

Ecological Assessments

Environmental Statements
(Biodiversity)

Species Surveys

Phase I Habitat Survey

National Vegetation
Classification

Planning Guidance

Habitat Regulation Assessment

Protected Species Licensing

42020 CEMP: Biodiversity

BREEAM LE01 - 05

Preliminary Ecological Appraisal

Harold Park Service Station, Romford, RM3 0AG



Cover Photo: The Site on Colchester Road, Romford

REPORT STATUS

Issue/revision	DRAFT	FINAL I	FINAL II
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Prepared by	SC/BJ	SC/BJ	SC/BJ
Signature			
Reviewed by	VM/CLIENT	VM/CLIENT	VM
Signature			

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1 INTRODUCTION

1.1 BACKGROUND

Rationale

- 1.1.1 This report has been commissioned by MBH Design Studio Ltd. to provide a Preliminary Ecological Appraisal (PEA) on behalf of MFG to support a full planning application of proposals at Esso Harold Park Service Station, RM3 0AG (hereafter referred to as the Site).
- 1.1.2 This Preliminary Ecological Appraisal follows guidance from CIEEM (2017¹) and complies with recommendations in BS42020² and BS8683³. It is informed by a desk study (Section 3) and a field survey (Section 4).
- 1.1.3 Survey information is valid for a maximum of 18 months, after which updated surveys will be required.
- 1.1.4 Data provided by Greenspace Information for Greater London (GIGL) is valid for a maximum of 12 months.

Site Details

- 1.1.5 The Site is located at Esso Harold Park Service Station, Colchester Road, Romford, Essex, RM3 0AG (Grid reference TQ55804 91840). The Site lies on the edge of Romford, surrounded by residential buildings on the west, the A12 borders the Site running southwest to northeast and woodland to the northeast which borders Maylands Golf Club. Refer to Figure 1 for more details.

¹ **Chartered Institute for Ecology and Environmental Managers (2017)** Guidelines for Preliminary Ecological Appraisal. Second Edition (December 2017). Chartered Institute of Ecology and Environmental Management, Winchester.

² **The British Standards Institution 2013** BS 42020:2013 Biodiversity - Code of practice for planning and development. Published by BSI Standards Limited 2013. ISBN 978 0 580 77917 6

³ **The British Standards Institution 2021** BS 8683 Process for designing and implementing Biodiversity Net Gain – specification. Published by BSI Standards Limited 2021. ISBN 978 0 539 01986 5

Proposals

- 1.1.6 The proposals involve the redevelopment of the existing petrol filling station and associated facilities. The key changes include the installation of eight EV charging bays, installation of Alpitronic 400 HYC chargers, installation of new VR14 LV cabinet, construction of new substation and landscaping on the Site.

1.2 REGULATORY FRAMEWORK

Legislation

- 1.2.1 This report has been prepared taking relevant statutory instruments into account; including domestic legislation such as Acts of Parliament, and Regulations to comply with European Directives. This is described in full in Appendix Section 6 and in summary as follows:

- The Environment Act 2021
- The Conservation of Habitats and Species Regulations 2017 (as amended)
- Wildlife and Countryside Act 1981 (as amended)
- Protection of Badgers Act 1992
- Countryside and Rights of Way (CROW) Act 2000
- Natural Environment and Rural Communities (NERC) Act 2006
- ODPM Circular 06/2005 Biodiversity and Geological conservation (withdrawn March 2014, but report remains compliant)

Priority Species

- 1.2.2 As well as species and habitats formerly protected through statute, this assessment will consider 'Habitats and Species of Principal Importance', otherwise referred to as Priority Habitats and Species if present. In accordance with obligations set out in Section 40 of the NERC Act 2006, the planning authority refers to these habitats and species as material considerations, which are defined in a List through Section 41 of the Act.

National Planning Policy Framework (NPPF)

- 1.2.3 National policy for nature conservation is determined through the NPPF 2024⁴ and with respect to wildlife supersedes Planning Policy Statement 9 (PPS 9). The tools for species protection are still fully present since NPPF policy does not alter statutory legal requirements.
- 1.2.4 The natural environment is accounted for under Section 15. Conserving and enhancing the natural environment. Specifically with regards to habitats and biodiversity the following paragraphs are relevant:
- Paragraph 192: protection and enhancement of biodiversity.
 - Paragraph 193: Local Planning Authority principles.
 - Paragraph 194: Site protection
- 1.2.5 In addition, trees are also planned for under Paragraph 136 which states that, *‘decisions should ensure... that opportunities are taken to incorporate trees elsewhere in developments... appropriate measures put in place to secure the long-term maintenance of newly planted trees, and existing trees should be retained where possible’.*

Biodiversity Net Gain (BNG)

- 1.2.6 In England, BNG is mandatory under Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021).
- 1.2.7 Within Part 6: Nature and Biodiversity of the Environment Act 2021, section 98, entitled “Biodiversity gain as a condition of planning permission” states that “Schedule 14 makes provision for biodiversity gain to be a condition of planning permission in England”. Schedule 14 contains the requirement for Biodiversity Net Gain, as detailed below.

⁴ **Ministry of Housing, Communities & Local Government 2024** National Planning Policy Framework (updated December 2024 edition).

Biodiversity Gain Objective

- 1.2.8 Part 1 of Schedule 14 states *“The biodiversity gain objective is met in relation to development for which planning permission is granted if the biodiversity value attributable to the development exceeds the pre-development biodiversity value of the onsite habitat by at least the relevant percentage”*.
- 1.2.9 In England, developers must deliver a BNG of 10%. This means a development will result in more or better-quality natural habitat than there was before development. DEFRA has produced a Metric tool to measure the biodiversity losses and gains that result from development projects, updated in 2024 to The Statutory Biodiversity Metric (Natural England 2024⁵).

UK Biodiversity Policy

- 1.2.10 There is a ‘Biodiversity Duty’ for local authorities set out in the NERC Act 2006 Sections 40 and 41, guiding national policy for priority habitats and species (i.e., the S41 List), and importantly linking these to both the National Biodiversity Action Plan for the UK and local Biodiversity Action Plans (BAPs).
- 1.2.11 The UK BAP describes the UK’s biological resources and commits a detailed plan for the protection of these resources. Although not statutorily binding, nonetheless it provides policy direction at a national, regional and local scale. It currently has 391 Species Action Plans, 45 Habitat Action Plans and 162 Local Biodiversity Action Plans with targeted actions. This list, a result of the most comprehensive analysis ever undertaken in the UK, contains 1149 species and 65 habitats that have been listed as priorities for conservation action.

⁵ **Natural England 2024.** The Statutory Biodiversity Metric: Auditing and accounting for biodiversity – User Guide. Natural England Joint Publication JP039. ISBN: 978-1-7393362-1-9. First published February 2024.

