

Land off Elker Lane, Billington

PRELIMINARY ECOLOGICAL APPRAISAL

June 2024



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EXECUTIVE SUMMARY

Knight Sky Ecology was commissioned to undertake a preliminary ecological appraisal of land located off Elker Lane, Billington in relation to the proposed construction of a Continuing Care Retirement Facility at the site. A summary of the main findings along with the conclusions and recommendations drawn from the appraisal are listed below.

Ecological Feature	Results	Conclusions and Recommendations
International / National Sites	No sites with nature conservation interest are located within a 3km radius.	No further consultation or mitigation is advised in respect of internationally / nationally designated sites.
Locally Designated Sites / Lancashire Ecological Network	No Biological Heritage Sites are located within or adjacent to the site (as based on previous assessments). The site is partially within the Lancashire Ecological Network (grassland habitat layer).	No further consultation or mitigation is advised in respect of locally designated sites. The value of the land within the ecological network will be appropriately quantified within a biodiversity net gain assessment.
Priority Habitat	No priority habitats are located within or adjacent to the site.	No further assessment or mitigation required.
Site Habitats	The site habitat comprises a species poor (modified) grassland. Two mature oak trees are located within the boundary. In addition, there are two small streams immediately adjacent.	A biodiversity net gain assessment is to be submitted separately to show how legal requirements for net gain are to be met. Trees are to be retained and protected during construction. It is advised to implement measures to protect the streams from potential pollution incidents during construction.
Amphibians & Reptiles	No ponds within the site or 250m radius. The habitat within the site is of poor suitability for reptiles.	Reptiles and amphibians are not considered to represent a constraint to the development. No further survey or mitigation advised.
Birds	The oak trees provide suitable nesting opportunities. The grassland is not used by ground nesting birds. The site is not considered to be of significant value for breeding or wintering birds.	Trees are to be retained and protected. No further survey or mitigation advised. The installation of bird boxes is recommended.
Bats	No structures or trees with the potential to support bats roosts were identified and the site is not expected to support significant concentrations of bats.	No further survey or mitigation advised. The installation of bat boxes is recommended.
Other protected / notable species	No other protected / notable species likely to be encountered or impacted by the proposed development.	The proposal includes significant tree planting and the creation of a range of garden habitats and grasslands which will benefit general wildlife. The installation of hedgehog houses and refuge habitats (i.e., log piles) are recommended.

1 INTRODUCTION

1.1 Instruction & Background

Knight Sky Ecology was commissioned to undertake a preliminary ecological appraisal of land located off Elker Lane, Billington, Whalley (Grid reference SD 71773 35565). The appraisal was completed to provide supporting information for the construction of a Continuing Care Retirement Facility at the site.

The proposal received outline planning permission on 16 April 2018 (application reference 3/2016/0927). The application was supported by an ecological assessment (see Section 2). A reserved matters application was consented on 7 October 2021 (3/2021/0373) in respect to the site layout, construction details and landscaping. It is understood that a new application is required.

1.2 Development Proposal & Site Description

The development would be sited within agricultural land measuring approximately 2.54 hectares. The site is located to the west of the settlement boundary of Billington and bounded to the north by an area of open pasture which is situated directly below the A59. To the direct east is Elker Meadows retirement complex and a parcel of land that appears to have been set aside for development. To the west and south west are further areas of agricultural land. The wider area is a mix of open countryside, woodlands and urban areas including Langho (1.9km south-west) and Whalley (1.4km north-east). Figure 1.1 provides an image of the site location and Figure 1.2 presents an image of the proposed site layout.

Figure 1.1. Site location (approximate)



Figure 1.2. Proposed site plan



1.3 Legislation and Policy

Many UK wildlife species and habitats are protected by law and these important ecological features form a key consideration for defining the scope of assessment within a preliminary ecological appraisal. The key legislation of potential relevance to the site includes:

- Environment Act 2021
- The Conservation of Habitats and Species Regulations 2017 (as amended)
- Wildlife and Countryside Act 1981 (as amended)
- Countryside and Rights of Way (CROW) Act 2000
- Natural Environment and Rural Communities (NERC) Act 2006
- Protection of Badgers Act 1992

A summary of the legislation pertinent to the findings within this report is also provided in Appendix A. In addition to the above, biodiversity protection and enhancement is underpinned by national and local planning policies. Therefore, consideration has also been given in this report to the biodiversity aspects of the National Planning Policy Framework (2023) and Ribble Valley Council's Core Strategy (2008-2028) and any subsequent modifications.

