunities	There are several onsite additional enhancement measures that can be incorporated into the Landscape Design Proposals which are included in the recommendations.	• The retention and infilling of gaps within existing boundary hedges and planting of new hedgerow trees. • The inclusion of suitable native species rich grass/wildflower seed mixes as part of the design proposals around the periphery of the playing field. • Inclusion of bird and bat boxes within existing trees on site.	-	✓	✓	✓	-
Badgers	No evidence of badgers within the Site. Although the Site has limited value for badgers, they are a highly mobile species and may use adjacent habitat for foraging and commuting purposes. Good practice as set out under recommendations should be included within the construction process.	The following methods of working should be adopted during the construction phase of the Proposed Development: • Preconstruction works inspection for badger • Excavations should be covered overnight or alternatively before dusk backfilled or a ramp provided (with a batter no steeper than 45 degrees) to prevent badgers getting trapped. • Construction works and vehicle movements should be limited to daylight hours only. • Any pipes over 200mm in diameter should be capped off at night to prevent badgers from entering.	-	-	✓	✓	-
Roosting Bats (Buildings/trees)	Existing buildings and trees are unsuitable for bats	• N/A	-	-	-	-	-

ECOLOGICAL RECEPTOR	CONSTRAINTS/POTENTIAL IMPACTS	RECOMMENDATIONS including likely implementation period →	Pre- Planning Application		Post- Planning Application		
			Further Surveys	Design Improvement	Planning Condition	Construction Phase	Operational Phase
Bats (Foraging/commuting)	Existing trees and hedgerows around the site boundary provide suitable foraging and commuting habitat for bats.	• Retain boundary vegetation that provides foraging and commuting routes across the site and into the wider landscape. • Landscape design proposals should provide areas of longer grass on edge of boundary habitats including plants with nectar that attract invertebrates for foraging bats particularly along the edge habitats around the site along the southern boundary. • Installation of bat boxes with location agreed with SQE. • Should external artificial lighting be proposed this should follow the guidance set out in Bats and Artificial Lighting at Night (Bat Conservation Trust & Institute of Lighting Professionals 2023) to protect boundary habitats from excessive light spill.	-	-	-	✓	-
Great Crested Newts (GCN)	Site is sub optimal for GCN being short mown modified grassland with limited shelter foraging opportunities on site. The footprint of the Proposed Development will only impact on an area of intensively managed modified grassland.	The following measures must be undertaken prior to and during construction of the Proposed Development to mitigate the predicted very low impacts to GCN: • All areas of modified grassland (TN1, TN2, TN3) must be maintained as short sward prior to and during construction. • Machinery, materials etc must be stored on areas of hardstanding or raised off the ground on pallets. • Waste materials must be removed off site immediately or stored in skips. • Excavations must be backfilled, covered overnight, or ramps placed in to allow any animals to escape.	-	-	-	✓	-

ECOLOGICAL RECEPTOR	CONSTRAINTS/POTENTIAL IMPACTS	RECOMMENDATIONS including likely implementation period →	Pre- Planning Application		Post- Planning Application		
			Further Surveys	Design Improvement	Planning Condition	Construction Phase	Operational Phase
		• Excavations and working areas must be managed so as not to create temporary waterbodies which may attract GCN/other amphibians onto Site. • Access roads must use existing roads and tracks and keep habitat disturbance to a minimum, avoiding any areas of sensitive or potentially valuable habitat. • Enhancement measures incorporated into Landscape Design Proposals to include areas of native species rich grass/wildflower margins managed to a longer sward.					
Reptiles	The grassland that dominates the Site is sub optimal for reptiles due to is short uniform sward and intensively managed structure. The boundary hedges have the potential to function as dispersal corridors and a limited foraging resource if reptile populations if present within the wider landscape.	• Recommendations to be followed as for GCN	-	-	-	✓	-
Wild Birds	The boundary hedgerows and trees on Site, adjacent gardens to the east and west, grassland scrub and woodland to the north all have the potential to support nesting and foraging habitat for garden, woodland and farmland birds.	• Existing hedgerows should be retained and protected during the construction period. • Should vegetation (hedgerows and trees require pruning) this should be undertaken outside of the bird nesting season (between October to February inclusive). • Where this is not possible, and works must be undertaken during the bird nesting season (March to September inclusive), a suitably qualified ecologist must undertake a nesting survey(s) immediately prior to the works.	-	-	-	✓	-

ECOLOGICAL RECEPTOR	CONSTRAINTS/POTENTIAL IMPACTS	RECOMMENDATIONS including likely implementation period →	Pre- Planning Application		Post- Planning Application		
			Further Surveys	Design Improvement	Planning Condition	Construction Phase	Operational Phase
		• Inclusion of bird boxes within existing vegetation to be retained post construction as agreed with SQE.					
Other Species Common amphibians	The footprint of the Proposed Development will impact on an area of intensively managed modified grassland which is sub optimal for amphibians. A precautionary approach to mitigating the very low impacts to amphibians is proposed as set out in paragraph.	• Recommendations to be followed as for GCN	-	-	-	✓	-
Hedgehogs	• No boundary features are to be impacted by the Proposed Development.	Precautionary mitigation measures should be incorporated into the working methods during the construction works. These should include: • Contractor 'toolbox' talks • Maintain short cut on areas of grassland already regularly cut within the Site • Enhancement measures incorporated into Landscape Design Proposals to include areas of native species rich grass/wildflower margins managed to a longer sward.	-	✓	✓	✓	-

2. Introduction

2.1. Commission

2.1.1 Via East Midlands Ltd (Via EM) was commissioned by Arc Partnership to undertake a Preliminary Ecological Appraisal at Lady Bay Primary School - Playing Fields off Adbolton Lane in Lady Bay, West Bridgford, Nottingham (hereafter referred to as the 'Site').

2.2. Site Summary

2.2.1 The Site is located on Adbolton Lane, to the edge of a residential area in Lady Bay, West Bridgeford in Nottingham and is approximately 2.56 hectares in area.

2.2.2 The Ordnance Survey Grid Reference (OSGR) for the centre of the Site is SK 59757 38437.

2.3. Proposed Development

2.3.1 The proposed works Provision of temporary classroom with subsequent construction of a permanent sports changing facility building (hereafter referred to as the 'Proposed Development'). Works include provision of an access road and carpark with the entrance from Adbolton Lane.

2.4. Appraisal Overview

2.4.1 The following ecological surveys and assessments have been undertaken at the Site by Via EM, during October 2024:

- Desk-top assessment.
- UK habitat survey.
- Scoping survey for protected species.

2.4.2 Survey and assessment work is presented as a Preliminary Ecological Appraisal report which determines the value of ecological receptors present and assesses potential constraints to development. In addition, further surveys, mitigation measures and appropriate working practices are outlined in respect of habitats and protected species to ensure compliance to relevant statutory legislation, current best practice methods and biodiversity policy. Opportunities for on-site enhancements for habitats and species are also recommended in within Section 6 of this report.

3. Legislation and Policy

3.1. Statutory Legislation

3.1.1 A summary of relevant legislation is set out in Appendix 1.

3.2. Planning Policy

National Planning Policy Framework

3.2.1 The National Planning Policy Framework ('NPPF') (MHCLG, 2024) sets out the Government's planning policies for England and how these are expected to be applied. With respect to habitats and biodiversity, Section 15 of the NPPF states planning policies and decisions should contribute to and enhance the natural and local environment by protecting and enhancing sites of biodiversity, as well as minimising impacts on and providing net gains for biodiversity.