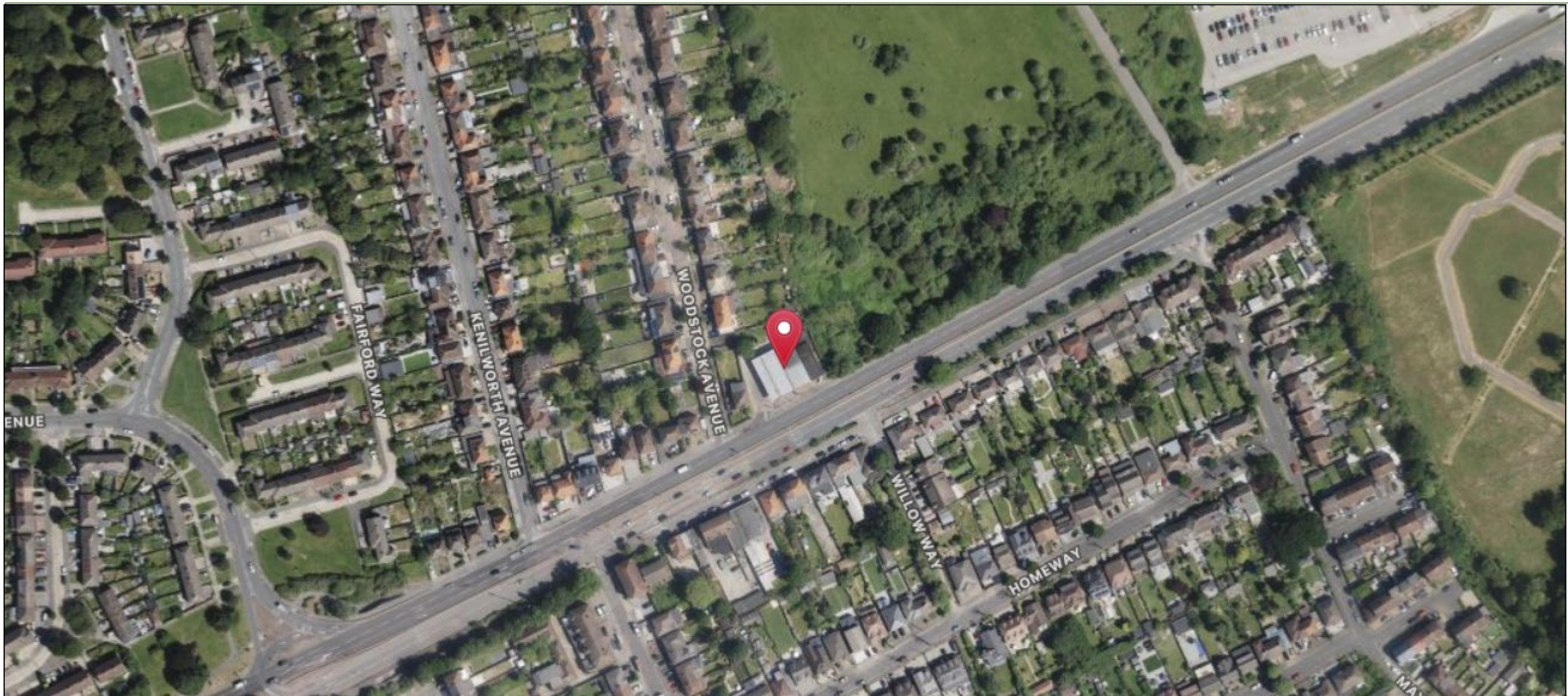


Figure 1
Location



Application Site

TQ 55804 91840

Grid Reference (6 figure)

TQ558918

X (Easting) , Y (Northing)

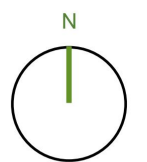
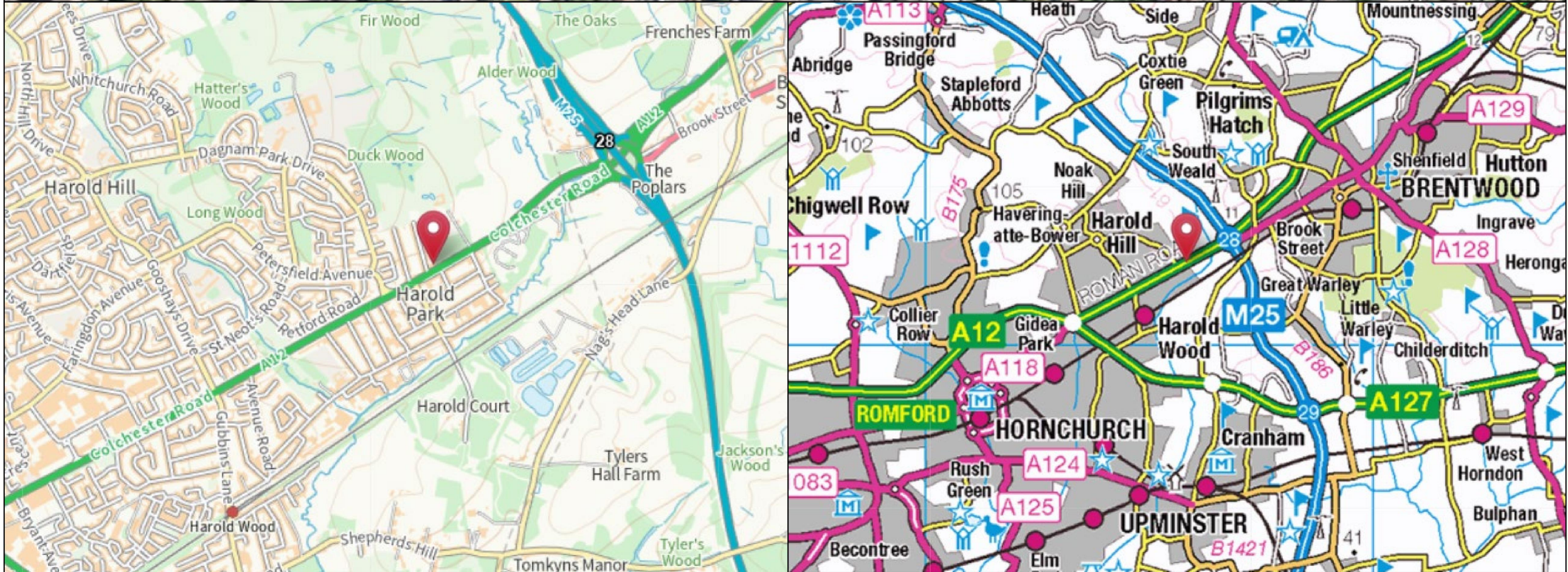
555804 , 191840

Latitude , Longitude (decimal)

51.603849 , 0.24838841

Latitude , Longitude (degs, mins, secs)

51°36'14"N , 000°14'54"E



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Project title

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Project ID

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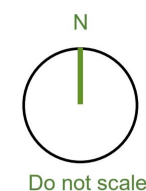
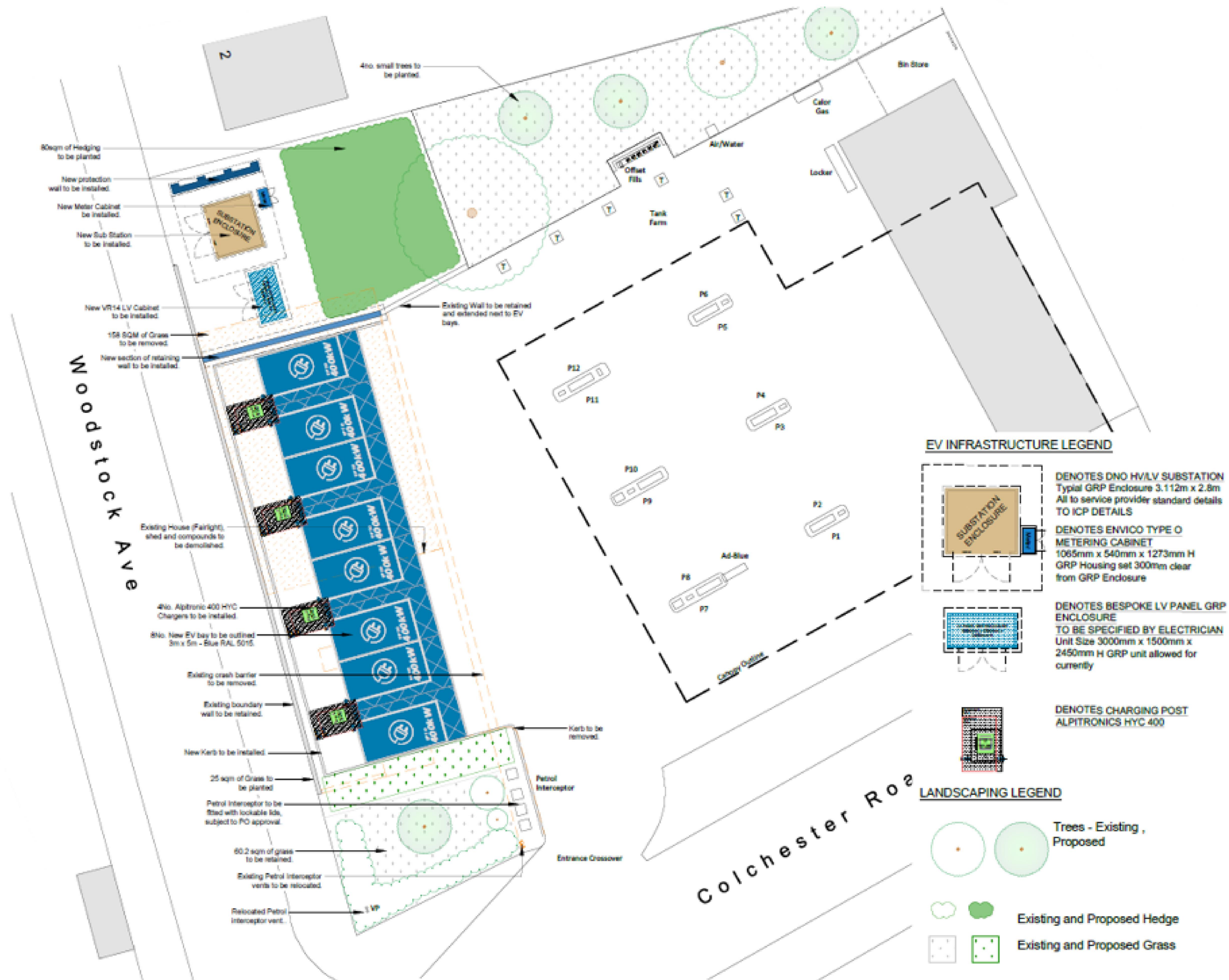
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Figure 2
Proposals



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2 METHODS

2.1 DESKTOP

2.1.1 A desk study was carried out by collecting records within a 1km Area of Search (AoS). Data was collected from Greenspace Information for Greater London (GIGL). The data trawl provided records for statutory and non-statutory sites and details of priority and notable species.