1.4 Purpose and Scope of this Report

The framework of this report and its main objectives are to:

- Establish a baseline of ecological information for the site;
- Identify the likely ecological constraints associated with the proposal;
- Identify any mitigation measures likely to be required, following the 'Mitigation Hierarchy';
- Identify any additional surveys that may be required to inform an Ecological Impact Assessment; and,
- Identify opportunities for ecological enhancement.

The report is based upon information obtained from a desk study and a site survey completed on 7th June 2024. Standard guidelines for preliminary ecological appraisal were followed (CIEEM, 2017) unless otherwise stated.

The scope of the preliminary ecological appraisal detailed within this report has accounted for the size, location and nature of the existing site proposed for development and the potential environmental impacts associated with the project. This proportionate approach is in line with BS 42020:2013 (Biodiversity — Code of practice for planning and development (British Standards Institution, 2013)) and the relevant guidance (CIEEM, 2017).

2 METHODS

2.1 Desk Study

Previous Ecology Reports

The following report was submitted to support the original application:

- *Land at Elker Lane, Billington, Whalley, Lancashire, Extended Phase 1 habitat survey. Revised April 2016* (Pennine Ecological, 2016).

Due to the age of the survey data (8 years), the above report is now largely invalid. However, it provides a useful background and context.

On-Line Resources

The Multi-Agency Geographic Information for the Countryside (MAGIC) mapping tool (available from: <https://magic.defra.gov.uk/>) was used to search for ecological information contained within the following datasets:

- SSSI Impact Risk Zones - to assess planning applications for likely impacts on international, European and nationally designated sites.
- Granted European Protected Species (EPS) mitigation licenses for bats and great crested newts¹ within a 1km radius.
- Survey licence returns for great crested newts within a 1km radius.
- Ancient woodland areas.

Basic initial information about the site and surrounding area was also obtained from aerial imagery (Google Earth – latest imagery dated 08/06/2023) and Ordnance Survey maps in order to provide further contextualised information to the site survey findings. A search for waterbodies with the potential to support great crested newts within a 250m radius of the site was also undertaken using the MAGIC mapping tool along with Google Earth and Ordnance Survey maps.

2.2 Field Survey

A site walkover was undertaken on 7th June 2024 by Ryan Knight MCIEEM. Ryan has extensive experience in survey and site assessment for habitats and protected species and holds a Level 2 Natural England Class Licence for bats (ref. 2015-12611-CLS-CLS) and a Level 1 licence for great crested newts (ref. 2015-16727-CLS-CLS). The aim of the site visit was to gather sufficient baseline information of the habitats within the site and to identify any habitats or features of potential ecological significance.

All habitats within the site were described and mapped using UK Habitat Classification (UKHab) Version 2 definitions (UKHab Ltd, 2023). Dominant and notable plant species were recorded, and relative abundance was expressed using the DAFOR scale: dominant, abundant, frequent, occasional and rare. Botanical taxonomic nomenclature follows the New Flora of the British Isles, Fourth Edition (Stace, 2019).

In addition, the site visit included a search for incidental evidence of protected / notable species and an assessment of the sites potential to support protected / notable species (e.g., badger). Particularly attention

¹ English common names for species of fauna and flora are used throughout this report unless otherwise stated.



was paid to the adjacent streams in respect of water vole and they were searched for any signs of water vole such as latrines, burrows, feeding remains etc.

2.3 Survey and Report Comments

No limitations to the site survey were encountered.

This report will remain valid for a period of 24 months from the date of issue. An ecologist should be contacted for advice on the revalidation requirements of the report if planning permission is not obtained or works do not commence within this time period.