3.2.2 When determining planning applications, the NPPF requires local planning authorities to apply the following principles in paragraph 193 (a)-(d):

- '(a) if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused;
- (b) Development on land within or outside a Site of Special Scientific Interest, and which is likely to have an adverse effect on it (either individually or in combination with other developments), should not normally be permitted. The only exception is where the benefits of the development in the location proposed clearly outweigh both its likely impact on the features of the site that make it of special scientific interest, and any broader impacts on the national network of Sites of Special Scientific Interest;
- (c) Development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists; and
- (d) development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to incorporate biodiversity improvements in and around developments should be encouraged, especially where this can secure measurable net gains for biodiversity'.

3.2.3 The NPPF also states in paragraph 194 (a)-(c) that the following should be given the same protection as habitats sites:

- '(a) potential Special Protection Areas and possible Special Areas of Conservation;
- (b) listed or proposed Ramsar sites 64; and
- (c) sites identified, or required, as compensatory measures for adverse effects on habitats sites, potential Special Protection Areas, possible Special Areas of Conservation, and listed or proposed Ramsar sites'.

3.2.4 The NPPF concludes in paragraph 195 that 'the presumption in favour of sustainable development does not apply where the plan or project is likely to have a significant effect on a habitats site (either alone or in combination with other plans or projects), unless an appropriate assessment has concluded that the plan or project will not adversely affect the integrity of the habitats site'.

Local Planning Policy

3.2.5 The Site lies within the jurisdiction of Rushcliffe Borough Council.

3.2.6 The Rushcliffe Core Strategy Local Plan Part 1 (adopted 2014) identifies the following planning policies in respect to biodiversity:

Policy 17: Biodiversity

1. The biodiversity of Rushcliffe will be increased over the Core Strategy period by:

(a) protecting, restoring, expanding and enhancing existing areas of biodiversity interest, including areas and networks of priority habitats and species listed in the UK and Nottinghamshire Local Biodiversity Action Plans;

b) ensuring that fragmentation of the Green Infrastructure network is avoided wherever possible and improvements to the network benefit biodiversity, including at a landscape scale, through the incorporation of existing habitats and the creation of new habitats;

c) seeking to ensure new development provides new biodiversity features, and improves existing biodiversity features wherever appropriate;

d) supporting the need for the appropriate management and maintenance of existing and created habitats through the use of planning conditions, planning obligations and management agreements; and

e) ensuring that where harm to biodiversity is unavoidable, and it has been demonstrated that no alternative sites or scheme designs are suitable, development should as a minimum firstly mitigate and if not possible compensate at a level equivalent to the biodiversity value of the habitat lost.

2. Designated national and local sites of biological or geological importance for nature conservation will be protected in line with the established national hierarchy of designations and the designation of further protected sites will be pursued.

3. Development on or affecting other, non-designated sites or wildlife corridors with biodiversity value will only be permitted where it can be demonstrated that there is an overriding need for the development and that adequate mitigation measures are put in place.

3.3. Local Action Plans and Strategies for Biodiversity

3.3.1 The Local Biodiversity Action Plan (LBAP) for Nottinghamshire identifies the following Priority Habitats relevant to the Site:

- Hedgerows

3.3.2 The LBAP for Nottinghamshire identifies the following Priority Species of potential relevance to the Site:

- Bats
- Hedgehogs

Strategies for Biodiversity

3.3.3 The Site is currently not located within a formal strategy area for biodiversity. Nottinghamshire County Council in liaison with Rushcliffe Borough Council and other Nottinghamshire local authorities is currently in the process of developing a Local Nature Recovery Strategy (LNRS) to establish priorities for nature recovery and identify locations for habitat creation or improvement.

4. Methodology

4.1. Surveyor and Author Competence

4.1.1 The ecological surveys and assessments outlined within this report have been undertaken by Alison Stuart MSc CMLI ecologist and overseen and verified by Mark Tarrant BSc MEECW ecology manager of Via EM.

4.1.2 Mark has a BSc Hons in Biology and has worked professionally as an Ecological consultant since 2008.

4.1.3 Alison is a qualifying member of the Chartered Institute of Ecology and Environmental Management with over 20 years in landscape management and design and 4 years in undertaking ecological surveys.

4.2. Zone of Influence

4.2.1 The Zone of Influence (ZOI) is the area within which ecological impacts arising from developments are likely to be significant. Due to the nature of the Proposed Development the ZOI for the Site is identified as the Site and the habitats which immediately bound it. These offsite habitats are:

- Grassland - undermanaged
- Fields (grazing)
- Gardens

4.2.2 The sensitivity and value of offsite designated nature conservation sites requires potential impacts arising from a development to be considered within a wider ZOI. Therefore, scoping for direct and indirect impacts to designated sites is conducted within a ZOI of 1 km of the Site.

4.3. Desktop Study

Multi Agency Geographical Information for the Countryside

4.3.1 The Multi Agency Geographical Information for the Countryside (MAGIC) website was accessed on 11/12/2024 for locations of statutory nature conservation sites and ancient woodland (designated sites) as well as Habitats of Principal Importance within 1 km of the Site.

4.3.2 Where relevant, Natural England's online Impact Risk Zone tool was utilised to determine whether the Proposed Development would be likely to have an impact on Sites of Special Scientific Interest (SSSIs).

Local Biological Records Centre

4.3.3 Nottinghamshire Biological and Geological Records Centre was contacted 7/11/2024 for records of non-statutory designated sites, protected species, as well as Priority Species and Habitats, within 1 km of the Site.

4.4. Habitat Survey

UK Habitat Survey

4.4.1 A UK Habitat survey of the Site and scoping survey for protected species was undertaken on

29/10/2024 by Alison Stuart MSc CMLI.

4.4.2 The survey involved a site walkover and preliminary assessment of key habitats, land use and ecological features. The main habitats present were recorded using standard UK Hab methodology described in the UK Habitat Classification User Manual Version 2.1 and identified the habitats present via the prescribed UK Hab Field Key Version 2.1

4.4.3 In addition to general habitat classification, a list was compiled of observed plant species (using the nomenclature of Stace, 2010, with common and Latin names referred to in the first instance after which only the common names are used). The abundance of each species was estimated for each habitat respectively using standard 'DAFOR' codes:

D = Dominant
A = Abundant
F = Frequent
O = Occasional
R = Rare

4.4.4 The Site was also assessed for its potential to support protected and notable species such as invertebrates, reptiles, amphibians including great crested newts (GCN), bats, otters and water voles, badgers and hedgehogs, and inspected for signs of any invasive plant species subject to legal controls.

4.4.5 This extended part of the survey allows identification of potential ecological constraints (and to guide recommendations for further survey requirements for those species) and opportunities for enhancement.

4.4.6 Detailed surveys for protected and invasive species were outside the scope of the survey and site assessment, unless otherwise specified within this report. Where specific protected and invasive species are not mentioned within this report, it should be assumed that the prevailing habitats are unsuitable.

4.5. Phase 2 Surveys: Badgers

4.5.1

4.5.2 The badger field survey was undertaken by Alison Stuart 26/10/2024 (at the same time as the UK Hab survey), following best practice guidelines as set out within Harris et al (1989) and Natural England (2011).

4.5.3 The badger survey was undertaken throughout the redline boundary of the Site. Where possible adjacent land was surveyed for badger evidence.

The land within and adjacent to the Site was carefully and systematically searched for field evidence of badgers, which may include:

- Badger setts
- Latrines
- Foraging evidence
- Trails and paths
- Boundary push throughs
- Badger hairs

4.6. Daytime Bat Walkover

4.6.1 The Daytime Bat Walkover (DBW) was undertaken by Alison Stuart 29/10/2024 (at the same time as the UK Hab survey), following best practice guidelines as set out within Collins (2023)

4.6.2 The potential suitability for roosting bats of any structures or trees noted during the survey, and the potential suitability of flight-paths and foraging habitats within the site were assessed using the scheme presented in table 1 below. (Collins, 2023)

Table 1: Guidelines for assessing the potential suitability of proposed development sites for bats.

