

Christy's Lane, Shaftesbury

784-B048342

Preliminary Ecological Appraisal

Planning Issues Ltd

August 2023

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ACRONYMS / ABBREVIATIONS

Acronyms/Abbreviations	Definition
BCT	Bat Conservation Trust
CIEEM	Chartered Institute of Ecology & Environmental Management
CRoW Act	Countryside and Rights of Way Act 2000
DEFRA	Department for the Environment, Food and Rural Affairs
DERC	Dorset Environmental records Centre
EPS	European Protected Species
EPSL	European Protect Species Licence
GCN	Great Crested Newt
Habitats Regulations	Conservation of Habitats and Species Regulations 2017 (as amended)
HRA	Habitats Regulations Assessment
HSI	Habitat Suitability Index
JNCC	Joint Nature Conservation Committee
LERC	Local Ecological Record Centre
LBAP	Local Biodiversity Action Plan
LNR	Local Nature Reserve
LPA	Local Planning Authority
MAGIC	Multi Agency Geographic Information for the Countryside
NE	Natural England
NERC Act	Natural Environment and Rural Communities Act 2006
NNR	National Nature Reserve
NPPF	National Planning Policy Framework
OS	Ordnance Survey
PEA	Preliminary Ecological Appraisal
PRFs	Potential Roosting Features
Ramsar	A wetland site designated for its international importance.
SAC	Special Area of Conservation
SAPs	Species Action Plans
SINC	Site of Importance for Nature Conservation
SPA	Special Protection Area
SSSI	Site(s) of Special Scientific Interest
TPO	Tree Preservation Order
W&CA	Wildlife & Countryside Act 1981 (as amended)

EXECUTIVE SUMMARY

Contents	Summary
Site Location	The site is located at Christy's Lane, in Shaftesbury, Dorset, and is centred at Ordnance Survey National Grid Reference ST 86790 23112.
Proposals	The proposals for the site comprise redevelopment of the site to provide 41 retirement apartments with associated parking, infrastructure, and amenity greenspace.
Scope of this Survey(s)	<p>The purpose of the survey works and the subsequent report are to:</p> <ul style="list-style-type: none"> • Undertake a desk study to obtain existing information on statutory and non-statutory sites of nature conservation interest and relevant records of protected/notable species within the site and its zone of influence. • Present the results of the UKHab Classification Survey, involving a walkover of the site to record habitat types and dominant vegetation, including any invasive species and evidence of protected fauna or habitats capable of supporting such species. • Evaluate potential ecological receptors on site and within the zone of influence; identify any constraints to the sites development and make any recommendations for further surveys, mitigation or enhancement.
Results and Evaluation	<p>The survey has found that:</p> <ul style="list-style-type: none"> • Locally and internationally designated sites are present within 2km and 10km, however due to the nature of the proposals and the site's location relative to these, these sites are considered unlikely to be impacted by the works. • The majority of the site comprises low value habitats. • Connectivity of the site to nearby semi-natural habitats is poor due to fragmentation by roads and hard standing. • The site provides suitability for nesting birds and terrestrial invertebrates.
Recommendations	<p>Recommendations are as follows:</p> <ul style="list-style-type: none"> • No further survey or assessment is required. • Retainment of the southwestern tree line with additional buffer planting to provide nesting habitat for greenfinch. • Landscape design to enhance floristic biodiversity for invertebrates and to improve the site for wildlife in general.

	<ul style="list-style-type: none">• Installation of integrated house sparrow boxes to provide additional nesting opportunities.
Conclusion	The proposed works are considered unlikely to have any impact on designated sites, nor detrimental effect on either biodiversity at the site or protected or notable species, and the proposals are therefore considered to comply with local and national planning policy.

1.0 INTRODUCTION

1.1 BACKGROUND

Tetra Tech was commissioned by Planning Issues Ltd in July 2023 to undertake a Preliminary Ecological Appraisal (PEA) of the land at Christy's Lane, Shaftesbury, hereafter referred to as "the site".

This report has been prepared by Tetra Tech Assistant Ecologist Izzy Frey BSc and the conditions pertinent to it are provided in Appendix A.

1.2 SITE DESCRIPTION

The site is located at Christy's Lane, in Shaftesbury, Dorset, and is centred at Ordnance Survey National Grid Reference ST 86790 23112 – See Figure 1. The site comprises mostly bare ground bordered by mature trees and hedgerows. The site is located north-east of Shaftesbury, with private, residential land to the north-east, commercial land to the east, as well as commercial land and Shaftesbury Football Club and Cockrams Recreation Ground to the south.

1.3 DEVELOPMENT PROPOSALS

The proposals comprise redevelopment of the site to provide 41 retirement apartments with associated parking, infrastructure and amenity greenspace – see Drawing Reference Number 10127SB-PA01, Figure 4.

1.4 PURPOSE OF REPORT

The purpose of this report is to:

- Undertake a desk study to obtain existing information on statutory and non-statutory sites of nature conservation interest and relevant records of protected/notable species within the site and its zone of influence;
- Present the results of a UKHab Classification Survey, involving a walkover of the site to record habitat types and dominant vegetation, including any invasive species and evidence of protected fauna or habitats capable of supporting such species; and
- Evaluate potential ecological receptors on site and within the zone of influence; identify any constraints to the sites development and make any recommendations for further surveys, mitigation or enhancement.

The details of this report will remain valid for a period of eighteen months from the date of the site visit (January 2025), after which the validity of this assessment should be reviewed to determine whether further updates are necessary. The recommendations within this report should be reviewed (and reassessed if necessary) should there be any changes to the red line boundary or development proposals upon which this report is based.

Scientific names are provided at the first mention of each species and common names (where appropriate) are then used throughout the rest of the report for ease of reading.

2.0 METHODOLOGY

2.1 HISTORIC SURVEYS

Tetra Tech were commissioned in April 2023 by Planning Issues Ltd to carry out a desk-based Due Diligence assessment of the site to identify the likely ecological constraints and to assess the requirement for further ecological surveys (Tetra Tech, 2023). The report concluded that a site visit to carry out a Preliminary Ecological Appraisal (PEA) was required to support a planning application.

2.2 DESK STUDY

The desktop study comprised two elements:

- A data search obtained from Dorset Environmental Records Centre (DERC) in July 2023 (only records from within the last 10 years are considered in this report); and
- An online element including a search using the Multi Agency Geographic Information for the Countryside (MAGIC) (<https://magic.defra.gov.uk>) website and Ordnance Survey (OS) and Aerial Imagery (<https://www.bing.com/maps>).

The geographical extent of the search area was related to the significance of sites and species and potential zones of influence. For this site the following search areas were considered appropriate:

- 10km for sites of International Importance (e.g. Special Areas of Conservation (SAC), Special Protection Area (SPA), Ramsar sites);
- 2km for sites of National or Regional Importance (e.g. Sites of Special Scientific Interest (SSSI), protected or otherwise notable species and non-statutory designated sites of County Importance (e.g. Local Wildlife Sites (LWS));
- 2km for biological records; and
- 1km for ancient woodland and mapped priority habitats.

The data search did not cover Tree Preservation Orders (TPOs); or Conservation Areas designated for their special architectural and historic interest.

2.3 FIELD SURVEYS

The following methodologies have been used to identify the ecological receptors present on or near the site and which are relevant to the proposed development. The survey extended beyond the site boundary to a distance of 50m where accessible.

2.3.1 Habitats

A UKHab Classification Survey was undertaken at the site on 17th July 2023 by Tetra Tech Principal Ecologist Trish Holden MCIEEM. The weather conditions were overcast with a light breeze and a temperature of approximately 17°C.

The vegetation and broad habitat types within the site were recorded following **Version 1.0** of the UK Habitat Classification System (UKHab) categories (Butcher *et al*, 2020), with the site's suitability to support

notable flora assessed according to the Chartered Institute of Ecology and Environmental Management guidelines (CIEEM, 2017). Dominant plant species were recorded for each habitat present using standard nomenclature (Stace, 2019).

2.3.2 Protected and Notable Species

The site was inspected for evidence of, and its potential to support, protected or notable species, especially those listed under Schedule 2 of the Habitats Regulations 2017 (as amended), Schedule 5 of the Wildlife and Countryside Act (W&CA) 1981 (as amended), the Countryside Rights of Way (CROW) Act 2000, those given extra protection under the Natural Environment and Rural Communities (NERC) Act 2006, and species included in the Dorset LBAP.