3 BASELINE ECOLOGICAL CONDITIONS

3.1 Desk Study

3.1.1 Previous Ecology Reports

The designated sites information and habitat data for the site do not appear to have significantly changed since the last ecology survey in 2016 (Pennine Ecological, 2016).

3.1.2 Designated Sites

Internationally / Nationally Designated Sites

There are no internationally / nationally designated sites for nature conservation within a 2km radius of the site. In addition, there are no such sites designated for their biodiversity related interests within 3km and the proposed development type does not trigger the need for an assessment of potential impacts with regards to SSSI located in the wider area.

Locally Designated Sites

A request for information of locally designated Biological Heritage Sites (BHS) was not undertaken given the previously obtained ecological information for the site. The previous report (Pennine Ecological, 2016) confirmed that there was no BHS within or adjacent to the site.

Lancashire Ecological Network

A section of the site appears to be within the Lancashire Ecological Network (woodland layer) as illustrated in the image below.

Figure 3.1. Lancashire Ecological Network (orange lines) overlapping the site.



Priority Habitats

No priority habitats within or immediately adjacent to the site were identified on the relevant MAGIC mapping layers. The nearest priority habitats are areas of deciduous woodland approximately 80m north (across the A59).

3.2 Field Survey

3.2.1 Habitats

Habitat Description and Habitat Classifications of Site

Photos of the site are provided in Appendix B and a UKHab Classification map of the site is provided in Appendix C (Figure 1 – Baseline).

G4 Modified grassland

The site comprises an open area of agriculturally improved pasture land which appeared poorly draining in places. The grassland contained common productive grasses (dominated by rye grass). Sheep and cows were present at the time of survey. A species list gathered during the survey (across the entire site) is provided in Table 3.2.

Table 3.2. Modified grassland species list

Species (Common name)	Abundance
Grasses	
Perennial rye grass	Dominant
Yorkshire fog	Abundant to Frequent
Meadow foxtail	Frequent
Rough meadow grass	Frequent
Sweet vernal grass	Occasional to rare
Red fescue	Occasional to rare
Turfed hair-grass	Rare (one small field cluster)
Crested dogs tail	Rare (boundary only)
Forbs	
Creeping thistle	Frequent to occasional
Creeping buttercup	Occasional to rare
Common nettle	Occasional to rare
Meadow buttercup	Rare
Broadleaved dock	Rare
Common sorrel	Rare
Hard rush	Rare

Individual Trees

There were two English oak trees on the site boundary. An alder was located on the watercourse just outside the north-east site boundary.

Surrounding Habitats

The site is bound by pasture fields to the north, north-east and south-west. To the direct east is Elker Meadows retirement complex and a parcel of land that appears to have been set aside for development. There are two narrow streams (UKHab: r2b Other rivers and streams) to the direct north and north-east of the site (see Figure 3.2). Both streams were very shallow (5-10cm deep) at the time of survey. Both streams contained a range

of terrestrial and semi-aquatic vegetation both in the channel and on the banksides. The stream to the north was heavily poached in places. Abundant to frequently found plants included hard rush, soft rush, meadowsweet, brooklime, common nettle and floating sweet-grass.

Figure 3.2. Location of streams



3.3 Protected / Notable Species

3.3.1 Previous Ecology Reports

The protected / notable species data and assessment for the site does not appear to have significantly changed since the last ecology survey in 2016 (Pennine Ecological, 2016).

Ecological Feature	Results & Evaluation of Presence / Absence
Notable Plants	The site habitats (agriculturally improved pasture) do not present suitable conditions to support notable plants.
Amphibians	No ponds with the potential to support amphibians including great crested newts within 250m of the site were identified. No records of great crested newts were identified within a 1km radius using the relevant MAGIC mapping layer. The site contains habitats of very limited structural diversity and is of low suitability for amphibians.
Reptiles	There are no known distributions of reptiles in the locality. The presence of reptiles within the site (primarily common lizard, slow worm and grass snake) is deemed highly unlikely overall.
Birds	The site visit coincided with the nesting bird season (generally March to end August). Birds recorded during the site visit via audible or visual means were limited to starling (group of 6 flying across the field), rook and black cap (in-song outside of site). The site and immediate surrounding land does not appear to be used by open-ground nesting birds. The only habitats of potential suitability to support nest sites are the two mature oak trees. The site is unlikely to be of significant value to wintering or breeding birds.