Potential suitability	**Description**	
	Roosting habitats in structures	**Potential flight-paths and foraging habitats**
None	No habitat features on site likely to be used by any roosting bats at any time of the year (i.e. a complete absence of crevices/suitable shelter at all ground/underground levels).	No habitat features on site likely to be used by any commuting or foraging bats at any time of the year (i.e. no habitats that provide continuous lines of shade/protection for flight-lines, or generate/shelter insect populations available to foraging bats).
Negligible	No obvious habitat features on site likely to be used by roosting bats; however, a small element of uncertainty remains as bats can use small and apparently unsuitable features on occasion.	No obvious habitat features on site likely to be used as flight-paths or by foraging bats; however, a small element of uncertainty remains in order to account for non-standard bat behaviour.
Low	A structure with one or more potential roost sites that could be used by individual bats opportunistically at any time of the year. However, these potential roost sites do not provide enough space, shelter, protection, appropriate conditions and/or suitable surrounding habitat to be used on a regular basis or by larger numbers of bats (i.e. unlikely to be suitable for maternity and not a classic cool/stable hibernation site, but could be used by individual hibernating bats).	Habitat that could be used by small numbers of bats as flight-paths such as a gappy hedgerow or unvegetated stream, but isolated, i.e. not very well connected to the surrounding landscape by other habitat. Suitable, but isolated habitat that could be used by small numbers of foraging bats such as a lone tree (not in a parkland situation) or a patch of scrub.
Moderate	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 to support a roost of high conservation status (with respect to roost type only, such as maternity and hibernation - the categorisation described in this table is made irrespective of species conservation status, which is established after presence is confirmed).	Continuous habitat connected to the wider landscape that could be used by bats for flight-paths such as lines of trees and scrub or linked back gardens. Habitat that is connected to the wider landscape that could be used by bats for foraging such as trees, scrub, grassland or water.
High	A structure with one or more potential roost sites that are obviously suitable for use by larger numbers of bats on a more regular basis and potentially for longer periods of time due to their size, shelter, protection, conditions and surrounding habitat. These structures have the potential to support high conservation status roosts, e.g. maternity or classic cool/stable hibernation site.	Continuous, high-quality habitat that is well connected to the wider landscape that is likely to be used regularly by bats for flight-paths such as river valleys, streams, hedgerows, lines of trees and woodland edge. High-quality habitat that is well connected to the wider landscape that is likely to be used regularly by foraging bats such as broadleaved woodland, tree-lined watercourses and grazed parkland. Site is close to and connected to known roosts.

4.7. Report Production

4.7.1 This report has been produced with reference to the following key documents:

- CIEEM Guidelines for Ecological Report Writing (CIEEM, 2017).
- CIEEM Guidelines for Preliminary Ecological Appraisal (CIEEM, 2017).
- CIEEM Guidelines on Ecological Impact Assessment (CIEEM, 2018).
- British Standards BS42020:2013 Biodiversity – Code of Conduct for Planning and Development (British Standards, 2013).

4.7.2 The use of scientific nomenclature within this report is limited to botanical species and less commonly encountered faunal species (such as invertebrates).

4.8. Limitations

4.8.1 It should be noted that availability and quality of data obtained during desk studies is reliant upon third party responses. This varies from region to region and across different species groups. Furthermore, the comprehensiveness of data depends on the level of coverage, the expertise and experience of the recorder and the submission of records to the local recorder. Accordingly, the conclusions in this report are valid only to the extent that the information provided to Via EM was accurate, complete and available within the reporting schedule.

4.8.2 The extended habitat survey provides a snapshot of ecological conditions and does not record plants or animals that may be present on site at different times of year. The habitat survey was conducted in October, outside the optimum April – September survey period when plants are generally visible. This timeframe is appropriate to allow a broad habitat assessment and indicative species list to be developed; however, the full floral composition of the vegetation cannot be described at this time of year. Given the former use of the Site as playing fields, amenity grassland and hardstanding it is considered that the habitats have been accurately described and classified and that the timing of the survey is therefore not a limitation.

4.8.3 The survey results are likely to remain accurate for 18 months following the completion of the survey, provided there is no significant change in ground conditions and/or the management regime on the Site. This is an estimate based on the ecological character of the Site and the habitats present. Individual Local Planning Authorities and Statutory Bodies may apply their own criteria to the period for which a UK Hab survey remains valid.

5. Baseline Results

5.1. Desk Top Assessment

Statutory Designated Sites

5.1.1 The Site and the land directly adjacent to it is not located within the boundary of a statutory designated site for nature conservation.

5.1.2 There is one statutory designated site for nature conservation located within 1 km of the Site *The Hook Local Nature Reserve (LNR)* [bearing 0.22 km northwest]. The LNR comprises river and embankment habitats, mature hedgerow, grassland, ditches and occasional scrub.

5.1.3 The Site falls within the Impact Risk Zone for *Wilford Clay Pits SSSI*. However, the Proposed Development for the Site (temporary classroom and permanent changing facility) does not fall within the category for which Natural England must be consulted on likely risks.

Non-Statutory Designated Sites

5.1.4 Land directly north of the Site is within a non-statutory designated site for nature conservation. This area of woodland, scrub and grassland is within a Local Wildlife Site described below:

- *Adbolton Ponds (Pinder's Pond) LWS* Two ponds, situated near the River Trent, encircled by woodland and dominated by Crack Willow with some Grey Willow *S. cinerea* and Ash. The site includes an area of marsh around the outflow of the larger pond and an area of swamp. (LWS Ref 2/53)

5.1.5 There are six non-statutory designated sites for nature conservation located within 1 km of the Site.

- *Adbolton Marsh LWS* [bearing 0.60 km northeast] (LWS Ref 2/868). A small field pond with an adjacent wet ditch and a patch of willows (Salix sp.) close to the River Trent.
- *Gamston Pits LWS* [bearing 0.78 km southeast] (LWS Ref 2/961). This site comprises a large former gravel pit (also known as the A52 Pit), plus two smaller ponds and associated marsh surrounded by sheep-grazed grassland forming the most southerly part of a complex of gravel pits at Holme Pierrepont. As well as being of botanical interest it is also of great importance for breeding and wintering birds with a remarkable list of rare and scarce avian visitors
- *Grantham Canal LWS* [bearing 0.80 km southwest] (LWS Ref 2/867) A stretch of disused canal stretching from the River Trent, dominated by Lesser Bulrush running through West Bridgford.
- *Sneinton Railway Lands LWS* [bearing 1.00 km northwest] (LWS Ref 2/991) Railway land forming an important corridor for wildlife in the east of the city. Areas of relict grassland and tall herb communities form a mosaic with maturing self-sown silver birch, hawthorn and goat willow.
- *Colwick Racecourse Wetland LWS* [bearing 0.64 km north] (LWS Ref 5/7) A site comprising two ponds and an adjoining drain situated on Colwick Racecourse which are surrounded by alluvial grassland mown to amenity level. Ponds edged by sedges, large stands of bulrush. The site contains a diversity of aquatic, emergent and marginal plant species and is a valuable habitat for breeding water birds and amphibians.
- *Colwick Country Park LWS* [bearing 0.8 km northeast] (LWS Ref 2/901) Site comprises a series of disused flooded gravel pits and an ornamental lake with associated grasslands and secondary woodland situated next to the River Trent. The site supports a diverse flora and is also of importance for birds, especially winter wildfowl.

Ancient Woodland

5.1.6 There is no Ancient Woodland within 1 km of the Site.

Priority Habitats

5.1.7 Priority habitats are defined under Section 41 of the Natural Environment and Rural Communities Act 2006.

5.1.8 There are two Priority Habitats directly adjacent to the Site.

- Floodplain grazing marsh adjacent to the northern boundary.
- Native hedgerows along eastern and western Site boundaries.