The presence of some species was determined using standard best practice guidance and are listed below.

Badger

The site was surveyed for evidence of badger *Meles meles* setts or other badger activity such as paths, latrines or signs of foraging. Methodologies used and any setts recorded were classified according to published criteria (Harris, Cresswell, & Jefferies, 1989).

Hazel Dormouse

The site was surveyed for its suitability to support hazel dormouse *Muscardinus avellanarius* based on best practice guidance (Bright, et al., 2006).

Otter

The site was assessed for its suitability to support otter *Lutra lutra* using standing Government advice (Chanin, 2003).

Bats

Roosting Bats – Buildings / Structures / Trees

Any suitable buildings, structures or trees on site were assessed from the ground for their suitability to support breeding, resting and hibernating bats using survey methods based on the BCT *Bat Surveys for Professional Ecologists: Good Practice Guidelines* (Collins, 2016), hereafter referred to as the 'BCT Guidelines'.

Foraging / Commuting Bats

Potential habitat for foraging and commuting bats were assessed on site according to BCT Guidelines.

Birds

Bird Species identified at the time of survey were noted and nesting birds recorded as seen. An assessment of habitats was undertaken to determine the likely value to breeding and foraging birds.

Great Crested Newt & Common Amphibians

The site was appraised for its suitability to support great crested newt (GCN) *Triturus cristatus* based on guidance outlined in the Herpetofauna Workers' Manual (Gent & Gibson, 2003) and the *Great Crested Newt Conservation Handbook* (Langton, Beckett, & Foster, 2001). This appraisal also considered waterbodies within 500m of the site and their potential to be used by breeding newts. Where applicable, waterbodies

were assessed using the Habitat Suitability Index (HSI) (Oldham, Keeble, Swan, & Jeffcote, 2000) which assigns a value to the pond calculated from 10 pre-identified features. The HSI value gives a correlation of likely use by GCN and below 0.46 the waterbody is considered to have decreased likelihood of GCN presence; however, this metric is a guide and should be assessed on a site-by-site basis as waterbodies with low HSI have been known to support GCN.

Habitat suitability and any evidence of widespread amphibians were also recorded on site.

Reptiles

The site was appraised for its suitability to support reptiles using guidance outlined in the Herpetofauna Workers' Manual (Gent & Gibson, 2003).

Invertebrates

The site habitats were appraised for suitability to support assemblages of invertebrates and commented on in the report as appropriate.

Other Species

The site was also appraised for its suitability to support other protected or notable fauna with regard to the Guidelines for Preliminary Ecological Appraisal (CIEEM, 2017) and BS42020:2013 Biodiversity – Code of Practice for Planning and Development (BSI, 2013). Evidence of any current or historical presence of such species was recorded.

Invasive Species

Evidence of species listed on Schedule 9 of the Wildlife and Countryside Act (1981) as amended were recorded if seen.

Scoped Out

Protected species including otter, water vole *Arvicola amphibius* and white-clawed crayfish *Austropotamobius pallipes* have been scoped out of this report due to the absence of suitable water courses on or within close proximity to the site. These species are therefore not discussed further within this report.

2.4 LIMITATIONS

Due to access issues and the site's close proximity to roads, a full 50m buffer-search beyond the site boundary was not possible, however the immediate area surrounding the site boundary largely comprised roads, buildings and other hardstanding. This is therefore not considered to be a significant limitation to the appraisal of the site's use by badgers or other protected or notable species, since no evidence of badger activity (latrines, snuffle pits) were identified on the site or within the limited suitable habitat present.

Any absence of desk study records cannot be relied upon to infer absence of a species/habitat as the absence of records may be a result of under-recording within the given search area.

To determine presence or likely absence of protected species usually requires multiple visits at suitable times of the year. This report is based on the results of a single site visit, which focused on assessing the potential of the site to support species of note and those considered to be of principal importance for the

conservation of biodiversity, with reference to those given protection under UK or European wildlife legislation. The survey was completed within the optimal botanical survey period (April to October); therefore, survey timing is not considered to pose any limitation to the habitat survey results. For all other aspects, this report cannot be considered a comprehensive assessment of the ecological interest of the site; however, it does provide an assessment of the ecological interest present on the day the site was visited and highlights areas where further survey work may be recommended.

3.0 RESULTS & EVALUATION

3.1 PROTECTED SITES

European sites identified within 10km of the proposed development, and National sites within 2km of the proposed development, are presented in Table 1 with the designation, qualifying features and proximity from the development site also indicated. Details of local non-designated sites within 2km obtained from DERC are also detailed below.

Table 1. Statutory and non-statutory designated sites identified during the desk study

Site Name	Designation	Distance and direction from Site	Reasons for designation
Fontmell and Melbury Downs	SAC; SSSI	3.8km SE	This site is designated as an SAC due to the presence of Annex I habitat comprising Semi-natural dry grasslands and scrubland facies on calcareous substrates (Festuco-Brometalia) (* important orchid sites)(6210). Annex II species that are a primary reason for selection of this site comprise early gentian <i>Gentianella anglica</i> . The site supports consistently large populations of early gentian (1000+) and includes large areas of species-rich chalk grassland.
Breach Fields	SSSI	1.5km SW	<p>The site comprises three west-facing fields on slopes which overlie Gault Clay and Upper Greensand. These fields have been relatively little modified by agricultural improvement and support species-rich neutral grassland which is now rare both in Dorset and nationally. The grassland is of the crested dog's-tail <i>Cynosurus cristatus</i> – common knapweed <i>Centaurea nigra</i> community type and supports a wide variety of native grasses and herbs.</p> <p>The herb component is especially rich and includes many species characteristic of unimproved grassland such as devil's-bit scabious <i>Succisa pratensis</i> which is present in unusual abundance in the north of the site. Betony <i>Stachys officinalis</i>, pignut <i>Conopodium majus</i> and the nationally scarce corky-fruited water dropwort <i>Oenanthe pimpinelloides</i> are all frequent, and heath spotted and southern marsh-orchids <i>Dactylorhiza maculata</i> and <i>D. praetermissa</i> occur locally. Mixed hedgerows of hazel <i>Corylus avellana</i>, hawthorn <i>Crataegus monogyna</i>, blackthorn <i>Prunus spinosa</i> and occasional mature pedunculate oak <i>Quercus robur</i> with small areas of bramble <i>Rubus fruticosus</i> and common gorse <i>Ulex europaeus</i> scrub add to the diversity of the site.</p>

There are 10 Sites of Nature Conservation Interest (SNCl) within 2km predominantly to the northwest and southwest of the site. The SNCl closest to the site include Brickell's Copse, Brickell's Copse Meadows and Pensbury Meadows, 0.8km to the north. These sites support important habitats including mature semi-natural broadleaved woodland and semi-improved neutral grassland. In addition, there are two Local

Community Nature Reserves (LCNRs) to the west of the site comprising Castle Hill, Shaftesbury and Breach Common, which are 1.1km and 1.6km from the site, respectively.

Ancient Woodland and Priority Habitats

A search of MAGIC Maps identified several priority habitats within 1km of the site, including lowland meadows to the west, ancient and semi-natural deciduous woodland to the north and south, and two parcels of traditional orchard habitat to the west. All these priority habitats were located off-site, with the closest parcel, deciduous woodland, located 360m southwest of the redline boundary. There is limited connectivity between these habitats and the site, as the site is bounded by roads and urban development.

The data search from DERC identified the presence of one veteran and three potential veteran trees recorded under the Greenwood Tree Project, including Yew *Taxus baccata*, Laburnum *Laburnum anagyroides*, Tulip *Liriodendrom tulipifera* and Copper Beech *Fagus sylvatica purpurea*. None of these were located within or in close proximity to the site boundary.

3.2 HABITATS

The following habitats have been identified through our assessment. A UKHab habitat map is provided in Figure 3, with detailed Target Notes and Photographic Plates included in Appendix B, as appropriate. Please note, this Figure has been produced in accordance with the habitat classifications as in Version 1.0 of the UKHab classification system.