Badger	No evidence of badger activity was observed. The land comprises an open area of pasture land with limited undulation and is of a very low suitability to support badger setts.
Bats	No potential roost features were observed in any tree located within or adjacent to the site including the mature oak trees. The habitat within the site comprises agriculturally improved pasture and is of limited suitability to support foraging bats. The shallow, narrow streams on the boundary are also not expected to support significant concentrations of bats or a commuting flyway.
Water vole	Water voles are thought to be largely absent within the area (Knight Sky Ecology professional experience). No evidence of water vole (burrows, latrines, feeding remains) were observed and the shallow bank profiles, excessive poaching, shallow water and lack of connectivity due to culverting are limiting factors to the presence of water voles at the site.
Other notable mammals	The habitats within the site are unlikely to support any notable mammal species in terms of providing refuge or breeding sites although hedgehog is expected to be present in the area.
Notable invertebrates	The agriculturally improved pasture habitat is not conducive to the presence of invertebrates at the site.

4 EVALUATION AND IMPACT ASSESSMENT

4.1 Internationally / Nationally Designated Sites

There are no sites designated for their nature conservation interests within 3km of the development proposals and there is not considered to be any potential for adverse impacts to occur on any such sites within the wider area. Therefore, no further consultation or mitigation is advised in respect of internationally / nationally designated sites.

4.2 Locally Designated Sites

Based on previous assessments there are no locally designated sites within the locality. No further consultation or mitigation in respect of locally designated sites is advised.

4.3 Priority Habitats

There are no priority habitats within the site and there is not considered to be any potential for adverse impacts to occur on any such habitats within the wider area. Therefore, priority habitats are not considered to be a potential ecological constraint to the development proposal. The two streams adjacent to the site do not meet the criteria for priority habitat.

4.4 Habitats & Lancashire Ecological Network

The site comprises improved pasture which is a habitat of relatively low biodiversity value. The two mature oak trees within the site do have a relatively high biodiversity value are both trees are to be retained. The development plans are subject to the mandatory biodiversity net gain condition. Further consideration of this is detailed in Section 5.

The value of site and its partial inclusion in the ecological network will be properly accounted for within the BNG assessment as the land has a high strategic significance and this will be reflected in the biodiversity value of the habitats within the site.

4.5 Protected and Notable Species

Birds

The site contains two trees that are suitable to support nesting birds. These trees are to be retained. The site does not appear to be used by ground nesting birds and there are no other potential nesting habitats within the site. Therefore, breeding birds are not considered to be a potential constraint to the proposal. However, the development presents a good opportunity to deliver enhancements for birds and recommendations are provided in Section 5.

Bats

No trees or structures with potential roost features were present in the site. The site itself is expected to support low level of bat activity which use the site. Overall, bats are not considered to be a potential constraint to the proposal. However, the development presents a good opportunity to deliver enhancements for bats and recommendations are provided in Section 5.

Other Notable Species

The following protected and notable species are not considered to represent a potential constraint to the development proposal:

- Amphibians
- Reptiles
- Other notable mammals (e.g., brown hare, badger, otter)
- All notable invertebrates

Based on the data obtained for this preliminary ecological appraisal, the above features are likely to be absent from the site and / or the construction and operation of the proposal will not significantly affect the distribution or abundance of any such features or results in actions that may be in breach of the relevant legislation. No further assessment or mitigation actions are advised for the above listed features.



5 RECOMMENDATIONS

5.1 Habitats

Biodiversity Net Gain

In England, biodiversity net gain is required under a statutory framework introduced by Schedule 7A of the Town and Country Planning Act 1990. This legislation was inserted into the 1990 Act by Schedule 14 of the Environment Act 2021, and was amended by the Levelling Up and Regeneration Act 2023.