5.2. Habitat Survey

5.2.1 The Site lies on the edge of a suburban area of Nottingham, Lady Bay, that sits within the low-lying floodplain of the River Trent. Horse grazed pasture and arable farmland lies to the east of the Site. Pockets of mature trees and hedgerows around large, detached properties fringe the southeastern edge of the Site and woodland, scrub and grassland surrounding Pinders Pond lie to the north. To the west is residential land with rear gardens backing on to the Site boundary. Adbolton Lane runs to the south of the Site beyond which is further residential land.

5.2.2 Figure 01 (Appendix 2) illustrates the location of habitats within the Site shown as UK Habitats classifications and coded to UK Hab (2.0). Target Notes are included within Appendix 2. Latin nomenclature is provided in Appendix 2 and not included with the text below to enhance readability.

Modified Grassland – g4

5.2.3 The dominant habitat on site is modified grassland which is intensively managed as playing fields and amenity grassland TN1, TN3 respectively. The grassland is maintained to a short sward and dominated by perennial ryegrass, with occasional annual meadow grass, *Poa annua* and other amenity grasses. Herb species established in the sward included occasional creeping buttercup, clover, daisy, dandelion, and ribwort plantain.

Photograph 1 Playing field (TN1)

5.2.4 Grassland on the flood bund, TN2, to the north also has occasional yarrow, and dead nettle, with occasional cow parsley, and rarely occurring comfrey. The northern bank is less intensely managed with a longer sward. Small areas of modified grassland also occur around the

substation, TN4, which is worn in places.

Other Neutral Grassland -g3c *Offsite*

5.2.5 North of the flood bund is an area of tussocky long grassland sward of dominated by false oat grass, and frequently occurring Yorkshire fog, cocks foot, with occasional cow parsley and nettle. Bramble scrub is beginning to establish in areas.

Photograph 2 Other neutral grassland to the north of flood bund (right side of photograph)

Developed Land; sealed surface. Other developed land - u1b6

5.2.6 Adbolton Lane and adjacent playground lie within the southern section of the Site. Playground consists of rubber crumb safety surfacing and is enclosed by railings.

Photograph 3 Playground and adjacent footway along Adbolton Lane

Individual Trees

5.2.7 A single mature lime tree is within the central area of the field. This is around 12 m high with full dense crown and clear stem. A few mature sycamore trees are established within the hedgerows to the eastern site boundary.

Photograph 4 Field tree lime within playing field

Other Lowland mixed woodland -w1f7 *Offsite*

5.2.8 Woodland dominated by mature ash trees with crack willow and grey willow around low lying ponds, with elder and hawthorn understory to the edges.

Photograph 5 Woodand within adjacent LWS (TN11)

Hedgerows
Non-native and ornamental hedgerow h2b

5.2.9 To the south of the Site there are several intact hedgerows almost entirely dominated by common beech, but in sections contains with ivy. These hedgerows are maintained to 2 m in height and enclose the playground. A few native species such as holly are more frequent to the eastern edge with occasional hazel, sycamore, and rarely occurring hawthorn.

Photograph 6 Beech hedgerow H1

Other native hedgerow h2a6

5.2.10 Along the western Site boundary (H6) is a mixed species hedge with a continuous horizontal and vertical canopy to 3.5 m in height and 2.5 m wide. This boundary hedge is dominated by beech within the central section of hedge but has frequently occurring ivy, hawthorn and holly to the northern and southern ends with occasional sections of hazel and hawthorn. Leylandii conifer is also occasionally present. Within sections of the hedgerow are early mature trees of ash and hawthorn trees which are generally untrimmed and often with ivy in the lower canopy.

Photograph 7 Native hedgerow – managed to western Site boundary H6

Photograph 8 Native hedgerow – eastern boundary H3

Other native hedgerow h2a6

5.2.11 Along the eastern boundary is a hawthorn dominated hedgerow with mature tree canopies (Scots pine, wild cherry, common beech) oversailing around the garden boundary to the east. Generally managed hedges surround the site with upper sections (.>2.5m high) more outgrown, such as the hedgerow along the eastern boundary H3. Mesh wire fence reinforces hedge line which in some areas is more apparent where hedgerow is thinner H4.

5.3. Phase 2 Protected Species Survey – Badger

Badgers

Background Records

5.3.1 The Records Centre returned several records (over the past 5 years) for badgers within the 1 km search area.

Field Survey

5.3.2 No evidence of badger setts or field evidence was found on the Site or on land directly adjacent to the Site at the time of survey. Garden boundaries to the west are secured by a hedge and wire mesh fence preventing easy access without actively digging. The Site lies adjacent to woodland, scrub and low intensity managed grassland to the north with pasture to the east from which there is open access into the Site from the north. These habitats all provide supporting foraging and commuting habitat for badger.

5.4. Scoping Assessment – Protected Species

Overview

5.4.1 This section outlines the results of the scoping assessment for protected species, where detailed site survey work has not been undertaken.

Bats

Background Records

5.4.2 The Records Centre returned records for Daubentons's bats, Leisler's bats, Noctule bats, Myotis species bats common and soprano pipistrelle species within the last ten years. Most

records are of bats in flight recorded using bat detectors.

Scoping Assessment

5.4.3 The existing building within the Site (B1) was unsuitable for roosting bats. Mature trees on Site did not have features to support roosting bats, such as woodpecker holes, lifting bark or cavities. The Proposed Development will not directly affect the existing buildings or trees on Site.

5.4.4 Boundary hedgerows H1 – H6 inclusive and offsite habitats, woodland edges, scrub and unmanaged grassland all provide good links from the Site into the wider landscape for foraging and commuting bats.

Great Crested Newts (GCN)

Background Records

5.4.5 The Records Centre returned no recent records (within the past 10 years) for GCN. There were two historic records from 2012/13 0.6km west of the Site. The last record for GCN in ponds in the adjacent LWS Pinder Ponds was recorded 31 years ago.

Scoping Assessment – Suitability of Site Habitats

5.4.6 The undermanaged modified grassland on the northern edge of the Site along the northern flank of the flood bund and adjacent offsite scrub, woodland and neutral grassland provide suitable terrestrial habitat for GCN. Site boundary hedgerows may also provide potential foraging and dispersal corridors into the wider landscape. The majority of the Site is short mown modified grassland unsuitable for GCN.

Scoping Assessment – Suitability of Ponds and Waterbodies

5.4.7 There are no ponds/water bodies within the Site boundary.

5.4.8 An assessment of current Ordnance Survey maps indicated three ponds within 0.25 km of the Site and surrounded by suitable terrestrial habitat.

Other Amphibians

Background Records

5.4.9 The Records Centre returned three records for Common toad, two for smooth newt and one for common frog with 1 km of the Site. The closest being 0.3 km to the east of the site.

Scoping Assessment

5.4.10 There are no ponds on Site but suitable terrestrial and aquatic habitats for amphibians are present in ponds to the north of the Site (refer to paragraph 5.4.8) and likely to be present in adjacent gardens.

Reptiles

Background Records

5.4.11 The Records Centre returned no records for reptiles.

Scoping Assessment

5.4.12 The modified grassland that dominates the Site is sub optimal for reptiles due to is short uniform sward and intensively managed structure. The boundary hedges have the potential to function as dispersal corridors and a limited foraging resource if reptile populations if

present within the wider landscape.

Wild birds

Background Records

5.4.13 Due to the small-scale nature of the Proposed Development, it was not considered proportionate to obtain wild bird data from the Records Centre

Scoping Assessment

5.4.14 The dominant habitat of modified grassland within the Site is unsuitable for ground nesting birds due to the small patch size, presence of trees and adjacent buildings and high levels of disturbance.