Table 2. Habitats

Habitat	Result	Importance assessment
g3c, Secondary Code 17 – Other neutral grassland, Ruderal/ephemeral	Other Neutral grassland featuring tall ruderal/ephemeral vegetation was present in the northern boundary, north-western corner of the site, extending 4-5m from the boundary in the south-eastern corner of the site (TN8) and along the western boundary (TN11/TN12).	This habitat is likely of local ecological importance and has the potential to support common species, discussed further in section 3.3 below. See TN1 and TN7 in Appendix B.
u1c, Secondary Code 17 -Artificial unvegetated, unsealed surface , Ruderal/ephemeral	The central area of the site comprised predominantly of bare ground with some emergent scattered ruderal/ephemeral vegetation (TN4).	The feature is likely of negligible ecological importance .
w1g6 - Line of Trees	Lines of mature mixed-species deciduous trees were present along the outside of the eastern boundary (TN5) and southwestern boundary (TN9) - These trees were not located within the site boundary itself. Several mature beech <i>Fagus sylvatica</i> were present along the fence-line within the northern part of the site, within the area of grassland (TN3).	This habitat is likely of local ecological importance and has the potential to support protected species, discussed further in section 3.3 below.
u1e– built linear feature – cement wall	A tall cement wall bounded the site at the north-eastern extent (TN6).	The feature is likely of negligible ecological importance .

Habitat	Result	Importance assessment
u1e– built linear feature – wooden fence	A wooden fence was present along the northern and western site boundaries (TN11/12).	The feature is likely of negligible ecological importance.
u1b – developed land, sealed surface	An area of hardstanding comprising sealed tarmac and pavement associated with the adjacent recent development is present along the western boundary of the site (TN13).	The habitat is likely of negligible ecological importance.
u1, Secondary Code 1160 - Built up areas and gardens, introduced shrub	An area of newly-planted introduced shrub was present along the western boundary of the site (TN14).	This habitat is likely of negligible ecological importance.

3.3 PROTECTED AND NOTABLE SPECIES

Data purchased from HBIC confirmed the presence of protected and notable species within 2km of the site. Relevant data are discussed in Table 3 below.

Protected and notable species identified as a receptor for the site are detailed in Table 3. For species with legal protection arising from persecution, such as badgers, some details are purposefully omitted, but can be provided on request to inform the masterplan. Previously scoped-out species are omitted from this section and only those records from within the last 10 years are included.

Table 3. Species

Species	Legal protection	Result	Importance assessment
Badger	Protection of Badgers Act 1992; Wildlife and Countryside Act 1981 (as amended) Schedule 6.	<p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>The site largely comprises hardstanding and bare ground, and the limited grassland and ruderal/ephemeral habitat present is not considered to be suitable to support foraging badgers. There was no evidence during the site visit of typical badger signs (i.e. snuffle holes or latrines) nor any visible setts.</p>	Negligible importance – Badgers are considered to be likely absent from the application area.
Hazel Dormouse	Conservation of Habitats and Species Regulations 2017 Schedule 2; Wildlife and Countryside Act 1981 (as amended) Schedules 5 & 6; Natural Environment and Rural Communities 2006 Section 41.	<p>The data search returned three records of Hazel Dormouse within 2km of the site, the closest record being located 1.1km to the east, however there is limited to no suitable dormouse habitat (i.e., connected hedgerow, woodland or scrub) present within the application area and there is no suitable connective habitat in close proximity to the site.</p> <p>A search of MAGIC did not reveal any EPSLs granted for dormouse within a 2km radius.</p>	Negligible importance – Hazel dormouse is considered to be likely absent from the application area.
Bats	Conservation of Habitats and Species Regulations 2017 Schedule 2; Wildlife	<p>Local Records:</p> <p>DERC returned 73 records of at least 12 species of bat within a 2km radius of the site. Bat species recorded within the search radius included:</p>	Negligible importance – The habitats present are of negligible quality for foraging

Species	Legal protection	Result	Importance assessment
	<p>and Countryside Act 1981 (as amended) Schedules 5 & 6; Natural Environment and Rural Communities 2006 Section 41.</p>	<ul style="list-style-type: none"> • Bats <i>Chiroptera</i> spp. • Brown long-eared bat <i>Plecotus auritus</i> • Common pipistrelle <i>Pipistrellus pipistrellus</i> • Long-eared bat species <i>Plecotus</i> spp. • Myotis bat species <i>Myotis</i> spp. • Nathusius' bat <i>Pipistrellus nathusii</i> • Noctule bat <i>Nyctalus noctula</i> • Pipistrelle bat species <i>Pipistrellus</i> spp. • Serotine <i>Eptesicus serotinus</i> • Soprano pipistrelle <i>Pipistrellus pygmaeus</i> • Greater Horseshoe Bat <i>Rhinolophus ferrumequinum</i> • Lesser Horseshoe Bat <i>Rhinolophus hipposideros</i> <p>The closest record was of foraging and commuting common pipistrelle, 175m to the southwest of the site. None of these records were located within the site boundary.</p> <p>A search of MAGIC returned two EPSLs for bats within 2km of the site:</p> <ul style="list-style-type: none"> • EPSM2009-720 – Destruction of a resting place for Brown long-eared bat, 900m to the south-west. • EPSM2009-456 – Destruction of a resting place for Brown long-eared bat, 1.1km to the south. <p><u>Foraging and commuting:</u></p> <p>The habitats on site are largely unsuitable for foraging and commuting bats, with only a few lines of trees present to support these behaviours. Furthermore, the site and surrounding areas are likely to be well-lit at night given the urban</p>	<p>and commuting bats. There are no trees with suitability for roosting bats present within the site boundary.</p>

Species	Legal protection	Result	Importance assessment
		<p>location. It is therefore considered that the site offers negligible suitability for foraging and commuting bats.</p> <p>Roosting – Trees</p> <p>Lines of trees are present along the outside of the application boundary (north eastern and eastern offsite boundary), in addition to a line of beech trees within the site boundary itself (TN3). These mature beech trees when assessed were not identified as having any Potential Roosting Features (PRFs) and are therefore considered to have negligible suitability for roosting bats due to their age, form and structure.</p>	
Birds	Wildlife and Countryside Act 1981 (as amended).	<p>DERC returned records of 16 bird species within a 2km radius of the site. Species include:</p> <ul style="list-style-type: none"> • <i>Accipiter nisus</i>, sparrow hawk, amber listed • <i>Apus apus</i>, swift, red listed • <i>Columba palumbus</i>, wood pigeon, amber listed • <i>Streptopelia decaocto</i>, collared dove • <i>Falco tinnunculus</i>, kestrel, amber listed • <i>Alauda arvensis</i>, skylark, s41 species, UK priority species, red listed • <i>Chloris chloris</i>, greenfinch, red listed • <i>Linaria cannabina</i>, linnet, s41 species, UK priority species, red listed • <i>Pyrrhula pyrrhula</i>, bullfinch, s41 species, UK priority species, amber listed • <i>Poecile montanus</i>, willow tit, s41 species, UK priority species, red listed • <i>Passer domesticus</i>, house sparrow, s41 species, UK priority species, red listed • <i>Prunella modularis</i>, dunnock, s41 species, UK priority species, amber listed • <i>Sturnus vulgaris</i>, starling, s41 species, UK priority species, red listed • <i>Troglodytes troglodytes</i>, wren, amber listed • <i>Turdus philomelos</i>, song thrush, s41 species, UK priority species, amber listed • <i>Turdus viscivorus</i>, mistle thrush, amber listed 	Local importance – the site likely supports common species.