Under the statutory framework for biodiversity net gain, subject to some exceptions, every planning permission is subject to a condition that the biodiversity gain objective is met (“the biodiversity gain condition”). This objective is for development to deliver at least a 10% increase in biodiversity value relative to the pre-development biodiversity value of the on-site habitat. This increase can be achieved through on-site biodiversity gains, registered off-site biodiversity gains or through statutory biodiversity credits.

The development site will be subject to the biodiversity net gain condition. A statutory biodiversity metric tool along with pre- and post-habitat plans of the site are to be submitted separately.

It can be confirmed that the landscape plans include the planting of over 100 trees and the creation of new gardens and grasslands. This will be of benefit to wildlife as compared to the existing habitat.

Trees

The retained trees should be protected in line with any arboricultural assessment recommendations.

Adjacent Streams

It is not considered to be a strictly ecological concern but the development is recommended to protect the adjacent watercourses for potential pollution incidents during construction.

5.2 Ecological Enhancements

Opportunities for nesting birds should be incorporated into the design layout with at least 20 bird boxes advised. The boxes should include several models which suit declining red-listed bird species such as house sparrow and starling. If at least one of the buildings has a sufficient height (at least 4.5m), boxes for common swift should also be installed. Such boxes can be integrated into new buildings as they are being constructed. The details of the boxes including positioning advice and specific locations of boxes can be included in a Biodiversity Enhancement and Management Plan (BEMP).

Similarly, 15 bat boxes are advised to be installed and the details of these can be included in the BEMP.

The development may also wish to consider the installation of hedgehog houses on the boundaries and other enhancement features such as log / brash piles.

5.3 Further Ecological Information

A preliminary ecological appraisal is not usually sufficient to support a planning application as a standalone document and the majority of planning applications should be supported by an Ecological Impact Assessment (EclA) following standard guidance (CIEEM, 2018). However, the potential impacts of the development relate to habitat loss which is to be dealt with via the BNG condition and this data is to be submitted separately. Therefore, an EclA is not recommended.

6 CONCLUSIONS

Knight Sky Ecology was commissioned to undertake a preliminary ecological appraisal of land off Elker Lane, Billington. A summary of the main findings along with the conclusions and recommendations drawn from the appraisal are listed in Table 6.1.

Table 6.1. Summary of results, conclusions and recommendations

Ecological Feature	Results	Conclusions and Recommendations
International / National Sites	No sites with nature conservation interest are located within a 3km radius.	No further consultation or mitigation is advised in respect of internationally / nationally designated sites.
Locally Designated Sites / Lancashire Ecological Network	No BHS are located within or adjacent to the site (as based on previous assessments). The site is partially within the Lancashire Ecological Network (grassland habitat layer).	No further consultation or mitigation is advised in respect of locally designated sites. The value of the land within the ecological network will be appropriately quantified within a biodiversity net gain assessment.
Priority Habitat	No priority habitats are located within or adjacent to the site.	No further assessment or mitigation required.
Site Habitats	The site habitat comprises a species poor (modified) grassland. Two mature oak trees are located within the boundary. In addition, there are two small streams immediately adjacent.	A biodiversity net gain assessment is to be submitted separately to show how legal requirements for net gain are to be met. Trees are to be retained and protected during construction. It is advised to implement measures to protect the streams from potential pollution incidents during construction.
Amphibians & Reptiles	No ponds within the site or 250m radius. The habitat within the site is of poor suitability for reptiles.	Reptiles and amphibians are not considered to represent a constraint to the development. No further survey or mitigation advised.
Birds	The oak trees provide suitable nesting opportunities. The grassland is not used by ground nesting birds. The site is not considered to be of significant value for breeding or wintering birds.	Trees are to be retained and protected. No further survey or mitigation advised. The installation of bird boxes is recommended.
Bats	No structures or trees with the potential to support bats roosts were identified and the site is not expected to support significant concentrations of bats.	No further survey or mitigation advised. The installation of bat boxes is recommended.



Ecological Feature	Results	Conclusions and Recommendations
Other protected / notable species	No other protected / notable species likely to be encountered or impacted by the proposed development.	The proposal includes significant tree planting and the creation of a range of garden habitats and grasslands which will benefit general wildlife. The installation of hedgehog houses and refuge habitats (i.e., log piles) are recommended.