5.4.15 The boundary hedgerows and trees on Site, adjacent gardens to the east and west and grassland, bramble scrub and woodland to the north all have the potential to support nesting and foraging habitat for garden, woodland and farmland birds.

Water Voles and Otters

Background Records

5.4.16 The Records Centre returned three records for otter all just over 1 km northwest of the Site associated with the River Trent and Colwick Country Park. No records were returned for water voles over the past 10 years. The last record was one in 2013 around 0.7 km to the west of the Site.

Scoping Assessment

5.4.17 There were no watercourses/wet ditches present on site and habitats within the Site are unsuitable for water vole and otter. Water voles and otters are not considered any further within the report.

Hedgehogs

Background Records

5.4.18 The Records Centre returned numerous records for hedgehogs between 2015 and 2023.

Scoping Assessment

5.4.19 Boundary hedgerows (H2, H3, H4, H5 and H6) off site adjacent gardens and other neutral grasslands to the north of the site all provide suitable shelter and foraging habitat for hedgehogs.

Invasive Plant Species

Background Records

5.4.20 The Records Centre returned two records of Himalayan balsam (closest dated 2024 associated at The Hook by the River Trent (bearing 0.3 km northeast)

Scoping Assessment

5.4.21 No obvious evidence of commonly occurring invasive plant species, such as giant hogweed or Japanese knotweed, was identified within the Site during the habitat survey. An exhaustive survey for invasive plant species was not within the scope of the commissioned work, however, current site conditions do not obviously indicate an increased likelihood of invasive plant species being present within the Site boundaries.

5.4.22 Invasive plant species are not considered any further within this report.

6. Discussion and Recommendations

6.1. Designated Sites

Summary of Baseline

6.1.1 The closest statutory designated site for nature conservation is located 0.2 km to the northwest of the Site *The Hook Local Nature Reserve (LNR)*

6.1.2 The Site is not located within a non-statutory designated site for nature conservation but lies adjacent to *Adbolton Ponds (Pinder's Pond) LWS.*

Assessment of Constraints/Potential Impacts

6.1.3 Given the distance of the Proposed Development to *The Hook Local Nature Reserve* there will be no direct or indirect impacts to this designated site.

6.1.4 The Proposed Development is located within the centre of the Site 150 m from the boundary of the LWS. There will be no direct impacts but there is the potential for indirect impacts to this area without mitigation in place.

Recommendations

6.1.5 A Construction Environmental Management Plan (CEMP) should be provided to include measures to prevent indirect impacts to the Local Wildlife Site to the north.

6.2. Habitats

Summary of Baseline

6.2.1 The Site is dominated by modified grassland, surrounded by hedgerows along the western and eastern boundaries with hardstanding (playground) to the south, a flood bund to the north (modified grassland) and other neutral grassland and scrub adjacent to this (offsite and adjacent to the Site).

Assessment of Constraints/Potential Impacts

6.2.2 Works will result in the loss of modified grassland within the centre of the site and surfacing of a permanent access track to this from Adbolton Lane to the south of the Site.

6.2.3 A tree protection plan and method statement should be provided to protect trees and hedgerows adjacent to the Site from the construction works.

Recommendations

Habitat enhancement

6.2.4 There is the potential for habitat enhancement works across the site. This should include:

- The retention and infilling of gaps within existing boundary hedges and planting of new hedgerow trees.
- The inclusion of suitable native species rich grass/wildflower seed mixes as part of the design proposals around the periphery of the playing field.
- Inclusion of bird and bat boxes within existing trees on site.

Biodiversity Net Gain (BNG) Assessment

6.2.5 A BNG Assessment should be produced and submitted in accordance with current best practice, to set out how the Proposed Development will deliver 10% BNG. This would comprise (within the red line boundary for the Proposed Development):

- Habitat condition assessments of all habitats.
- Completion of the Statutory Biodiversity Metric, informed by the baseline habitats and final Soft Landscape Strategy.
- Production of Baseline and Post-Development Habitat plans.
- A report (or update to existing reports) describing the findings of the BNG Assessments and recommendations to deliver 10%.

6.2.6 The BNG Assessment must be submitted alongside the planning application to determine the planning application decision.

6.2.7 The specific detail on how 10% BNG will be delivered must be secured through a pre-commencement planning condition, known as the Biodiversity Gain Plan (which would typically include a Habitat Management and Monitoring Plan).

6.2.8 All habitat improvements proposed within the Biodiversity Gain Plan must be legally secured by a planning obligation for a minimum period of 30-years

Species

6.3. Badgers

Summary of Legislation

6.3.1 Badgers are protected under the Protection of Badgers Act (1992) which makes it an offence to wilfully kill, injure or take a badger; to intentionally or recklessly damage or destroy a badger sett, or obstruct access to it; or to disturb a badger when it is occupying a sett.

Summary of Baseline

6.3.2 No evidence of badger setts or field evidence was found on the Site or on land directly adjacent to the Site at the time of survey.

6.3.3 The Site lies adjacent to woodland (generally wet woodland), scrub and low intensity managed grassland to the north with pasture to the east from which there is open access into the Site from the north. These habitats all provide supporting foraging and commuting habitat for badger.

Assessment of Constraints/Potential Impacts

6.3.4 Badgers are a highly mobile species and likely to use surrounding habitats for foraging commuting purposes. The Site is accessible to badgers from the north and within any gaps in fencing and hedgerows around the Site. The Proposed Development is within an area of intensively managed modified grassland and will not directly impact on badger habitats.

Recommendations

Pre-Commencement Badger Survey

6.3.5 As a precautionary measure, a pre-commencement badger survey prior to the start of construction should be carried out. In the event that badger setts are identified, appropriate avoidance and or mitigation measures should be adopted under a derogation license to

prevent impacts to badgers and their setts.

Protection Measures during Construction

6.3.6 The following methods of working should be adopted overnight during the construction phase of the Proposed Development:

- Excavations should be covered at overnight or alternatively or alternatively before dusk backfilled or a ramp provided (with a batter no steeper than 45 degrees) to prevent badgers getting trapped.
- Construction works and vehicle movements should be limited to daylight hours only.
- Any pipes over 200mm in diameter should be capped off at night to prevent badgers from entering.

6.4. Bats

Summary of Legislation

6.4.1 Bats are protected under the Habitat Regulations 2017 (as amended) and the Wildlife and Countryside Act 1981 (as amended). These regulations make it an offence to capture, kill, disturb or injure bats; damage or destroy breeding or resting places of bats; or obstruct access to the places of shelter or protection of bats.

Summary of Baseline

6.4.2 No suitable roosting habitat within the building (B1) and trees were present on Site that would be impacted by the Proposed development.

Assessment of Constraints/Potential Impacts

6.4.3 Existing hedgerows, and trees as well as woodland edges, scrub and grasslands surrounding the Site all provide potential foraging and commuting habitat for bats.

Recommendations and Enhancement

6.4.4 Should external artificial lighting be proposed this should follow the guidance set out in Bats and Artificial Lighting at Night (Bat Conservation Trust & Institute of Lighting Professionals 2023) to protect boundary habitats from excessive light spill. Consideration should be given to lighting used during the construction and operational periods and include:

- The avoidance of lighting and glare falling on any key (boundary) habitats
- The application of mitigation methods along with sensitive design to reduce lighting on supporting bat habitat.

6.4.5 This can be achieved through the application of the following:

- ensuring dark buffer zones from key habitats and locating proposed paved areas away from these areas
- the use of appropriate luminaire specifications, (LEDs with sharp cut-off, lower intensity, good colour rendition and dimming capability, warm light 2700Kelvin or lower, luminaires with negligible or no Upward Light Ratio)
- the use of light sources that feature peak wavelengths higher than 550nm to avoid the component of light most disturbing to bats
- sensitive site configuration and use of downward- directional external light fittings,
- dimming and part-night lighting using sensors where appropriate
- creation of a lighting contour plan to determine levels of lighting and appropriate mitigation.