2.1.2 The Department of the Environment and Rural Affairs (DEFRA) Map and Geographic Information Centre (MAGIC) website⁶ was searched for information on:

- Statutory designations within 5km of the Site,
- Distribution of Priority Habitats in a 1km AoS
- Relevant European Protected Species licensing data (2km).

2.1.3 Planning policies with respect to Biodiversity for this Site have been reviewed so that recommendations comply.

2.2 FIELDWORK

UK Habitat Classification

2.2.1 A site visit was carried out on 15th December 2025.

2.2.2 A Phase 1 habitat survey was carried out following the methodology of the UK Habitat Classification system (UKHAB) V2.01 (July 2023).

2.2.3 The survey and assessment involved walking the site and mapping all land parcels in accordance with UK habitat classification, with primary codes and secondary codes where necessary. Target notes provide supplementary information such as presence of invasive species, features too small to map, and presence of suitable habitat for protected species.

⁶ <https://magic.defra.gov.uk/>

- 2.2.4 Dominant plant species were noted (including aliens), as were any uncommon species or species indicative of habitat types, but not all species would have been visible and there was no attempt to compile exhaustive species lists.

Preliminary Roost Assessment

- 2.2.5 An inspection of the buildings on site was carried out to search for current and/or historical use of the buildings by bats. The survey was undertaken in accordance with guidelines outlined in the Good Practice Guidelines (Collins, 2023)⁷ and the Bat Workers Manual (JNCC, 2004)⁸. In accordance with best practice, the survey comprised the following elements:

- A systematic external inspection of the buildings to look for potential or actual bat entry and exit points and roosting places, and to locate evidence of bat activity such as droppings, live or dead specimens, urine splashes, fur-oil staining and/or squeaking noises.
- A systematic internal survey of the buildings where safe to do so, to identify potential or actual bat access points and roosting places and to locate evidence of bats.

- 2.2.6 Where the likelihood of roosting bats being present cannot be eliminated, or evidence of bats is found during the PRA, subsequent further surveys are likely to be necessary if impacts on the roosting habitat, or bats using it, are predicted.

Ground Level Tree Assessment (GLTA)

- 2.2.7 During the Site survey, a Ground Level Tree Assessment (GLTA) was undertaken in accordance with Collins (2023⁹), to search for potential roost

⁷ **Collins, J. (ed.) (2023).** Bat Surveys for Professional Ecologists: Good practice Guidelines (4th edition). The Bat Conservation Trust, London.

⁸ **Joint Nature Conservation committee. Mitchell-Jones, A.J. & McLeish, A.P. (Eds)(2004)** *The Bat Workers Manual (3rd edition)*. Joint Nature Conservancy Council, Peterborough.

⁹ **Collins, J. (ed) 2023** Bat Surveys for Professional Ecologists: Good Practice Guidelines (4th edition). The Bat Conservation Trust, London. ISBN-978-1-7395126-0-6

features such as cracks, crevices, and knot holes, and to search for evidence of bat activity such as droppings.

2.3 PERSONNEL

Table 1: Personnel

Name	Contribution	Qualification
Charlie Vaughan Jones	Site Visit	BSc., ACIEEM, Natural England Level 2 Bat Licence.
Baylee Jennings	Report	BSc., MSc.
Steven Cresswell	Report	BSc
Vix Moughal	Report Review	BSc., MSc., MEnvSc

2.4 CONSTRAINTS

2.4.1 There were no constraints to survey.

3 DESKTOP RESULTS

3.1 DESIGNATED SITES

Statutory Designations

International Sites

- 3.1.1 The data search did not reveal any internationally designated sites within the 5 km AoS. Refer to Figure 4 for more detail.

National Sites

- 3.1.2 The data search revealed three Sites of Special Scientific Interest (SSSI) and two Local Nature Reserves (LNR) within the 5km AoS. Refer to Figure 4 for more detail.
- 3.1.3 Hornchurch Cutting SSSI is geological in nature so is not considered further in this report.
- 3.1.4 Thorndon Park SSSI is located c.4.3km east from the Site. This site is an area of semi-natural broad-leaved woodland and ancient parkland supporting a range of habitat. The woodland includes the lowland birch-sessile oak and Pedunculate oak hornbeam types and the site supports an outstanding assemblage of beetles.
- 3.1.5 Curtismill Green SSSI is located c.4.3km northwest from the Site. This site comprises of area of unimproved grassland and scrub. It is a small, separate relic of the ancient Forest of Waltham. The varying soil conditions give rise to both damp and dry grassland containing several species which are uncommon, decreasing or unusual in the county.
- 3.1.6 Cranham Brickfields LNR is located c.4.6km southeast from the Site. Habitats on the site include semi-improved grassland, pond, scrub and woodland. Wildlife present include great crested newt, slow worm and common lizard.
- 3.1.7 The Manor LNR is located c.0.5km north from the Site. The area consists of acid and neutral grassland along with ancient and secondary woodland.

Species present include great crested newts, stag beetle, house martin, skylark and song thrush.

3.1.8 The data search revealed nine Sites of Importance for Nature Conservation (SINCs) within the 1km AoS. Refer to Figure 4 for more detail.

3.1.9 Ingrebourne Valley SINC which totals c.266.59ha lies on the eastern boundary of the Site. At its lower end is an extensive and nationally important suite of naturally formed freshwater habitats, known as Ingrebourne Marshes, consisting of reedbeds, lakes, wet grasslands, small areas of willow and an ancient alder wood further upstream. Breeding birds present include redshank, lapwing, hobby, water rail, kingfisher, common snipe, reed bunting, cuckoo, long-eared owl, reed and sedge warblers, gadwall, teal and pochard. It is noted there is a strong population of water vole all the Ingrebourne River.

3.2 HABITATS

Priority Habitats

3.2.1 The data search revealed areas of Priority Habitat within the 500m AoS. None were located on or immediately adjacent to the Site. Refer to Figure 5 for more detail.

3.2.2 The data search revealed that eight parcels of deciduous woodland are present within the AoS. The closest of these is a c.0.27ha area of deciduous woodland located c.150m to the northeast of the Site.

3.2.3 A c.9.45ha parcel of ancient woodland is located c380m to the northwest, it is separated from the Site by residential properties.

3.3 SPECIES

3.3.1 The data search provided records for protected and notable species within a 1km AoS. Key species records for this assessment include:

- Numerous records of Schedule 1 bird species within the AoS, including recent records of kingfisher, brambling, wryneck, black-tailed godwit,

crossbill, red kite, yellow wagtail, whinchat, redwing, cetti's warbler, lapwing, peregrine and hobby.

- Numerous records of red-listed and amber-listed bird species of conservation concern, such as lesser redpoll, skylark, swift, pochard, greenfinch, hawfinch, lesser spotted woodpecker, house martin, reed bunting, lesser black-backed gull, herring gull, baltic gull, linnet, nightingale, gadwall, grey wagtail, spotted flycatcher, house sparrow, dunnoek, woodcock, tawny owl, green sandpiper, song thrush, mistle thrush, fieldfare,
- Numerous records of great crested newt were returned in the data trawl within the AoS, the most recent record was dated from 2024 located c.600m southeast of the Site.
- There several records of western European hedgehog within the AoS, the most recent was dated from 2021, located c.180m to the west of the Site.
- A couple of records of stag beetle exist within the AoS, the most recent from 2019, located c.858m northwest of the Site.
- There were no recent records of badger or bats returned within the AoS.

3.4 LOCAL PLANNING POLICY

3.4.1 Development is guided by the London Great Authority's London Plan (adopted March 2021) and the London Borough of Havering Council's Havering Local Plan (adopted November 2021).