Species	Legal protection	Result	Importance assessment
		<p>At the time of the survey nesting <i>Chloris chloris</i> greenfinch, a UK red list species, were located in the southwestern tree line boundary (TN9). The offsite and onsite boundary trees provide suitable nesting habitat for local birds. The sites habitats provide suitable foraging grounds for local birds.</p>	
GCN and Common Amphibians	<p>GCN: Conservation of Habitats and Species Regulations 2017 Schedule 2; Wildlife and Countryside Act 1981 (as amended) Schedules 5; Natural Environment and Rural Communities 2006 Section 41.</p>	<p>DERC has returned 3 known records for great crested newts with a 2km radius of the site. The closest two records are located 1.01km east of the site. The location of the records and the site itself are further separated by built up urban land. Use of MAGIC Maps has returned one known EPSL for GCN within 2km of the site:</p> <ul style="list-style-type: none"> • 2014-4803-EPS-MIT – Damage and destruction of a known resting place for great crested newt, located 660m east of the site. <p>A review of aerial imagery found that there are no suitable waterbodies present within 500m of the site, and no records for amphibians were returned in the data search. In addition, given the limited suitable habitat present within the application boundary and likely barriers, the site and immediate boundary habitats are highly unlikely to support GCN and common amphibians in their terrestrial phase.</p>	<p>Negligible importance – GCN and common amphibians are considered to be likely absent from the application area.</p>
Reptiles	<p>Smooth snake and sand lizard: Conservation of Habitats and Species Regulations 2017 Schedule 2; Wildlife and Countryside Act 1981 (as amended) Schedules 5; Natural Environment and Rural Communities 2006 Section 41. Adder, grass snake, slow worm and common lizard: Wildlife and Countryside Act 1981 (as amended) Schedules 5; Natural Environment and Rural</p>	<p>DERC has returned three known records of <i>Anguis fragilis</i> slow worm, one record of <i>Zootoca vivipara</i> common lizard and 12 records for <i>Natrix helvetica</i> grass snake, all located 1.19km southwest of the application site.</p> <p>Historically the site was used as a cattle market with the main habitat as hard standing. Since demolition and clearance works, the site has colonised with a mosaic of habitats, however the site is disconnected from other suitable habitat outside of the site boundary by roads and unsuitable habitat. Given the defunct nature it is considered that the application site and immediate surrounding offsite habitats poses a significant barrier to dispersal and is likely to be preventing colonisation of the site by reptiles.</p>	<p>Negligible importance – reptiles are considered to be likely absent from the application area.</p>

Species	Legal protection	Result	Importance assessment
	Communities 2006 Section 41.		
Invertebrates	<p>Some invertebrates are protected under Conservation of Habitats and Species Regulations 2017 and Wildlife and Countryside Act 1981 (as amended).</p> <p>Many invertebrates are also listed as rare and most threatened species under Section 41 of the Natural Environment and Rural Communities Act (2006).</p>	<p>The data search returned seven invertebrate species.</p> <p>Species include:</p> <ul style="list-style-type: none"> • <i>Coenonympha pamphilus</i>, small heath, s41 species, UK priority species • <i>Lasiommata megera</i>, wall, s41 species, UK priority species • <i>Satyrrium w-album</i>, white-letter streak, sch 5 WCA, s41 species, UK priority species • <i>Hemaris tityus</i>, narrow-bordered bee hawk-moth, s41 species, UK priority species • <i>Bombylius discolor</i>, dotted bee fly, nationally scarce • <i>Anthophora quadrimaculata</i>, nationally scarce <p>At the time of the survey s41 species, <i>Tyria jacobaeae</i>, cinnabar caterpillars were recorded on ragwort. The sites diverse ruderal species and trees are suitable to support a range of common and notable invertebrate species.</p>	Local importance – the site supports common and notable species.
Invasive species	<p>Wildlife and Countryside Act 1981 (as amended) Schedule 9;</p> <p>Environmental Protection Act 1990.</p>	<p>Records for non-native plant species as listed under Schedule 9, Part II of the W&CA were returned within the data search. DERC has returned thirteen known records for <i>Fallopia japonica</i>, Japanese knotweed and three known records for <i>Impatiens glandulifera</i> Himalayan Balsam.</p> <p>No non-native species were returned by the data search within the site nor identified during the site visit.</p>	Negligible importance – the site at the time of the survey did not support any invasive species.

4.0 RECOMMENDATIONS

4.1 MITIGATION AND FURTHER SURVEY

All of the works outlined in Table 4 should be assumed as likely requirements for the pre-planning stage to inform a planning application, unless otherwise stated.

Table 4. Mitigation and Further Survey / Assessment

Ecological Receptor	Further survey / Assessment	Mitigation required	Opportunity for enhancement
Designated sites	<p>The closest European designated sites are the Fontmell and Melbury Downs SAC and SSSI 3.4km south-east, Breach Fields SSSI – 1.5km south-west. Given the lack of both habitat and hydrological connections, direct and/or indirect effects are considered unlikely.</p> <p>The site lies within a Nutrient Vulnerable Zone designated by Natural England in their latest advice note (Environment Agency, 2017), however as it feeds into the River Stour and outside the zone for River Avon, as such no Nutrient Assessment is required.</p> <p>The development proposals do not require the LPA to consult with Natural England, therefore a Habitats Regulations Assessment (HRA) is not required.</p>	No further mitigation is required.	N/A
Habitats	The majority of habitats on site are common and have limited ecological value. The site does not meet the criteria for s41 Open	Tree protection measures in line with BS 5837 'Trees in Relation to Design, Demolition and Construction' must be implemented during construction to	Native species planting incorporated into landscape design such as a native fruit bearing species and wildflower seed mixes.

	<p>Mosaic on Previous Developed Land due to its size.</p> <p>The Environment Act 2021 mandates the provision of a measurable 10% biodiversity net gain (BNG) be achieved on site as part of any planning application. BNG calculation assessment is therefore required to support the planning application.</p>	<p>protect the mature trees on and directly offsite.</p>	
Bats	<p>The site is considered to have negligible suitability for foraging and commuting bats therefore activity surveys are not required.</p> <p>The mature trees directly offsite and on site at the time of the survey were noted of negligible potential for use by roosting bats.</p>	<p>A sensitive lighting strategy designed to minimise impacts to nocturnal wildlife must be implemented as part of the proposals which avoids illuminating retained habitat and overall aim to minimise light pollution in the wider environment.</p> <p>Provision of a sensitive lighting scheme will provide benefits to biodiversity on site. This ensures to meet Policy 25 of the North Dorset Local Plan.</p>	<p>It is recommended that a minimum of two bat boxes are incorporated into the western or southern walls of the new building (i.e. Habibat Bat Box 001). This will provide enhancements for biodiversity by increasing roosting opportunities for bats within the site and the local area. The exact location of these is to be confirmed by an Ecologist.</p>
Birds	<p>At the time of the survey, nesting greenfinch were located on site. The site has suitable habitat for breeding birds in the form of trees. Any clearance or major works to this habitat and areas within close proximity will need to be conducted outside of nesting bird season (October to February). If this is not possible, any works must be preceded by a nesting bird check within 48 hours of removal, and all vegetation removal be supervised by an ecologist. If an active nest is discovered, then work in that area must</p>	<p>Clearance works outside the nesting bird season whenever possible, otherwise nesting bird surveys are required.</p>	<p>As nesting greenfinch are located on site, compensation for the loss of nesting sites due to the proposals will be required. As greenfinch are not known to use nesting boxes, retaining dense vegetation along the southwestern boundary with a sensitive landscaping and management scheme along this boundary will accommodate future nesting sites. To meet North Dorset Local Plan Policy 4, the site will provide enhancements for s41 house sparrows, by the use of integrated</p>

Christy's Lane, Shaftesbury
Preliminary Ecological Appraisal

	<p>cease and an appropriate buffer zone installed around the nest site where no works are undertaken until such a time that the young have fledged, and the nest is no longer in use. The extent of the buffer zone will depend on the nature of the works to be undertaken and the species of bird nesting, but this would be advised by an ecologist (as a minimum this would be 5m).</p>		<p>nesting boxes on the eastern side of the new building.</p>
Invertebrates	<p>At the time of the survey cinnabar caterpillars (s41 species) were noted on ragwort. As the site has a variety of trees and forb species, the site is likely to provide suitability for a range of common species.</p>	<p>Clearance outside the breeding and larval stage for moths and butterflies (spring and summer) will be required.</p>	<p>To compensate for the loss of habitat on site, the landscape plan will incorporate native species to provide foraging opportunities for invertebrates and other wildlife at the site. Two insect houses/bug hotels will be installed within boundary habitats.</p>

5.0 CONCLUSIONS

The results of the update Ecological Appraisal indicate that the majority of habitats on site are of low value or are common and widespread throughout the local landscape. The habitat of most importance is the line of trees which forms the site's southwestern boundary.

The site supports populations of nesting birds, along with terrestrial invertebrates. Mitigation and enhancement measures will be required to ensure compliance with legislation and local plan policy.

Measures to enhance the site for wildlife are made and include incorporating native pollen rich planting and integrated nesting boxes into the new development's eastern wall. Provision of a BNG metric will be required in order for works to comply with the Environment Bill.