- ensuring any improvements to highways lighting. Also adopt these measures if proposed works are to impact on street lighting

6.4.6 The following measures should be adopted to enhance the onsite habitats.

- Retain boundary vegetation that provides foraging and commuting routes across the site and into the wider landscape.
- Landscape design proposals should provide areas of longer grass on edge of boundary habitats including plants with nectar that attract invertebrates for foraging bats particularly along the edge habitats around the eastern and western margins of the playing field boundary.
- Installation of bat boxes with location agreed with SQE.

6.5. Great Crested Newts

Summary of Legislation

6.5.1 GCN are protected under the Habitat Regulations 2017 (as amended). These regulations make it an offence to capture, kill, disturb or injure GCN; or damage or destroy breeding or resting places of GCN.

Summary of Baseline

6.5.2 The undermanaged modified grassland on the northern edge of the Site, adjacent offsite woodland and neutral grassland provide some suitable terrestrial habitat for GCN. Site boundary hedgerows may also provide potential foraging and dispersal corridors into the wider landscape.

Assessment of Constraints/Potential Impacts

6.5.3 The majority of the Site is sub optimal for GCN being short mown modified grassland with limited shelter foraging opportunities on site. The footprint of the Proposed Development will only impact on an area of intensively managed modified grassland. A precautionary approach to mitigating the very low potential impacts to GCN is proposed as set out below.

Recommendations and Enhancement

6.5.4 The following measures must be undertaken prior to and during construction of the Proposed Development to mitigate the predicted very low impacts to GCN:

• All areas of modified grassland (TN1, TN2, TN3) must be maintained as short sward prior to and during construction.

• Machinery, materials etc must be stored on areas of hardstanding or raised off the ground on pallets.

• Waste materials must be removed off site immediately or stored in skips.

• Excavations must be backfilled, covered overnight, or ramps placed in to allow any animals to escape.

• Excavations and working areas must be managed so as not to create temporary waterbodies which may attract GCN/other amphibians onto Site.

• Access roads must use existing roads and tracks and keep habitat disturbance to a minimum, avoiding any areas of sensitive or potentially valuable habitat.

• Landscape design proposals to include a more species diverse and sward structure around

the fields margins.

• Inclusion of amphibian hibernacula to be located under direction of a SQE.

6.6. Other Amphibians

Summary of Legislation

6.6.1 Common frog, smooth newt and common toad are protected in law under Section 9(5) of the Wildlife and Countryside Act 1981 (as amended). Common toad is also listed as a biodiversity priority species under the Natural Environment and Rural Communities (NERC) Act (2006) due to recent population declines.

Summary of Baseline

6.6.2 There are no ponds on site but suitable terrestrial and aquatic habitats for amphibians are present in and around offsite ponds to the north of the site (north of flood bund). Ponds may also be present in some adjacent gardens.

Assessment of Constraints/Potential Impacts

6.6.3 The majority of the site is modified grassland which is short-mown and sub optimal habitat for amphibians. The footprint of the Proposed Development will only impact on an area of intensively managed modified grassland.

Recommendations

6.6.4 A precautionary approach to mitigating the very low impacts to amphibians is proposed as set out in paragraph 6.5.4.

6.7. Reptiles

Summary of Legislation

6.7.1 Reptiles are protected from killing and injuring under the Wildlife and Countryside Act 1981 (as amended).

Summary of Baseline

6.7.2 The modified grassland that dominates the Site is sub optimal for reptiles due to is short uniform sward and intensively managed structure. The boundary hedges have the potential to function as dispersal corridors and a limited foraging resource if reptile populations if present within the wider landscape.

Assessment of Constraints/Potential Impacts

6.7.3 The short-mown amenity grassland on the Site provides unsuitable habitat for reptile species due to the species poor compositions, homogenous structure and high levels of recreational disturbance. The boundary hedges have the potential for function as dispersal corridors for reptiles if reptiles are present in the wider landscape.

Recommendations

6.7.4 Recommendations to be followed as for GCN, refer to paragraph 6.5.4.

6.8. Wild Birds

Summary of Legislation

6.8.1 Under the Wildlife and Countryside Act 1981 (as amended) it is an offence to intentionally kill,

injure or take any wild bird; to intentionally take, damage or destroy the nest of any wild bird whilst it is in use or being built; and to intentionally take or destroy the eggs of any wild bird.

Summary of Baseline

6.8.2 The boundary hedgerows and trees on Site, adjacent gardens to the east and west, grassland scrub and woodland to the north all have the potential to support nesting and foraging habitat for garden, woodland and farmland birds.

Assessment of Constraints/Potential Impacts

6.8.3 Boundary hedgerows are not impacted by the works. The proposed access road into the Site from Adbolton Lane is currently shown between existing hedgerows H1 and H2. A sufficient buffer should be established between the rootzone of the hedgerows /rootzone of the hedgerow trees and the haunching for any kerb line (guided by an aboricultural survey and a tree protection plan) to retain this vegetation and minimise any pruning works.

Recommendations and Enhancement

6.8.4 Should pruning works to existing trees and hedgerows be required this should be undertaken outside of the bird nesting season (between October to February inclusive).

6.8.5 Where this is not possible, and works must be undertaken during the bird nesting season (March to September inclusive), a suitably qualified ecologist must undertake a nesting survey(s) immediately prior to the works.

6.8.6 Inclusion of bird boxes within existing vegetation to be retained post construction as agreed with SQE.

6.9. Hedgehogs

Summary of Legislation

6.9.1 Hedgehogs are a Species of Principal Importance under the NERC Act (2006) Section 41 (See Appendix 1). As such the presence of this species within the Site may be considered by the Planning Authority when determining this planning application.

Summary of Baseline

6.9.2 The boundary hedgerows, (H2, H3, H4, H5 and H6) surrounding gardens, adjacent unmanaged other neutral grassland to the north of the site (offsite) all provide suitable habitat to support hedgehogs.

Assessment of Constraints/Potential Impacts

6.9.3 No boundary features are to be impacted by the Proposed Development. The existing modified grassland that is the dominant habitat on site is mown to short as is managed as a sports field.

Recommendations and Enhancement

6.9.4 Precautionary mitigation measures should be incorporated into the working methods during the construction works. These should include:

- Contractor ‘toolbox’ talks
- Maintain short cut on areas of grassland already regularly cut within the Site
- Landscape design proposals to incorporate areas of native species rich

grassland/wildflower grassland as part of the design proposals around the margins of the playing field.

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Appendix 1

Summary of Relevant Legislation

The Habitat Regulations 2019 (as amended)

The Conservation of Habitats and Species Regulations 2019 (as amended), or the 'Habitat Regulations 2019 (as amended)', transposes European Directives into English and Welsh legislation. Under these regulations, wild animals of a European Protected Species and their breeding sites or resting places are protected. Such wild animals of a European Protected Species include great crested newts, otters, dormice and all species of bat. It is an offence to deliberately capture, injure or kill any such wild animal and in the case of great crested newts, deliberately take or destroy their eggs. It is also an offence to deliberately damage or destroy a breeding site or resting place of any such wild animal.

Wild animals of a European Protected Species are also protected from disturbance. Disturbance of such wild animals includes any disturbance which is likely to:

(a) Impair their ability -

- *to survive, to breed or reproduce, or to rear or nurture their young; or*
- *in the case of animals of a hibernating or migratory species, to hibernate or migrate; or*

(b) Significantly affect the local distribution or abundance of the species to which they belong.