3.4.2 In relation to biodiversity the following policies are relevant:

London Plan (adopted March 2021)

- Policy G1 Green Infrastructure
- Policy G2 London's Green Belt
- Policy G3 Metropolitan Open Land
- Policy G4 Open Space
- Policy G5 Urban Greening
- Policy G7 Trees and Woodlands

Havering Local Plan (adopted November 2021)

- Policy 29 Green Infrastructure
- Policy 30 Biodiversity and Geodiversity
- Policy 31 Rivers and River Corridors

Figure 3
Statutory
Designations



Application Site



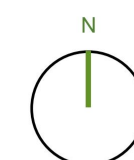
5km AoS



SSSI



LNR



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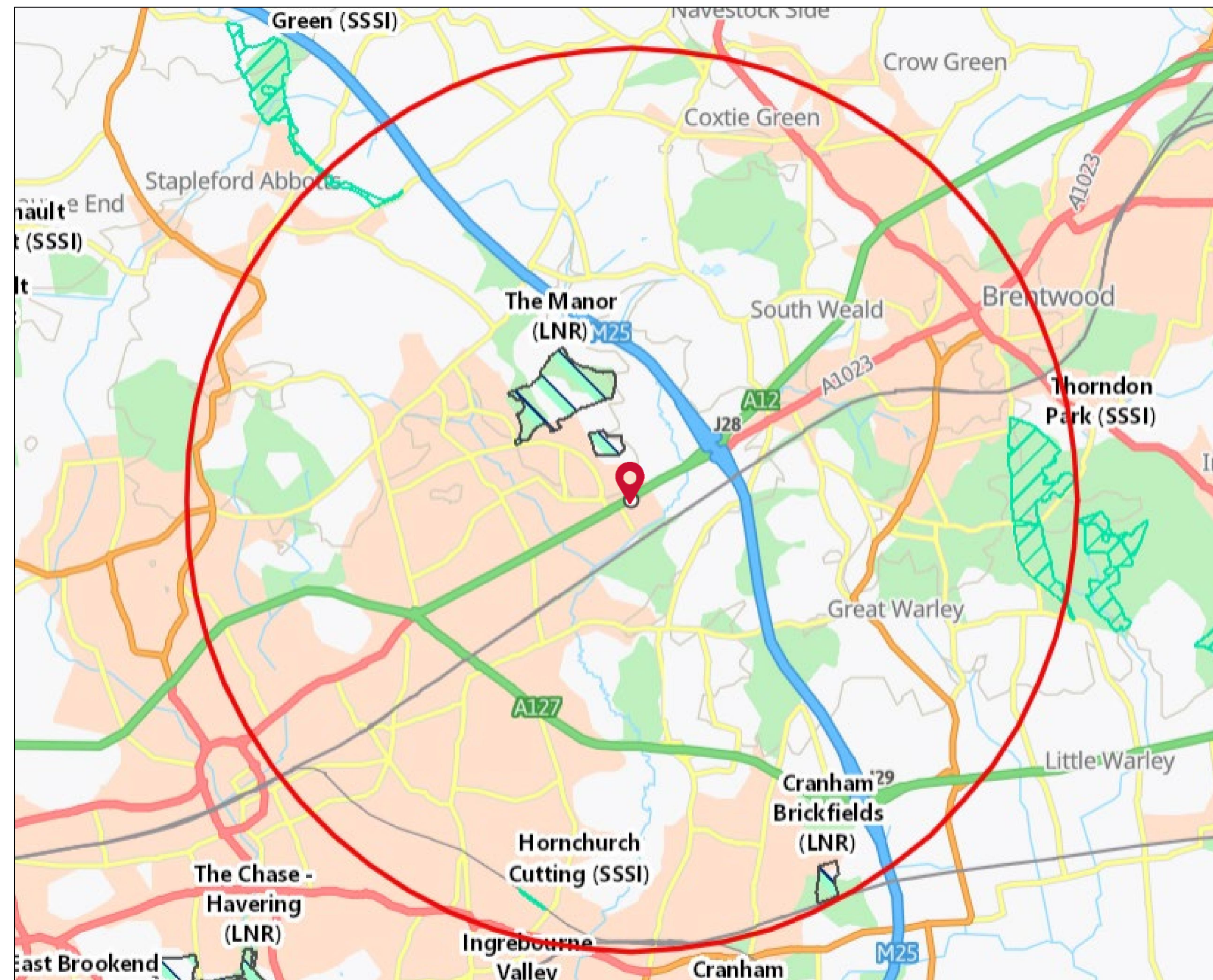
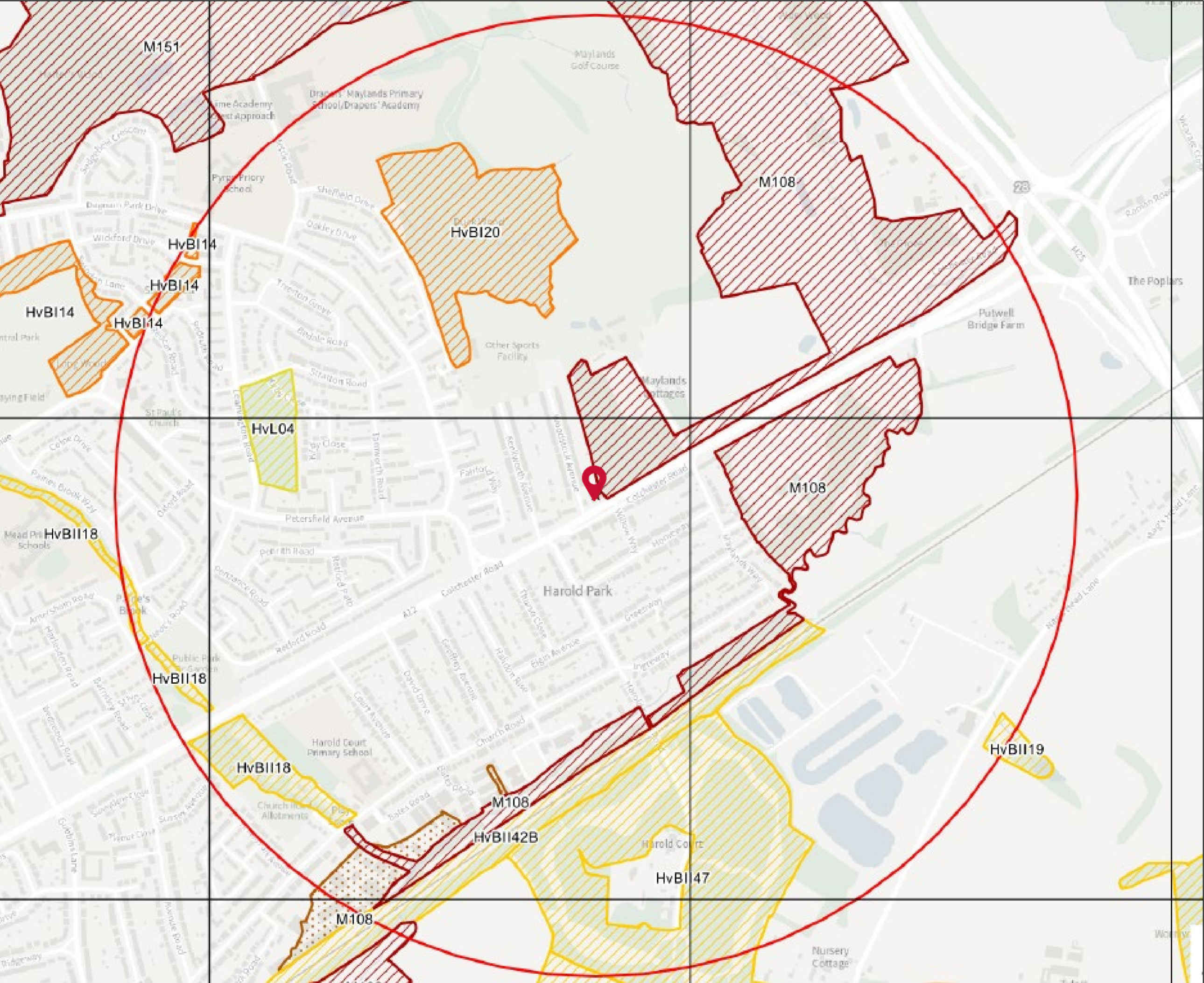
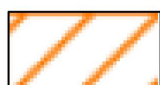
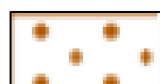
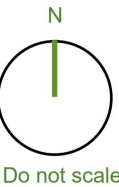


Figure 4
Non-Statutory
Sites



-  Application Site
-  Metropolitan Importance
-  Borough Importance Grade 1
-  Borough Importance Grade 2
-  Local Importance
-  Areas of Deficiency