Key recommendations of the report comprise a relaxed mowing/strimming scheme of the grassland and boundary areas to improve biodiversity at the site and to provide benefits to other wildlife. The works are not predicted to have any likely detrimental effects on either biodiversity at the site nor protected or notable species, and the proposals are therefore considered to comply with local and national planning policy.

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FIGURES

Figure 1 – Site Location Plan

Figure 2 – Statutory and Non-Statutory Map

Figure 3 – UKHab Pre Development Map

Figure 4- Post -Development Plan



Site Location Plan

Christy's Lane, Shaftesbury



Planning Issues

Legend

- Site Boundary
- Adverse Possession Land

Notes:

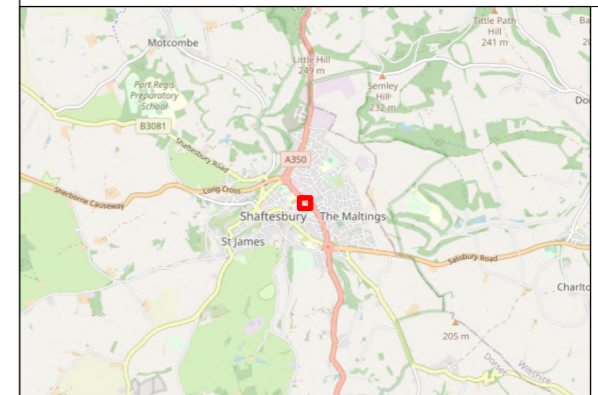
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 Checked by: TH
 Office: Southampton

Figure No. 1
 Revision No. A
 15 August 2023

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 Scale 1:492 @A3

British National Grid
 NGR: 386791E 123106N

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Statutory and Non-Statutory Sites Plan

Christy's Lane, Shaftesbury



Planning Issues

Legend

- Site Boundary
- Adverse Possession Land
- Site Boundary Buffer (2km)
- Local Community Nature Reserve (LCNR)
- Site of Nature Conservation Interest (SNCI)
- ▲ Veteran Greenwood Tree

Notes:

Drawn by: M.COLLISHAWLOCK
 Checked by: TH
 Office: Southampton

Figure No. 2
 Revision No. A
 15 August 2023

0 180 360 540 720 Meters
 Scale 1:16,000 @A3

British National Grid
 NGR: 386796E 123063N

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Phase 1 UKHab Classification Plan

Christy's Lane, Shaftesbury



Planning Issues

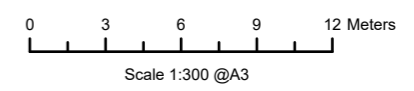
Legend

- Site Boundary
- g3c - other neutral grassland
- u1c - artificial unvegetated unsealed surface
- w1g6 - line of trees
- Target Notes

Notes:

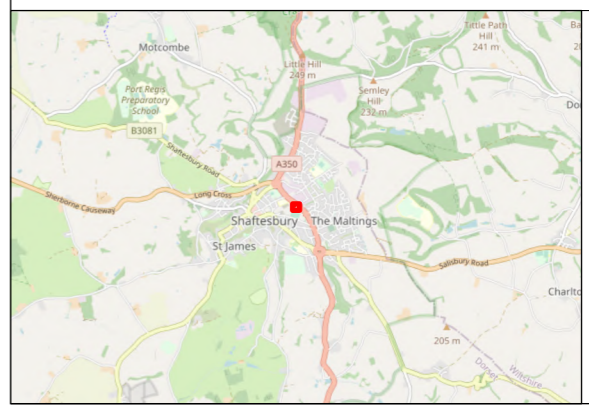
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 Checked by: TH
 Office: Southampton

Figure No. 3
 Revision No. A
 23 August 2023



British National Grid
 NGR: 386790E 123114N

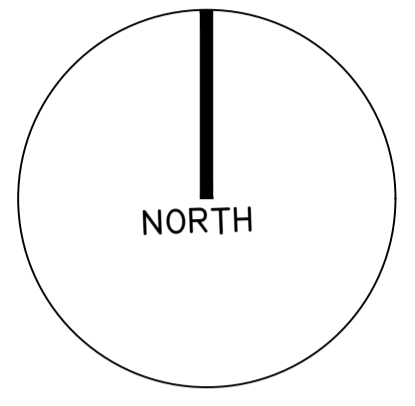
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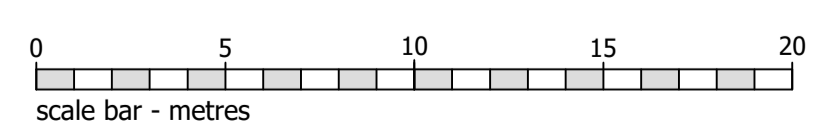
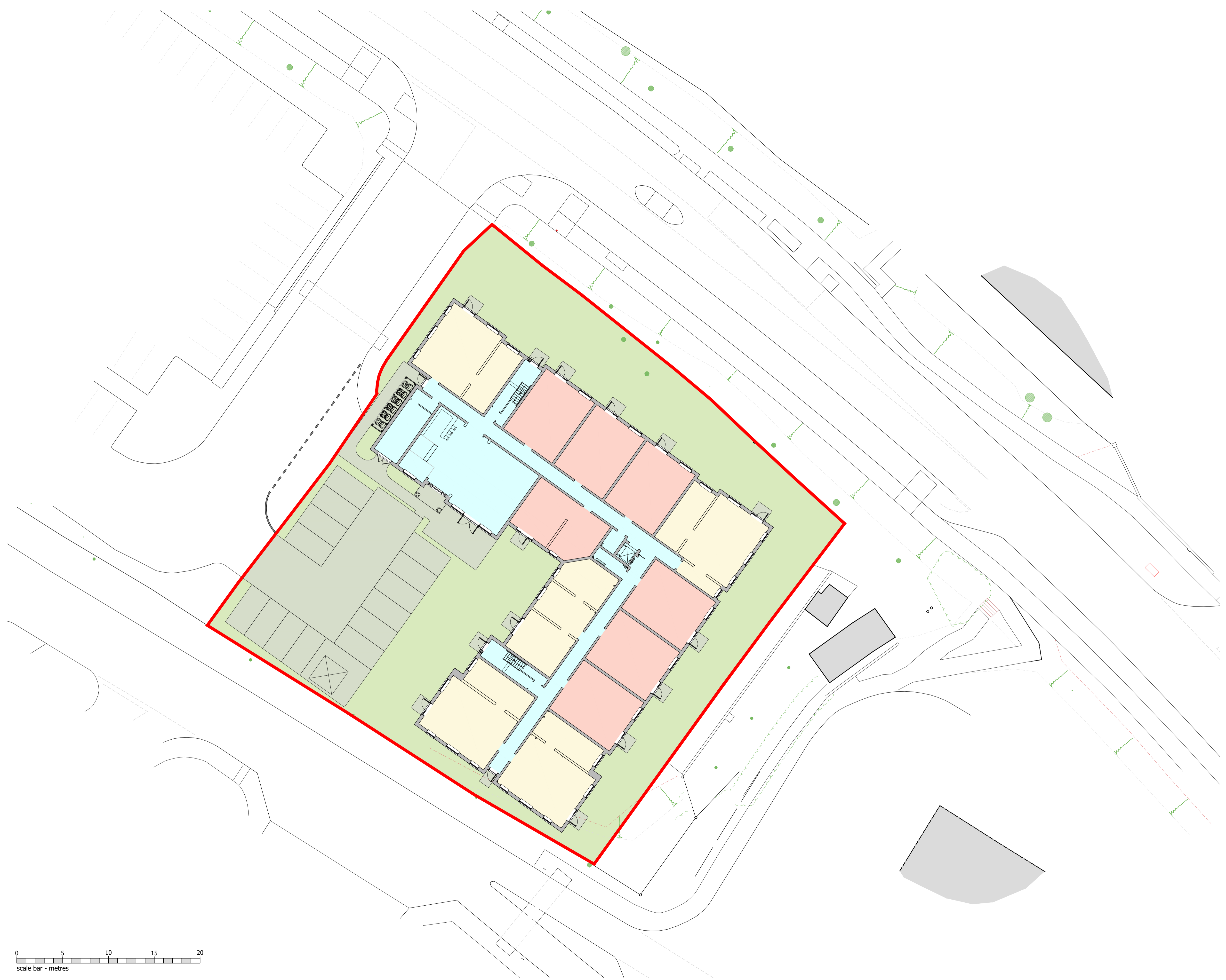
REVISIONS

Rev.	Date	By



1 BED APARTMENTS = 27
 2 BED APARTMENTS = 14
 TOTAL = 41

- 1 BED APARTMENTS
- 2 BED APARTMENTS
- COMMUNAL AREAS



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planning issues
 TOWN PLANNING AND ARCHITECTURAL DESIGN

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Client

Churchill Retirement Living

Project Title
 Retirement Living Apartments
 Christys Lane
 Shaftesbury

Drawing Title
 PROPOSED SITE PLAN

Scale	1:200 @ A1	Date	AUG 23
Drawn	MJS	Checked	RJ
Drawing No.	10127SB-PA01	Rev.	