7 REFERENCES

CIEEM (2017). *Guidelines for Preliminary Ecological Appraisal*. Chartered Institute of Ecology and Environmental Management, Winchester.

CIEEM (2018). *Guidelines for Ecological Impact Assessment in the UK and Ireland: Terrestrial, Freshwater, Coastal and Marine*. Chartered Institute of Ecology and Environmental Management, Winchester.

Natural England (2023). Natural England's Impact Risk Zones for Sites of Special Scientific Interest. User Guidance. Version: v4.1. Issue Date: 7 March 2023.

Stace, C.S. (2019). *New Flora of the British Isles*, 4th edition. University Press, Cambridge.

UKHab Ltd (2023). UK Habitat Classification Version 2.0 (at <https://ukhab.org>)

APPENDIX A. LEGISLATION

The Environment Act 2021

An Act to make provision about targets, plans and policies for improving the natural environment; for statements and reports about environmental protection; for the Office for Environmental Protection; about waste and resource efficiency; about air quality; for the recall of products that fail to meet environmental standards; about water; about nature and biodiversity; for conservation covenants; about the regulation of chemicals; and for connected purposes.

Specific to biodiversity, the Act involves:

- Strengthened biodiversity duty.
- Mandatory biodiversity net gain to ensure developments deliver at least 10% increase in biodiversity (to be calculated using Biodiversity Metric and approval of a net gain plan and habitat needs to be secured for at least 30 years via obligations / conservation covenant).
- 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.

Legislation relating to European Protected Species (e.g. bats, otter, great crested newt)

European Protected Species and their resting places (e.g. bat roosts, otter holts) are protected under the Wildlife and Countryside Act 1981 (as amended), the Countryside and Rights of Way (CROW) Act 2000, and the Conservation of Habitats and Species Regulations 2017 (as amended).

The Habitats Regulations 2017 (as amended) and WCA 1981 (as amended) are pieces of domestic legislation that transpose the land and marine aspects of the Habitats Directive (Council Directive 92/43/EEC) and certain elements of the Birds Directive (Council Directive 2009/147/EC) (known as the Nature Directives). Species of European (International) conservation importance are listed on Annexes II, IV and V of the Habitats Directive and Annex I of the Birds Directive. The Habitats Regulations 2017 were amended in 2018 and again on 1st January 2021 when the Conservation of Habitats and Species (Amendment) EU Exit) Regulations 2019 were adopted following the United Kingdom officially leaving the European Union. The Regulations provide for the designation and protection of 'European Sites', the protection of 'European Protected Species' (EPS), and the adaptation of planning and other controls for the protection of European Sites. EPS are listed on Schedule 2 of the Conservation of Habitats and Species Regulations 2017 (as amended).

Under the Conservation of Habitats and Species Regulations 2017 (as amended) it is an offence to:

- Deliberately capture, injure or kill any wild animal listed as a European Protected Species;
- Deliberately disturb wild animals of any such species in such a way as to be likely:
 - to impair their ability:
 - i) to survive, to breed or reproduce, or to rear or nurture their young, or;
 - ii) in the case of animals of a hibernating or migratory species, to hibernate or migrate, or;
 - to affect significantly the local distribution or abundance of the species to which they belong.
- Deliberately take or destroy the eggs of such an animal; or,

-
- Damage or destroy a breeding site or resting place of such an animal.

In addition, under this legislation there are offences relating to possession, control sale and exchange of an EPS.

Under the Wildlife and Countryside Act 1981 (as amended) it is an offence to:

- Intentionally or recklessly damage or destroy any structure or place which any wild animal specified in Schedule 5 uses for shelter or protection;
- Intentionally or recklessly disturb any such animal while it is occupying a structure or place which it uses for shelter or protection; or
- Intentionally or recklessly obstruct access to any structure or place which any such animal uses for shelter or protection.

In addition, under this legislation there are offences relating to sale, possession and control of wild animals listed in Schedule 5.