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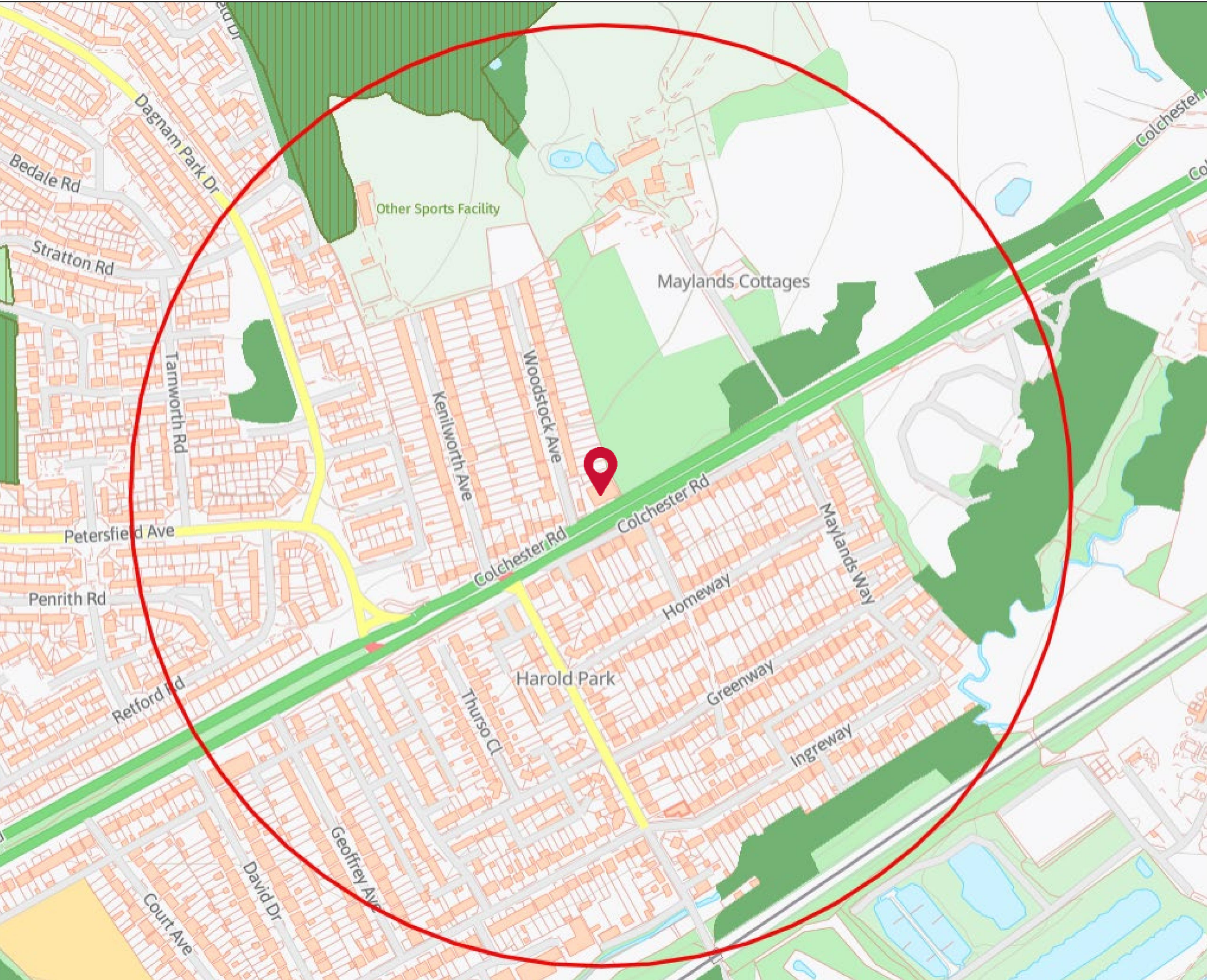
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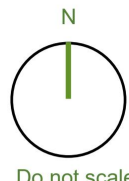
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Figure 5
Priority Habitats



-  Application Site
-  500m AoS
-  Deciduous Woodland
-  Ancient Woodland



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4 FIELDWORK

Site Summary

- 4.1.1 The Site comprises an active fuel service station with modified grassland, scattered trees and introduced scrub on the northern edge and vegetated garden on the southern edge. Much of the Site comprises of hardstanding with buildings. Refer to Figure 6 for more details.

u1b – Developed land; sealed surface and scattered tree

- 4.1.2 The forecourt is constructed of concrete slab and paved brick. There is also a section of sealed surface to the north of the site that is separate from the forecourt. There is a medium ash tree that is ~10m in height.

u1b5 – Buildings

- 4.1.3 There are three structures on the Site, consisting of the fuel station canopy (B1), shop (B2) and the dwelling 'Fairlight' (B3).

u1 828 – vegetated garden

- 4.1.4 The dwelling located at the western extent of the site has a front and rear garden, consisting of a grass lawn, introduced shrubs and small trees. The lawn is composed primarily of common bent D, red fescue A and groundsel O. The introduced shrub that surrounds the front (southern) garden consists of garden privet (c.1.8m in height and c.1m width). There is a single small apple *Malus* sp., tree in the rear (northern) garden.

g4 32 847 – modified grassland, scattered trees and introduced shrub

- 4.1.5 A small verge of modified grassland is present to the rear of the northern side of the Site. The grass is mown to a height of c.4cm, resulting in a short homogenous sward. The species present are common, widespread and are typical of this habitat type. Species present include Perennial ryegrass D, common yarrow A, common daisy A, common dandelion F, red fescue F, ribwort plantain O, common ragwort R, spotted medic R, springy turf moss A, creeping cinquefoil O, small-flowered cranesbill O, common field speedwell R.

4.1.6 There are two small trees at a height of c5-8m in the parcel. The species consist of cypress and Portuguese laurel.

4.1.7 A section of introduced shrub is present along the northern boundary of the g4 parcel, consisting of garden privet and Himalayan fire thorn.

u1f – sparsely vegetated urban land

4.1.8 A small parcel of sparsely vegetated land is present in the southeast corner of the Site. The vegetation cover is c.10-15% and has mostly been reduced to bare earth.

4.1.9 The species present include bucks horn plantain A, common dandelion F, perennial ryegrass F, small flowered cranesbill and common daisy O.

4.2 SITE PHOTOGRAPHS



Photo 2: g4 32 847 – modified grassland, scattered trees and introduced shrub on the northern boundary of the Site.



Photo 3: u1 828 – vegetated garden located in the southern area of the Site.



Photo 4: u1 828 – vegetated garden located in the southern area of the Site.



Photo 5: u1f – sparsely vegetated urban land.



Photo 6: Hardstanding covers the forecourt and building B1 which is assessed as negligible potential for bats.



Photo 7: Building B2 on the Site is assessed as negligible potential for bats. .



Photo 8: Building B3 is located on the southern area of the Site and is assessed as having low potential for bats.



Photo 9: Missing tile leading to internal cavity on building B3.



Photo 10: Gap and delaminating fascia board on eastern elevation of building B3.



Photo 11: Delaminated render and lifted timber on building B3.

4.3 HABITAT CONFORMITY TO OTHER CATEGORIES

International Qualifying Features

4.3.1 N/A

Priority Habitats

4.3.2 The habitat on site did not conform to any Priority Habitat type.

4.4 BATS AND NESTING BIRDS

Preliminary Roost Assessment

4.4.1 Buildings B1 and B2 are assessed as negligible potential for roosting bats. There are no loose materials or suitable entry points through the fabric of the buildings. The materials are also typically unsuitable for roosting bats being formed of thin sheet metal, susceptible to fluctuating temperature.

4.4.2 Building B3 has several potential roosting features including:

- A concrete tile missing on the western elevation of the roof,.
- A small section of delaminating render on the pediment of the southern elevation.
- The eastern elevations fascia board is delaminating in one area
- A gap in the end of the fascia that could allow access to the fabric of the bay windows pediment and a lean to roof on western elevation with loose and lifted clay tiles.

4.4.3 B3 is provisionally assessed as 'low' suitability for roosting bats, due to the presence of a low number of external potential roosting features. Refer to Figure 7 for more details.

4.4.4 It is noted that the foraging and commuting value of the site is very low, being situated in an urban setting subject to high levels of artificial light, with little linear vegetation present. The adjacent land to the east of the site contains woodland and open grassland that could be suitable for foraging/commuting bats.

4.4.5 Three trees on the Site are suitable for nesting birds, the introduced shrub within g4 and vegetated garden also provide suitable habitat for nesting birds. No nests recorded during the survey.