APPENDICES

APPENDIX A: REPORT CONDITIONS

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The report refers, within the limitations stated, to the environment of the site in the context of the surrounding area at the time of the inspections'. Environmental conditions can vary and no warranty is given as to the possibility of changes in the environment of the site and surrounding area at differing times. No investigative method can eliminate the possibility of obtaining partially imprecise, incomplete or not fully representative information. Any monitoring or survey work undertaken as part of the commission will have been subject to limitations, including for example timescale, seasonal and weather-related conditions. Actual environmental conditions are typically more complex and variable than the investigative, predictive and modelling approaches indicate in practice, and the output of such approaches cannot be relied upon as a comprehensive or accurate indicator of future conditions. The “shelf life” of the Report will be determined by a number of factors including; its original purpose, the Client’s instructions, passage of time, advances in technology and techniques, changes in legislation etc. and therefore may require future re-assessment.


The whole of the report must be read as other sections of the report may contain information which puts into context the findings in any executive summary.




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The performance of environmental protection measures and of buildings and other structures in relation to acoustics, vibration, noise mitigation and other environmental issues is influenced to a large extent by the degree to which the relevant environmental considerations are incorporated into the final design and specifications and the quality of workmanship and compliance with the specifications on site during construction. Tetra Tech accept no liability for issues with performance arising from such factors.

APPENDIX B: TARGET NOTES & SURVEY DATA



Project Number	784-B48342
Project Name	Christys Lane Shaftesbury
Date of Survey	July 17, 2023
Surveyor	Trish Holden
Temperature	17°C
Cloud Cover	80%
Wind	3 - Gentle breeze
Precipitation	No precipitation
General Notes	EA

Target Note	Description	Photos
TN1	<p>Cinnabar larvae on ragwort</p> <p>British National Grid (m): 386811E, 123122N</p> <p>WGS84 (Lat/Long): 51.0073°N, -2.1894°E</p>	
TN2	<p>g3c, secondary code 17 –Other neutral grassland Ruderal/ephemeral.</p> <p>Species list include;</p> <p>Cocksfoot <i>Dactylis glomerata</i> (R)</p> <p>Ragwort <i>Senecio jacobaea</i> (O)</p>	


	<p>Thistle <i>Cirsium arvense</i> (O) False Oat Grass <i>Arrhenatherum elatius</i> (D) Greater Plantain <i>Plantago major</i> (F) Nettle <i>Urtica dioica</i> (R) Common Bent <i>Agrostis capillaris</i> (A)</p> <p>British National Grid (m): 386798E, 123130N WGS84 (Lat/Long): 51.0074°N, -2.1895°E</p>	
<p>TN3</p>	<p>w1g6 - Line of Trees Species list include; Mature Beech Tree <i>Fagus sylvatica</i> (D) Semi-mature Ash Tree <i>Fraxinus excelsior</i></p> <p>British National Grid (m): 386807E, 123133N WGS84 (Lat/Long): 51.0074°N, -2.1894°E</p>	
<p>TN4</p>	<p>u1c, Secondary Code 17 -Artificial unvegetated, unsealed surface , Ruderal/ephemeral Species list include; Mayweed <i>Tripleurospermum inodorum</i> (D) Wild Chamomile <i>Matricaria discoidea</i> (R) Timothy Grass <i>Phleum pratense</i> (R)</p>	

	<p>Dock <i>Rumex obtusifolius</i> (R) Buddleia <i>Buddleia davidii</i> (O) Lesser Plantain <i>Plantago lanceolata</i> (R) Ragwort <i>Senecio jacobaea</i> (O)</p> <p>British National Grid (m): 386783E, 123115N WGS84 (Lat/Long): 51.0073°N, -2.1898°E</p>	
<p>TN5</p>	<p>w1g6 - Line of Trees Species list include; Sycamore (Semi-mature) <i>Acer pseudoplatanus</i> Beech (Semi-mature) <i>Fagus sylvatica</i> Ash (Semi-mature) <i>Fraxinus excelsior</i></p> <p>British National Grid (m): 386809E, 123094N WGS84 (Lat/Long): 51.0071°N, -2.1894°E</p>	
<p>TN6</p>	<p>u1e – built linear feature, cement wall</p> <p>British National Grid (m): 386814E, 123104N WGS84 (Lat/Long): 51.0072°N, -2.1893°E</p>	
<p>TN7</p>	<p>Cinnabar caterpillars present on ragwort</p> <p>British National Grid (m): 386813E, 123111N WGS84 (Lat/Long): 51.0072°N, -2.1893°E</p>	

<p>TN8</p>	<p>g3c, secondary code 17 –Other neutral grassland Ruderal/ephemeral.</p> <p>Wild Teasel <i>Dipsacus fullonum</i> (A)</p> <p>Thistle <i>Cirsium arvense</i> (F)</p> <p>Mugwort <i>Artemisia vulgaris</i> (F)</p> <p>Hogweed <i>Heracleum sphondylium</i> (R)</p> <p>Nettle <i>Urtica dioica</i> (D)</p> <p>Hedge Bindweed <i>Calystegia sepium</i> (F)</p> <p>Willow Herb <i>Chamaenerion angustifolium</i> (O)</p> <p>Upright Hedge Parsley <i>Torilis japonica</i> (R)</p> <p>Dock <i>Rumex obtusifolius</i> (O)</p> <p>Buddleia <i>Buddleia davidii</i> (R)</p> <p>Greater burdock <i>Arctium Lappa</i> (R)</p> <p>Ribwort <i>Plantago lanceolata</i> (R)</p> <p>British National Grid (m): 386794E, 123086N</p> <p>WGS84 (Lat/Long): 51.007°N, -2.1896°E</p>	
<p>TN9</p>	<p>w1g6 - Line of Trees</p> <p>Species list include;</p> <p>Elder tree (Mature) <i>Sambucus nigra</i></p> <p>Wild Cherry (Semi-mature) <i>Prunus avium</i></p> <p>Birch (Mature) <i>Betula pendula</i></p> <p>Field maple (Mature) <i>Acer campestre</i></p> <p>Beech (Semi-mature) <i>Fagus sylvatica</i></p> <p>Hawthorn (Mature) <i>Crataegus monogyna</i></p> <p>English Ivy <i>Hedera helix</i></p> <p>Woody Nightshade <i>Solanum dulcamara</i></p> <p>British National Grid (m): 386770E, 123095N</p> <p>WGS84 (Lat/Long): 51.0071°N, -2.1899°E</p>	
<p>TN10</p>	<p>Rubble piles</p> <p>Mixture of cement blocks timber metal and fences</p> <p>British National Grid (m): 386792E, 123123N</p> <p>WGS84 (Lat/Long): 51.0073°N, -2.1896°E</p>	

		
<p>TN11</p>	<p>g3c, Secondary Code 17 – Other neutral grassland, Ruderal/ephemeral</p> <p>Species list include;</p> <p>Ragwort <i>Senecio jacobaea</i> (F)</p> <p>Dock <i>Rumex obtusifolius</i> (D)</p> <p>Willow Herb <i>Chamaenerion angustifolium</i> (R)</p> <p>Spear Thistle <i>Cirsium vulgare</i> (R)</p> <p>False Oat Grass <i>Arrhenatherum elatius</i> (R)</p> <p>Greater Plantain <i>Plantago major</i> (R)</p> <p>Nettle <i>Urtica dioica</i> (R)</p> <p>Mayweed <i>Tripleurospermum inodorum</i> (O)</p> <p>White Clover <i>Trifolium repens</i> (R)</p> <p>Buddleia <i>Buddleia davidii</i> (F)</p> <p>British National Grid (m): 386753E, 123125N</p> <p>WGS84 (Lat/Long): 51.0073°N, -2.1902°E</p>	
<p>TN12</p>	<p>g3c, Secondary Code 17 – Other neutral grassland, Ruderal/ephemeral</p> <p>Species list include;</p> <p>Ragwort <i>Senecio jacobaea</i> (F)</p> <p>Dock <i>Rumex obtusifolius</i> (D)</p> <p>Willow Herb <i>Chamaenerion angustifolium</i> (R)</p>	