Natural Environment and Rural Communities (NERC) Act 2006

Section 41 of the NERC Act 2006 requires the Secretary of State to publish a list of the living organisms and types of habitats which in the Secretary of State's opinion are of principal importance for the purpose of conserving or enhancing biodiversity. There are 56 habitats and 943 species of principal importance, often referred to as priority habitats and priority species respectively, which were initially identified as requiring conservation action under the UK Biodiversity Action Plan and which continue to be regarded as priorities under the UK Post-2010 Biodiversity Framework. The Section 41 list is used to guide decision-makers such as public bodies, including local and regional authorities, in implementing their general biodiversity objective under Section 40 of the NERC Act 2006

Legislation relating to nesting birds

The Wildlife and Countryside Act 1981 (as amended) is the principal mechanism for the legislative protection of wildlife in Great Britain. All bird species are protected under elements of Section 1 of the Act and it is an offence, with certain exceptions, to:

- Intentionally kill, injure or take any wild bird;
- Intentionally takes, damages or destroys the nest of any wild bird included in Schedule ZA1 (for specific birds that reuse their nests);
- Intentionally take, damage or destroy the nest of any wild bird while it is in use or being built; and
- Intentionally take or destroy the egg of any wild bird.

Further protection is given for certain species listed in Schedule 1 (Part 1) of the Act. It is an offence to intentionally or recklessly disturb any wild bird included in Schedule 1 while it is building a nest; or, is in, on or near a nest containing eggs or young; or, disturb dependent young of such a bird.

Legislation relating to badgers

Both badgers and their setts are protected under the Protection of Badgers Act 1992. Offences under the Act include:

- wilfully taking, injuring or killing a badger;
- cruelty to a badger;
- intentional or reckless interference with a badger sett;
- sale or possession of a badger; and
- marking or ringing of a badger.

APPENDIX B. SITE PHOTOS

Photo 1.

View southwest
across site from
Elker Lane.



Photo 2.

View north across
northern part of
site.



Photo 3.

View across site
back towards
Elker Lane



Photo 4.

Further north-
east from base of
oak tree.



Photo 5.

Stream on north side.



Photos 6a & 6b.

Stream on north-east side.





Photo 7.

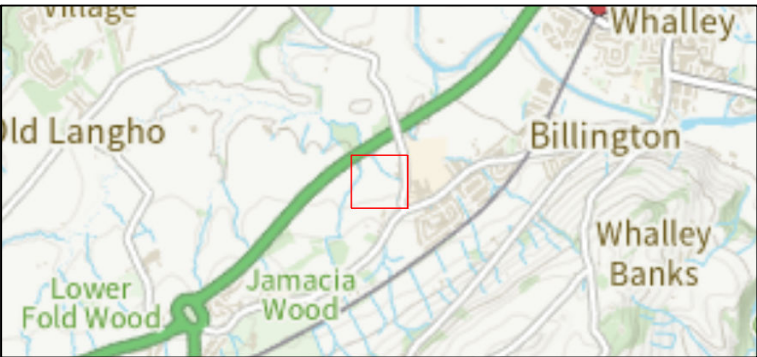
View towards
A59.



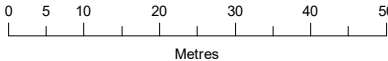


APPENDIX C. HABITAT PLAN

Figure 1. UK Habitat Classification Map (Baseline)



Survey Information	
	Site boundary (25,470.0m ²)
UKHab Habitat Survey	
	g4 - Modified grassland (24,983.9m ²)
	u1b - Developed land; sealed surface (486.1m ²)
	32 - Scattered tree (2)



PROJECT TITLE				
LAND OFF ELKER LANE, BILLINGTON				
DRAWING TITLE				
Figure 1: UK Habitat Classification Map (Baseline)				
VER	DATE	REMARKS	Drawn	Checked
1.1	27/06/24	UKHab	MP	RK
DRAWING NUMBER:				
KSEcology/ElkerLane/UKHab				
SCALE	1:1,000	PLOT SIZE	A3	DATUM
				OSGB
				PROJECTION
				BNG
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