4.4.6 Openings in building B3 identified as suitable for bats are also suitable for nesting birds. Buildings B1 and B2 have no features suitable to support nesting birds however, the flat roofs could be used by species such as herring gull.

Internal Inspection - B3

4.4.7 Building B3 was visited again on the 6th of January to undertake a detailed internal inspection and to collect any evidence of bat use, such as droppings, etc.

4.4.8 The internal roof space of B3 is constructed of traditional timbers, including rafters and a ridge. The roof is lined with bitumen-soaked hessian, which is in relatively good order apart from one area on the western elevation that has

dropped. This area aligns with the external gap on the western elevation roof (between hip and roof tiles) and likely provides direct access into the loft.

4.4.9 There is also another suitable entry point on the southeast elevation where evidence of bird activity was recorded. Daylight enters the loft space through a gap in the soffit/fascia.

4.4.10 No bat evidence was recorded anywhere within the loft space. All surfaces were inspected, including stored items, chimney surface and boards laid over floor joists.

4.4.11 Due to the absence of internal evidence, void-dwelling species are likely absent from the roof space.

Ground Level Tree Assessment

4.4.12 The three trees on the Site did not have any potential roosting features, all were assessed as 'none'.

Bat Emergence Survey

4.4.13 A single bat emergence survey is required on building B3 to rule out the presence of bat use.

4.5 OTHER

4.5.1 No badger field signs recorded on the Site and there were no other signs of small mammals noted.

4.5.2 No water courses on or adjacent to the Site, so there is no suitable habitat for water vole or otter.

4.5.3 The Site is deemed to be unsuitable for dormouse as no habitat is present and there is no habitat connectivity.

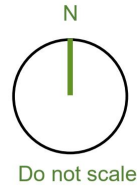
4.5.4 There are no ponds on the Site, as such it is unsuitable for breeding amphibians. The Site is isolated from suitable surrounding habitat by busy

road, residential housing and a solid fence/wall, therefore the Site is also deemed as unsuitable for reptiles.

Figure 6
Habitats Map



- Site boundary
- Ownership boundary
- Modified grassland (g4 32)
- Introduced shrub (u 847)
- Vegetated garden (u1 828)
- Developed land, sealed surface (u1b)
- Buildings (u1b5)
- Sparsely vegetated urban land (u1f)
- Scattered urban tree



Client **mbh**

Project title MFG Harold Park Project ID 234-63

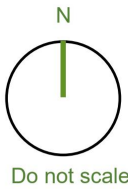
Subject Preliminary Ecological Appraisal

Drawing number **23463-06PEA_A**

Drawing date 19/12/25 Drawn by SC Version A

Figure 7 Preliminary Roost Assessment (PRA) Plan

- Site boundary
- Ownership boundary
- Buildings
- Preliminary Roost Assessment Features
 - Gap in soffit
 - Lifted fascia
 - Lifted or missing tiles



Client **mbh**

Project title	Project ID
MFG Harold Park	234-63

Subject
Preliminary Ecological Appraisal

Drawing number
23463-07PEA_A

Drawing date	19/12/25	Version	A
Drawn by	SC		

5 MITIGATION SUMMARY

5.1.1 The following is a summary of the impacts that are likely at the Site and how mitigation has been proposed, together with some explanation why some features presents have been discounted from further assessment.

5.1.2 This summary has been included to ensure the complexity of mitigation does not overshadow any item, but each subject of mitigation should be carefully read in full in later sections to avoid missing any detail.

Table 2: Summary of Recommendations

Feature	Mitigation Summary
Habitats	CEMP
Badger	RAMS
Bats	Emergence Survey to confirm absence.
Breeding Birds	Breeding Bird Mitigation.
Hedgehog	RAMS

Table 3: Features not assessed further

Feature	Reason of Omission
Designations	Due to the nature and scale of the development, no direct or indirect impacts from the project are envisaged upon any statutory or non-statutory designated sites.
Dormouse	No suitable habitat on the Site and no habitat connectivity to the wider landscape.
Great Crested Newt	No suitable habitat and the Site is isolated from suitable surrounding habitat by busy road, residential housing and a solid fence/wall.
Reptiles	No suitable habitat and the Site is isolated from suitable surrounding habitat by busy road, residential housing and a solid fence/wall.
Otter	No suitable habitat for otters is present on the Site, and no foraging habitat is found. No impacts upon otters are envisaged.

Feature	Reason of Omission
Water vole	No suitable habitat on the Site.

5.2 HABITATS

Status

- 5.2.1 The Site comprises predominantly developed land (sealed surface), with smaller areas of modified grassland, introduced shrub, and vegetated garden. Several individual urban trees are also present within the baseline condition. The habitats recorded are typical of urban roadside and forecourt settings and are of limited ecological value, with the majority of the Site offering little opportunity for supporting protected species.

Unmitigated Impacts

- 5.2.2 Proposed works will result in partial loss of modified grassland and vegetated garden, which currently provide low-value habitat features. Developed land is largely retained or resurfaced. No irreplaceable or priority habitats are present on the Site.
- 5.2.3 Habitat clearance could result in temporary disturbance to common wildlife such as birds or hedgehogs, and habitat connectivity could be reduced in the absence of mitigation.
- 5.2.4 Without appropriate measures, vegetation clearance and construction activity could lead to:
- Temporary loss of urban greenery used by local wildlife;
 - Risk of accidental harm to retained trees and vegetation during construction;
 - Minor disruption to habitat connectivity.

Recommendations

- 5.2.5 To protect retained trees and planted areas during construction, a Construction Environmental Management Plan (CEMP) should be adopted. The CEMP should follow best practice and relevant guidance, including BS42020:2022, and include:

- i) Protective measures for retained vegetation and trees;
- ii) Pollution prevention measures such as spill kits and appropriate waste disposal;
- iii) Site access and storage planning to avoid damage to habitat areas;
- iv) Buffer zones or fencing around habitat features to avoid accidental incursion;
- v) Site personnel briefings on environmental sensitivities.

5.2.6 Post-development, the site will deliver an uplift in biodiversity through:

- Retention of 60.2 m² of modified grassland;
- Creation of 25 m² of new modified grassland in the southwest;
- Introduction of 80 m² of introduced shrub (hedging) along the northwest boundary;
- Planting of four new urban trees.

5.2.7 These measures support the Site's Biodiversity Net gain Delivery and should be reflected in the construction plans and management documentation.

5.3 BADGER

Status

5.3.1 Whilst there were no signs of badger on Site or records returned within the AoS, the broader landscape beyond site boundaries provides suitable habitat for badgers.

Legislation & Policy

5.3.2 Badger setts (tunnels and chambers where they live) are protected from damage or destruction by the Protection of badgers Act 1992, which also protects the animal from disturbance while occupying its sett.

5.3.3 It is good practice to consider badgers if they could potentially use a site.

Unmitigated Impacts

5.3.4 A badger sett could be destroyed, and badgers could be harmed or killed.

5.3.5 Badgers may create a new sett within the Site or up to 30m from the Site in the interim between planning determination and commencement of proposals.

5.3.6 Animals may commute across the site and therefore be subject to adverse impacts from construction.

Recommendations

5.3.7 During construction, the Principal Contractor should ensure that appropriate safety measures for badgers must be taken to avoid harm to animals visiting the Site after nightfall. Recommendations are for RAMS to include:

- i) Works should be limited to daylight hours.
- ii) Any excavations greater than 1.5m in depth and to be left open overnight will have a means of escape for any animals that might fall in (e.g. a plank).
- iii) Similarly, open-ended pipes are to be covered denying overnight access to any animals that may otherwise become trapped.
- iv) Any internal or boundary barriers such as fencing should allow badgers freedom of access throughout the development site and should avoid using orange or brightly coloured plastic tape that can alarm badgers. Barriers should at a minimum provide a gap 200mm high at regular intervals, although permanent access under for example post and rail fence is preferred.
- v) The contractors and sub-contractors must not leave any food on the Site, including food wrappers and discarded food items. Security personnel should be instructed not to feed badgers at night.

5.4 BATS

Status

5.4.1 The buildings were surveyed for evidence of bats externally and internally, and building B3 was assessed as having a low potential for bats.

5.4.2 There is a small section of delaminating render on the pediment of the southern elevation that could be utilised by crevice-dwelling bats.