	<p>False Oat Grass <i>Arrhenatherum elatius</i> (R) Greater Plantain <i>Plantago major</i> (R) Mayweed <i>Tripleurospermum inodorum</i> (O) White Clover <i>Trifolium repens</i> (R) Buddleia <i>Buddleia davidii</i> (F) Rye Grass <i>Lolium perenne</i> (R) Ribwort <i>Plantago lanceolata</i> (R) White Champion <i>Silene Latifolia</i> (R) Ox-eye Daisy <i>Leucanthemum vulgare</i> (F) Trefoil <i>Lotus corniculatus</i> (O) British National Grid (m): 386773E, 123145N WGS84 (Lat/Long): 51.0075°N, -2.1899°E</p>	
<p>TN13</p>	<p>u1b – Developed land sealed surface Area of hard standing located outside the redline boundary British National Grid (m): 386755E, 123138N WGS84 (Lat/Long): 51.0075°N, -2.1902°E</p>	
<p>TN14</p>	<p>Area just outside redline boundary u1, Secondary Code 1160 - Built up areas and gardens, introduced shrub Species list include: Nettle <i>Urtica dioica</i> (D) Buddleia <i>Buddleia davidii</i> (D) Beech (Immature) <i>Fagus sylvatica</i> British National Grid (m): 386751E, 123133N WGS84 (Lat/Long): 51.0074°N, -2.1902°E</p>	
<p>TN15</p>	<p>g3c, Secondary Code 17 – Other Neutral Grassland, Ruderal/ephemeral Hogweed <i>Heracleum sphondylium</i> (O) Ragwort <i>Senecio jacobaea</i> (R) Spear Thistle <i>Cirsium vulgare</i> (R) False Oat Grass <i>Arrhenatherum elatius</i> (A) Nettle <i>Urtica dioica</i> (R)</p>	

<p>Ox-eye Daisy <i>Leucanthemum vulgare</i> (R) Common Bent <i>Agrostis capillaris</i> (D) Cocksfoot <i>Dactylis glomerata</i> (R) Common Dandelion <i>Taraxacum officinale</i> (R) Yarrow <i>Achillea millefolium</i> (A) Willow Herb <i>Chamaenerion angustifolium</i> (R) Creeping Cinquefoil <i>Potentilla simplex</i> (A) British National Grid (m): 386792E, 123145N WGS84 (Lat/Long): 51.0075°N, -2.1896°E</p>	
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APPENDIX C: KEY LEGISLATION

Conservation of Habitats and Species Regulations 2017 (as amended)

Regulations place a duty on the Secretary of State to propose a list of sites which are important for either habitats or species (listed in Annexes I or II of the Habitats Directive respectively) to the European Commission. These sites, if ratified by Ministers, are then designated as Special Protection Areas (SPAs) within six years. Public bodies must also help preserve, maintain and re-establish habitats for wild birds.

The 2018 amendments mainly related to the impact of the *People Over Wind* decision and some implications arising for neighbourhood plan development and a range of other planning tools including Local Development Orders and Permission in Principle – see here for full details:

<https://www.legislation.gov.uk/uksi/2018/1307/note/made>

The 2019 amendments related to the EU exit. Most of these changes involved transferring functions from the European Commission to the appropriate authorities in England and Wales. All other processes or terms in the 2017 Regulations remain unchanged and existing guidance is still relevant. The obligations of a competent authority in the 2017 Regulations for the protection of sites or species do not change.– see here for full details:

<https://www.legislation.gov.uk/ukdsi/2019/9780111176573>

The Regulations make it an offence to deliberately capture, kill, disturb or trade in the animals listed in Schedule 2, or pick, uproot, destroy, or trade in the plants listed in Schedule 5.

Wildlife & Countryside Act 1981 (as amended)

This is the principal mechanism for the legislative protection of wildlife in the UK. This legislation is the chief means by which the 'Bern Convention' and the Birds Directive are implemented in the UK. Since it was first introduced, the Act has been amended several times.

The Act makes it an offence to (with exception to species listed in Schedule 2) intentionally:

- kill, injure, or take any wild bird;
- take, damage or destroy the nest of any wild bird while that nest is in use; or
- take or destroy an egg of any wild bird.

Or to intentionally do the following to a wild bird listed in Schedule 1:

- disturbs any wild bird while it is building a nest or is in, on or near a nest containing eggs or young; or
- disturbs dependent young of such a bird.

In addition, the Act makes it an offence (subject to exceptions) to:

- intentionally or recklessly kill, injure or take any wild animal listed on Schedule 5;
- interfere with places used for shelter or protection, or intentionally disturbing animals occupying such places; and
- The Act also prohibits certain methods of killing, injuring, or taking wild animals.

Finally, the Act also makes it an offence (subject to exceptions) to: intentionally pick, uproot or destroy any wild plant listed in Schedule 8, or any seed or spore attached to any such wild plant; unless an authorised person, intentionally uproot any wild plant not included in Schedule 8; or sell, offer or expose for sale, or possess (for the purposes of trade), any live or dead wild plant included in Schedule 8, or any part of, or anything derived from, such a plant.

Following all amendments to the Act, Schedule 5 'Animals which are Protected' contains a total of 154 species of animal, including several mammals, reptiles, amphibians, fish and invertebrates. Schedule 8 'Plants which are Protected' of the Act, contains 185 species, including higher plants, bryophytes and fungi and lichens. A comprehensive and up-to-date list of these species can be obtained from the JNCC website.

Part 14 of the Act makes unlawful to plant or otherwise cause to grow in the wild any plant which is listed in Part II of Schedule 9.

It is recommended that plant material of these species is disposed of as bio-hazardous waste, and these plants should not be used in planting schemes.

Environment Protection Act 1990

The Act imposes a classification of soil and other waste containing viable propagules of invasive non-native plant species as controlled waste. This has been applied to Japanese Knotweed *Reynoutria japonica*, with the result that waste containing this species must be disposed of in accordance with the duty of care set out in section 34 of the Act.

Protection of Badgers Act 1992

The main legislation protecting badgers in England and Wales is the Protection of Badgers Act 1992 (the 1992 Act). Under the 1992 Act it is an offence to: wilfully kill, injure, take or attempt to kill, injure or take a badger; dig for a badger; interfere with a badger sett by, damaging a sett or any part thereof, destroying a sett, obstructing access to a sett, causing a dog to enter a sett or disturbing a badger while occupying a sett.

The 1992 Act defines a badger sett as: "any structure or place which displays signs indicating current use by a badger".

Natural Environment and Rural Communities Act 2006

Section 41 (S41) of this Act requires the Secretary of State to publish a list (in consultation with Natural England) 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 40 of the Natural Environment and Rural Communities (NERC) Act 2006, to have regard to the conservation of biodiversity in England, when carrying out their normal (e.g. planning) functions. The S41 list includes 65 Habitats of Principal Importance and 1,150 Species of Principal Importance.

Hedgerow Regulations 1997

The Hedgerow Regulations were made under Section 97 of the Environment Act 1995 and came into force in 1997. They introduced new arrangements for local planning authorities in England and Wales to protect important hedgerows in the countryside, by controlling their removal through a system of notification. Important hedgerows are defined by complex assessment criteria, which draw on biodiversity features, historical context and the landscape value of the hedgerow.

Birds of Conservation Concern

This is a review of the status of all birds occurring regularly in the United Kingdom. It is regularly updated and is prepared by leading bird conservation organisations, including the British Trust for Ornithology (BTO), Joint Nature Conservation Committee (JNCC) and The Royal Society for the Protection of Birds (RSPB).

The latest report was produced in 2021 (Eaton *et al*, 2021) and identified 70 red list species, 103 amber species, and 72 green species. The criteria are complex, but generally:

Red list species are those that have shown a decline of the breeding population, non-breeding population or breeding range of more than 50% in the last 25 years.