The Wildlife and Countryside Act (as amended) and Countryside and Right of Way Act (CRoW) Act 2000 (as amended)

The Wildlife and Countryside Act 1981 (as amended) and the CRoW Act 2000 (as amended) afford protection to wild birds in England and Wales under Part 1. It is an offence to intentionally kill, injure or take any wild bird. It is also an offence to intentionally take, damage or destroy the nest of any wild bird whilst it is in use or being built, or intentionally take or destroy their eggs. If the wild bird is included on the Schedule 1 of the Wildlife and Countryside Act 1981 (as amended), it is additionally an offence to intentionally or recklessly disturb the wild bird whilst on the nest during the breeding season.

Certain species of animal, such as the water vole, are offered 'full protection' under the Wildlife and Countryside Act 1981 (as amended) and the CRoW Act 2000 (as amended) by being included in Schedule 5 in respect of certain offences under Section 9. Such offences include:

9(1) Intentional killing, injuring or taking of a Schedule 5 animal;

9(4a) Intentional or reckless damage to, destruction of or obstruction of any structure or place used by a Schedule 5 animal for shelter or protection; and

9(4b) Intentional or reckless disturbance of a Schedule 5 animal occupying such a structure or place.

Widespread species of native reptiles occurring within England and Wales such as the adder or common lizard are protected against intentional killing and injuring under the Wildlife and Countryside Act 1981 (as amended) only. Animals of a European Protected Species are now only protected under offences 9(4a) and 9(4b) of Section 9, the main legislative tool covering such animals is under the 'Habitats Regulations 2019 (as amended)'.

The Protection of Badgers Act 1992

Badgers are primarily protected by The Protection of Badgers Act 1992, under which it is an offence to wilfully kill, injure, take, possess or cruelly ill-treat a badger, or to attempt to do so, and to intentionally or recklessly interfere with a sett. Sett interference includes disturbing badgers whilst they are occupying a sett, as well as damaging or destroying a sett or obstructing access to it.

The Hedgerow Regulations 1997

Under the Hedgerow Regulations 1997 it is an offence to remove most hedgerows without the issuing of a Hedgerow Removal Notice from the Local Planning Authority. 'Important' hedgerows are those protected under the 1997 Regulations if they are over 30 years old and satisfy one of the criteria under

Part II, Schedule 1, based on archaeology and history or wildlife and landscape.

In the case of 'Important' hedgerows, the Local Planning Authority will only issue a Hedgerow Removal Notice if there are sufficient circumstances to justify its removal. If sufficient circumstances do not exist, then the Local Planning Authority will issue a Hedgerow Retention Notice and the 'Important' hedgerow will be protected under the 1997 Regulations. Unauthorised removal of the 'Important' hedgerow may result in a fine and/or a requirement for the hedgerow to be replaced.

Natural Environment and Rural Communities Act 2006

The Natural Environment and Rural Communities (NERC) Act came into force on 1st October 2006. Section 41 (S41) of the Act requires the Secretary of State to publish a list of habitats and species which are of principal importance for the conservation of biodiversity in England.

The S41 list is used to guide decision-makers such as public bodies, including local and regional authorities, in implementing their duty under Section 41 of the Natural Environment and Rural Communities Act 2006 to have regard to the conservation of biodiversity in England when carrying out their normal functions.

Fifty-six habitats of principal importance and 943 species of principal importance are included on the S41 list. The habitats and species on the S41 list are included within the UK Biodiversity Action Plan (UK BAP) as requiring conservation action. The requirement for action continues to be regarded as a conservation priority in the subsequent UK Post 2010 Biodiversity Framework. At a local level the actions and targets are still referred to as BAPs.

The Wild Mammals (Protection) Act 1996

Under the Wild Mammals (Protection) Act 1996 it is an offence if he or she mutilates, kicks, beats, nails or otherwise impales, stabs, burns, stones, crushes, drowns, drags or asphyxiates a wild mammal.

The Environment Act 2021

In respect of biodiversity, the Environment Act 2021 will from January 2021 require all planning permissions granted in England (with limited exemptions) to deliver at least 10% biodiversity net gain (BNG) from January 2024. BNG for 'small sites' will be required from April 2024. BNG will be calculated using DEFRA's Biodiversity Metric and BNG habitats will need to be secured for at least 30 years.

The Environment Act 2021 also provides provisions for:

- a strengthened legal duty for public bodies to conserve and enhance biodiversity,
- new biodiversity reporting requirements for local authorities, and
- mandatory spatial strategies for nature: Local Nature Recovery Strategies or 'LNRSs'.