5.4.3 The GLTA identified no trees on the Site with potential roosting features.

Legislation and Policy

5.4.4 In Britain all bat species and their roosts are legally protected, by both domestic and international legislation. This means it may be a criminal offence if you:

- Deliberately take, injure or kill a wild bat
- Intentionally or recklessly disturb a bat in its roost or deliberately disturb a group of bats.
- Damage or destroy a place used by bats for breeding or resting (roosts) (even if bats are not occupying the roost at the time)
- Possess or advertise/sell/exchange a bat of a species found in the wild in the EU (dead or alive) or any part of a bat.
- Intentionally or recklessly obstruct access to a bat roost.

Unmitigated Impacts

5.4.5 Construction works could damage or destroy bat roosts, and bats could be harmed or disturbed.

Recommendations

5.4.6 Building B3 was assessed as having low potential for bats; therefore, further assessment, such as a single emergence survey, is required.

5.4.7 The GLTA identified no trees on the Site with potential roosting features. As such, no further assessment is required in this respect.

5.5 BREEDING BIRDS

Status

5.5.1 Trees, shrubs and vegetated garden provides habitat for breeding birds.

5.5.2 Data search returned numerous records of important bird species within area of search.

- 5.5.3 Building B3 provides suitable opportunities for roof nesting birds. Bird droppings were identified across the floor and timbers of the southern section of the loft void. No active bird nests were recorded at the time of the survey.

Legislation & Policy

- 5.5.4 All wild breeding birds are protected by Part 1 of the Wildlife and Countryside Act 1981 (as amended) from deliberate or reckless damage or destruction. It is unlawful to;

- intentionally kill, injure or take wild birds
- intentionally take, damage or destroy a wild bird's nest while it's being used or built
- intentionally take or destroy a wild bird's egg

- 5.5.5 Schedule 1 birds are afforded additional protection under the Wildlife and Countryside Act 1981 (as amended). It is an offence to intentionally or recklessly:

- disturb any wild bird listed on Schedule 1 whilst it is building a nest or is in, on, or near a nest containing eggs or young, or whilst lekking.
- disturb the dependent young of any wild bird listed on Schedule 1.

Unmitigated Impacts

Construction

- Works could damage or destroy bird breeding habitat during the breeding season, potentially causing damage or destruction of a nest, eggs and unfledged young.
- Breeding bird habitat may be lost in the area.

Recommendations

- 5.5.6 Works to affect bird breeding habitat should not take place during the breeding period or:

- i) Bird breeding habitat should be removed outside the bird breeding season in advance of the works, or

- ii) Where clearance of vegetation likely to support nesting birds takes place between 1st March and 31st August, a qualified ecological Clerk of Works (ECoW) should visit the Site within 48 hours prior to commencement (but preferably the same day) to confirm no breeding birds are present that will be affected by the proposals. Where this involves dense or extensive vegetation, the ECoW is unlikely be able to confirm this. Should an ECoW be required, the results of the visit should be kept on file to show the authorities should it be required.

5.6 HEDGEHOG

Status

- 5.6.1 Hedgehogs appear numerous times in the data search within 1km of the Site, the closest located c180m from the Site.
- 5.6.2 No hedgehogs were observed on the Site; however, suitable habitat exists on the Site.

Legislation & Policy

- 5.6.3 Hedgehogs are a priority species. Protection of priority species is part of the local planning authority's 'Biodiversity Duty' under the NERC Act 2006 provides planning policy protection for wildlife features, such as priority species.

Unmitigated Impacts

- 5.6.4 Animals may commute across the Site and therefore be subject to adverse impacts from construction.

Recommendations

- 5.6.5 The following methods of working should be carried out to reasonably avoid killing or injuring hedgehogs or other small mammals that may be present on Site:

- vi) Works carried out should be informed by survey data not less than 5 breeding seasons in age;
- vii) If the proposals require burning piles of woody material, prior to the burn move the pile from its original location on the morning of the burn to ensure there are no hedgehogs in its base.
- viii) Do not leave any food on the site – food attracts hedgehogs to come to your site.
- ix) Place small holes 13 x 13cm in barriers like walls or fences to let ground dwelling creatures such as hedgehogs pass freely through the development site.
- x) Make sure trenches and other open features 50cm deep or more have a means of escape for hedgehogs – block open pipes to stop a hedgehog getting in.

5.7 BIODIVERSITY NET GAIN

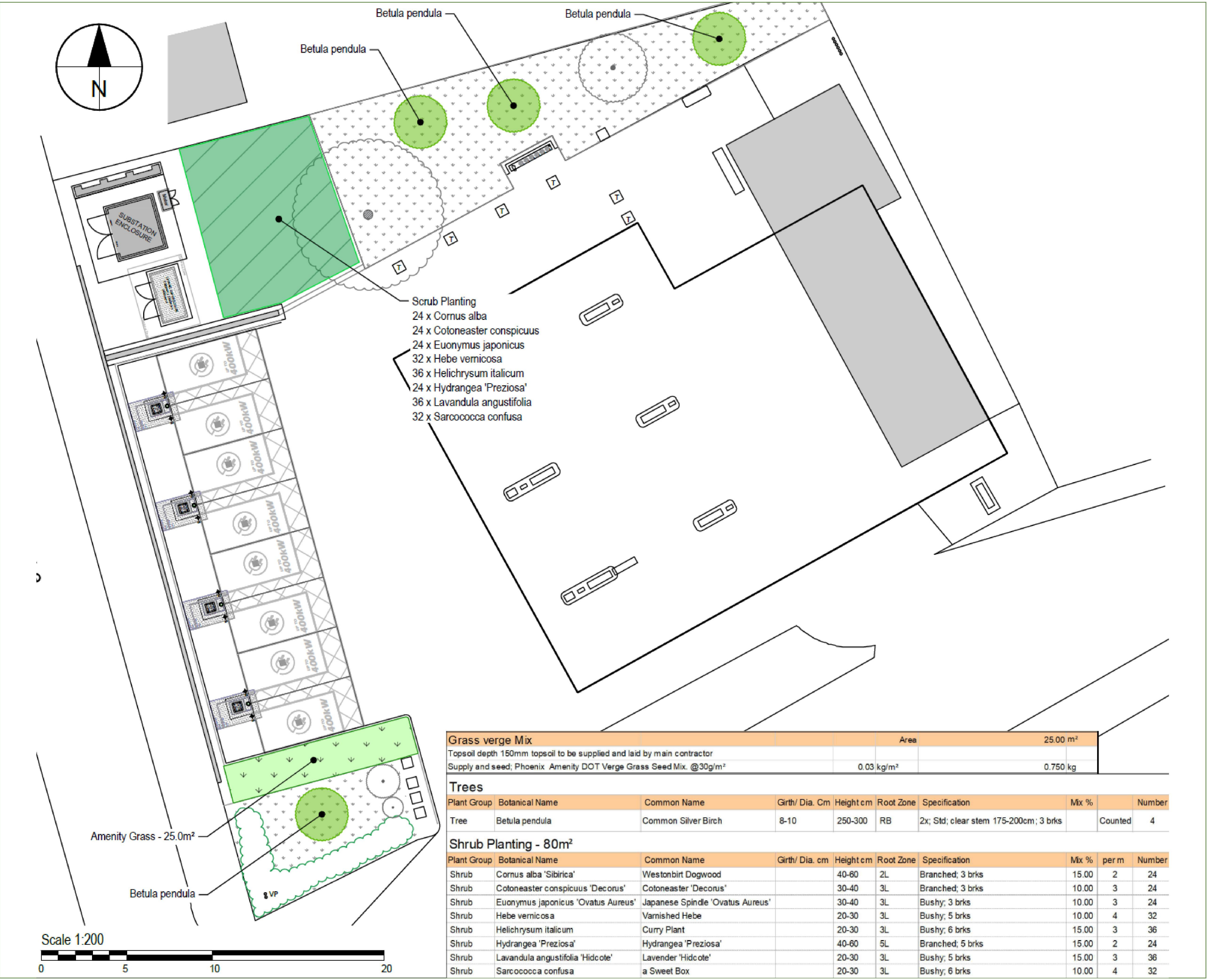
- 5.7.1 In England, BNG is mandatory under Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021). Developers must deliver a BNG of 10%, unless exempt.
- 5.7.2 The Statutory Biodiversity Metric (BNG 4.0, 2024) was used to assess the biodiversity net gain scenario for the proposed development. The site comprises primarily developed land (sealed surfaces), with areas of modified grassland and ornamental vegetation, including introduced shrub and vegetated garden habitats. Several individual urban trees are also present and assessed as part of the baseline.
- 5.7.3 The on-site baseline condition equates to 0.34 habitat units, with no baseline hedgerow or watercourse habitats recorded.
- 5.7.4 The proposals include retention of areas of modified grassland, as well as the creation of new modified grassland, introduced shrub planting, and additional urban trees. Areas of sealed surface are largely retained or replaced like-for-like. See **Figure 8** for more details.