Amber list species are those that have shown a decline of the breeding population, non-breeding population or breeding range of between 25% and 50% in the last 25 years. Species that have a UK breeding population of less than 300 or a non-breeding population of less than 900 individuals are also included, together with those whose 50% of the population is localised in 10 sites or fewer and those whose 20% of the European population is found in the UK.

Green list species are all regularly occurring species that do not qualify under any of the red or amber criteria are green listed.

Global IUCN Red List

The International Union for Conservation of Nature (IUCN) Threatened Species was devised to provide a list of those species that are most at risk of becoming extinct globally. It provides taxonomic, conservation status and distribution information about threatened taxa around the globe.

The system catalogues threatened species into groups of varying levels of threat, which are: Extinct (EX), Extinct in the Wild (EW), Critically Endangered (CE), Endangered (EN), Vulnerable (VU), Near Threatened (NT), Least Concern (LC), Data Deficient (DD), Not Evaluated (NE). Criteria for designation into each of the categories is complex, and consider several principles.

Local Biodiversity Action Plan (LBAP)

Local Biodiversity Action Plans (LBAP) identify habitat and species conservation priorities at a local level (typically at the County level), and are usually drawn up by a consortium of local Government organisations and conservation charities.

Some LBAP's may also include Habitat Action Plans (HAP) and/or Species Action Plans (SAP), which are used to guide and inform the local decision making process.

Wild Mammals (Protection) Act 1996

This Act offers protection to all wild species of mammals, irrespective of other legislation, and focussed on animal welfare, rather than conservation.

Unless covered by one of the exceptions, a person is guilty of an offence if he mutilates, kicks, beats, nails or otherwise impales, stabs, burns, stones, crushes, drowns, drags or asphyxiates any wild mammal with intent to inflict unnecessary suffering.

Its application is typically restricted to preventing deliberate harm to wildlife (in general) during construction works etc.

National Planning Policy Framework

National Planning Policy Framework (NPPF) is the top tier of planning policy. The Framework provides guidance to local authorities and other agencies on planning policy and the operation of the planning system. Section 15 relates to 'Conserving and enhancing the natural environment'.

Relevant policies in relation to planning application include Paragraphs:

“174. Planning policies and decisions should contribute to and enhance the natural and local environment by:

a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan); b) recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland; c) maintaining the character of the undeveloped coast, while improving public access to it where appropriate; d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures; e) preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans; and f) remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate.

179. To protect and enhance biodiversity and geodiversity, plans should: a) Identify, map and safeguard components of local wildlife-rich habitats and wider ecological networks, including the hierarchy of international, national and locally designated sites of importance for biodiversity; wildlife corridors and stepping stones that connect them; and areas identified by national and

local partnerships for habitat management, enhancement, restoration or creation; and b) promote the conservation, restoration and enhancement of priority habitats, ecological networks and the protection and recovery of priority species; and identify and pursue opportunities for securing measurable net gains for biodiversity.

180. When determining planning applications, local planning authorities should apply the following principles: 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 improve biodiversity in and around developments should be integrated as part of their design, especially where this can secure measurable net gains for biodiversity or enhance public access to nature where this is appropriate.” – see here for full details:

<https://www.gov.uk/guidance/national-planning-policy-framework>

North Dorset Local Plan

Policy 4

Policy 4 states that:

The natural environment of North Dorset and the ecosystem services it supports will be enhanced through the protection of environmental assets and the establishment of a coherent ecological network of designated sites and stepping stone sites linked via corridor features. Where development takes place, buffers should be provided to environmental assets to improve their biodiversity value and facilitate adaptation to climate change. Where opportunities exist, new habitats should be created to enhance this network further.

Developments that offer gains in biodiversity whether through the restoration of habitats or the creation of linkages between existing sites, will be looked upon favourably in the decision-making process. Developments are expected to respect the natural environment including the designated sites, valued landscapes and other features that make it special. Developments should be shaped by the natural environment so that the benefits it provides are enhanced and not degraded.

Development proposals which seek to conserve or enhance the natural environment should be permitted unless significant adverse social or environmental impacts are likely to arise as a result of the proposal.

Landscape Character

The landscape character of the District will be protected through retention of the features that characterise the area. Where significant impact is likely to arise as a result of a development proposal, developers will be required to clearly demonstrate that the impact on the landscape has been mitigated and that important landscape features have been incorporated in to the development scheme.

Areas of Outstanding Natural Beauty (AONB)

Within the areas designated as AONB and their setting, development will be managed in a way that conserves and enhances the natural beauty of the area. Proposals which would harm the natural beauty of the AONBs will not be permitted unless it is clearly in the public interest to do so. In such instances, effective mitigation should form an integral part of the development proposals. Developers will be expected to demonstrate how they have had regard to the objectives of the relevant AONB management plan for the area.

Internationally Important Wildlife Sites

Developers should demonstrate that their proposals will not have significant adverse effects, including cumulative effects, on internationally important wildlife sites. Where this cannot be demonstrated, appropriate

	<p>mitigation measures will be required otherwise permission will be refused. Mitigation measures for specific sites will include:</p> <p>a in relation to Fontmell and Melbury Downs SAC, contributions towards the effective management of the site to reduce recreational pressure;</p> <p>b in relation to Rooksmoor SAC, contributions towards the establishment of the North Dorset Trailway between Sturminster Newton and Stalbridge to reduce traffic pollution on the site;</p> <p>c in relation to the Dorset Heaths SAC, Dorset Heaths (Purbeck and Wareham) and Studland Dunes SAC, Dorset Heathlands SPA, and Dorset Heathlands Ramsar site, contributions from developments within 5km of the heathland designations towards the sustainable management of the heathland sites or contributions towards the provision of alternative accessible recreation space to reduce recreational pressure on the Dorset heathlands;</p> <p>d in relation to the Poole Harbour SPA and Poole Harbour Ramsar site, developments within the harbour catchment will be required to be nitrogen neutral to avoid increasing nitrogen inputs into Poole harbour. A package of measures including upgrade of sewage treatment works or through the transfer of land from intensive agricultural use to less intensive grassland or woodland uses is available.</p> <p>Sites of Special Scientific Interests (SSSIs)</p> <p>Nationally designated wildlife sites should not be harmed by development unless it can be clearly demonstrated that the benefits of development clearly outweigh the impact on the site and the wider SSSI site network.</p> <p>Developers should demonstrate that their proposals will not have a negative impact, including cumulative impacts, on nationally designated wildlife sites.</p> <p>Where the potential for harm is identified, effective mitigation measures will need to be put into place. Developments should seek to link sites together to contribute towards the establishment of a coherent ecological network.</p> <p>Locally Designated Natural Environment Sites</p> <p>Locally designated sites represent some of the most valuable local environmental sites. Development should have regard to the reasons for the designation and not harm the integrity of these sites nor connections between them and other environmental assets. Development proposals should aim to avoid impact on local biodiversity sites however where impact is unavoidable; developers will be required to provide effective mitigation for this loss in biodiversity. As a last resort, compensation measures may be acceptable if effective mitigation cannot be provided. Such compensation measures must offer gains equivalent in magnitude to the loss resulting from the development.</p> <p>Agricultural Land</p> <p>The best and most versatile agricultural land will be safeguarded from permanent loss unless it can be demonstrated that there are no suitable alternative sites, or that the proposal has significant economic or social benefits that outweigh the loss of the land from agricultural uses, or that the proposal would support an existing agricultural business.</p> <p>Species</p> <p>Where there is likely to be an impact on nationally protected or locally rare or scarce species, an assessment of the impact on these species should be submitted to accompany development proposals. This should be appropriate to the scale of development and be informed initially through consultation with the local environmental records centre.</p>
<p>Policy 25</p>	<p>Policy 25 states that:</p> <p>Artificial Light Intrusion</p> <p>Where external lighting is proposed, development will be permitted provided that:</p> <p>a the scheme is the minimum necessary to achieve its purpose;</p> <p>and</p> <p>b light scatter, spillage and glare are minimised through the control of light direction and intensity; and</p> <p>c the quality and intensity of the light and the daytime appearance of any light fittings and cables would not have a detrimental impact on local amenity or the character of the surrounding area.</p> <p>In the case of other development, no light pollution should occur by virtue of lighting schemes incorporated into the development.</p>