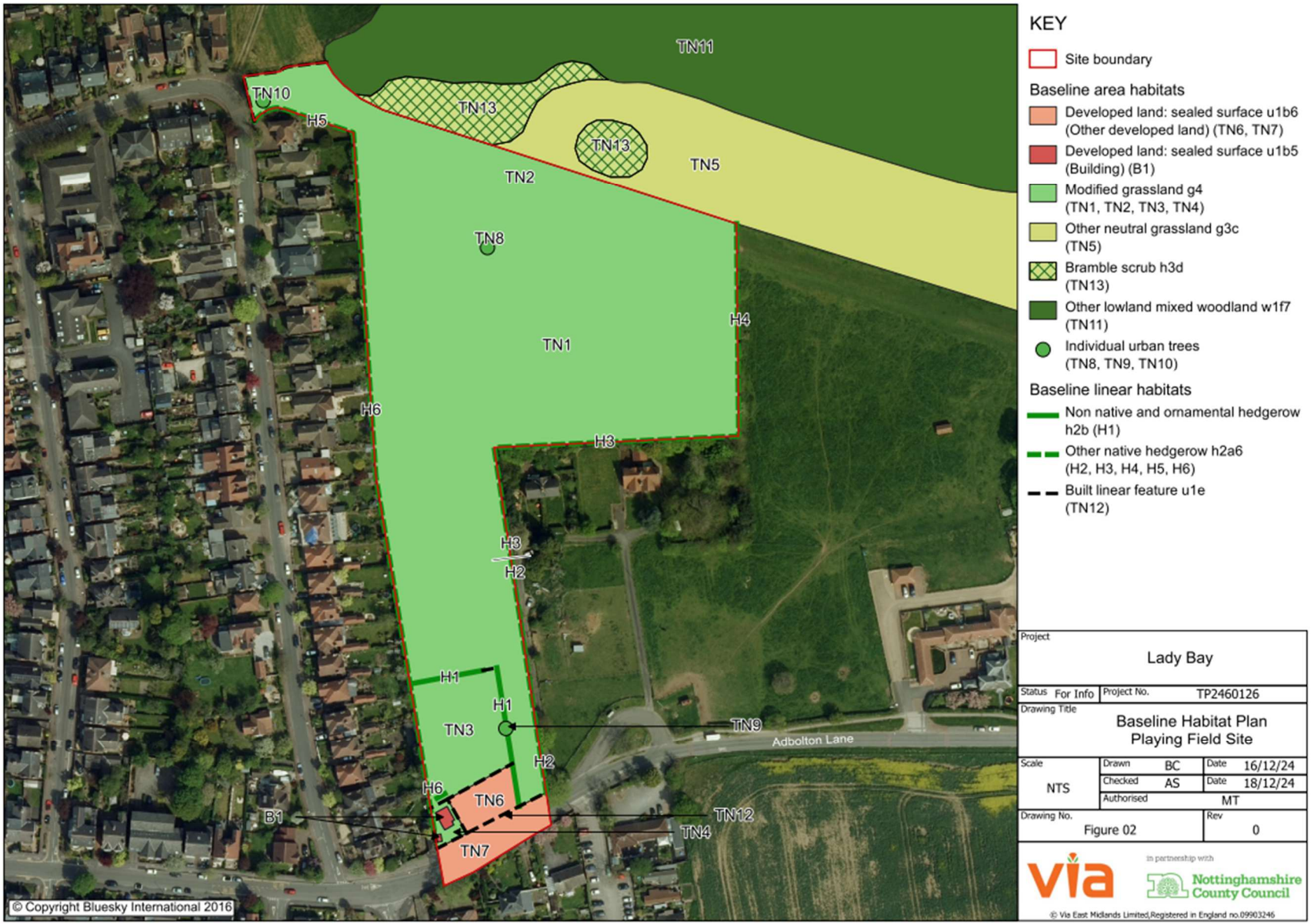
Appendix 2

Target Notes

Target Note	Description
TN1	Modified Grassland - g4 Area of amenity grassland, managed as a short sward and dominated by perennial ryegrass, *Lolium perenne* with occasional annual meadow grass, *Poa annua* and other amenity grasses. Herb species established in the sward included occasional creeping buttercup Ranunculus repens, clover, *Trifolium sp*. Daisy, *Bellis perennis*, dandelion, *Taraxcum officinale*, ribwort plantain, *Plantago lanceolata.* These were more frequent towards the field margins. Area used as sports pitch.
TN2	Modified Grassland - g4 Amenity grassland on flood bund with species as TN1 and with additional species on north facing side of bund of occasional yarrow, *Achillea millefolium* and dead nettle, *Lamium album*, and in the proximity to hedgerows occasional cow parsley, *Anthriscus sylvestris*, and rarely occurring comfrey, *Symphytum sp*. Longer sward on north facing bank with top whereas southern bank closely mown.
TN3	Modified Grassland - g4 Smaller area of amenity grassland to rear of playground. Managed as TN1 with species as TN1.
TN4	Modified Grassland - g4 510 Area in front of substation with localised areas of bare ground directly around the station. Annual meadow grass, *Poa annua,* hairy bitter cress, *Cardamine hirsuta* white dead nettle, *Lamium album.*
TN5	Other Neutral Grassland -g3c *Offsite* Area north of flood bund and site boundary consisting of tussocky long sward of false oat grass, *Arrhenatherum elatius,* Yorkshire fog, *Holcus lanatus*, cocks foot, *Dactylis glomerata* with cow parsley and nettle, *Urtica diocia*.
TN6	Developed Land, sealed surface. Other developed land - u1b6 Playground with rubber crumb safety surfacing around play equipment.
TN7	Developed Land, sealed surface. Other developed land - u1b6 Highway and footway along Adbolton Lane.
TN8	Individual Tree Mature lime tree within field, *Tilia sp.* around 12m high with full dense crown clear stem to 2.0m with some sucker (epicormic) growth around base.
TN9	Individual Tree Mature sycamore tree within hedgerow around 14m high with full dense canopy
TN10	Individual Tree Mature ash tree, *Fraxinus excelsior,* adjacent to hedgerow around 15m high with light open canopy.
TN11	Other Lowland mixed woodland - w1f7 *Offsite* Woodland dominated by mature ash trees with willow crack willow, *Salix fragilis* with grey willow *Salix cinerea* around low lying ponds
TN12	Built linear feature u1e Bow top steel railings along southern boundary. Timber post and rail fence across flood bund.
TN13	Bramble Scrub h3d *Offsite* Bramble dominated scrub around 1 to 1.5m high with occasional outgrown of trees of hawthorn, blackthorn and elder. Occasional mugwort *Artemisia vulgaris* and frequent *Epilobium sp.* willow herb on margins of scrub.

Hedgerow Note	Description
H1	Non-native and ornamental hedgerow h2b Dense intact hedgerow dominated by common beech, *Fagus sylvatica* with ivy, H*edera helix* at the base. Continuous vertical and horizontal canopy managed to 2m in height and 1.5m wide. Holly frequently occurring with occasional hazel, *Corylus avellana* and sycamore, *Acer pseudocarpus* and rarely occurring hawthorn, *Crataegus monogyna*. Mature sycamore tree within hedge line.
H2	Other native hedgerow h2a6 Southern section of hedgerow dominated by ivy with occasional sycamore, holly and elder, *Sambucus nigra*. Narrow hedge around 0.6m in width with wire mesh fence along the centre line. Managed to around 2m high increasing in height to 4m to the north. Two mature sycamore trees within hedge line with ivy in lower canopy.
H3	Other native hedgerow h2a6 Managed hedge to 3 m in height forming the boundary to gardens adjacent to the Site dominated by ivy and hawthorn with occasional elder. Hedge has a dense vertical canopy to ground level and thickens in width to 2-3m to the northern end. Oversailing tree canopies within the hedgerow and adjacent gardens include Scots pine (Pinus sylvestris) wild cherry, *Prunus avium,* common beech and outgrown hawthorn. Rarely occurring ash and horse chestnut, *Aesculus hippocastanum* (latter - non-native) also present. Hornbeam trees, *Carpinus betulus* with more open structure of occasional holly, elder and hornbeam up to 1.5 m high understory. Ivy present in some of the canopy.
H4	Other native hedgerow h2a6 Managed hedge dominated by hawthorn to 2.5m with outgrown hawthorn trees some of which dominated by ivy in lower canopy. Hedgerow approximately 2.5m wide defunct in places, with a couple of thinner sections with occasional elder and holly and revealing post and wire mesh in the centre. A half metre wide strip of bare ground runs along the base of the hedge.
H5	Other native hedgerow h2a6 Undermanaged hedge between 2 to 4m high of sapling ash against a post and wire fence and rear garden. Outgrown hawthorn frequently present shrouded in ivy. Occasional holly present. Mature ash trees covered in ivy within hedgerow. Occasional bramble and nettle at the hedgerow base.
H6	Other native hedgerow h2a6 Dense solid, hedge along western Site boundary with rear gardens adjacent. with continuous horizontal and vertical canopy to 3.5 m in height and 2.5 m wide. Dominated by beech within the central section of hedge. Ivy, hawthorn and holly frequent to the northern and southern ends with occasional sections of hazel, hawthorn. Leylandii conifer also occasionally present. Within sections of the hedgerow are early mature trees of ash, hawthorn trees which are generally untrimmed and often with ivy in the lower canopy. At the southern end of this hedge and to the north of the substation is a short section of hedge unmanaged where hawthorn has grown out to small trees with ivy infill. A 3 m high wire mesh ball fence runs to the rear of the fence which is also covered in ivy.

B1	Developed Land, sealed surface. Other developed land - u1b5 Playing fields Site – Brick substation and smaller substation cabinet


TN11
TN10
TN13
H5
TN13
TN5
TN2
TN8
H4
TN1
H6
H3
H3
H2
H1
H1
TN3
TN9
Adbolton Lane
H2
H6
TN6
B1
TN12
TN4
TN7
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KEY
Site boundary
Baseline area habitats
Developed land: sealed surface u1b6 (Other developed land) (TN6, TN7)
Developed land: sealed surface u1b5 (Building) (B1)
Modified grassland g4 (TN1, TN2, TN3, TN4)
Other neutral grassland g3c (TN5)
Bramble scrub h3d (TN13)
Other lowland mixed woodland w1f7 (TN11)
Individual urban trees (TN8, TN9, TN10)
Baseline linear habitats
Non native and ornamental hedgerow h2b (H1)
Other native hedgerow h2a6 (H2, H3, H4, H5, H6)
Built linear feature u1e (TN12)
Project
Lady Bay
Status For Info
Project No. TP2460126
Drawing Title
Baseline Habitat Plan
Playing Field Site
Scale
NTS
Drawn BC
Date 16/12/24
Checked AS
Date 18/12/24
Authorised MT
Drawing No.
Figure 02
Rev
0
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