- 5.7.5 The post-intervention biodiversity value for the site is 0.39 habitat units, reflecting the sum of retained, enhanced, and newly created habitat areas. No hedgerow or watercourse units are created or lost.
- 5.7.6 This results in a net gain of +0.05 habitat units, equivalent to a +13.71% increase relative to the baseline condition. As no hedgerows or watercourses exist within the baseline or post-intervention conditions, these elements record a 0.00% change.
- 5.7.7 No off-site biodiversity units or statutory biodiversity credits are required. The mandatory 10% biodiversity net gain requirement is achieved entirely on-site through a combination of habitat creation and retention.

Table 4: BNG Headline Results

FINAL RESULTS		
Total net unit change (Including all on-site & off-site habitat retention, creation & enhancement)	<i>Area habitat units</i>	0.05
	<i>Hedgerow units</i>	0.00
	<i>Watercourse units</i>	0.00
Total net % change (Including all on-site & off-site habitat retention, creation & enhancement)	<i>Area habitat units</i>	13.71%
	<i>Hedgerow units</i>	0.00%
	<i>Watercourse units</i>	0.00%
Trading rules satisfied?	Yes ✓	

Figure 8
Soft Landscaping



6 APPENDIX A

6.1 LEGISLATION

The Environment Act 2021

6.1.1 The Act deals with targets to improve air quality, biodiversity, water, and waste reduction and resource efficiency. Nature and Biodiversity is dealt with directly in Part 6, which is aimed at:

- Strengthened biodiversity duty.
- Biodiversity net gain to ensure developments deliver at least 10% increase in biodiversity.
- Local Nature Recovery Strategies to support a Nature Recovery Network
- Duty upon Local Authorities to consult on street tree felling.
- Strengthen woodland protection enforcement measures.
- Conservation Covenants
- Protected Site Strategies and Species Conservation Strategies to support the design and delivery of strategic approaches to deliver better outcomes for nature
- Prohibit larger UK businesses from using commodities associated with wide-scale deforestation
- Requires regulated businesses to establish a system of due diligence for each regulated commodity used in their supply chain, requires regulated businesses to report on their due diligence, introduces a due diligence enforcement system

Conservation of Habitats and Species Regulations 2017 (as amended)

6.1.2 These Regulations consolidate the Conservation (Natural Habitats, &c.) Regulations 1994 and amend the 2010 Regulations, and together they transpose the European Habitats Directive into domestic law. The Regulations provide for the designation and protection of 'European sites' (referred to in this assessment as international sites), the protection of 'European protected

species', and the adaptation of planning and other controls for the protection of such.

- 6.1.3 Under the Regulations, UK competent authorities have a general duty to have regard to the EC Habitats and Birds Directives. They require competent authorities to consider or review planning permission, applied for or granted, affecting a European site, and, subject to certain exceptions, restrict or revoke permission where the integrity of the site would be adversely affected. Under Regulation 63, where any proposed plan or project is likely to have an effect on a Natural 2000 site or qualifying feature for a site, then the competent authority (normally the local planning authority) will carry out an Appropriate Assessment of those effects, referred to as a Habitats Regulations Assessment (HRA).

Species

- 6.1.4 The Regulations make it an offence (subject to exceptions) to deliberately capture, kill, disturb, or trade in the animals listed in Schedule 2, or pick, collect, cut, uproot, destroy, or trade in the plants listed in Schedule 4. However, these actions can be made lawful through the granting of licenses by the appropriate authorities. Licenses may be granted for a number of purposes (such as science and education, conservation, preserving public health and safety), but only after the appropriate authority, including the planning authority, is satisfied that there are no satisfactory alternatives and that such actions will have no detrimental effect on wild populations of the species concerned: these three elements form the basis of the three derogations 'tests' to be applied to satisfy European legislation.

Wildlife and Countryside Act 1981

- 6.1.5 The principle statutory instrument that governs nature conservation in England is the Wildlife and Countryside Act 1981 as amended (WCA 1981).
- 6.1.6 The WCA 1981 consolidates and amends existing national legislation to implement the Convention on the Conservation of European Wildlife and Natural Habitats (Bern Convention) and the Birds Directive in Great Britain. It

is complimented by the Wildlife and Countryside (Service of Notices) Act 1985, which relates to notices served under the 1981 Act, and the Habitats Regulations 2017 (as amended), which implement the Habitats Directive.

6.1.7 Containing four Parts and seventeen Schedules, the Act covers protection of wildlife (birds, and some animals and plants), the countryside, National Parks, and the designation of protected areas, and public rights of way.

6.1.8 Amendments to the Act have been made and there is a statutory quinquennial review of Schedules 5 and 8 (protected wild animals and plant respectively), undertaken by the country agencies and co-ordinated by the Joint Nature Conservation Committee. There have been 6 reviews with the 7th commenced in 2021.

Protection of Badgers Act 1992

6.1.9 There are very few Acts of Parliament that are dedicated to one species with conservation as part of the aim. This Act supplements the WCA 1981 by affording protection to badgers against disturbance and their setts against unlawful damage and destruction. It provides a licensing system to allow works to proceed in a sensitive manner.

Countryside and Rights of Way (CRoW) Act 2000

6.1.10 The CRoW Act 2000 places a duty on Government Departments and the National Assembly for Wales to have regard for the conservation of biodiversity and maintain lists of species and habitats for which conservation steps should be taken or promoted, in accordance with the 1992 Rio Convention on Biological Diversity. The Act makes various amendments to the WCA 1981 including increasing SSSI protection, management and policing.

6.1.11 DEFRA published the first 'list' in 2002 under Section 74 of the CRoW Act 2000, which was identical with the UK BAP list at the time, now superseded by the Natural Environment and Rural Communities Act 2006 Section 41 list (see below).

Natural Environment and Rural Communities (NERC) Act 2006

- 6.1.12 The NERC Act 2006 makes provision in respect of biodiversity, pesticides harmful to wildlife and the protection of birds, and in respect of invasive non-native species.
- 6.1.13 Section 40 of the Act lays a duty on authorities to have regard to the purpose of conserving biodiversity in compliance with the UN Biodiversity Convention in 1992. This is otherwise known as the 'Biodiversity Duty' and refers in particular to those Habitats & Species of Principle Importance listed in Section 41 of the Act. Guidance for local authorities on implementing the Biodiversity Duty is provided in DEFRA (2007).

Section 41 List

- 6.1.14 For the purposes of conserving biodiversity, habitats and species of principle importance are listed through the provisions set out in Section 41 of this Act (replacing Section 74 of the CRow Act 2000), referred to in this chapter as the Section 41 List. DEFRA 2007 references the UK and local Biodiversity Action Plans (BAPs) (see below) as the source of data for the Section 41 List. This assessment uses the List, as updated by the UK BAP, as a key guide for identification of ecological features to be affected by proposals, and to guide and weigh recommendations and mitigation.

The Section 41 List has been further refined by DEFRA 2007, where seven sectors have been selected where public bodies and other stakeholders can make a significant contribution to biodiversity conservation, through their Biodiversity Duty. Habitats and species relevant to each sector have been identified to help non-conservation professionals consider where the List might apply to them. Of these seven, two are relevant to this assessment i.e. Land Use Planning and Regional & Local Government. The List was last updated in 2010 and referenced here as Natural England 2010.

7 APPENDIX B

Conditions Assessment Tables

Table 5: Baseline Habitats

Baseline Habitat	D'ness	Condition	Scores
Developed land; Sealed Surface	Very Low	N/A	N/A
Modified Grassland	Low	Moderate	A Pass; B Pass; C Pass; D Fail; E Pass; F Pass; G Fail. Passes 5/7
Introduced Shrub	Low	N/A	N/A
Vegetated Garden	Low	N/A	N/A
Individual Trees (T1 & T2)	Medium	Poor	A Fail; B Pass; C Fail; D Pass; E Fail; F Pass. Passes 3/6.
Individual Trees (T3 & T4)	Medium	Good	A Pass; B Pass; C Pass; D Pass; E Pass; F Pass. Passes 6/6

Table 6: Proposed Habitats

Proposed Habitat	D'ness	Condition	Scores
Modified Grassland	Low	Moderate	A Pass; B Pass; C Pass; D Fail; E Pass; F Pass; G Fail. Passes 5/7
Introduced Shrub	Low	N/A	N/A
Individual Trees	Medium	Moderate	A Pass; B Pass; C Pass; D Fail; E Pass; F Pass. Passes 5/6

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